

These minutes are merely a summary and an attempt to reference comments that took place on the Board.

VILLAGE OF BARRINGTON HILLS  
PLAN COMMISSION MEETING  
July 14, 2014

The regular meeting of the Village of Barrington Hills Plan Commission was called to order by Chairman Bosworth at 7:40 p.m.

Plan Commission Members Present: Kenneth Bosworth-Chairman  
Daniel Wolfgram  
Pamela Cools  
Arnold Cernik  
Daryl Adams

Absent: Patrick Hennelly  
Kelly Mazeski  
Lou Anne Majewski  
Julie Joyce

**PREVIOUS MINUTES:**

Chairman Bosworth asked for a motion for approval of the June 9, 2014 minutes. Commissioner Wolfgram motioned to approve the minutes of June 9, 2014 with corrections. Trustee Cernik seconded. All present said Aye.

**223 Westfield Way – Heritage Tree Appeal** – Chairman Bosworth stated that Village Administrator, Robert Kosin advised him that as only five members are present tonight, the vote has to be unanimous in nature. Mr. Kosin stated that this is occurring under Title 4 of the Village Code, Chapter 6 under Tree Preservation. The applicant Naj Hasan, is here tonight and he is also able to bring forward experts or persons who may address specifics. This matter was carried over to bring it into compliance. The Village is in receipt of a responsive plan that was prepared at the direction of Mr. Hasan from Apex Landscaping that was submitted to Chuck Stewart, Village Arborist and Mr. Stewart is here to comment on this plan.

Mr. Naj Hasan had with him his arborist, Muriel Pick of Apex Landscaping, Inc., who presented the case. Chairman Bosworth asked Mr. Hasan what exactly is the relief he is asking for. Mr. Hasan replied that he is being asked to plant 210 trees as mitigation for Heritage Trees which were removed during construction of his home. He said he has already planted 36 trees. The Commission asked that he get an arborist to count the number of trees currently on his lot and to see how many more can be planted. Ms. Pick stated that Mr. Hasan had also already planted 140 6” Colorado Spruce trees for privacy, prior to planting the Heritage Trees for mitigation. In lieu of planting the additional 211” inches, based on the fact that he has already planted many trees, she advised Mr. Hasan that he has room for only 10 more new Heritage Trees of a 3” diameter and advised that the existing forest and the newly planted trees be mulched and protected.

Mr. Chuck Stewart, our Village Arborist had advised Mr. Hasan when the original plans for construction of the house were submitted, that the total number of inches that were to be removed and mitigated was 438”.

Mr. Hasan's arborist at that time had advised that 62 trees be removed -- 26 Heritage plus 36 other trees and Mr. Stewart approved their removal. When he went back to inspect the property, Mr. Stewart found that more trees had been removed than were on the approved list. A total of 11 additional Heritage Trees or 253" were removed by a contractor hired by Mr. Hasan, which Mr. Hasan has said were not done with his permission or knowledge. Removal of these 11 trees raised the mitigation requirement from 438" to 691". Mr. Hasan has not replaced any of the mitigated trees and in some areas where those trees had been removed, spruce trees had been planted and that is not what the Ordinance provides for.

Commissioner Cools asked Mr. Stewart how many trees is he proposing that Mr. Hasan needs to plant. Mr. Stewart replied that taking the 691" minus the 270" credit for young Heritage Tree saplings already growing on the property would leave 421" to mitigate or 105 - 4" caliper trees, but he felt that there was room for only 76.

Peggy Judd, resident of 221 Westfield Way for the past nine years, and the president of the Homeowners Association read a statement to the Commission. She stated that the clearing of Mr. Hasan's lot started in October of 2012, but she had hoped that many of the trees would be saved because of the Tree Preservation Ordinance, but she was incorrect. In October of 2013, the Homeowners Association had received a tree replacement plan along with a letter from Mr. Hasan's builder. Where the Heritage Trees were removed and new ones to be planted are now all spruce trees, totally disregarding the submitted plan. She stated that the workers who were hired to cut down trees had also cut down three trees on her property. She would like to have some of Mr. Hasan's replacement Heritage trees be planted on her property to replace the ones that she says were illegally removed. The next violation she witnessed is concerning the three huge trees in the center island. If they had been protected properly, she feels that they would have survived. She felt that an effort to save these trees was clearly absent. She would like to see a lot of the spruce trees removed and replaced with Heritage Trees. She feels the spruces should never been planted before the Heritage Trees were replaced.

Mr. Hasan stated that his feud with his neighbors began because she has encroached on his lot on the northeast side about 100 feet and cleared the trees. He stated that there are iron pipes in the ground and pins in the street that show where the property line is.

Chairman Bosworth advised Mr. Hasan, that it would behoove him to meet with his neighbor, Ms. Pick and Mr. Stewart, and to request a continuance so that he can remedy what he did to the trees on her property.

Mr. Adams stated that his first reaction was that the Commission should not consider any relief unless it was an extraordinary circumstances. Last month Mr. Hasan sent over his expenses and the largest expense was the removal of the Heritage Trees, and as far as he was concerned, Mr. Hasan should put in every inch of tree.

Commissioner Cools stated that she drove by this property to get a better sense and she thinks he would be hard pressed to plant 100 trees anywhere on that property that could get adequate sun, that could be adequately taken care of for the three years that is required by the ordinance to keep them alive. She felt that 50 trees would be a reasonable number.

Chairman Bosworth again asked Mr. Hasan if he wanted a continuance to meet with the people to come up with something with a mid-point or else Mr. Bosworth would have to ask the Commission to vote tonight. Mr. Hasan asked for a continuance.

**Barrington Hills Roadway Report** – Chairman Bosworth stated that the document provided in the packet is information only. The Village is trying to get more information on the use of the term Collector Roads. Village Engineer Dan Strahan stated that there are roughly 102 miles of roads in the Village. The first distinction made is whether the road is public or private for maintenance responsibility, not necessarily ownership. Public roads would be maintained by the State or County. Private roads would be maintained by a collection of property owners. There are 77.8 miles of public roads, and 24.5 of private roads. There are 19.9 miles of State Highways, 18.5 of County miles and 39 miles of road maintained by the Village. Mr. Strahan included in the packets, Chapter 43 of the Bureau of Design and Environment. The functional classification system would determine which roads would be eligible for federally funded projects. This State has been functionally responsible for classification of roads since 1991. The functional reclassification for Spring Creek Road was the only one made to the McHenry Council of Mayors in 2013. All other roads have been classified by IDOT. In 2013, the Village resurfaced Spring Creek Road and leading up to that, doing due diligence for the drainage structures and culverts. West of Ridge, where Spring Creek (the creek) crosses Spring Creek Road, there are three metal corrugated metal arch culverts and that is what carries Spring Creek across Spring Creek Road. Since that culvert is over 20 feet long, (it is 30 feet), it is classified as a bridge and it requires a structural evaluation every two years. The Village Engineers took a look at what it would cost to line the culverts as part of the roadway resurfacing project and came up with \$210,000 to \$240,000 as a preliminary estimate. Our annual road budget is about \$700,000 to \$800,000, so that was a considerable chunk of it and that made us consider if there were other funding options for eventual replacement of the structure.

The Villa recently had experience with the Cuba Road Bridge on a Federal Aid Highway System, which is eligible for Federal Funding, so the Village Engineers made the recommendation to look at Spring Creek Road. Spring Creek Road west of Haeger's Bend was already a FAU route, so it was recommended to the Village to consider making the request to the McHenry Council of Mayors to functionally reclassify Spring Creek Road between Haeger's Bend and Ridge as an FAU. The application was submitted to the McHenry County Council of Mayors on May 16, 2013 and that action was noted in the Village Board meeting of May 23, 2013.

Chairman Bosworth asked what does the term Collector Road mean in connection with functional classification. Mr. Strahan replied that information is in the Bureau of Design and Environment Manual under Chapter 43, 43-1.03(c) which describes Major and Minor Collector Roads.

Chairman Bosworth asked what is the implication of being a Collector Road. Mr. Strahan replied that the implication of being a functional classification system, is the road is eligible for Federal Funding.

Commissioner Cools asked if the approval of the FAU by the McHenry Council of Mayors had any strings attached. Mr. Strahan replied no. Commissioner Cools asked if the island at the corner of Spring Creek and Haeger's Bend Road was promised to be removed by Trustee Meroni at that meeting, and by what authority. Mr. Strahan replied that he was at that meeting and didn't hear it as a promise to be removed. Commissioner Cools stated that information was in the McHenry Council's Minutes, and in Trustee Meroni's Roads & Bridges Report and that Trustee Meroni had also stated that she would be renegotiating the IGA with the Village of Algonquin to extending fire hydrant to that corner in exchange for removing the island. Commissioner Cools again stated that this information was posted on the Village website and showed the decision was made unilaterally by Trustee Meroni. Mr. Kosin replied that the only thing binding on the Village is a Resolution or an Ordinance. In terms of the discussion of the

fire hydrant, that is a discussion that is going on in order to find out how we can bring water closer to the various points of need. Commissioner Cools asked what about the removal of the island. Mr. Kosin replied there is no quid pro quo, there is no schedule for the removal, there is no binding commitment on the part of the Village. Commissioner Cools said that a pretty implicit promise was made by Trustee Meroni at that meeting. Mr. Kosin replied an offer can be made, but whether or not it is accepted by the Board of Trustees requires the Board to have consideration and a Resolution to be adopted.

Commissioner Cernik asked about the notification standpoint, when the possibility of a highway or roadway reclassification comes up, it apparently has been the Village policy not to notify the residents of that roadway that this is even being considered, or has been accomplished. Mr. Strahan replied that we have only had one such instance and the Village did not notify residents in that instance.

**PUBLIC COMMENTS:** Public Comments were given by the following:

Bonnie Duresa, 1001 Plum Tree Road

Audio on these comments can be located at the Village Web Site – [www.vbhill.gov](http://www.vbhill.gov). [Any written comments handed in will be posted as an attachment to the Agenda.]

**TRUSTEE'S REPORT:** Trustee Konicek was absent.

President Martin McLaughlin stated that Trustee Meroni and Village Engineer Dan Strahan both did attend the McHenry County Council of Mayors meeting days after he was elected, and as far as the decision for Spring Creek as an FAU route and the discussion of the island, those things did happen at that meeting and he had documents with him which clearly reflect those facts which he presented to Mr. Kosin. He also wished to clarify that CMAP (Chicago Metropolitan Agency for Planning) is an entirely different entity from McHenry Council of Governments. Mr. Strahan stated that there is the McHenry Council of Governments and the McHenry Council of Mayors and they are affiliated with CMAP, but are completely separate bodies from CMAP.

Horizon Farms -- Commissioner Wolfgram attended the meeting with the Forest Preserve District of Cook County (FPDCC) relative to their future plans for Horizon Farms. They said the Forest Preserve in Cook County now makes up 11% of the entire County as a result of this acquisition. There is still litigation going on with an appeal from the former owners. At the time of the meeting, there were still fifteen to eighteen horses on the property and some people still living there. FPDCC is putting out a bid to mow the hay and is has not yet been done and probably too late to harvest. They want the property completely vacated and some buildings will come down. They stated that some of the land that was converted from natural to farmland will be remediated. FPDCC is collecting data in the Summer and will present their plans in the Fall, and they are looking into the need for public stables. They have the property divided into different segments and the farthest north end of the property abuts Goose Lake. This could be a possible problem if you are a Goose Lake resident. He asked a representative of the Forest Preserve what they intended on doing with that and they said that they might possibly allow fishing. Mr. McGinley, who was involved in the donation of the property in a Conservation Trust, was at the meeting and suggested using the former McGinley house as a meeting place. Commissioner Wolfgram felt it would make sense for Barrington Hills to make some sort of response, presentation or request for the Forest Preserve to consider certain use of the property.

President McLaughlin said that the Forest Preserve will be holding two more Public Meetings before going into a final decision phase. The Village is a named party in the Conservation Easement on the property along with the Barrington Area Conservation Trust, so all three parties will have a say in the planning and they have to comply with terms of the Conservation Easement.

**ADJOURNMENT:** Commissioner Cools motioned to adjourn at 9:24 p.m. Commissioner Adams seconded. All present said Aye.

Meeting Adjourned

Respectfully submitted,

Pamela A. Cools  
Recording Secretary