

From: "Wright, Andrew" <AWright@addus.com>

Date: May 16, 2010 13:48:44 CDT

To: <Bob@RGALabs.com>, <svferis@gmail.com>, "Robert and Amy Nykaza" <amy.nykaza@sbcglobal.net>, <BobFesmire@elliscorp.com>, <bradleyterrell@juno.com>, "Mary Bradford-White" <mbbw0128@msn.com>, <D-elliott@mmslists.com>, <d@juffernbruch.com>, <dclarke3@sbcglobal.net>, <fullcircleofillinois@msn.com>, <G-W@comcast.net>, "Kurt Anderson" <Kurt.anderson@comcast.net>, "Linda Fox" <lfox@active-elec.com>, <mollyhamman@yahoo.com>, <peggyt@theagencystaffing.com>, <reeseates@myarbonne.com>, <Rittmaster00@aol.com>, <sapp375@aol.com>, <silviaweinert@comcast.net>, <skowronski.carol@gene.com>, <Tmagner@barringtonarearealty.com>, <tracymquinn@aol.com>, <flumps@mac.com>, <sal.falco.bzzz@statefarm.com>, <steven369@comcast.net>, <scottrweber@gmail.com>
Cc: "Rick Weber" <rweber73@gmail.com>, "Wright, James" <jwright@wrightdev.com>, <ed@presstechus.com>

The email below was sent to me and others by James Hammond with his request that if those of us who received it agree that the Equestrian Commission's proposal are worrisome, we forward it to other residents of Barrington Hills. Those of you who know me, know that I am not a proponent of government intrusion, nor of overly restrictive regulation. However, some regulation is necessary or we would have chaos.

In my opinion, the proposals from the Equestrian Commission go too far with respect to proposing nearly total freedom from regulation with respect to the number of "livestock" that a resident may have on their property. Further, allowing a barn to be larger than the primary residence is a ridiculous request under the "home occupation" ordinance. In my opinion, there should be a limit to the number of horses and/or other livestock per acre. The author(s) of the proposals and the accompanying Memo believe(s) that residents should have the right to choose for themselves the number they have. Providing that freedom could lead to ridiculous situations (12, 18, 36, or more livestock on 5 or 10 acres?). Would you want to live next door to that?

The effect of some of the Equestrian Commission's proposals will be to permit commercial horse operations, plus virtually any other form of commercial animal husbandry, including without limitation "cattle, sheep, llama, alpacas, donkeys or other livestock." Are we to be expected to live next to an alpaca raising "hobbyist" who thinks that 5 acres is just fine for keeping a herd of (5, 10, 25 or more) alpacas or ostrich? Some of these proposals would permit commercial operations to be established in Barrington Hills under the guise of a "Home Occupation."

They also want to permanently exempt from building and zoning regulation buildings that are currently non-compliant, and to even allow such a building to be replaced if it is

destroyed. Grandfathering current structures that are not safety hazards or nuisances is often done when new regulations are put in place, but no municipality that I know of that has grandfathered such structures allows them to be replaced. Most municipalities require an owner to bring a building up to current codes when alterations or major repairs costing 50% or more of replacement value are proposed. It's ridiculous to request that a non-conforming structure could actually be replaced.

Following is Mr. Hammond's email. Please feel free to forward this to other Barrington Hills residents.

Once you've had an opportunity to read what is attached and the recent article in the Barrington Courier-Review (link follows), imagine yourself living one day next door to someone who chooses to exploit every provision being proposed with more than ??? horses/clients/trainees/trainers/trailers on a typical five acre residential property. Also consider the noise from worker's vehicles arriving at 6:00 AM on a Sunday (some with trucks that beep when reversing), increased traffic on your road and multiple training sessions mostly on weekends beginning at 8:00 AM when you're outside trying to enjoy a quiet cup of coffee on your patio. In the event that these proposals were to pass, you would have no grounds to complain to your Village.

If you concur that these proposals might threaten the tranquil personal lifestyle you've grown accustomed to here in Barrington Hills (and potentially the future value of your home), then please forward this message to friends and neighbors in the village who should be aware of this, since the Equestrian Commission is certainly not advertising this critical discussion.

Here's the link to the BCR article published May 13, 2010:

<http://www.pioneerlocal.com/barrington/news/2261934,barrington-horses-051310-s1.article> <<https://mail.addus.com/exchweb/bin/redirect.asp?URL=http://www.pioneerlocal.com/barrington/news/2261934,barrington-horses-051310-s1.article>>

Thank you for your time and consideration of this important matter.

Jim Hammond
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847.420.5743

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From: Marvin Husby [mailto:marvinhusby@sbcglobal.net]
Sent: Monday, June 21, 2010 18:21
To: Dennis Gallitano; president@barringtonhills-il.gov
Cc: Diane Wamberg; Michael McLaughlin; James Drury; Karen O'Connor
Subject: Re: HALO and Commercial Boarding

Dennis

I'm glad your "steering committee" decided to change what the organization was designed for and to take new political positions without so much as an email requesting members input. I thought this type of ad hoc government was what HALO was designed to stop. I do not wish to be a part of an organization that makes decisions and takes political positions without so much as an email to members. I will NOT have my name associated with an organization that operates in this manner as I clearly will have no input or warning to what side of each issue HALO will stand for. Will HALO be taking a position on the 5 acre lot requirements without asking for member input?

In addition, Dennis, I have talked to several members who feel the same way who may or may not take the time to remove their names. This is not a question of which side of an issue I stand on. Its a question of not having input as to what my name will be used to support. Please let me know where to drop off the signs and please remove Holly's name as well.

Thanks
Marv

--- On **Mon, 6/21/10**, **Dennis Gallitano** <Dennis.Gallitano@gallitanooconnor.com> wrote:

From: Dennis Gallitano <Dennis.Gallitano@gallitanooconnor.com>
Subject: HALO and Commercial Boarding
To: "Marvin Husby" <marvinhusby@sbcglobal.net>
Cc: "Diane Wamberg" <dedewamberg@mac.com>, "Michael McLaughlin"

<mclaughlin_michael_j@yahoo.com>, "James Drury" <jdrury@jdrurypartners.com>, "Karen O'Connor" <Karen.Oconnor@gallitanooconnor.com>
Date: Monday, June 21, 2010, 6:00 PM

Marvin,

I'm sorry to hear of your disassociation, and we certainly hope you can reconsider in light of the following:

HALO was formed to oppose the lighting ordinance **and** to promote better government. What we've seen with the commercial horse boarding proposal is the same insensitivity of our elected officials to our property rights. In this case, imagine your neighbor in Pond Gate (the one who has the horses that abuts Penny Road) who, instead, was living next to you and then put a "For Stable" Sign outside his property advertising 40 stables for rent. This neighbor decides to build a 5,000 sq. foot barn right on your property line (Village wants to disband the set back requirements for commercial buildings). And then every day visitors, horse owners and trainers park their vehicles next door to you. There is precedent for this in the Village. One property actually houses over 40 horses on a 2.5 acre area (although the property owner owns a lot more). Just imagine how a commercial operation boarding 40 horses would impact the use and enjoyment of your property.

There are no personal agendas at HALO, just a lot of folks who want to stop the onslaught of our Village government pursuing ordinances that simply do not make any sense for this community. The decision to move into the commercial boarding issue was made by the larger HALO Steering Committee after about a 4 hour discussion on this topic about 3 weeks ago, so it was not an easy issue to deal with (HALO expanding to address other inequities in the Village).

We would hope you see the larger picture being pursued by our Village government, and would like for you to re-think your support. For the time being, we will remove your name. Please let us know if / when we can put you back on.

Thanks,

Regards,

Dennis Gallitano
4 Fernwood Drive

From: Marvin Husby [mailto:marvinhusby@sbcglobal.net]
Sent: Monday, June 21, 2010 1:19 PM
To: HALO Members; Dennis Gallitano; president@barringtonhills-il.gov
Cc: Diane Wamberg; Michael McLaughlin; James Drury
Subject: Re: ZBA Meetings - Quick Update

To Whom it May Concern:

Please remove me as a Halo member. Without so much as a meeting, HALO has determined that they can use my name as a member to fight any ordinance they want. I find HALO's actions offensive and appalling. My understanding was that HALO was formed to fight a lighting ordinance. It now appears that HALO will use my membership and the membership of others to advance its directors' personal agenda.

6/22/2010

I thought this type of personal agenda was exactly what HALO was fighting. I do not have horses or a barn on my property but I firmly believe in each person's right to use their property as they see fit. A belief I thought HALO shared in its opposition to the lighting ordinance. Please remove me from any and all membership roles.

Sincerely,
Marvin Husby

--- On **Mon, 6/21/10**, **Dennis Gallitano** <Dennis.Gallitano@gallitanooconnor.com> wrote:

From: Dennis Gallitano <Dennis.Gallitano@gallitanooconnor.com>
Subject: ZBA Meetings - Quick Update
To: "HALO Members" <dennisgallitano@me.com>
Cc: "Diane Wamberg" <dedewamberg@mac.com>, "Michael McLaughlin" <mclaughlin_michael_j@yahoo.com>, "James Drury" <jdrury@jdrurypartners.com>
Date: Monday, June 21, 2010, 12:53 PM

Dear HALO Members:

There are two ZBA Meetings this week, as follows:

1. **Lighting Ordinance** – The ZBA will likely be finishing up its deliberation this evening (7:30 p.m., Countryside School) (no public comment allowed). The ZBA has started making minor changes to the ordinance language, but nothing of any significance – the original approach, including references to "Dark Skies", scope and breadth of the ordinance still remains. There will be representation tonight by several HALO members, and if anything significant happens, we'll let you know.
2. **Commercial Boarding** – The ZBA will be taking public comment Wednesday night (7:30 p.m., Countryside School) on the proposed ordinance change that would allow unrestricted commercial horse boarding operation in our residential neighborhoods. Currently, property owners can commercially board horses so long as it does not appear that there are commercial operations being conducted. The Village, through the Equestrian Commission, now wants to eliminate all such restrictions, thereby permitting each and every home owner to set up their own commercial operations regardless of the impact they have on their neighbors. We strongly encourage everyone to attend this meeting and question why the Village would want to remove the current, sensible restrictions. Several HALO members intend to speak, but we need to have your voices heard as well. Please join HALO members Mike McLaughlin and Jim Drury and speak out against this proposal

Regards,
Dede Wamberg
Dennis Gallitano

HALO

June 5, 2010

Dear Fellow Residents,

Summer has arrived with its sunny days and soft, warm evenings ideal for family gatherings, cocktail parties, golf or just about anything except spending another evening at a Zoning Board meeting. Yet, **your Village needs you again.**

Once again our Village is being hijacked by a small group of ideological zealots. First it was the "Dark Skies" gang; this time it's a fringe element of the Riding Club pushing for an even more invasive and dangerous idea: unrestricted, large commercial horse boarding. By unrestricted we mean anywhere (any lot of 5 acres or more), without size limits, without residential setbacks - or even minimal fire safety measures.

You might not feel this issue affects you, but unfortunately it will affect every one of us. There are a growing number of these boarding operations in the Village, and any "For Sale" sign may be the site of the next one. The proposed ordinance will subject more residents to the nightmare of business traffic, trespassing strangers, litter, trailer lots, foul odors and late-night lights. Moreover, **we will all face higher taxes** due to the increased liabilities the Village will be taking on. The attached fact sheet will quickly bring you up to speed.

Together, we can stop this. Please join us and all HALO members on June 23rd at Countryside School at 7:30 PM for the Zoning Board of Appeals meeting and once again make our Village officials hear our opposition loud and clear. Then next April let's elect Village officials we can TRUST, so we can go back to enjoying our evenings!

Jim Drury
jdrury@jdrurypartners.com
(312) 654-6739

Mike McLaughlin
McLaughlin_Michael_J@Yahoo.com
(847) 382-7890

and collect over \$350 thousand in fines. The proposed ordinance by the Village would legalize the very operation that the Village fought hard in court to shut down. Why?

Fact #5: Village officials and outside experts have testified that large commercial boarding facilities built to the proposed "Utility" standard are unsafe. Testifying under oath before the ZBA both the Village Building Officer - a 30 year fire department veteran - and an independent, licensed engineer stated that a "Utility" rating for a proposed commercial boarding facility would be unsafe. Nevertheless, the Village now proposes all boarding facilities be granted this unsafe, Utility rating.

Fact #6: The proposed ordinance would allow unrestricted boarding nearly everywhere in the Village (all R1 property). Wherever these operators pop-up neighbors' rights will be downgraded to what is deemed "reasonable" (the term used in the proposed ordinance) at that moment. In effect, "reasonable" suggests a compromise between your rights and those of the commercial boarding operators.

Fact #7: As a residential community we lack the expertise to regulate businesses, or the fire and police resources needed to deal with large commercial barn fires.

Fact #8: Yet, our Village will still have a legal responsibility to ensure these boarding facilities and operations are safe. Following commercial fire disasters, many communities have been sued and paid tens of millions of dollars in legal settlements for commercial zoning and enforcement negligence. The proposed ordinance will knowingly place boarders in large facilities filled with flammable materials and no safety measures - and with little hope of surviving a fire.

Fact #9: Thus, should the ordinance pass the Village would need to substantially expand its police, fire and administrative resources, as well as seek outside commercial zoning and regulatory expertise. Despite claiming they have worked on this ordinance for two years the Village administration has yet to identify the risks or costs.

Fact #10: If this ordinance passes YOUR TAXES WILL SURELY GO UP. Obtaining the needed police, fire and administrative resources will be expensive. Not obtaining these resources would prove even more expensive when disaster strikes and the Village is sued.

Fact #11: Against the specter of higher taxes and huge liabilities we ask, "What benefit would Village residents gain that justifies this?" The answer is "none"; and we must not allow passage of this ordinance. Many boarders in large commercial operations don't even live here. Of course, at \$10,000+ per horse per year there is a lot of money at stake, and it would appear that financial gain may be a key driver here.

Fact #12: Village equestrians above all should be opposed to this ordinance. There are over 10,000 barn and stable fires each year, killing more horses than any other non-medical emergency. The larger the barn; the greater the risk. Further, in prior years Village equestrians have opposed large commercial boarding due to the problems created by the many non-resident riders they dump on our trails and Riding Center facilities.

JOIN US AT THE JUNE 23rd MEETING AND SPEAK OUT AGAINST THIS ORDINANCE!
