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PLAN

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

COMMISSION

RE: KARR SUBDIVISION - 620 SOUTH BEVERLY LANE - PC#17-003
RESUBDIVISION

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 12th day of April, 2017 at the hour of 7:30 p.m.

MEMBERS PRESENT:

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

ALSO PRESENT:

SAM HUBBARD, 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 say the pledge of allegiance with us?

(Pledge of allegiance.)

CHAIRMAN LORENZINI: Thank you. Sam, roll call please.

MR. HUBBARD: Commissioner Cherwin.

(No response.)

MR. HUBBARD: Commissioner Dawson.

COMMISSIONER DAWSON: Here.

MR. HUBBARD: Commissioner Drost.

(No response.)

MR. HUBBARD: Commissioner Ennes.

COMMISSIONER ENNES: Here.

MR. HUBBARD: Commissioner Green.

COMMISSIONER GREEN: Here.

MR. HUBBARD: Commissioner Jensen.

COMMISSIONER JENSEN: Here.

MR. HUBBARD: Commissioner Sigalos.

COMMISSIONER SIGALOS: Here.

MR. HUBBARD: Commissioner Warskow.

COMMISSIONER WARSKOW: Here.

MR. HUBBARD: Chairman Lorenzini.

CHAIRMAN LORENZINI: Here. The next item on the agenda is approval of meeting minutes from April 22nd. There's three of them, 504 South Mitchell, 2214 East Palatine Road, and Chapter 28 Text Amendments. Any comments or questions or a motion?

COMMISSIONER DAWSON: Move to approve.

CHAIRMAN LORENZINI: Second?

COMMISSIONER GREEN: Second.

CHAIRMAN LORENZINI: All in favor?

(Chorus of ayes.)

CHAIRMAN LORENZINI: Opposed?

(No response.)

CHAIRMAN LORENZINI: Thank you.

COMMISSIONER SIGALOS: I need to abstain from that because I was not present.

COMMISSIONER WARSKOW: The same for me.

CHAIRMAN LORENZINI: Commissioner Sigalos abstains and Commissioner Warskow. Okay, thank you.

Next item on the agenda is the public hearing for Karr Subdivision, 620 South Beverly Lane, PC#17-003, Resubdivision. Is the Petitioner here?

MR. DADAY: Yes.

CHAIRMAN LORENZINI: Anybody who's going to testify, would you please come forward and we'll swear you in? Please raise your right hand.

(Witnesses sworn.)

CHAIRMAN LORENZINI: Thank you. Petitioner, would you please state

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your name and spell it for the court reporter and give us a brief description?

MR. DADAY: Good evening, Mr. Chairman. My name is Steven G. Daday, D-a-d-a-y. I'm an attorney and I represent the Petitioner in this request for resubdivision.

CHAIRMAN LORENZINI: Thank you, Mr. Daday. Now, were all the proper public notices given?

MR. HUBBARD: Yes, they were.

CHAIRMAN LORENZINI: Thank you. Would you please proceed?

MR. DADAY: Just as an overview, and you may have to give me a little leeway here because I don't know if I can operate this entirely, but I think Sam will help me a little bit.

MR. HUBBARD: Yes, press the down and that should --

MR. DADAY: Our petition here this evening is for a resubdivision for the property located at 620 South Beverly. Currently, the property consists of a single family home on three lots. What we're seeking to do is to consolidate the three lots into two conforming parcels. The Petitioner would be residing on one of the lots in a house obviously, and the other one would be sold.

Currently, our request is for lots that are conforming to the zoning code. We're not asking for any variations. It's conforming both in terms of the size, the gross area of the lots, as well as both the width and the depth. So, we believe that it conforms to all the zoning code and zoning regulations and we obviously would ask for approval of this.

You can see from the map, our parcel is in yellow. Again, it sits on three lots. I think one of the major issues is where it fits in in terms of the lot size of the surrounding areas. In reviewing the parcels and the maps and so forth, we determined that there are, of the approximately 10 to 12 parcels that are immediately adjacent, there are three that would be larger than the conforming and there would be approximately six to eight that would be either the same size or smaller.

So, it's our contention that in terms of the numbers of conforming lots and also larger lots versus the smaller lots, that actually the predominant character of the neighborhood is for the 75-foot lots or smaller. I think that's supported by the Staff recommendation or the Staff report. This is another view and it's a little bit larger area.

Also, just to introduce the folks here, Mike King is the engineer, one of the engineers on the project. Tom Karr is the husband of the trustee of the trust. She couldn't be here tonight because she's ill. Carol Wilcox is the realtor for the sale of the property to Mr. Karr and his wife.

With that, I don't really, we've met all of the, and responded to all the comments. We're in full support of all of the Village recommendations and comments. Once again, we're not seeking any variations here and we would certainly welcome any questions.

CHAIRMAN LORENZINI: Okay, is that your presentation?

MR. DADAY: That's it.

CHAIRMAN LORENZINI: Thank you, Mr. Daday. We'll hear the Staff report next and then we'll come back for questions.

MR. HUBBARD: All right. So, as you've heard, the subject property is at 620 South Beverly Lane. The current zoning district of the property is R-3 which is a One-Family Dwelling Zoning District. The Applicant is before you this evening to request preliminary plat of subdivision approval to consolidate three existing lots of record into two lots. You may note that

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the Comprehensive Plan designation for this area is for a single family detached, and so the proposed subdivision and existing zoning conforms with the Comprehensive Plan.

This is an aerial of the property. You will see that the subject property is outlined with the red border. Inside of the red border, there are three existing lots of record that you can see, all of which were platted in 1929, approximately 50 feet wide by 132 feet long. Overall, together they are 19,800 square feet.

The Petitioner has proposed to consolidate these three lots into two lots being each 75-foot wide by 132 feet deep, and the preliminary plat of subdivision is shown here. The setbacks as shown on the plat of subdivision comply with all of the setback regulations in the R-3 District, and with regards to width, they are 75-foot wide and they comply with the R-3 minimum lot width standard of 70 feet, and at approximately 9,877 square feet in size for each lot, they comply with the R-3 minimum lot area restriction of 8,750 square feet.

When analyzing the acceptability of the subdivision, Staff always looks at the existing lots on the block. So, here you'll see a map showing the subject property in relation to the lots on the block. We want to make sure that the subdivision is within the established character of the neighborhood.

In doing this, we found that the proposed lot sizes and lot widths fell just about in the center, in the middle of what is already existing on the block. In fact, the median lot width was 62.5 feet for the lots on this block. They are proposing two 75-foot lots. The mean was about 88.2 feet, again they're proposing 75 feet. The median lot area on this block was 8,166 square feet. They are proposing a little larger lot at approximately 9,800 square feet. Again when you look at the mean lot area, it is just over 10,000 square feet, and they're proposing just under 10,000 on each of the two lots. So, it kind of fits very well right in the middle of what exists on this block and we did not believe that this was going to be out of character in this area.

A lot of times, there are drainage and stormwater concerns when subdividing a property. It's just one house now and there is going to be two homes there in the future. So, what we do is we want to make sure that this subdivision is conforming to all stormwater and drainage requirements and is not creating an impact on neighboring properties.

I would like to point out that as part of this subdivision, they will be installing a storm sewer inlet on the back of the property, and I don't know if I can get my cursor on the storm sewer, and that is going to be right here. Then there is going to be a line that leads out towards Beverly Lane and connects with the storm sewer in Beverly Lane. The lot will be graded so that rainfall that falls on the lot will drain this way down and come here and enter into the inlet and eventually lead down towards, or lead out towards Beverly Lane. Similarly, on this side, it would do the same, it would come down up like this into the inlet and then out towards the street. So, in fact, there would very likely be an improvement to the lots in the rear as currently the rainfall could sheet drain to properties to the west, but now it's going to be directed into this inlet out to the service line that's going to go out to the sewer. In the front, the lot is graded so that rainfall here is just going to fall out towards the street.

So, Staff is recommending approval of the proposed preliminary plat of subdivision subject to four conditions, one of which is that a fee in lieu of onsite detention is required. In a small residential two-lot subdivision, we're not going to require, the code does not require onsite stormwater detention, so this stormwater is going to go into the Village's storm sewer system and there's a fee in lieu of providing that onsite detention. So, that's what condition number one addresses. There are going to be impact fees for one of the lots required, and then

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the other two conditions relate to this standard conformance with all applicable codes and policies. Then Design Commission approval will be required once the two homes are proposed on site. They will have to submit a Design Commission application and Staff would evaluate to make sure that the architecture is compatible with the neighborhood.

So, that concludes the Staff portion of this and I'd be happy to answer any questions.

CHAIRMAN LORENZINI: Mr. Daday, Petitioner agrees to all the Staff recommendations?

MR. DADAY: Yes.

CHAIRMAN LORENZINI: Before we go any further, I think we may have a question from one of the Commissioners.

COMMISSIONER WARSKOW: Yes. You just talked about it but in the department comments, in the Engineering Section, it does have a check that stormwater detention is required, and it is talked about in verbiage that it is required but a fee in lieu was acceptable. But then in the Staff report, you're saying it's not required and you're asking for a fee in lieu. Which one is it?

MR. HUBBARD: I think it's just that, I guess it's required by the code to provide that capacity, but a fee in lieu of is acceptable on a small subdivision like this. So, I don't know if that answers your question.

COMMISSIONER WARSKOW: But the Staff report pretty much says that it's not required. So, I do have an issue with the wording in the Staff report.

CHAIRMAN LORENZINI: Okay, could we have a recommendation to enter the Staff report into the public record?

COMMISSIONER GREEN: So moved.

CHAIRMAN LORENZINI: Second?

COMMISSIONER SIGALOS: I'll second.

CHAIRMAN LORENZINI: All in favor?

(Chorus of ayes.)

CHAIRMAN LORENZINI: Opposed?

(No response.)

CHAIRMAN LORENZINI: Okay, thank you. Next, we'll go to the Commissioners for questions. Commissioner Jensen?

COMMISSIONER JENSEN: I was in the Plat & Sub and I really don't have any questions. I would rather hear from the public and other Commissioners, and then I may ask some questions after that.

CHAIRMAN LORENZINI: Commissioner Warskow?

COMMISSIONER WARSKOW: Yes, I do have some questions. Sam, this is a combined sewer here in this area?

MR. HUBBARD: It is, yes.

COMMISSIONER WARSKOW: Is this part of the plan that the Village is addressing with infrastructure changes? Is Beverly Lane part of that?

MR. HUBBARD: I do not believe so. I know that there are no capital improvements proposed in this immediate Scarsdale neighborhood over the next five years. There is no plan for any immediate change to the infrastructure. I know that the Village is looking at overall flooding problems and this area could be one of those considered to have looked at as

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part of that plan.

COMMISSIONER WARSKOW: I would like to know if somewhere in the future this area and the combined sewers are going to be addressed in this area, because as much as I understand the grading and the inlet, I do understand things change over time and what is intended and put in place in development does no way stay there. I have the same issue with my own home. So, I just want to address any concerns of the neighbors, that if there are currently flooding issues and you're going to take away thousands of square feet of permeable surface, that there's going to definitely be plans to address that.

CHAIRMAN LORENZINI: Thank you. Commissioner Ennes?

COMMISSIONER ENNES: A couple of questions. So, Sam, currently we have three lots, three 25-foot lots with one residence on it. Technically, with the R-3 zoning, could there be three homes on the 25-foot lots? I'm sorry, 50-foot.

MR. HUBBARD: 50-foot lots. With the way that the site exists today, no, those lots would not be eligible for development each with a single family home.

COMMISSIONER ENNES: But the R-3 zoning does allow them on 75-foot lots?

MR. HUBBARD: It does, yes. In certain cases on 50-foot lots as well, but it also depends on how the other lots on the block are developed, and must meet certain criteria.

COMMISSIONER ENNES: Mr. Daday, a question for you. Does the Petitioner currently own and reside in the existing residence?

MR. DADAY: He owns it but he does not reside there.

COMMISSIONER ENNES: Did they recently buy it?

MR. DADAY: Well, they bought it about eight or nine months ago and we've been going through this process.

COMMISSIONER ENNES: With the intention of making these changes?

MR. DADAY: Yes, right, right. Apparently, my understanding is that if they were to upgrade the property to kind of a modern with kitchens, bathrooms, all that stuff, it would be a very extensive renovation and very expensive.

COMMISSIONER ENNES: They bought the whole with the intention of renovating?

MR. DADAY: Yes.

COMMISSIONER ENNES: That's all I have for the time being.

CHAIRMAN LORENZINI: Commissioner Green?

COMMISSIONER GREEN: Sam, is there any estate zoning overlay in this area?

MR. HUBBARD: No.

COMMISSIONER GREEN: I know that there is an estate in the Scarsdale portion but it just doesn't cover this block. Is that --

MR. HUBBARD: I mean in the Comprehensive Plan it's estate, I believe it's, no, I think it's just single family detached. So, no, there is no estate.

COMMISSIONER GREEN: There's no estate overlay for --

MR. HUBBARD: Correct, it's just single family detached.

COMMISSIONER GREEN: Okay, that's my only question.

CHAIRMAN LORENZINI: Commissioner Sigalos?

COMMISSIONER SIGALOS: I was at the Plat & Sub last August I guess it

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was, and I really don't have any other questions at this point.

CHAIRMAN LORENZINI: Commissioner Dawson?

COMMISSIONER DAWSON: I'd like to wait for public commentary to ask questions.

CHAIRMAN LORENZINI: Same for me, I don't have any question at this point. So, we'll open it up to the public for questions and comments. I'll start on my right side, your left side. Anybody in the front row have any comments or questions? Maybe in the next row? Yes, would you please come forward and state your name for the court reporter and spell it?

QUESTIONS FROM AUDIENCE

MR. ARNOLD: Sure. My name is Bob Arnold, I live at 625 South Newbury Place which backs up to the property in question. Sam, I want to ask, if you could, go back to the aerial view that you showed earlier? Thank you.

The property outlined in red is the property in question. My wife and I live just to your right. Thank you. That lot is 120 feet wide. The lot up from that, 617 I think is the number to the north of my lot, is about 100 feet in width. I consider that these are adjoining properties. I know that Staff has looked at the properties on Beverly. There are some like-sized properties on Newbury that adjoin this, so I think it's part of the character of the neighborhood that I'm referring to.

My wife and I have lived in this house since 1975. I wish somebody had told us when we bought that we were subject to flooding. We've dealt with this problem for almost since we moved into the house. If I had the money today that we've spent, I could have bought a very, very nice new car. It's been a significant drain on our finances.

I emphasize this because a lot of it is the old combined water-sewer and we had backup. I can't contend that this property in question has anything to do with our flooding. But we are very, very sensitive to anything that's going to change the character of the properties in the area. As I said, we've spent a terrific amount of money and I'm not asking that this subdivision or this action, the Plan Commission solve my plumbing flooding problem, but I do not want it to add to it.

That's my concern. I'm not asking the Commission to say, okay, we can guarantee there will be no fallout on your property. Nevertheless, it's a very significant concern.

Along with that is the question of grading. Sam, if you could go to that grading plan? On this is the lower left-hand corner of the diagram, thank you, and that lot line is our property, of lot number two. Including the grading in that way --

COMMISSIONER ENNES: Mr. Arnold, just so I understand, the rear lot line is yours?

MR. ARNOLD: Sam, could you --

COMMISSIONER ENNES: The rear lot line of lot two?

MR. ARNOLD: I can't read the numbers from here.

COMMISSIONER ENNES: The bottom one is lot two.

MR. ARNOLD: Is lot two? Yes, the bottom one, thank you, the bottom one is where our property joins the property in question. I understand and appreciate the need for the

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grading, that should relieve me a great deal of the concern that I've just expressed. But it's related also to the removal of trees on this property.

There are significant number, Sam, I'd ask you again for the, do you have the diagram of the trees and which would be removed? If not, I can talk to it from the grading plan.

Good, thank you. Again, speaking to the lower half of this diagram, you can see a number of trees are marked for removal. Those trees obviously absorb a lot of water, but there's a lot of shrubbery in that same area. One of the reasons we like living where we do is because of the attractiveness that results from the trees and the shrubs and would really like to be able to, I'd like to suggest that the grading be done in such a way to preserve more of those trees than this diagram shows, and that we retain some of the character of the area as well as use the trees for absorption of water.

The last thing that I would ask is that based on the drawings, the grading level is two feet above that creates a berm. I'm sorry, what's the difference? I forgot, six?

MR. HUBBARD: Yes, it's close to two feet in some areas down at the lowest point where the water would head toward the inlet, towards the end of your property.

MR. ARNOLD: Right, and so at my property line it would be two feet above the inlet. My concern is, well, I'll just say it, I know of a couple of instances in the Scarsdale area where violations of city code have occurred and nothing was done to correct them. I'm worried that if that two feet difference is not maintained I will have no recourse. So, I don't know where I go with that except to put it on the record here in hopes that we can avoid a problem in the future.

One last question that I have, is the design of the home, assuming it's approved, if the design of the home is available, will we have an opportunity to see, sorry, I have to talk with my hands, to see what the design will be and the resulting impact on the trees and shrubs as well as the grading? Is there an opportunity for us to do that?

CHAIRMAN LORENZINI: Sam, could you answer that?

MR. HUBBARD: Yes. As it goes through the Design Commission process, yes, typically you will be notified that there is an application that went to the Design Commission. I will say that that's not always the case. If there are no impacts to the site, if the architecture is textbook perfect and fits in, occasionally, we do have the authority at the Staff level to approve administratively. For a project like this that's generated a lot of public interest, I don't think that would be the course of action. I think this would go likely to the Design Commission.

MR. ARNOLD: How do we keep track of when it would be going to that commission?

MR. HUBBARD: A sign will be placed on the property and neighbors within a 100-foot radius would receive mailing that there's --

MR. ARNOLD: Oh, right, thank you. Thank you. Any questions of me?

CHAIRMAN LORENZINI: Not at this point. We'll wait after everybody else.

MR. ARNOLD: Okay, thank you.

CHAIRMAN LORENZINI: Thank you. Anybody else? Yes, sir, please come forward. State your name and spell it please.

MR. LYTLE: Yes, thank you. My name is Rick Lytle, I'm here with my wife, Alicia Lytle. We live at 630 South Beverly which is the lot immediately south of the lot in question.

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CHAIRMAN LORENZINI: Would you spell your last name please?

MR. LYTLE: L-y-t-l-e.

CHAIRMAN LORENZINI: Thank you.

MR. LYTLE: If it's okay, could I also put back up the PowerPoint slide with the lots surrounding the one in question? Because my point I'd like to make and then ask a question is twofold. One, I've heard reference in this meeting and understand there is consideration from this board about any project that would significantly affect the character of a block or neighborhood. Second, I also understand that this board would consider any project that might significantly affect homes' values. My wife and I and neighbors have discussed these two points and would like the board to consider something what we believe is very significant along both of those dimensions.

Although the Petitioner makes a very technical and clean case about the number of 50-foot lots in the block, I want to be really clear that this visual shows that all of the lots surrounding this particular lot in question with the exception of Bob's lot and Mary Edith just behind are at least 150 feet. Now, you can argue whether or not technically that's three 50-foot lots, but when you look at where the homes are built, primarily in the middle of what is essentially 150-foot lots. I would like to make the case here that this project will unquestionably change the character of that portion of the block. If I could just take a moment to explain?

If you look to the south, my lot, over 150-foot. You look to the north, Joe's lot, over 150-foot. You look to the east just across the street, a lot of over 150 feet, almost 200 feet. So, the one that's in question is the one right in the middle, and that's the one, although technically there are other 50 and 75-foot lots well to the north, well to the south of these immediately adjoining lots, we would make the case that the character of this block is going to be changed significantly because the one large lot in the middle is the one that's going to be split into two.

The second point I would like to make is only in relation to the difficulty of defining changing character. The point I just made is the first one. The second I would make is that when my wife and I moved into this neighborhood five years ago, we looked and one of the reasons we bought this particular home, at a very high price by the way, was because of this dynamic. This is one of the few remaining areas in the Scarsdale neighborhood where we have these multiple large lots with beautiful homes on them, traditional homes mind you. Most of them are some of the original homes in the neighborhood, mine and the one that is going to be taken down being two of them, and the character of this lot will be changed significantly. The reason I could say that is because when we moved in five years ago, the main reason we bought this was because of the size of the lots surrounding us. So, this is the point I'd like to make simply related to definition of character of the block.

The second point which is obviously impossible to prove but I'll make my case anyway is whether or not this will actually materially change the value of my home. I would make the case that it would. The reason for that is simple. Only five years ago I was in the market, we purchased the home for \$925,000, very pricey decision for us. I could tell you that one of the main points to this is that we saw that the lots around us were the larger lots. I can also tell you that our plan, based on the owner that lived in this home beforehand, was that these lots would remain as they are, that these lots would remain as they are.

We talked to our neighbors on either side. They have no intention. The owner who is no longer in there had no intention of this lot being subdivided. They reached a

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point in their lives where they had to move away. So, I can only say that the home value argument I would make is that we would not have only five years ago paid the same price for the home that we purchased had we known that this type of project would take place immediately adjacent to our lot.

So, those are my points and I thank you for the consideration. But I do believe that this will materially change the character of the block and will materially change the value of the four homes surrounding the block including ours. Thank you.

CHAIRMAN LORENZINI: Thank you. Anybody else? Yes, sir. Please come forward and state your name and spell it please.

MR. HOULIHAN: Good evening, ladies and gentlemen. My name is Joe Houlihan. I live in the 608 block on Beverly, that is the lot immediately north to the lot in question. We have lived there for 22 years, raised our ten kids. Our main issue with this proposal by the Petitioner is the complete destruction of the existing character of the neighborhood.

The Planning Department comes out, as Rick had said, with the idea of trying to say, oh, it falls within the average of the lot size. But as Rick said, the lots immediately surrounding the property are all 150-foot at a minimum. They are the biggest lots in the entire Scarsdale subdivision, not the estates, they are the biggest lots in the entire Scarsdale subdivision and have been that since the subdivision was established back in the 30's. Now, this proposal would completely and irrevocably alter how the neighborhood looks and feels.

I would like to bring to the attention of a prior attempt in the neighborhood, going back to 2002, to subdivide two lots. That was the street of 900 block at South Burton which is currently occupied by the prior mayor, the house. The full Board of the Village at that time made a very wise decision in rejecting what was a conforming plan but it was not within the character of the neighborhood. Who was the person who strenuously mentioned these arguments? It was none other than our attorney who at the time Mr. Daday was a trustee on the Board. He says just because it falls within the code and does not require a variation but it would alter the character of the neighborhood, from 4/15/02. Also, the previous mayor said we feel that the character of the neighborhood is a major issue in any interpretation and on voting.

Now, here we have the same person who has no trouble with altering the entire character of a neighborhood. It doesn't affect him but it affects us, the neighbors. So, we would seek that the board here would suggest to deny the Petitioner's request even though it falls within the code but it is not within the character of the neighborhood.

One other item I would bring up, too, regarding the flooding, in lieu of, well, who does that benefit? The fee in lieu of a potential wall retention? The only people that protects is the Village. What about if there is flooding? Can we go back to the Village then and say, well, where is the money? That is the most ridiculous solution to a potential problem, that a developer pays a fee, but if there's any water problems there is no correction or no solution.

So, we think that the proposed approval given by the Village Planning Department is completely off base when it come to the actual real life effects that a development could have if problems were to occur. That's just my piece. Thank you for your time.

CHAIRMAN LORENZINI: Thank you. Anybody else? Yes, sir. Please state your name and spell it.

DR. HILL: I'm Dr. James Hill, I live, Hill is spelled H-i-i-l. I live in the property immediately east of the proposed project at 615 South Beverly Lane.

Several issues, one is I'd like to go back to the plat of the drainage.

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Mr. Arnold I don't think raised his concerns there, I'm concerned about him than I am with me. You're talking about one drainage spot for two properties. If that drainage spot clogs, where does all the water go? Into Mr. Arnold's lot and the lot immediately adjacent to it, correct? So, he's already got a flooding problem, if that one little drainage is clogged, that's going to be a huge problem.

I'd be very interested to know what the amount of water retention space is available in the current property as to what's proposed here. I think there's a huge difference between the water retention available now as opposed to what's proposed. So, water drainage and flooding is a huge problem with what's currently proposed without a doubt.

Number two, I'd like to correct some false information. Somebody asked the question that when the property was sold it was intended for renovation, that was never the case. I can tell you from personal experience that there were surveyors on that property almost immediately after the sale looking at how to divide that property up. So, that property was never sold with the intention of renovation, it was sold with the intention of subdivision. That they were intending to try to divide it into three properties if possible. So, it's a money-making proposal, not adding to the neighborhood proposal.

Third thing is I'd like to ask the board about how many properties within the range of, let's define it the central portion of Scarsdale, you may or may not agree with me but I think the central portion of Scarsdale is a key neighborhood in Arlington Heights. It has incredible properties with unique architecture and it's one of the true gems of Arlington Heights. If anybody disagrees with that, then that is my view, but my point is I'd like to know how many properties within the range of let's say Grove on the north, Lincoln on the east, Rockwell on the south, and let's say Pine on the east, how many of those properties have been subdivided in the past 60 years? Do you know that?

CHAIRMAN LORENZINI: I don't know if we can answer that.

DR. HILL: I would answer the question is I believe one. If you want to go look at that property, it's horrible. They have no backyard, looks like crap, it's terrible. So, I think that that's not been a tradition in Arlington Heights and it certainly has not been a tradition in the central part of Arlington Heights.

Final thing is where does this end? If we divide this property, what are we going to do? Just keep dividing properties until we turn into the city of Chicago where we've got bungalows stacked on top of bungalows? Is that what Arlington Heights wants to be? That's not what I bought property in this neighborhood. I bought property here because it's a great, great, great suburb. Scarsdale is a great gem in this neighborhood.

So, if we start dividing properties and stacking homes on top of homes is not my idea of the projection for Arlington Heights. So, I think, everything that my neighbor said I agree completely with, it's going to completely change the character of that block. It's going to completely change the character of Scarsdale. It's going to set a trend of just taking homes, cutting them in half, putting in little, tiny bungalows on top of all of them. I think there is character in this neighborhood that needs to be maintained and I think it's your job to maintain it. That's all I got to say.

CHAIRMAN LORENZINI: Thank you. Anybody else who would like to make a comment or statement? Yes, ma'am. Please state your name.

MRS. ARNOLD: My name is Mary Edit Arnold, and I live at 625 South Newbury. Our home is on the west side of the property. As my husband indicated, we are

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extremely concerned about the potential of increased water coming on to our property. We've lived there since the mid 1970's and, as he said, we have had leaking or backing up in our floor drains or coming in the wires that stick out of walls because of the type of highwater table. We believe there is probably a creek that runs underneath our property.

We know that we have had to cut down three 100-year-old trees because of their age, and we know that probably has affected the water table as well. We cried when we had to cut those trees down because one of the reasons that we put up with an old house is because of the trees that exist in the neighborhood. The people that live in Scarsdale are willing to compromise and have old drain tiles that have to be fixed and other items with the joy of home ownership. Luckily, I love my home. But as Bob said, we just today are involved in another \$20,000 project to keep our home dry.

We've already spent \$40,000 to keep our home dry and it really concerns me when someone comes in and the first thing out of their mouths in talking to a neighbor is I wonder how quickly we could get these trees cut down. That set the tone for our concern about this neighborhood project. Trees make a difference. They absorb water. They cool the neighborhood. I know when I was working and came back from Schaumburg and turned off of Arlington Heights Road, the temperature in my car went down 10 degrees because of the absorption of water and what the trees were able to do and effective air conditioning.

I'm worried that if you approve it even before a house plan is provided for you to rule on, that the owner could come in and cut down trees that are not necessary to cut down. Once a tree is cut, it's gone. So, we are very concerned.

About the overload on the system on Beverly, beware. Until the Village was able to relieve some of the pressure on our system, all of Scarsdale estates was coming down, I think Burton or Bristol, I can't remember which, you could have floated a toy boat, it would turn the corner, come over to Newbury and proceed on down in front of our house. We had standing water halfway up our lawn many, many, many times. The Village was able to reduce some of that by improving the drainage on Rockwell, but I don't know if that would affect Beverly.

So, if you have additional water because of impermeable land and fewer trees, I think you may have a backup problem like we've lived with for many, many years. Thank you for listening to me. I'm really concerned.

CHAIRMAN LORENZINI: Thank you. Anyone else who would like to make a statement or comment? Yes, ma'am. Please state and spell your name.

MS. HAUTZINGER: Hi, I'm Stephanie Hautzinger, last name is H-a-u-t-z-i-n-g-e-r. I live two houses north of the subject property.

My biggest concern is just, you know, as the other neighbors have mentioned, impacting the character, historic character of the neighborhood. The reason we bought a home in this neighborhood is we love the historic homes, historic character. As the other neighbors have stated, this will have an impact.

I realize this block is not typical of some of the other streets in Scarsdale. But it is a very special, unique block, and that is why we love it. That is why all the other neighbors love it as well.

I do have, you know, considerable concerns about, I realize if this goes through, if the lot is subdivided, the proposed homes will go through the Design Commission review, however, there is a limit on what can be, you know, approved and rejected by that. There

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is not going to be, you know, I fear for the quality of the homes that are built, that it's not going to match the quality of the historic homes that are surrounding it and within Scarsdale.

You know, I'm very concerned about the precedent this sets for other homes in the neighborhood on large lots. I know there's a lot of, you know, a number of significant, you know, architecturally significant homes to me on larger lots that are, you know, not updated because there's people that have been in them for a long time. My concern is, you know, as those houses turn over, if this subdivision gets approved, it will be, you know, a significant precedent in the future for those other historic homes to get torn down. That would be a travesty for this neighborhood. So, thank you.

CHAIRMAN LORENZINI: Thank you. Anyone else? Okay, if not, we'll close the public comment portion of this hearing and we'll go back to the Commissioners for final questions and deliberation. Commissioner Jensen?

COMMISSIONER JENSEN: Yes, just a couple of points of clarification. First of all, the Plan Commission obviously goes through all of various issues and makes a recommendation to the Board. The Board makes the decision. I want everyone to understand that because many of you are talking as if a decision would be made tonight by the Plan Commission. That's not our function.

A couple of questions of Staff. Landscaping seems to be a big issue. I know on larger subdivisions, we do have the ability to impose some constraints on what they can do in terms of tree removal and preservation and so forth. Clarify what can be done in terms of dealing with the landscaping, especially shrubs and trees.

MR. HUBBARD: So, for subdivisions that are three lots or greater, we do require the submission of a tree preservation plan. We do require a deposit for trees that are required to be preserved to ensure that they are preserved. For a two-lot subdivision like this, it's not a requirement of code. We can't relate to code and say you cannot cut a tree down because of this code section.

So, we can encourage, and we have encouraged the Petitioner to save as many trees on site as possible, and they have agreed to make efforts to save as many trees on site as possible.

COMMISSIONER JENSEN: In terms of replacement in the case we just talked about of larger ones, we may have to replace what, two for every one we take out or some such ratio?

MR. HUBBARD: Depending on the size of the tree.

COMMISSIONER JENSEN: But there is nothing other than encouragement that could be done relative to this property, is that correct? Or is there some condition that can be put in for even the Plan Commission puts it in and the Board considers it? Or whatever, what latitude do we have?

MR. HUBBARD: I mean if there is a specific condition that you would like to further ask that the Petitioner work with Staff to identify additional trees where possible, we can meet again and discuss it and see if there were opportunities for additional tree preservation. That could be a condition if that's something the Plan Commission wanted to consider.

MR. DADAY: We would represent, too, Mr. Jensen, that we're going to make every effort to preserve as many trees as possible. We're not talking about a small, we're talking about very conforming properties and housing with professional landscaping, with landscaping that fits within the neighborhood. We're talking about two houses that we anticipate

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would have a value somewhere between \$900,000 and \$1.1 million each. So, to that extent, you know, we're not going to put two trees in front and two trees in the back. We're going to try to maintain as many as we can that are existing, and also adequately landscape this property.

COMMISSIONER JENSEN: So, the Petitioner might be amenable to at least working with Staff to try to get a preservation plan or a landscaping plan that actually stayed within the character of the neighborhood?

MR. DADAY: Absolutely.

COMMISSIONER JENSEN: Thank you. Water detention, what the Petitioner is required to do is basically handle the water on their property. Is that correct?

MR. HUBBARD: Yes.

COMMISSIONER JENSEN: Do we know, I mean, a lot of these homes are very old. Are they handling all the water on their property or are they contributing to the general flooding in this area? Do we have any way of knowing that?

MR. HUBBARD: That would probably depend on how they're graded, where the rainfall falls, and if it's directed, based on the grading, towards other properties or the streets. It's based on how the land is graded.

COMMISSIONER JENSEN: So, a part of Mr. Arnold's concern might be that the flooding is coming from some of the people who are very concerned about the flooding that this property might then produce.

MR. HUBBARD: Sure.

COMMISSIONER JENSEN: The character of the neighborhood obviously is an important state of consideration. We've had a number of cases over the last few decades around the character of the neighborhood. There's streets where we had small houses, they were replaced with McMansions or whatever. There was the argument about the character of the neighborhood.

Can you shed any light on the precedence that are set or how the issue of the character of the neighborhood is taken into account when you have a petition such as this one?

MR. HUBBARD: Traditionally, Staff will look at the immediate block where the home in question is located. I don't know if there's a specific precedent that I could point to. Sometimes we look beyond the block. You know, defining the area of what the vicinity is is not always cut and dry, but we traditionally start and look at the immediate block. That's the way our code is written as far as frontages and setbacks is to look at the immediate frontage and where the property is located.

COMMISSIONER JENSEN: Well, the last is more of a comment than a question. I think there is an important issue that probably needs to be discussed as other Commissioners speak to the character of the neighborhood. I find less compelling the deterioration of the value of the property. I don't understand the rationale, and quite frankly if you've got some data I'd love to see them. But I'm not too moved by that particular argument. But I do think the area, the character of the neighborhood is something that requires some additional discussion on this Commission. So, that's all I have at this point.

CHAIRMAN LORENZINI: Commissioner Warskow?

COMMISSIONER WARSKOW: Yes. I just want to have clarification on the point I brought up earlier, Sam. Is or is it not required to have stormwater detention on a two-lot subdivision?

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MR. HUBBARD: We do not require stormwater detention on a two-lot subdivision. In lieu of that, we accept a fee in lieu of stormwater detention. We do not require, if someone wanted to subdivide a lot, we would not require them, a two-lot residential subdivision, we would not require them to install onsite stormwater detention. In lieu of requiring that, we would allow them to provide a fee in lieu of putting that on the site.

COMMISSIONER WARSKOW: I just don't understand, because if it's not required, then why are you collecting the fee? But okay, if that's --

MR. ARNOLD: Could we get clarification as well? I know public --

CHAIRMAN LORENZINI: Could you hold please with your comments?

Thank you.

MR. ARNOLD: Sorry.

AUDIENCE MEMBER: Could I ask for clarification? What is fee in lieu of --

CHAIRMAN LORENZINI: Hold on, hold on. Let's finish here and then we

can come back.

COMMISSIONER WARSKOW: Okay, so by ordinance it's not required but we are asking them to provide a fee which will help the entire Village of Arlington Heights stormwater infrastructure?

MR. HUBBARD: Yes. I suppose, you know, I don't know specifically what the MWRD stormwater and local, you know, engineering stormwater requirements are. You know, I would imagine there is some language in our code that says whenever you subdivide a property you have to accommodate for stormwater detention, right? So, on a small project like this, while that's required to provide detention, we allow a fee in lieu of putting that detention on site. I don't know if I'm answering your question, but this is something that is, you know, for multiple properties we allow. Instead of putting detention on site for something so small like this, we allow a developer and subdivider to provide a fee in lieu of putting an actual dedicated retention or detention basin on their property.

COMMISSIONER WARSKOW: But if we felt that the need was there, and I'm not saying this particular issue but just in general, if we felt the need was there to actually have the detention because of the stormwater issues of the surrounding area, we could make that a condition to ask for actual detention on the property?

MR. HUBBARD: I would have to talk to our Village Engineer and see if that's something that would be supported by what they think is best practice in their code.

COMMISSIONER WARSKOW: I'm just trying to figure out like because we're accepting a fee because it's such a small property, just trying to figure out what the actual stormwater detention requirements are passed down from MWRD and our ordinance are. I just know from personal experience that you can have grading put in and then things change over time and you're stuck with a problem. So, I am concerned that this is in a combined sewer area, they have experienced flooding issues. Taking off that much space, permeable space can contribute to those flooding issues. Those are all my comments.

CHAIRMAN LORENZINI: Commissioner Ennes?

COMMISSIONER ENNES: A couple of questions for the Petitioner. Do you know how many trees are in this proposed swale area that need to be removed?

MR. DADAY: I don't know.

COMMISSIONER ENNES: Is that something, Sam, that we know?

MR. HUBBARD: I'm sure that should be in the preservation plan that would

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show the number of trees to be removed.

COMMISSIONER ENNES: That would be primarily over the west or the south side?

CHAIRMAN LORENZINI: Sam, it's on drawing two of three on the engineering plans, if you have it on the PowerPoint.

COMMISSIONER SIGALOS: If it's correct, it looks like there's nine trees that would be removed.

COMMISSIONER ENNES: Where is that, over the west?

COMMISSIONER SIGALOS: At the west end of both lots one and two.

COMMISSIONER ENNES: Do we know what diameter those trees are approximately?

MR. DADAY: There are numbers on the --

COMMISSIONER ENNES: Can you answer that? You're the engineer?

MR. KING: Yes. So, the size of the trees here --

CHAIRMAN LORENZINI: I need you to speak into the mic so that --

COMMISSIONER ENNES: Okay, you can answer the question. So, approximately how many trees are there that are going to be removed?

MR. KING: Removed with the swale, it looks roughly nine with my first look.

COMMISSIONER ENNES: On average, what's the diameter of those trees?

MR. KING: Five inches, six inches. The ones we're removing with the swale?

COMMISSIONER ENNES: Yes, with the swale.

MR. KING: Yes, average of about, it looks like five. I see a three, six, four, seven, 13. So, six or seven. There's a 25-inch as well and a five-inch. I'm just looking at the plan and pulling them out.

COMMISSIONER ENNES: A couple of them are older trees, but a number of them are relatively small?

MR. KING: Smaller.

COMMISSIONER ENNES: Would the Petitioner be open to the idea of submitting a, is this lower lot the one that's going to be sold off?

MR. DADAY: I'm not sure. We're not sure yet.

COMMISSIONER ENNES: They're not sure which one they want to build on. Would they be open to the idea of putting some kind of condition in there to replace those trees along the edges of the swale, the edges of the lot? To keep the wooded nature?

MR. DADAY: Sure. I mean replace them with the same size?

COMMISSIONER ENNES: No, I'm not looking for the same size. Those are 13-inch trees. Even a five-inch tree isn't that big of a deal.

MR. DADAY: Sure. We're willing to work with Staff on that issue.

COMMISSIONER ENNES: So, with any development, you're going to lose some trees. Sam, when a developer comes in and develops a lot, and to address Commissioner Warskow's concern, the new property owner, they may change that swale that causes the water to go onto an adjoining owner's property, but they're prevented from doing that, correct?

MR. HUBBARD: Sure, yes, if you're going to alter the grading and the stormwater flow patterns.

COMMISSIONER ENNES: So, if you're an adjoining property owner and

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you noticed they've changed swales from what was originally done, you need to bring that up. If you're getting water from them, you need to bring that up with the Village and force them to put them back the way they are. They cannot shed water onto your property that isn't already going there.

Now, with this development, they are going to be responsible for their own water. That's the idea of the swale. So, they're not going to make conditions any worse. It might be better.

MR. HUBBARD: Right.

COMMISSIONER ENNES: Also with the Petitioner, you have a realtor?

MR. DADAY: Yes.

COMMISSIONER ENNES: Does the realtor have valuation experience? Experience in the neighborhood?

CHAIRMAN LORENZINI: If you would, would you please come up to the microphone and state your name and spell it please?

COMMISSIONER ENNES: I don't know if you want to comment on this but some of the adjoining property owners are concerned that dividing, making this subdivision and having two lots in there would reduce the value of their homes. How many years do you have experience --

MS. WILCOX: Twenty, at Baird & Warner in Arlington Heights.

CHAIRMAN LORENZINI: State your name please and spell it?

MS. WILCOX: Carol Wilcox, and I'm a realtor with Baird & Warner for 20 years.

COMMISSIONER ENNES: For 20 years. Do you have valuation experience?

MS. WILCOX: Well, I'd like to explain something. When Dr. David Dufell and Dorothy who have lived in the home for 35 years hired me to sell the home, we started out at, we were going to sell the home, you know, the way it is, you know, not doing anything with the lot. We started out at \$725,000. So, as people came through the house, seeing they did a very nice job over the years of keeping things, the roof or, you know, different systems in the house but they never updated the house, so as people came --

COMMISSIONER ENNES: You're talking about as far as kitchens and bathrooms and that type?

MS. WILCOX: Right, kitchens and bathrooms. The home is a colonial, it looks like a very nice colonial from the outside. But as people came through looking at the home, they wanted to bring a contractor in to see what it would take to rehab the house to make it a more modern home that would fit in for their lifestyle. So, the numbers that we got using, I even called in someone, Bruce Miller who is a big Arlington Heights contractor who I've worked with for 15 years, he came in, his numbers were about \$350,000. We got numbers from \$350,000 to \$500,000 to get the house up and running to, you know, fit in with all the other homes.

The home has three bedrooms upstairs and one bath upstairs. No master suite. On the first floor, there is a small bedroom that used to be a garage that they turned into a bedroom and put a bath in it. So, there's a lot of things in the home that really had to be changed to fit, you know, all the remodeling. The kitchen was very old, very, very old. The basement, then after putting all this money into the home, you would have an old basement that, you know, you can't raise the house up, it would have been even more money.

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So, it just didn't work, nothing worked. So, we reduced the pricing, we sold it to this gentleman for I think \$650,000. He brought people in. But there were at least four different potential clients that brought contractors in, and everyone, they walked away because it was just too much to fix the house up.

So, the value of putting two new homes in there that would be between \$900,000 and \$1.2 million I mean is way better than having this old house that nobody can deal with. You cannot remodel it. It's just too much.

COMMISSIONER ENNES: Are you aware if this property has had flooding problems?

MS. WILCOX: No, the basement, I think over the years because I know this couple, over the years I think they had one major thing in the basement and nothing else, because you could tell there is a water line in some of the paneling and we talked about that to disclose it on the disclosures. But other than they did fix whatever it was at that time, I don't know if it was gutters, I can't remember, gutters that were being, you know, pulled away from the home or something. So, they didn't have any major flooding ever.

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

CHAIRMAN LORENZINI: Commissioner Green?

COMMISSIONER GREEN: Sam, as we're looking at this aerial, as an architect, I'm looking at some of the surrounding homes there. Can you tell me why immediately to the west of those two homes they're so close to the property line? Or is the aerial off here? There is no backyard setback.

MR. HUBBARD: Yes, that's a good question. One of those to the north, this would be an accessory structure at 617 so that the backyard setback would be five feet, that's an accessory structure. On this one --

COMMISSIONER GREEN: What about the rear yard? Wouldn't it be 30 feet in the R-3?

MR. HUBBARD: For a principal structure, yes. For an accessory structure, it's five feet. So, this being not attached to the principal home, that would be an accessory structure and allowed to have a five-foot rear yard setback. This one as being attached to the principal home should conform to the 30-foot rear yard setback. I'm not sure why, perhaps a variation.

COMMISSIONER GREEN: So, the impervious surface area would be reduced with the amount of building on these lots, is that correct?

MR. HUBBARD: Their impervious surface would be reduced?

COMMISSIONER GREEN: Would be less water to be absorbed on the property because you've got a lot of structure on these lots.

MR. HUBBARD: Sure.

COMMISSIONER GREEN: The home to the east, is there a backyard at all on that property alone? It looks like it's over the property line. Is that a possibility here?

MR. HUBBARD: It's a possibility. It's probably more likely that the aerial is just a little bit off here. But yes, this could be determined as a side yard and that's why it's so close to the side yard setback. I guess all the analysis would have to be done on this property.

AUDIENCE MEMBER: Do you want me to speak to that?

COMMISSIONER GREEN: No, I just want to get to, the point here is if you were to try to build these homes today, those three that I mentioned that are surrounding this

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property, could you do it the way they are right now?

MR. HUBBARD: Not without variations. Maybe 617 possibly could be built, but 625 and 615 probably not. Hard to say just looking at the aerial.

COMMISSIONER GREEN: Right. No more questions.

CHAIRMAN LORENZINI: Commissioner Sigalos?

COMMISSIONER SIGALOS: I'm really torn between this because I see the immediate homes around the subject property are the larger lots, yet I see other homes are in the same street that are built on 75-foot lots. I believe the last neighbor, is it Mrs. Hautzinger?

MS. HAUTZINGER: Yes.

COMMISSIONER SIGALOS: You are in the corner of Beverly and Fairview?

MS. HAUTZINGER: Correct.

CHAIRMAN LORENZINI: Would you please come back up to the microphone?

COMMISSIONER SIGALOS: So, your home is on a 75-foot lot?

MS. HAUTZINGER: Correct.

COMMISSIONER SIGALOS: How long have you been there?

MS. HAUTZINGER: We moved in in 2008. So, about nine years.

COMMISSIONER SIGALOS: These other homes adjacent to you there are larger lots where they've been there for many, many years?

MS. HAUTZINGER: Correct, yes. They're all historic homes.

COMMISSIONER SIGALOS: I see further homes to the south that are on 75-foot lots and looks like a couple of 50-foot lots if I'm reading this correctly?

MR. HUBBARD: Yes.

COMMISSIONER SIGALOS: I really don't have any other question at this point.

CHAIRMAN LORENZINI: Commissioner Dawson?

COMMISSIONER DAWSON: So, I'm also very torn. When we're talking, I keep hearing historic homes. These are built in the 70's or earlier?

MR. ARNOLD: '38, 30's. 1938.

COMMISSIONER DAWSON: All of these homes are built in the 30's?

MS. HAUTZINGER: Yes.

MR. ARNOLD: Many of them. Some older. Sorry.

CHAIRMAN LORENZINI: I want you to answer the question but I need you to come to the microphone and state your name again so the court reporter can pick you up.

MR. ARNOLD: I'm sorry for interrupting. Yes, our home, Bob Arnold is my home, our home which is just to the west was built in 1938. The house just to the north was built at about the same time. There's a house across the street that was built in the 20's. So, many of these homes are very old, they've been there a long time.

COMMISSIONER DAWSON: But your home certainly didn't have that driveway area and that attached home in the 30's, or that attached garage in the 30's?

MR. ARNOLD: That's probably true. It was this way when we bought it in '75.

COMMISSIONER DAWSON: Okay. No, I'm just thrown because I'm looking at these pictures of these homes and they just don't look like historic homes to me. So, this term historic home is throwing me, that's all. I was just trying to clarify. The 30's would

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certainly be a historic home, these certainly looked more like 1960's or 1970's homes to me. They don't look what I would classify as historic.

MR. ARNOLD: If I could qualify one thing? On our property, that's a garage that goes back close to the property line, for whatever that's worth.

COMMISSIONER DAWSON: Sure.

CHAIRMAN LORENZINI: Thank you.

COMMISSIONER DAWSON: So, I really don't know what specific questions I have. I'm really, I think like many people, struggling. I see the character of the immediately adjoining properties being affected by this. But I can also see where the Arnold's home, the water problem is largely caused by their own impervious surface issues, not necessarily the home behind them. While I sympathize with the flooding issue, you know, I struggle with how much building went up around this property and now this property is going to be penalized for the building that went all around which added continually to the problem.

The flip side to that is I'm also not necessarily torn by the argument that we're going to build, we need to build \$2 million homes here because if it's a \$650,000 home and you could have put \$350,000 into it to make it work, the math to me says that's a million-dollar home. So, if someone is willing to buy a million-dollar home in a 75-foot lot, why wouldn't they be willing to buy a \$650,000 home and put \$350,000 into it and live in a million-dollar house in a great lot? So, that argument doesn't work with me either.

So, I'm really very torn on what to do here. So, I'd like to I guess listen to whatever everyone else has to say.

COMMISSIONER SIGALOS: Can I ask one further question?

CHAIRMAN LORENZINI: Sure, go ahead.

COMMISSIONER SIGALOS: Sam, the stormwater inlet that the Petitioner is proposing, that's not a requirement of the Village, is that correct?

MR. HUBBARD: I would have to defer to our Engineering Department. I don't know if the representative from the engineering, who did the work on the engineering --

CHAIRMAN LORENZINI: Come back up to the microphone please. State your name again.

MR. KING: Michael King with Manhard Consulting. Yes, we did --

CHAIRMAN LORENZINI: Spell that again?

MR. KING: Michael King.

CHAIRMAN LORENZINI: King, K-i-n-g?

MR. KING: K-i-n-g. Yes, we were in constant communication with the Village in how this is developed, the standards in Arlington Heights, I serve my community. I did their own stormwater review. Yes, we are in, right now Mr. Arnold's property, specifically it sheet drains towards his property and now we're introducing a swale. So, all the water that today falls on the southwesterly corner portion of the lot would drain right to Mr. Arnold's property. But in the future, it will be picked up by the swale and drained out to the road. So, we're taking all the stormwater that lands on this property and taking it to the road instead of letting it sheet drain as it does today to the adjoining properties.

COMMISSIONER SIGALOS: So, that's, with that stormwater inlet, that's going to help Mr. Arnold's property?

MR. KING: Correct. Everywhere that's sheet draining off this property currently will be collected by the storm sewer, would be routed directly to the right of way in the

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Village.

COMMISSIONER SIGALOS: I guess my question originally was is that required by the Village or is that the Petitioner's desire to put that in to help the stormwater situation there?

MR. KING: I can't say if it's a certain requirement but we're doing it for helping the drainage conditions. I think we're not allowed to detrimentally affect the drainage off site, so instead of doing exactly the amount of area that drains off site now compared to the proposed conditions, we're just collecting all the water onsite and delivering it to the right of way in the Village.

COMMISSIONER SIGALOS: But can the Petitioner turn around and say, well, you know what, I'm going to build this swale but I'm not going to put the stormwater inlet in there?

MR. KING: No, we have an engineer's opinion of probably cause that we're tied to for these public improvements. That storm sewer is considered a public improvement of the Village. So, it's tied to the development of this property.

MR. DADAY: So, if it gets approved, assuming it gets approved, it's got to be put in.

MR. KING: It's within the stormwater easement to the Village that the drain is in.

COMMISSIONER SIGALOS: So, again it's got to help with the surrounding properties.

MR. KING: Correct, and it has to be built with the development of these two lots, yes.

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

CHAIRMAN LORENZINI: So, stay for a moment, Mr. King. So, can you tell me that the new condition with two houses and less trees but the addition of the swale and the sewer line is going to improve the situation, improve it from what it is today?

MR. KING: Correct.

CHAIRMAN LORENZINI: Okay, thank you. Ms. Wilcox, you may have answered, could you come back up please? You may have answered this, maybe I didn't catch it, but you did address the value of the property we're speaking of, but how in your opinion does it affect the surrounding homes? If any?

MS. WILCOX: You mean the way it is currently?

CHAIRMAN LORENZINI: No, no, by putting up these new homes, two new homes, how is that going to affect the value in your opinion of the surrounding homes?

MS. WILCOX: I think it's going to enhance it.

CHAIRMAN LORENZINI: Why is that?

MS. WILCOX: Because the, well, to go back to your point, putting between 350 to 550 into this older home, it just didn't work for all these people that brought contractors through because you still have an old foundation. You have this garage that was turned into a room that has to be knocked down. So, that was just a preliminary number that they came through. But there were at least five people that did this and I was one of them, you know, by bringing a contractor through to help with some of the information.

But putting in, and who knows, the house, if a person comes through there and they want to build a brand new home, they could build a home for \$1.5 million. I don't

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know what people are putting into their houses now. New kitchens are costing people, you know, \$160,000. It just depends on how much they put into the home. But I can't see that it could be anything but helpful.

CHAIRMAN LORENZINI: Okay, thank you. So, my opinion is I agree that it's definitely going to change the character, but this development is meeting all the requirements and it's a free market issue. You know, they're meeting code and I don't know if we can't tell people you can't develop land if you meet all the codes. So, that's kind of where I'm sitting.

So, any final questions, deliberations, recommendations?

COMMISSIONER JENSEN: Yes, yes. A question of Sam, and really this relates to another commission so you may not know the answer. But when the Design Commission looks at things in a neighborhood like this that is quite old, how would they approach that as far as you're aware? I mean do they try to get something that is consistent with that particular neighborhood? Or do they, you know, want to have the new homes look more modern and so forth which would change the character definitely? So, maybe you can shed some light on what we would expect from the Design Commission to be the requirements that would be imposed on Mr. Karr.

MR. HUBBARD: Well, I don't know if I want to even make a guess there. You know, I can't answer.

MR. DADAY: Can I comment on that? Because I was actually on the Village Board when the Design Commission was instituted. Part of, one of the reasons was there were a couple of houses up on Highland that basically took up an entire block, and we felt at that time that there should be some architectural and design input into the nature of what was going in there. There was also another one as I recall, I believe it was on Burr Oak and it was very modern and it clearly was not consistent with the neighborhood.

So, from my experience going back many years, I think the purpose of it was to evaluate what the construction was, the design, the architecture as it related to other properties in the neighborhood. So, I think they do take that into consideration and I think that was their charge.

COMMISSIONER GREEN: Just for the record, the house is on Elm just off of Burr Oak.

MR. DADAY: Is that where it was?

COMMISSIONER JENSEN: Well, it's hard to image that if we left the property just as it is, that that would be great for the neighborhood, character or otherwise. So, clearly, it seems to me there ought to be something that can be done that would be in keeping with the neighborhood that would address a lot of the issues relating to detention as well as landscaping. I would like to, I'm not sure exactly how it works yet but I'd certainly like to see something under landscaping to get a little bit more commitment that some of these landscaping issues would be addressed in terms of the shrubbery even though it is below the two-lot subdivision.

COMMISSIONER WARSKOW: I just have one last comment as it relates to stormwater, and it's more just clarifying generally for people, that not only is there dealing with the stormwater in your property which now that we've discussed it through I see it's going to stay on the property, but it's also going to go into the stormwater system. With less permeable surface, more is going to go into a combined sewer system. Just want to put that in the record.

COMMISSIONER DAWSON: So, what do you see is the ramifications of

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that? Can you keep going with that line of thought?

COMMISSIONER WARSKOW: It just means as we come across these situations more and more where we're taking away cases where the green is handling it on its own, we're now putting it into a stormwater system that's already overburdened that we're already talking about million-dollar plans to correct.

MR. DADAY: Could I say one thing to that point? To a certain extent, that's not just relating to this particular issue. In many ways, it's a Village-wide problem that the Village is trying to deal with in many areas of the Village.

COMMISSIONER WARSKOW: But developing to the extent that we are on individual properties is adding to the stormwater system.

COMMISSIONER DAWSON: I don't disagree with you but I just don't know how we draw the line with this Petitioner when we've granted so many --

COMMISSIONER WARSKOW: I know but I'm just, I'm trying to get everybody to understand the problem.

COMMISSIONER DAWSON: Absolutely. I see, I absolutely see your argument; I just don't know how we can make this Petitioner pay for what's been going on for years and years and years. Where do we draw that line, right? I think the Village is going to have to come up with a solution.

I struggle here because I live in a historic area, it was designated just recently as a historic area. I bought a home that was an old home intentionally to put a \$300,000 addition on it. I mean that's why this argument just, and my lot is smaller than the lots that, you know, the area that I live in, it's like a luxury you guys have these big lots. I don't have these big lots. I don't have a problem with it. We love where we live. We don't mind not having these big lots. The majority of Scarsdale that I see are teeny tiny lots that to me, I drive through Scarsdale and go oh, I couldn't live in this neighborhood, they're on top of each other.

So, it seems like there is a very unique strip here that has a few homes that's beautiful and I get that and I sympathize. I really do sympathize, which is why I'm struggling so much because it's just not my, it's throwing me because it's not necessarily my personal experience. Where I'm at in the lot size that would be built here is where I live and I'm very comfortable with it and like it and enjoy the lot size. So, it's hard for me to have that argument.

I'm more concerned with the flooding and I have a hard time getting over the fact that this will help. How can we, if we leave the property as it is, nothing is going to help. This could help. So, you know, I struggle with that. But I do follow the argument that it will significantly impact this neighborhood, and the fact that every surrounding neighbor has shown up here against it, I mean that has to have a lot of sway with me because they are here. How often do we have meetings and people don't come and they're here and they're saying this will impact me.

So, it's just, I'm very torn I have to say.

COMMISSIONER JENSEN: Sam, could I ask, I'd like to ask a couple of questions. So, if we made a recommendation and the Board accepted the recommendation to not allow the subdivision, so whoever bought this would have to basically stay with three lots that are one large lot and so forth. Would the owner of that have to do anything about the water problems at this point? Because clearly there are water issues that Mr. Arnold has been enjoying for decades. So, the question is if we block this, are we leaving things worse off or better off in terms

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of the water? Let's just start with the water.

MR. HUBBARD: There would be no code requirement that the Village could lean on to make any future homeowner here make any improvements to the existing grading and drainage. It's how it is. When you make a change to a site and it's subdivided and put the new homes on, then you have to make improvements so you have to meet current standards, you have to make sure you're not causing adverse impact on neighboring property owners. But if the site was to remain as is --

COMMISSIONER JENSEN: Well, I guess I'd ask Commissioner --

COMMISSIONER WARSKOW: But you're talking about flooding from one property. There are already two separate --

COMMISSIONER JENSEN: Well, right, I'm going to get to your issue. I'm going to your issue now which I'd like to have you address which is, is the current situation going to leave it better or worse off relative to the water that flows into the storm system?

COMMISSIONER WARSKOW: Right now? There is more green space on this lot to absorb that water so it is not going into the sewer system. Can I do the calculations and tell you, you know, this compared to that, I don't have a degree in that. But I do know that the more green space you need, the less goes into the sewer system.

COMMISSIONER JENSEN: Well, we don't know whether it's material or not or significant really at this point. We don't know if it's fundamentally going to overload the stormwater system.

COMMISSIONER WARSKOW: No. I'm making more of a comment that as we continue to do more and more, we are gradually adding to that problem.

COMMISSIONER JENSEN: But that's not this Petitioner's issue. I mean he's got to ensure there's a specific place --

COMMISSIONER WARSKOW: I understand that's more of a Village ordinance issue.

COMMISSIONER JENSEN: This is a Village issue of fixing the storm sewer system which shouldn't have been combined, but we can't lay the entire burden of the Village's concerns off on this Petitioner.

COMMISSIONER WARSKOW: No.

COMMISSIONER JENSEN: That's what we seem to be slipping into and that is very bothersome to me.

COMMISSIONER GREEN: Well, I would just like to say I'm not slipping into that. So, the storm problems, my experience as an architect for 40 years is that the storm water runoff issues are created by the homeowners. They put gardens, they put up walls, they plant things, they change the grades on the back of the houses, and they stop the natural flow of water.

So, I've dealt with this, I can't even tell you, for decades and it's always the same thing. Somebody has built or raised and planted their garden over here and they cut off the water from here and it becomes water wars in the backyard.

So, I just want to say that these properties are going to meet 100 percent the engineering requirement for their stormwater and it is not going to hurt any other neighbor. Whether you take a little more space away from the ability of water to soak into the ground, okay, there might be a slight argument for that. But it's not going to be significant.

If you really wanted to make a change in Scarsdale, get rid of those sprawling ranch units and put up a two-story because then you have more space for the water to

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absorb into the ground. So, we're making these arguments and this Petitioner is not here to fix the storm sewer and the combination sewer that's been there for 40 or 50, 60 years in Scarsdale. So, the Village who has an engineering responsibility to fix that water at some point, so if they're looking to collect the dollars to do it, it's going to happen. Neighbors, it will happen some time when the Village comes up with the money. So, it's not this man's problem because there is stormwater.

I don't mean to get hot but I deal with this a lot and it's never what you think it is and you can't hold up somebody from doing the simple subdivision for all the problems that have been created for the past 50 years.

COMMISSIONER DAWSON: Sam, can I ask a question? What's our, do we have a specific criteria here like we do with the special use consideration? There is no specific guiding criteria for us to consider?

MR. HUBBARD: Not for a subdivision.

COMMISSIONER DAWSON: Oh, that's helpful.

MR. DADAY: We're also not asking for any variations.

COMMISSIONER DAWSON: No, I understand. Potentially, you could be later. I'm not, you know, I'm not against the plan. The thing that's stopping me is the neighbors being here expressing their concern over the change in the neighborhood. I mean we've approved many of these subdivisions before and, you know, generally they seem to go fine. But we have neighbors here that are making arguments about changing this specific pocket and preserving this specific unusual pocket. That's the only thing that's throwing me off.

I'm not as concerned about the water because just to Bruce's point --

COMMISSIONER WARSKOW: No, I get that. I only brought it up as a --

COMMISSIONER DAWSON: No, no, no, I'm not looking at --

COMMISSIONER WARSKOW: As a general comment about continued property developments like this. Not laying the burden on this specific property owner, just making a comment to get into the record to be read by Village Trustees and the Staff that this I think is causing a gradual issue.

COMMISSIONER JENSEN: So, hopefully we'd like them to deal with the Village problem, not necessarily force this Petitioner to fix everybody's problem.

COMMISSIONER WARSKOW: Yes.

COMMISSIONER JENSEN: Which is what some may interpret it as.

COMMISSIONER WARSKOW: Okay.

CHAIRMAN LORENZINI: Any other comments, motions, recommendations?

AUDIENCE MEMBER: Can I talk?

CHAIRMAN LORENZINI: I'm sorry, the public comment portion is closed.

COMMISSIONER GREEN: I would like to make a motion.

A motion to recommend to the Village Board of Trustees approval of PC#17-003, a Preliminary Plat of Subdivision to subdivide/consolidate three lots into two single-family lots.

This approval shall be subject to the following conditions:

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1. **The developer shall provide a \$5,040 fee in lieu of onsite detention, as well as pay all engineering fees and bonds prior to appearing before the Plan Commission for final plat of subdivision approval.**
2. **Prior to issuance of a building permit for Lot 1, land contribution fees shall be paid for parks, schools and library, per Chapter 29 of the Municipal Code.**
3. **A Design Commission application must be submitted for each new home within the subdivision.**
4. **The Petitioner shall comply with all applicable federal, state, and Village codes, regulations, and policies.**

COMMISSIONER JENSEN: Can we, before a second, can we add something about the landscaping that we talked about?

COMMISSIONER DAWSON: We have to second, we second it first and then we have comments and questions.

COMMISSIONER JENSEN: Okay, I'll second and then suggest we add something.

COMMISSIONER DAWSON: Okay, now we can discuss.

CHAIRMAN LORENZINI: Commissioner Jensen seconded. Any other comments, additions?

COMMISSIONER DAWSON: What was your comment?

COMMISSIONER JENSEN: Well, the comment is that we had a lot of discussion around the landscaping issues, and it seemed like the Petitioner or at least his representative was amenable to that. So, I'd like to see something written here as a fifth condition which actually at least encourages as far as possible that something could be done to preserve the landscape.

MR. HUBBARD: Yes, you can put a condition in there that, you know, ask the Petitioner to work again with Staff to identify potential areas for additional tree preservation. It's all linked to the design for the grading, too, I mean that's why they're having to take out some of these trees so that they can put the swales in so that it does improve the drainage. But we can reevaluate that.

COMMISSIONER JENSEN: Well, I think I'd like to see that added.

CHAIRMAN LORENZINI: Okay, Sam, you can work on something like --

MR. DADAY: Well, we'll cooperate with the Village in that respect. But as Sam mentioned, you know, if you leave some of the trees in, maybe the swale has to be redesigned. So, you know, when you take something out or put something in, it affects the engineering of the project. So, we're happy to and we'll cooperate with the Village in terms of preserving trees.

COMMISSIONER GREEN: If possible.

MR. DADAY: If possible. Also, as Mr. Ennes suggested, we will work to replace trees that have been removed.

COMMISSIONER ENNES: That are lost.

MR. DADAY: Yes, as best we can.

COMMISSIONER DAWSON: Isn't that part of the process anyway? I mean as you're going through with plans and designs, wouldn't that be part of Staff's role anyway, Sam?

MR. DADAY: I don't think it is in this instance.

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MR. HUBBARD: Yes, there is no requirement for a landscape plan as part of a smaller subdivision like this.

COMMISSIONER DAWSON: You wouldn't require, so you wouldn't have any requirement of planting of new trees or anything of that sort with this?

MR. DADAY: Not replacements.

COMMISSIONER DAWSON: Okay.

CHAIRMAN LORENZINI: Any other comments?

COMMISSIONER DAWSON: We have to amend the motion. There's a motion on the table and it doesn't include that language.

COMMISSIONER JENSEN: I would like to move an amendment to the original motion to add a fifth condition for the landscape. That needs to be seconded.

COMMISSIONER DAWSON: Bruce, it's your motion.

COMMISSIONER GREEN: I don't think that that should be in there. I'll take a consensus and we can vote on that number five.

COMMISSIONER DAWSON: Well, we can vote on your motion and then if it doesn't go past, then Lynn can make a new motion related to the trees.

COMMISSIONER JENSEN: Correct.

DR. HILL: I just have a question. Is it normal for the Board to not listen to public comment after there's been a discussion about facts some of which have been misrepresented and then not listen to the public again? Is that the normal democratic process here?

CHAIRMAN LORENZINI: Sir, the normal process is to have public comments, we did that.

DR. HILL: And we cannot go back on the statements that have been made --

CHAIRMAN LORENZINI: Not at this point, no, sir. Thank you.

COMMISSIONER JENSEN: You could clarify though certainly at the Village Board meeting.

AUDIENCE MEMBER: I beg your pardon, you did say there would be time.

COMMISSIONER JENSEN: He can talk to the Board and make all the points that he wants to make.

CHAIRMAN LORENZINI: I'll mention it at the end of this, thank you.

MR. ARNOLD: We had the impression earlier that you would allow some further discussion. When I tried to ask a question --

CHAIRMAN LORENZINI: Okay, let's go with the motions or amendments.

COMMISSIONER GREEN: Items one through four have been seconded.

COMMISSIONER ENNES: Are we going to vote now?

COMMISSIONER DAWSON: There's a motion on the table. I think we can go ahead and vote. So, this is without the trees.

COMMISSIONER GREEN: This is just as per code and as per ordinances is what this says.

CHAIRMAN LORENZINI: Let's take roll call vote on the recommendations as they currently stand, one through four.

MR. HUBBARD: Commissioner Dawson.

COMMISSIONER DAWSON: No.

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MR. HUBBARD: Commissioner Ennes.

COMMISSIONER ENNES: Yes.

MR. HUBBARD: Commissioner Green.

COMMISSIONER GREEN: Yes.

MR. HUBBARD: Commissioner Jensen.

COMMISSIONER JENSEN: Yes.

MR. HUBBARD: Commissioner Sigalos.

COMMISSIONER SIGALOS: Yes.

MR. HUBBARD: Commissioner Warskow.

COMMISSIONER WARSKOW: Can I abstain, Sam?

MR. HUBBARD: Sure.

COMMISSIONER WARSKOW: Thank you.

MR. HUBBARD: Chairman Lorenzini.

CHAIRMAN LORENZINI: Yes.

MR. HUBBARD: That's it. Five positives, one negative, so the motion

passes.

CHAIRMAN LORENZINI: Thank you, Sam. Okay, just a clarification, this is a recommendation to the Board of Trustees. The Board of Trustees has the final approval. If I indicated otherwise than what you understood, the reason we handle things the way we do, we want to hear all your comments, and then hopefully your comments are addressed, the questions you bring up and your comments and concerns are addressed by the questions and clarifications that the Commissioners asked. If we keep leaving the public comment open, this could go on forever.

AUDIENCE MEMBER: But you can't clarify this information?

CHAIRMAN LORENZINI: Anyways, you can always make final comments with the Board of Trustees when it comes before them.

AUDIENCE MEMBER: Even for mis-information?

CHAIRMAN LORENZINI: So, is there a motion to --

COMMISSIONER DAWSON: You can certainly write a letter to the Trustees clarifying anything you felt was mis-communicated before the Trustee vote. If you submit it to the Staff, they will circulate that to the Trustees.

AUDIENCE MEMBER: Thank you.

CHAIRMAN LORENZINI: Okay, thank you for your attendance tonight. Congratulations, you received majority approval on your project. Any time or date, Sam, going before the Board?

MR. HUBBARD: Yes, they were targeting the May 1st Village Board. Yes, the May 1st Village Board meeting for this.

CHAIRMAN LORENZINI: Thank you. Thank you all for attending.

MR. DADAY: Thank you. Thank you for your consideration.

CHAIRMAN LORENZINI: Other business? Anything else, Sam?

MR. HUBBARD: Yes. On the 26th, we will be meeting. We have on the agenda the return of the Aubrey Subdivision on Palatine Road. We also have Heart's Place which is a 16-unit supported living facility on Ocean Road. That's going to be on April 26th. We do have some additional, the Ordinance Review Committee is going to be meeting sometime in April, and the Comprehensive Plan possibly in April.

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COMMISSIONER JENSEN: Hey, Sam, a question for you before we adjourn. When we did the text amendments, there was some discussion about a couple of reports we routinely got in the past. One of them was a tracking report. The other one was a monthly report which basically showed us what was happening with the development in the Village. Mr. Enright said that he would check and the director would make a decision. Could you let us know what the director has decided?

MR. HUBBARD: I can. The directors have decided that we are able to provide you with the development tracker spreadsheet that details all the projects that have gone before you and tracks the progress of them when they've been heard and approved and so forth. Relative to the monthly report, that only goes to the Village Board. It does contain sensitive information about projects that are not formally yet been proposed and they're not public, so the decision was to keep that only going to the Village Board.

COMMISSIONER JENSEN: So, even creating an abbreviated version that dealt with business that's already been dealt with? Because I found that the monthly report would show how the Village was developing in picture, word and data. It was very useful in being able to do this job. So, I don't want to see things that have not come before this Commission, but it would be nice to see how the Village is developing because part of what our job is to recommend the direction of the development. So, I don't know if I'd like to at least have it entertained that we got some kind of a redacted or modified version of that monthly report at the very least.

Clearly, I'm ecstatic that we get the tracker because I think we ought to be able to see what business we and Staff have done in terms of the petitions. So, I think we've moved in the right direction, but could you at least explore the possibility of getting an abbreviated version of that monthly report?

COMMISSIONER ENNES: I would second that.

MR. HUBBARD: Thank you, I will certainly pass the message along.

CHAIRMAN LORENZINI: Well, we used to get an e-mail but no paper copies.

COMMISSIONER JENSEN: You don't need to e-mail it, Sam. You can post it up the website. You don't even need to send them electronically, you don't need to pay for an electronic stamp. Just post it. But at any rate, I can understand that there is sensitive material that has not transpired as of yet. There is no reason we should get that. I understand.

MR. HUBBARD: We will certainly get the development tracker and we will e-mail that to you.

CHAIRMAN LORENZINI: Thank you. Anything else? Motion to adjourn?

COMMISSIONER GREEN: I'll make that motion.

CHAIRMAN LORENZINI: Second?

COMMISSIONER SIGALOS: Second.

CHAIRMAN LORENZINI: All in favor?

(Chorus of ayes.)

CHAIRMAN LORENZINI: Opposed?

(No response.)

CHAIRMAN LORENZINI: Adjourned, thank you.

(Whereupon, the above-mentioned petition was adjourned at 9:13 p.m.)