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

COMMISSION

RE: CHRISTINA COURT SUBDIVISION-1306/1310 E. OLIVE ST. - PC#15-001

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
13th day of May, 2015, at the hour of 7:30 o'clock p.m.

MEMBERS PRESENT:

JOE LORENZINI, Chairman
LYNN JENSEN
MARY JO WARSKOW
TERRY ENNES
BRUCE GREEN
GEORGE DROST
SUSAN DAWSON
JOHN SIGALOS
JAY CHERWIN

ALSO PRESENT:

LATIKA BHIDE, Development Planner

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CHAIRMAN LORENZINI: I'd like to call to order this meeting of the Plan Commission. Would you all please rise and recite the pledge of allegiance with us?

(Pledge of allegiance.)

CHAIRMAN LORENZINI: Latika, could we please have the roll call?

MS. Bhide: Commissioner Cherwin.

COMMISSIONER CHERWIN: Here.

MS. Bhide: Commissioner Dawson.

COMMISSIONER DAWSON: Here.

MS. Bhide: Commissioner Drost.

COMMISSIONER DROST: Here.

MS. Bhide: Commissioner Ennes.

COMMISSIONER ENNES: Here.

MS. Bhide: Commissioner Green.

COMMISSIONER GREEN: Here.

MS. Bhide: Commissioner Jensen.

COMMISSIONER JENSEN: Here.

MS. Bhide: Commissioner Sigalos.

COMMISSIONER SIGALOS: Here.

MS. Bhide: Commissioner Warskow.

COMMISSIONER WARSKOW: Here.

MS. Bhide: Chairman Lorenzini.

CHAIRMAN LORENZINI: Here. Okay, the next item on the agenda is approval of the meeting minutes from the Johler Demolition dated February 11th, 2015.

COMMISSIONER ENNES: I would make a motion to approve them.

CHAIRMAN LORENZINI: Second?

COMMISSIONER GREEN: Second.

CHAIRMAN LORENZINI: All in favor?

(Chorus of ayes.)

CHAIRMAN LORENZINI: Opposed?

(No response.)

CHAIRMAN LORENZINI: Okay, the next item is the --

COMMISSIONER DAWSON: I just need to abstain, just to get that on the record.

CHAIRMAN LORENZINI: Thank you. Okay, next item is the public hearings. We've got two tonight. The first one is Christina Court Subdivision. Is the Petitioner here?

MR. ISHERWOOD: We are.

CHAIRMAN LORENZINI: Is anybody else going to testify this evening?

MR. ISHERWOOD: Yes.

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CHAIRMAN LORENZINI: Why don't you raise your right hand?

(Witnesses sworn.)

CHAIRMAN LORENZINI: Thank you. Okay, Latika, have all the proper notices been given?

MS. BHIDE: Yes.

CHAIRMAN LORENZINI: Thank you. Petitioner, would you please come forward and give us a presentation of what your project is all about?

MR. ISHERWOOD: Sure.

CHAIRMAN LORENZINI: Would you please state your name, spell it and give --

MR. ISHERWOOD: My name is Jon, J-o-n, Isherwood, I-s-h-e-r-w-o-o-d.

CHAIRMAN LORENZINI: And your address please?

MR. ISHERWOOD: The address is 1804 North Neighbor Boulevard, Suite 200, Naperville, Illinois 60563.

CHAIRMAN LORENZINI: Okay. Have you read all the conditions in the Village's Staff report? Would you agree to them?

MR. ISHERWOOD: I have read all of the conditions and agree with all but one, which we would like to propose a minor amendment to.

CHAIRMAN LORENZINI: Okay, why don't you go ahead with your presentation?

MR. ISHERWOOD: Sure. First, we just would like to thank the Commissioners and everyone in the audience for their time this evening. It's greatly appreciated. We're here tonight to discuss Christina Court, a 13-lot subdivision on Olive Street.

Before I get started on Christina Court, just a little bit of background on K. Hovnanian, who we are and what we do. We are a home builder. We are a publicly traded home builder, the seventh largest in the nation. On 2014, we delivered just over 5,000 units, and we currently build across 16 states.

For some perspective on Chicago, we have a map here on the current page that highlights all of K. Hovnanian communities here in the Chicagoland area. We span all the way from the south down in Plainfield and Fairfield and Ridge, up to the north, Amberly Woods in Lake Forest. Currently, we have 15 active selling communities in the Chicagoland area.

On 2014, we delivered just over 300 homes in the Chicagoland area. That makes us the fifth largest builder here. We'll start to build more than that in 2015 and have had a lot of good success in the northwest suburbs over the past few years, building more than 25 homes in the Village of Palatine. We have experienced local leadership here. Andy Konovodoff, who's our division president, he leads our division. He's been with the company for more than 20 years

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and he's been leading the division for more than ten.

I just wanted to highlight. A few new luxury communities will be opening over the coming months here, Amberly Woods in Lake Forest which is 22 homes just off Townline and 94, 35 homes in the city of Chicago located in the Sauganash neighborhood, and 42 homes in the city of Naperville in the community of Heatherfield.

Moving on to Christina Court, I'll just give you a little color, a little background. We have been working with Village Staff for almost now 12 months on this project. We looked at a lot of concepts. We met with the Plat and Subdivision Review Committee last August, solicited feedback that, you know, we really took into account amending our plan. We held a voluntary informational meeting for the neighbors in the community, held it on a nice, cold December evening.

Most recently, we presented to the Design Commission on March 31st, 2015, excuse the typo there, and we received approval, unanimous approval from the Design Commission for the architecture that we plan to build at Christina Court. Our certificate of appropriateness was issued in April, so on that front we have approvals for the housing architecture. We are committed to continue to work with Village Staff to make sure all concerns and comments are addressed.

Just for a brief courtesy on the location of Christina Court, on page six, just off of Olive Street here kind of in the smack middle of Arlington Heights, here is an aerial of the surrounding area. Obviously it's apparently just one of the last kind of remaining larger parcels developed for residential land in Arlington Heights. The other thing I'd like to note on this slide is the east and north property border of the subject property shares the border of Prospect Heights.

Continuing on to the site plan, you see on page eight and on the screen, we have 13 months contemplated here. This is after numerous revisions. Our average lot size here is just about 10,800 square feet with an average width of 81.3 feet. This compares favorably as is pointed out in the Staff report with the Sebastian re-subdivision, which also has 82-foot wide lots and about 10,900 square-foot lot average. The lots are on Olive Street between the subject property, Dryden Avenue to our west, which average about 78.5 feet wide and approximately 10,400 square feet.

All of the Christina Court designs, the lots, meet all of the underlying R-3 zoning requirements in relation to lot size, setbacks, right-of-way width, cul-de-sac design, outlot, detention management, et cetera. There is, we are asking for a single variance this evening. This was gone over in great detail in our subdivision application, which I trust you have reviewed. It was highlighted in the Staff report and Staff did not object to this variance request.

I'd like to just kind of add a little bit more

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color on it, as it was something we discussed at the Plat and Subdivision Review Committee, you know, effectively we looked at alternative site plans that did include no double frontage lot variances. But all of those alternative site plans included accessing in some way, shape or form off of Williams Way. Given that Williams Way is a Prospect Heights right-of-way, it would require access to Prospect Heights which we currently don't have those rights. It potentially could require Arlington Heights utilities to run through Prospect Heights right-of-way. Upon discussion with Village Staff, it was determined that Village Staff was not in support of any access off of Williams Way.

Recognizing that double frontage lots are, you know, we'd like to mitigate for any kind of visual impact with a double frontage lot, we have planned for a very dense landscape buffer along the east property border that you see highlighted up here on the screen behind lots 9 through 13, and running along the detention basin to Olive Street. There is a brief rendering of what that buffer may look like or would look like that reflects our landscape plan.

The one comment or recommendation by Village Staff that K. Hovnanian would like to propose an alternative to is recommendation number 8 which stipulated that any fence to be installed along the Williams Way property line would be installed on the west side of the landscape buffer. What we would like to propose as an alternative, understanding that you want to maintain a good visual landscape buffer vista along Williams Way, is restricting the lot type to an ornamental wrought iron style fence. The wrought iron style fence are easily see-through. It would maintain the landscape buffer vista that is being created by the landscape buffer, and it would allow for the fence to be on the back side of landscaping for that property owner. In our experience, we found that property owners are more likely to care for and maintain that landscape buffer if it's on the inside of their fence than if it were on the outside of their fence.

Another complicating factor with a fence on the interior landscape buffer might be that if you saw someone, saw perhaps a board-on-board fence that may extend down to ground level, we have had instances where that fence can interrupt storm water management practices, where it can interrupt the flow of water. So, we think that the wrought iron style fence along the property line is a good solution to maintain the vista along Williams Way that's being created by the landscape buffer while ensuring that the residents, or the future homeowners, will maintain that buffer.

With that, I'm going to hand it off to Ron Adams, our professional engineer with Pearson Brown, to discuss some of the unique site conditions and the proposed engineering at Christina Court.

MR. ADAMS: Ronald Adams, A-d-a-m-s, I'm with Pearson Brown & Associates, located at 1850 Winchester Road, Libertyville,

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Illinois.

We prepared the preliminary engineering exhibits and the site plan for the subject property. One of the first things I'd like to discuss a little bit is the surrounding and existing site conditions. We have a retention pond along the entire west property line that was part of the, I believe Somerset was the name of the subdivision, but the entire west property line is a detention facility. The north property line is a detention facility for the Aldi property, and at the southeast corner is a detention facility for the Williams Way. So, we have detention on all three sides of the property.

Our particular property is relatively flat with slightly, some areas that are slightly lower towards the northerly end of the property. Our proposal is to grade the property whereas all of the proposed improvements, the streets, the roads, or excuse me, the streets, sidewalks, paving, roofs, et cetera, will all drain into a storm sewer system and convey the water to our detention facility at the southeast corner of our property. So, that is, there are some controlling factors where obviously we can't connect into and share other ponds adjacent. One is mostly due to jurisdiction, that two of the ponds are in Prospect Heights. The pond that's within the Village of Arlington Heights has some high water constraints that would not work with our particular property. So, we're being self-contained in grading and designing our property connecting to our own detention facility.

There are some unique characteristics to this property. There is a recapture for the storm sewer, and there is also an over-restricted release rate. So, we're storing approximately twice as much storm water on here as we would in a typical subdivision in Arlington Heights because there was a restricted release rate associated with this particular property along with the recapture for a storm sewer that was installed along Olive. So, with that, our pond is going to store more water than would ordinarily be required.

As far as the sanitary sewer, we are simply running a sanitary sewer down the cul-de-sac, connecting to an existing sanitary sewer in Olive. The water main, we plan on making a connection both at Olive and through into the cul-de-sac near the northwest corner providing a loop. The pavement right-of-way, the pavement will be typical standard right-of-way with standard paving that's required by the Village along with the appropriate sidewalk. The cul-de-sac pavement is going to be 88-foot diameter which will permit the emergency vehicles that the city uses to navigate the cul-de-sac without any problems. We provided auto turn exhibits to the Staff as requested to show that the largest emergency vehicle could navigate that cul-de-sac.

And really that's, I think that in general that's the overview of the engineering for the project, and I'll be happy to

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answer any questions now or in the future as we proceed.

CHAIRMAN LORENZINI: We'll take questions later.

MR. KROGSTAD: Good evening. My name is Karl Krogstad. I am both the arborist and the landscape architect for the project. I will --

CHAIRMAN LORENZINI: Could you spell your name?

MR. KROGSTAD: Yes.

CHAIRMAN LORENZINI: And give your address, too, please.

MR. KROGSTAD: Yes. My name is Karl with a K, so K-a-r-l, and my last name is K-r-o-g-s-t-a-d. I do have a card if it's easier for anyone.

So, what I'd like to do this evening is briefly go over the two different parts of my involvement in the project. The first was to take a look at the existing trees around the site. The trees had been surveyed and located by a surveyor and tagged per the ordinance, and a total of 1,070 trees were tagged on the site that met the requirements of the Village of Arlington Heights. I then went out and took a look at each of those trees and categorized them, identified what their species were, and also rated them as to their quality both in health and form.

One of the things that was apparent right away on the site is that the southern, let's say third of the site or so was developed currently in a more residential fashion with a couple of existing homes. Beyond that, and in those areas the trees were a little bit more ornamental. Once you got into the top two-thirds of the site, in general the trees are all volunteer species.

I have some percentages here. Siberian elm, for instance, 35 percent. Common buckthorn is 17 percent. Box elder, another 17 percent. Silver maple, 16 percent, and eastern cottonwood. All these trees are what you would typically find as volunteer species and that would grow in an area that wasn't maintained, and often you'd find that in areas that were farm fields and at some point were stopped being maintained and they just volunteered in the area.

These are all weak wood tree species that are considered by some, the one phrase that's used is weed trees, and are not generally healthy. In fact, the total by the rating was about 84 of the trees on site that would be considered healthy and good quality trees. So, those are just actually fair, good or excellent. That being said, the other attributes of the site, if anyone has been out there, you'll see that it is, there are things on the site such as even some old cars, and it's an area that apparently has been used as a place to get away like for teenagers out there. It just seems like this has been kind of an area that has not been maintained well, and I think one of the things that I feel very strongly about this subdivision is that it will be an improvement to the land in general

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including the species.

Going into the type of trees, now we heard from the engineer, and between the site plan and the engineering, in order to put the homes, getting the pads correct, getting it to drain to the southeast corner for our detention, the opportunity for saving any of these trees, there is no opportunity to save them. It's just there are too many factors to be able to save them. In my opinion, because of the quality of the trees in general, I think the improvement of the trees that we're going to be putting in will be again, create more both a diversity in the plant material that we don't see there now by putting in some oaks and some hackberry and other quality trees, but also add more diversity so that we can have, you know, not a mono-culture but have trees that are healthy and are going to be an addition to the overall area.

The other, so the three, or four main areas in the landscaping: one are the parkway trees, I went the wrong way, sorry. Let me go back to that little one since that went sideways. The parkway trees along Christina Court that meet the Village ordinance; the two buffers that I'll go into a little bit more detail on, on the west and the east; and then the detention area to the southeast; and then the treatment along the north where there are some retaining walls and exactly how that will be treated. So, if we go, I keep going the wrong way, sorry. This is a view that we put together for what the detention pond in the front will look like. One of the things that people, most people are probably familiar with are the wet detention ponds that have been built throughout the Chicago area. Well, now with new regulations and new way of thinking, those type of detention ponds are becoming a thing of the past.

What we're seeing here is more of what's going to be the future with regulations and taking care of, which is the wetland type of reestablishment of a pond. Those areas, it's low water, six inches or less, and wetland plants that will emerge out of that. Then the pond itself then is surrounded by trees, shade trees, some evergreens, shrubs, ornamental grasses, flowering shrubs. What we're doing in this area along with the other areas as well is to create some interest in every season. The idea is to have plants that flower in the spring, flower in the summer, with some of the different varieties to have both evergreen trees and ornamental grasses that will look good in the winter, and then also consider the fall color with the reds and other colors from the trees and some of the ornamentals.

This is a view then that was put together of how the western boundary would look. In those areas, we not only, we have proposed not only some evergreens toward the front and then the ornamental and shade trees in the back, but we did agree with the Village's earlier comment about adding specific trees in the backyards of some of these lots, and then this will complement the existing

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vegetation that we find along the existing pond to the west that our engineer spoke of in his presentation. This, I think we also spoke about earlier about what the east elevation roadway along Williams Way would look like again with the evergreen trees there to provide screening and also to provide privacy on those double-loaded lots.

The final thing is up on the north, this shows a cross section of what that would look like. We do have a retaining wall that was, the area that the engineer mentioned was low on the site. So, the engineering is, drainage is done such that there would be a small swale on the north end, and we're proposing since that would be, the access would be difficult in that area for homeowners, that that would also be a wetland type, a bio-swale treatment in the bottom of the wall so that the homeowners wouldn't have to go down there and mow or anything. It will be more self-sustainable.

Then on the top of the wall, we are proposing a decorative split rail fence, and I know there's some question from the Staff on how that would be put. What we're proposing is not to put it directly on the wall but behind the wall. Usually that's done in some of the tubes that are put in when the wall is constructed and then the concrete posted into those so that that becomes stable. Then landscaping is put along the back side on the top side of where that fence would be. That would include ornamental grasses that you see here but also some shrubs and some evergreen trees if we go back to the, I'll do this way, we're oriented the other way, but this is the area I'm talking about and this would actually be in the north. So, we're putting some trees in that area. We have also added a few other trees throughout on the lots per the request of the Village and we agreed to do that.

Finally, I'd just sum up by saying that we did account for the trees, the 84 trees that met with a little bit better quality. We have done replacements for those. The total number of trees, we're installing 104 trees on the site, and the ones that are considered replacement trees which essentially are most or if not all of the trees outside the right-of-way will be larger trees, I believe four inches, and the others are going to be, and then the evergreens will be 10-foot. So, they are going to be put in at a larger size than one typically finds in new construction.

So, that summarizes the landscape plan. Again, I'll be here for questions when our presentation is completed.

MR. MURPHY: I'm Brian Murphy with K. Hovnanian Homes, same address as Jon, 1804 Naper Boulevard, Naperville. Just to wrap up our presentation --

CHAIRMAN LORENZINI: I assume the spelling is typical?

MR. MURPHY: Yes. Name is Brian, B-r-i-a-n, Murphy, M-u-r-p-h-y. Just to wrap up our presentation, I just wanted to give everybody a quick time line of where we anticipate things. If we are

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positive tonight and move forward, we hope to achieve all of our approvals and be able to start land development in the fall of this year. So, we will start our land development, put the roads and infrastructure in. We would start our pre-sales event offsite in the fall of this year with home construction starting in the winter of this year. We anticipate about 18 months to be completely complete with the community once we get started. So, we'll be fully built out by the mid to end of 2017.

So, with that, I just want to open it up to any questions that we have. We went over the architecture, there's floor plans there, and we anticipate the home selling in the revenues of around mid 800's.

CHAIRMAN LORENZINI: Okay, thank you. Is that it for your presentation?

MR. MURPHY: Yes, sir.

CHAIRMAN LORENZINI: Okay, just so everybody knows who's in here tonight, the next step is we give the Staff report from our Arlington Heights Planning Department. Then each Commissioner will ask questions. Then we'll open it up to the audience to ask questions. Then we'll come back to the Commissioners for final deliberation and a recommendation, and whatever we do here tonight is a recommendation to the Board of Trustees.

So, with that, Latika, would you give us the Staff report?

MS. BHIDE: Thank you, Chairman Lorenzini. The Petitioner is here this evening requesting a preliminary plat of subdivision to re-subdivide two parcels into 13 single family lots and one outlot for detention. Along with that, they will be seeking a variation to allow double frontage lots, Lots 9 through 13 on the eastern side, both inclusive, and the detention outlot.

As you can see in the aerial here, the properties are located on the north side of Olive Street and east of Williams Way, which is in the city of Prospect Heights. You can see the plat of survey here, which shows the two parcels. They are approximately 4.77 acres in area and they are zoned R-3.

As I said, the plat of subdivision would allow 13 single family lots and one outlot for detention. The typical lot sizes in the R-3 District requires standard lots to be 8,750 square feet and 70 feet in width, and 9,900 square feet in area and 90 feet in width for corner lots.

As you can see on the table here, all lots meet the minimum required lot width in areas that are required both by the Zoning Ordinance and the Subdivision Ordinance. The average lot size not including the outlot is about 10,800 square feet, and the average lot width is 81 feet. I'd like to point out that the Comprehensive Plan designates this property as single family detached, and the lots

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are comparable in area and width to the lots in the north side of Olive Street as well as on the south side of Marion Street.

The Staff Development Committee does support the Petitioner's request because the lots comply with the zoning and subdivision regulations. They are comparable in size to the surrounding properties of the 38 lots in the immediate area that were analyzed. It's the 11 lots on the south side of Olive Street that are larger in area and width than the proposed lots. The larger neighborhood is zoned R-3. The proposed request is consistent with the Village's Comprehensive Plan which designates this property as single family detached.

The variation that they are seeking is from the requirement in the Subdivision Code that prohibits double frontage lots, and those would be lots 9 through 13 on the eastern border along with the detention outlot. They have provided a response to the variation criteria that is included in your packets.

I wanted to go over a couple of site related issues and I just listed the issues here. The first was Christina Court, the actual right-of-way. Per Chapter 29, Subdivision Control Regulations, cul-de-sacs must have a diameter, a roadway diameter density of at least 80 feet and a right-of-way of 100 feet. This was what was originally proposed by the developer, but this requirement conflicts with the requirement in the International Fire Code which requires the pavement to actually be 96 feet. So, Staff discussed this with the developer and presented two alternatives there. One was to require an 88-foot back-to-back curb diameter and additional right-of-way to accommodate a parkway and a sidewalk, or leaving the back-of-curb to back-of-curb diameter as 80 feet but servicing the homes that were serviced by the cul-de-sac with sprinkler systems.

The Petitioner has provided a plan that provides for that 88-foot back-of-curb to back-of-curb diameter, and there is a five-foot sidewalk easement on Lots 7 through 10 to accommodate that sidewalk. This configuration is acceptable to Staff.

The second was the improvements to the Olive Street right-of-way. The Petitioner is responsible for improvements to the half of the Olive Street right-of-way that is along the front of their property. Olive Street right now is an existing rural cross section. It doesn't have curb and gutters or sidewalks. So, at this time, the Petitioner would not be required to actually make the improvements, but they would have to contribute to their fair share of the cost. That would be based on their engineer's estimate that would be provided at Final Plat.

I just wanted to touch on the site engineering. The original concept plan that they had provided showed three detention basins. Because the ownership of the detention basins is transferred to the Village, this was not something that was desirable by the

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Village to have three detention basins. As was mentioned by the engineer, the site is relatively flat, but they have proposed a basin at a relatively low point on the site. The existing Village detention facility to the west could not be enlarged because of the high water elevation for that basin.

They had originally proposed 14 lots and one outlot for detention, but because of the slope of that detention basin for 14 lots, it required a retaining wall and a fence. That would, you know, because it would transfer back to the Village, it would add to the Village's maintenance expenses. Again, that was not something that was desirable. So, to address that concern, they eliminated one lot, so it's a 13-lot subdivision, enlarged the basin north and were able to reduce the slopes and get rid of the retention wall and the fence.

There is, as I mentioned, a retention wall along the north side of Lots 8 and 9, and the west side of Lot 8 and a portion of Lot 7. That retaining wall will be maintained privately by the homeowners.

I did want to touch on the fence along Williams Way. There is landscaping along that border. At this time, no fences are being proposed. But if a homeowner chooses to install a fence, Staff recommendation was that the fence be on the inside of the landscaping. I understand the Petitioner has expressed some concerns with that. I just want to point out to the Commission that it is difficult to enforce unique conditions on lots which would be, you know, if the fence were to be installed inside the landscaping, that would be a unique condition, too.

The last point that I wanted to mention on this site was the sidewalk connection. We were contacted by a resident and they had asked about the possibility of considering a public sidewalk between Christina Court and the Somerset Court subdivision between Lots 7 and 8. We asked the Petitioner to evaluate the feasibility of that sidewalk and they indicated to us that because of the grade transition, that sidewalk would require steps. It was not something, a public sidewalk was not something that they found desirable on private property, and they were also concerned about adding to the impervious surface because a sidewalk would add to the impervious surface for that lot.

I do want to point out that a new sidewalk with stairs but no accessible route would be a violation of the ADA, so that's not desired. But I do want to point out that if a sidewalk is to be installed, I mean they would have to provide an accessible route, and that's something the Village will have to look at.

To touch a little bit on the trees and landscaping on the site, they provided us with a tree survey for the site and identified a total of 1,370 trees on the site, 22 different species, but you know, only about 84 trees, six percent of the trees, were

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listed as being in fair, good or excellent condition. The remaining 1,286 trees were listed as either poor, very poor or dead in condition. Because of the grading, they will be removing all the, they are proposing to remove all the trees on this site.

During the review process, we had directed the Petitioner to explore opportunities for preserving trees on the periphery of the property, the north, east and the west side. The response they gave us was that, you know, these are low quality volunteer species and they are not exceptional trees that warrant exceptional, you know, preservation efforts. Staff agrees that because of the grading that would be required on this site, it will not be possible to retain those trees.

Just also to point out on their tree removal plan, they had indicated there are ten trees on the northwest border that they had indicated to remove, but those are actually trees that are on the Village's property on the detention to the west. So, they are not authorized to remove those trees. During the permitting, we will require that they delineate the property line with tape so that we know exactly where the property line is and which trees are on the Village property.

We did ask that they incorporate, from the initial iteration of the landscape plan, we asked that an additional 34 trees be incorporated into the site plan including trees along the detention basin to shift them. These would be a mix of deciduous shade trees, evergreens and ornamental trees. I do also want to point out on the location map that, as you can see, there are a lot of trees on the site but there are also trees on the western border of the site on the Village's property, which would provide a screen and a visual buffer.

This is the landscape plan. You know, there are 22 parkway trees on the plan, there are 17 trees that are provided along the detention basin, and the remaining 65 trees are provided on the 13 lots. It's an average of five trees per lot.

I just want to quickly go through some of the proposed zones. This obviously isn't a full slide here, but they did go before the Design Commission on March of this year to review the general architectural designs and exterior material packages. The Design Commission did approve the general architectural designs and the material packages. The requirement was that they would have to seek final design review approval for each individual home when they came for permit through the administrative review process. So, there will be a second review there.

Just a couple of pictures of the site. You can see Olive Street here and a couple along Williams Way. As you can see, the frontage portion of the site doesn't really have a lot of trees.

That being said, the Staff Development Committee does recommend approval of this Preliminary Plat of Subdivision subject

APPROVED

to a number of conditions, those being approval of the Final Plat, that Lot 1 will not have access to Olive Street. Lots 9 through 13, both inclusive, will not have access to Williams Way. There are a couple of contribution ordinances for the connection to the storm sewer from 1991. Prior to Final Plat, they would be required to pay for their fair share of improvements to Olive Street, incorporating additional landscaping along the retaining wall just for where there are some gaps in the landscaping in the plans presented. We did have the condition that any fences along Williams Way be installed inside of the landscaping to maintain that street scape. School, park, and library contributions are required prior to the issuance of a building permit. They must comply with all applicable federal, state and Village codes, regulations and policies.

CHAIRMAN LORENZINI: Thank you, Latika. Do we have a motion to include the Staff report into the public record?

COMMISSIONER DROST: I'll make that motion.

COMMISSIONER JENSEN: I'll second.

CHAIRMAN LORENZINI: With a voice vote, all in favor?

(Chorus of ayes.)

CHAIRMAN LORENZINI: Opposed?

(No response.)

CHAIRMAN LORENZINI: Okay, thank you. Okay, now we will have the Commissioners ask their questions. Commissioner Jensen, would you like to start?

COMMISSIONER JENSEN: Yes. At this point, I'll just ask a couple of questions and then I'll hear the audience before asking perhaps some further ones.

I'm not sure I fully understand as you went through this the issues. So, the major variation we're asking for is to deal with the double frontage here. What exactly is the issue there? And the solution that we worked out is satisfactory to the Staff, so I wish you'd kind of explain to me what the issue was and why you're happy with what has been worked out.

MS. BHIDE: Sure. In general, I mean this is a requirement in the Subdivision Ordinance that doesn't allow for double frontage lots, and the idea being that, you know, when you have double frontage lots on two streets, you don't want homes ending up with the rear yards either ways. So, in this case, you know, there were a couple of things we did. One was restricting access for those homes, in this case, Williams Way is not within the jurisdiction of the Village of Arlington Heights, but also by providing landscaping screen so that the street scape along Williams Way is not being --

COMMISSIONER JENSEN: Okay. At this point, I think I'll just pass and, as I said, after the audience ask their questions I might have some more.

CHAIRMAN LORENZINI: Commissioner Warskow?

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COMMISSIONER WARSKOW: Some questions about the landscaping. So, the native plantings that you have in the detention, that's all Illinois natives?

MR. KROGSTAD: We have not yet specified that, that would come at final. But typically, we will use things that are native and we'll find a mix that would, we have to look at the final hydrology to determine what those plants are but try to stay with the natives.

COMMISSIONER WARSKOW: Okay. And the shade plants that will be along the back of all of the properties, do any of those trees reach heights that would actually provide shade to the home?

MR. KROGSTAD: The shade trees that we're proposing, yes, they will reach an ultimate size of, you know, probably 40 to 60 feet. I mean it does take time obviously, but they will.

COMMISSIONER WARSKOW: Okay, okay. I noticed only one plan that had optional patio. Is there any patio consideration to any of these homes?

MR. MURPHY: Yes, a lot of the plans have patios, sunrooms, morning rooms, things of that nature that we add on per customer choices and things of that nature.

COMMISSIONER WARSKOW: Okay, and that stays within the impervious surface code?

MR. MURPHY: Correct. Yes.

COMMISSIONER WARSKOW: Okay. So, if they didn't add it at the time of building, Latika, if they decided at some time later they wanted to add like a concrete patio, they would have to come and get a permit?

MS. BHIDE: That's correct. It comes in for a building permit, and at every permit issuance we recalculate what the impervious coverage on the site is and make sure that it meets the code, and then approve the permit.

COMMISSIONER WARSKOW: Okay. That's all the questions I have for now.

CHAIRMAN LORENZINI: Commissioner Ennes?

COMMISSIONER ENNES: I have a couple of questions. Latika, could you go through the sidewalk issue again with Lot 7 and 8?

MS. BHIDE: Sure. So, we received, per request from a resident in Somerset Courts that said that we should ask the developer to explore the possibility of a sidewalk that connected Christina Court with the sidewalk on Marion. We directed the Petitioner to do that, and what they indicated to us was there is a differential in grade there. So, with the grade differential, and there is a portion of the retaining wall on that west side of Lot 8 and portions of Lot 7. So, any sidewalk between Lots 8 and 7 would have to bisect that retaining wall and would require some steps.

COMMISSIONER ENNES: So, this is at the very north?

MS. BHIDE: At the very north, northwest end of the

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site. When we checked with the Village's Disability Coordinator, they said that a sidewalk with steps but without an accessible route, a new sidewalk would not meet the ADA requirements. Not to say that they could not provide a sidewalk that would have a ramp, but an accessible route, but that was not something they have explored.

COMMISSIONER ENNES: The idea of this was to connect Christina Court to this adjoining sidewalk?

MS. BHITE: That's correct.

COMMISSIONER ENNES: Okay. Mr. Adams, if I could ask you a couple of questions? In regard to the detention pond?

MR. ADAMS: Yes.

COMMISSIONER ENNES: Will this be always dry or should it be wet? I noticed in your drawings --

MR. ADAMS: Well, it's going to be, basically it is going to have two to three inches of water in the bottom unless, after a rain event, the outlet is set three inches above the bottom. So, what we're trying to do is just keep it moist enough to keep the plants, the native plants wet, but we don't want them to drown. So, we're just keeping a modest amount of water in there. That could evaporate, the deep-rooted plants could absorb some of it.

The whole idea of the state-of-the-art detention is to infiltrate. We're not longer building these wet ponds with clay and trying to keep the water out of the ground, we want the water to go in the ground. So, this is, so in general, the only time you're going to see this pond blue will be right after a storm event when it could go up, you know, in a 100-year event, I know everybody thinks that they happen everyday, but in a 100-year event, there would be about not quite four feet of water, about three-and-a-half feet of water in here, but that's the high water. So, typically, the amount of time, which this will be holding water is relatively short, and it's just generally going to be a green bottom.

COMMISSIONER ENNES: About how deep is the plan?

MR. ADAMS: From normal water to the bottom is about three inches. The pond from high water to bottom is about 3., I can tell you exactly, about 3.7 feet or something like 3.6 feet.

COMMISSIONER ENNES: And from --

MR. ADAMS: About the same, about the same. We're controlled by a storm sewer on Olive, a very shallow storm sewer. So, that controls our outlet. We can't go any deeper than that. We do not want to do what they did at Aldi. At Aldi, they put a pond down below-ground and then they have a lift station pumping the water out. So, forever they have to pump water. You know, we much prefer gravity to accomplish the water leaving our site.

So, we're controlled by our outlet. We're controlled by the elevations around the perimeter, so we can only go so high. So, what we've done is we have established all the catch basins,

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I don't know if you noticed, but on the engineering there is a catch basin at about every other lot, and that's so that we can have, the catch basins all have to be right at or slightly above the high water level, so the water will be backing out of the catch basin when the pond fills up. And so --

COMMISSIONER ENNES: By a catch basin, that's a drain in the backyard?

MR. ADAMS: It's a drain, it could be an inlet or a catch basin in the backyard.

COMMISSIONER ENNES: Storm drain that is going to go the --

MR. ADAMS: In the backyard. It's going to all collect and go to the detention basin. If you want me to, I can touch on the, basically the site, at the north end of the site, the ground is very low where when they built the Aldi pond, they started at the property line and they went up and built a berm. The very northeast part of this property is lower than even the retention pond the Village has. So, that northeast property is pretty low. We cannot connect that very northeast part of the property into our detention pond because it's too low.

So, that's why we're putting the retaining wall around those northerly lots and along the west edge, and so that retaining wall is the reason that we can't have a sidewalk connection between those lots because our lot is up here, the natural ground of the Village's property is down lower. That's the area where the Village has a few trees that they're concerned about that they want to save. So, we're saying we can't fill up that area, so we've put a wall in there so that all, you know, 98 percent of our property all drains to our retention pond. Only that little bit between the retaining wall and the property line is going to drain into a storm sewer on Williams Way and come down.

COMMISSIONER ENNES: Not to mention that you wouldn't really want a sidewalk on private property.

MR. ADAMS: I don't think it's a good idea. I'm 99 percent sure the people who'll buy that home wouldn't want a sidewalk next to their house. But there's a physical issue, you know, there's a grade issue.

COMMISSIONER ENNES: Thank you very much.

AUDIENCE MEMBER: May I add a comment about those two lots?

CHAIRMAN LORENZINI: No, we're going to have public comment later.

AUDIENCE MEMBER: Got to keep track of all the notes then.

COMMISSIONER ENNES: Thank you. That's all I have right now.

APPROVED

CHAIRMAN LORENZINI: Commissioner Green please?

COMMISSIONER GREEN: Latika, I have just a couple of questions with these double-loaded lots.

MS. BHIDE: Yes?

COMMISSIONER GREEN: You've got a green area of about 20 feet on the Williams Way pavement. Is that an improved street or is that just a country lane?

MS. BHIDE: No, it's not improved. There is no curb and gutter there.

COMMISSIONER GREEN: Is there a culvert ditch along there?

MS. BHIDE: No.

COMMISSIONER GREEN: Not a lot, okay. So, when we talk about this landscaping, who normally would maintain that 20 feet of grass that is between the property line and the edge of the pavement in Mount Prospect?

MS. BHIDE: Prospect Heights. I believe it's the city of Prospect Heights that would maintain that because it's part of their right-of-way.

COMMISSIONER GREEN: From the picture you were showing there briefly at the end, it doesn't look like it's really maintained. I assume that's it?

MS. BHIDE: Yes.

COMMISSIONER GREEN: So, my question is, you know, I don't know where the grassy area comes from over here, is that proposed?

MS. BHIDE: That's, the picture on the right is Williams Way almost at Olive Street.

COMMISSIONER GREEN: That's where it flares out there, okay. So, the rest of it looks like the left-hand picture that you're showing us here.

MS. BHIDE: Yes, more or less.

COMMISSIONER GREEN: So, I guess my question is why would Prospect Heights decide to cut the grass there now when they don't, I mean after this project is in place, when they don't apparently cut it there in the past? And we have no control over that, I guess that's what I'm saying.

MS. BHIDE: That's correct.

COMMISSIONER GREEN: I don't have any other comments at this time.

CHAIRMAN LORENZINI: Commissioner Cherwin?

COMMISSIONER CHERWIN: Thank you, yes. I'm just going to kind of follow up, and the two concerns I have were actually the westerly and the easterly edge, just a few questions similar along Commissioner Green's question on the Williams Way. So, I guess I'll wait for a response to that.

APPROVED

A little bit more on the western side though, I'm looking at the engineering and I guess my one concern would be to make sure, you know, I know we're grading the property to drain to the southeasterly part with the retention area. But how are we, I guess what measures do we have in place to make sure we're not overburdening accidentally the westerly detention pond that's already in place? I do see, you know, we have the retaining wall, Lot 8 coming down a little bit to Lot 7, a few catch basins look to be dragging that water to that northerly swale. But I don't see drainage lines running along the western lots to capture any water that might inadvertently overburden the existing detention.

So, my question would be how are we making sure that the existing --

MR. ADAMS: There is a, if you look at the engineering, does somebody have that plan? There is a catch basin between Lots 6 and 7. There's a catch basin between 4 and 5, between 4 and 3, between 3 and 2, and between 1 and 2. So, there is a catch basin in the rear of every lot along there except Lot 5.

What we have done is from the property line, we cannot obviously go onto the Village's property to grade anything. So, we started to grade at the property line, we come up as fast as we possibly can at the north end and build a little berm, and then drop back in and get into our catch basins. As we go farther to the south, the back side of the Village's detention pond will drain onto our property; instead of us draining to it, it drains onto us.

So, the west line really is, with the exception of one lot which actually we have a manhole at that corner, we could even turn that one into a catch basin or an open lid if we had to. So, we could have a drain on every lot line along the west property line. You probably wouldn't find that in very many subdivisions within the Village at all. So, that's the, the drainage that's there is accommodated.

Likewise, along the Williams Way, we have catch basins along there picking up those rear yards. As you would see, there are already, the swale line west of the Williams Way edge of pavement currently has catch basins picking the water up and carrying it underneath Williams Way to the east and it ties into a storm sewer which, goes from north to south. So, the area that we're proposing is to contain our 4.8 acres all on site, contain our water and accommodate everything into our drains and into our detention facilities. So, we really are not going to have any adverse effect to the Aldi pond, to the Williams Way pond, or to the Village's pond to the west.

COMMISSIONER CHERWIN: Thank you. Thanks, Mr. Chairman.

CHAIRMAN LORENZINI: Commissioner Sigalos?

COMMISSIONER SIGALOS: Thank you. I had attended the

APPROVED

previous presentation at the Plat and Sub meeting and I was concerned with a number of items. But I see that you really have taken care of the concerns we had as far as increasing the width of the Christina Court street. I assume you now have just the one retention pond rather than three, which was kind of a sticking point before. You even reduced the number of double frontage lots from six to five along Williams Way, and again I think you reduced the square footage of some of the homes. It looks like some of them were reduced by about 700 feet. So, I do commend you for that.

Just following up on Commissioner Green's comment about maintaining an area along Williams Way, who would maintain the retention area or detention area and the landscaping around not just the low point but the surrounding point? Who would maintain that?

MR. ADAMS: The detention areas within the Village of Arlington Heights are going to be maintained by the Village of Arlington Heights. That's the requirement.

COMMISSIONER SIGALOS: Then lastly, regarding the 84 trees that were deemed to be of fair, good to excellent quality, was there ever an overlay done on your master site plan showing where those 84 trees are located and if they could possibly be salvaged?

MR. KROGSTAD: We did not do an overlay. Based on all the factors that we've discussed, we couldn't save any of those trees, any of them. So, we didn't look specifically at one. I know, I can tell you that for the most part, they're either located in the detention area because they're, almost all of those are located in the top front third of the property, closest to Olive Street. So, that would either be in the detention pond area or on Lots 1 and 2, and because of again grading and doing the pads and stuff, they could not be saved.

COMMISSIONER SIGALOS: That's the 84 trees that are deemed to be in fair to good quality.

MR. KROGSTAD: Correct. Even though some of those are still poor species, they may have been a good quality Siberian elm, so even though they were, yes, they were deemed to be of fair, without disease or whatever, they're still not necessarily what we would consider high quality species. So, again, it was determined early on by looking at all the engineering and other issues that we really couldn't, you know, save those, so that's why we worked with doing the replacement of those trees with some oaks and hackberry and other high quality trees.

COMMISSIONER SIGALOS: Okay, thank you.

MS. BHIDE: If I could just add to that, Staff did do the overlay. We tried to look at where these good trees were and whether they were, you know, within the building pad or the right-of-way. Of those 84 trees, we actually identified 11 were buckthorns, so they're considered low quality trees. But of the 73 trees, 20 were

APPROVED

outside the building footprint, roadway or detention basin. So, the remaining 53 trees were within areas that were not practical to be saved.

COMMISSIONER SIGALOS: Okay, thank you. That's all I have at this time.

CHAIRMAN LORENZINI: Commissioner Dawson?

COMMISSIONER DAWSON: Latika, could you a little bit slower explain to me the fence along Lot 9 to 13, the debate versus, the east versus west?

MS. BHIDE: Sure. One of the recommended conditions we have is that for those lots, at this time the Petitioner is not proposing any fences, they are just proposing a landscape buffer on that eastern boundary. We know though that, you know, over time homeowners do apply for permits for fences, and one of our recommended conditions is that the fence actually be installed on the inside of the landscaping or west of the landscaping so as to preserve the street scape along Williams Way. We have enforced, or added that condition in another subdivision that I know of at Hintz and Arlington Heights Road where we required no fences as well as fences on the inside of landscaping. So, that's where that came from.

COMMISSIONER DAWSON: What is your response to the Petitioner's request to move it to the west?

MS. BHIDE: I hear what they're saying that, you know, homeowners are more likely to maintain landscaping that's within their property. But I also know that specific conditions get hard to enforce, you know. I know now that these lots require fences or have specific fences, if somebody holds a fence permit for a board-on-board fence, I'm worried that the condition gets slipped. That being said, if the, you know, we would also have to track the condition that the fence be on the inside of landscaping. So, but we would defer to the Plan Commission on that.

COMMISSIONER DAWSON: I still don't know that I'm clear on that but I'll think about it while I'm listening to residents. We have no assurances that these new trees that are being planted, the landscaping that's being planted, the new homeowner could come in and level all of that if he chose, correct? There is no requirement that any homeowner will maintain those?

MS. BHIDE: That's correct, unless a condition was added or some sort of a conservation or tree preservation easement was added for these trees. But no, I mean, you know, once these are planted and if it's an individual homeowner, if they wanted to take down trees on their lot, yes, they have a right to take down those trees.

COMMISSIONER DAWSON: Okay. I have a question about the retaining wall to the north to anyone who wants to address that. Just a quick question. You stated, it's in your comments and I think

APPROVED

you stated tonight that the retaining wall is placed on private property so it's to be maintained by the homeowner?

MR. ADAMS: That's correct.

COMMISSIONER DAWSON: I just want a clarification. So, it would be Lots 8 and 9 that would be responsible for the maintenance or are you intending to have a homeowners association?

MR. ADAMS: No, just Lot 8 and 9. The lots that the retaining walls are on are going, there's going to be a provision when they sell that property that they're going to have a retaining wall and that retaining wall is going to be their responsibility to own and maintain.

COMMISSIONER DAWSON: Okay. So, it will be known to them, they'll understand when they buy it.

MR. ADAMS: It will be a condition on the sale, yes.

COMMISSIONER DAWSON: Okay, all right. And then my last question, I don't know who would address this, but it's not necessarily with respect to removal of the trees, it's more so that it's in respect to what steps will be taken regarding the wildlife that currently live in the trees. It seems that the homeowners have raised this quite frequently. I don't know that they all entirely disagree that many of these trees need to come down. Maybe they do. But it seems that there's quite a bit of wildlife there and that's very upsetting to me. I want to know what's going to be done to preserve the wildlife.

MR. ISHERWOOD: You know, the wildlife species that you're referencing, I'm not entirely sure of. I think the landscape buffers, the additional trees, the high quality trees that will be planted will be provide for, you know, a kind environment for the said wildlife. You know, if we're talking bird and things of that nature, I think they still have a conducive environment especially with the naturalized bottom detention basin that's going to be created, that's going to be roughly 20,000 square feet. That will be a great habitat for wildlife to thrive in.

COMMISSIONER DAWSON: So, there's no plan in place in relation to when you're knocking down the trees on how to minimize the impact on the wildlife that currently exists there? You have a plan, you're saying that they might move back, but there is no plan in place with respect to how the trees are being knocked down and how the wildlife is going to be addressed at that time. That's what I'm hearing, correct?

MR. ISHERWOOD: That's correct.

COMMISSIONER DAWSON: Okay.

CHAIRMAN LORENZINI: Commissioner Drost?

COMMISSIONER DROST: Mr. Adams, I've got a question about the detention. In Plat and Sub, there was a proposal to develop three detention sites instead of this larger one, is that correct?

APPROVED

MR. ADAMS: You know, I don't, is that, I think that may be prior to my involvement in this project. Did we have three ponds ever that you can recall?

MR. ISHERWOOD: Yes. There originally was three detention ponds identified on our concept plan. One was at the north of the property, spanning the north of the property, and then there were two on either side of the cul-de-sac, all smaller in nature. The comments we received is we'd like to see those all aggregated to a single basin and we'd like that located along Olive Street because of maintenance concerns, maintenance ability for the Village to get in and maintain those.

One of the reasons, as Ron explained that one, we included the one along the rear detention is because that part of the property is so low. But instead of doing that, we raised the site at the north end and brought all the storm water to the detention basin at the southeast corner of the property.

COMMISSIONER DROST: Now, was it ever considered, and there's a, some of the detention now is to put individual detention on each individual lot rather than concentrating them into one big detention. Was that ever considered?

MR. ADAMS: No.

COMMISSIONER DROST: Could that have been done? Was that feasible?

MR. ADAMS: Not practically because the size of the restrictors would be the size of a straw. So, you can't have 14 little tiny ponds because in order to control the release rate, literally it just is not feasible.

COMMISSIONER DROST: Yes, I was just thinking from the standpoint of trying to diffuse the water and put these detentions in there and then helping to provide --

MR. ADAMS: I mean if you're talking about something like rain gardens and things like that?

COMMISSIONER DROST: Yes, that's fine, exactly.

MR. ADAMS: The issue is that you cannot provide the controlled release rate that's required on this development.

COMMISSIONER DROST: So, these are just basically --

MR. ADAMS: They're just, rain gardens are designed for the water to be absorbed over a period of time on the lot. There is somewhat of a decorative issue as well. There is some function to it but it would not provide the volume and the prescribed release rate that is being provided with this design.

COMMISSIONER DROST: Yes, I'm just thinking in terms of the aesthetic and then the issue with the wildlife and you know.

MR. ADAMS: Well, I think that a larger single facility with one single person maintaining it, with one single person saying I don't like this wetland on my property, I don't like my kids coming in

APPROVED

muddy everyday from my own little detention pond on my block, I think that a single maintenance, single lot ration, it makes a lot of sense to have one location for detention instead of spreading it around to 11 different spaces because I'm not sure exactly where you'd even put it. I don't know if you'd want to take up the person's front yard or the person's rear yard or how you get all the water to it and so forth. So, I think that, you know, this is conventional yet state of the art as far as the storm water management.

COMMISSIONER DROST: Yes, I'm just, I mean I don't want you to reinvent this but I just want to know what the thought process was. And then Mr. Murphy, you're going to, you said that the price point would be about 850 average? They vary from 750 to a million, is that the idea?

MR. MURPHY: The price points will be from the sevens to nine range, yes.

COMMISSIONER DROST: Yes, and what's the neighborhood like as far as, you know, the pricing? Thank you, Mr. Adams.

MR. MURPHY: I don't understand the question.

COMMISSIONER DROST: Have you guys done a survey of the surrounding neighborhood as to what the value of the housing that exists?

MR. MURPHY: Yes, we've done an extensive market research on the community around the surrounding area, and then that's how we arrived at some of our price points and things of that nature, taking into account a lot of factors of, you know, new construction and some of the features that we're able to offer versus a used home, things of that nature.

COMMISSIONER DROST: Yes, and the question is do the used homes support the new home pricing?

MR. MURPHY: Yes.

COMMISSIONER DROST: I just wanted to know it went through that process, and these look like they're going to be nicely priced.

MR. MURPHY: Yes.

COMMISSIONER DROST: Okay, thank you. Joe, that's all.

CHAIRMAN LORENZINI: Mr. Adams, could you come back up? So, the overall drainage, is it safe to say that this site is designed like a bathtub, everything is going to drain towards the southeast?

MR. ADAMS: Yes.

CHAIRMAN LORENZINI: There won't be any spillover onto the other properties from here?

MR. ADAMS: No.

CHAIRMAN LORENZINI: So, it's designed for a 100-year storm?

MR. ADAMS: Yes.

CHAIRMAN LORENZINI: In a 100-year storm, how high will

APPROVED

the water get in the detention pond?

MR. ADAMS: About 3.6 feet or something like that.

CHAIRMAN LORENZINI: So, all the way up to the top?
So, it's big enough --

MR. ADAMS: Because there's this spillway that's higher and there's a topper berm that's higher. So, there's the calculated high water is about 3.6 feet or so.

CHAIRMAN LORENZINI: Which is about the depth of the pond?

MR. ADAMS: Yes. But then we have a spillway higher as a safety factor, and above that we have a topper berm that's higher than a spillway.

CHAIRMAN LORENZINI: Could you explain this slow release rate that was mentioned? The purpose of that is because of the existing --

MR. ADAMS: The Village of Arlington Heights has a standard release rate of 0.18 cubic feet per second, and the new Countywide Metropolitan Sanitary District storm water regulations now have gone down to 0.15 cubic feet per second release rate. This particular pond and this particular property has a release rate of 0.088 or 0.087. So, this is half of what Arlington Heights' normal release rate would be, for instance, with the pond next door. In other words, I'll just use round numbers, but if they had 100 gallons going in and ten gallons going out, under our plan if we have 100 gallons going in, we would have five gallons going out. So, we would have less water leaving our site, so we are storing more. Our pond is storing more and impacting the downstream less because our release rate is half of what it is of the pond directly adjacent to us.

CHAIRMAN LORENZINI: Okay. Now, as far as each individual lot goes, there's catch basins, sewer lines, storm sewer lines going to this detention area. Is there any possibility the lot itself, an individual lot itself could get flooded because of the amount of water that the sewer lines --

MR. ADAMS: The lots are all designed above the high water line, and the catch basins are all designed above the high water line. So, the houses are all up at least two feet. All of the houses that have basements will be served with a sump pump. The sump pump --

CHAIRMAN LORENZINI: I think you're missing the point of my question. My question is when it rains a 100-year storm, you're going to get so much water on a particular lot. That water has to be released into the sewer line and goes into the detention pond.

MR. ADAMS: Correct.

CHAIRMAN LORENZINI: Is that sewer line big enough to keep --

MR. ADAMS: Yes.

CHAIRMAN LORENZINI: Okay.

APPROVED

MR. ADAMS: All of the sewer lines will meet the design requirements of the Village of Arlington Heights.

CHAIRMAN LORENZINI: And those sewer lines will actually allow for some additional storage, too?

MR. ADAMS: Right, but we're not allowed to take credit for that. But yes, they will.

CHAIRMAN LORENZINI: Okay. I've got --

MR. ADAMS: Maybe if we take credit, we can make our ponds smaller.

CHAIRMAN LORENZINI: That's okay. Okay, I've got a few landscaping questions. Let me refer to the handout you gave us on page 10, again going back to Mr. Green's question about you chose a nice grassy area, but my first question is if we put, you're putting the landscaping inside property line and so in the future we could possibly just be seeing the fence in the future, if everybody puts up a board-on-board fence. Just bear with me, so that's a possibility. So, the idea of putting these trees on the other side or the east side of the fence, like the Village is proposing, that would actually cut down, that would eliminate the possibility -- well, first, let me ask this question. If the trees were on the east side of the property line, who would maintain them? Because that would be on Prospect Heights.

MR. ADAMS: Right. Yes, we could not propose putting them, and first of all it's public right-of-way. Second of all, it's a different village, so that is not something we can consider.

CHAIRMAN LORENZINI: So, Latika, so if we did that, how could we enforce it?

MS. BHIDE: So, I think what we're saying is that the landscaping would be on private property, but the fence, instead of being right on the property line, it would be inside of that landscaping.

CHAIRMAN LORENZINI: Okay, so the people who bought these lots would be actually losing land in that case?

MS. BHIDE: That's true.

MR. ADAMS: Yes, and I guess just to reiterate that, they would not only be losing land but then they wouldn't be able to benefit from the landscaping that is in their own backyard.

CHAIRMAN LORENZINI: Okay. Now, how do we, again this is a nice picture but how are we going to, how do we assure that Prospect Heights is going to cut this grass and keep this area maintained?

MR. ADAMS: Well, I think the only way is through, I mean there is no way I guess other than being good neighbors that Arlington Heights can impose or force another village to maintain it. However, calls to the Village if they're not maintaining it I think would be certainly appropriate.

CHAIRMAN LORENZINI: There is no foolproof way.

APPROVED

MR. ADAMS: Right.

CHAIRMAN LORENZINI: Now, on page 21, on the west side, again where would the, on page 21, where would the fence be placed in this case?

MR. ADAMS: On 21, that's the west buffer and so we're not talking about a fence there.

CHAIRMAN LORENZINI: But what if the property owners do put up a fence in the future? Could it go on the property line, Latika?

MS. BHIDE: If they wanted to, yes, they could go on the property line.

CHAIRMAN LORENZINI: Okay, all right. And then where the retaining wall is at on the north end, that depressed wetland area, who is going to maintain that area? Just north of the retaining wall.

MR. ADAMS: That would be the responsibility of the two lots there, and that's why instead of making, we're trying to do it as well maintenance as possible so that they don't have to, you know, be --

CHAIRMAN LORENZINI: And this wooden post fence, where do those go?

MR. ADAMS: The fence is on top. If you see that section, that sits --

CHAIRMAN LORENZINI: Oh, that's on top, okay.

MR. ADAMS: Right, it's on top of the fence as a safety issue.

CHAIRMAN LORENZINI: Okay. All right, that's all the questions I had.

So, next we'll go to the public and we'll start on my left side, your right side, in the front row and work our way back. Anybody in the first row who wants to speak? Please raise your hand and come forward. State and spell your name and the address please.

MR. GLASSMAN: I'm Ray Glassman, I live at 1037 East Talbot Street right up against the Arlington Heights wetlands and the pond. I've lived there since --

CHAIRMAN LORENZINI: Can you spell your name please?

MR. GLASSMAN: Glassman, G-l-a-s-s-m-a-n, 1037 East Talbot Street. I sent the letter that's in your packet to the hearing committee. I appreciate all of the feedback from the Commissioners.

My first comment is, since I've lived there for 15 years, we've had 300 or 400-year floods where the water comes all the way back on the existing detention pond. So, when I hear that, you know, it's only going to happen every 100 years, I've lived there 15 years, it's happened at least three times.

Along Lot 8 and 9, when I hear about retention ponds working, today when there is a big storm, the Aldi pond overflows. It goes across the low point on Lot 8 and 9 and it fills

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the Arlington Heights retention basin. So, whatever existing plan they had in place isn't working. I understand they're putting a retention wall, I'd recommend that they put something in it to maintain that wall, because otherwise, today the Arlington pond floods those two lots and then flows it down the pond, leading to some of the backups that comes in my yard. I had to build a berm to keep the water back after the first 100-year flood.

I also appreciate the statements about tearing down all the trees. I'd like to understand which of the trees they wish to maintain that are part of Arlington Heights along the wetland because when I hear statements like all of these are nuisance trees, well, we have 60-70 years of nuisance trees and it's a completely wooded back land, and now I'm hearing that they're going to level all the trees because it's going to be easier for the builder. When Glenn Davis built Somerset Court 1 and Somerset Court 2, they made him jump through hoops. They took five of the old growth trees, they moved them off of one of the lots where the trees were in the middle of the lot, they planted it on my property for the winter, they built the house, they moved them back. Sue Hendrix Tree Care was, Glenn Davis was mandated with doing that.

So, when I hear the builder saying they can't do it, it's impossible, I don't necessarily know that's true. I would like to see some of those 84 trees be maintained. I heard the builder say that there's 1,070 trees. That is an extremely wooded area, and regardless if they consider them nuisance trees or not wonderful species, it's a wooded area. I've heard that they're going to put 84 trees back, that's not even ten percent.

I'd like the Village Board to consider mandating the builder to have a higher number of trees to maintain that characteristic for that part of the property. It just doesn't seem right that you're going to have five trees per property right now when there's at least 20 or 30 on a similar area space.

Let me just go over my notes. I think that's about it. I'd like to see the Village challenge the builder to protect some of those trees. Bringing in bulldozers and getting rid of, and these are not all nuisance trees. I'm telling you that there are some old willow trees and some other really nice trees along the wetlands where all of the wildlife lives today. The herons land on the top tree which is clearly 34 and 50 feet. Even if we mandate the builder to put five trees back per property, it's going to take 20 or 30 years until the property starts looking like it does today with all the old growth trees.

So, that's my comments. Thank you, I appreciate the time.

CHAIRMAN LORENZINI: Thank you. Anybody else on the first row? Anybody on the next row? Next row? Anybody else on this

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side of the room? Yes, sir, come forward. State your name and spell it please, and your address.

MR. GIOVANNINI: I'm Rick Giovannini, 1026 East Marion Street. I am the person that recommended maybe there would be a new sidewalk connecting Christina Court and Marion. Could you put it up the one map showing closer to the site plan?

MS. BHIDE: Sure.

MR. GIOVANNINI: In the minutes here, I noticed that they said a sidewalk between Lots 7 and 8. I'm not talking about that, I'm talking about the sidewalk going between Lot 8 and 9, okay, and then going across the back of the property of 8, that big easement area there, and that connects right into Marion. That obviously would be a little bit more doable. The fact that that small piece of sidewalk between 8 and 9, there's plenty of area there to work with and then run along the back of 8 if feasible. I understand the ADA requirements, I'm respectful of those. But I talked to Mr. Enright yesterday in the Planning Board and he said there's probably, you know, we could do an elevated type of walkway.

My reasons for it and what I thought were the important factors is to give the families that are going to live in this neighborhood access out of Christina Court without having to go on Olive Street. All of us have driven on Olive Street, we understand there's no sidewalks for most of that portion of Olive. It's a very tight road. I was going down there today, I had somebody who must have been doing 50 miles an hour pass me. It's not an easy road to navigate walking or biking in any way.

So, I really think that, you know, without there being any traffic control all the way between Dryden, all the way down to Rand, that's going to be very difficult for those families to navigate. When we built our home with Glenn Davis 23 years ago this month, we had, at the time all the homes were done, probably over 30 children on our block alone on Marion. Those families with all their kids, the only access they're going to have out of there is to go on Olive Street. I do not think that's a very safe or a way that I want my kids to get out of the property. By allowing a sidewalk along the connection to Marion, now you've allowed them an easy access to the schools, the parks, the shopping, without having to navigate Olive Street.

Let's see. So, again, I think the connectivity also, this is going to be a new neighborhood. They're going to be there, why not give them the connectivity to our neighborhood in Somerset Courts? I think that will be a positive, a win-win for both neighborhoods as opposed to just putting up barriers and saying, okay, you're there, we're here. And yet again, the navigation for them out of there is going to be difficult on anything but a car.

So, lastly, I think to really consider that a

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strong option for the Village to do because years from now when that development is done a couple of years from now, I'm not trying to put fear in anybody, but if there should be an incident on Olive Street because of the fact that there is no access, easy access for people to travel by foot or bike, I just feel that we wouldn't want to reflect back on this evening that we had the opportunity to maybe really explore putting a connected sidewalk and avoiding and type of tragedy that could occur because if you go on Olive on any given day, it is not an easy street to navigate. You know, I walk and bike a lot and I do everything to avoid Olive.

So, I thank you for your time and really hope, you know, you'll consider that recommendation.

CHAIRMAN LORENZINI: Thank you. Let's go to this side of the room now. Anybody in the first row? Anybody in the next row? Yes, sir. State your name, spell it please, and your address.

MR. CHARBONNEAU: Hello, my name is Jim Charbonneau, C-h-a-r-b-o-n-n-e-a-u. I live at 1218 East Olive Street.

I've got three or four concerns I just want to voice. A few of them have been already mentioned but I want to reiterate them because there's a lot of residents to the west and to the south of the development that have a lot of shared concerns. One of them has been talked about quite a bit, but if you travel in that area during any major storm event, we've got a significant water management problem right now. The wetlands that are currently to the west of the development kind of sort of manage part of that problem. A lot of that water though coming south from the Aldi area creates a lot of flooding, and then all that stuff ends up going across Olive Street and, you know, puts like a foot six inches of water on all the houses across the street from us. At 1218 East Olive, we've been pretty fortunate so far but I know a lot of the residents in that area are very concerned that, you know, if we don't properly manage the flooding issues, that they're only going to make them worse.

Another issue I wanted to bring up was around, just generally it's been talked a little bit, about Prospect Heights and how we get them to maintain Williams Way, all of that area. I think from a budgeting perspective, it's something we'll have to think about, the additional retention area that Arlington Heights will be responsible for in addition to continuing the maintenance of the wetlands area to the west. As was mentioned earlier, there is a lot of trash, things like that in that area. We need maintenance.

A big item I've got is you talked a little bit about the wildlife and the wetlands area and the retention pond on the west end side. There's a lot of animals and birds there that are a big part of the neighborhood. We've got four different types of herons, which you don't see in very many areas of Arlington Heights, hundreds of ducks. We have owls, hawks, a lot of bats, a wide variety of birds

APPROVED

including hummingbirds, muskrats, rabbits, et cetera.

One of the issues we have about reducing the number of the tree density in that area is the impact it's going to have in the wildlife. We've got a couple of coyotes in that area. By reducing the total volume of trees and cover in the development area, that's going to really compress the amount of space the wildlife has to create a habitat.

If you could go back to the landscape plan? I think there's a good slide that shows the, once you map out the footprint of the development, it's down one more slide. Yes, so if you look at this on the west end side, the amount of space that's going to remain for the Arlington Heights Village portion of that property around the wetlands would shrink significantly. The concern is, you know, you're going from a large piece of property to the very small sliver of land between where you have the pond and all that. Unless there's, you know, a strong effort made to put a lot of trees in that area for the birds, ground cover for the different animals, you know, we'll lose all of that character in that neighborhood and it will probably impact, you know, what is existing in the wetland.

The last thing I wanted to reinforce was really about the safety, too. You know, one of the things that the developers were talking about is having a sidewalk system within the development, opening up into Olive Street. My wife and I are relatively recent residents, only been there for a couple of years, but the Olive opening up onto Rand is a pretty busy intersection. It's not a fully improved road, very difficult from a pedestrian standpoint to walk there. A few accidents have been on that intersection with Rand Road. You know, we have a lot of concerns that without having some sort of sidewalk or some sort of access for that area, you know, it's difficult for kids to get to high school, to get to church, et cetera, in that area.

Thank you. Those are my concerns and I appreciate you for letting me talk.

CHAIRMAN LORENZINI: Thank you. Anybody else in that row? Yes, sir. What's your name, spell it please, and your address?

MR. HILL: Russell Hill, H-i-l-l, 1041 East Olive Street. So, we back up, we're actually neighbors and we back up right onto the cul-de-sac on Talbot, really directly on the west side of the wetland. I just wanted to follow up on a couple of comments that were made earlier.

The sliver of land that's on the west side of the proposed development, from the end of that property down to the wetland, as I understand it is owned by Arlington, will continue to be owned by Arlington Heights. On that sliver of land, there are many, many trees. So, my question is are the trees that are on the Arlington Heights land that butt right up against the wetland, are those trees under the proposal to be eliminated? Because those trees I can tell

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you are beautiful. They're in full bloom and that's where, you know, a lot of the wildlife resides. If they are on Arlington Heights land, it doesn't seem logical that you'd want to eliminate those trees.

CHAIRMAN LORENZINI: Latika, you can answer that?

MS. BHIDE: Correct. They are not authorized to remove any trees on the Village of Arlington Heights property.

MR. HILL: Pardon me?

MS. BHIDE: They are not authorized to remove any tree that is on Village property.

MR. HILL: Okay. So, the thousand plus trees that are proposed, are you saying that there are a number of trees that are going to remain on the west side of the proposed development that will not be taken down?

MS. BHIDE: That's correct. Any tree that is on Village land will not be touched.

MR. HILL: Thank you.

CHAIRMAN LORENZINI: Thank you. Anybody else in that row? Next row, anybody? Anybody else on that side of the room? Okay, if not, we'll now close the comment period and we'll go back to the Commissioners for final deliberation. Commissioner Jensen?

COMMISSIONER JENSEN: Yes. Just that, and mostly this will be for Latika probably, do we have any authority to have the developer do more than manage the water that is on their property? Isn't our obligation as a Commission to make sure that they take care of their water and it goes into a storm sewer?

MS. BHIDE: That's correct.

COMMISSIONER JENSEN: But we really don't have any authority because there's flooding around the area because that relates to pieces of property we're not deliberating on, is that correct?

MS. BHIDE: That's correct.

COMMISSIONER JENSEN: And I guess I would also ask the question that's been raised a couple of times, I think people were arguing for having the equivalent of a natural habitat or a state park on this private property. What authority if any does the Village have in trying to get them to maintain the same forest-like nature of this property? Do we have any authority whatsoever?

MS. BHIDE: Right. So, as the landscape planner for the Village has calculated, they do meet the replacement requirements according to the ordinance. Beyond that, I don't think we can mandate that they have a wildlife preserve there.

COMMISSIONER JENSEN: It does seem to me that they, the way they are planning their wetlands will try to accommodate species, maybe not exactly the very same, but species that will return to that area. But the Village has no authority to have them do anything in terms of handling the various species and finding a way to take care of them while we grade the area, is that correct?

APPROVED

MS. BHIDE: I don't believe that we do.

COMMISSIONER JENSEN: Okay, I just want to be clear on what our obligation as a Commission is. Thank you.

CHAIRMAN LORENZINI: Commissioner Warskow?

COMMISSIONER WARSKOW: Yes. Would I like to see it remain a wooded lot? Yes, I'm just that kind of person who likes to enjoy the outdoors. But this is private property and we cannot mandate that somebody can't build on a private property. That's what our codes and regulations handle is trying to make use of the private property to benefit everybody in the Village which I think they've made a valiant effort in trying to do that.

I'm especially appreciative of the design of the detention basin. It is state of the art and it is going to maintain not only storm water management but storm water quality. So, whatever we're feeding back into our natural rivers and streams are going to be cleaner because of the landscaping that you put in there.

So, I'd like to reiterate that I'd really like to see native plants put into that area. It will help the Village maintain because those native plants will survive better than anything else, and it will, because they're native they're going to do their job much better. I am supportive of this subdivision.

CHAIRMAN LORENZINI: Commissioner Ennes?

COMMISSIONER ENNES: Yes, just one little comment in regard to this sidewalk issue. If a sidewalk was going to come between lots, is it at the north end, 8 and 9? Is that, and I'm referring to the correct two lots, 8 and 9. If it was to come through that little piece, would we be talking about having the sidewalk then run along the easement of, I think this Lot 8? Which would seem to be quite an encroachment on that property. I mean it's nice to connect neighborhoods, I can understand that, and the other alternative would be to run that sidewalk on, what, off the Aldi detention pond? The perimeter of that.

MS. BHIDE: Right. The Aldi property is in the city of Prospect Heights.

COMMISSIONER ENNES: Okay, so we can't.

MS. BHIDE: So, we can't go there.

COMMISSIONER ENNES: So, it would seem like a nice alternative but putting a sidewalk on that northern lot line of Lot 8, would that, that would limit the development of the lot, right?

MS. BHIDE: Correct. I mean that would be, it would be a public sidewalk that would be located on private property.

COMMISSIONER ENNES: Right. I don't know, it would be nice but I can't see encumbering the developer. I mean if they wanted to do it, that would be their option. It would seem that it would restrict the size of the house that could be on that property. That's my only comment.

APPROVED

CHAIRMAN LORENZINI: Commissioner --

MR. ADAMS: I would just like to address that. I know it seems --

CHAIRMAN LORENZINI: That's okay, that's all right.

MR. ADAMS: Okay, it's an elevation problem.

CHAIRMAN LORENZINI: Okay. Commissioner Green?

COMMISSIONER GREEN: No, I was just going to follow up on the sidewalk. We just don't put public sidewalks on private properties. It's a liability that the homeowner does not want. So, unfortunately, that I don't think can be accomplished here.

The other issue of course is that if there was a sidewalk added to Olive Street, we could by special assessment get the neighbors together and we could have that street improved. So, there is an alternative solution to the fact that there's no sidewalks on Olive. It's just that everybody would have to pay their share.

The issue of the double-loaded lot is just harder for me to accept. I just don't like them. But if we are going to have this, then I think the fence should be to the east. In other words, the fence should be on the property line and the landscaping that is owned by the private owners is on their property.

I live and go by the Arlington Heights and Hintz Road subdivision that backs up on Arlington Heights Road where they pulled the fence in and put the landscape out, and that's a mess. It is not a good idea to do that because the homeowner will not, they built these fences with no gate and they can't get over to maintain their own property. So, it's been a mess since day one. So, I would agree, put the fence on the line, put the landscaping on the property of the homeowner and they'll be more apt to maintain it. And that's my only comment.

CHAIRMAN LORENZINI: Thank you. Commissioner Cherwin?

COMMISSIONER CHERWIN: Thank you. Yes, you know what, I won't, I think Commissioner Ennes addressed it and Commissioner Green addressed the issues I had. I thought the sidewalk, you know, in concept is good but probably not viable. I'd say that the Petitioner's proposal for a restriction on the type of fence seems reasonable to me. So, I would also echo Commissioner Green's sentiment on the fence and also say that I think that's a reasonable proposal.

I guess my other concern on that side is that we try to work to resolve, if we try at least to plan on how we would make sure that that Williams Way right-of-way, whether it's some sort of letter of agreement of whatever, but I think we should have some idea of how that's going to be addressed, that strip of right-of-way where regardless of the fence or any type of nice landscaping we put is not going to look very nice if it's not addressed. So, I would just ask to do that.

The other thing that I'd like to follow up on, we

APPROVED

talked about the retaining wall to the north, and Latika, if you have an answer, my only concern there is, you know, it's important to maintain the structure of that retaining wall. If we have shared responsibility among several lots for essentially an integrated retaining wall, what is the practicality of ensuring that citizens on several lots would maintain it to the standard required for it to meet its purpose? And do we have examples of where that's failed or how that even, obviously if there's a common issue, the community or the association would deal with it. We don't have that here.

So, my only question would be are there any sort of shared arrangements that we can put in place to make sure that we don't lose the retaining wall --

MS. BHIDE: In an answer to your question, I do not know of another example where there is a retaining wall that's privately maintained or, you know, a structure that's privately maintained. I will let the Petitioner address the question. I don't believe a whole lot of maintenance would be required, but I will let the engineer address that.

MR. ADAMS: The type of wall that we're proposing is a segmental block wall, like a keystone, you've probably heard of that name. They basically are concrete blocks that are built to a specification. They're constructed to, they have a plane underneath them, they have drainage behind them. They're constructed to where, I would imagine that their life span is dozens of years. I can't, I mean, you know, I have them at my home and they've been there ever since I've been there. So, the amount of, you know, they're not the railroad tie walls of, you know, ancient times. These are what's used around detention facilities fairly often and in other instances where there's grade differential.

COMMISSIONER CHERWIN: Thank you. I'm comfortable with the structure of the wall. Just, like I said, at some point when it does have to be maintained, getting several people to go on the same direction may be something that Staff wants to consider, that's all. Thank you.

MS. BHIDE: Okay.

CHAIRMAN LORENZINI: Commissioner Sigalos?

COMMISSIONER SIGALOS: I just have two more last questions. One is along the lines of this retaining wall. By building up that north end of this site, is that going to affect the storm water runoff from the property north and surrounding areas that would normally run southward?

MR. ADAMS: No. The idea is that when they built the Aldi pond, they started at our property line, our north property line, they started at the grade that was there, they went up and built a berm and then they went back down into their pond. So, they basically, when they built that berm at the Aldi, they blocked our drainage. So, our

APPROVED

drainage used to go into that area. They artificially created a berm, go up, over, and back down.

So, we have a small area back there that would be below our high water. So, if we connected that water to our pond, and pond started to fill up, it would fill up that area. So, basically what we're trying to do is isolate that tiny little area along the north property line and not tie that into our detention facility because it's too low. The top of our wall is at elevation 86. The bottom of the wall is 81.5. Our high water is 84. So, we can't tie it in to our facility.

Again, from an elevation point of view, the existing ground there is about 81.5 to 82, and the top of the wall is at 86. It's much higher. When you come off of the cul-de-sac, the eyebrow on Somerset and Marion, that elevation is about close to 85, and then immediately from that it drops down to 82. So, there's a three-foot drop-off at the end of that cul-de-sac, and then that land is flat. So, what we're trying to do is just isolate that very top end.

So, you know, some of the residents said that the Aldi pond is filling onto this property. Based on the elevations that I have, I think it would be very difficult unless there's a breach in the berm somewhere, or there's something, because that berm is significantly higher than our property line. So, I don't know exactly how that's happening.

There is a low area north of the existing detention pond that's part of the subdivision to the west. They have a small area between the eyebrow of Somerset Court and Marion that is below the curb and below the pond high water, below the pond berm. It's that area where there's a handful of trees that was mentioned earlier that the Village wants to save and they want us to make sure that when we run our water main through there, that we will have the alignment of the water main to protect the existing trees.

CHAIRMAN LORENZINI: Does that answer it, John?

COMMISSIONER SIGALOS: Yes.

CHAIRMAN LORENZINI: Anything else?

COMMISSIONER SIGALOS: Just one last comment. You stated earlier that the Village of Arlington Heights would be responsible for maintaining the lawn area and landscaping around the detention pond. Would it be inconceivable that they would maintain their strip of lawn to the east of the fence along Williams Way between Williams Way and the east parking lot? It would be if they're going to be maintaining this retention area outlot --

MS. BHIDE: If it is not within the Village jurisdiction, I don't --

COMMISSIONER SIGALOS: I understand that, but I mean just as a common sense thing because I don't see Prospect Heights

APPROVED

maintaining it. From what it looks right now, it's going to continue to look that way.

MS. BHIDE: I can follow up with Public Works on that.

COMMISSIONER SIGALOS: I just thought I'd just throw it out there as a comment that maybe the Village could maintain that. That's in conjunction with maintaining the retention area. That's all.

CHAIRMAN LORENZINI: Commissioner Dawson?

COMMISSIONER DAWSON: With respect to the fence, the elevation of the fence, I think it makes more sense for the fence to be located on the east along the lines of what Commissioner Green said. It seems to me to put it on the west is just going to create issues for the homeowner. Plus, as I pointed out, the homeowners could all bring down those trees unless we put something in place that says that they can't. Since no one has really been talking along those lines, maintaining a sight line is less important to me than making sure it's properly placed so that I think the trees would be in better position for the families to enjoy them and want to keep them as part of their backyard. So, I'm more in favor of the east.

With respect to the wildlife, my only, you know, I think that the plan that's put in place here, just along the lines of what Commissioner Warskow said, the detention plan is great and I do see that many of the wildlife that live there now will move back and find that that's a great location for them. That being said, I think that there might be, I'm not an expert on birds by any stretch of the imagination, but there might be just steps that could be taken to minimize it. For example, I was hoping one of the things you were going to say is that we're doing construction in the fall and there will be less impact because the birds won't be nesting and laying their eggs and that, but you didn't jump on that.

So, anyway, you know, we can't guarantee when the construction will happen. It's not in anyone's hands. But I would just say that if it does get bumped out of the fall and we are talking about spring, you know, there's going to be lots of birds with nests and eggs and, you know, if there is something that could be done, just think about it. That's all. I'm not asking for extreme measures to be taken and, you know, but if it's in the fall, it could really minimize impacts.

But I would also say that the neighbors that are concerned, there's things that you can do as well. So, don't completely, if you're concerned about the wildlife, don't just expect it to be all the builder's responsibility. There's steps you can take. Go online, research what can you do. Can you put things in your yard? Can you help the wildlife as well to be as much preserved as possible while the construction is going on so that the wildlife can then move back when the construction is complete?

But besides that, I think it looks like a

APPROVED

beautiful project. You've really put a lot of thought into it. I think you've addressed the water issue. The residents may not agree, but I think that you've gone into lots and lots of detail, and obviously Staff is satisfied with the work that's been done. So, I think it looks like a great project.

CHAIRMAN LORENZINI: Commissioner Drost?

COMMISSIONER DROST: Yes, two comments. One is on the fence issue. I would take the position opposite of Commissioners Green, Dawson and Cherwin. I think that by locating or potentially locating the fences to the east, that wouldn't dissuade fence building. I have had some experience living in a subdivision in Arlington Heights where we had a no-fence provision. It really adds a lot to the vistas that you have in a subdivision. This would sort of encourage the woodland look and it would be, again, I think more aesthetically pleasing because it would discourage the fence building.

The other point that I would make is I would probably nominate a committee right now, Mr. Glassman, Mr. Hill and Mr. Charbonneau, to engage the developer and review some of the trees that would be on the hit list and perhaps have some meetings, because there have been precedents before where, although it's not required by code to maintain a certain population of trees, that sometimes developers in their enlightened self-interest can look at it and make it more marketable if they do create and maintain the kind of environment that they have. That would take the Village out of it and place it within the responsibility of the people that live in the neighborhood and that wants to work on the development in place. That's my comments.

CHAIRMAN LORENZINI: Thank you. Just a clarification, Commissioner Drost, you're recommending no fence on this site?

COMMISSIONER DROST: Well, I would take the position as they were originally proposed in the Staff report.

CHAIRMAN LORENZINI: Okay. Latika, a question for you. Item 7 talks about additional landscaping. Does that cover the additional 34 trees you mentioned?

MS. BHIDE: No, this is, we wanted to make sure that there were no gaps in the landscaping along the retention wall and on one side of Lots 8 and 9. I think the Petitioner has agreed to add landscaping to fill those gaps. So, this is not those additional trees.

CHAIRMAN LORENZINI: Okay, all right. That's really all I have. Any other discussion or do we have a motion?

COMMISSIONER JENSEN: It seems to me, you need to, before we go to the full motion, determine whether we're going to put the fence, if there is one, inside or out. I guess I would speak to the position that Commissioner Green put down, I think it would make more sense to have the fence outside and the trees inside. So, I think you need to determine that before we know what the regular motion is.

APPROVED

CHAIRMAN LORENZINI: Well, whoever wants to make the motion can make that change.

COMMISSIONER DAWSON: Yes, make the motion however you want it.

COMMISSIONER WARSKOW: Are we also requiring that it be the wrought iron that they are proposing?

COMMISSIONER DAWSON: I don't think Staff required that.

COMMISSIONER WARSKOW: No, that was their recommendation in place of Staff's request for inside of the landscaping.

COMMISSIONER DAWSON: If you want to make that motion.

COMMISSIONER GREEN: How would we ensure that the homeowners would go along with that? How would we do that? I mean is it --

COMMISSIONER DAWSON: I would just have concerns. Are we now going to talk about the spacing of the wrought iron? It just kind of gets a little extreme to try to dictate to the homeowner what kind of fence they have to put up.

CHAIRMAN LORENZINI: I mean I think I would just --

COMMISSIONER DAWSON: I would suggest to whoever is going to make the motion, just make the motion the way you want it and we go from there.

COMMISSIONER SIGALOS: Can I ask? Earlier you stated that this fence would be a wrought iron type fence. Is that being proposed to be built by you at the time these 13 homes are developed?

MR. ISHERWOOD: No, we are not proposing any type of fence. To clarify, we would be in favor of no fence restriction at all. We did not care for the recommendation that they be on the, kind of inside of the lots for the reasons previously stated, and so that was our alternative solution. But we'd prefer no restriction relative to fences because we'd like to convey as many property rights as we can to our future home buyers, not restricting them.

COMMISSIONER SIGALOS: So, it really determines that where you put the landscaping, that you would put it on the property line so that the fence could be put on that property line in the future.

MR. ISHERWOOD: The landscaping all proposed today is off of the property line which would still maintain, they would still have the freedom to put the fence on the property line. That homeowner would still also maintain the freedom to put the fence on the inside of the landscaping if they so chose. It would be up to that individual homeowner to determine where that fence ought to go. They would apply to the Village of Arlington Heights for a fence permit and that's the process they would go through.

COMMISSIONER SIGALOS: I understand. Thank you.

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COMMISSIONER ENNES: So, Latika, is Staff recommending this fence be put in?

MS. Bhide: We were not recommending a specific type of fence.

COMMISSIONER ENNES: But you're recommending that a fence be put in?

MS. Bhide: I think we were anticipating that in the future homeowners would likely request a fence permit. In that case, it would be located on the inside of the landscaping. So, we understand the developer is not looking to install a fence now, but we were just anticipating the future.

COMMISSIONER DROST: We're not requiring a fence.

MS. Bhide: No.

COMMISSIONER DROST: It may even be fence-less.

MS. Bhide: Yes.

COMMISSIONER DAWSON: So, we can strike number 8 in the motion is what she's saying.

COMMISSIONER WARSKOW: Yes.

COMMISSIONER DROST: You could just get rid of it.

COMMISSIONER DAWSON: Get rid of the number 8.

COMMISSIONER ENNES: Thank you.

COMMISSIONER DAWSON: All right. So, I'm just going to go ahead and make a motion.

A motion to recommend to the Village Board of Trustees approval of PC# 15-001, a Preliminary Plat of Subdivision to re-subdivide two parcels into 13 single family lots and one lot for detention; a Variation from Chapter 29, Section 29-307F, which prohibits double frontage lots to allow Lots 9 through 14 (both inclusive) and the detention outlot to be double frontage lots.

This approval is contingent upon compliance with the recommendation of the Plan Commission and the following recommendations detailed in the Staff report dated May 7, 2015:

Recommendation

The Staff Development Committee has reviewed the Petitioner's request and recommends approval of a Preliminary Plat of Subdivision to subdivide the existing zoning lots into 13 single family residential lots and one outlot for detention. This approval shall be subject to the following conditions:

- 1. Approval of the Final Plat of Subdivision.**
- 2. Lot 1 shall not have access to East Olive Street.**
- 3. Lots 9 through 13 (both inclusive) shall not have access to**

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Williams Way.

4. Prior to Final Plat of Subdivision approval and pursuant to Contribution Ordinance #91-031, (Parcel 03-20-401-015, 1306 E. Olive) the Petitioner shall pay a contribution of \$9,500 for the connection to the storm sewer on Olive Street.
5. Prior to Final Plat of Subdivision approval and pursuant to Contribution Ordinance #91-031 (Parcel 03-20-401-016, 1310 E. Olive) the Petitioner shall pay a contribution of \$9,500 for the connection to the storm sewer on Olive Street.
6. Prior to Final Plat of Subdivision, the Petitioner shall be required to pay for the improvements in cash escrow for their share of improvements to Olive Street based on their engineer's estimate to be provided.
7. Additional landscaping must be incorporated along the retention wall on the north side of Lots 8 and 9 and the west side of Lot 8.
8. School, park, and library contributions will be required prior to the issuance of a building permit for each new lot.
9. The Petitioner shall comply with all applicable federal, state, and Village codes, regulations and policies.

CHAIRMAN LORENZINI: Do we have a second?

COMMISSIONER SIGALOS: I'll second that.

COMMISSIONER JENSEN: A question before you vote on it.

Do we have a Lot 14, which is what is referenced here? Or do we only have 9 through 13?

MS. Bhide: It's a typo, it should be 9 through 13.

Thank you.

COMMISSIONER JENSEN: Okay.

CHAIRMAN LORENZINI: Any other comments?

COMMISSIONER ENNES: Is the detention pond a lot?

MS. Bhide: It's an outlot, so it doesn't have a number 14, the detention outlot.

CHAIRMAN LORENZINI: Okay, can we have a roll call vote?

MS. Bhide: Commissioner Cherwin.

COMMISSIONER CHERWIN: Yes.

MS. Bhide: Commissioner Dawson.

COMMISSIONER DAWSON: Yes.

MS. Bhide: Commissioner Drost.

COMMISSIONER DROST: Aye with comment.

MS. Bhide: Commissioner Ennes.

COMMISSIONER ENNES: Yes.

MS. Bhide: Commissioner Green.

COMMISSIONER GREEN: Yes.

MS. Bhide: Commissioner Jensen.

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COMMISSIONER JENSEN: Yes.

MS. BHIDE: Commissioner Sigalos.

COMMISSIONER SIGALOS: Yes.

MS. BHIDE: Commissioner Warskow.

COMMISSIONER WARSKOW: Yes.

MS. BHIDE: Chairman Lorenzini.

CHAIRMAN LORENZINI: Yes.

COMMISSIONER DROST: The comment is to reiterate the point of maybe some of the residents contacting Mr. Krogstad or the appropriate individual in the developer's organization to see what they can do to save some of those trees, to also try to maintain that wildlife preserve aspect of their community to the extent that it makes sense for both parties.

CHAIRMAN LORENZINI: Okay. You received a unanimous approval, but this is only a recommendation. The Board of Trustees has the final say-so. Is there a date that this is going to go to the Board of Trustees?

MS. BHIDE: No, I will follow up with the Petitioner.

CHAIRMAN LORENZINI: All right. Well, thank you everybody for attending. If you have any other discussions, if you want to pick up your books, that's fine, if you have any discussions, would you take it out to the hall as we have one more public hearing to do?

(Whereupon, the public hearing on the above-mentioned petition was adjourned at 9:30 p.m.)