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Zoning Board of Appeals  
&  
Planning Commission

February 27, 2017  
7:00 p.m.

In re the application of Roanoke  
Development in the property located at 901  
N. Butterfield Road, Libertyville, Illinois

Reported by:  
Carrie A. McCann, CSR  
VAHL REPORTING SERVICE, LTD  
(847) 244-4117  
11 N. Skokie Highway, Suite 301  
Lake Bluff, Illinois 60044

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CHAIRMAN COTEY: Good evening,  
everyone. Can we have everyone take their  
seats so we can get started with our agenda  
tonight? Thank you very much.

Some housekeeping rules before  
we get started, I would like the public and  
Commissioners and Petitioner, if you have a  
smart phone, to please turn it off or  
silence it during our proceedings.

Secondly tonight, we have  
microphones set up at the middle of the row  
there for any sort of comments from the  
public. And we have two parts of our  
agenda tonight. We have a meeting of the  
Zoning Board of Appeals and then we will  
move into the Planning Commission.

So let's get started for  
February 27, 2017. I would like to call to  
order the Zoning Board of Appeals. Can we  
have a roll call, please?

MR. SPODEN: Board Member Moore?  
(Not present.)

MR. SPODEN: Board Member  
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Board Members:  
Chairman William Cotey  
Commissioner David Semmelman  
Commissioner Kurt Schultz  
Commissioner Matt Krummick  
Commissioner Walt Oakley  
Commissioner Amy Flores  
Commissioner Moore (not present)

Village Staff:  
Mr. John Spoden  
Mr. David Smith  
Mr. Fred Chung  
Mr. James Woods

Petitioners:  
Mr. Robert O'Donnell  
Mr. Gerald Callaghan  
Mr. Michael Walline

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Semmelman?  
COMMISSIONER SEMMELMAN: Here.  
MR. SPODEN: Board Member  
Krummick?  
COMMISSIONER KRUMMICK: Here.  
MR. SPODEN: Board Member  
Schultz?  
COMMISSIONER SCHULTZ: Here.  
MR. SPODEN: Board Member  
Oakley?  
COMMISSIONER OAKLEY: Here.  
MR. SPODEN: Board Member  
Flores?  
COMMISSIONER FLORES: Here.  
MR. SPODEN: Chairman Cotey?  
CHAIRMAN COTEY: Here.  
You have received the minutes of  
January 3, 2017. I will entertain any  
changes, additions, or deletions to those  
minutes, please.  
Hearing none, may I have a  
motion?  
COMMISSIONER OAKLEY: So moved.  
COMMISSIONER SCHULTZ: Second.

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1 CHAIRMAN COTEY: All in favor?  
 2 COMMISSIONER SEMMELMAN: Aye.  
 3 COMMISSIONER KRUMMICK: Aye.  
 4 COMMISSIONER SCHULTZ: Aye.  
 5 COMMISSIONER OAKLEY: Aye.  
 6 COMMISSIONER FLORES: Aye.  
 7 CHAIRMAN COTEY: Aye. Those  
 8 minutes will be placed on the village file.  
 9 We have no old business tonight. We have  
 10 no new business tonight. Any  
 11 communications or discussion, John?  
 12 MR. SPODEN: None this evening,  
 13 sir.  
 14 CHAIRMAN COTEY: Very good. In  
 15 that case I would like to adjourn the  
 16 Village of Libertyville Zoning Board of  
 17 Appeals for Monday, February 27, 2017. May  
 18 I have motion?  
 19 COMMISSIONER SEMMELMAN: So  
 20 moved.  
 21 COMMISSIONER SCHULTZ: Second.  
 22 CHAIRMAN COTEY: All in favor?  
 23 COMMISSIONER SEMMELMAN: Aye.  
 24 COMMISSIONER KRUMMICK: Aye.

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1 COMMISSIONER SCHULTZ: Aye.  
 2 COMMISSIONER OAKLEY: Aye.  
 3 COMMISSIONER FLORES: Aye.  
 4 CHAIRMAN COTEY: Aye. We are  
 5 closed.  
 6 Now we will move to the Plan  
 7 Commission. I would like to open up the  
 8 agenda for the Plan Commission, Monday,  
 9 February 27, 2017. May I have a roll call,  
 10 please?  
 11 MR. SPODEN: Commissioner Moore?  
 12 (Not present.)  
 13 MR. SPODEN: Commissioner  
 14 Semmelman?  
 15 COMMISSIONER SEMMELMAN: Here.  
 16 MR. SPODEN: Commissioner  
 17 Krummick?  
 18 COMMISSIONER KRUMMICK: Here.  
 19 MR. SPODEN: Commissioner  
 20 Schultz?  
 21 COMMISSIONER SCHULTZ: Here.  
 22 MR. SPODEN: Commissioner  
 23 Oakley?  
 24 COMMISSIONER OAKLEY: Here.

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1 MR. SPODEN: Commissioner  
 2 Flores?  
 3 COMMISSIONER FLORES: Here.  
 4 MR. SPODEN: Chairman Cotey?  
 5 CHAIRMAN COTEY: Here.  
 6 Also, we have minutes of January  
 7 23, 2017. I will entertain any changes,  
 8 deletions, or comments on the minutes,  
 9 please.  
 10 Hearing none, may I have a  
 11 motion?  
 12 COMMISSIONER SCHULTZ: So moved.  
 13 COMMISSIONER FLORES: Second.  
 14 CHAIRMAN COTEY: All in favor?  
 15 COMMISSIONER SEMMELMAN: Aye.  
 16 COMMISSIONER KRUMMICK: Aye.  
 17 COMMISSIONER SCHULTZ: Aye.  
 18 COMMISSIONER OAKLEY: Aye.  
 19 COMMISSIONER FLORES: Aye.  
 20 CHAIRMAN COTEY: Aye. Those  
 21 will be placed on village file.  
 22 We have one piece of old  
 23 business tonight. It is 901 North  
 24 Butterfield Road. Is the applicant here

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1 tonight? Very good. Thank you.  
 2 Before we get started, I would  
 3 like to read a statement about tonight's  
 4 meeting for the Petitioners, Commission,  
 5 and for the public. So I would like to  
 6 begin the meeting by thanking everyone of  
 7 the public and the Petitioner and its  
 8 representatives for being here this  
 9 evening. Public involvement and input are  
 10 vital to the function of government in the  
 11 operation of our democracy. This input is  
 12 particularly important under the Illinois  
 13 Municipal Code and Libertyville's Zoning  
 14 Code which address and govern the manner in  
 15 which requests such as the requests before  
 16 us tonight are to be considered.  
 17 The Petitioner, the Roanoke  
 18 Group, with the consent of the owner of the  
 19 property, the Catholic Bishop of Chicago,  
 20 is seeking approval of five actions in  
 21 conjunction with their proposed  
 22 development. These include a request to  
 23 amend the comprehensive plan, a request to  
 24 amend the zoning map, a special use permit

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1 for a planned development, and a  
2 preliminary plat of subdivision and a  
3 planned development concept plan.

4 There was a question that was  
5 put up to us in the last meeting, how did  
6 we get this far? I briefly wanted to  
7 respond to that question.

8 We let this get this far because  
9 every property owner within this village  
10 has the right to seek permission for  
11 development of its property in accordance  
12 with the Village Zoning Code. The Zoning  
13 Code provides for an application process  
14 and a public hearing to be conducted to  
15 consider the property owner's application.  
16 These are rights that everyone who owns  
17 property in this village is entitled to.

18 This Plan Commission is a public  
19 body that is required under the law to  
20 conduct those public meetings and to allow  
21 the Petitioner the opportunity to present  
22 its case and also to allow the public the  
23 right to hear the testimony, ask questions,  
24 and present its own testimony. The number

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1 This also provided time for the  
2 -- allow the Lake County Department of  
3 Transportation to provide comments on  
4 access and traffic control devices for  
5 development as well as offering the  
6 Petitioner an opportunity to respond to  
7 comments from the January 6, 2017,  
8 Development Review Committee Report. Lake  
9 County IDOT has provided written comments  
10 on the proposed development, and the  
11 Petitioner has had the opportunity to  
12 provide additional comments in response to  
13 prior -- to the prior DRC report. That is  
14 our Development Review Commission --  
15 Committee.

16 Village staff has also received  
17 additional comments from the village  
18 traffic consultant, Civil Tech, which has  
19 also reviewed the Lake County IDOT letter  
20 and provided its comments.

21 Although the public comment  
22 portion of the public hearing was closed at  
23 the last meeting on January 9, 2017, I will  
24 be re-opening public comment tonight but

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1 of people who have attended, listened to,  
2 and participated in these public hearings  
3 is a testament to the system which now  
4 protects the interest of the owners who  
5 seek the development of property as well as  
6 the rights of the neighbors who may be  
7 impacted by such a development.

8 The last public hearing on this  
9 matter took place on January 9, 2017, and  
10 was attended by over 200 people. Everyone  
11 who attended and who requested an  
12 opportunity to speak was allowed that  
13 opportunity.

14 At the conclusion of the  
15 meeting, the chairman closed the public  
16 portion of the meeting and the Petitioner  
17 requested that the matter be brought to a  
18 vote. Given the number and the complexity  
19 of the conditions which likely would be  
20 attached to any motion regarding the  
21 applications, the chairman asked for a  
22 motion to continue the hearing to allow  
23 village staff to prepare additions based on  
24 the information received.

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1 asking that the comments provided this  
2 evening be limited to new information that  
3 was received since January 9's meeting. I  
4 realize this will necessarily involve some  
5 repetition, but I will ask that members of  
6 the public be mindful that the fact that  
7 the purpose of allowing additional  
8 testimony tonight is to address the  
9 information that has been brought forward  
10 since that January 9 public meeting.

11 I also request and will expect  
12 that all members of the audience be  
13 courteous to the Petitioner and one another  
14 in that each person who speaks tonight be  
15 sworn in, provide their name and address  
16 prior to speaking, and be mindful of the  
17 fact that we have a court reporter here  
18 tonight who will be recording the  
19 testimony. This job is made a lot easier  
20 for her if the people are mindful of this  
21 fact and do not make comments or shout out  
22 when others have the floor.

23 Finally, I would like to remind  
24 the Petitioner and members of the public  
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1 that pursuant to Libertyville's Zoning  
2 Code, this Plan Commission is a  
3 recommending body only. The recommendation  
4 of this board will be transmitted to the  
5 village board for final action.

6 All motions made by the Planning  
7 Commission are made in the affirmative. In  
8 other words, the motions made at the end of  
9 this hearing will be made to approve the  
10 requested relief, and the commission  
11 members will have the opportunity to vote  
12 in favor for or against the motion.

13 The Code requires a concurrent  
14 vote of four members of the Plan Commission  
15 in order for this commission to make a  
16 positive recommendation to the village  
17 board. Consequently, if a motion to  
18 approve does not receive at least four  
19 concurring votes from the commission, the  
20 Zoning Code requires the recommendation  
21 from the commission to be considered a  
22 recommendation for denial of the  
23 application.

24 We are short one member this  
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1 evening. In light of the voting  
2 requirement as I stated, the Petitioner  
3 will be requesting that his applications  
4 come to a vote this evening or request a  
5 continuance until a future meeting can be  
6 figured with a full board at present.

7 So with that in mind, what I  
8 would like to do at this point is have  
9 everybody stand who may be thinking about  
10 giving testimony tonight, Petitioner and  
11 the audience. We will get everyone sworn  
12 in at once. If you would please raise your  
13 right hand?

14  
15 (Witnesses sworn.)

16  
17 CHAIRMAN COTEY: We are going to  
18 start out tonight with the Petitioner and  
19 having him present any information that he  
20 would like to include in tonight's agenda.

21 So, Mr. Petitioner, you do have  
22 the microphones in front of you. So if we  
23 could get your name and address for our  
24 village record, we can start.

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1 MR. CALLAGHAN: Jerry Callaghan,  
2 311 South Wacker, Chicago, the law firm of  
3 Freeborn and Peters.

4 CHAIRMAN COTEY: There is a  
5 volume part.

6 MR. CALLAGHAN: Can you hear me  
7 now?

8 THE AUDIENCE: No.

9 MR. CALLAGHAN: Is that better?

10 THE AUDIENCE: Yes.

11 MR. CALLAGHAN: We don't have  
12 anything other than what was submitted by  
13 the Lake County Division of Transportation  
14 and the responses that you referred to with  
15 the staff report.

16 CHAIRMAN COTEY: That's it?

17 MR. CALLAGHAN: That's it.

18 CHAIRMAN COTEY: Okay. Tonight  
19 for the public, I would like to open it up  
20 to the public commentary.

21 Mr. Phil Brown has a  
22 presentation that he would like to give.  
23 Mr. Brown, would you like to come up and  
24 make your presentation?

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1 MR. BROWN: Thank you. Francis  
2 is the person who is actually running the  
3 projector somewhere. So if anything goes  
4 wrong, it is either Francis or me and  
5 probably me.

6 I am Phil Brown, 423 Ridgewood  
7 Lane, Libertyville. Good evening to all  
8 the Commissioners, Chairman, to our  
9 developing friends, to the planners over  
10 there, and to the good folks, friends, and  
11 neighbors of Butterfield Road. Thank you  
12 for coming.

13 I am going to take you through a  
14 relatively short presentation here. And  
15 this is based on the fiscal impact study  
16 which was originally submitted last year.  
17 But it was then revised, and a letter was  
18 sent to the Plan Commission February the  
19 6th by the Petitioner which actually opens  
20 this up. And so I want you to re-visit it  
21 for a moment so you can understand some of  
22 the financial implications which arise from  
23 how the residences are valued which are  
24 open for sale.

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1 So I am going to turn the page.  
2 Stick with me here. And, Commissioners,  
3 can you see this okay?

4 COMMISSIONER OAKLEY: Sure.

5 CHAIRMAN COTEY: Sure.

6 MR. BROWN: This is a quick  
7 agenda. I am going to give you a brief  
8 real estate analysis of our neighborhood.  
9 I am going to refer back to the Kane  
10 McKenna report which was the backbone of  
11 the fiscal impact study. I want to point  
12 out to our friends and neighbors on  
13 Butterfield Road that this is part of the  
14 due process in anything which is being  
15 planned in this village. This is a very,  
16 very good structure that we are going  
17 through here.

18 But part of that is they have to  
19 show what is the fiscal impact which is  
20 going to happen to the village, to the  
21 schools, or anyone else who might be  
22 affected. So I am going to show you  
23 something there, and then I am going to  
24 show you what I think the impact is for the

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1 when I went through the Zillow analysis, I  
2 have never seen so many bathrooms up in  
3 that Concord area there. I think you have  
4 more bathrooms than Condell.

5 Anyway, down below the important  
6 point to look at, and I noted this before,  
7 but there is something there that says R4.  
8 R4 is a residential zone which is applied  
9 to the neighborhood that you live in if you  
10 are in Woodmere. There were 18 homes which  
11 are recently sold over this three-year  
12 period. What I did was I ranked them high  
13 to low in terms of price.

14 What you find is the most  
15 expensive home that sold was \$748,000. The  
16 least expensive home sold was \$368,000.  
17 And the midpoint, that is if you rank them  
18 high to low and you cut halfway through,  
19 the midpoint was \$505,000. If you live in  
20 Woodmere, you know those are pretty nice  
21 homes.

22 The footage, internal footage  
23 for those homes, high, midpoint, and low,  
24 goes from 3,500 feet down to 2,155. Nice  
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1 shortfalls of the property valuations  
2 within this and then make some  
3 recommendations. So bear with me.

4 First, we are looking at here is  
5 an analysis from Zillow. And I completed  
6 this two nights ago just to be as current  
7 as possible. What I am showing you are all  
8 recent home sales which occurred on Zillow  
9 in some very close by neighborhoods. That  
10 is, in Interlaken, Concord which is at the  
11 intersection of Winchester and Butterfield,  
12 Windhaven which is at the intersection of  
13 Butterfield and Lake, and Woodmere which is  
14 one block south at the intersection of  
15 Butterfield and Ridgewood Lane. Those 72  
16 homes were sold between March 26, 2014, and  
17 January 23, 2017.

18 If you live in Interlaken,  
19 Concord, or Windhaven, you are sitting on a  
20 10,000 square foot piece of property.  
21 Kudos to you. And if you are living in  
22 Woodmere, you are living on 15,000 square  
23 feet of minimum lot size. You have between  
24 4 to 5 bedrooms. I might say, by the way,

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1 to live in.

2 The R5 homes to the right, 54  
3 homes were sold. Their price range is,  
4 high point being \$720,000, midpoint being  
5 \$500,000, lowest priced home \$410,000. The  
6 footages ranked high to low are 4,252  
7 square foot. Midpoint is 2,800. And then  
8 finally 2,353 feet is the smallest home.  
9 These are nice homes.

10 And by the way, that's where all  
11 those bathrooms are. They are up there.  
12 They are not in Woodmere. Are you with me  
13 so far?

14 THE AUDIENCE: Yes.

15 MR. BROWN: All right. Francis,  
16 I am going to turn the page almost. I  
17 wanted to show you this.

18 This is how real estate  
19 developers actually price homes. I didn't  
20 know this. But when we first acted about  
21 this back on September 26, and I asked  
22 Peter Kite (phonetic), who is with the  
23 developing company, I said what is the  
24 price of these homes. He said it is about

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1 \$200 a foot.  
 2 So what I have done down here is  
 3 I have actually put here that the price per  
 4 foot for those R4 homes ranges from \$153  
 5 per foot up to \$246 a foot. Over in the  
 6 right-hand side, those R5 homes, not quite  
 7 as expensive because it is, \$138 up to \$234  
 8 a foot. So that's your basic pricing for  
 9 these homes. If you are in the biz, that's  
 10 how you kind of discuss these things. They  
 11 are all quoted on Zillow. Now I am going  
 12 to turn the page.

13 The pricing of the new homes,  
 14 these are the 148 homes which show up in  
 15 the proposed development which would be at  
 16 901 Butterfield look like this. And this  
 17 is from the Kane McKenna real estate  
 18 analysis or the financial impact study.  
 19 The average for the single-family one model  
 20 they call it, 3 bedroom is \$750,000.  
 21 Square footage, 2,380. Price per foot is  
 22 315 bucks. So that's a three-bedroom home.  
 23 A single-family No. 2 is a four-bedroom,  
 24 little more expensive, 780,000, a little

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1 more feet. Price per foot goes down a bit  
 2 to 284. The third, single-family three,  
 3 this is a four-bedroom home, \$805,000,  
 4 2,800 square feet, price per foot, 288  
 5 bucks.

6 Then we have the alley homes,  
 7 and those are the ones which are a little  
 8 smaller and clustered together. I  
 9 shouldn't use that word. But they are what  
 10 you refer to as high density. They are  
 11 actually on lots which I think were  
 12 measuring about 44 by 73 feet.

13 And the alley 1 sample,  
 14 three-bedroom, \$655,000. You can see  
 15 the -- how that extends out to \$325 a foot.  
 16 Alley 2 is four-bedroom, 670,000. Alley 3  
 17 is 675,000. And there you have \$332 a  
 18 foot.

19 So that is what is proposed.  
 20 These are the asking prices for those homes  
 21 according to the fiscal impact study. I  
 22 put this up again so you can just see if  
 23 you live in an R4 neighborhood or if you  
 24 live in the R5 neighborhood, they are

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1 priced per feet for those homes. So you  
 2 can make the comparison. But there is  
 3 somewhere between a 50 percent to 120  
 4 percent inflation or increase in the value  
 5 per foot of those homes.

6 The reason I point this out to  
 7 you isn't that there is something wrong  
 8 with that. But it is vastly different from  
 9 what people are actually paying for homes  
 10 today. And it concerns me that maybe you  
 11 won't be able to sell these homes no matter  
 12 how good it looks on paper.

13 So I am going to show you  
 14 something here. Now hang in there because  
 15 there are some numbers. I want you to  
 16 understand what is going on. Because at  
 17 the base of all this is basically money.  
 18 That's not a bad thing. We live on this.  
 19 We need it. But understand it is the fuel  
 20 that makes this whole thing work or it  
 21 doesn't work.

22 These homes, all 148, will not  
 23 actually be fully occupied, according to  
 24 the study, until 2024. So the first tax

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1 year is 2025. And at that time those 148  
 2 single-family dwelling units, that's an  
 3 SFDU, are supposed to have a total market  
 4 value of \$109,390,000. That's according to  
 5 the report. That's what they are worth if  
 6 their price sells at 655 up to 805. With  
 7 me?

8 THE AUDIENCE: Yes.

9 MR. BROWN: Okay. The village  
 10 is obviously looking for tax revenue, and  
 11 we can't blame them for that. We want  
 12 that. It is a good thing.

13 The asterisk there tells you  
 14 that there is one line I am showing is that  
 15 they are going to get \$296,000 a year in  
 16 revenue, net revenue as a result of this  
 17 development. And the asterisk down below  
 18 means, well, that's all tax revenues.  
 19 That's your property tax, sales tax, any  
 20 other tax which you are being charged by  
 21 the community or by the state which are  
 22 then turned around and given back to us.  
 23 It is any state aid which the schools  
 24 receive. It is any interest which is

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1 earned from the taxes received. It also  
2 includes the expenses, the incremental  
3 expenses which will be incurred as a result  
4 of building the development. So it can be  
5 anything from teachers to police to buses,  
6 whatever it is going.

7 So the net positive cash flow  
8 from this development to the Village will  
9 be 296,871 in one year. That's not bad.

10 Down below, District 70 gets  
11 actually more. They are registered to have  
12 104 students come to this school. I  
13 shouldn't say Butterfield, but to District  
14 70. We don't know where they are going to  
15 go yet. But there are 104 kids which are  
16 in this model. It is important to  
17 understand that because everyone who goes  
18 in, every child who goes in actually earns  
19 a fee which is paid to us by the state to  
20 go to the school. So that all goes into  
21 the mill along with any other revenues and  
22 any other expenses.

23 So District 70 will have a  
24 positive cash flow of \$329,000, \$330,000.

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1 the same. That is a 22 percent discount to  
2 what they thought they were going to get.  
3 District 70 only gets \$52,000, which is an  
4 84 percent decrease in their revenue.  
5 District 128 will have \$283,000, a 51  
6 percent decrease in what they thought they  
7 were going to get.

8 But it could be worse. You  
9 could actually have a 30 percent off price  
10 which is actually where I think it would  
11 go. I think this is what these houses are  
12 probably practically going to be sold for  
13 somewhere between 458 and 563 based on the  
14 type of development it is, and I am not  
15 saying there is any lack of quality in the  
16 plans of this development. I am just  
17 saying that I think that is what the market  
18 is more likely to pay.

19 That gives you a valuation of  
20 under \$77 million. It means the Village  
21 only gets \$227,000. District 70 is now  
22 underwater. They are actually paying out  
23 more than getting in. And District 128  
24 will receive \$188,000.

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1 District 128 which has only got 35 children  
2 which are going to be registered there will  
3 have \$487,000. They have larger washrooms.  
4 So that is what it looks like today  
5 assuming you can sell those houses at  
6 \$655,000 up to \$805,000.

7 However, if you can't make it,  
8 if those houses don't sell -- and, by the  
9 way, this is all expressed in present day  
10 dollars. So there is nothing to do with  
11 inflation or time value of money. This is  
12 all in today's dollars according to the  
13 fiscal impact study.

14 So let's say you can't actually  
15 sell those homes for the price which was  
16 asked for because the market just won't  
17 bear it, and those prices actually turn up  
18 to be more like 491,000 of the 603,000  
19 which is a 25 percent discount off of the  
20 quoted price which is in the fiscal impact  
21 study. As a result of that, the overall  
22 valuation of real estate is now only  
23 \$82 million. That means the Village only  
24 gets \$233,000, all other arithmetic being

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1 So you can see what happens if  
2 those prices don't hold as they are  
3 originally proposed in the fiscal impact  
4 study, things kind of go screwy. Now, the  
5 reason why this is important isn't just  
6 because there is some red ink in there. We  
7 actually look for the tax revenues to pay  
8 for things. The tax revenues -- excuse me.  
9 The incomes are there to fit into the  
10 Village budget for whatever it is the  
11 Village has to buy. They are there also to  
12 finance bonds to build new buildings, put  
13 in facilities for the schools.

14 So what I am going to show you  
15 now is what it looks like over a 12 year  
16 period. This, again, is lifted directly  
17 from the fiscal impact study. At the  
18 target price of \$655,000 to \$805,000 per  
19 home, the Village gets about 3 and a half  
20 million dollars over 12 years. And that's  
21 part of the study. They figure, all right,  
22 you need to know what that cash flow is  
23 over the 12 year period which starts  
24 actually in 2025 and goes through 2036. I

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1 don't know where I am going to be by 2036,  
2 but you may know.

3           Anyway, the Village gets 3 and a  
4 half million bucks. District 70 gets 3.9.  
5 District 128 gets 5.8. This is all  
6 earmarked potentially as being useful for  
7 getting bonds if your need to invest in new  
8 buildings or infrastructure for your  
9 schools or for towns. But if you don't get  
10 the price which you want on the home, then  
11 things happen.

12           So what I am showing you here in  
13 this second column then is the net village  
14 impact is if they don't get the price they  
15 want, they lose -- well, the amount of  
16 revenue they are going to get over the 12  
17 year period is 2.8 million. District 70  
18 gets 627 million -- 627,000. And District  
19 128 gets 2.9 million. In fact, they get 50  
20 percent of what they thought they were  
21 going to get.

22           And if you go to 30 percent off,  
23 you can see the Village is getting 2.6.  
24 District 70 quite is underwater now with

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1 \$39,000 on top of the original cost. You  
2 can buy a nice car for that. District 128  
3 is going to get \$2.2 million.

4           So this concerns me and it  
5 should concern you too, because when we  
6 think we are going to get revenue from  
7 these homes, there is a risk involved. The  
8 risk is shouldered by us. It is  
9 unrealistic pricing I think in my opinion  
10 and people I am speaking with. It may  
11 affect the sales. It might affect the  
12 occupancy. That is, how quickly you  
13 actually build and sell those homes. And  
14 it may affect the quality.

15           I was told by reputable real  
16 estate dealers in town that, you know, what  
17 makes a difference between a really, really  
18 good home and a pretty nice home is whether  
19 you put pine on the inside or oak. So  
20 those might be the value adds which are  
21 being added to these buildings to get to  
22 the price which they want. If no one wants  
23 to pay for it, you are stuck.

24           So just remember that there is  
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1 the listed price, 655 up to 805. You have  
2 three to four bedrooms. The size of the  
3 house itself is somewhere between 2,380  
4 feet to 3,000 feet. The lots, 2,920 to  
5 4,950 generally.

6           The property tax revenue stream  
7 is suspect. Every dollar shortfall will be  
8 made up in tax dollars. Whether it is an  
9 outright grab for money or has to be  
10 shifted from somewhere else, but the  
11 Village and all of its residents will be  
12 the people who take that risk. Are you  
13 with me?

14           THE AUDIENCE: Yes.

15           MR. BROWN: So I think I am  
16 about to close up here. I just want to  
17 reprieve for a moment that we had all of  
18 the patience and the understanding and ears  
19 of everyone up here for the last two  
20 meetings starting September 26. And during  
21 that time we have spoken to the schools.

22 We have talked about taxes. We have talked  
23 about property values. We have talked  
24 about traffic. We have talked about the

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1 mobility of people trying to get around the  
2 neighborhood. We talked about the  
3 appearance of the place. We have talked  
4 about pollution which is potential for  
5 Butler Lake, and we talked about property  
6 values. So all of those things have been  
7 covered. And.

8           During this time I think the  
9 Plan Commissioners have done their work in  
10 listening to us. I think we have done our  
11 work in expressing what our concerns are  
12 with that.

13           With that, it bothers me that  
14 every time I speak to someone new in the  
15 crowd, and it happened three times tonight,  
16 I had people come up to me and they said is  
17 this a done deal? Is this -- is it already  
18 done? And the reason why this worries me  
19 is it signals that there is an assumption  
20 amongst the public that the folks up here,  
21 who are working late, nights are not  
22 necessarily to be trusted because it is  
23 already a done deal you think.

24           It is not a done deal. We have  
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1 to remember it is not a done deal. If  
2 someone tells you that it is, then either  
3 they have got an inside pipeline to  
4 somebody that we should know about or they  
5 are just misinformed. But I would like to  
6 think that there is still some way to go  
7 before this thing becomes what it is going  
8 to be.

9 So recommendations are home  
10 prices, the fluctuation of student levels.  
11 By the way, those 104 kids which were  
12 registered in District 70 never seemed to  
13 actually graduate and go to LHS. They end  
14 up going to Carmel as best as I can figure  
15 because the registration for high school  
16 never gets above 35.

17 The petitions themselves, I  
18 think we should be denying all of them.  
19 The first one is to change the map, the  
20 bottom 7 acres to make it mixed residential  
21 where right now it is institutional.

22 16-09 is to be -- excuse me.  
23 16-09 is to actually change the zoning.  
24 Zoning is very important. That is

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1 something that is policed. When you get  
2 the zone changed, you are really going  
3 somewhere.

4 16-10 is asking for preliminary  
5 layout of the subdivision.

6 16-11 is asking special for a  
7 special use permit. And that allows you to  
8 circumvent the rules which would normally  
9 have for the zoning for this 40 acres.  
10 This 40 acres, they would like to have it  
11 changed to R6 which means your minimum lot  
12 size is 7,500 feet. But if you have a  
13 special use permit for a planned  
14 development and a planned development is  
15 available to you because it is felt that  
16 you can creatively use the space in a way  
17 that is aesthetically pleasing, that you  
18 can use a special use permit with a planned  
19 development which allows you to have maybe  
20 2 or 3,000 foot lots with, you know, 12 to  
21 15 foot backyards. Who knows? That's what  
22 that special use permit is for. That's  
23 very important.

24 And 16-12 is the actual final  
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1 concept plan which would be submitted by  
2 the Petitioner on what would be built  
3 there.

4 I think all of these should be  
5 denied. I think we should re-think the R6  
6 zoning in favor of lower density R4. And I  
7 think we should be modeling and developing  
8 a lower valuation. The 109 million bucks  
9 is probably out of reach, and it should  
10 have fewer units in it.

11 The last page, and this is my  
12 close, Commissioners, thank you for all of  
13 your patience. Builders, developers,  
14 planners, please show us you have the  
15 capacity to listen, the power to reason,  
16 and the will to do the right thing. Thank  
17 you very much.

18 CHAIRMAN COTEY: Thank you,  
19 Mr. Brown. The presentation was  
20 informative. And would the Petitioner like  
21 to respond?

22 MR. WALLINE: No. 1, I  
23 appreciate all the research you have done.  
24 I feel that is fairly extensive and

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1 comprehensive.

2 But I would like to add that we  
3 do the same, and we do it -- we have done  
4 this for many years actually on this  
5 project. And, unfortunately, Zillow  
6 doesn't give you completely accurate  
7 information at all times. There is a lot  
8 of different media you can go to to get  
9 that information. There is -- there has  
10 also been very extensive marketing studies  
11 done for the property.

12 So we've worked closely with the  
13 real estate community throughout the  
14 surrounding area. And we feel -- if there  
15 is anybody in this room that wants to be  
16 confident in the sales price of these  
17 homes, it is certainly us.

18 I think numbers can be looked at  
19 in a very short period. But we have been  
20 researching these for many years now and  
21 making sure that we are considering all the  
22 things that -- that make this project a  
23 successful project.

24 It was brought up that -- that  
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1 the finishes inside the home are very  
2 important. That is a key to some of the  
3 success that is found in these communities,  
4 windows, roofs, all those things. Your ARC  
5 was very diligent in looking into all of  
6 our materials, asking highly intellectual  
7 questions of the product types and where  
8 we -- we went with many of those -- those  
9 materials that we presented so we don't end  
10 up with -- with just a, you know, run of  
11 the mill type product that can be found in  
12 any communities and that won't represent  
13 the character of Libertyville. Again, I  
14 appreciate his input, but we have done far  
15 more extensive research.

16 CHAIRMAN COTEY: Thank you.  
17 Before I open it up to public testimony, we  
18 have these microphones set up. What I  
19 would like to do is people behind the  
20 microphone first can come up and line up.  
21 And then after we have exhausted those  
22 questions and testimony from the back, we  
23 will take the forward group. And then they  
24 can just come back to the microphones and

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1 ask their questions.  
2 So let's have people who would  
3 like to speak start lining up. When you  
4 come up to the microphone -- sir, what I am  
5 saying is we will get to you after they get  
6 through the back, okay? So we will let you  
7 know.

8 So let's have those who are  
9 interested in speaking from that behind the  
10 microphone to the back door, come on up,  
11 get in line. And then please give your  
12 name and address, please. And then let's  
13 hear what you have to say. The court  
14 reporter has also asked that you spell your  
15 name slowly.

16 MS. ANA DRAA: Hi, I am Ana  
17 Draa. Luckily my name is very short,  
18 A-N-A, D-R-A-A.

19 I want to thank the Plan  
20 Commission. You guys are my neighbors.  
21 You are public servants. You don't have to  
22 serve on this commission, and I really  
23 appreciate it. I think you guys have done  
24 an excellent job of going out of your way

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1 to hear us. You have given us numerous  
2 opportunities to come here, and we are  
3 deeply grateful for that.

4 I also think that your  
5 explanation yet again in the process is  
6 important because they have a right just  
7 like I have a right as a property owner to  
8 have my -- my desire to develop my property  
9 heard. Thank you guys for explaining that  
10 again.

11 I want to urge you guys, yet  
12 again, to really, really listen. This is  
13 our third or fourth hearing on this. You  
14 know, up until tonight we were well over  
15 300 residents to come out and visit with  
16 you guys.

17 I think the message from our  
18 side has been unified, and it has been  
19 very, very clear. At the village finance  
20 meeting on Saturday, it was really an  
21 interesting meeting. One of the comments  
22 that was made by one of the trustees was  
23 what he hears over and over is people want  
24 affordable housing so that their children

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1 can move back and live in this village.  
2 What struck me immediately was  
3 that affordable housing isn't 6 to \$800,000  
4 homes built 10 feet apart from each other  
5 in the middle of nowhere on Butterfield. I  
6 just don't think this is compatible with  
7 the vision of this Village.

8 You guys have the Zoning Code  
9 for a reason. This isn't a little bit  
10 outside of the Zoning Code. This is hugely  
11 outside of the zoning codes, this density.  
12 I see no reason for you guys to make this  
13 big of a waiver on the minimum property.  
14 It is -- I don't see any benefit to us of  
15 that. And I don't see any benefit to the  
16 people who would potentially live in this  
17 neighborhood.

18 I am concerned and I am so glad  
19 on Phil's presentation, I share the same  
20 concerns. It is wonderful to do your  
21 research. And then when you go to sell  
22 these things, you go put a house on the  
23 market 6 to \$800,000 that is 10 feet from  
24 the house next door and you can't sell it,

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1 you are going to drop the price. Or maybe  
2 you get halfway into the project, and you  
3 see it is not going to sell, and you don't  
4 complete the project.

5 We have a glaring example of  
6 best laid plans not working out like  
7 somebody thought they would over on  
8 Stonegated Lake. For a year now we have  
9 been looking at a construction site. And I  
10 am concerned that this entire development  
11 could end up like that.

12 One, I would like to see that  
13 cleaned up. I think it is an eye sore in  
14 our village. And I don't know how somebody  
15 is allowed to start a project and then run  
16 out of money or whatever happens to them,  
17 and they stop. What's the guarantee that  
18 these gentlemen wouldn't happen to them as  
19 well?

20 If you guys do choose to not  
21 listen to us and go ahead and approve a  
22 development, please have something in there  
23 that if they -- if they get stuck, that it  
24 gets returned to some sort of green land

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1 and we don't have to look at an entire  
2 almost subdivision that looks like that.

3 Two other things I wanted to  
4 leave you guys with. Yet again this very  
5 important meeting, look around here, how  
6 many people have come out yet again to talk  
7 to you about this coincides with District  
8 70 and District 128 school board meetings.  
9 District 128 tonight is announcing their  
10 new principal, the building you are  
11 standing in. They have got a great  
12 principal. Unfortunately, nobody who  
13 serves on those boards has the opportunity  
14 to come here because yet again you all's  
15 meetings overlap.

16 We have talked about this so  
17 many times now. It is -- it is  
18 frustrating. Would you guys please get  
19 together, sit down and figure out so that  
20 the players in this village, the people who  
21 are heavy lifters could be here as well,  
22 the school board members?

23 And the last thing I want to  
24 leave you guys with, and I apologize. This

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1 is shameless advertising. Please,  
2 everybody, the candidate forum on March 6,  
3 come. You are going to meet all your  
4 trustee candidates. You are going to meet  
5 your mayoral candidate, all your school  
6 district candidates.

7 One note, we are have a venue  
8 change. We are no longer at Finn's. We  
9 are going to be over at O'Toole's. Slight  
10 staffing on the kitchen. But we would love  
11 to have everybody there.

12 Thank you again for your  
13 service. Thank you for listening.

14 CHAIRMAN COTEY: Let's take the  
15 gentleman right here.

16 MR. GREG GAROFOLO: Hi, my name  
17 is Greg Garofolo. I love G-R-E-G,  
18 G-A-R-O-F-O-L-O. I live at 231 Kenloch  
19 Avenue in Libertyville.

20 A couple of things for me is,  
21 first of all, the fact that there was a  
22 second way in and out of this subdivision.  
23 Now there is not. There is only one.

24 Coming out of my subdivision  
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1 there, it is almost impossible to turn on  
2 to Butterfield Road making a right-hand  
3 turn. I can't even imagine somebody a  
4 little further up the road north trying to  
5 make a left-hand turn out of there.  
6 Obviously, there is not going to be a  
7 stoplight.

8 So that in and of itself is  
9 probably the worst thing, the fact that  
10 there is only one way in and one way out,  
11 and the fact that there was an opportunity  
12 to have another way out and for some reason  
13 that's no longer being considered.

14 The second thing is that I just  
15 built a second floor on my house. My  
16 setback on my house with the new second  
17 floor was 3 inches too close to the street.  
18 I had to send out 72 letters to neighbors  
19 in my neighborhood to make sure it was okay  
20 to bring my second floor flush with my  
21 first floor. So I do appreciate what it is  
22 that the Village goes through. But what  
23 they are asking for is ridiculous. I mean,  
24 completely ridiculous.

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1 And the last thing is my son was  
2 hit by a car on 176 and Butterfield.  
3 People come down that road at 45 miles an  
4 hour. There is no way in God's green earth  
5 anybody is going to be able to come in and  
6 out of that subdivision without accidents,  
7 without children on their bikes getting  
8 hurt. It is a mistake. So I plead and beg  
9 with you guys do not allow this to happen.

10 CHAIRMAN COTEY: Thank you. I  
11 am going to ask a favor. The clapping. We  
12 understand and, you know, actually part of  
13 our decorum would be that this is  
14 discourteous to the Petitioner. So could  
15 we please refrain from clapping after the  
16 public has spoken? I just ask that as a  
17 favor. We all understand how strongly you  
18 feel. But let's, you know, have some  
19 respect for the Petitioner in regards to  
20 this.

21 The gentleman on the left.

22 MR. MIKE BAIER: My name is Mike  
23 Baier, B-A-I-E-R. 180 Acorn.

24 I spoke the last time I was up  
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1 here. So I am not going to go through all  
2 the things I stated prior.

3 My two basic concerns regarding  
4 the overcrowding of the schools and the  
5 horrible traffic conditions which already  
6 exist is going to be increased by that much  
7 more. I wanted to talk to you, the  
8 developers directly and also to all the  
9 board members and trustees who will be  
10 voting on this.

11 To the developers, it appears  
12 this is going to be not approved. I can't  
13 say one way or another because I don't  
14 know. I just know with upcoming elections  
15 it would be political suicide for any  
16 elected official to vote for this.

17 That being said, you are going  
18 to be left with a couple different options.  
19 Work with this community or leave this  
20 community. Now, if you choose the first  
21 one, to work with this community, listen to  
22 these concerns. You have the social,  
23 moral, and a conscience obligation to work  
24 with this community and develop a very nice

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1 piece of property that preserves the  
2 heritage of this community, and you can be  
3 proud of. When you want to look back and  
4 say you developed something, you don't want  
5 to do a cookie cutter 150 homes and move  
6 onto the next project. If you are from  
7 this community, which you said last time  
8 you were, you want to be able to drive down  
9 this road and be like I built that with  
10 this community. It is something we are  
11 proud of.

12 You could build similar lots,  
13 similar neighbors all around, same size,  
14 30, 40 homes, big, beautiful homes ranging  
15 from that 7 to \$800,000 price range. It  
16 will still be extremely profitable for you  
17 and your investors but still preserve this  
18 community in the way it should be.

19 Regarding that to the  
20 developers, your attorney as well has  
21 ethical obligations too to advise social  
22 and moral obligations, not just legality  
23 issues. So when you go back home later and  
24 you go to work later, just think about

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1 these concerns for your next board plans.

2 To the committee up here, the  
3 trustees, I know there is a big concern  
4 about the annexation of them being required  
5 by a neighboring town. Don't worry about  
6 those concerns. It is not that important.  
7 If it does happen and it does go to  
8 Mundelein for whatever reason, it is no  
9 guarantee. They don't have any benefit for  
10 this property either.

11 This community is very tight  
12 knit. We all have friends and family and  
13 businesses in this community that can  
14 influence and put pressure on this. We all  
15 know Mr. Brown is not going to start after  
16 this meeting with his political and  
17 community activism. So keep it.

18 That being said, there is really  
19 no benefit. If it does go to Mundelein, it  
20 still means the district is in  
21 Libertyville's schools. If I am correct in  
22 misunderstanding, it makes the tax still  
23 come to Libertyville schools. So they  
24 don't have a big incentive other than the

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1 increased property taxes, which is just  
2 fresh. It is not worth it. Especially  
3 when 155 homes or possibly 200 homes have  
4 300 cars or 400 cars, are driving down 176  
5 which is a gateway between Mundelein and  
6 the highways and the communication. They  
7 are not going to be eager to jump on this  
8 either.

9 So keep up the fight. Let's not  
10 let them -- push it back to the developers  
11 to come up with a plan to get something  
12 that everyone is proud of. Thanks.

13 CHAIRMAN COTEY: I have this  
14 lady over here, please.

15 MS. BARBARA PURCELL: My name is  
16 Barbara Purcell, P-U-R-C-E-L-L. 604  
17 Paradise Lane. My husband and I moved here  
18 in September.

19 So I just wanted to back up  
20 Mr. Brown's Zillow figures. They are dead  
21 on.

22 And just make the statement with  
23 respect to traffic, we enter our  
24 subdivision on Ridgewood and exit on

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1 Ridgewood. It is a pretty -- pretty  
2 dangerous in and out there. And just the  
3 thought of the additional traffic that  
4 could end up using that access to the  
5 subdivision, if the traffic signaling is --  
6 is set up the way that it has been outlined  
7 in the DOT studies concerns me. I just  
8 wanted to go on record with that. Thank  
9 you all for your time.

10 CHAIRMAN COTEY: Thank you.

11 Sir?

12 MR. JOE GATTONE: Hi. My name  
13 is Joe Gattone, G-A-T-T-O-N-E. 817 Bedford  
14 Lane.

15 I am a real estate agent as  
16 well. And I just wanted to speak to a  
17 couple things as comments. And then I do  
18 have a question about the traffic pattern  
19 that they presented in the last hearing.

20 One thing that Phil pointed out  
21 in his presentation and I thought was  
22 really concerning was the drop-off in money  
23 for District 70. I am not sure what is  
24 going on there. Everybody else seemed to

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1 increase a little bit. That was a huge  
2 decrease and eventually negative.  
3 And I do agree with, even though  
4 I hate Zillow, I agree with Phil's analysis  
5 of the price points there. Getting that  
6 price per square foot is possible downtown  
7 Libertyville, new construction, you know,  
8 300 per square foot. But really anywhere  
9 else it is going to be 250, maybe at the  
10 300 point per square feet. Especially as  
11 you get bigger and bigger, those prices per  
12 square foot drop quite a bit.

13 Wondering also, one question I  
14 have is that plan was starting in 2024 if I  
15 am right. I am wondering what kind of --  
16 where is the expenses that are going to  
17 come for that between now and then? Is it  
18 a nine year plan to build this thing or  
19 seven year plan to build this whole thing,  
20 or is it a three year to build and what  
21 happens in the time frames when you are  
22 trying to fill the property? There has to  
23 be some expenses there that is going to be  
24 put on the current residents of

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1 Libertyville.

2 The question about the traffic,  
3 you guys had a rush hour rule where you  
4 wouldn't be able to turn left out of a  
5 subdivision. And then that would cause  
6 people having to drive, you know, to get  
7 their kids to the school that is across the  
8 street, going all the way around, probably  
9 a 20 minute commute. Wondering if there  
10 has been any solution.

11 I am paraphrasing here for time  
12 because we did talk about this at the last  
13 hearing.

14 A second, Mike's quote on  
15 annexation and not to be concerned, the  
16 other reason I don't think we should be  
17 concerned is if Mundelein were to grab hold  
18 of this property and approve this  
19 particular development, there is no way  
20 that it would be supportive of the price  
21 ranges as well. Once you get a Mundelein  
22 address, no offense to Mundelein, but it is  
23 going to go down compared to a Libertyville  
24 address. Those are my comments. Thanks

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1 for your time.

2 CHAIRMAN COTEY: Okay. I am  
3 going to ask the Petitioner to respond to  
4 the questions that he had, please.

5 MR. WALLINE: Well, once  
6 again -- once -- I think we have discussed  
7 the price points. And, again, there is a  
8 lot of speculation here. We -- we have  
9 hired nothing but experts and have reviewed  
10 all the stuff continuously and, you know,  
11 feel quite confident in our pricing. So  
12 that basically answers a lot of the revenue  
13 generation questions.

14 The short-term impacts, they are  
15 real. They are pointed out in the McKenna  
16 report. We have proposed various solutions  
17 to those to staff, and we are still  
18 prepared to stand behind those.

19 And as far as taking the project  
20 to Mundelein, Mundelein most likely would  
21 yield lower housing prices. But, again, as  
22 I said in our last hearing, our intent is  
23 to work with this community and try to  
24 bring a great project to the community.

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1 real estate until three years ago. I am  
2 now 86.

3 I have some real understanding  
4 of this community. I work very closely  
5 with Libertyville High School. And by the  
6 way, Libertyville High School is one of the  
7 very finest high schools in this country.  
8 You had a principal here whose name was  
9 Walt Thornberger who many of you know, the  
10 guy that always wore the orange jacket, the  
11 guy who really knew people, knew students,  
12 knew curriculum, was excellent. He and I  
13 had had many discussions about this  
14 community.

15 You, Petitioners, are dealing  
16 with a special, special community.  
17 Libertyville is very special. People moved  
18 here for that reason.

19 Many years ago this was a little  
20 farming town. When I was teaching biology  
21 at Lake Forest High School, I used to bring  
22 my biology students over to Libertyville to  
23 go to Hawthorne, Melody Farms where they  
24 had 585 cows, milk cows. That's where all

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1 And our intention right now is to attempt  
2 to accomplish that.

3 CHAIRMAN COTEY: Okay. Again, I  
4 would like to remind the public that is  
5 lining up for any questions, that we try to  
6 keep this to the new testimony of what has  
7 been said tonight. We already have  
8 discussed many of the traffic issues. We  
9 have discussed schools. So let's try to  
10 keep it to the material that is tonight  
11 available to your questions. And we will  
12 take this gentleman right here.

13 MR. ARTHUR KLECK: Thank you.  
14 Thank you. My name is Art Kleck. I live  
15 on Ridgewood Lane in Woodmere subdivision.  
16 We have lived here 32 years.

17 We moved here from Waukegan. I  
18 was a teacher of science and German in Lake  
19 Forest for 10 years, then a principal there  
20 for 12, then a vice-principal for 3, then  
21 retired in 1986.

22 Following that retirement, I  
23 went into real estate one week after that  
24 retirement date. I have continued to sell

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1 of those -- all of those automobile  
2 agencies are now.

3 But the people are still the  
4 same. The people came here because this is  
5 a beautiful, beautiful, loving, small  
6 community. No matter how big Libertyville  
7 gets, it will always have that  
8 congeniality.

9 What you Petitioners are doing  
10 is intruding on our congeniality. You  
11 really, really are.

12 We insist on safety for our  
13 kids. We insist on good schools for our  
14 kids. We insist on safety for our drivers.  
15 Our police department is one of the best.  
16 We know our guys. They help us. They  
17 don't want to put up more stoplights or  
18 arrest more people or go to more accidents.  
19 They want this community kept this way too.

20 Now, you people who we have  
21 elected to office and those who are serving  
22 very excellent roles in this community are  
23 doing a fabulous job. It seems to me that  
24 these guys from the West Coast came in and

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1 pushed this a little bit.  
2 Even though I have two titanium  
3 knees, I went out today, it was a beautiful  
4 day, and I walked through the property  
5 where you folks intend to build those  
6 homes.

7 By the way, I used to bring my  
8 biology classes there too. I happen to  
9 know that the trees taken down were not all  
10 trash trees as you guys say. Is an oak a  
11 trash tree? Is a maple a trash tree? Is  
12 an American Elm a trash tree? No, none of  
13 those are. The stumps are all ground out  
14 now by the way. That makes no difference.  
15 A good biologist can still identify the  
16 trees that have been ground up that are big  
17 piles of chips.

18 I even found some -- some parts  
19 of oak back there. Oak, one of the finest  
20 building trees we have. There are lots of  
21 chips of oak too. My grandfather taught me  
22 a lot about that, he was a woodsman. And  
23 as I said, I am a biologist.

24 I love this community. I do not  
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1 intend to move from this community because  
2 I can't drive my car out of the Woodmere  
3 subdivision without being in an accident.  
4 I want to continue to live here.

5 I have a friend down the street  
6 from me who went to the City of  
7 Libertyville three times to get approval to  
8 remove his little apple tree that was half  
9 dead. It was a crabapple tree about 10  
10 feet tall and was half dead. He could not  
11 get the permission to remove it because it  
12 still had living branches.

13 In that new subdivision proposal  
14 there were thousands of trees. I wonder  
15 who approved those? Who approved the oaks  
16 being destroyed?

17 CHAIRMAN COTEY: Please, please.

18 MR. ARTHUR KLECK: Who approved  
19 them? I would hope that you people -- I  
20 would like to know if there is any one  
21 person here tonight, even one person who  
22 wants this subdivision? Could you stand up  
23 if there is one person? Tell me.

24 I don't see a person standing.  
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1 Usually when there is a meeting like this,  
2 there is some on one side and some on  
3 another. We are all on one side. We all  
4 love this place. We don't want you guys to  
5 come in and try to change it for us because  
6 you won't really change it. Your homes  
7 really won't sell for that.

8 As I said, after I retired in  
9 1986 I took another job for 25 years. I  
10 know this opportunity. I know Lake Forest.  
11 I know Grayslake. I know how homes sell  
12 and don't sell. Those homes won't sell for  
13 close to that price. I don't care who did  
14 your research. It may have been done by  
15 some of the folks from La La Land.

16 CHAIRMAN COTEY: Thank you.  
17 Ma'am on the left? Please refrain from the  
18 clapping.

19 MS. JACQUELINE ANDERSON: Hello.  
20 My name is Jacqueline Anderson,  
21 J-A-C-Q-U-E-L-I-N-E, A-N-D-E-R-S-O-N. I  
22 live at 18320 Old Peterson Road. I have a  
23 couple of questions.

24 I just read through the review  
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1 that was in the pamphlet. I am just  
2 wondering, so there is -- there is no  
3 guarantee of the signal by the -- by LCDOT?  
4 Is that correct? I don't know who knows.

5 CHAIRMAN COTEY: John?

6 MR. SPODEN: That is correct.  
7 The property, Butterfield Road, is under  
8 the control of the County. It is their  
9 right-of-way. The Petitioners have shown  
10 there is a traffic warrant, if you will, or  
11 a warrant for a signal at Butterfield and  
12 Lake. There is not a current warrant for a  
13 signal at the entrance to this development  
14 as proposed.

15 MS. JACQUELINE ANDERSON: Do we  
16 know if that -- if the one at Lake would be  
17 built? Is that guaranteed if this goes  
18 through or we don't know?

19 MR. SPODEN: The Petitioners  
20 have stated that they would be interested  
21 in -- in installing a signal at one of  
22 those two locations. There are no  
23 guarantees.

24 MS. JACQUELINE ANDERSON: Okay.  
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1 And then the study also says that basically  
2 no preventive measures would be taken in  
3 terms of signage, like no U-turn signs,  
4 unless there is a problem that happened; is  
5 that correct?

6 MR. SPODEN: That was the review  
7 from the County.

8 MS. JACQUELINE ANDERSON: Okay,  
9 okay. And the County controls what signage  
10 goes up?

11 MR. SPODEN: The signage on the  
12 roadway itself, yes.

13 MS. JACQUELINE ANDERSON: It  
14 also says that there won't be any, like,  
15 time, left turn times that you can't turn  
16 left?

17 MR. SPODEN: They stated they  
18 were not in favor of those restrictions.

19 MS. JACQUELINE ANDERSON: They  
20 are the ones who get to decide?

21 MR. SPODEN: I am going to turn  
22 it over to our traffic.

23 MR. WOODS: I believe the  
24 Village may have the option of installing

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1 those turn restrictions. I think it was a  
2 recommendation from the County that they  
3 would not be in favor of those restrictions  
4 coming out of the development.

5 MS. JACQUELINE ANDERSON: They  
6 also cited that all of the preventive  
7 measures if they ended up -- if the signs  
8 went -- that it would be difficult to  
9 enforce, correct?

10 MR. WOODS: They did acknowledge  
11 that fact, yes.

12 MS. JACQUELINE ANDERSON: And it  
13 would place undue burden on our police too,  
14 right?

15 MR. WOODS: I don't know if the  
16 County -- if they put it in those words.  
17 But I do believe that they acknowledged the  
18 fact that there could be enforcement  
19 problems.

20 MS. JACQUELINE ANDERSON: Okay.  
21 I am also -- I read later on for this staff  
22 approval for PC16-08, the approval to the  
23 amendment of the comprehensive plan to  
24 mixed medium density residential with the

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1 condition that that area became a  
2 conservation area with no structures built?  
3 MR. SPODEN: Correct. That was  
4 the staff recommendation.

5 MS. JACQUELINE ANDERSON: So if  
6 that did go through as approved, would that  
7 be -- with the zoning -- correct, zoning,  
8 is that the correct term?

9 MR. SPODEN: This is actually --  
10 the amendment to the comprehensive plan is  
11 a land use change. It is not the actual  
12 zoning. The zoning is based upon your  
13 comprehensive plan.

14 MS. JACQUELINE ANDERSON: Got  
15 it. So if you were to change the  
16 comprehensive plan with the condition that  
17 this area became a conservation area and  
18 the developer pulled out or something along  
19 those lines, would that condition stay in  
20 the comprehensive plan?

21 MR. SPODEN: It would because it  
22 would be an amendment to the Village's  
23 comprehensive plan, not specifically  
24 referring to this development proposal.

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1 MS. JACQUELINE ANDERSON: So if  
2 you changed it, that area would still be a  
3 conservation area no matter what?

4 MR. SPODEN: That was our  
5 proposal, staff proposal.

6 MS. JACQUELINE ANDERSON: If  
7 that is what the commissioners decided to  
8 vote for. Okay.

9 Those were really all of my  
10 questions. I just wanted to say thank you.  
11 I know you guys have been appointed for  
12 your knowledge and your -- your love for  
13 the community, your commitment to the  
14 community. So please make your decision  
15 based on the comprehensive plan. I know  
16 that you guys have hired someone, mentioned  
17 that it was kind of like your constitution.  
18 So keep that in mind.

19 But also please make a decision  
20 with your heart as well, with your  
21 conscience, what is good for the community,  
22 for the benefit of the community now and in  
23 10, 20, 30, 40, 50 years because I am  
24 planning on being here that long. I hope

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1 my children will too. So thank you so much  
2 for your time.

3 CHAIRMAN COTEY: Thank you.  
4 Okay. Let's move over here, ma'am.

5 MS. LESLEY WEXLER: Yes. My  
6 name is Lesley Wexler, L-E-S-L-E-Y,  
7 W-E-X-L-E-R. I live at 1225 Virginia  
8 Avenue in Winchester Estates.

9 The reason I am here -- first, I  
10 have a statement and then I want to ask a  
11 couple questions.

12 In regards to Phil's  
13 presentation when they were talking about  
14 104 kids, I -- for 148 houses at about -- I  
15 think the average was between 28 and 3,000  
16 square feet, I can't imagine that is going  
17 to be less than one kid per house. I  
18 really think that is kind of a number that  
19 maybe needs to be explored a little bit  
20 more.

21 Also, because of my  
22 neighborhood, my house is like 36 -- maybe  
23 3,200 square feet in my neighborhood. And  
24 play groups over the last 12 years, we have

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1 had at least 2.5 kids per household. I  
2 just wanted to mention that.

3 Also, I wanted to mention that I  
4 took a walk out on Winchester Road and I  
5 saw all these markings on the road. So we  
6 are talking about Butterfield, but we  
7 forget about Winchester. And so there is  
8 all these cable markings. I think pink is  
9 cable. Yellow is gas, and all these  
10 surveyor flags out on Winchester Road from  
11 the intersection of Butterfield and  
12 Winchester west of Butterfield. So by the  
13 two entrances into the two neighborhoods,  
14 we were talking about Concord in this  
15 presentation. There is also Winchester.  
16 And not -- the entrances at Lucerne have  
17 gas marks there and also at Tiffany.

18 The reason I bring this up is I  
19 wanted to ask a question, I wanted to ask  
20 if those surveys and those markings are for  
21 this development and if that plan of  
22 developing these connections to the other  
23 parts in town are going to go through the  
24 golf course, which I believe is also owned

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1 by the Archdiocese and their lease is up.  
2 The private company that is -- is managing  
3 the golf course, their lease is up in two  
4 years with the option of seven more years.  
5 I wanted to understand, first of  
6 all, if that is connected with the  
7 development and what it is going to do for  
8 business for that golf course and how --  
9 how long this construction is going to  
10 affect, not only the neighborhood where I  
11 live on Winchester Road, but the golf  
12 course?

13 CHAIRMAN COTEY: Thank you. I  
14 am going to ask Fred, our village engineer,  
15 to answer your question about the flags out  
16 there. Do you know anything about that?

17 MR. CHUNG: On Winchester Road,  
18 I believe they have some utility upgrade  
19 for the ComEd. We are just getting the  
20 permit in our office. I don't think it is  
21 related to this. It is just something to  
22 do with the upgrade on Winchester Road.

23 MS. LESLEY WEXLER: Okay.  
24 Because I saw a bunch of surveyor flags out  
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1 there. But there is also gas markings out  
2 there as well.

3 MR. CHUNG: By law, they have to  
4 record with JULIE. They have to come out  
5 to locate all utilities within the same  
6 area. I believe that's why they mark all  
7 the gas, phone, and Comcast. They all have  
8 to come out to locate the utilities.

9 MS. LESLEY WEXLER: So if this  
10 development were to go in, you wouldn't  
11 have to go north to connect to the  
12 neighborhood north of you? Just connected  
13 south and west when it comes to gas, water,  
14 utilities, things like that?

15 MR. CHUNG: The Village doesn't  
16 have any utility information yet. And I am  
17 sure they have -- the gas main through the  
18 subdivision, but I don't have that  
19 information.

20 MS. LESLEY WEXLER: Is there any  
21 way, where I can go to get that  
22 information?

23 MR. CHUNG: I would believe the  
24 utilities should have that information in  
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1 the file.  
2 MS. LESLEY WEXLER: Okay.  
3 Because I was just concerned just about  
4 what that is going to do to the business  
5 there and what it is going to lead to as  
6 far as their decision in that that is  
7 another property there would add to our --  
8 worrisome issue. So I have nothing else to  
9 say.

10 I thank Phil and everybody else  
11 for all their questions. Thank you for  
12 letting me talk.

13 CHAIRMAN COTEY: Thank you.

14 MS. MARY ANN ZEMLA: Good  
15 evening. My name is Mary Ann Zemla,  
16 Z-E-M-L-A. I live at 163 Woodland Road  
17 which is just south of this proposed  
18 development, south of the church there.

19 I work at Northwestern Lake  
20 Forest Hospital in the Grayslake facility.  
21 I have to come out on Harding Road to turn  
22 north on Butterfield five days a week,  
23 sometimes six or seven days. And it is --  
24 every day between the hours of 6:15 a.m.

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1 and about 8:30 a.m. it takes me a minimum  
2 of four -- four to six minutes to turn left  
3 on to Butterfield. And that's at the risk  
4 of getting killed because the way  
5 Butterfield is designed, the traffic coming  
6 from 176 is also going just as fast north  
7 and south. So it is a challenge. I think  
8 when you are directing all the traffic in  
9 this -- in this division here, you are  
10 directing them all south. Now you have  
11 impacted me ten fold instead of the other  
12 way. So I am concerned about how I am  
13 going to get out of my subdivision.

14 So I just ask that you please  
15 think about that because I know they have  
16 done studies on the traffic patterns, and  
17 it doesn't necessitate a light. But it is  
18 dangerous. It is dangerous for pedestrians  
19 and for vehicular traffic.

20 My other concern or maybe just a  
21 statement is it is likely something is  
22 going to go there. It is logical something  
23 should be built there. It is a beautiful  
24 piece of property, and it is not --

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1 something is going to be built there.  
2 I would just ask that somebody  
3 considers, the way it is designed right  
4 now, the sidewalk is flush with the street.  
5 It is not conducive to anybody walking. We  
6 keep talking about this wonderful place  
7 that we live. I am a runner. And I cannot  
8 see myself on Butterfield between 176 and  
9 Winchester, actually all the way down to  
10 137 because sidewalks in my subdivision on  
11 Woodland Road are separated between a --  
12 some grass. And that's not the case of how  
13 this is right now. There is no sidewalk on  
14 the east side of the street where the  
15 school is. Well, it is the same. It is  
16 about this wide. It is not standard. It  
17 is asphalt. It is not concrete like all  
18 the other sidewalks in Libertyville.

19 So I just ask that whatever plan  
20 Libertyville decides to go with, that they  
21 would consider making the sidewalks  
22 standard, putting bus stops up there to  
23 encourage people, maybe not so many cars  
24 out there, that are covered so people don't

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1 have to wait for busses don't stand in  
2 inclement weather, but also just safety.  
3 It is not safe right now. It is very  
4 dangerous for those people out there  
5 walking today and round and about. It is  
6 really a dangerous thing. I just hope that  
7 that is taken into consideration. Thank  
8 you.

9 CHAIRMAN COTEY: Thank you.  
10 Ma'am?

11 MS. ELLEN WETTLAUFER: Hi, good  
12 evening. My name is Ellen Wettlaufer,  
13 W-E-T-T-L-A-U-F-E-R. I live at 503  
14 Ridgewood Lane, Libertyville. I have a  
15 question about what this gal just asked.

16 The paved areas next to  
17 Butterfield, are those actually supposed to  
18 be sidewalks? Does anybody know?

19 MR. CHUNG: That path area was  
20 constructed with Butterfield Road. It is  
21 not a sidewalk. It is for the snow  
22 storage, so they can have more easy cleanup  
23 of the snow behind the curve. It is not  
24 for the sidewalk purposes.

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1 MS. ELLEN WETTLAUFER: That's  
2 what I thought, because I have to be honest  
3 with you. I have -- I am back for the  
4 fourth time. So you know I love the  
5 community. I have lived here about two and  
6 a half years now.

7 I went out on that path with my  
8 dogs the first week I moved in, and I have  
9 never been back again because there is no  
10 way people should use that as a sidewalk.  
11 That's crazy.

12 But as far as the rest of the  
13 comments tonight, I would have to say that  
14 I in large part agree with everything. I  
15 was going to echo a lot of the sentiments.  
16 I will not.

17 I do have another question  
18 though. Something that we haven't touched  
19 upon yet was the subject of the 10 foot  
20 sound wall. So I would like to know, is  
21 this still a part of the plan as this is  
22 proposed?

23 CHAIRMAN COTEY: Sir?

24 MR. WALLINE: It is part of the  
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1 residential areas.

2 Since I live in Woodmere, I am  
3 right across the street from a that. I can  
4 tell you right now Butterfield is loud, and  
5 we all know it. But to have a sound wall  
6 across the street -- and I have done some  
7 research about different types of sound  
8 walls that I am not going to get into  
9 here -- really the impact to me personally  
10 across the street and all of my neighbors  
11 is absolutely negative. There is nothing  
12 good about that. It is loud already. The  
13 Village has already said that you would  
14 have a new noise machine. I learned that  
15 from one of the last meetings. I would  
16 welcome anybody to come sit in my backyard  
17 and listen to the current noise level. It  
18 is just unacceptable to me personally to  
19 raise the noise level for neighborhoods  
20 across the street, including mine and  
21 possibly Lake Street, Springhaven for this  
22 new subdivision.

23 I just don't -- there is nothing  
24 good about it. There is no precedent at  
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1 plan, but it has been quoted as 10 --

2 MS. ELLEN WETTLAUFER: I'm  
3 sorry? I am sorry. We can't hear you.

4 MR. WALLINE: Our microphone is  
5 turned off.

6 The plan has always shown an 8  
7 foot wall, not a 10 foot wall. I think  
8 somebody in the last hearing misquoted the  
9 height of it. Yes, there is an 8 foot  
10 sound wall proposed along Butterfield with  
11 the landscape screening.

12 MS. ELLEN WETTLAUFER: I have to  
13 say that I have many concerns about a sound  
14 wall like that. After I was at the last  
15 meeting I took it upon myself to take what  
16 I call the sound wall tour of Libertyville,  
17 Mundelein and Vernon Hills. As you are  
18 driving around the area, what I found is  
19 one wall. It is a big one. It is in front  
20 of the Concrete Works. Everybody knows it  
21 across the street from Gregg's Landing,  
22 close to the railroad tracks, between  
23 Allanson and Route 60. But I don't see any  
24 other sound walls like this around

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1 all for this. There are not other sound  
2 walls here. There are fences. There are  
3 wooden fences. There are places with no  
4 fencing and landscaping. I really, really,  
5 really would urge you to say absolutely not  
6 to that.

7 As far as traffic goes, I know  
8 you talked about a couple things. But I  
9 also need to just ask for clarification on  
10 a statement that the gentleman up here made  
11 earlier, our traffic expert, was that the  
12 Village may have some leeway for some of  
13 the signing, you know, in and out of that  
14 subdivision.

15 Do you also have that same  
16 leeway as it applies to traffic from  
17 Butterfield Road on to Ridgewood Lane?

18 MR. WOODS: I think that the  
19 signage on -- so the signs that would go to  
20 Ridgewood Lane, that would be more of a  
21 Lake County jurisdictional decision because  
22 that is on Butterfield proper.

23 MS. ELLEN WETTLAUFER: Okay.  
24 MR. WOODS: Coming out of the  
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1 proposed development, I believe the Village  
2 would have some way as to the time, date  
3 restrictions, turn restrictions coming out  
4 of the development because it would be the  
5 Village that would have to enforce that.

6 MS. ELLEN WETTCLAUFER: So  
7 currently then they are not of the mind  
8 that any type of no left turn on to  
9 Ridgewood sign would be put up there; is  
10 that correct?

11 MR. WOODS: I believe their  
12 comment was that they would support a no  
13 U-turn southbound to back northbound U-turn  
14 at Ridgewood.

15 MS. ELLEN WETTCLAUFER: Well, you  
16 know, in response to that, what I can tell  
17 you is that I do work from home. I spend a  
18 lot of time out in the front of my house,  
19 especially at the end of the day and at  
20 other points during the day. And I have  
21 never seen anybody make a U-turn at that  
22 particular area.

23 What happens is they turn left  
24 on to Ridgewood. They turn around in

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1 the other day of all the kids that are  
2 playing out in the street. We have  
3 bicyclists. It is simply not safe. It is  
4 not acceptable to send that volume of  
5 traffic through streets that, quite  
6 frankly, weren't meant for it.

7 I understand there is going to  
8 be some cut-through traffic, but that is  
9 not acceptable. And it is really  
10 dangerous. It is just plain old dangerous.

11 So I strongly, strongly,  
12 strongly urge you to take that into  
13 consideration when you are thinking about  
14 this development as a whole.

15 And then the last thing I wanted  
16 to address -- I have addressed in some of  
17 the on-line forums, and it specifically was  
18 a comment that was made at the last  
19 meeting. At one point after the public  
20 comment section was closed, you know,  
21 Mr. Walline from the developer made a  
22 comment about how the Libertyville  
23 residents had a very, what do you call it,  
24 very myopic view of this project. So that

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1 Phil's driveway if nobody is behind them.  
2 And 20 minutes before I left for this  
3 meeting, I had two turn arounds in my  
4 driveway because other cars were coming in.  
5 So Phil's driveway is too close to  
6 Butterfield. They would get rear-ended if  
7 they didn't turn around there.

8 Now, if you cannot turn left out  
9 of that subdivision due to traffic, you are  
10 going to turn right. Ridgewood Lane  
11 becomes the de facto cut-through street for  
12 all of the traffic heading to the school,  
13 to the Metra station, and anywhere downtown  
14 at that hour of the day. If 148 homes go  
15 there and even 100 people need to come in  
16 that direction and there are two cars per  
17 household, that is 200 plus cars  
18 potentially driving through a subdivision  
19 that was never meant to handle traffic like  
20 that.

21 Someone else commented we have  
22 children, we have dogs, we have people in  
23 the street. When I wrote a letter to  
24 Ms. Trigg, I have a photo that we took just

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1 stuck with me. And as we've -- we learn  
2 new things and read reports and things, I  
3 thought I really need to give this a fair  
4 shake. But I am not finding that a lot of  
5 the stuff that has been said in the last  
6 several meetings are particularly myopic.

7 We are not lacking foresight or  
8 discernment, not being obtuse, narrow  
9 minded. Quite frankly, when you look at it  
10 overall, there is a huge concern about the  
11 overall lack of compliance with the Village  
12 plan from start to finish. You go into,  
13 you know, density, appearance, isolation,  
14 traffic, safety, environmental impact, and  
15 quality of life which is a big deal, not  
16 only for people moving in there, but for  
17 all of us surrounding that area too.

18 So I guess if that is myopic, I  
19 would like to know what a wide reaching  
20 view of this project is. The numbers don't  
21 work. It just doesn't really work the way  
22 it is currently planned. It is not a good  
23 idea.

24 Again, please take everything  
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1 into consideration. I know that you all  
2 work hard. I do thank you for the hard  
3 work that you provide in looking, you know,  
4 into issues like this. But it is not good.  
5 It is time to do the right thing. The  
6 right thing is to not develop the property  
7 in this particular fashion. Thank you.

8 CHAIRMAN COTEY: Thank you.  
9 Okay. May I have the person on the left  
10 here, please?

11 MS. CAROL AUGUST: My name is  
12 Carol, C-A-R-O-L, August like the month. I  
13 live at 1201 Amy Lane in Winchester  
14 Estates.

15 My question is to these  
16 retention ponds because I think, Fred is  
17 the engineer, this is directed to him. I  
18 believe your statement last time was the  
19 HOA, which would be homeowner association,  
20 retention ponds and we already have are the  
21 Concord homes. There are residents in the  
22 audience from there. Those are not taking  
23 care of by their HOA.

24 So could you give us an example  
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1 of how are we changing our laws to allow  
2 these? Because Concord pays a special tax,  
3 but they -- their homeowner association  
4 does not take care of their retention fond.

5 MR. CHUNG: Staff have to --  
6 staff have comments in the report. We  
7 don't know that pond is maintained by  
8 homeowner association or the water -- we  
9 don't know yet. We have to get that. They  
10 have to answer that question --

11 MS. CAROL AUGUST: Could we ask  
12 one of the residents from the Concords to  
13 stand up and tell us?

14 MR. CHUNG: I can answer that  
15 Concord homes for you. The Concord homes  
16 detention pond was maintained by their  
17 landscaper. As I recall, the Village  
18 collect some of the tax money and put in  
19 the escrow. And the Village require  
20 landscaper to maintain that pond using  
21 their money collected from the property  
22 owner, which that will be maintained by the  
23 landscaper which is a contract that the  
24 Village collect the money from the property

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1 owner and put into escrow.  
2 MS. CAROL AUGUST: The homeowner  
3 association collects money?

4 MR. CHUNG: No. The Village tax  
5 bill is collecting that money as I recall.

6 MS. CAROL AUGUST: So the tax  
7 bill, the extra assessment they pay on  
8 their taxes goes to their homeowner  
9 association to hire -- is that what you are  
10 stating?

11 MR. SPODEN: If I am not  
12 mistaken, in that case that's one where  
13 there is a special service area that is  
14 being collected.

15 MS. CAROL AUGUST: There is a  
16 special service area.

17 MR. SPODEN: That's where that  
18 money is coming from. Since that time the  
19 Village has not entered into any other  
20 agreements to do that. We have required  
21 new developments, that the homeowners  
22 association do take care of it. So in  
23 Concord, yes, that is a different  
24 situation. But as new ones have come in,

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1 the Village has required the homeowners  
2 association to take care of that.

3 MS. CAROL AUGUST: What are the  
4 new ones you are speaking of?

5 MR. SPODEN: I am just saying  
6 since that time. I don't have one off the  
7 top of my head.

8 MS. CAROL AUGUST: We don't have  
9 any, do we?

10 MR. SPODEN: Ma'am, I don't know  
11 that at this moment. I am saying it is not  
12 the position of the Village to do that  
13 again. We would like the homeowners --

14 MS. CAROL AUGUST: I know. I  
15 know. But excuse me. Fred, the engineer,  
16 in my notes, and I could be incorrect,  
17 stated at the last meeting that the  
18 Concords home association maintained their  
19 drainage -- their retention pond. I am not  
20 stating this correctly. But there is two  
21 large retention ponds, correct?

22 MR. SPODEN: That's correct.

23 MS. CAROL AUGUST: And the  
24 homeowners association is going to maintain

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1 them. So this would be a change in our  
2 laws because we currently, to any of your  
3 knowledge, do not have a homeowners  
4 association that is maintaining their  
5 retention ponds. I am looking for  
6 clarification because this question was  
7 asked last time, and the answer from the  
8 engineer was that the Concords was being --  
9 maintained.

10 MR. SPODEN: I think --

11 MS. CAROL AUGUST: The  
12 homeowners association. I just want it on  
13 the record there are no homeowners  
14 associations.

15 MR. SPODEN: I can't state  
16 whether that is true or not true. We are  
17 simply stating at this time, we would ask  
18 from clarification from the developer on  
19 that. That's all I can state.

20 MS. CAROL AUGUST: Can we ask  
21 that you give clarifications to the  
22 planning committee on that, that we  
23 understand since?

24 MR. SPODEN: We can report back.  
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1 want to state if you are trying to get  
2 support for this community and everybody  
3 talks about the beautiful architecture, why  
4 are we looking at the same drawing when our  
5 children do a Power Point when they are in  
6 sixth grade? So shouldn't you be showing  
7 us what you are selling us, what you want  
8 us -- I mean, if I wanted my neighbors to  
9 come and move in across the street from me  
10 on the other side of Winchester, I would be  
11 telling them what a beautiful community  
12 this is.

13 I also want to state for the  
14 record that the price point I do not agree  
15 with. If you want any records from the  
16 MLS, I would be happy to provide them  
17 because their numbers are much lower too.  
18 So just for the record, and I would like a  
19 clarification on how we are going to  
20 maintain these two large retention ponds.

21 How big are they? Can somebody  
22 answer that for us? There are three?

23 MR. WALLINE: There are three.  
24 Actually, the pond that is adjacent to  
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1 MS. CAROL AUGUST: Yes, because  
2 I think they are deciding on something that  
3 is new. We did a lot of things to clean up  
4 Butler Lake. And it was stated that the  
5 homeowners association, from Fred at the  
6 last meeting, support took care of  
7 maintaining the Concords' pond. So we  
8 really need to know who is maintaining this  
9 pond and what are -- how are we holding  
10 them to it so they don't pollute everything  
11 between this new planned subdivision and  
12 Butler Lake, correct? And wouldn't it be  
13 the Village that would tell us how we are  
14 going to protect that?

15 MR. SPODEN: Yes. In fact,  
16 those would be the issues at the final  
17 engineering. We are at that preliminary  
18 stage. But we would simply be clarifying  
19 that.

20 MS. CAROL AUGUST: I do think we  
21 need clarification on that because it was  
22 stated last time that the Concord was if  
23 you look at your minutes.

24 The other thing is, again, I  
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1 Butterfield the County currently has is  
2 slated to be expanded. Each one is roughly  
3 about an acre in terms of its footprint.  
4 But the other two are in the open space  
5 area, but they are not counted as open  
6 space.

7 MS. CAROL AUGUST: And how much  
8 money would be set aside per home to -- in  
9 their association? You establish the  
10 association as the developer, correct?

11 MR. WALLINE: Yes. Once all the  
12 wetland plans are in, the ponds would be  
13 established. Then a budget would be set  
14 up. And it would become, you know, one of  
15 the components of the HOA then to -- would  
16 be budgeted for to make sure all the proper  
17 maintenance and testing procedures occur on  
18 an annual basis.

19 MS. CAROL AUGUST: What do you  
20 estimate for those costs?

21 MR. WALLINE: At this point we  
22 haven't actually done a final budget. But  
23 we are estimating most likely 100 -- about  
24 \$100 a month --

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1 MS. CAROL AUGUST: So --  
 2 MR. WALLINE: -- for all of the  
 3 maintenance in the subdivision.  
 4 MS. CAROL AUGUST: \$100 per  
 5 home?  
 6 MR. WALLINE: Correct.  
 7 MS. CAROL AUGUST: So the  
 8 Concord homeowners are now paying 350 to  
 9 almost 500 per home to maintain their one  
 10 retention pond and their special tax  
 11 assessment. That seems awful low to me. I  
 12 really don't know anything about it, and I  
 13 want to say that. I just do know that  
 14 approximate figures for the Concord homes.  
 15 MR. WALLINE: I am sorry. I am  
 16 not familiar with the Concord homes.  
 17 MS. CAROL AUGUST: They are the  
 18 ones directly across. They are on the  
 19 Butterfield northwest corner right across  
 20 from the subdivision you are developing.  
 21 That's the big pond you pass when you go  
 22 north on Butterfield Road just north of  
 23 Winchester and south of 137.

24 So wouldn't that be something  
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1 you would look at when you are putting  
 2 something similar in within walking  
 3 distance?  
 4 MR. WALLINE: No, absolutely.  
 5 Again, there is a whole study that will  
 6 take place once a plan is confirmed and  
 7 numbers will be established, and there will  
 8 be an adequate maintenance selected.  
 9 MS. CAROL AUGUST: Thank you  
 10 very much. I just would like to clarify  
 11 that I think that something should be  
 12 looked into more by the Village. I mean,  
 13 if we are charging Concord homeowners \$360  
 14 to almost 500 per home to maintain their  
 15 retention pond, I don't understand why they  
 16 would just pay \$100 or 150. I just wanted  
 17 that on the record. Thank you for your  
 18 time.

19 CHAIRMAN COTEY: Thank you.  
 20 Sir?

21 MR. DENNIS GALLO: Dennis Gallo,  
 22 1403 Stevenson Drive, G-A-L-L-O.  
 23 My question is really for the  
 24 developers. I understand that as a

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1 business, you guys probably are pretty good  
 2 at estimating your prices. But for me and  
 3 I think for many of the people here what  
 4 would be helpful is what is your track  
 5 record for these estimates? Do you have  
 6 any recent, say, in the past 10 years what  
 7 you projected the price per square foot was  
 8 and what actually happened? Is that some  
 9 data that you guys could share?

10 MR. WALLINE: Unfortunately,  
 11 with the recession, we don't have data of  
 12 recent. Again, we --

13 MR. DENNIS GALLO: In one year?  
 14 Any? Anything that is a data driven  
 15 decision and the price point is really a  
 16 big point of contention for most people.  
 17 So anything you can do to help us overcome  
 18 our fear, I think that would go a  
 19 tremendous way in doing that.

20 MR. WALLINE: Again, we have  
 21 invested a lot in various studies, you  
 22 know, that look at the entire region.  
 23 Certainly Libertyville as well. You know,  
 24 there is -- there is a bigger demand for

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1 product throughout the North Shore that has  
 2 to be taken into consideration. And that  
 3 will tend to drive prices a lot more than  
 4 what might be, you know, historically  
 5 viewed here in Libertyville.

6 There is also -- there is a  
 7 premium for new homes because new homes  
 8 don't exist in a community fashion. It  
 9 is -- you know, all those things add to  
 10 those price points and have to be taken  
 11 into consideration.

12 You know, we look at examples  
 13 throughout the North Shore area, all the  
 14 way down into some of the -- not out into  
 15 the western suburbs necessarily, but down  
 16 the corridor, the 94 corridor because those  
 17 are good comparable examples. And we pay  
 18 very close attention to those. We could  
 19 certainly, you know, shed more light on  
 20 some of those studies.

21 MR. DENNIS GALLO: So you don't  
 22 have any developments near this area  
 23 recent?

24 MR. WALLINE: We don't have  
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1 anything in Libertyville. We do have  
2 another project over in Lake Bluff that is  
3 getting ready to start, but it hasn't  
4 actually started yet.

5 MR. DENNIS GALLO: That would be  
6 good to know. So when did that one start?

7 MR. WALLINE: No. It hasn't  
8 actually started in terms of the homes  
9 being built. We have done some  
10 re-entitlement work on it. It is a poster  
11 session, you know, community that went back  
12 to the bank, and we are retooling it to  
13 make sure the product is fitting the market  
14 because over 10 years have passed. So it  
15 was rather dated. What was planned for  
16 back then is not what the market is  
17 currently looking for. So --

18 MR. DENNIS GALLO: How do you  
19 protect against that?

20 MR. WALLINE: Well, there is a  
21 lot of changes in the market that. You  
22 know, you are accustomed to a community  
23 that does have larger lots. Certainly down  
24 in the historic parts of the Village there

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1 is smaller, more traditional lots. But  
2 many of the outlying communities have  
3 started to experience the pressure of  
4 people wanting newer product, wanting more  
5 of a maintenance-free type atmosphere, lock  
6 and leave, different things that typically  
7 it hasn't been available in these various  
8 communities. And these things are actually  
9 extremely well received. When you do see  
10 pockets of developments start to happen,  
11 price points are shocking.

12 I mean, you -- nobody can  
13 explain exactly how School Street achieved  
14 everything, but it is location. It is the  
15 school districts. There is a lot of things  
16 that go together. But, again, we have to  
17 look outside of just Libertyville because  
18 there will be a very high demand for some  
19 of this new product.

20 MR. DENNIS GALLO: So then do  
21 you have an example of a community as close  
22 to Libertyville as possible where it is  
23 completed with the valuation?

24 MR. WALLINE: No. Again, the  
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1 poster session we don't.

2 MR. DENNIS GALLO: Thank you.

3 CHAIRMAN COTEY: Sir?

4 MR. JOHN MCWILLIAMS: My name is  
5 John McWilliams. 716 Hillcrest Drive,  
6 Libertyville.

7 I live in the Woodmere  
8 subdivision. And in my neighborhood which  
9 I will consider to be semi -- semi-rural, I  
10 would think I would be greatly impacted by  
11 all of this construction and traffic and  
12 the protracted construction plan which is  
13 real definite in terms of whether the  
14 project would sit dormant for several years  
15 or when it would get launched and  
16 completed. But I want to point out a  
17 couple of things.

18 One, noteworthy for the Village  
19 perhaps, in my subdivision we do have a  
20 sidewalk. It is on my side of the street,  
21 and I get to shovel it. And my neighbors  
22 on the other side of the street, they don't  
23 have a sidewalk. I have streetlights, but  
24 my mailbox is on the curb. And why is my

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1 mailbox on the curb? Because the postal  
2 service determines it is more efficient to  
3 deliver the mail in our community with a  
4 truck than by having somebody walk. So you  
5 go through our subdivision, you will see  
6 mailbox posts. You won't see mailboxes on  
7 someone's doorway. That speaks to the  
8 density of the development in our community  
9 where the postal service chooses to drive  
10 to drop off our mail rather than pound some  
11 shoe leather.

12 I have a few other questions as  
13 I look at the rendering up there. As I  
14 look at Butterfield Road, and we have  
15 already heard people tonight mention about  
16 the surface area that has been paved  
17 according to the Village as a -- as a place  
18 to store snow, I have seen it used as bike  
19 paths. I have seen it used as sidewalks.  
20 And I have seen people stand there waiting  
21 for the bus. If that isn't the intention  
22 and it is not safe, I think it should maybe  
23 be redesigned or something.

24 On the other hand, could someone  
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1 from the Village please tell me what is the  
2 easement along Butterfield Road to put in a  
3 permanent sidewalk? Because there is no  
4 doubt that when this development is  
5 completed, if approved, there will be a  
6 need for a sidewalk going from the  
7 subdivision down to Dairy Dream? So could  
8 someone please tell me what the setback is  
9 that exists right now? And is it  
10 underneath those trees that are shown on  
11 the outside periphery of this development,  
12 or exactly where is it?

13 MR. CHUNG: Butterfield Road is  
14 under IDOT, Lake County jurisdiction at  
15 that time. The Village have no plans to  
16 construct a sidewalk from the subdivision  
17 all the way down to 176 because it is under  
18 Lake County highway jurisdiction. That  
19 would be...

20 MR. JOHN MCWILLIAMS: If the  
21 Village determined that it needed a  
22 sidewalk, would the Village have to  
23 petition the County in order to build a  
24 sidewalk, or would they have to persuade

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1 the County that a sidewalk is required with  
2 all the new residents that are going to be  
3 crammed into the subdivision?

4 MR. CHUNG: The Village can file  
5 a petition to construct the sidewalk along  
6 Butterfield Road, but there will be -- need  
7 to have Lake County approval. I cannot  
8 speak for the County right now whether they  
9 will approve the sidewalk.

10 MR. JOHN MCWILLIAMS: Could you  
11 answer this question? Is there a  
12 sufficient easement away from the road that  
13 would allow for the safe construction of a  
14 sidewalk if needed? And what would the  
15 recommended setback be in order to  
16 construct a Village approved sidewalk of  
17 say 3 feet wide or so?

18 MR. CHUNG: It is wide enough to  
19 construct a sidewalk. I think it is a 60  
20 foot -- 30 foot on one side. 60 --

21 MR. WOODS: 60.

22 MR. CHUNG: 60 foot total all  
23 the way across. They would have enough  
24 room for the sidewalk. It is up to the

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1 County to approve the sidewalk if we file  
2 the petition, if the Village files a  
3 petition.

4 MR. JOHN MCWILLIAMS: Are you  
5 saying that the frontage on the west side  
6 of Butterfield Road from the curb or the  
7 edge of the road to the private property is  
8 60 feet?

9 MR. CHUNG: That's correct. 60  
10 foot on one side, that's correct. From the  
11 center line of the road to the west is 60  
12 feet.

13 MR. JOHN MCWILLIAMS: I am not  
14 sure what the scale of the map is. But it  
15 doesn't appear to me that in this rendering  
16 I have 60 feet there to build a sidewalk  
17 when it is needed. I can see some trees  
18 that are built there and perhaps a sound  
19 wall that is built for the common good of  
20 the residents, and I don't see how that is  
21 going to happen. So it might just be that  
22 the plan isn't to scale or it is a  
23 rendering. So it -- I can't quite see  
24 that.

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1 I did have another question as  
2 to the proposal that the Zillow figures  
3 weren't very good and that we are in post  
4 recession. I would like to ask the  
5 developers if they would present the  
6 figures that they have and present the  
7 sources they have with the credentials that  
8 would make them understandable to us.  
9 Because in response to negating Phil  
10 Brown's presentation with his hard work and  
11 what looked like pretty reliable figures to  
12 myself and to realtors and the rest of us,  
13 what are the sources of your figures and  
14 what are the sources of their credentials  
15 and their activities so we can get the same  
16 kind of confidence that you have?

17 MR. WALLINE: You would like me  
18 to answer?

19 CHAIRMAN COTEY: Please.

20 MR. WALLINE: We have had two  
21 different market studies done. One was  
22 done by Burns. And these are -- these are  
23 international -- not international, I am  
24 sorry, but national firms. Also, Concord

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1 Marketing. And those reports all validate  
2 these price points. So that's, again, the  
3 basis of what we use.

4 We've -- we haven't been in a  
5 position where we feel we really need to  
6 validate whether or not we believe in our  
7 pricing. It is -- you know, again, it is  
8 not something that typically is a  
9 requirement for a development. I don't --  
10 I don't really understand why, you know,  
11 there is such a --

12 MR. ARTHUR KLECK: Because you  
13 are dealing with --

14 CHAIRMAN COTEY: Sir, Mr. Kleck,  
15 Mr. Kleck, please. Thank you.

16 MR. WALLINE: Again, there is  
17 nobody in the room that wants to make sure  
18 that this development is more successful.  
19 So, again, these studies are, you know,  
20 done at great lengths to validate all these  
21 things. And it is not -- it is not a  
22 weekend Zillow project. So...

23 MR. JOHN MCWILLIAMS: I  
24 respected the decorum. We are all obeying  
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1 the applause and no applause rule. I think  
2 we are being respectful to each other. I  
3 would like to make a comment, sir.

4 The reason I would like you to  
5 have you validate your numbers is because  
6 you chose tonight to invalidate Phil  
7 Brown's numbers.

8 CHAIRMAN COTEY: Hold applause.

9 MR. JOHN MCWILLIAMS: He  
10 presented what he found two days ago. He  
11 cited his source. He took the high and the  
12 low and submitted the average. I think he  
13 has done an outstanding job.

14 I wish that I could see the same  
15 effort put into your figures with the same  
16 frequency so that the answers to the  
17 questions are not generalities like we have  
18 our people and we have been very thorough  
19 and all of that. But we would like to  
20 really see the specifics. I am sure the  
21 Board would like to see the specifics  
22 because they are voting on this very  
23 important matter.

24 And, frankly, if I was sitting  
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1 up there and somebody is nay-saying against  
2 specific information using generalities, I  
3 wouldn't be persuaded. Thank you very  
4 much.

5 CHAIRMAN COTEY: I am going to  
6 ask our attorney to comment on this,  
7 please.

8 MR. PARDYS: Sure. The -- how  
9 is that? Okay.

10 The Zoning Code really doesn't  
11 address marketability studies. Typically  
12 this Plan Commission will not look at  
13 issues such as price points, marketability.  
14 That is a risk that the developer faces and  
15 hopefully studies. But, again, typically  
16 that is not something that this commission  
17 would be looking to in terms of whether or  
18 not those marketability studies are correct  
19 or reasonable.

20 Again, as the Petitioner stated,  
21 they would seem to be the people that have  
22 the most interest in the room for making  
23 sure that those studies are valid.

24 Typically it is not something this  
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1 commission has looked at.

2 CHAIRMAN COTEY: Thank you.  
3 Okay. Ma'am?

4 MS. KATIE SUTTIE: My name is  
5 Katie Suttie, S-U-T-T-I-E. 331 South  
6 Stewart Avenue.

7 First off I wanted to just offer  
8 to the developer or ask first, are you all  
9 three lawyers for the developer or are one  
10 of you one of the developers?

11 MR. WALLINE: No, I am the  
12 developer.

13 MS. KATIE SUTTIE: You are,  
14 okay. Thank you.

15 MR. WALLINE: And I am not a  
16 lawyer.

17 MS. KATIE SUTTIE: Okay. Good.  
18 Because I thought you were one of the  
19 lawyers throughout this whole process. It  
20 was starting to bug me that no one could  
21 come here.

22 MR. WALLINE: Nothing against  
23 lawyers.

24 MS. KATIE SUTTIE: They need  
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1 three now I am sure.  
 2 I would offer -- I don't  
 3 remember their names because I am not good  
 4 at names. But there are two developers  
 5 right now that are going through similar  
 6 circumstances as you are. One is going in  
 7 by the Dairy Dream which is the southwest  
 8 corner of 176 and Butterfield. Another is  
 9 the project by the Metra station. Both of  
 10 these developers have not only shown us  
 11 beautiful renderings and floor plans and  
 12 what they are going to do for us, but they  
 13 have asked for the community's input. They  
 14 have learned from trying to build here that  
 15 the community input is important and  
 16 deserves listening to like now when someone  
 17 is talking to you. So to shrug us off with  
 18 such callousness is just disrespectful.

19 You coming into a situation like  
 20 this tonight where a lot of us, I mean,  
 21 they had to tell us to hold our applause  
 22 because we are very passionate about our  
 23 town. And I get that you don't understand  
 24 that because it is a very special town.

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1 It is my understanding that your  
 2 Lake Bluff project is going through the  
 3 same thing you are dealing with here. So I  
 4 don't know about that.

5 Next, to the Board of Trustees  
 6 or the Commission, I want you to think  
 7 about the tax revenue that you already  
 8 generate and have for decades from the  
 9 communities that will be affected by this.  
 10 Your Paradise houses, your Lake Street  
 11 houses, and all of those Lowe homes that  
 12 are back there, I know what a lot of those  
 13 people pay in taxes and these houses won't  
 14 do that. So you might want to keep that in  
 15 mind when you make a recommendation about  
 16 the density of this project.

17 As far as the threat of the  
 18 annexation that everybody is so worried  
 19 about, I watched an interview with Mayor  
 20 Weppler on Facebook on the property rights  
 21 thing. And he is the one who was telling  
 22 people it was basically a done deal. I  
 23 urge all of you to keep that in mind when  
 24 you vote.

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1 But you need -- I just recommend that you  
 2 take a page out of their books, ask the  
 3 development commission what their needs  
 4 are.

5 Moving forward, I would like to  
 6 say that I understand all of you are  
 7 recommending, and I am speaking tonight so  
 8 that you take these notes, are given to our  
 9 trustees and Mayor Weppler because that is  
 10 who is going to make this decision as far  
 11 as I can understand. So no disrespect to  
 12 anybody here.

13 However, I want -- so I -- first  
 14 of all, I do not feel like this is a good  
 15 fit. Like I said, there are other  
 16 developers that are willing to work with  
 17 our community and have done so. I  
 18 understand that something may go in there.  
 19 But the further you move out from a town  
 20 center like ours, the more rural it is  
 21 going to get or the larger the lots, not  
 22 the smaller. That is not how it works  
 23 around here. I don't know if you are from  
 24 here.

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1 He also stated that if Mundelein  
 2 does annex it, Libertyville would most  
 3 likely provide the sewer, the fire, the  
 4 police. So my recommendation to them is to  
 5 tell the developers to tell Mundelein,  
 6 should they choose to annex this moving  
 7 forward, we will not provide your police,  
 8 your fire, your sewer. Bring it in from  
 9 Mundelein and, if possible, close off the  
 10 entry to the property to Butterfield. Let  
 11 them enter through Mundelein, not  
 12 Libertyville. I don't know if that is  
 13 something we would have to petition Lake  
 14 County for as far as entry to Butterfield,  
 15 but I say file the petition.

16 I also say in the meantime, if  
 17 they do move forward and start annexing, I  
 18 say start the process, and I have  
 19 researched this. It is a long process.  
 20 But it is time to start the process to take  
 21 them out of District 70. Start filing the  
 22 paperwork. It is going to be a while.

23 But if they are going to end up  
 24 doing it, maybe in the time it takes for us

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1 to get this lot out of District 70 before  
2 they actually start building and then see  
3 if you can get your \$700,000 for that  
4 house. Good luck.

5 So, yes, I do agree that  
6 something will eventually end up there.  
7 Like I said, this is not a good fit for  
8 Libertyville. We have seen other  
9 developers are willing to work with us and  
10 our morals and just how we live our life  
11 here and why -- you know, I was with a  
12 father that I was hanging art with today.  
13 He is here. He said Libertyville residents  
14 are like salmons going back to spawn. We  
15 all move. We go to Chicago. We get out of  
16 here. We do college, whatever, in our 20s.  
17 Once one of us gets pregnant, we come right  
18 back.

19 So just saying, it is because of  
20 what this town is. It is because I have  
21 known half of the board members up there  
22 since I had a memory of knowing anyone. I  
23 can look around this room and see a ton of  
24 people that I sat in their kitchens or my

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1 parents have or they sat in ours.  
2 So you don't understand this  
3 community. You should start understanding  
4 this community or move on. Because either  
5 you are going to work with us or it is not  
6 going to work. That's it.

7 CHAIRMAN COTEY: Thank you.  
8 Sir?

9 MR. JOHN O'MALLEY: Good  
10 evening. My name is John O'Malley. I live  
11 at 1125 Jessica Lane.

12 I would like to thank everybody  
13 who is up on the dais for their time  
14 tonight. I would also like to thank and  
15 echo for others who mentioned it Phil  
16 Brown's great, excellent work and how  
17 supportive I am of him of the points he has  
18 made.

19 I am just kind of curious in  
20 looking at some of the materials here, and  
21 I don't know if it has been addressed. The  
22 owners, I understand it, is the Catholic  
23 Bishop of Chicago; is that correct?

24 MR. WALLINE: Correct.  
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1 MR. JOHN O'MALLEY: So can you  
2 speak a little bit of the nature of the  
3 relationship between the owner and the  
4 development company right now? Is it a  
5 contingent sale?

6 MR. WALLINE: It is. It is what  
7 we refer to in the business as a land  
8 option. So it is a contingent sale. And  
9 that's typically how projects of this  
10 nature are handled.

11 MR. JOHN O'MALLEY: Is there a  
12 time limit on that contingency?

13 MR. WALLINE: There are always  
14 time limits, yes.

15 MR. JOHN O'MALLEY: Are you free  
16 to share that with us?

17 MR. WALLINE: No, it is a  
18 private transaction.

19 MR. JOHN O'MALLEY: I was  
20 looking also at the minutes from the  
21 January 9 meeting. I just want to  
22 understand if this is still the case.  
23 Chairman Moore had ask the Petitioner if  
24 they considered plans with a lower density

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1 than what they are proposing. In the  
2 minutes, it said they are not willing to  
3 reduce the density any further. Is that  
4 still the position?

5 MR. WALLINE: That is still our  
6 position.

7 MR. JOHN O'MALLEY: Okay. I  
8 just wanted to clarify all those points.  
9 Thank you very much for your time.

10 CHAIRMAN COTEY: Thank you.  
11 Sir?

12 MR. CHRIS MELLER: My name is  
13 Chris Miller. I live at -- last name  
14 spelled M-E-L-L-E-R. I live at 1324 Oxford  
15 Court.

16 So me and my family moved here  
17 approximately six years ago. We have our  
18 daughter at Butterfield School. Very happy  
19 with the community.

20 I think one of the reasons that  
21 have been explained is we moved here  
22 because of the community feel, the vibrant  
23 downtown and the great schools. This  
24 development doesn't really fit into that

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1 community feel.  
 2 One of the things -- I don't  
 3 know if it has been mentioned -- are  
 4 schools. And new knowledges have come out  
 5 since the last meeting. I think niche.com  
 6 did a study, and Libertyville's ranked  
 7 ninth in the state, I think 23th or 24th in  
 8 the nation. I don't know if there is  
 9 another development in Lake Bluff. Lake  
 10 Forest High School ranks much lower. Maybe  
 11 it is a different community. Maybe we are  
 12 not -- our community is not a good fit for  
 13 this type of development.

14 The other thing is I work in the  
 15 pharmaceutical industry, and we deal in  
 16 marketing with a lot of different vendors.  
 17 One of the important things we have been  
 18 pushing for is kind of a risk share. I  
 19 know the developers have had some issues  
 20 with the excellent work of our market  
 21 analysis internally.

22 Would they be willing or the  
 23 Village be willing to do a cost share  
 24 project with this? So if the developer,

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1 going to be tomorrow? No. There --  
 2 MR. CHRIS MELLER: The recession  
 3 has been over for several years, and you  
 4 don't have any market figures from  
 5 postrecession.

6 MR. WALLINE: I understand.

7 MR. CHRIS MELLER: You are a  
 8 developer.

9 MR. WALLINE: All we can do is  
 10 utilize today's data, do our best estimates  
 11 and projections based on that data. I  
 12 can't tell you what is going to happen  
 13 tomorrow.

14 MR. CHRIS MELLER: I just want  
 15 to emphasize though, the analysis that was  
 16 done with the taxes, whether you sell your  
 17 unit at a lower price, you still get a  
 18 profit. The Village though and the School  
 19 Districts might get a loss. So we burden  
 20 the risk where you don't burden the risk.  
 21 If you are so certain with these prices, I  
 22 would think we could come up with a  
 23 creative agreement where you cost share  
 24 these units.

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1 just to make certain they are not baking in  
 2 a lower number that they are going to sell  
 3 these numbers at internally than what they  
 4 are expressing externally, will they be  
 5 willing to say, hey, a unit will sell for  
 6 800,000; if it sells for 6 or 500,000, will  
 7 they be willing to write a check to the  
 8 Village for the difference so we can put an  
 9 escrow for future costs?

10 CHAIRMAN COTEY: The Village has  
 11 not done anything like that before. So I  
 12 will ask the Petitioner -- the Petitioners  
 13 to respond.

14 MR. CHRIS MELLER: Okay. It is  
 15 just they seem very certain with their very  
 16 extensive research they have done, two  
 17 national firms. Someone has done some work  
 18 two days ago. Maybe their work is much  
 19 better. I am just seeing if they are  
 20 willing to support those figures with their  
 21 money.

22 MR. WALLINE: I guess I just  
 23 don't have as good a crystal ball as you.  
 24 Can you tell me where the stock market is

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1 MR. WALLINE: I think staff has  
 2 proposed some conditions here that we will  
 3 talk about I am sure tonight. Right now  
 4 the Village has an ordinance. We have  
 5 worked within those guidelines. We had our  
 6 experts verify. The Village has had their  
 7 experts verify our expert's work.

8 So at this point those, the  
 9 numbers have been presented. Everybody has  
 10 reviewed them and concurred with them.

11 Again, I cannot predict the  
 12 future. So there is -- there is no  
 13 guarantees in life unfortunately. And  
 14 there is no way to -- to try to figure out  
 15 a way to subsidize something that is  
 16 speculative.

17 MR. CHRIS MELLER: I agree. I  
 18 believe this is totally speculative. I  
 19 want to advise the Board to not recommend  
 20 this. Thank you.

21 CHAIRMAN COTEY: Thank you.  
 22 Ma'am?

23 MS. MOIRA BREEN: I am Moira  
 24 Breen. I live at 139 Woodland Road in

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1 Libertyville. I have been living there for  
2 the last five years -- 15 years. Sorry.  
3 Now, I was present at one of  
4 these meetings when the subject first came  
5 up. And the church was going to -- wanted  
6 to change the zoning of the land so they  
7 could sell it to the developers. And at  
8 the time their spokesman got up and said,  
9 oh, we can cut down those trees. They are  
10 dead anyway.

11 I, because I have lived there  
12 for more than 15 years, every evening -- I  
13 live just to the south of that development  
14 along the woods. So every evening I would  
15 take my dog along for a walk along the  
16 woods. And I saw the steady deterioration  
17 of those woods over 15 years, okay?

18 There are now invasive species  
19 to come in, and nobody ever came and pruned  
20 the trees or anything. Okay? So that's  
21 why the trees died. That's past history  
22 now.

23 Now, I came to the meeting a few  
24 months ago, and I saw on the screen that  
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1 each house would have -- 140 houses and 40  
2 acres of land. That works out to .378 acre  
3 per house; is that correct?

4 So your plan is three houses in  
5 a cluster in approximately an acre of land.  
6 I want to know if that is correct, because  
7 on the street in which live, every house  
8 has its own lot. So I can have my animals  
9 and people with children can have children.

10 This planning is against what is  
11 in Libertyville right now. You are  
12 changing the character of Libertyville with  
13 those kind of houses. People will not be  
14 able to live as we do with their children  
15 and their animals around them, okay? So  
16 that's my concern here.

17 I think the planning ought to be  
18 changed as the first speaker said. He made  
19 a good presentation, all right?

20 And the other thing is the  
21 houses will cost approximately I think  
22 ranging from 480 to 780,000, \$500,000.  
23 Have you worked out who can pay for these  
24 houses with the young people coming out  
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1 with their big student loans and so forth?  
2 I don't see this in a young family starting  
3 out will not be able to afford these  
4 houses. So I think this too is wrong. You  
5 ought to change. I think the whole plan  
6 should be scraped and start fresh. That's  
7 my -- my point of view on this.

8 CHAIRMAN COTEY: Thank you. I  
9 would ask the Petitioner to reaffirm the  
10 number of homes per acre, please.

11 MR. WALLINE: 3.7.

12 CHAIRMAN COTEY: 3.7, okay.  
13 Very good. Next person, please?

14 MR. PAUL BURALI-FORTI: Hi. I  
15 am Paul Burali-Forti, B-U-R-A-L-I -  
16 F-O-R-T-I. I live at 649 Hillcrest Drive.  
17 If there were streets drawn on that map,  
18 you would probably see the street.

19 So I, like many other residents  
20 here, in fact, all of them I believe, do  
21 not support this project. One of the  
22 things I take issue with is on this map,  
23 everything that is nice and in color is the  
24 developer. But grayed out there, there is  
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1 a school with a bunch of little kids. And  
2 I haven't heard anything at any point that  
3 says there is some benefit to those young  
4 kids from this development.

5 I don't see that the increased  
6 traffic would be a benefit to the kids. I  
7 don't see that any increase in the money,  
8 potential tax revenue, you have already  
9 said it doesn't matter. So it can't be a  
10 benefit to the kids. So that to me is one  
11 of the No. 1 issues why this development  
12 doesn't make sense in that spot.

13 Another comment I would like to  
14 make is relative to the sound barrier, and  
15 it is a brief comment. But to put a sound  
16 barrier along the development, it is a  
17 zero-sum game because it doesn't do away  
18 with the sound from the cars. It simply  
19 reflects it or distributes it elsewhere.  
20 So that's why I say it is a zero-sum game  
21 and simply transfers the problem to  
22 somebody else's neighborhood.

23 Traffic is definitely an issue  
24 that I would support everybody else who  
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1 said that turning left or turning in  
 2 certain directions is difficult. I know  
 3 the study has taken that into account and  
 4 made recommendations based on that.  
 5 I will just reiterate a couple  
 6 points that you have. As it is planned  
 7 now, 148 homes which is probably minimum  
 8 148 cars, potentially double that, maybe  
 9 even more if you have high school age kids  
 10 who then get a car, and they are all going  
 11 to be trying going in and out of one access  
 12 point. I don't know of anywhere else in  
 13 Libertyville, and I have only been here a  
 14 year, but I don't know anywhere else where  
 15 that type of density has only one way to  
 16 get in and out. Most neighborhoods, even  
 17 mine, I got three ways I can get out if  
 18 necessary in an emergency or for other  
 19 reasons.

20 And I think that while it is  
 21 good while the study here and the  
 22 memorandum cited a lot of the difficulty in  
 23 enforcing no left turn or no U-turn  
 24 provisions, if they were to be enacted,

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1 enforceability is still the key. And  
 2 drivers find a way to cheat. And even if  
 3 you say left -- right turn only or you have  
 4 a light there, people are still going to  
 5 find a way to look to where the traffic  
 6 looks like it is the least and go that way.  
 7 If it means cutting through Ridgewood or  
 8 making a U-turn, I will guarantee you it is  
 9 going to happen because you can't even  
 10 enforce right now the speed limit. So if  
 11 you can't enforce the speed limit on  
 12 Butterfield, I don't know how we are going  
 13 to enforce anything else relative to the  
 14 traffic.

15 The last point I would like to  
 16 make, and it is more of a question, is I  
 17 read through the memorandum, the one dated  
 18 February 22. And I am not quite sure I  
 19 understand it because there is a couple of  
 20 points on Pages 5 and 9 where it looks to  
 21 me like the staff is saying they would be  
 22 supportive of the Petitioner's proposals if  
 23 a light were granted at the requested  
 24 access point or if the access point could

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1 be made at the west light of Butterfield.  
 2 So that's my question. Is the  
 3 staff effectively saying that regardless of  
 4 all the other issues, the impact to the  
 5 kids, the impact to the environment, the  
 6 potential lost tax revenue or negative tax  
 7 revenue, the not -- the divergence from the  
 8 city's planning relative to density, is the  
 9 staff saying that, all of those  
 10 considerations notwithstanding, they would  
 11 support the proposal if these  
 12 technicalities as to the location of the  
 13 light or the location of the access point  
 14 could be resolved?

15 CHAIRMAN COTEY: John, would you  
 16 like to answer that, please?

17 MR. SPODEN: Yes, yes, I would.  
 18 Hopefully you can hear me.

19 It is -- you are right. The  
 20 staff recommendation was basically saying  
 21 that if there was a traffic signal either  
 22 at the entrance to this proposed  
 23 subdivision or at Lake and Butterfield, if  
 24 there was a vehicular and pediatrician

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1 connection to the subdivision, then we were  
 2 in support of the proposal.

3 As a part of that, please note  
 4 that the density that they are proposing is  
 5 less than what is allowed under the  
 6 comprehensive plan. So it is consistent  
 7 with the Village's comprehensive plan from  
 8 a density standpoint.

9 I think some of the other issues  
 10 you discussed within there, especially when  
 11 it comes to the schools and the impacts, we  
 12 had listed potential development conditions  
 13 within there. And one of those items was  
 14 for them to return -- if this was approved,  
 15 to come back in final plan with an  
 16 agreement with the School District on that  
 17 issue.

18 MR. PAUL BURALI-FORTI: Okay.  
 19 Thank you.

20 CHAIRMAN COTEY: Thank you.  
 21 Ma'am?

22 MS. CECELIA DESLAURIERS: Hello.  
 23 My name is Cecelia Deslauriers. Last name  
 24 is D-E-S-L-A-U-R-I-E-R-S. I live at 304

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1 Harding.

2 I have been a resident in  
3 Libertyville for 46 years. We moved here  
4 because of the reputation and because of  
5 this -- the Village. And I am delighted to  
6 be here. I have raised four children.  
7 Gone to Libertyville schools here which is  
8 one of the reasons we moved here.

9 I have two children who moved  
10 away, one in California, one to this the  
11 city. I have three grandchildren here.

12 The traffic on Butterfield Road,  
13 I agree with what the other lady said,  
14 getting out from Harding on to Butterfield  
15 or getting out from Harding on to 176 is  
16 horrendous. You can wait for a long time.  
17 The noise starts at 4:30, five o'clock in  
18 the morning. I have tried to make  
19 telephone calls from my backyard, and  
20 people can't hear me because of the noise.

21 I don't see how a development  
22 with this density increasing the number of  
23 cars by maybe 300 is -- is along the lines  
24 of our Village. And I ask you to please

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1 think about this before you approve any  
2 kind of development of this density. I  
3 thank you for your time. And I just ask  
4 you as all the rest of the folks tonight  
5 have asked you to please think about our  
6 Village and the way it is and the way we  
7 hope it will be for our children and their  
8 grandchildren. Thank you.

9 MS. MARA SLESERS: Hi. My name  
10 is Mara Slesers, M-A-R-A, S-L-E-S-E-R-S. I  
11 live at 1320 Victory Drive.

12 One of my questions is about a  
13 statement that is also listed in the  
14 meeting notes that were handed out tonight.  
15 And it says it is staff's understanding  
16 that bus service will be available for the  
17 development and that may preclude the  
18 ability to obtain school crossing warrants.

19 This concerns me. I have lived  
20 here for 11 years. I live right off of  
21 Butterfield Road and have three children.  
22 I wanted to know if the developer has  
23 thought about what a solution for children  
24 crossing the street at Butterfield.

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1 MR. WALLINE: Yeah. We, again,  
2 studied the traffic signals extensively.  
3 And right now the only traffic signal that  
4 does warrant is the Butterfield and Lake  
5 intersection. So at that -- at that  
6 particular intersection, in the event that  
7 that was the desire of the Village to put a  
8 stoplight there, we would also include a  
9 high visibility pediatrician crossing at  
10 that location as well. So, yes, we have  
11 considered that.

12 MS. MARA SLESERS: Have you  
13 thought about adding a bridge to go over  
14 for kids to cross? Just at Butterfield,  
15 everybody drives like 60. So I am just  
16 thinking, have you guys thought of any  
17 other potential solution so that kids would  
18 be able to cross the street safely to  
19 school?

20 MR. WALLINE: No. The  
21 development will not support a bridge. But  
22 people shouldn't drive 60, No. 1. The  
23 speed limit is 40. So maybe you need to  
24 slow down a little bit.

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1 But no, the -- the most logical  
2 place, obviously, would be in an  
3 intersection to promote safety. We would  
4 also and we have shown some path  
5 connections that could bring the kids from  
6 the northern end of the subdivision to --  
7 to that intersection through a meandering  
8 path that would connect them.

9 MS. MARA SLESERS: Okay. Thank  
10 you. And then I have one other comment  
11 that I just want to make on record.

12 Since I live on Victory Drive  
13 and will be directly impacted by the Dairy  
14 Dream development, I just wanted to say  
15 that Paul Swanson (phonetic) only submitted  
16 new drawings today. So it is also not a  
17 done deal. I just want to say that I  
18 disagree with the things that have been  
19 submitted so far because that will impact  
20 me directly as well. I know somebody made  
21 a comment that the drawings have been good  
22 and listening to us. Although he has been  
23 listening, I just wanted to go on record  
24 and say that they were -- just new drawings

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1 were submitted today.

2 CHAIRMAN COTEY: Well, you  
3 should think about coming to that Plan  
4 Commission meeting.

5 MS. MARA SLESERS: Yes, I have  
6 it on my calendar, March 20.

7 CHAIRMAN COTEY: Very good. See  
8 you there. Okay. Ma'am?

9 MS. CASEY ROONEY: Hi. My name  
10 is Casey Rooney, C-A-S-E-Y, R-O-O-N-E-Y. I  
11 am at 520 Sedgewick Drive.

12 I have been coming to these  
13 meetings since September. I want to thank  
14 all of you for your time. There have been  
15 a lot of late nights involved in this. And  
16 we do appreciate the time to say our piece  
17 and feel like we are being heard.

18 I do have a question for the  
19 developer on this. There was conversation,  
20 obviously, about the 8 foot sound wall. Is  
21 the entire development going to be walled  
22 with a sound wall like that?

23 MR. WALLINE: No. Only -- the  
24 sound wall is only proposed for the front

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1 comparing this to School Street. School  
2 Street you can walk to the businesses in  
3 town. You can walk to Metra. You can walk  
4 to the school. As this stands right now,  
5 you can't walk anywhere. It is pretty much  
6 the Truman Show. You are walled in.

7 So the comparisons to School  
8 Street, I just kind of want to get this on  
9 record, that this is not what we are  
10 talking about here.

11 My other question for the  
12 developer is the park that I see in there  
13 that is -- I guess this is north.

14 MR. WALLINE: Here?

15 MS. CASEY ROONEY: That one and  
16 then the one below it, those are both  
17 parks?

18 MR. WALLINE: These are both  
19 parks. These are pocket greens. There is  
20 a tot lot park up in here.

21 MS. CASEY ROONEY: Okay. And  
22 the numbers I saw was the impact fee that  
23 would go to the parks for this development  
24 would be roughly \$1.8 million; is that

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1 section right through here. There will be  
2 a fence, a perimeter fence that separates  
3 the golf course. So obviously people don't  
4 go on to the golf course. But the rest of  
5 the archdiocese has a fence down in this  
6 location that will remain. But the rest of  
7 this would not be fenced.

8 MS. CASEY ROONEY: Okay. So the  
9 side to Butterfield is not fenced in at  
10 all?

11 MR. WALLINE: I am sorry. Which  
12 side?

13 MS. CASEY ROONEY: I am sorry.  
14 The side that would be on the --

15 MR. WALLINE: This side?

16 MS. CASEY ROONEY: Yes. The  
17 south side of the development is not fenced  
18 in.

19 MR. WALLINE: No fencing here  
20 with the exception of maybe a little  
21 landscape type fence just to dress up --

22 MS. CASEY ROONEY: The reason I  
23 am asking these questions is, you know,  
24 there has been a lot of talk about

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1 correct? Does that sound right?

2 MR. WALLINE: There has been no  
3 establishment of those fees yet.

4 MS. CASEY ROONEY: Okay. I have  
5 also heard some conversation about you  
6 proposing to donate these parks to the  
7 Village in exchange for those maybe  
8 lessening those fees and waiving them  
9 altogether.

10 MR. WALLINE: The Village has a  
11 park credit program that is -- it is an  
12 ordinance, providing you meet certain  
13 criteria, then certain parks will qualify  
14 for that. We are following that ordinance,  
15 and there is still some discussion going on  
16 over the preservation area down here. But,  
17 otherwise, we are complying with the  
18 ordinances.

19 MS. CASEY ROONEY: So roundabout  
20 way of saying that it is still under  
21 conversation. Because once you turn them  
22 over to us, we have to maintain them as  
23 taxpayers. That is on our dime and our  
24 backs.

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1 MR. WALLINE: No. These  
2 parks -- I am sorry for interrupting.  
3 MS. CASEY ROONEY: No, go ahead.  
4 MR. WALLINE: These parks are  
5 all slated to be maintained through  
6 homeowners association as well.

7 MS. CASEY ROONEY: The \$100 is  
8 going to cover that too?

9 MR. WALLINE: I don't know if  
10 there is -- I mean, I am not sure if we are  
11 relating assessments correctly here. I  
12 don't know if those are annual assessments  
13 or monthly assessments that were previously  
14 referred to.

15 Again, a budget has not been  
16 established at this point. But, you know,  
17 those figures could -- could vary a little  
18 bit. But all of -- all of those components  
19 would end up in an HOA.

20 MS. CASEY ROONEY: Okay. I  
21 appreciate you answering my questions. And  
22 for my Village leaders, until some of these  
23 questions get answered, I, as a taxpayer,  
24 have a lot of concerns about this. There

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1 they are -- one graduated from college.  
2 And I would like to say that  
3 Libertyville has always made choices of  
4 what they wanted to allow in Libertyville  
5 and what they didn't. Anybody who has been  
6 around for a long time, we chose that we  
7 did not want Hawthorne Mall as part of  
8 Libertyville. We made a decision that we  
9 did not want Gregg's Landing as part of  
10 Libertyville. There are certain things  
11 that didn't appeal to the small town  
12 Libertyville is a beautiful place in the  
13 country, wild oaks commercial.

14 I am telling you right now, if  
15 you grew up in the '70s, my dad was born on  
16 a house on Milwaukee Avenue in 1941. The  
17 house right now is right where the Harris  
18 Bank parking lot is. And in the '70s when  
19 we drove down the street, we actually got  
20 to see the house where he was born.

21 Butterfield Road here, when I  
22 was growing up and I got my driver's  
23 license, was a two-lane highway. And when  
24 you got to Harding, the speed limit went

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1 is a lot of unanswered who is paying for  
2 what.

3 I live right near this  
4 subdivision. I live right off Ridgewood.  
5 I have teenage drivers that I pray every  
6 time they leave the house that they can  
7 make a left onto Butterfield safely as it  
8 is right now.

9 I got to tell you, I have grave  
10 traffic concerns. We visited that. I just  
11 wanted to close out saying I urge you to  
12 not agree with this development. Thank you  
13 for your time.

14 CHAIRMAN COTEY: Thank you.  
15 Ma'am?

16 MS. JANICE GAROFOLO: Hi. I am  
17 Janice Garofolo, G-A-R-O-F-O-L-O. I live  
18 at 231 Kenloch Avenue, Libertyville,  
19 K-E-N-L-O-C-H. I actually lived a mile the  
20 other direction on 1044 Blackburn as a  
21 teenager. So I graduated from Butterfield  
22 and I graduated form LHS. I have two kids  
23 that just -- that graduated from

24 Butterfield and graduated from LHS. And  
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1 down to 30 because they knew it was a blind  
2 curve. When it came passed Fairlawn or  
3 right before Crane, it went back up to 40  
4 miles an hour.

5 When they decided to make  
6 Butterfield Road two lanes each direction,  
7 they decided the speed limit around that  
8 blind curve can now be 40 miles an hour.  
9 Okay?

10 This is a major issue just for  
11 kids. They are talking about not having --  
12 having the kids cross the light at Lake  
13 Street. Tell me any kid who lives in that  
14 subdivision who is not going to leave  
15 Butterfield and walk across that field and  
16 cross the street there to get to their  
17 house. There is no way any kid that I know  
18 of that will walk all the way to Lake  
19 Street further up the road and then come  
20 down along Butterfield. So you have  
21 already caused and identified problems with  
22 these kids crossing the street.

23 My kids lived in the streets we  
24 are talking about with Kenloch, Harding,  
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1 and Woodland. We actually had buses that  
2 went to Libertyville High School because  
3 there weren't sidewalks that were paved.  
4 So our -- Libertyville High School  
5 actually, the kids are less than a half a  
6 mile to the school, actually took buses  
7 because there weren't any paved sidewalks.  
8 And then they ended up putting sidewalks in  
9 along the Blueberry side. So there are  
10 certain things that just don't add up here  
11 that people aren't taking into  
12 consideration.

13 This blind curve, you know, the  
14 Jehovah Witness, everybody knows it is a  
15 speed trap. You are going to be driving  
16 down Butterfield Road, and you aren't  
17 looking for the policeman in the Jehovah  
18 Witness parking lot, okay?

19 You drive down Lake Street in  
20 the morning to get downtown because I am  
21 coming from -- and I have to take the train  
22 every day, and you know there is going to  
23 be a policeman right at the Crawford  
24 Boarding house. If you guys live in

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1 not to pick Gregg's Landing. I don't know  
2 if anybody was here, but there are certain  
3 things that we did not want as part of our  
4 village. We wanted to stay small and  
5 quaint, and we wanted to have a village  
6 that we could be proud of and that people  
7 would want to come to.

8 I think the Main Street group  
9 that has put together to keep businesses  
10 and stuff alive in our subdivision really,  
11 you know, made an effort to keep  
12 Libertyville a great place to live.

13 So I am sorry if I am just  
14 standing on my soapbox, but I really  
15 appreciate your time. And I hope you  
16 realize that the people have been here all  
17 along in government made a decision. We  
18 don't want Hawthorne Mall. We don't want  
19 to be a Gurnee Mills. We don't want to be  
20 a Vernon Hills. We want to be a  
21 Libertyville. And Libertyville is not a  
22 conglomerate of these big, massive chains  
23 of restaurants and stores and stuff. We  
24 are our own little town. Thank you very

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1 Libertyville, you know all these locations  
2 and what they are, okay? And the ones that  
3 get hit are the poor kids that aren't  
4 realizing, crap, I am late for high school  
5 and I am speeding down the road.

6 So I just want people to  
7 consider our subdivision has only four  
8 streets. We have all no right turn into  
9 Harding because we don't want people  
10 cutting through our neighborhood. So we  
11 have to suffer and go up to Willow to turn  
12 in so that people aren't cutting to get on  
13 176 to go to Carmel High School.

14 All these people that live on  
15 Ridgewood, if you are going to make them  
16 make a right turn out of this, they are  
17 going to cut through Ridgewood, Hillcrest,  
18 Sedgewick subdivision. Because I lived on  
19 1044 Blackburn which is right in the midst  
20 of where you guys are. And it is one mile  
21 from my original driveway to my driveway  
22 right now.

23 And I really think that  
24 Libertyville has made decisions. We chose  
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1 much.  
2 CHAIRMAN COTEY: Thank you.  
3 Sir?

4 MR. STEVE TULLGREN: Steve  
5 Tullgren, T-U-L-L-G-R-E-N. And I live  
6 right where that road ends to the north  
7 there, just on the other side of Lake  
8 Street. And I will tell you that normally  
9 Butterfield Road between where that starts  
10 and where that ends, your property, is  
11 probably 60 to 70 miles an hour. And  
12 that's not occasionally. That's day.  
13 Faster at night. Faster with the  
14 motorcycles.

15 My backyard is on the other side  
16 of that, that road. I can see them go by  
17 my fence in a blur.

18 Where you have your first  
19 entrance, that will never work, I can tell  
20 you. No one has the courage to go out  
21 there once they do it once. That's not  
22 going to work.

23 The second entrance is at the  
24 bottom of the Butterfield School soccer  
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1 field. And most -- most times when school  
2 is in, there is going to be kids around  
3 there off and on all day, young kids. A  
4 wall on the other side would deafen them.  
5 So that's a problematic solution there.

6 But to me, every time I go out  
7 Lake Street on to Butterfield, it is terror  
8 if you are going south. And to go -- to go  
9 north, it is a thrill. But to go south, it  
10 is -- you have got to have a fast car.

11 And Lake Street will never be  
12 closed. They had the opportunity. There  
13 are no right-of-ways on both sides of  
14 Butterfield Road. It is a 4 foot paved  
15 right-of-way.

16 My property goes up to that --  
17 that paved portion. There is no land  
18 there. So if you are thinking about  
19 putting in a nice little sidewalk with a  
20 green walkway, that is not going to happen.

21 This seems unnecessarily dense  
22 for me. I know you have to put that many  
23 pieces of property on it to make it work.

24 But that -- that took me to your  
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1 financials here. I spent my whole life  
2 doing discounted cash flow. These don't  
3 work. That doesn't work because you can't  
4 put enough property on it. And you have to  
5 make these cash flows work.

6 So to me, this -- this is a very  
7 risky proposition. I just can't see it  
8 working. It certainly won't work in this  
9 economic atmosphere. You are going to have  
10 to probably sit on it five years because  
11 this economy is not coming back.

12 CHAIRMAN COTEY: Thank you very  
13 much. Ma'am?

14 MS. KIM SANDERS: Hi. My name  
15 is Kim Sanders. I live at 180 Homewood  
16 Avenue.

17 I have some questions for the  
18 developer and then for the Village as well.  
19 You had talked about recent developments  
20 that you have done. Have you built in Lake  
21 County in the last five or ten years?

22 MR. WALLINE: No.

23 MS. KIM SANDERS: In Cook  
24 County?

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1 MR. WALLINE: We are new to the  
2 area in terms of -- well, we have been here  
3 for over seven years now. But the  
4 properties that were acquired were all  
5 acquired during the recession. So they --  
6 aside from the Lake Bluff property which  
7 has had some land development activity, it  
8 hasn't had any vertical construction take  
9 place yet, we don't have any particular  
10 examples right now.

11 MS. KIM SANDERS: Okay. So just  
12 to clarify, Lake County, Cook County,  
13 DuPage, you don't have any subdivisions  
14 that you have built?

15 MR. WALLINE: Not active.

16 MS. KIM SANDERS: You had made a  
17 comment a little while ago regarding if you  
18 could put -- someone had recommended a  
19 bridge which was something I had thought of  
20 to go over Butterfield Road. I don't know  
21 if it is something the Village would allow.  
22 But you had made a comment that the  
23 subdivision did not support that. What do  
24 you mean by that?

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1 MR. WALLINE: Just the sheer  
2 cost of that bridge would be cost  
3 prohibitive to a 148 unit subdivision.

4 MS. KIM SANDERS: Okay. The lot  
5 square footage, they look fairly uniform in  
6 size. What is the lot square footage  
7 proposed for the homes?

8 MR. WALLINE: There is two types  
9 of products. There is the single-family  
10 product and the alley product. The alley  
11 is the darker roofs that you can see in the  
12 center portion of the project. The single  
13 families are roughly 5,000 square foot  
14 lots, and the alley products sits on about  
15 3,000 square foot lots. A little larger  
16 than -- the alley project is a similar  
17 product to your School Street product. But  
18 it is a little bit larger in terms of the  
19 setbacks and how the product functions.

20 MS. KIM SANDERS: Okay. Other  
21 than School Street, have we built a  
22 subdivision with lots this small to date?

23 CHAIRMAN COTEY: Outside of  
24 School Street?

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1 MS. KIM SANDERS: Yes.  
 2 CHAIRMAN COTEY: I don't believe  
 3 so.  
 4 MS. KIM SANDERS: So there is no  
 5 single-family homes on a 5,000 square foot  
 6 lots?  
 7 CHAIRMAN COTEY: On 5,000 square  
 8 foot lots?  
 9 MS. KIM SANDERS: Yes. I had a  
 10 hard time finding any data that showed a  
 11 single-family home on a 5,000 square foot  
 12 lot in Libertyville.  
 13 MR. SPODEN: Actually, there are  
 14 a number of 5,000 square foot lots in the  
 15 Village. Most of them were created about  
 16 1923. But a lot of the lots closer to  
 17 downtown are 5,000. In fact, we have some  
 18 down to 4,000 square feet. They are older,  
 19 older lots, but they do exist.  
 20 MS. KIM SANDERS: So if I bought  
 21 that -- if I bought that older home in  
 22 downtown Libertyville and I tore it down,  
 23 could I build a new house on it?  
 24 MR. SPODEN: It depends. The

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1 access. I don't believe we have this  
 2 number.  
 3 MS. KIM SANDERS: With homes in  
 4 it?  
 5 MR. SPODEN: Yes, Timber Creek  
 6 is one with one access point. Decatur Lane  
 7 subdivision north of 137 on Milwaukee.  
 8 Again, these are not -- it isn't this size  
 9 of a project, but those two come to mind.  
 10 MS. KIM SANDERS: Decatur Lane,  
 11 how many single families are back there  
 12 roughly? 20?  
 13 MR. SPODEN: I think it is 18  
 14 and I think about 30 townhomes.  
 15 MS. KIM SANDERS: And did the  
 16 Village receive recommendation letters or  
 17 opinions from District 70 representatives  
 18 on what they felt the number of students  
 19 that was recommended for this subdivision  
 20 or how this would impact them? Did the  
 21 Village receive anything from District 70?  
 22 I thought Dr. Schumacher in the last  
 23 meeting said that he has written a few  
 24 letters.

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1 Code allows someone to build on a lot if it  
 2 meets a certain percentage. First, you  
 3 have to prove it is a lot of record. You  
 4 know, something that was created by a  
 5 subdivision. Secondly, it has to have a  
 6 certain percentage of lot area and lot  
 7 width, about 75 to 70 percent. So we do  
 8 have a ceiling, if you will, on that.  
 9 So if someone had like currently  
 10 a 4,000 square foot lot, could not be built  
 11 on it without coming before this group and  
 12 asking for a variation.  
 13 MS. KIM SANDERS: For a  
 14 variance, right.  
 15 For the Village, is there a  
 16 subdivision that has ever been built in  
 17 Libertyville with the density and number of  
 18 homes that only has one way in and out? I  
 19 looked at, you know, all of the  
 20 Interlakens, Old Barn Circle, Wineberry,  
 21 Canterbury, and all over. I couldn't find  
 22 one.  
 23 MR. SPODEN: We have a couple of  
 24 subdivisions coming to mind that have one

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1 MR. SPODEN: They have written  
 2 letters. I think the Village has asked for  
 3 some statistics and some numbers. It is an  
 4 ongoing discussion.  
 5 MS. KIM SANDERS: What was  
 6 District 70's overall feeling of the  
 7 subdivision, number of kids, how it would  
 8 impact them?  
 9 MR. SPODEN: They are concerned  
 10 that the numbers proposed through -- by the  
 11 development was going to be -- I should  
 12 state that they felt there would be more  
 13 kids put through than what is there. I  
 14 will say that the developer used the  
 15 Village's subdivision code to calculate  
 16 that. So I mean, that's -- the difference  
 17 between those two is that they did follow  
 18 those existing codes. But I think the  
 19 School District was concerned that these  
 20 existing codes may not reflect their  
 21 reality.  
 22 MS. KIM SANDERS: And District  
 23 128, has anybody --  
 24 MR. SPODEN: We reached out to

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1 them. We didn't receive anything back.  
2 MS. KIM SANDERS: Okay. I  
3 know --  
4 MR. SPODEN: Other than the  
5 great use of their facility which we  
6 greatly appreciate.

7 MS. KIM SANDERS: That was very  
8 nice.

9 Is it possible, if this does  
10 continue any further, that we may -- I know  
11 it has come up in the last few meetings.  
12 Is it possible to hold a meeting on a  
13 different day so that we can have  
14 representatives from the school attend and  
15 give their opinions?

16 MR. SPODEN: The meetings that  
17 we have here, we try to stick to this  
18 day-to-day. So we can publish at the  
19 beginning of the year. That's one of the  
20 things that we are looking at at the  
21 Village is that we have to look at all the  
22 different meeting dates. It is something  
23 we can certainly look into, if you will.

24 It is just a tough -- tough thing because  
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1 like tomorrow night we have Village Board  
2 and there is all the other different  
3 committees.

4 MS. KIM SANDERS: It may --

5 MR. SPODEN: It is something we  
6 are definitely looking into, yes.

7 MS. KIM SANDERS: For everybody.  
8 And then is there currently data on file  
9 with, you know, proposed subdivisions as  
10 far as how many students attend if we are  
11 looking at roughly 150 homes and we pick a  
12 subdivision. One of the Interlaken  
13 subdivisions, do we have data currently  
14 that shows how many go to elementary,  
15 Highland, and how many children attend high  
16 school within 150 home area in  
17 Libertyville?

18 MR. SPODEN: We would have to do  
19 that research. We would probably have to  
20 do that research through the school  
21 districts to get that information.

22 MS. KIM SANDERS: So it is  
23 available?

24 MR. SPODEN: I am certain -- I  
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1 am certain they probably have that.

2 MS. KIM SANDERS: That would  
3 probably be helpful to really gauge what  
4 number of students we are talking about in  
5 certain subdivisions, especially if we are  
6 going to look at these price ranges and  
7 family moves into, I think several of the  
8 Interlaken subdivisions would be good to  
9 see how many kids actually are per  
10 household.

11 I just want to say, I have said  
12 it many times. I have spoken at several of  
13 the meetings. I just don't feel that, I  
14 mean, just by first sight, that this is  
15 even a subdivision that would fit well in  
16 Libertyville. People have voiced many  
17 concerns, complaints, issues. I think the  
18 density to itself just does not hold true  
19 to what Libertyville has tried to pass and  
20 what they have in -- you know, invoked on  
21 people here in the community of what they  
22 can build on, what they can't build on.  
23 This just goes against everything that  
24 seems to be what is normal in Libertyville.

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1 My last question is to the  
2 developer. Are -- you have no interest in  
3 modifying or working with the Village or  
4 residents to change this subdivision?

5 MR. WALLINE: You know, we  
6 have -- we have been planning this project  
7 for over three years now. And, you know, I  
8 don't know how much research has gone in  
9 from the community side into some of the  
10 past workings that related to this  
11 property.

12 But in 2010 there was over five  
13 hearings on your comprehensive plan here.  
14 And many of these issues that you have  
15 raised tonight were raised at that point.  
16 And the Commission went through, and they  
17 examined those issues, and they approved  
18 density of over five units per acre.

19 We brought a project in that is  
20 much less dense than the comprehensive plan  
21 allows for at 191 units and have followed,  
22 you know, all of the various guidelines  
23 that were set forth back in 2010.

24 And, you know, I look -- I spent  
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1 almost two days looking through all the  
2 minutes that are -- there is five meetings  
3 have that extensive minutes behind them.  
4 Out of the people that have spoken tonight,  
5 I think I have seen two of those people  
6 that actually were in attendance at these  
7 meetings.

8 This comprehensive plan was the  
9 vision of this community. And it was -- it  
10 was your commission that passed the various  
11 details of this. And conditions were put  
12 in place that controlled this property. We  
13 have followed those very closely.

14 There has been a lot of comments  
15 about our lacking presentation this  
16 evening. We are lacking in presentation  
17 this evening because, as of the last  
18 meeting, we had asked for a vote. And  
19 understandably conditions needed to be  
20 prepared. So it was brought forward until  
21 tonight.

22 So we haven't necessarily not  
23 wanted -- not involved the community in  
24 things. But I don't remember seeing this  
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1 years here trying to follow the  
2 comprehensive plan and the vision that it  
3 laid out. And we think we have done that  
4 very closely. We worked with all the  
5 ordinances of the Village and gone through  
6 many, many of the different analysis that  
7 are required and have experts concur with  
8 things. We have worked with LCDOT for, you  
9 know, over two years now with trying to  
10 solve many of the traffic problems.  
11 Unfortunately, we only have so much  
12 latitude there. We feel we have definitely  
13 brought forward some good solutions for  
14 various problems.

15 Our hands are tied to some  
16 respect. Would we like to have multiple  
17 entrances to our project? Absolutely. The  
18 fact that the County will not allow that is  
19 just part of the fact that this property  
20 was situated in a pretty unique setting  
21 that you don't have throughout the Village.

22 So there is things that I am  
23 sure I would like to hear from the  
24 Commission and, you know, hear what they  
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1 many faces at our numerous ARC meetings  
2 where all those beautiful products were --  
3 that we spent so much money for to get  
4 those details put in place so that the  
5 community could share their concerns and  
6 voice, you know, whether or not they  
7 actually preferred the architecture, had  
8 problems with it, I don't remember seeing  
9 people at that meeting. That's  
10 unfortunate.

11 But those meetings took place.  
12 They were all publicized. Everybody was  
13 invited. And, unfortunately, we had very  
14 low turnouts.

15 So, no, I did not bring a  
16 presentation with us tonight. Those  
17 presentations have been made in a series of  
18 various meetings. The first meeting back  
19 in August which, again, had -- had a much  
20 more minimal attendance. It had decent  
21 attendance though. All those plans and  
22 illustrative pictures were shot up on  
23 screens at that point.

24 Again, we have spent a number of  
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1 have got to say about some of the staff's  
2 recommendations. But we can continue to  
3 try to bring some solutions forward for  
4 some of these problems that people have  
5 vented tonight and see if we can't make  
6 something work.

7 MS. KIM SANDERS: Well, I can't  
8 speak to the very first meeting. I was not  
9 there at that meeting. I can't speak to as  
10 to why Village officials or Planning  
11 Commission people would approve something  
12 that has roughly five homes per acre when,  
13 again, it just is completely outside the  
14 norm of what is able to be built in  
15 Libertyville. It is not any subdivision  
16 that we have in Libertyville at all. So I  
17 can't speak to why that was.

18 I can say, you know, in the last  
19 three maybe meetings that I have attended,  
20 many of the people that spoke today have  
21 been here. I spoke. This woman here spoke  
22 at the last meeting. Mr. Kleck spoke.  
23 Obviously, Phil Brown.

24 There have been people who have  
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1 been at multiple meetings, and we have been  
2 speaking out and voicing our opinion. So  
3 that's what these meetings are for.

4 It is just a shame that -- you  
5 know, I think it is a great piece of  
6 property. I think something wonderful  
7 could be built on it. I just don't think  
8 this is what would fit for our town or our  
9 community, nor is it what the people want.

10 So you have a whole community of  
11 people that are voicing to you they  
12 wouldn't buy this. No one is going to move  
13 there from within the community. We didn't  
14 have anybody stand up and say that they  
15 loved the plan and thought it was going to  
16 be a beautiful asset to Libertyville.  
17 That's all I have to say.

18 CHAIRMAN COTEY: Thank you very  
19 much. I would like again to remind the  
20 public that we are trying to consider only  
21 what has been presented tonight. We have  
22 given a lot of latitude tonight to a lot of  
23 the issues that were discussed in January.

24 So if you are coming back up,  
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1 please make those comments and questions  
2 pertinent to tonight's meeting.

3 Also, I am going to take a quick  
4 stop here and ask our court reporter.

5  
6 (There was a discussion  
7 held off the record.)  
8

9 DR. PRENTICE LEE: Well, good  
10 evening. My name is Dr. Prentice Lee and I  
11 am the superintendent at Community High  
12 School District 128. Welcome. Thank you.  
13 And Dr. Pat Groody, our board president, is  
14 also with us this evening.

15 We finished our board meeting.  
16 We thought we would stop by this evening.

17 To the question of number of  
18 students at the high school, we just  
19 completed a very detailed document starting  
20 with Dr. Kasarda who does these studies  
21 throughout the Midwest. I believe also  
22 works with our feeder districts.

23 This proposed development,  
24 because there is lots of proposed  
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1 developments throughout our school  
2 district, Libertyville and Vernon Hills, we  
3 included proposed developments as we knew  
4 them within the study.

5 And Dr. Kasarda has indicated  
6 that, for us at the high school, we produce  
7 about 41 to 42 students a year spread over  
8 four grades. So I just wanted to provide  
9 that information this evening. And that's  
10 all I have to share at this time. I just  
11 wanted to clarify that point.

12 CHAIRMAN COTEY: Thank you.  
13 MS. ELLEN WETTLAUFER: Ellen  
14 Helen Wettlaufer again, 513 Ridgewood Lane.  
15 I will be quick.

16 First observation, Timber Creek,  
17 Timber Creek has a light. It may have only  
18 one entrance and exit, but it does have a  
19 light. So transit is easier through there.

20 The second thing is I have a  
21 quick question. I am sorry. I know we  
22 have spoken about this. But really I want  
23 to understand this and make sure everybody  
24 else understands this.

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1 So density, 3.7 houses per acre  
2 is what the developer says, correct?

3 MR. WALLINE: Correct.

4 MS. ELLEN WETTLAUFER: Okay. 40  
5 acres of land. How much of that 40 acres  
6 is dedicated to the houses?

7 MR. WALLINE: Roughly 60  
8 percent.

9 MS. ELLEN WETTLAUFER: So how  
10 many acres is that? I need an acre number.  
11 I would like somebody to do the math with  
12 those number of acres divided by that  
13 number of houses. Because I think it is  
14 important to know that the real feel is  
15 going to be different if that doesn't come  
16 out to 3.7. That's all.

17 So actually you don't even have  
18 to do the math. But it is something for  
19 everybody to ponder. Thank you.

20 CHAIRMAN COTEY: Thank you.  
21 Okay.

22 MS. CAROL AUGUST: My name is  
23 Carol August. I live at 1201 Amy Lane. I  
24 just have a brief question.

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1 Do you have an easement for an  
2 emergency exit other than the main in and  
3 out entrance?

4 MR. WALLINE: The cul-de-sac  
5 that is shown is drawn with an emergency  
6 access out to Butterfield Road. That's the  
7 plan that has been before the County.

8 MS. CAROL AUGUST: So that's to  
9 the north, right, to the left, that circle  
10 on the map?

11 MR. WALLINE: Right here.  
12 (Indicating).

13 MS. CAROL AUGUST: Yes. Thank  
14 you for pointing that out.

15 I really don't know the Code.  
16 As a realtor and my parents had the  
17 emergency easement in Beckett Crossing in  
18 Mundelein and Midlothian and 60/83. Their  
19 qualification at that time when they built  
20 those 16 years ago was anything over 25  
21 homes had to have an emergency exit. You  
22 are only going to have one emergency exit  
23 like that? If the intersection had an  
24 accident, you would only have one for the

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1 there.

2 MR. WALLINE: They already did.

3 MR. STEVE TULLGREN: They did?

4 MR. WALLINE: They did.

5 MR. STEVE TULLGREN: That is  
6 news to all of us. Thank you. I will  
7 pursue something.

8 MS. ANA DRAA: Ana Draa again.

9 One clarification on the park that Casey  
10 was talking about. If it is a Village  
11 park, the Village will be maintaining it.

12 Your homeowners association isn't going to  
13 be maintaining a public Village park. I  
14 think you guys need to do some more

15 homework on that.

16 And I really have been holding  
17 my tongue, believe it or not, sitting back  
18 here. I have listened to myself as a  
19 resident and every other resident here be  
20 dressed down by your attorneys, where were  
21 we when the comprehensive plan was going on  
22 and we have done weekend projects. It has  
23 been very disrespectful. I don't think  
24 this is any way to win friends or influence

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1 150 whatever homes, correct? I just wanted  
2 to clarify. There is only one of those,  
3 the one we can see up here?

4 MR. SPODEN: That is the  
5 proposal, yes.

6 MS. CAROL AUGUST: Okay. So  
7 Mundelein for 30 homes requires one, and we  
8 are going to have 158 homes with only one  
9 exit out of that neighborhood?

10 MR. SPODEN: That is the current  
11 proposal.

12 MS. CAROL AUGUST: That's all I  
13 wanted to point out. Thank you.

14 MR. STEVE TULLGREN: I have one  
15 more question. This is Steve Tullgren  
16 again.

17 That north entrance, exit, exit,  
18 those of us who live in the Willows,  
19 Interlaken Willows have requested a stop  
20 sign or a stoplight at the end of Lake  
21 Street for years, probably 20 years, before  
22 it was redone. They would never agree to  
23 that. I doubt that they are going to  
24 have -- give you an okay on that entrance

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1 people to come into our village and talk to  
2 us this way. It is not okay.

3 Yes, you got -- you are right.

4 We kind of were a little bit asleep at the  
5 wheel when the comprehensive plan was  
6 changed on us. Shame on us. We are no  
7 longer asleep at the wheel. We are out  
8 here tonight. We were out here at the  
9 last. We are going to be at the next  
10 meeting. You can count on it.

11 CHAIRMAN COTEY: Thank you.  
12 Let's try and keep it to the new material,  
13 please.

14 MR. GREG GAROFOLO: I am sorry.  
15 I was up once before. I just have a couple  
16 questions. Are you privately held company  
17 or are you publicly owned?

18 MR. WALLINE: Private.

19 MR. GREG GAROFOLO: You are  
20 private. Do you have an idea of what it is  
21 going to cost for you to build this  
22 subdivision?

23 MR. WALLINE: Of course.

24 MR. GREG GAROFOLO: Okay.

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1 What -- how much money are you going to  
2 make if this subdivision is built the way  
3 you are proposing it today based on the  
4 numbers you are supposed to get? What is  
5 your projected revenue?

6 MR. WALLINE: We are a private  
7 company.

8 MR. GREG GAROFOLO: So you don't  
9 want to share that information with us?

10 MR. WALLINE: No, I am not  
11 prepared to share that information.

12 MR. GREG GAROFOLO: Why not?

13 CHAIRMAN COTEY: Hold on.

14 MR. PARDYS: I don't believe  
15 that is something that they are required to  
16 share.

17 MR. GREG GAROFOLO: Whether they  
18 are required to or not is not really my  
19 concern.

20 MR. PARDYS: And --

21 MR. GREG GAROFOLO: I just want  
22 to know if they would be willing to share  
23 that with us.

24 MR. PARDYS: That would be up to  
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1 them. I don't know that it would be  
2 appropriate --

3 MR. GREG GAROFOLO: That's what  
4 I was asking, why would you not share it?

5 MR. PARDYS: That is up to them  
6 to answer that question if they choose too.  
7 I don't know that it is an appropriate  
8 inquiry at this commission. They can  
9 certainly answer if they would like to, but  
10 I don't think they should be compelled. I  
11 don't think it is an appropriate inquiry.

12 MR. GREG GAROFOLO: Well, money  
13 is what drives -- is the reason why a lot  
14 of things are done. To me, how much money  
15 you are making on something is always  
16 relevant. I mean, I don't go into anything  
17 without thinking about a job without what  
18 kind of money I am going to be making on  
19 that job. Why 150 homes and what kind of  
20 money are you making on those 150 homes?

21 MR. WALLINE: Again, that's --  
22 that's not something we need to answer.

23 MR. GREG GAROFOLO: Okay. Just  
24 thought I would ask.

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1 CHAIRMAN COTEY: Ma'am?

2 MS. MARY ANN ZEMLA: Mary Ann  
3 Zemla again on Woodland Road. Could you  
4 clarify? I am sorry. I wasn't clear about  
5 the sidewalk. I am really puzzled about  
6 the sidewalk.

7 So I live south in the Woodland  
8 Road area near 176, and I am going to walk  
9 to Sunset grocery at 137. I am going to  
10 walk down Butterfield Road which I already  
11 do.

12 Where is the sidewalk for me to  
13 walk? Where -- How am I going to go from  
14 Harding which comes out on to Butterfield?  
15 So at the south end -- I am just south of  
16 the Jehovah Witness Church. And I am on  
17 the west side of Butterfield, and I want to  
18 walk to Sunset grocery. How am I going to  
19 do that? Right now it is a challenge. I  
20 feel like I am going to get killed, but I  
21 still do it. But now you are going to put  
22 a subdivision there.

23 I just -- I am not clear about  
24 where the sidewalk is going to be for  
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1 pediatricians and for these kids that are  
2 going to be walking all over and crossing  
3 the street. A sidewalk, it is sort of a  
4 basic need. Can somebody answer that  
5 question for me, please?

6 CHAIRMAN COTEY: I am going to  
7 ask staff.

8 MR. CHUNG: The Village has no  
9 plans to construct a sidewalk along  
10 Butterfield. We don't have a plan for that  
11 because it is under Lake County  
12 jurisdiction. We can petition for the  
13 sidewalk. But that is not within our five  
14 year plan to construct a sidewalk along  
15 Butterfield Road.

16 MS. MARY ANN ZEMLA: I am  
17 begging you, please consider a sidewalk.  
18 Please. You are going to put all these  
19 houses there in addition to all the homes  
20 and all these other subdivisions that are  
21 already there. We are healthy. We need to  
22 stay healthy. We have to get these cars  
23 that are driving 70 miles an hour off of  
24 Butterfield. In order to get the traffic

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1 down, people have to walk. If there is no  
2 sidewalk, how are we going to maneuver in  
3 this area? Please, please, consider a  
4 sidewalk. It is a safety issue. Thank  
5 you.

6 CHAIRMAN COTEY: Thank you.  
7 Ma'am?

8 MS. LESLEY WEXLER: Hi. This is  
9 Lesley Wexler again. I just wanted to  
10 state a couple of things.

11 For one, it is apparent that  
12 this development company is not really  
13 willing to talk to the people. I mean, the  
14 fact of the matter that he states that we  
15 should have been here -- first of all, I  
16 went to the last meeting. I missed the  
17 first meeting. There were all these other  
18 meetings. I blame my complacency.

19 But the fact of the matter, if  
20 you really want to actually talk to the  
21 people and, more important, coordinate with  
22 the town and with the people, they would  
23 have shown a presentation. I mean, it was  
24 brought up at the last meeting, what do

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1 these things look like. He could have  
2 brought that in if he really wanted to work  
3 with the people. But this is an obvious  
4 thing.

5 CHAIRMAN COTEY: Whoa, whoa,  
6 whoa, wait, wait. They have made the  
7 presentation several times. Tonight -- all  
8 that information was addressed at the  
9 January 9 meeting. Then they asked for a  
10 vote. So they don't have to come tonight  
11 with their presentation to show you because  
12 they have already done that several times.

13 MS. LESLEY WEXLER: Well, I  
14 don't see a public -- I don't see a public  
15 presentation that I can look at.

16 CHAIRMAN COTEY: John, do we  
17 have one on the Village that they can take  
18 a look at?

19 MR. SPODEN: They can certainly  
20 come by our office and review that  
21 document, yes, sir.

22 CHAIRMAN COTEY: So you can go  
23 over to the Village offices and take a look  
24 at it.

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1 MS. LESLEY WEXLER: But you  
2 understand what I am saying?

3 CHAIRMAN COTEY: Yeah, I  
4 understand.

5 MS. LESLEY WEXLER: You  
6 understand he really doesn't want to warm  
7 our hearts.

8 Okay. Now, the other thing is  
9 that I want to bring up is that in this  
10 town, there is a lot of township land being  
11 sold of. I mean, we sold off Bolander. We  
12 sold off the old School property. As we  
13 grow in population with all these  
14 developments going on, we are not -- we  
15 don't have the land to expand. So any of  
16 the schools that we are going to be, you  
17 know, pouring children in, we -- this is  
18 it. We have got nowhere. We have nowhere  
19 businesses to hold events except for the  
20 Civic Center or to -- back to the high  
21 school. We don't have parks where you can  
22 have parties, except for up by the north  
23 end of town. And there really isn't -- a  
24 lot of this taxpayers' money that is coming

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1 into the town is not going to make any of  
2 our taxes go down. It is just going to go  
3 into having to provide more in less space.

4 So I just want to bring up that  
5 point because we really have to keep our  
6 eye on the ball. And he is right. We are  
7 complacent. The only problem is that we  
8 all have our own jobs too. We all work  
9 hard. It is very hard.

10 So if we can have some  
11 transparency where we can easily review  
12 things on-line, like this plan would be a  
13 great thing or newsletter that would kind  
14 of say, hey, heads up people. But, see,  
15 here is the problem is complacency is not  
16 only in our hands. It is in your hands  
17 too. Thank you.

18 CHAIRMAN COTEY: Sir?

19 MR. JOHN MCWILLIAMS: John  
20 McWilliams. 716 Hillcrest Drive again. A  
21 couple of additional questions.

22 First of all, I want to  
23 compliment the County on paving the  
24 wonderful bicycle path that goes all the

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1 way from Lake Bluff along the old  
2 right-of-way to Mundelein, and it is in  
3 marvelous condition. It is a great  
4 resource for the County. They should be  
5 very, very, very proud of it.

6 I would also like to make use of  
7 it. I have a slight problem. I live at  
8 Woodmere. And for me to access the bicycle  
9 trail, I have to exit on to Butterfield  
10 Road where there is no sidewalk, and I have  
11 to ride my bicycle against the traffic  
12 which is coming north, and I am going  
13 downhill. So it is kind of fast on a  
14 bicycle, a little bit dangerous. After I  
15 have done it once or twice I stopped doing  
16 it.

17 Then I try to exit the only  
18 other way available to me and go out on  
19 Lake Street and ride over to the area where  
20 I can connect near the high school and get  
21 on the bicycle trail. That works okay.  
22 Except that the sidewalk on the -- first of  
23 all, there is only a sidewalk only on the  
24 south side of Lake Street. It is 3 feet

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1 wide. It is pot marked with telephone  
2 poles and a fence along the ravine that  
3 drops off 25 to 30 feet. And once riding  
4 my bicycle, a pediatrician was coming on  
5 the sidewalk. And I crashed into the fence  
6 and almost went over the ravine. Luckily,  
7 we were both okay. Nobody was hurt.

8 My other choice is to ride in  
9 the street. If I ride in the street, I am  
10 going to be inundated with not only the  
11 traffic that is there now, which I consider  
12 to be unsafe for bicycles, but it will be  
13 even worse if the plan eventually includes  
14 a traffic light at Lake Street, and the  
15 people leave this subdivision and go  
16 straight for the train station. I think it  
17 will be a small two-lane expressway.

18 It is not a perfect world. I  
19 would love to use the bicycle trail. It is  
20 a great resource. Perhaps I should drive  
21 my car with my bicycle on it over to  
22 Culver's and jump on the trail there. It  
23 is too bad I have to do something like  
24 that.

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1 As a separate question, I think  
2 the core issue here is procedural. It is  
3 a -- we are here listening to arguments pro  
4 and con for a petition to change a special  
5 use and a reconsideration of something.  
6 Obviously, the public does not like it.

7 Could we poll the staff and see  
8 how many of the staff members who are  
9 voting to recommend this, if the light goes  
10 in, do the staff members that have a vote  
11 and that are making a recommendation to the  
12 Board, could we poll them and see how many  
13 of them are living in Libertyville?

14 CHAIRMAN COTEY: Living in  
15 Libertyville? We all live in Libertyville.

16 MR. JOHN MCWILLIAMS: I am not  
17 speaking of the trustees. I am speaking of  
18 the staff who is recommending to the Board.

19 CHAIRMAN COTEY: The staff.

20 MR. SPODEN: There is three  
21 members up here. There is one member that  
22 lives in the Village.

23 MR. JOHN MCWILLIAMS: I will say  
24 that again. Of the three members, one

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1 member lives in the Village?

2 MR. SPODEN: Yes, sir.

3 CHAIRMAN COTEY: Where are you  
4 going with this?

5 MR. JOHN MCWILLIAMS: Well,  
6 where I am going with it, that it is a -- a  
7 question in my mind that we are trying to  
8 decide how this appeal should be voted on.  
9 And I think what a lot of taxpayers are  
10 wondering is what kind of a referendum is  
11 available to us to perhaps change the Code?

12 Perhaps do we have to submit  
13 something to the Village Trustees to say  
14 that the Code that was revised in the past  
15 doesn't seem to be working for us now and  
16 we would like to recommend a different  
17 Code?

18 CHAIRMAN COTEY: David?

19 MR. PARDYS: Sorry. I don't  
20 know. Is it on?

21 That is the process that is  
22 being gone through now. There is a request  
23 to change the zoning map. This is a public  
24 hearing process to consider that. That is

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1 going to ultimately go up to the Village  
2 Board. And anyone can make an application  
3 to modify the zoning map. If they are a  
4 property owner, there are reliefs available  
5 to residents overall.

6 The fact is right now there is  
7 an application to make the zoning change.  
8 And that is something that this public  
9 hearing is about that will go to the Board  
10 of Trustees.

11 There is no referendum process  
12 for this. This is the process that we are  
13 going through, that this Petitioner has  
14 asked for. We are conducting the public  
15 hearings.

16 MR. JOHN MCWILLIAMS:  
17 Understood. Then if somehow this thing  
18 goes through and happens this way, then the  
19 Village residents as taxpayers, they can  
20 put their voices together. And if  
21 something was decided 10 years ago to  
22 develop new codes and new requirements,  
23 that can all be revisited; is that correct?

24 MR. PARDYS: Zoning codes can  
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1 gave for what he was going to sell for the  
2 homes, and the Village attorney seemed to  
3 think that he didn't have to. But the  
4 reason why that is relevant is because it  
5 has to go to what money is going to go to  
6 the school district and is it going to be  
7 adequate to cover the costs of these added  
8 children?

9 And the standards for a special  
10 use permit, No. 4, you have to have  
11 adequate public facilities. The proposed  
12 use and development will be served  
13 adequately by essential public facilities  
14 and services, including schools, or the  
15 applicant will provide adequately for such  
16 services.

17 So that is why those projections  
18 are so important. And they need to be  
19 validated, and they cannot just be a guess  
20 or an estimate. That is why the number of  
21 children they are projecting, I would think  
22 you may want to re-look at your -- the way  
23 your ordinance does it because to have less  
24 than one kid in each one of those houses I

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1 always be subject to change subject to the  
2 appropriate request and the Village Board  
3 considering them. That's how this process  
4 works. It is a democratic process that  
5 allows for people to voice their concerns  
6 and for elected officials and appointed  
7 officials to make their recommendations and  
8 determinations.

9 MR. JOHN MCWILLIAMS: Fine.  
10 Thank you very much.

11 CHAIRMAN COTEY: I am going to  
12 ask, and I will give you about one minute  
13 to think about it, for any last comments or  
14 questions before we turn over to the  
15 commissioners for comments.

16 MS. MARGARET BORCIA: Good  
17 evening. I am Margaret Borcia,  
18 B-O-R-C-I-A. I live at 1116 Jessica Lane.  
19 I am also an attorney with Morrison and  
20 Morrison in Waukegan. We do a lot of land  
21 use litigation, including zoning cases.

22 I had a couple questions. One  
23 of them is the developer is saying that he  
24 didn't have to validate the prices that he  
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1 don't think is realistic.

2 I bought at Concord and  
3 Interlaken right when it was developed.  
4 And I can tell you it took two school buses  
5 to get the kids just from our subdivision  
6 to Butterfield. So -- and those -- most  
7 people in our subdivision have three, four  
8 kids that have gone through Butterfield and  
9 District 70 and then onto the high school.  
10 So I am not sure that it is realistic to  
11 say you are going to have 139 kids with 148  
12 homes.

13 The other thing is you have to  
14 look at for special use permit is the  
15 adverse impact that -- the proposed use  
16 will not have a substantial adverse impact  
17 on adjacent property, the character of the  
18 area, or the public health, safety, and  
19 general welfare. I think it will have an  
20 adverse effect on the surrounding areas,  
21 not just because of the sound wall but  
22 because of the density of the subdivision.

23 The only thing that is even  
24 close to this is School Street. And that  
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1 is because it is right in downtown  
2 Libertyville. That's why that is  
3 appropriate there. It is not appropriate  
4 out here to have these kind of homes on  
5 very small lots at very high prices.

6 This is really a downtown kind  
7 of use. And it will have an impact, not  
8 only on the traffic and all those things  
9 that others talked about, but some day that  
10 golf course is going to be developed. And  
11 if this is approved, guess what is -- they  
12 are going to say they want there or  
13 adjoining other properties. So -- it is  
14 completely inconsistent with the character  
15 of this part of Libertyville.

16 As we talked about, I think  
17 there is also an issue of -- for demand.  
18 Do people really want to pay \$800,000 for a  
19 house on a 3,000 square foot lot or 4,000  
20 square foot lot? Is that realistic? What  
21 about the houses that back up to that sound  
22 wall? You think those are going to sell  
23 for 7 or \$800,000?

24 I can tell you in Concord and  
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1 Interlaken, the houses that back up to  
2 Butterfield and to Winchester, those are  
3 houses that sell for much less than the  
4 other houses and are usually for sale a lot  
5 longer.

6 And the traffic -- I think the  
7 one thing that no one has mentioned is not  
8 only is Butterfield Road heavily  
9 trafficked, it is also where all the  
10 ambulances come. So I think that's another  
11 factor that people need to consider. And  
12 to have this kind of a subdivision with one  
13 entrance with no light, no hope of getting  
14 a light because the buses will have to run  
15 through there because there is not  
16 sidewalks. And if the buses run through  
17 there, you will never get the school  
18 crossing warrant. And putting the light up  
19 at Lake, I don't know how that would help  
20 the traffic and getting in and out of this  
21 subdivision.

22 And IDOT is -- also said that  
23 they don't -- they are not going to let you  
24 do stacking. So the people can't come out  
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1 and stay in the painted median and wait to  
2 go north.

3 And to have -- the one other  
4 thing I wanted to say is people have been  
5 talking about disconnections. I do  
6 disconnections. There is a long process.  
7 It is very closely. It is hard to win.

8 And if this property was  
9 disconnected and annexed into Mundelein,  
10 they would have no utilities because the  
11 utilities come from Libertyville. And very  
12 rarely, if ever, does one village let a  
13 development that is outside of their  
14 boundaries use their utilities. So I don't  
15 think people should be worried about  
16 disconnection at all.

17 The other issue really is, as  
18 everyone said, the sidewalk. Those houses  
19 are so close up to Butterfield with that  
20 sound wall, there is no setback enough on  
21 this property to provide a sidewalk. And  
22 if they are -- and if they are especially  
23 thinking about somehow getting the kids up  
24 to Lake Street to cross there, I don't know

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1 how they are going to be able to do that  
2 safely.

3 So I think the staff has looked  
4 at this very closely and very thoughtfully  
5 and has recommended that -- that everything  
6 except for the change to the comprehensive  
7 plan be denied. And I would just ask those  
8 trustees to -- to rely on their staff  
9 recommendations. Thank you.

10 CHAIRMAN COTEY: Thank you.  
11 MR. MIKE BAIER: Just real quick  
12 in terms of closing, can you please explain  
13 kind of the procedural aspects from here,  
14 who all the players are on this stage, who  
15 are the people that are going to be making  
16 the ultimate decisions, when they are going  
17 to be making those decisions and the like,  
18 so people are just a little more informed  
19 and how this process ends up? Thanks.

20 CHAIRMAN COTEY: Sure. What we  
21 are going to be doing after the public is  
22 done with public comment, we will close the  
23 outside session here. And these  
24 commissioners from the left to the right  
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1 are going to actually then ask their  
2 questions or give their comments in regards  
3 to this project to the Petitioner and for  
4 you to listen in on.

5 At that point in time when I  
6 close the public session, we will not take  
7 any further comments from the public. So  
8 this is kind of your last opportunity to do  
9 that.

10 After the Commissioners go  
11 through, then I call the Petitioner to see  
12 if he wants to have a vote or not tonight.  
13 That is going to be a little bit of a  
14 C-SPAN presentation because we are going to  
15 be talking about some of the conditions  
16 that the Village is requiring.

17 And once we go through that,  
18 then we will make a motion for the approval  
19 of the petition or the zoning or the Plan  
20 Commission number, 16-08, 09, 10, 11, 12.  
21 We will vote on those individually.

22 So that is kind of the process  
23 going here. But we first need to get  
24 through all the public commentary. Then we

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1 will close that down. And we will add that  
2 to then the Commissioners comments. Does  
3 that help Mr. Baier?

4 MR. MIKE BAIER: Yes, thanks.  
5 But more or less who these other players,  
6 the staff, who the trustees are voting on  
7 this?

8 CHAIRMAN COTEY: Well, the  
9 trustees aren't here tonight.

10 MR. MIKE BAIER: More  
11 importantly, when do they vote on this  
12 because there is an upcoming village  
13 election? Is this something that is going  
14 to be resolved beforehand or are they going  
15 to postpone it until afterwards?

16 CHAIRMAN COTEY: We will  
17 actually probably address that at the end  
18 of the meeting tonight and when it is going  
19 to go up to Village Board when we go ahead  
20 and do the vote. You have to stay here in  
21 order to find that out I guess.

22 MR. MIKE BAIER: All right.  
23 Thank you.

24 MR. STEVE TULLGREN: One last  
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1 question. Has the school district been  
2 advised of the sound wall going into  
3 Butterfield School?

4 CHAIRMAN COTEY: I don't know.  
5 MR. STEVE TULLGREN: That will  
6 be a tremendous problem.

7 MR. WALLINE: Well, the -- I am  
8 not sure if we are talking about the  
9 elementary school district or high school.  
10 But the elementary --

11 MR. STEVE TULLGREN: At a  
12 minimum, this school, this -- which is  
13 elementary.

14 MR. WALLINE: Yes.

15 MR. STEVE TULLGREN: See the  
16 school?

17 MR. WALLINE: Yes.

18 Superintendent Schumacher has been at the  
19 last two hearings and has --

20 MR. STEVE TULLGREN: So you are  
21 saying he has approved it in writing?

22 MR. WALLINE: I didn't say he  
23 approved it. I just said he --

24 MR. STEVE TULLGREN: Have you  
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1 asked him?

2 MR. WALLINE: There has never  
3 been any question from him.

4 MR. STEVE TULLGREN: Is he aware  
5 of it?

6 MR. WALLINE: You would have to  
7 ask him.

8 MR. STEVE TULLGREN: Him?

9 MR. WALLINE: He has been at the  
10 meetings.

11 MR. STEVE TULLGREN: If he  
12 wasn't aware of it, he wouldn't know.

13 MR. WALLINE: Sir, I can't  
14 speculate whether or not he understands or  
15 not. He has been at the meetings. He has  
16 seen the proposal. He has never asked a  
17 question about it. So I am not sure he has  
18 a concern about it.

19 MR. STEVE TULLGREN: I think  
20 that's something that needs to be  
21 clarified.

22 CHAIRMAN COTEY: Thank you.  
23 MS. KATIE SUTTIE: Katie Suttie.

24 331 South Stewart Avenue.  
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1 Speaking of that, Dr. Schumacher  
2 was at meetings where that was brought up  
3 before. I was present for that as well.

4 I just want to point out the  
5 fact that you don't know that Butterfield  
6 School right across from your gigantic  
7 development that will affect it and all of  
8 District 70 schools was an elementary  
9 school speaks volumes. Just wanted to  
10 mention that.

11 MR. WALLINE: That certainly  
12 wasn't my comment.

13 CHAIRMAN COTEY: Okay. If there  
14 is no other people in the audience that  
15 would like to give comments?

16 All right. Then I am going to  
17 close the public session. And we are going  
18 to turn it over to the Commissioners. And  
19 I am going to start with our left-hand side  
20 and start with Kurt.

21 COMMISSIONER SCHULTZ: Lucky me.  
22 All right. A lot to digest obviously. We  
23 have been looking at this for a while. You  
24 can see I have a stack of papers down

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1 there. And, you know, there is a lot to  
2 look at here.

3 As I try to do with all of our  
4 petitions in front of us and I am sure a  
5 lot of my fellow commissioners do, I went  
6 out and looked at the site myself. I stood  
7 next to that 25 foot pile of wood chips  
8 which I think has been reduced a little  
9 bit. I pondered what it would be like to  
10 live in the new development, how I would  
11 feel if my child was there or children,  
12 what it would be like to try and, you know,  
13 cross over Butterfield to the playing  
14 fields that are across there and, also,  
15 what it would be like to live in the many  
16 established neighborhoods nearby.

17 I didn't grow up in  
18 Libertyville. I happened to grow up in  
19 Palatine, and I grew up on Palatine Road.  
20 So I know a little something about playing  
21 Frogger and going across four lanes of  
22 traffic. So I baked that in.

23 The site is, you know,  
24 developable, new word. You know, I agree

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1 it would probably be ideal if it were to  
2 remain open space or farmed area. You  
3 know, while the existing trees there, the  
4 nursery may have posed a small safety risk.  
5 I do find that such a loss, a substantial  
6 swath of green is unfortunate. Good or  
7 bad, it is a nice buffer to have.

8 You know, I too kind of prepared  
9 this proposal with my own neighborhood and  
10 depending where you draw the lines is also  
11 about 150 homes. My neighborhood has --  
12 happens to have no less than five ingress  
13 or egress options, whether it is to 176 or  
14 Milwaukee or Rockland.

15 I also too was trying to think  
16 of what other neighborhoods are out there  
17 of our similar size and only have one  
18 access point to them. I couldn't come up  
19 with one either. It would be great if we  
20 had one that we could look at and point to  
21 that is either is in our town or another  
22 one and can see it being a success. I  
23 think that would do a lot to, you know,  
24 help us move in one direction or another

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1 with this particular application.

2 So my stance really hasn't  
3 wavered since I initially spoke on this way  
4 back in September. I happened to miss the  
5 January meeting. But, you know, it is the  
6 density, the traffic, and the safety are  
7 big concerns for me on this specific  
8 development. I still feel like those  
9 concerns really haven't been adequately  
10 addressed.

11 You know, I happen to concur  
12 with the staff review recommendations  
13 almost entirely. As I look at this, the  
14 public good neither demands nor requires  
15 this amendment to our zoning map and others  
16 to be granted. You know, adjacent  
17 properties I feel would be adversely  
18 affected by the proposed development, even  
19 including possible land value or home  
20 values.

21 I think adequate ingress and  
22 egress to and from the site is not  
23 available with this particular plan.  
24 Traffic conditions in the immediate

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1 vicinity, in my mind, would substantially  
2 deteriorate. So I just -- it comes down  
3 to, you know, there -- it is a -- I don't  
4 feel like they have done all the possible  
5 steps to minimize the adverse impacts on  
6 the neighboring community, immediate  
7 vicinity. That mitigation, I don't see  
8 that on these plans. So it is -- it is  
9 difficult for me to support really any of  
10 it.

11 The one piece I -- I am looking  
12 at supporting is that first recommendation  
13 from staff. And I would like to ask staff  
14 to maybe further elaborate on the rationale  
15 for their support for the -- you know, the  
16 petition for amending.

17 MR. SPODEN: The proposal as  
18 shown -- the proposal as shown shows that  
19 area, that's that open space at the south  
20 end of the property. And they have done an  
21 extensive tree survey through this process,  
22 and over 2,500 trees were inventoried.

23 Then we had two arborists review that plan.

24 And the recommendation I think  
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1 COMMISSIONER KRUMMICK: Let's  
2 see if I can get this microphone to  
3 cooperate. There we go. Can you hear me  
4 okay? Okay, good.

5 First off, I think I want to  
6 mention here that obviously the community  
7 response and the outreach has been  
8 commendable. It shows the true passion  
9 that the citizens have for this town. It  
10 is a passion that I share.

11 My family has been part of this  
12 town since the 1970s. And I do share a lot  
13 of the same history and concerns and  
14 thoughts about past mistakes or past good  
15 things and how we want to shape our  
16 community going forward. So rest assured  
17 that all of us on this Plan Commission  
18 listen to what you say and take it very  
19 serious when we look at proposals that  
20 regard the fabric of our communities. So  
21 thank you for coming out.

22 In terms of the -- of the  
23 developer, as I look at this project and I  
24 have said all along, I think that the  
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1 to keep that as open space and to actually  
2 restore that oak grove is commendable. We  
3 would love to see that, whether as part of  
4 this development or any kind of future  
5 development be a part of that. I think  
6 that's one of the very unique things about  
7 this site is that southern piece. Hence,  
8 our recommendation on that.

9 COMMISSIONER SCHULTZ: Again,  
10 that could lock that requirement and  
11 condition in regardless of who the  
12 developer is or what the development  
13 becomes?

14 MR. SPODEN: It is a part of the  
15 comprehensive plan. I can't say lock it in  
16 because the comprehensive plan is a guide.  
17 In the end, it is up to the developer and  
18 the Village, etcetera, whoever it is going  
19 to be and go through those legal process  
20 with the zoning as we are doing here this  
21 evening. But it is a recommendation.

22 COMMISSIONER SCHULTZ: That's  
23 all I have.

24 CHAIRMAN COTEY: Matt?  
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1 product itself -- when I talk about the  
2 product, I mean an individual structure. I  
3 think it really is an aesthetic. And I  
4 feel it is pretty congruent with what we  
5 want in this community. I think the  
6 architecture is fabulous. It is a  
7 vernacular that really kind of echos what  
8 we are doing downtown. So from that  
9 aspect, I think it is a highly, you know,  
10 valuable project.

11 But, you know, with that comes  
12 other points of discussion in terms of  
13 these going into development. There is a  
14 couple things I want to ask you about.

15 I want to hear a little bit more  
16 from you directly about your comments and  
17 discussions with the schools and what  
18 revisions, if any, you have made on your  
19 enrollment numbers. As a commercial  
20 developer and previous residential  
21 developer, I am often negotiating those  
22 fees, whether they are hopefully reductions  
23 or abatements based on the lack of  
24 students. I am sure they wouldn't mind if  
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1 you wrote them a heavier check. I am  
2 curious to know how those discussions went  
3 with Dr. Schumacher since those numbers  
4 have been disputed by the District so  
5 heavily.

6 MR. WALLINE: You know, we  
7 attempted to get additional information as  
8 of the last meeting. And we still actually  
9 have -- we actually haven't seen anything  
10 further in terms of actual data that  
11 supports some of the numbers we have been  
12 hearing. We are still anxious to hear that  
13 or to see those numbers because so far  
14 there has just been a lot of comments.  
15 And, again, our studies were done based on  
16 the Village ordinances, you know, with the  
17 consultants that the School Districts use.  
18 I was actually happy to hear the high  
19 school superintendent somewhat confirmed  
20 that our study actually was valid in his  
21 respects.

22 So, you know, there is --  
23 certainly the amount of school children are  
24 driven somewhat by the product. We have a  
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1 diversity of product that will include  
2 master down which potentially ends up  
3 catering more to the empty nester, move  
4 down market. So, you know, many of those  
5 factors can change those yields of kids.

6 Again, we have done everything  
7 in our power to try to get those numbers as  
8 accurate as possible. But right now we  
9 have simply just heard from the School  
10 District that they disagree and that the  
11 numbers are going to be higher. So very  
12 difficult to measure that mitigation effort  
13 until such time as we have those numbers.

14 Your mayor has reached out to  
15 the School District as well asking for the  
16 same information. And, you know, the staff  
17 pointed out in their report there is  
18 ongoing discussions that need to take place  
19 that we are open and receptive to having  
20 those discussions. But so far those  
21 discussions have been, you know, under  
22 that.

23 COMMISSIONER KRUMMICK:  
24 Typically I guess this question would be  
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1 for staff. Can you hear me? Is that  
2 agreement -- I think you mentioned this in  
3 your comments. Is an agreement, some type  
4 of ratified agreement required for -- is  
5 that in the final Board approval or would  
6 that be for issuance of a permit?

7 MR. SPODEN: That would be a  
8 final, final review before the commission.  
9 One of our commissions is they would come  
10 back and report to you if this was approved  
11 by the Village Board as a concept plan and  
12 came back for final -- when it came before  
13 back for final.

14 COMMISSIONER KRUMMICK: Okay.  
15 Next question is, I know we have had a  
16 strong focus on our traffic signal and  
17 access point discussions. But I know there  
18 has also been some other comments made by  
19 the public and also by the commissioners,  
20 particularly in the last meeting. I know I  
21 had voiced some concerns prior to your ask  
22 for a vote in terms of density.

23 I think I am probably beating a  
24 dead horse here because I know one of the  
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1 residents has asked this before. But since  
2 your initial project which I have a  
3 rendition going back to November 9, other  
4 than traffic and Butterfield Road issues,  
5 have you made any adjustments to actual  
6 unit count or lot size as have been brought  
7 up by both the Commission and the  
8 residents?

9 MR. WALLINE: Yes. We -- we  
10 made a number of different adjustments to  
11 the site plan. You might recall the site  
12 plan had a different product along  
13 Butterfield, a more denser product. The  
14 proposal was closer to 160 units. Those  
15 units have been taken out. Those lots have  
16 been expanded. The site has been shifted  
17 to accommodate that. We have -- we have  
18 reduced a few more units here and there.  
19 You know, our proposal is down considerably  
20 from where we started.

21 COMMISSIONER KRUMMICK: My  
22 question was in reference to the September  
23 9 site plan which we are looking at here  
24 today. I know there has been quite a few  
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1 meetings since September 9. No reductions  
2 have been made?

3 MR. WALLINE: No additional  
4 reductions of units and adjustments to the  
5 site line since -- since the September  
6 meeting. We have agreed with staff that we  
7 will reduce the pavement widths at their  
8 request. But that -- the site plan hasn't  
9 actually been re-drawn to show that.

10 COMMISSIONER KRUMMICK: Even  
11 though it has been asked for, there has  
12 been no -- no discussion internally in your  
13 firm to make those changes?

14 MR. WALLINE: I am sorry?  
15 Which?

16 COMMISSIONER KRUMMICK: The  
17 density issue?

18 MR. WALLINE: No. Again, the  
19 density has been reduced through the  
20 planning process a number of times. And  
21 this is the plan that we ultimately  
22 concluded with.

23 COMMISSIONER KRUMMICK: Okay.  
24 As I look at the, you know, set of

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1 Butterfield Road.

2 One of the things that we have  
3 been thinking about, you know, we highly  
4 believe that at some point in the future,  
5 and it probably won't be that far in the  
6 future, as our property here starts to  
7 occupy, that we would end up possibly  
8 meeting those school warrants, that school  
9 crossing warrant quicker than anticipated.

10 So one of the things that I  
11 would like to propose is that we do various  
12 traffic studies throughout the build out of  
13 the property. We could do a 30 percent  
14 occupancy study. We could do a 50 percent  
15 occupancy study, and we could do a 70  
16 percent occupancy study. At each of those  
17 points, all that is needed is 20 school  
18 children to cross that street to justify  
19 that warrant.

20 And there is certainly some  
21 other things the County would take into  
22 consideration. But if the Village is -- is  
23 also behind that and is interested in  
24 trying to assist with getting the County to

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1 standards for a special use and per PUD  
2 Section 16-09, 16-13, you have a set of  
3 standards you need to meet. There is quite  
4 of few of them I have questions on. I  
5 think the staff really highlighted them  
6 quite well I think.

7 Just for the record, I think  
8 adverse impact and congestion are two of my  
9 biggest concerns at this point. I have  
10 seen your arguments in your -- actually --  
11 your answers to those concerns. Anything  
12 else you want to voice about the adverse  
13 impact of congestion?

14 MR. WALLINE: Again, I think I  
15 mentioned we are rather constrained because  
16 the road is controlled by the County. But  
17 one of the -- one of the conditions that I  
18 think that we -- we were in control of is  
19 the ability to do additional studies.

20 We don't have the ability to  
21 provide more than one access point as far  
22 as a full access point to the property.  
23 The County has been very firm on that, that  
24 they will only allow one access point to

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1 look at that favorably, then we think -- we  
2 think there is a good opportunity to put a  
3 signal at the front of the project, the  
4 main entrance here that we are showing on  
5 the site plan.

6 There has been different  
7 comments throughout the years over the Lake  
8 Street intersection and whether or not it  
9 is appropriate to put a signal there.

10 Today that intersection operates at an F.

11 We believe -- I am sorry -- if a  
12 signal were to go at that intersection,  
13 that it would improve traffic despite the  
14 synchronization of those signals. It is  
15 still going to be a signal that is closer  
16 to our intersection. But we don't believe  
17 that that is the optimal route.

18 So, again, if the Commission was  
19 willing to entertain a staged approach of  
20 that nature with traffic studies that  
21 verify, we are prepared to go ahead and  
22 offer to -- to put that signal in at our  
23 full cost.

24 COMMISSIONER KRUMMICK: A final  
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1 question on your land plan. It is -- while  
 2 professionally I am excited to see  
 3 different things on how to develop  
 4 property, this is very -- it is a departure  
 5 from what we have got in our town  
 6 obviously. Is anyone here from JZMK?  
 7 MR. WALLINE: Not this evening,  
 8 no.  
 9 COMMISSIONER KRUMMICK: Where  
 10 are they located at?  
 11 MR. WALLINE: JZMK is a  
 12 California land planner. And one of the  
 13 reasons that we brought them into this  
 14 property is that, you know, this is unique  
 15 to the North Shore area. But it is what we  
 16 are starting to see the various communities  
 17 starting to embrace. I mean, you look at  
 18 the Glen down in Glenview, and they have  
 19 product that is similar. There is some  
 20 various projects that have these smaller  
 21 lot concepts that, you know, appeal to  
 22 various folks.

23 As I mentioned earlier, some  
 24 people are now considering -- we struggle  
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1 with basements. Basements have always been  
 2 a part of the Midwest. Today it is about a  
 3 50/50 balance at this point. Because  
 4 people, you know, they love the basement  
 5 for the storage. But they don't  
 6 necessarily want to have that liability all  
 7 the time. So, you know, for every -- for  
 8 every 50 people you can find that want the  
 9 basement, you will find another 50 that  
 10 don't want the basement.

11 COMMISSIONER KRUMMICK: They  
 12 will be flying through the air when a  
 13 tornado comes through too.

14 MR. WALLINE: So, again, we  
 15 brought in JZMK because they have designed  
 16 this product. They are experts at it.  
 17 They are experts at land plans of this  
 18 nature.

19 The comprehensive plan has set  
 20 all these principles that we incorporated  
 21 in this planned and set it forward back in  
 22 2010 wanting to utilize a creative design  
 23 and respect the environmental areas with  
 24 the tree preserves and get a mix of product  
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1 on it.  
 2 So, again, the comprehensive  
 3 plan had over five units per acre. We  
 4 chose not to go that dense with townhome  
 5 products and things of that nature.  
 6 COMMISSIONER KRUMMICK: That's  
 7 all I have.  
 8 CHAIRMAN COTEY: David?  
 9 COMMISSIONER SEMMELMAN: Okay.  
 10 So we talked a little bit about standards.  
 11 The standards really are there to see how  
 12 much a development will impact the  
 13 neighborhoods around the proposed  
 14 development as well as the Village as a  
 15 whole. So we look at things. We talked  
 16 about safety and schools and traffic. The  
 17 overarching standard I think was the  
 18 general welfare of the Village.

19 To my mind, we really haven't  
 20 established that this proposed development  
 21 promotes the general welfare of  
 22 Libertyville. In fact, it is clear to me  
 23 that the members of the community that have  
 24 testified in this meeting and other  
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1 meetings do not feel it promotes their  
 2 general welfare certainly.  
 3 In the January meeting, I said  
 4 that my bottom line was that if we not have  
 5 a traffic light at the entrance of the  
 6 development, that I could not support the  
 7 project. Lake County Department of  
 8 Transportation has said that we might be  
 9 able to get a light at the development.  
 10 That's not good enough for me. And that  
 11 was the deal breaker for me in January, and  
 12 it is still a deal breaker for me today.  
 13 That's all I have.

14 CHAIRMAN COTEY: Amy?  
 15 COMMISSIONER FLORES: Can you  
 16 also point out just -- I think there was  
 17 some confusion in the audience with where  
 18 the Lake Street light is on this map and  
 19 also explain that that top cul-de-sac is  
 20 not an entrance for cars to be using; it is  
 21 only for emergency? I think someone had  
 22 commented thinking that that was going to  
 23 be able to be used by the residents going  
 24 in that cul-de-sac, which is actually an  
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1 emergency use only. And then also the Lake  
2 Street light, you can't -- really it is  
3 kind of off the page.

4 MR. WALLINE: Yeah. It is  
5 actually off the page right here. As you  
6 mentioned, the -- this is simply emergency  
7 access. It is not something that can  
8 provide daily use.

9 COMMISSIONER FLORES: Okay. I  
10 kind of feel -- I remember when all the  
11 subdivisions went in at the corner of  
12 Butterfield and Winchester, when that was  
13 all empty lots. And I have seen now over  
14 the years what great different  
15 neighborhoods they are. And the things  
16 that I like about them are there is the  
17 wide sidewalks. You see people running up  
18 and down both Winchester and Butterfield  
19 Road. It is safe. The kids aren't right  
20 up against the street. You do have the  
21 pond view. It is not walled off. You can  
22 see into the subdivision, which is  
23 welcoming.

24 So I feel like that is kind of  
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1 the feel of our community. And this  
2 subdivision has a wall which I think really  
3 shuts them out and doesn't really welcome  
4 visitors to come in and out. It more is  
5 kind of saying, hey, we want to live here,  
6 but we don't want any of your noise.

7 I also think that the safety is  
8 a big issue. We like our kids walking  
9 around and having that good old fashioned  
10 feel that they can hop on their bike and go  
11 to school safely. And I am not sure how  
12 they would get there even if there was a  
13 light at Lake Street. I know you said  
14 there is some sort of path. But it is  
15 going to take the kids a lot longer to get  
16 to school following that path as opposed to  
17 just safely riding along Butterfield Road  
18 if that sidewalk was a reasonable distance  
19 from the street.

20 Also, the impact of the number  
21 of kids in the school, I think it is not  
22 only just the number of students coming  
23 into the school but how -- even if it is a  
24 lower number into the school, I think  
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1 Dr. Schumacher said that it is not whether  
2 we can find space in classrooms. It is  
3 those classrooms that are being used now  
4 will no longer be able to provide the  
5 programs that District 70 has. And we have  
6 such a great balance of our community and  
7 our schools. Our schools are the No. 1  
8 drive to come to Libertyville. And I am  
9 really nervous to start shaking that up and  
10 throw that balance off.

11 I think that was it.  
12 CHAIRMAN COTEY: Very good.  
13 COMMISSIONER OAKLEY: I have a  
14 question for staff about we all understand  
15 that Route 53 is a maybe or maybe not. We  
16 have been waiting around 40 years for it.  
17 I guess the question is, with all the  
18 north-south development, is Butterfield  
19 Road going to be expanded? Are they going  
20 to put two more lanes on Butterfield Road  
21 and make it an expressway of sorts, put  
22 walls on both sides? Is that going to  
23 happen in the next lifetime, I guess, or 10  
24 years, 15 years?

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1 MR. WOODS: We are not aware --  
2 we are not aware of any plans to widen  
3 Butterfield Road. We are not going to  
4 speak for Lake County. But I think it  
5 carries around 25,000 cars a day today. I  
6 don't think that it would grow to the  
7 extent that six lanes would be needed any  
8 time in the near future.

9 COMMISSIONER OAKLEY: Are you  
10 seeing Butterfield Road being used as a  
11 through road? Like instead of using  
12 Milwaukee Avenue or 45, is it -- is it an  
13 expressway of sorts at this point? They  
14 are talking about 70 miles an hour on a --  
15 next to a school. That is pretty  
16 dangerous.

17 MR. WOODS: I think the  
18 Petitioner's traffic engineer did a speed  
19 study out there. And I think that it -- I  
20 believe the 85th percentile speed was 48.  
21 So I mean, I don't know that they are doing  
22 70 consistently. But I don't see it  
23 becoming a six lane highway any time in the  
24 near future. That is just my best guess.

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1 COMMISSIONER OAKLEY: I bring it  
2 up like Royal Melbourne. When 83 was  
3 doubled, they took the golf courses out and  
4 doubled up 83 down south of Mundelein. And  
5 you get up towards Route 22, you know,  
6 Melbourne was there, and they walled it  
7 off. It looks very nice and knocks down  
8 the noise. I am not saying it is going to  
9 be a gated community.

10 But, again, I have a major  
11 control -- the light issue is a major one  
12 in my mind. Without the traffic light, I  
13 mean it is -- this thing doesn't work. It  
14 is a very difficult site. I don't care if  
15 you got R4 or R1 zoning, you are going to  
16 have some risk for safety. That's a bad  
17 situation.

18 That's all I have, Bill.

19 CHAIRMAN COTEY: Thank you,  
20 Walt. What I would like to do now is I  
21 would like to address the Development  
22 Review Committee Report with the Petitioner  
23 in regards to aspects on PC16-10, 16-11,  
24 and 16-12. Staff has recommended

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1 conditions be added to these motions. And  
2 so what I would like to do with the  
3 Petitioner is to go through these  
4 conditions to see if he accepts or declines  
5 the conditions.

6 So at this particular point, if  
7 you could turn to Page 9 of the DRC report,  
8 staff would recommend the following  
9 conditions be added to any such motion for  
10 10, 11, and 12. So you can just give me a  
11 simple yes or no. We will read through  
12 these, and then you can tell me if that  
13 fits for your motion or not.

14 No. 1, no certificate of  
15 occupancy of any kind shall be issued for  
16 any dwelling unit at the site prior to the  
17 installation of the functioning traffic  
18 signal that provides full vehicle and  
19 pedestrian access to Butterfield Road?

20 MR. WALLINE: That condition is  
21 infeasible for us. So the answer is no.

22 CHAIRMAN COTEY: Thank you.  
23 No. 2, that all 38 trees

24 outlined in the Urban Forest Management  
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1 Report dated May 11, 2016, be retained and  
2 incorporated into the plan?

3 MR. WALLINE: If these trees are  
4 found to be healthy and without disease and  
5 without causing a safety issue, yes, we  
6 fully agree with that condition.

7 CHAIRMAN COTEY: No. 3, provide  
8 15 percent of all units as a affordable or  
9 pay in lieu of providing at the following  
10 rate, the fee in lieu amount for the  
11 difference between the top sales price of  
12 the lowest one-sixth segment of the  
13 Libertyville market in 2015 and the  
14 affordable price point recommended by the  
15 Illinois Housing Development Authority for  
16 owner occupied dwelling unit for a four  
17 person household is calculated as follows:  
18 The top sales price of the lowest one-sixth  
19 segment of the market in 2015 is 260,000.  
20 The IHDA affordable number for a household  
21 of four is 168,889. The difference of the  
22 two is 91,111. The pay in lieu amount of  
23 15 percent of the 148 dwelling units is 22  
24 times 91,111 equaling 2,004,442. This

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1 would result in a pay in lieu fee of  
2 \$13,543 per dwelling unit.

3 MR. WALLINE: In order to  
4 guarantee success of the project, we would  
5 need to know all of the fees. Today we are  
6 still trying to work out the school  
7 mitigation. There is still a question as  
8 noted in 1 down below regarding the park  
9 open space and whether a credit would be  
10 available.

11 To answer the acceptability of  
12 the affordable question in a vacuum of this  
13 nature is just not possible. We have to  
14 ensure that the project actually is  
15 successful.

16 So the second point with respect  
17 to that condition is that the comp plan is  
18 very clear that three conditions were  
19 written. One of those conditions was that  
20 the Village would have an affordable  
21 housing program in their ordinance.  
22 Otherwise, there is no direct requirement  
23 for it.

24 Now, I know it is staff's desire  
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1 that this be the formula that is used. But  
2 at this point, no, we cannot accept this if  
3 we don't know the answers to the balance of  
4 the questions.

5 CHAIRMAN COTEY: Very good. No.  
6 4, at final plan providing written  
7 agreement with School District 70 on  
8 payment of impact fees -- excuse me -- on  
9 payment of impact fees?

10 MR. WALLINE: Well, we would  
11 request that, No. 1, the Village doesn't  
12 actually turn that authority over to the  
13 School District. We don't think that's  
14 necessarily a wise thing to do. That, you  
15 know, we are not at all against working  
16 with the Village and the School District to  
17 see if we can provide adequate mitigation.  
18 But to hand the authority over to the  
19 School District, we cannot agree with that.

20 CHAIRMAN COTEY: Very good.  
21 Okay. Now, there are some final  
22 engineering requirements that must be met  
23 prior to engineering approval including,  
24 but not limited to the following: No. 5,

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1 provide exact details on the proposed  
2 street bump outs to address concerns about  
3 snow removal?

4 MR. WALLINE: Yes. I will make  
5 this brief so we don't have to go through  
6 each and every one of these. But on many  
7 occasions, we have confirmed that we are  
8 comfortable, we have been through a lot of  
9 these issues with staff, and we are  
10 comfortable that all these issues can be  
11 resolved in final engineering.

12 CHAIRMAN COTEY: So you are  
13 saying you agree to 5, 6, 7, 8, 9, 10, 11,  
14 12, 13, 14, 15, 16, 17, 18, 19?

15 MR. WALLINE: That's correct.

16 MR. PARDYS: Just for the  
17 record, that's from the Development Review  
18 Committee Report dated February 22, 2017;  
19 is that correct?

20 CHAIRMAN COTEY: Correct.

21 MR. PARDYS: That's correct,  
22 Petitioner?

23 MR. WALLINE: Correct.

24 CHAIRMAN COTEY: Okay. That  
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1 also continues over to Page 11 and 12 from  
2 the engineering department. Those are  
3 articles of general provisions. Do you  
4 accept the articles of the general  
5 provisions?

6 MR. WALLINE: Yes.

7 CHAIRMAN COTEY: Application  
8 requirements?

9 MR. WALLINE: Yes.

10 CHAIRMAN COTEY: General  
11 performance standards?

12 MR. WALLINE: Yes.

13 CHAIRMAN COTEY: Soil erosion  
14 and sediment control requirements?

15 MR. WALLINE: Yes.

16 CHAIRMAN COTEY: Wetland  
17 requirements?

18 MR. WALLINE: Yes.

19 CHAIRMAN COTEY: Do you agree  
20 to -- do you want me to read the F through  
21 M at this point or do you agree with those?

22 MR. WALLINE: I agree with those  
23 as well.

24 CHAIRMAN COTEY: Okay. Then we  
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1 have on Page 12 N through LL.

2 MR. WALLINE: Again, we are in  
3 agreement.

4 CHAIRMAN COTEY: Then on the MM  
5 through OO?

6 MR. WALLINE: Yes. We agree  
7 with those as well.

8 CHAIRMAN COTEY: Okay. Okay.  
9 We are preparing the motion. So give us a  
10 little time here. We want to do it  
11 correctly.

12 Before we go to a motion, I want  
13 to first ask the Petitioner, since we are  
14 missing one person tonight, would you like  
15 to go to a vote?

16 MR. WALLINE: Yes.

17 CHAIRMAN COTEY: Very good. All  
18 right. Let's first take a look at PC16-08.

19 I will entertain a motion for approval for  
20 a request for an amendment to the official  
21 map of the comprehensive plan from the  
22 public institutional to mixed medium  
23 density residential currently located in an  
24 IV institutional building district at 901

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1 North Butterfield subject to the condition  
 2 that this area become a conservation area  
 3 with no structures built.  
 4 COMMISSIONER KRUMMICK: So  
 5 moved.  
 6 COMMISSIONER SCHULTZ: Second.  
 7 CHAIRMAN COTEY: Do we have that  
 8 picture, John, to show the public where  
 9 that area is?  
 10 MR. SPODEN: It is actually --  
 11 we have the one that is up there this  
 12 evening. It is that southern, the southern  
 13 swath there, if you will. That's that oak  
 14 grove.  
 15 The conservation area would  
 16 allow that detention also in the area where  
 17 it wouldn't be -- have an effect on those  
 18 trees.  
 19 CHAIRMAN COTEY: Very good.  
 20 Roll call, please?  
 21 MR. SPODEN: Commissioner  
 22 Semmelman?  
 23 COMMISSIONER SEMMELMAN: No.  
 24 MR. SPODEN: Commissioner  
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1 Krummick?  
 2 COMMISSIONER KRUMMICK: No.  
 3 MR. SPODEN: Commissioner  
 4 Schultz?  
 5 COMMISSIONER SCHULTZ: Aye.  
 6 MR. SPODEN: Commissioner  
 7 Oakley?  
 8 COMMISSIONER OAKLEY: Aye.  
 9 MR. SPODEN: Commissioner  
 10 Flores?  
 11 COMMISSIONER FLORES: Aye.  
 12 MR. SPODEN: Chairman Cotey?  
 13 CHAIRMAN COTEY: Aye.  
 14 In the matter of PC16-09, I will  
 15 entertain a motion to approve a request for  
 16 an amendment to the Village of  
 17 Libertyville's zoning map in order to  
 18 rezone approximately 40 acres of land from  
 19 an IB institutional district to an R6  
 20 single-family residential district in order  
 21 to construct a single family residential  
 22 development for property currently located  
 23 in an IB institutional buildings district  
 24 at 901 North Butterfield Road. Motion?  
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1 COMMISSIONER SEMMELMAN: So  
 2 moved.  
 3 COMMISSIONER OAKLEY: Second.  
 4 CHAIRMAN COTEY: Roll call,  
 5 please?  
 6 MR. SPODEN: Commissioner  
 7 Semmelman?  
 8 COMMISSIONER SEMMELMAN: No.  
 9 MR. SPODEN: Commissioner  
 10 Krummick?  
 11 COMMISSIONER KRUMMICK: No.  
 12 MR. SPODEN: Commissioner  
 13 Schultz?  
 14 COMMISSIONER SCHULTZ: No.  
 15 MR. SPODEN: Commissioner  
 16 Oakley?  
 17 COMMISSIONER OAKLEY: No.  
 18 MR. SPODEN: Commissioner  
 19 Flores?  
 20 COMMISSIONER FLORES: No.  
 21 MR. SPODEN: Chairman Cotey?  
 22 CHAIRMAN COTEY: No.  
 23 Okay. In the matter of PC16-10,  
 24 I will entertain a motion to approve or  
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1 request for a preliminary plot of  
 2 subdivision in order to subdivide  
 3 approximately 40 acres of land in order to  
 4 construct a single-family residential  
 5 development for property currently located  
 6 in an IB institutional buildings district  
 7 at 901 North Butterfield Road subject to  
 8 the conditions set forth as conditions 1  
 9 through 19 and -- okay, okay -- conditions  
 10 1 through 19 on Pages 19 through 13 of the  
 11 February 22, 2017, Development Review  
 12 Committee Report with the exception of the  
 13 following numbered conditions, 1, 3, and 4.  
 14 MR. PARDYS: Mr. Chairman, just  
 15 for clarification, it is Pages 9 through  
 16 13.  
 17 CHAIRMAN COTEY: 9 through 13.  
 18 Very good. Motion?  
 19 COMMISSIONER OAKLEY: So moved.  
 20 COMMISSIONER FLORES: Second.  
 21 CHAIRMAN COTEY: Roll call,  
 22 please?  
 23 MR. SPODEN: Commissioner  
 24 Semmelman?  
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1 COMMISSIONER SEMMELMAN: No.  
 2 MR. SPODEN: Commissioner  
 3 Krummick?  
 4 COMMISSIONER KRUMMICK: No.  
 5 MR. SPODEN: Commissioner  
 6 Schultz?  
 7 COMMISSIONER SCHULTZ: No.  
 8 MR. SPODEN: Commissioner  
 9 Oakley?  
 10 COMMISSIONER OAKLEY: No.  
 11 MR. SPODEN: Commissioner  
 12 Flores?  
 13 COMMISSIONER FLORES: No.  
 14 MR. SPODEN: Chairman Cotey?  
 15 CHAIRMAN COTEY: No.  
 16 In the matter of PC16-11, I will  
 17 entertain a motion to approve a request for  
 18 a special use permit for a planned  
 19 development or to construct residential  
 20 development for property currently located  
 21 in an IB institutional buildings district  
 22 at 901 North Butterfield Road subject to  
 23 the same conditions as stated in motion to  
 24 approve PC16-10.

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1 COMMISSIONER FLORES: No.  
 2 MR. SPODEN: Chairman Cotey?  
 3 CHAIRMAN COTEY: No.  
 4 In the matter of PC16-12, I will  
 5 entertain a motion to approve a request for  
 6 a planned development concept plan in order  
 7 to constrict a single-family residential  
 8 development for property currently located  
 9 in an IB institutional buildings district  
 10 at 901 North Butterfield Road subject to  
 11 the same conditions as stated in the motion  
 12 to approve PC16-10.  
 13 COMMISSIONER SEMMELMAN: So  
 14 moved.  
 15 COMMISSIONER FLORES: Second.  
 16 CHAIRMAN COTEY: Roll call?  
 17 MR. SPODEN: Commissioner  
 18 Semmelman?  
 19 COMMISSIONER SEMMELMAN: No.  
 20 MR. SPODEN: Commissioner  
 21 Krummick?  
 22 COMMISSIONER KRUMMICK: No.  
 23 MR. SPODEN: Commissioner  
 24 Schultz?

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1 COMMISSIONER SEMMELMAN: So  
 2 moved.  
 3 COMMISSIONER OAKLEY: Second.  
 4 CHAIRMAN COTEY: Roll call,  
 5 please?  
 6 MR. SPODEN: I apologize. I did  
 7 not hear the second.  
 8 COMMISSIONER OAKLEY: (Nodded  
 9 head).  
 10 CHAIRMAN COTEY: Roll call?  
 11 MR. SPODEN: Commissioner  
 12 Semmelman?  
 13 COMMISSIONER SEMMELMAN: No.  
 14 MR. SPODEN: Commissioner  
 15 Krummick?  
 16 COMMISSIONER KRUMMICK: No.  
 17 MR. SPODEN: Commissioner  
 18 Schultz?  
 19 COMMISSIONER SCHULTZ: No.  
 20 MR. SPODEN: Commissioner  
 21 Oakley?  
 22 COMMISSIONER OAKLEY: No.  
 23 MR. SPODEN: Commissioner  
 24 Flores?

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1 COMMISSIONER SCHULTZ: No.  
 2 MR. SPODEN: Commissioner  
 3 Oakley?  
 4 COMMISSIONER OAKLEY: No.  
 5 MR. SPODEN: Commissioner  
 6 Flores?  
 7 COMMISSIONER FLORES: No.  
 8 MR. SPODEN: Chairman Cotey?  
 9 CHAIRMAN COTEY: No.  
 10 Gentlemen, you have received a  
 11 negative recommendation from the Plan  
 12 Commission on PC16-09, 16-10, 16-11, 16-12.  
 13 Staff, when -- I know there is a lot of  
 14 interest by the public on when this motion  
 15 will be coming up before the Village Board.  
 16 Do we have any idea when that will be?  
 17 MR. SPODEN: No. 1,  
 18 Mr. Chairman, we hope that -- keep an eye  
 19 on our website for that exact date. Our  
 20 current proposal is to have that meeting  
 21 here at the high school on March 21, to  
 22 review that recommendation. Obviously, if  
 23 the Petitioner is available that night and  
 24 the Village Board is. But we have reserved

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1 this room for that night. I believe that's  
2 our current proposal would be March 21.  
3 CHAIRMAN COTEY: Very good. I  
4 would like to thank everybody in the public  
5 for staying out so late tonight. Your  
6 comments were well taken by the Commission.

7 Also, I want to thank the high  
8 school for letting us do this at their  
9 venue here. It was very generous of them  
10 to let us use the facilities. It was -- it  
11 is a great spot to hold a meeting and we  
12 enjoyed it very much.

13 So you can check in with the  
14 Village website or call staff if you want  
15 to know any further information about this  
16 case going forward, and I want to thank you  
17 all again for coming out.

18 Please continue. We do like the  
19 public at our meetings. Because as a lady  
20 said, complacency will sink in. So please  
21 show up.

22 Now, in the matters -- we have  
23 no new business. Any comments or  
24 discussion tonight?

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1 STATE OF ILLINOIS )  
2 ) SS:  
3 COUNTY OF L A K E )  
4  
5  
6  
7

8 I, Carrie McCann, CSR,  
9 Certified Shorthand Reporter, and a notary  
10 for the County of Lake and State of  
11 Illinois, do hereby certify that the  
12 testimony given in the proceedings before  
13 The Zoning Board of Appeals and the Plan  
14 Commission on February 27, 2017 was  
15 recorded stenographically by me and  
16 transcribed by me.

17 I FURTHER CERTIFY that the  
18 foregoing transcript of said proceedings is  
19 a true, correct, and complete transcript of  
20 the testimony given by the said witnesses  
21 at the time and place specified.

22 I FURTHER CERTIFY that I am not  
23 a relative or employee or attorney or  
24 employee of such attorney or counsel, or

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1 MR. SPODEN: No, none this  
2 evening.

3 CHAIRMAN COTEY: Very good. In  
4 that case, I would like to adjourn till the  
5 February 22, 2017 Plan Commission meeting.

6 COMMISSIONER OAKLEY: So moved.

7 COMMISSIONER SCHULTZ: Second.

8 CHAIRMAN COTEY: All in favor?

9 COMMISSIONER SEMMELMAN: Aye.

10 COMMISSIONER KRUMMICK: Aye.

11 COMMISSIONER SCHULTZ: Aye.

12 COMMISSIONER OAKLEY: Aye.

13 COMMISSIONER FLORES: Aye.

14 CHAIRMAN COTEY: Aye.

15  
16 (Whereupon the proceedings  
17 adjourned.)  
18  
19  
20  
21  
22  
23  
24

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1 financially interested directly or  
2 indirectly in this action.

3 IN WITNESS WHEREOF, I have set  
4 my hand.  
5  
6  
7  
8

9 \_\_\_\_\_  
10 Carrie McCann  
11 Certified Shorthand Reporter  
12 Certificate No. 84-004374  
13  
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