

**VILLAGE OF BARRINGTON HILLS
PLAN COMMISSION
JANUARY 13, 2003**

The regular meeting of the Village of Barrington Hills Plan Commission was called to order at 7:30 p.m. by Chairman Smithe.

Commission Members Present: Kenneth Bosworth
 Peter Grande
 Patrick Hennelly
 Lou Anne Majewski
 James O'Donnell
 Michael Schmechtig
 Walter Smithe, III, Chairman
 Daniel Wolfgram

Absent: Thomas McGrath

The Attendance Sheet is attached and made part of these Minutes.

PREVIOUS MINUTES: Commissioner Wolgram made the motion, seconded by Commissioner Hennelly, to approve the **December 2nd** Minutes as presented. Motion carried by voice vote. Commissioner Bosworth made the motion, seconded by Commissioner Wolfgram, to approve the **October 16th** Minutes as presented. Motion carried by voice vote. Commissioner Bosworth made the motion, seconded by Commissioner Wolfgram, to approve the **March 11th** Minutes as presented. Motion carried by voice vote.

SUBDIVISION ORDINANCE AMENDMENT: Robert Kosin advised that BACOG has prepared for its member villages a sample ordinance regarding collection of impact fees for schools, parks, fire districts, and library districts. The Board of Trustees has referred consideration of the ordinance to the Plan Commission, which is required by the Village's own ordinance.

Trustee Sapp introduced Linda Starkey, Village President of North Barrington and a member of the BACOG Impact Fee Committee, to further explain the proposed ordinance in hopes the Village would consider its adoption. "Impact fees that are somewhat uniform over the entire area can help reduce conflict among governments over development issues," Ms. Starkey said. She hoped that developers would find the same impact fees at any of the BACOG villages and therefore not be able to play one village against the other. To date, Deer Park and North Barrington had voted to assess impact fees.

The Impact Fee Committee was formed in 2001, subsequently hiring attorney Richard Flood as counsel. Ms. Starkey referred to BACOG Director Janet Agnoletti's Development Impact Fees Report, which stated goals of regional consistency across the

BACOG area, a comprehensive group of beneficiaries, higher revenues than currently generated, and legal defensibility. Slight modifications and customizing is expected, according to Ms. Starkey. Douglas Wambach, Village Attorney, pointed out that the more changes made may lessen the ordinance's legal defensibility by the participating districts.

The question of when the fees would have to be paid was discussed. Mr. Wambach explained payment would not have to be made at platting, but deferred to the issuance of building permits, only if the developer waives any right to the imposition of the fee. He added that most subdividers would not want to pay it at the time of plat recordation.

Commissioner Bosworth questioned why the fee shouldn't be imposed on individual owners building or remodeling their residence. Mr. Wambach cautioned that the Commissioners give careful consideration to that idea, as it might reduce the ordinance's defensibility. The more it is changed the more there is a risk of the participating districts not standing behind it. For further consideration, Mr. Wambach distributed copies of a report on the Effects of Impact Fees on Chicago's Suburbs.

Edith Auchter, 16 Ashbury Lane, strongly encouraged acceptance of this proposal.

No further action was taken on this matter. Consideration would be continued at subsequent meetings.

WAMBERG CONSERVATION EASEMENT: Attorney Thomas Hayward, Jr. presented for consideration a first draft of the conservation easement for property within the Wamberg development, which was requested by the Plan Commission at a previous hearing. The issue of stewardship would also be discussed. The 70 acres are located west of New Hart Road, south of Lake Cook, and east of Old Hart Road. The center core of the property consists of 30 acres to be impressed with a conservation easement: A 14 acre outlot within Barrington Hills, 11 acres on the east side of the five residential lots that will eventually be subdivided, and 5 acres located within the commercial lots to the south. In the center of those 30 acres there is a convergence of the North/South and East Branches of Flint Creek.

Steve Albert, a civil engineer for the Wamberg family, explained on a diagram and aerial map the conservation area and what has been accomplished to date. He indicated that it was the desire of the Wamberg family, by recordation of the easement and CCR's, to govern and control the ownership of the area as preserved and undeveloped open space. As stated in the draft, maintenance will ultimately be shared with all property owners having any portion of the conservation easement on their property. Mr. Albert thought that annual amount would be minimal, somewhere around \$3,000.

Commissioner Schmechtig questioned the type of detention areas on the plan. Mr. Albert replied that they were designed as wetland ponds, with some areas shallow and others having more open space. He further explained that stormwater from the developed areas must be cleansed using stormwater infiltration systems, native landscape restoration and

installation, and the use of vegetated open-channels instead of storm sewer pipes. Each would be connected to the other to create what he called a “Stormwater Treatment Train”.

When asked who would enforce the maintenance of the easement, Mr. Hayward replied that currently it would be the owners (Wamberg family), who intend to own this property for a long period of time, or possibly by a qualifying 501-C3 conservation group or a Special Service Area (SSA). He also pointed out that the first parcel to be developed would be commercial Lot 1, with construction of corporate offices for Clark Bardes, whose Chairman is Mr. Wamberg.

Resident John Palmer expressed concern that there would not be sufficient funds with which to properly maintain the conservation easement in the future. He thought there was a need for a capital endowment sufficient for maintenance far into the future. Mr. Hayward replied that establishment of an SSA would provide that capital. Attorney Wambach also stated that he would make sure there is adequate funding mechanism in place to do the work before its approval. It was the consensus of the Commission not to require an endowment.

Resident Bob Krok expressed concerns about flooding in the easement area and that Barrington Hills would be responsible. Mr. Albert assured him stormwater runoff would be decreased rather than increased because of the restoration and replanting.

Resident Karen Krok asked if the configuration of Flint Creek would be changed. Mr. Albert said no, but for a roadway culvert requested by Barrington to connect parcels three and four

Resident Mary Bradford-White thought it appeared the plan would improve drainage. She owns property to the south of Lake Cook Road and has already noticed considerable improvement.

Village Engineer Michael Lukich said there was a lot of detailed information that still had to be submitted, but thought there was merit to the plan. He also added that there would be many entities checking those details, including the Corps of Engineers, Lake County and others.

No further action was taken on this matter.

SPRING CREEK HILLS SUBDIVISION – LOTS 38 & 39: Bruce Tinkoff, attorney for the petitioner, explained that the current owner of these lots wants to officially consolidate them by plat into one lot.

Robert Kosin explained that the Village Zoning Ordinance provides that the presentation by the builder/owner to the Village Building Department of two or more lots will be treated as one for purposes of a building permit. This was the approach taken by the current owner, who has begun construction of a residence.

Commissioner Bosworth questioned whether there were any equestrian trails adjacent to this property. Mr. Tinkoff replied that he did not ascertain any such easements in the title search. Special Counsel Gerald Callaghan also said he didn't see any such reference in the CCR's, but would check them again.

No further action taken on this proposal.

TRUSTEE'S REPORT: Trustee Sapp reported that the Village Board had approved the Plan Commission's recommendation to amend the drainage easement on Lot 41 of the Spring Creek Subdivision.

A proposed amendment to the Subdivision Ordinance was referred to the Plan Commission for public hearing. The amendment recommends a process for the reconfiguration of easements within subdivisions so as not to require resubdivision of the property.

The speed limit on Cuba Road has been reduced from 35 to 30 mph. Also, the Village road program was completed on time, with billed costs less than the bid amount.

Two Police officers, Fernandez and Montemayor, received an IDOT Traffic Award.

A resolution was passed entering into an agreement with the American Red Cross to provide disaster relief services in coordination with the Village.

There being no further business, the meeting was adjourned at 10:10 p.m.

Respectfully submitted,

Lou Anne Majewski
Recording Secretary