

ZONING BOARD OF APPEALS
BARRINGTON HILLS, ILLINOIS

350 BATEMAN ROAD - SPECIAL USE)
RECREATION CLUB - BARRINGTON)
HILLS POLO CLUB - OAKWOOD FARMS)
POLO FIELD)
)
SUCH OTHER BUSINESS AS MAY BE)
PRESENTED)

REPORT OF PROCEEDINGS at the
hearing of the above-entitled cause before JONATHAN J.
KNIGHT, Zoning Board of Appeals Chairman, at 112
Algonquin Road, MacArthur Room, Barrington Hills,
Illinois, on the 28th day of February, 2011, at the
hour of 7:30 p.m.

ZONING BOARD OF APPEALS MEMBERS PRESENT:

MR. JONATHAN J. KNIGHT, Chairman
MS. JUDITH FREEMAN
MR. KURT ANDERSON
MS. KAREN ROSENE
MS. DARA VALIN
MR. GEORGE MULLEN
MS. NANCY MASTERSON

ALSO PRESENT:

MR. ROBERT KOSIN, Director
MR. JOSEPH von MEIER, Village Attorney

Reported by: Cynthia L. Peesel, CSR
CSR License No. 084-002656

1 (Whereupon, the following proceedings
2 were held in open meeting.)

3 CHAIRMAN KNIGHT: I'd like to open this
4 Monday, February 28th meeting of the Barrington Hills
5 Village Zoning Board of Appeals. It is 7:38 p.m.
6 That seems to be about the time I've been opening
7 these. I'd like to have a roll call please.

8 COURT REPORTER: Member Freeman.

9 MS. FREEMAN: Here.

10 COURT REPORTER: Member Anderson.

11 MR. ANDERSON: Here.

12 COURT REPORTER: Member Rosene.

13 MS. ROSENE: Here.

14 COURT REPORTER: Member Valin.

15 MS. VALIN: Here.

16 COURT REPORTER: Member Mullen.

17 MR. MULLEN: Here.

18 COURT REPORTER: Member Masterson.

19 MS. MASTERSON: Here.

20 COURT REPORTER: Chairman Knight.

21 CHAIRMAN KNIGHT: Here.

22 Before we go into the agenda -- I'll say
23 what's on the agenda. We have two items on the agenda
24 this evening. The first being a petition for special

1 use extension concerning the polo club. The second is
2 the continued discussion of the commercial boarding
3 text amendment.

4 Anybody -- I have yet to decide, it really
5 depends on how the discussion goes as to how much
6 public participation we'll ask for. We've had an
7 awful lot over the last number of meetings but in the
8 event you do care to speak, I'd ask you to stand and
9 be sworn in please.

10 (All sworn.)

11 CHAIRMAN KNIGHT: And when you do speak, if
12 you're called to speak, please state your name and
13 address and step up close here because I don't hear
14 very well.

15 With that, I would like to begin the
16 continuation of the polo issue. And when we last met,
17 I think we've gone through about 11 items; is that
18 correct, Mr. Von Meier?

19 MR. von MEIER: Yes. I prepared a summary
20 of the conditions to the special use permit and if you
21 look at your summary, there's all 11 conditions. The
22 conditions that are in italics represent changes to
23 the conditions that I think were agreed upon by the
24 two parties. And where the condition says no change,

1 that meant that the two parties agreed that they were
2 not going to request a change to that condition. And
3 then on the three that say no consensus, that means
4 that we have not reached a consensus yet.

5 CHAIRMAN KNIGHT: That's item number one,
6 item number three.

7 MR. von MEIER: And I think the last one
8 really is just in regards to the Kalaway Cup. It's
9 not listed specifically.

10 CHAIRMAN KNIGHT: So that was the third one.
11 Just three items that we have to negotiate, if you
12 will.

13 MR. von MEIER: I believe we were fairly
14 close on all but those three.

15 CHAIRMAN KNIGHT: Did the respective parties
16 get together on any of these things and discuss what
17 transpired in the last -- since our last meeting?

18 MR. ROSENE: John Rosene, 208A Braeburn in
19 Barrington Hills.

20 Last week I e-mailed an outline of how the
21 polo club and Riding Club could help manage attendance
22 at the Kalaway Cup and how we could better manage the
23 traffic flow and Mr. Drury sent me a response on
24 Friday with some additional suggestions. But

1 interestingly, he said that basically once the -- and
2 maybe he'll clear this or tell me I'm wrong, but it
3 seemed that he would be happy with working with polo
4 club on managing issues at the Kalaway Cup after the
5 special use was granted.

6 CHAIRMAN KNIGHT: Let's save item one for
7 the last to discuss. That's the term of the special
8 use permit. Let's talk about number three, sound
9 amplification devices, air horns, what have you. Did
10 any discussion take place on that as far as the
11 Kalaway Cup goes?

12 MR. ROSENE: No, we didn't get into that.
13 Are we also talking about the rest of the issues on
14 sound amplification or just Kalaway Cup?

15 CHAIRMAN KNIGHT: Well, the way it's stated
16 here is that it's okay with the Kalaway Cup, assuming
17 it's not a --

18 MR. ROSENE: That's my understanding.

19 CHAIRMAN KNIGHT: Are we good on that? The
20 other question is, the thing that's weighed on my mind
21 and -- let me ask the board members first, I'm not
22 going to speak first.

23 I'll start with you, Judy, Member Freeman,
24 how do you feel about air horns and all those kind of

1 things? And I know we went around the table once
2 before on this and we're not talking about the Kalaway
3 Cup, we're talking about other events.

4 MS. FREEMAN: Right. Yeah, it looked like
5 the applicant was looking for loud speakers to be used
6 and air horns to be used and I think they were more
7 interested in the air horns, going back through the
8 transcript, than the loud speakers.

9 MR. ROSENE: Can I clear that up a little
10 bit?

11 MS. FREEMAN: Oh, please.

12 MR. ROSENE: What we were asking for was --
13 and let me jump to one other subject, which I think
14 you've come to an agreement on. We had asked for the
15 opportunity to have two additional public events in
16 addition to the Kalaway Cup. That's kind of been
17 determined that you don't want to go ahead with that.
18 We also asked for some additional dates on which we
19 could play games and use air horns at those games. So
20 that's still a question on the table. I went over the
21 transcript of the last meeting, and I'm not sure that
22 everybody heard it, but if I understood this
23 correctly, Mr. Drury, anyway, is very comfortable with
24 the idea of us playing games on Saturdays in addition

1 to having a couple of practices during the week. And
2 if I interpreted correctly, if air horns weren't used,
3 he probably wouldn't have a problem.

4 So my instincts suggest that if Mr. Drury is
5 fine with us having a couple of practices during the
6 week and a game on Saturday, and it wouldn't be every
7 Saturday but when we could put together a game or a
8 practice match or something like that, and did not use
9 any sound amplification equipment, he'd probably be
10 okay with that, which actually simplifies the whole
11 process. If he would agree to that, if they would
12 agree to that and if you would agree to that, then we
13 would not need any game days specified other than the
14 Kalaway Cup once a year. Does that make sense?

15 MS. FREEMAN: Yeah. Absolutely.

16 CHAIRMAN KNIGHT: That's -- I'm going to
17 save my comments.

18 MS. FREEMAN: That's helpful then.

19 CHAIRMAN KNIGHT: Do you have something else
20 to say?

21 MS. FREEMAN: No, not on number three.

22 MR. ANDERSON: The one question then of
23 clarification would be are you still seeking to use
24 not the sound amplification but a air horn to signal

1 the end of the period during those matches and/or
2 games? I just need to clarify that.

3 MR. ROSENE: Yes, ideally I would like that
4 but what I'm saying is if it would make it more
5 appealing for the two objecting neighbors that we
6 didn't use air horns and we figured another way to
7 handle it, whistles or something else that wasn't as
8 intrusive, but we then had the freedom to play games
9 on a Saturday when we went -- when we've already
10 washed out Sundays, I think that might work out for us
11 very well, give us a lot of flexibility and we'd be
12 comfortable with that.

13 MR. BURNEY: Might I just clarify what
14 Mr. Rosene is saying? Are you talking about changing
15 condition seven, Mr. Rosene, where it says that public
16 and -- polo club matches and public events shall be
17 limited to a total of five per season, are you
18 suggesting that that now not be -- we weren't sure if
19 it was excluding or including the Kalaway Cup?

20 MR. ROSENE: What I'm saying is I'd replace
21 that with the only public event we'd have each year
22 would be the Kalaway Cup and none other but that we
23 wouldn't have any limitations as to if we wanted to
24 play a game on a Saturday.

1 MR. DRURY: Can I ask a question?

2 CHAIRMAN KNIGHT: State your name and
3 address please.

4 MR. DRURY: Jim Drury, 7 Deepwood Road.

5 I think one of the things that was unclear
6 last time is definitions, and I would just ask you
7 because I may use game differently than you use game.
8 You may say scrimmage and I say practice. You may say
9 match, I say something else. When you say game versus
10 a match, what is a game?

11 MR. ROSENE: I mean, a game or a match I use
12 synonymously. It's where we form teams, wear team
13 shirts, have referees and keep score.

14 MR. DRURY: Yeah. Previously what was the
15 case, you could not have games on Saturday?

16 MR. ROSENE: No, we could have five games a
17 year including the Kalaway Cup -- five game days a
18 year including the Kalaway Cup and, you know, but only
19 be on the field two times a week and no Sundays. So
20 what I'm saying is, you know, I went through the
21 transcript and there was an exchange between you and
22 me and Mr. Knight and you seemed very comfortable with
23 the idea well, gee, yeah, if you had a couple
24 practices on weeknights and then played the game on

1 Saturday, you wouldn't have a problem with that.

2 MR. DRURY: There's no noise, just whistles,
3 no air horns, no loud speakers?

4 MR. ROSENE: Just whistles.

5 MR. DRURY: Just like any other day you are
6 out there you come and you go.

7 MR. ROSENE: Yes, exactly. The only
8 difference between that and a typical practice is we
9 might invite people from another club to show up or
10 something like that.

11 MR. ANDERSON: Okay. That clarifies it.
12 Thank you.

13 CHAIRMAN KNIGHT: Member Valin?

14 MS. VALIN: Not at this time. I think that
15 clarification helped me in understanding games and
16 matches being the same and public events and what
17 public events means and so I think it makes it clear
18 for me. I have no questions at this time.

19 MR. ROSENE: Just to make sure, we would not
20 be inviting the public to any games other than the
21 Kalaway Cup.

22 CHAIRMAN KNIGHT: Member Mullen, any
23 comment?

24 MR. MULLEN: I'm comfortable with that

1 description.

2 CHAIRMAN KNIGHT: All right. Member
3 Masterson?

4 MS. MASTERSON: Well, I've said from the
5 beginning the air horns is probably my biggest problem
6 here and it sounds to me that both parties have sort
7 of solved that problem and I think that's a great
8 solution.

9 CHAIRMAN KNIGHT: That's what I gathered
10 from the discussion last time that the issue isn't so
11 much with polo, it's with the larger public events.
12 And the Kalaway Cup is certainly a tradition that's
13 been going on since 1988, I believe, or quite a long
14 time.

15 MR. ROSENE: Six years. I mean, we've had
16 the Kalaway Cup for six years.

17 CHAIRMAN KNIGHT: Or something comparable.
18 But that the other big public events were something
19 that you didn't want to deal with, you guys didn't
20 want to deal with on a regular basis. So it looks
21 like we've solved that problem then. So we're down --
22 now, we're looking at a mutually agreeable pact on the
23 Kalaway Cup as far as the practices and games you have
24 without amplification or air horns. What are we down

1 to?

2 MR. MULLEN: That satisfies number three,
3 right?

4 CHAIRMAN KNIGHT: That pretty much takes
5 care of number three.

6 MR. DRURY: Could I say just a confirmation?
7 Somebody just asked me, and I don't know the answer,
8 you are talking about one game on Saturday, right, not
9 multiple games on Saturday?

10 MR. ROSENE: That's hard to say. Let me
11 start out by saying the way we play games are a little
12 bit different than what you're used to. We're what's
13 called a low goal club, which means our handicaps are
14 low, so when we play a game, it's --

15 CHAIRMAN KNIGHT: Is that opposite from
16 golf, if you're low handicap, you are not as good as
17 the high handicap?

18 MR. ROSENE: Right. Exactly. Exactly. So
19 my handicap on the grass field is zero and I have to
20 work very hard being worth nothing. And so most of us
21 only have a few horses, one or two horses. I have a
22 few more but I've been at this a little bit longer.
23 So we play four chukker games, which are pretty brief
24 and so because we like to get as many members of our

1 club playing as possible, we have on occasion before
2 we had the restrictions of the special use permit, the
3 year prior I believe to when we had to do the special
4 use permit, on most game days we tried to have two
5 games. So, and in one case in that particular year it
6 involved two matches involving five teams. So one
7 match was a six-chukker round robin. In other words,
8 every team got to play four chukkers but you do it in
9 a round-robin format and two teams played a single
10 match of four periods. That was probably -- would
11 ever be the worst-case scenario and not frequent by
12 any means.

13 MR. DRURY: A typical four-chukker match, I
14 don't know how much time you take between chukkers.

15 MR. ROSENE: About an hour and 15 minute.

16 MR. DRURY: Fifteen minutes for a chukker
17 with a change in horses and you come back out. So a
18 four-chukker match would be about an hour. Two
19 four-chukker matches with a break would be about two
20 hours --

21 MS. ROSENE: About two hours, two-and-a-half
22 hours.

23 MR. DRURY: Can we somehow put a limit on
24 total amount of time?

1 MR. ROSENE: Let me just respond by saying
2 if you look at our records in terms of our scrimmages,
3 we frequently went over -- went eight to ten chukkers
4 just in practices. So generally speaking, if we had a
5 game day, we'd probably be on the field a little less
6 than if we had a scrimmage.

7 MR. DRURY: Just have an understanding,
8 John, that the typical day might be, if you were lucky
9 you might have two games four chukkers each and if I
10 happen to be watching and I notice you come out and
11 have four games, I might say, John, what happened.
12 Because we're not going to be over there policing
13 that. I don't think we're going to notice it.

14 MR. ROSENE: I can't envision either the
15 club being able to put on three to four games on a
16 particular day or the field withstanding the abuse.

17 MR. DRURY: Okay. That's fine.

18 CHAIRMAN KNIGHT: Good with that? That puts
19 number three to bed. Number 11, is that an issue?
20 Where you put the johns, how many and are we okay
21 with?

22 MR. BURNEY: They are going in the corners
23 on both sides, right?

24 MR. DRURY: Only for the Kalaway Cup, right?

1 MR. ROSENE: I think we are good with that.

2 CHAIRMAN KNIGHT: What do you do when you
3 have practices?

4 MR. ROSENE: We have one porta john on the
5 southeast corner of the field in a row of trees. You
6 can't see it. You can't even see it from the polo
7 field.

8 CHAIRMAN KNIGHT: So we've got 11. So now
9 we are down to one.

10 MS. FREEMAN: Chairman Knight, I'm sorry, I
11 just want to make sure, I'm looking at one, four, five
12 and nine just trying to make sure that I know there's
13 complete agreement on one, four, five and nine. And
14 these are just based upon my notes and so maybe my
15 notes were incomplete.

16 CHAIRMAN KNIGHT: Well, Mr. Von Meier
17 prepared this summary and if these are all of the
18 issues that were discussed last time, we've got one
19 remaining now.

20 MS. FREEMAN: Well, hang on, let me then
21 make sure I follow.

22 CHAIRMAN KNIGHT: Mr. Von Meier will read
23 the updates so we'll know exactly what will be in the
24 text.

1 MS. FREEMAN: Okay.

2 CHAIRMAN KNIGHT: Right, Mr. Von Meier?

3 MR. von MEIER: Yeah, I'm waiting for Member
4 Freeman if you want to ask me a question.

5 MS. FREEMAN: The question on number nine,
6 and maybe I just didn't catch this, but on number nine
7 the request was to take advantage of -- not to change
8 the number of times that they are playing on the field
9 but to then have the latitude to begin the season in
10 mid-May through the end of September and then there
11 was a bunch of debate in the transcript about how many
12 times they would practice and how many times they
13 would play. I just didn't catch that there was ever
14 an agreement not to do that.

15 CHAIRMAN KNIGHT: They went back to the
16 original season.

17 MR. von MEIER: The transcript, if I can
18 point to the transcript on page 156, line 22, Chairman
19 Knight in speaking to John Rosene says, "So you are
20 good with leaving the season as it is?" And
21 Mr. Rosene responded, "Yeah."

22 MS. FREEMAN: Okay. So this is okay?

23 MR. ROSENE: Yes.

24 MS. FREEMAN: Okay. Sorry. Then can I ask

1 my other question? On four and five, this is keeping
2 this whole issue here, it says that to the extent that
3 the club members are legally permitted to use Deepwood
4 Road, this is all saying that we're still doing the
5 720 feet, right?

6 CHAIRMAN KNIGHT: No change.

7 MS. FREEMAN: So I'm assuming,
8 Mr. Von Meier, that everybody agreed to leave the 720
9 and I just missed that in the reading?

10 MR. von MEIER: I can quote from the
11 transcript, if you'd like. On page 137, line 18,
12 Mr. Drury says in reference to the 720 feet, "Right
13 now we've reached an accommodation."

14 Chairman Knight responded, "720 feet works."

15 Mr. Drury responded, "That's the
16 accommodation we've reached. If any of that aspect of
17 the road, then it goes -- any way."

18 And then Miss Freeman, "I agree with the
19 petitioner."

20 And then Chairman Knight went across the
21 zoning board and asked, "Mr. Anderson, is that good
22 for you?" Response, "Certainly."

23 "Member Valin? Response, "Yes."

24 "Member Mullen? Yes."

1 And so I took from that portion of the
2 transcript that we have reached a consensus.

3 MS. FREEMAN: Okay. Okay. And --

4 MR. von MEIER: Then your last question was
5 on number five?

6 MS. FREEMAN: Well, it's the same thing,
7 it's just the 720. So if four stays the same, five
8 stays the same.

9 MR. ANDERSON: If I might make a comment as
10 it relates to that based upon the additional documents
11 or points submitted by Mr. Drury's counsel, relates to
12 the traffic flow as it relates to times around the
13 Kalaway Cup and my thought is if we're submitting a
14 traffic flow pattern or request from the Village and
15 the Village engineer or the police came back and said
16 we would find it much more efficient and access and we
17 would clear the crowding off of Deepwood much more
18 quickly if we were able to separate that inbound
19 traffic on the day of the Kalaway Cup so that before
20 the matches start they run straight down Deepwood and
21 into the parking lot much more quickly and then
22 outbound at the end of the match they come back the
23 other way, if they came back and said that's the way
24 we can clear traffic more quickly and for safety

1 reasons or otherwise, to me it would seem sense that
2 we allow that to be used in that fashion as opposed
3 to, you know, blanketly restricting that 720.

4 I understand the club is willing to do it
5 but my concern is we're now legislating an issue that
6 could ultimately be safety driven and that's a concern
7 I have.

8 MR. von MEIER: So you're suggesting
9 language that would say unless otherwise established
10 in the Kalaway Cup specifications and regulations --

11 MR. ANDERSON: Correct. Or at the direction
12 of the police for traffic flow purposes or otherwise
13 that that portion of the road be opened for that
14 purpose only but for a very specific design and then
15 keep the restriction to the 720 otherwise.

16 MR. von MEIER: Okay.

17 MR. DRURY: I think what John and I would
18 prefer to do, and I'm not speaking for John but I
19 think there's an opportunity for John and I and
20 whoever else wants to be involved to take a closer
21 look at what does cause the traffic jam up.

22 What I need to get an answer to is why do
23 the cars sort of stop. They pull in and then they
24 block the road and they are stopped and I think

1 there's an opportunity to figure out what's the most
2 efficient way, like in other clubs like down in Palm
3 Beach where that traffic is moving. That might mean
4 presold tickets. That might mean they know where they
5 are going to park and so you just wave them to where
6 they are going to park, you are not sorting that every
7 time somebody comes on the field.

8 So I'd much rather that John and I can't
9 figure that out and we look to the police and say, you
10 know, we've got no recourse. But somebody else
11 recommended the possibility of parking some cars over
12 at the Riding Center and I wouldn't take that off the
13 table, it may or may not be workable.

14 CHAIRMAN KNIGHT: Rather than dictate
15 conditions that we really can't state or anticipate
16 for whatever reason, it could be related to all sorts
17 of things, why not let you guys work it out and call
18 it a field change, if you will.

19 MR. ROSENE: Let me just respond. The
20 access at 720 feet has been used for the last three
21 years I think, right, when we first started the
22 special use permit, '08, '09 and '10. So from the
23 polo club's point of view, it's not a tragedy if we
24 continue to use that. What I think what Jim is

1 suggesting, in which I would concur, is that if we
2 can -- if we can resolve the Kalaway Cup as part of
3 the special use permit at the 720 feet with the
4 proviso that if the neighbors and the polo club,
5 perhaps, with participation of the police department
6 come up with a different solution that we all agree
7 to, that we can proceed on that ground. I mean, does
8 that make sense, Jim? Is that kind of what you're
9 talking about?

10 CHAIRMAN KNIGHT: I would not like to see
11 that written into a special use permit because then
12 you're leaving property owners --

13 MR. ROSENE: Let me ask the question
14 differently. If, for example, for the purposes of
15 shortcutting all the debate on how we handle it, if
16 the special use permit was to dictate the 720 feet for
17 Kalaway Cup but the neighbors and the clubs and the
18 police department came up with an alternate solution
19 that may involve more than 720 feet in the road, would
20 the ZBA and then subsequently the Village view that as
21 a violation of the --

22 CHAIRMAN KNIGHT: I don't think the Village
23 or the ZBA is going to go out there and watch what
24 happens on the day of the Kalaway Cup. The only thing

1 that I would caution against is if you have open-ended
2 conditions in a special use permit, that wouldn't be a
3 good thing.

4 MR. ROSENE: That's what I'm saying, if you
5 nailed it down.

6 CHAIRMAN KNIGHT: So if we're satisfied, if
7 everybody is satisfied with the 720 feet and you go
8 out there a week before and you come up with other
9 ideas, you know, that's what you do. We don't care.

10 MR. ROSENE: I'll state that the polo club
11 would agree to that.

12 CHAIRMAN KNIGHT: Well, but that's
13 between --

14 MR. ROSENE: I mean, we would agree to
15 writing it in as 720 feet.

16 CHAIRMAN KNIGHT: We are just going to leave
17 it as is. That answers the question. Any other
18 questions as we go around? Did you have a question?

19 MR. BURNEY: Mr. Chairman, there were a
20 couple of other suggestions Mr. Anderson reviewed our
21 papers as far as when people would leave the event
22 that the Kalaway Cup, this is about a polo match not
23 about a party that goes late into the night and we'd
24 like some kind of controls on that so that it's not a

1 deterrent to the neighborhood, and I put those things
2 in writing in that memo. I don't know if you got a
3 chance to look at it.

4 CHAIRMAN KNIGHT: The only way you could do
5 that is -- well, at what point does the event go from
6 an event sponsored by the polo club to maybe a private
7 party situation, I don't know.

8 MR. BURNEY: That's why we were suggesting a
9 time.

10 CHAIRMAN KNIGHT: Can you answer that?

11 MR. ROSENE: I think I can. I think I can.
12 A couple of things. There is no power out on the
13 field. On a couple of occasions, not every year, but
14 on a couple of occasions groups of people hung on
15 until after dark, and while there were no complaints
16 and we've never heard of any specific problems, the
17 committee that kind of puts together the Kalaway Cup
18 every year after the last Kalaway Cup decided that we
19 were not -- we would police that ourselves and make
20 sure that everybody, spectator-wise, I mean, we're out
21 there doing cleanup, that's not what I'm talking about
22 but that no partiers would be allowed to remain on the
23 field after dark.

24 CHAIRMAN KNIGHT: Why don't we just put that

1 in.

2 MS. MASTERSON: They put one hour after the
3 match or five o'clock.

4 MR. ROSENE: What happens is we do have,
5 because we do have party tents and the parties do
6 continue. The polo club, for example, brings in a
7 band after the -- on occasion has brought in a band
8 after the last match and that's when the polo club
9 members and their friends and people from around the
10 field come on over and socialize and that can last,
11 you know, two or three hours.

12 So, but, as I said, the goal from this point
13 forward would be that nothing other than cleanup crews
14 could remain on the field after dark.

15 MR. DRURY: What is typically the end of the
16 last polo match, what time?

17 MR. ROSENE: I would say it's before four
18 o'clock.

19 MR. DRURY: So if you said people had to
20 leave within three hours, it would be by seven
21 o'clock. I don't know what time it gets dark at the
22 time of the year.

23 MR. ROSENE: By seven o'clock in September
24 you are pretty much getting into dark. So I think

1 that's probably pretty accurate.

2 MR. DRURY: It would be nice if you wanted
3 to --

4 MR. ROSENE: If you wanted to say seven
5 o'clock, I think that would be fine.

6 CHAIRMAN KNIGHT: Just put it.

7 MR. BURNEY: That's acceptable to us. Then
8 the last issue we raised, and I think that Mr. Rosene
9 in his memo to the board also raised this, and it was
10 a suggestion from one of you, was limiting the number
11 of tickets that are sold. And the number that
12 Mr. Rosene threw out was what, Mr. Rosene?

13 MR. ROSENE: I suggested that we limit the
14 number of tickets printed to 2,000.

15 CHAIRMAN KNIGHT: All right.

16 MR. ROSENE: Now, I just want everybody to
17 understand that that is adult spectators because we
18 don't charge for kids under 12. I don't think we've
19 ever had more than, you know, 100 at best but we don't
20 keep track of the kids and that, of course, doesn't
21 include, you know, 18 or 20-some-odd polo players and
22 their grooms.

23 CHAIRMAN KNIGHT: Okay. That's fair, 2,000.

24 MR. DRURY: Are there no free guests that

1 these ticket holders can bring, John?

2 MR. ROSENE: No, and we do have the ability
3 to keep good records of the tickets. People who buy
4 tailgates get so many tickets. Sponsors, as part of
5 their sponsorship deal, get so many tickets. And
6 while there's very little walk-in traffic -- when I
7 say walk-in, people who just drive in and buy tickets,
8 they do buy the tickets so we have a record of how
9 many -- we can keep a record of how many we sell at
10 the gate.

11 CHAIRMAN KNIGHT: State your name and
12 address please.

13 MS. SELMAN: I'm Karen Selman, 116 Brinker.
14 And I co-chair the Kalaway Cup and chair the
15 committee that John is speaking of and I would ask
16 that you would revisit the hours on the field and move
17 that to eight o'clock versus seven. The reason being
18 that we finish the games about four o'clock. By the
19 time the polo players put their horses away and come
20 back to their tent with their guests, we want to feed
21 them and they have a band and it has worked well for
22 us if we let them do what they do for awhile and then
23 ask that the -- that everything be shut down.

24 CHAIRMAN KNIGHT: What time does it usually

1 turn dark at that time of year? What time does the
2 sun go down?

3 MR. ROSENE: It's between seven and eight.

4 MS. SELMAN: Yeah, between seven and eight.

5 CHAIRMAN KNIGHT: Why don't you just say
6 sunset, whatever that is.

7 MS. SELMAN: Well, if sunset is seven, then
8 we need a little more time is what I'm saying.

9 MR. DRURY: There are other benefits that
10 happen and games end -- it would be very unusual for a
11 party if the game ended at four to keep going until
12 seven. People typically kind of peter out.

13 MR. ANDERSON: Not in this town.

14 CHAIRMAN KNIGHT: If it's between seven and
15 eight, why don't you just say sunset, whatever that
16 hour might be.

17 MR. PAPPAS: How about 7:30?

18 MR. DRURY: I don't notice that we've been
19 over there saying shut the party down. Somebody may
20 have seen something in recent years but.

21 MR. ROSENE: I mean listen --

22 MS. SELMAN: It's not that anyone has
23 complained but if you set the limit at seven, then it
24 behooves us as a committee to make sure that

1 everything is closed down. And I am just saying it
2 would work better for us if you're agreeable to make
3 it eight o'clock.

4 MR. DRURY: Can that just be the polo party
5 as compared to other people?

6 MR. ROSENE: It probably is the polo party
7 but, you know, I think it has always been centered
8 around the polo players. I just think it would be
9 easier if we had -- I mean, whatever, but if we just
10 said everybody had to be off the field, you know,
11 heading home by a certain time, whether that's seven
12 or eight or 7:30. I suspect that for the most part
13 we'll be in compliance and I suspect that the
14 neighbors aren't going to be policing us for a few
15 hangers on straggle out over the next half an hour,
16 we'll probably be okay. But it would be nice to have
17 a clear-cut decision on what it should be.

18 MR. von MEIER: For what it's worth, the
19 Wiki answer is 7:15 in early September and 6:45 in
20 late September.

21 MS. FREEMAN: Why don't we just say dusk?

22 CHAIRMAN KNIGHT: How about 7:30 and let's
23 just move on. All right?

24 MR. MCLAUGHLIN: Mr. Chairman, Mike

1 McLaughlin, 2 Deepwood Road.

2 I'm okay with that. The point I wanted to
3 make is I think from our perspective the concern is,
4 John, probably more the band. It's not just the
5 people being there. Could we just kind of agree that
6 the band will stop playing at some time?

7 MR. ROSENE: Yes. Yeah. As a matter of
8 fact, that wouldn't be a problem at all. Usually, the
9 band is only there for an hour or so. I don't think
10 we've ever actually had the band going until everybody
11 got off the field. So I wouldn't have a problem with
12 that.

13 CHAIRMAN KNIGHT: All right. Are we good
14 now? The only thing we have left --

15 MR. SUPPES: Can I just --

16 CHAIRMAN KNIGHT: State your name and
17 address.

18 MR. SUPPES: Mark Suppes on Oak Knoll, 235.
19 Can these guys get a couple tickets or
20 something? Do you guys like polo?

21 CHAIRMAN KNIGHT: This is serious business.

22 MR. SUPPES: I'm serious. This is one day a
23 year.

24 CHAIRMAN KNIGHT: Okay. That's it. You've

1 been heard. We have one more issue to deal with here
2 and that's the length of the permit.

3 MS. MASTERSON: I don't understand how we
4 solved that last problem.

5 CHAIRMAN KNIGHT: We didn't -- oh, the last
6 one, 7:30. They'll be happy to vacate by 7:30.

7 MS. MASTERSON: All right. 7:30.

8 MR. von MEIER: Just a point of process, is
9 this going to be summarized in a condition number 12,
10 which would be Kalaway Cup specific conditions?

11 CHAIRMAN KNIGHT: If that's what you
12 recommend. I believe that would be the best way to
13 handle it.

14 MR. von MEIER: Okay. That's what I just --

15 MS. VALIN: That would be helpful, then we
16 can kind of put this all in one spot.

17 CHAIRMAN KNIGHT: Okay. Let's talk about
18 special use permit. It's been suggested three years,
19 four years, five years. We didn't come to a consensus
20 on it and I'll just start left to right this time.
21 What do you think, Member Masterson?

22 MS. MASTERSON: Well, I stated --

23 CHAIRMAN KNIGHT: Let me frame it a little
24 bit. The objection isn't so much to the polo, itself,

1 the objection has been to the large events. Well,
2 we've eliminated the public events, we are okay, we've
3 reached an accommodation on the Kalaway Cup, which is
4 the event of the year which seems to create the
5 issues. The rest have limited impact on the
6 neighborhood.

7 And I might remind everyone that when a
8 special use permit is granted, if those conditions are
9 not met, it's lifted. So it's not something that goes
10 on just by virtue of establishing a time limit. So if
11 everything -- if all the conditions are met, as time
12 goes on and these activities are limited, there
13 shouldn't be any change, you know, have to come back
14 year after year to renew the same thing.

15 I think the concern on the part of the
16 neighbors has been that if this facility grows into a
17 world class polo event or club that all of a sudden
18 has 100 members, what have you. I don't think that's
19 the intent. Am I on the right track here, Mr. Rosene?
20 A final comment?

21 MR. ROSENE: The only thing I just want to
22 remind you is that what was talked about last time was
23 anywhere from whatever to whatever including an
24 indefinite special use permit for the polo club to use

1 the field but a much more limited length of duration
2 for the Kalaway Cup, and I think three to five years,
3 three years, five years, something in between on the
4 Kalaway Cup we'd be perfectly comfortable, you know,
5 keeping that as a ongoing issue to be reviewed.

6 CHAIRMAN KNIGHT: Well, I think I agree with
7 that in a sense but I think at some point in the
8 future this Village may want to entertain having
9 permits given for events, if you will, because we're
10 all aware that other property owners in the community
11 have events, some in a 400 seat auditorium without any
12 supervision from the Village. That's an event that
13 well intended might require some attention from the
14 Village, just as a large polo match might or some
15 other event in the Village. There are plenty of them.
16 And I would say if those uses are permitted, then you
17 don't have to come to the zoning board every time you
18 want to hold an event, it's more of an administrative
19 function that you come and get a permit and outline
20 the conditions attached. But I think that's something
21 that would happen down the road.

22 I think for what we're dealing with right
23 now, I think we have to deal with the tools that we
24 have in place. So that goes back to -- you know, I'd

1 be more comfortable just issuing a special use permit
2 for the club, which includes the Kalaway Cup for a
3 period of time. Now, does anyone have another opinion
4 on that? I'm happy to hear it.

5 MS. MASTERSON: Well, we've done this every
6 year for three years and it's time we say that that
7 isn't all of our business, we have other business to
8 do and therefore, if things, if the parties get along,
9 et cetera, I would like to see a five-year special use
10 permit.

11 CHAIRMAN KNIGHT: Member Mullen?

12 MR. MULLEN: I have no problem with five
13 years if you feel that we need a time limit. They
14 have done well. I think they have reviewed it every
15 year for three years and there have been no major
16 problems but to extend the public attended events to
17 five years but I think that at some point we would
18 probably want to take that limitation off but maybe
19 this is too soon but I'm easy to get along with
20 tonight.

21 CHAIRMAN KNIGHT: I guess you had your
22 dinner. I didn't. Member Valin?

23 MS. VALIN: I can agree with five years,
24 especially with adding item 12, which will frame for

1 us the public event of the year incorporating all of
2 the discussion that's happened between the club and
3 residents and making sure that that agreement has been
4 reached as part of the special use permit. So I'm
5 comfortable with that and I like that and so for five
6 years I would agree with that.

7 CHAIRMAN KNIGHT: Member Anderson?

8 MR. ANDERSON: I like the five years for the
9 public events. I would like to extend and kind of
10 have the general special use permit maybe run ten
11 years or for the duration of the lease for just the
12 limited polo, the private polo portions of this
13 activity. From what I've heard across the board,
14 there's really no objection to the polo activities,
15 you know, two practices a week and one on a Saturday
16 and a game or a scrimmage on a Saturday, that didn't
17 seem to cause problems, it's the public events. And
18 so I'm inclined to suggest that we extend the polo
19 portion to ten years or the duration of the lease,
20 whichever is shorter, and then the special events --
21 special use permit for the Kalaway Cup for five years
22 and review that in five years.

23 CHAIRMAN KNIGHT: Member Freeman?

24 MS. FREEMAN: Well, I was trying to look it

1 up in here but I'm trying to compare this question to
2 the question that we answered with the special use
3 permit for the animal rescue place and in that
4 situation they had come to get the permit and there
5 was a neighbor who was unhappy with certain aspects of
6 the operation, there were other neighbors who were
7 very supportive of the operation but there was not a
8 unanimous view one way or the other. And this board
9 ended up issuing a permit and my recollection, so
10 correct me if somebody remembers this differently, was
11 that the permit didn't have a time limit on it where
12 they had to come back in, it just said you have this
13 permit and you had made it very clear, Mr. Knight,
14 that if they, because we were very sympathetic to the
15 concern of this particular neighbor, and we said if
16 there's any violation here, you know, these people
17 have every right to come in and we need to re-evaluate
18 whether or not it's appropriate to continue with the
19 special use permit.

20 So I'm trying to look at that and I kind of
21 thought that was standard, like you get the permit and
22 if you screw up, everybody comes back and we either
23 take it away or we change it. I just want to be, make
24 sure I know why we would vary here from what we did

1 with the animal rescue.

2 CHAIRMAN KNIGHT: Well, I think the
3 difference is that with the animal rescue we were
4 dealing with facilities, number one, and it was an
5 activity that certainly had limitations on the number
6 of animals that could be treated and all the other
7 restrictions as to time, what have you. And the other
8 issue was that I think I mentioned at the last meeting
9 that there were ongoing inspections of the facility
10 from state officials to animal health officials, what
11 have you, and I believe the Village has a right to
12 inspect as well. So you have all those checks built
13 in.

14 In this case with polo, the actual playing
15 of the polo is part of it but that's almost a use
16 rather than a building situation and it's in a
17 constant state of flux and I think that's why it may
18 require a shorter term in this situation. You know,
19 you can establish -- if we all of a sudden said, well,
20 you can't have more than 20 players at practice and
21 you can't have this and you can't have that and we
22 established those very tight limitations, there might
23 be a case to be made for the other but, again, I don't
24 know. It just becomes very confusing.

1 MR. ANDERSON: Chairman Knight, but aren't
2 we, in essence, doing that? We've restricted them to
3 six events, one public event -- one of which is
4 public. It's not like these fields are fenced or
5 behind closed walls where people won't see what's
6 going on. The neighbors there can see that if they
7 are exceeding what's being allowed under these special
8 use restrictions. Isn't it just as self-policing as
9 the animal rescue facility? I mean, the neighbors who
10 are going to object know what's going on, they can see
11 it.

12 CHAIRMAN KNIGHT: Well, it's not
13 self-policing, it's policed by observation. I think
14 there's a difference and I think if we go with five
15 years, I happen to agree with the idea that the
16 activity, itself, should probably be a permitted use,
17 period, but it's the public activities I think that
18 create the issue because I don't think you want a
19 megaplex for polo in any neighborhood.

20 MR. ANDERSON: I agree, and I don't think
21 that we're establishing the capability to do that
22 under the restrictions that we've currently discussed
23 and agreed to or what seems to be the consensus at
24 this point in time and that's why I would say either

1 treat it -- treat the polo portion as a permitted use
2 under the special permit and have no limitation on
3 time and then just limit the time for the public use,
4 the Kalaway Cup.

5 CHAIRMAN KNIGHT: Well, how's board feel
6 about that? We talked about that.

7 MS. VALIN: I think that's reasonable. I
8 would agree that that's reasonable. I think just as a
9 point of clarification, as the newest member here, are
10 we -- have we not -- I mean, the clarity I need is I
11 was sort of assuming that we needed to put some sort
12 of time frame on the special use permit but that's not
13 necessarily --

14 CHAIRMAN KNIGHT: We don't have to do
15 anything.

16 MS. VALIN: Okay.

17 CHAIRMAN KNIGHT: But whatever we do decide,
18 we cannot make decisions that are arbitrary and
19 capricious, they have to be backed by objective
20 reasoning. Is that correct, Mr. Von Meier?

21 MR. von MEIER: Yes.

22 MS. VALIN: And at another meeting we did
23 talk about breaking this out.

24 MR. von MEIER: Yes, we did.

1 MS. VALIN: Could you refresh us on what
2 your -- how that would look and how from a process
3 standpoint we would go about doing that?

4 MR. von MEIER: Yeah, I don't think it would
5 be all that complicated. I would think you would take
6 condition number one where it says something like the
7 special use permit shall expire on such and such a day
8 and you move that to the Kalaway Cup section and you
9 say, you know, for the Kalaway Cup or, you know,
10 public event, only the special use permit shall expire
11 on such and such a day and there won't be an
12 expiration date referenced anywhere else in the
13 document.

14 CHAIRMAN KNIGHT: I'll go from right to
15 left.

16 MR. PAPPAS: John Pappas, County Line and
17 Ridge.

18 I think for Commissioner Freeman, there's a
19 big difference between the animal rescue, which is
20 open 365 days a year to something that's very
21 short-term and that's the big difference.

22 MS. FREEMAN: I'm sorry, I don't follow.
23 The animal rescue is open all the time?

24 MR. PAPPAS: Yes, 365 days a year. Polo is

1 very limited.

2 MS. FREEMAN: And so that should influence
3 our view how?

4 MR. PAPPAS: For extending and not come back
5 year after year, putting no limitation on the
6 practices and just maybe a five year on the Kalaway
7 Cup.

8 MS. FREEMAN: Okay.

9 MR. FALCO: My name is Sal Falco, 360
10 Deepwood Road.

11 If, in fact, the board agrees on the three
12 to five-year extension for the Kalaway Cup, I have
13 seen in the past few years grow in number of people
14 attending and of course they do a wonderful job of
15 advertising. I can probably project that within three
16 to five years this thing will grow to a very large
17 thing, which is wonderful for them but not good for
18 the residents, of which I am. I believe if they do
19 anything of that nature, if you do pass a three to
20 five year unwritten ability for them to have --

21 CHAIRMAN KNIGHT: Well, we put a limit on
22 2,000 tickets.

23 MR. FALCO: That's exactly what I was
24 getting at. I was understanding it was there, but.

1 CHAIRMAN KNIGHT: We've limited the tickets
2 that could be sold to adults to 2,000.

3 MR. DRURY: Jim Drury. I think five years
4 is too long. Polo clubs change. Polo clubs get
5 bigger, they get more popular. Sometimes they get
6 smaller but there is change within a polo club. They
7 have come every year for one year. I would recommend
8 that we extend it to three years and see how that
9 goes. That could mean if everything has gone fine,
10 fine, it's a ten-minute hearing and we can go on for
11 another three years. But I just believe in the
12 principle of accountability and if I know I got to
13 come up and account for myself that everything is
14 great, right now we are twice as big as we were
15 before, we're playing less than we did or we want to
16 play more than we did, I think there's got to be the
17 discipline of having a conversation no less than every
18 three years to start out as compared to five years.

19 I mean, I just -- we live with it. I don't
20 want to be out there trying to police it because it's
21 in perpetuity, it's five years, it's ten years. I'm
22 not going to go out there and look for problems or the
23 absence of problems. It shouldn't be my issue. What
24 I should expect is that John can be here if he's

1 running the club in three years and say everything has
2 worked out great, we've had three successful Kalaway
3 Cups, the neighbors are happy, unless they have got an
4 objection, we'd like to continue. As compared to they
5 don't have to ever come back unless for five years.
6 Five years is a long time unless I force them to come
7 back. That's causing me to be the policeman. I see
8 it as a matter of simple accountability. It's a good
9 discipline to have for an activity like this.

10 MR. BURNEY: Mr. Chairman, could I just, if
11 you look at paragraph seven, condition seven, I think
12 we overlooked something. We are talking about one
13 public event and yet number seven reads under
14 Mr. Von Meier's conditions as though you could have a
15 combination of matches and events. So I'd ask that
16 seven be modified to state that polo club matches and
17 the one public event, and I'm not sure from the
18 conversation whether or not there's a limit on the
19 number of matches anymore, so.

20 CHAIRMAN KNIGHT: Well, I think what the
21 agreement was that there would be one public event and
22 that is the Kalaway Cup and that matches, games, what
23 have you, would be held on Saturdays and they would be
24 limited in scope, which would come out I believe in

1 the paragraph 12 that you are suggesting.

2 MR. von MEIER: Chairman, if I may. I agree
3 with Mr. Burney's suggestion to clarify condition
4 number seven and I was thinking that as well.

5 CHAIRMAN KNIGHT: Okay.

6 MR. BURNEY: You've been going on a
7 year-by-year basis. I don't think Mr. Drury and
8 Mr. McLaughlin want to hire attorneys or spend their
9 evenings with you on this subject, so if we could just
10 to go to three years and to just see how it's going, I
11 do believe Mr. Drury that he's not going to come back
12 here if there is no problem. And it seems that this
13 process has perhaps led to a little bit more
14 understanding between these gentlemen and that they
15 should be able to work it out. So I'd ask that you
16 limit it to three, we'll be back here and there
17 shouldn't be any issue at all.

18 MR. DRURY: Ask John if he's got a problem
19 with three.

20 MR. MERONI: Charles Meroni, 5 Bellwood.

21 I think there's another factor and that's
22 the conservation of the resources of our ZBA and that,
23 you know, if there's an objection to be made, they can
24 make it but this is a very big imposition on you to

1 have to have it renewable so often. I think it ought
2 to be five years.

3 CHAIRMAN KNIGHT: Any other comments?

4 MR. ROSENE: I would just like to get a
5 clarification, John Rosene. I would like to get a
6 clarification on number seven. I believe that we've
7 kind of washed out number seven in its entirety
8 indicating that we're allowed to play two -- up to two
9 practices a week and up to one practice or game --
10 have a game day on Saturday, which might be a
11 scrimmage or it might be a couple matches. So seven
12 doesn't exist anymore and the Kalaway Cup becomes, I
13 think, number 12.

14 MR. von MEIER: I guess I need some
15 clarification then. Are you saying that there would
16 be unlimited number of games slash matches throughout
17 the season as long as those games are on Saturday?

18 MR. ROSENE: Yes. Let me, and I hope that
19 I'm translating what Jim and I were talking about
20 earlier, our normal weekly activity would take place
21 on the field three times a week, two weeknights and
22 Saturday. Sometimes at our discretion but, you know,
23 using good judgment because and I think Jim
24 understands this, because of what happens to a field

1 if you overuse it, that on some Saturdays we might
2 have games, some Saturdays we might just have
3 practices. And quite frankly, we would rarely use the
4 field three times a week. More likely is we'd use it
5 one time during the week and one time on Saturday.
6 That's just the realities of managing the field and
7 managing our polo club. So having said that, you
8 know, unlimited sounds scary but it's not really. If
9 we, as I explained earlier, if we were to have our
10 typical Saturday scrimmage, we would have probably
11 between 8 and 12 periods of play. A game is 4 periods
12 of play. A round robin game, which we sometimes have
13 because we have an extra team is 3 -- 6 periods of
14 play. So the worst-case scenario based on our own
15 experience, because we did this four years ago, we
16 were able to attract enough players to have one
17 four-chukker game and one six-chukker round robin for
18 a period of ten periods of play. That would be the
19 maximum that we would ever be able to do and if you
20 wanted to plug that in, we would never have a game day
21 on a Saturday that exceeded ten periods of play. I
22 don't think you need it but I would -- I've seen that.

23 MR. von MEIER: Okay. So, and just to
24 clarify, the game is where the teams wear uniforms,

1 you have referees and there's scorekeepers? There's
2 no sound amplification?

3 MR. ROSENE: No sound amplification at all.

4 MR. von MEIER: No spectators?

5 MR. ROSENE: No spectators.

6 MR. ANDERSON: People may -- spouses and --

7 MR. ROSENE: I mean, we'll have a practice.

8 MR. von MEIER: It's not advertised to the
9 public?

10 MR. ROSENE: It's not advertised to the
11 public and probably 11 times out of 12 it's just
12 family and friends.

13 MR. MCLAUGHLIN: Mike McLaughlin, 2
14 Deepwood.

15 Question for Mr. Von Meier. There are some
16 other things that were in seven, it seemed to me, the
17 reference to Saturdays and so forth. Is that --

18 MR. von MEIER: It just says that matches
19 and public events can only be held on Saturdays not
20 any other day of the week.

21 MR. MCLAUGHLIN: But I don't think that
22 wording is in anywhere else other than number seven.

23 CHAIRMAN KNIGHT: I think that can be
24 incorporated in number eight, though, just so we are

1 clear.

2 MR. von MEIER: I see. So yes, I think that
3 the concept was that if there was going to be a game
4 as opposed to a practice, it would only be held on
5 Saturdays.

6 MR. MCLAUGHLIN: Right. Now, are the other
7 things, the other limits -- because honestly, I liked
8 what you said a minute ago which was just to clarify
9 number seven to --

10 MR. von MEIER: I think that we can define
11 what a game is and we can use those limitations or
12 that definition.

13 MR. MCLAUGHLIN: I prefer that we went with
14 what Mr. Von Meier suggested earlier, which is just to
15 clarify number seven. I think it would be sharper.

16 CHAIRMAN KNIGHT: I think you can.

17 MR. DRURY: I'm a little confused. Can I
18 ask John a question?

19 CHAIRMAN KNIGHT: Go ahead.

20 MR. DRURY: Earlier when we agreed to
21 playing on Saturday, did that, in effect, change this
22 six per season including the Kalaway Cup to your mind
23 12 per season?

24 MR. ROSENE: No, I guess what it said was

1 since we're not using sound equipment, not using air
2 horns and we're not inviting the public, that whether
3 it's a practice or a match is immaterial so why deal
4 with it.

5 MR. DRURY: But it couldn't go from 6 to 12
6 games, if you want to do that, is that what I'm
7 understanding?

8 MR. ROSENE: What I'm saying is I'm
9 perfectly happy to limit it to ten chukkers or twelve
10 chukkers for that day.

11 MR. DRURY: All I'm saying is this limited
12 to six games on Saturday?

13 MR. ROSENE: Not six games on Saturday.

14 MR. DRURY: That's what this said before.
15 I'm trying to figure what we changed it to. If before
16 it was the ability of 11 to 12, then I would certainly
17 come back and say we've got to come back in three
18 years. That's a major change. I did not quite
19 understand the implications of eliminating six
20 including the Kalaway Cup and going to 12 including
21 the Kalaway Cup because every single Saturday.

22 MR. ROSENE: Well, it won't be every single
23 Saturday.

24 CHAIRMAN KNIGHT: Can you limit it to six

1 games, matches, whatever?

2 MR. ROSENE: Six Saturdays?

3 CHAIRMAN KNIGHT: Yes.

4 MR. ROSENE: Plus the Kalaway Cup?

5 CHAIRMAN KNIGHT: Yes.

6 MR. ROSENE: I'm good with that.

7 MR. DRURY: Including the Kalaway Cup or
8 plus the Kalaway Cup?

9 CHAIRMAN KNIGHT: Plus.

10 MR. ROSENE: Seven including the Kalaway
11 Cup.

12 CHAIRMAN KNIGHT: He just said six. Six
13 Saturdays where you would have a match, whatever.

14 MR. ROSENE: Where we could have a game.

15 CHAIRMAN KNIGHT: No noise, nothing, seven
16 or eight chukkers, whatever.

17 MR. DRURY: Including the Kalaway Cup?

18 CHAIRMAN KNIGHT: Including the Kalaway Cup.

19 MR. PAPPAS: He said six plus one.

20 MR. ROSENE: I'm perfectly happy including
21 the Kalaway Cup in the six.

22 CHAIRMAN KNIGHT: Okay. We are there. No
23 more. Can you have this in draft form pretty quickly?

24 MR. von MEIER: Yes, of course.

1 CHAIRMAN KNIGHT: In about five minutes?
2 I'm serious. I would like to make a recommendation to
3 the board posthaste, if you will. The only thing that
4 we have to deal with, and I'll go around the table
5 again --

6 MR. MULLEN: We still have item number one,
7 right?

8 CHAIRMAN KNIGHT: Yeah, that's the only
9 thing. Let's just go around again and see what the
10 board feels. I'm not going to beat it to death.

11 MS. MASTERSON: Three years and I don't want
12 to beat it to death. I like a finished date.

13 CHAIRMAN KNIGHT: Three years for
14 everything?

15 MS. MASTERSON: For everything.

16 MR. MULLEN: Let me understand what the
17 options are.

18 CHAIRMAN KNIGHT: Well, we've talked about
19 five years. We've talked about three years. We've
20 talked about unlimited for polo and five years for
21 Kalaway. We've had all sorts of options.

22 MR. MULLEN: Those are the three options
23 I've got. The polo, the practices and matches and
24 whatever you call them. Unlimited or ten years.

1 MR. ANDERSON: Unlimited or ten years,
2 either way.

3 CHAIRMAN KNIGHT: I'll just say we have one
4 suggestion here, the whole ball of wax for three
5 years.

6 MR. MULLEN: Okay. Well, I don't know. I
7 can go either three or five years.

8 CHAIRMAN KNIGHT: Member Valin?

9 MS. VALIN: I think I'd like to go with if
10 we can determine how to split this so that the public
11 event is kept to a certain time frame yet the use is a
12 part of the permit with -- if, in fact, anything
13 happens or transpires where the recommendations are
14 the specifications upon which the use is granted
15 becomes problematic, then that would, you know, make
16 that change or come back here.

17 CHAIRMAN KNIGHT: How many years? What
18 numbers?

19 MS. VALIN: I think five years for the
20 Kalaway Cup and unlimited for polo as a special use.

21 CHAIRMAN KNIGHT: Member Anderson?

22 MR. ANDERSON: The use of the field for polo
23 by the polo club, because the permit is issued here to
24 the Barrington Hills Polo Club, I would treat that as

1 a permitted use or an unlimited special use. As far
2 as the public events, that would be on a shortened
3 five-year period with the appropriate restrictions.

4 CHAIRMAN KNIGHT: Member Freeman, how do you
5 feel?

6 MS. FREEMAN: I agree. I mean, as a matter
7 of drafting, would you actually end up striking item
8 one and when you draft this item 12 that deals with
9 Kalaway, you would then put this five-year renewal
10 reconsideration into that so that this would look more
11 like the other special uses that we've put out there?

12 CHAIRMAN KNIGHT: Well, we don't have to
13 make it look like anything.

14 MS. FREEMAN: I understand. But back to
15 your point, I don't want to do something arbitrarily
16 and I worry that picking a number is -- that whatever
17 number we're talking about is arbitrary. There's
18 no -- there's no lease date. There's no, you know,
19 time when the Kalaway Cup is going to sunset on its
20 own. So when I look at this and I think well, one
21 person says three and one person says five and one
22 person says ten.

23 CHAIRMAN KNIGHT: When does your lease
24 expire?

1 MR. ROSENE: Our lease is a year-to-year
2 handshake deal. We've got a verbal commitment to do
3 this.

4 CHAIRMAN KNIGHT: What's in writing?

5 MR. ROSENE: Nothing is in writing.

6 MS. FREEMAN: So there's no discernible end
7 to it. So I'm uncomfortable just making up a number,
8 which is why I don't -- I think that the provisions in
9 our Code provide that if the special use --

10 CHAIRMAN KNIGHT: I'm going to tell you the
11 problem we have right now. Mr. Von Meier, would you
12 confirm this, that if there is no written agreement
13 for the polo club on the land, how can they request a
14 special use when they don't have a stated control? I
15 mean, that's a technicality but it's real. Am I
16 wrong?

17 MR. von MEIER: I think you can have a lease
18 for real estate if it's less than one year and it can
19 be effective if it's oral. If it's over one year, it
20 has to be written.

21 CHAIRMAN KNIGHT: Then how can we give a
22 special use for a club when their lease is subject to
23 a year-to-year cancellation?

24 MS. FREEMAN: That's their issue. That's an

1 issue between private parties if they can't get access
2 to the field.

3 CHAIRMAN KNIGHT: I'm just asking a legal
4 question that just came up.

5 MR. PAPPAS: Just as a lawyer, John Pappas,
6 County Line and Ridge, if they don't have the lease,
7 they don't have a special use permit. You don't have
8 a problem. It goes away. It's a good point to raise
9 but I think it answers it.

10 MR. ROSENE: And we do have as part of our
11 initial submission back in December a letter from
12 Dr. LeCompte indicating that we had the right to ask
13 for the special use.

14 CHAIRMAN KNIGHT: Okay. That's acceptable.
15 I just wanted to raise the point.

16 MR. ROSENE: And by the way, our initial
17 request back then was that the length of the use be
18 indefinite but determined by, A, how long the polo
19 club managed to stay alive and how long the owner of
20 the property was willing to let us use the field. So
21 if the polo club failed or if the owner of the field
22 said we could no longer rent the field, that would
23 automatically kill the special use.

24 CHAIRMAN KNIGHT: Let me suggest something.

1 I would be uncomfortable with an unlimited use for a
2 club whose existence could change, as you say, as to
3 composition, viability, what have you. I'm not
4 uncomfortable with a specified time for both and, you
5 know, rather than trying to go one way or the other, I
6 think it's going to be easier to suggest that we deal
7 with a permit for a specified period of time which
8 encompass both.

9 At some point in the future, as I referenced
10 earlier, the Village might decide that it makes sense
11 to make the permitting for large events in the Village
12 an administrative function by staff given some
13 direction from the board or the board can do that.
14 That takes that burden off the zoning board because
15 really we're more interested in land use rather than
16 event planning. I'd like to see this zoning board get
17 out of that side of it.

18 So for right now I would say let's go with a
19 specified period of time that this board can agree on
20 and hope that maybe things change to the better of all
21 at some point in the future. We're not taking any
22 comments anymore right now. We've had enough. We'll
23 be here all night.

24 MR. MULLEN: Are you ready to move on?

1 CHAIRMAN KNIGHT: I want to move on. Let's
2 pick a time period.

3 MR. MULLEN: You want a motion?

4 CHAIRMAN KNIGHT: Make a motion, Mr. Mullen.

5 MR. MULLEN: A motion to extend the special
6 use across the board --

7 CHAIRMAN KNIGHT: Let's back up a minute
8 before you start the motion. Just one other thing.
9 That if we talk about a motion, it would have to
10 include the draft as Mr. Von Meier is engaged in at
11 the moment to include that as agreed by the parties
12 and the board. But let's have a motion if we -- I
13 think we can entertain a motion just on the time
14 period. Can we do that, Mr. Von Meier, and include
15 that in your final draft?

16 MR. von MEIER: Because you need something
17 to vote on? You need to figure out a way to come to a
18 decision on this issue?

19 CHAIRMAN KNIGHT: I want to come to a
20 decision, yes.

21 MR. von MEIER: You can do it that way, it's
22 fine.

23 CHAIRMAN KNIGHT: Let's just entertain a
24 motion as to a time period that we can all agree on

1 that would be included in the finished document that
2 he's rapidly preparing at this moment.

3 MR. MULLEN: So you want to extend the
4 special use for five years?

5 CHAIRMAN KNIGHT: Member Mullen has made a
6 motion to extend the special use permit that would be
7 all inclusive for event and practices, what have you.

8 MR. MULLEN: Yes.

9 CHAIRMAN KNIGHT: Is there a second?

10 (No response.)

11 CHAIRMAN KNIGHT: Well, there is no second
12 on the motion. So we'll continue.

13 MR. MULLEN: So you want another motion for
14 three years?

15 MR. ANDERSON: Mr. Knight, I think
16 there's --

17 MR. MULLEN: We'll get to it sooner or
18 later.

19 MR. ANDERSON: I think there's a -- the
20 comment you made is kind of a two-parter. One, I
21 think you've said the club could change and there's a
22 lot of different things but at this point in time the
23 special use for use of polo, itself, is being issued
24 to the club. So if they lose their lease or if the

1 club goes out of existence, that special use permit
2 falls by the way, it's over and done with.

3 CHAIRMAN KNIGHT: Polo is a permitted use as
4 it is but a polo club has to have a special use permit
5 to operate.

6 MR. ANDERSON: Correct. Correct.

7 CHAIRMAN KNIGHT: Two different things. So
8 polo is permitted right now. If you weren't a club,
9 you wanted to go over there and practice your hearts
10 out, you could do it. You wouldn't have to come to
11 us. Okay. But it's because you are a club, that's
12 why you are here.

13 MR. ROSENE: A big mistake.

14 MR. ANDERSON: With that said and your
15 comments about maybe the Village will change special
16 events permitting, the process --

17 CHAIRMAN KNIGHT: Yes. Yes.

18 MR. ANDERSON: -- I think we need to
19 separate those two characteristics of this current
20 application into those two buckets, if you will.

21 CHAIRMAN KNIGHT: Okay.

22 MR. ANDERSON: And I suggest that because,
23 you know, the special events permitting may change
24 probably more rapidly than the overall permitting

1 process, we probably don't want to extend the Kalaway
2 Cup as long, for as long a duration as the permitted
3 use or special use as a club. So I think we have a
4 need to bifurcate those two aspects of this petition.

5 CHAIRMAN KNIGHT: I'll entertain a motion.

6 MR. ANDERSON: Okay. With that said and
7 because we've already identified the use of polo as
8 being a permitted use in the Village and that it would
9 be going to the applicant, the club applicant, I would
10 propose that we issue a special use permit for the
11 club to conduct polo activities on the field subject
12 to the provisions we've outlined so far for an
13 unlimited period of time or for the duration of their
14 lease or existence, whatever is the shortest, and that
15 the Kalaway Cup or the public event aspect be limited
16 to a five-year period.

17 CHAIRMAN KNIGHT: That's your motion?

18 MR. ANDERSON: That is my motion.

19 CHAIRMAN KNIGHT: Well, do we have a second?

20 MR. MULLEN: Second.

21 CHAIRMAN KNIGHT: Is there a second?

22 MR. MULLEN: Second.

23 CHAIRMAN KNIGHT: Member Mullen seconds the
24 motion. Discussion? Member Freeman, let's go right

1 to left.

2 MS. FREEMAN: I'm comfortable with the
3 motion.

4 MS. VALIN: I'm comfortable with the motion
5 as well.

6 CHAIRMAN KNIGHT: Member Mullen?

7 MR. MULLEN: I'm comfortable.

8 CHAIRMAN KNIGHT: Member Masterson?

9 MS. MASTERSON: The only part I'm not
10 comfortable with is the neighbors would really prefer
11 a three-year and when they came --

12 CHAIRMAN KNIGHT: Well, it's our decision.

13 MS. MASTERSON: It is our decision and I
14 understand that. But we had a one-year special permit
15 the last year and we've spent two months with legal
16 help and everything else with a one-year special use,
17 so.

18 MR. ANDERSON: Do we dare do it again in
19 three years? Why don't we put it out for five years?

20 MS. MASTERSON: That's the only reason I
21 would vote for it. But that's the problem.

22 CHAIRMAN KNIGHT: Well, I don't have
23 anything.

24 MS. MASTERSON: And there was to be no

1 Kalaway Cup if the neighbors had their way when they
2 came in here a month ago or whatever so I think this
3 has been a whole procedure on give and take and I
4 just -- it's been amazing how it all worked out and so
5 I hate to vote on something that now no one is happy
6 with.

7 CHAIRMAN KNIGHT: Well, I'm going to call
8 for a vote. Does anyone else want to add to that?

9 (No response.)

10 CHAIRMAN KNIGHT: Well, I'll call for a
11 vote, voice.

12 COURT REPORTER: Member Freeman.

13 MS. FREEMAN: Yes.

14 COURT REPORTER: Member Anderson.

15 MR. ANDERSON: Yes.

16 COURT REPORTER: Member Valin.

17 MS. VALIN: Yes.

18 COURT REPORTER: Member Mullen.

19 MR. MULLEN: Yes.

20 COURT REPORTER: Member Masterson.

21 MS. MASTERSON: Yes.

22 COURT REPORTER: Chairman Knight.

23 CHAIRMAN KNIGHT: The motion carries. I
24 don't have to vote. We have one, two, three, four,

1 five votes. So the period of time is so long as the
2 lease is in place; is that correct? So long as the
3 lease is in place?

4 MR. ANDERSON: It's indefinite, terminated
5 by the end of the lease.

6 MR. von MEIER: You don't need to put it in
7 there.

8 MS. FREEMAN: You don't even need to put it
9 in there, it's self-regulating.

10 CHAIRMAN KNIGHT: But the Kalaway Cup is a
11 different thing?

12 MR. ANDERSON: Correct. That's a five-year
13 period.

14 CHAIRMAN KNIGHT: That's five years?

15 MR. ANDERSON: Can you grant a recess?

16 CHAIRMAN KNIGHT: No. Mr. Von Meier, how
17 much time do you need to polish this off?

18 MR. von MEIER: Give me ten solid minutes in
19 the other room.

20 CHAIRMAN KNIGHT: Ten-minute recess.

21 (Short break.)

22 CHAIRMAN KNIGHT: This meeting is
23 reconvening. It's now 9:20 p.m.

24 Mr. Von Meier, would you like to read the

1 draft that you've come up with that articulates what
2 we've discussed this meeting and the previous one as
3 to what might be included in a recommendation to the
4 board.

5 MR. von MEIER: Yes, Chairman, but first I'd
6 like to read two draft definitions and I'd like to get
7 the board's input and if necessary the input of the
8 petitioner and the neighbors.

9 My proposal is to, at the beginning of the
10 special use, define match, define match as follows: A
11 polo match hosted by the polo club consisting of no
12 more than ten chukkers, in which opposing teams wear
13 uniforms, referees enforce rules and an official score
14 is kept. Any questions on the definition of match?

15 MR. DRURY: I do.

16 MR. von MEIER: Yes.

17 MR. DRURY: What's ten chukkers? There are
18 no ten-chukker matches.

19 MR. von MEIER: Okay. I thought that there
20 was on Saturdays when there was going to be matches,
21 there was maybe a limitation.

22 MR. DRURY: That would be two matches. A
23 match is typically no more than six chukkers. John
24 was saying a lot of their matches are four chukkers

1 but there are no ten-chukker matches. The regulation
2 game is six chukkers.

3 MR. von MEIER: So I guess my question at
4 this point is for matches, should we not even discuss
5 the number of chukkers?

6 MR. DRURY: I wouldn't. I'd say a match is
7 between what, John, two established teams where
8 players are typically not changed during the match?

9 MR. ROSENE: Well, what I'm hoping that
10 everyone will agree to that we could have up to two
11 matches on a specific Saturday. We have five
12 Saturdays that we can do this, including the Kalaway
13 Cup. That's five, right, five including the Kalaway
14 Cup?

15 MR. PAPPAS: Five plus Kalaway.

16 MR. ANDERSON: Five plus Kalaway.

17 MR. ROSENE: Well, okay, and on those
18 particular Saturdays, we could have up to two matches.

19 MR. von MEIER: That's kind of where I was
20 going with the number of chukkers.

21 MR. ROSENE: The number of chukkers I said I
22 would be content with ten. It was pointed out to me
23 that, you know, there might be an occasion where we
24 would want to have two six-chukker matches which would

1 put it up to 12, but I'm not going to get crazy about
2 that.

3 MR. von MEIER: Because later on we do talk
4 about the number of matches that are permitted and I
5 didn't want a Saturday match to be limited to just
6 four chukkers because I don't think that was the
7 intent.

8 MR. ROSENE: Why don't you call it a match
9 day.

10 MR. von MEIER: A match day.

11 MR. ROSENE: With up to two matches or
12 something. That would satisfy me, if that's okay,
13 Mr. Drury.

14 MR. DRURY: That is on any Saturday you
15 could play two?

16 CHAIRMAN KNIGHT: On the five Saturdays.

17 MR. ROSENE: Five Saturdays plus the Kalaway
18 Cup. So it would never be more than two matches on
19 a -- any of those five or six Saturdays.

20 MR. DRURY: Do you do that now? Do you do
21 two matches?

22 MR. ROSENE: We haven't done any matches
23 other than the Kalaway Cup for the last three years
24 but the year prior we did. And as I said on one

1 occasion -- on a couple of occasions we had two
2 four-chukker games, two four-chukker matches and on
3 one occasion we had one four-chukker match and one
4 three-chukker round robin for a total of --

5 MR. DRURY: So what you're saying --

6 MR. ROSENE: So here I'm just saying two
7 matches. A match is never going to exceed six
8 chukkers. So two matches, whether it's four chukkers
9 or six chukkers, a six-chukker round robin, it
10 doesn't really matter.

11 MR. DRURY: I don't know. It's hard for me
12 to imagine a Saturday with two six-chukker matches.
13 That's a lot of polo.

14 MR. ROSENE: We've never done it. I mean,
15 I'm perfectly happy to say -- the maximum we've ever
16 had was one four-chukker match and one six-chukker
17 round robin for a total of ten chukkers.

18 MR. DRURY: No more than two matches and no
19 more than ten chukkers.

20 MR. ROSENE: That's fine. I'm good with
21 that.

22 MR. von MEIER: So that's going to add a new
23 definition. A match is going to be a polo match
24 hosted by the polo club consisting -- I'm sorry, in

1 which opposing teams wear uniforms, referees enforce
2 the rules and the official score is kept. And a match
3 day is up to or no more than two matches not exceeding
4 ten total chukkers. Okay?

5 Then I have a definition for Kalaway Cup but
6 I'm wondering if it makes more sense to define it as
7 public, capital P, event, capital E, and that way the
8 name of it can change. Right? So public event,
9 capital P, capital E?

10 CHAIRMAN KNIGHT: Historically known as the
11 Kalaway Cup, subject to name change or something, I
12 don't know.

13 MR. von MEIER: I thought about some way to
14 reference in the concept of what we were used to.

15 CHAIRMAN KNIGHT: Or equivalent.

16 MR. von MEIER: Something like that. Okay.

17 MR. MERONI: Presently known as.

18 CHAIRMAN KNIGHT: Yeah, that's good.

19 MR. von MEIER: An annual event presently
20 known as the Kalaway Cup, comma, hosted by the polo
21 club where members of the public are invited to attend
22 a match or matches, comma, for a fee, comma, and where
23 food and drink may be served and consumed on premises
24 and where live entertainment is permitted, period.

1 CHAIRMAN KNIGHT: What about the cutoff
2 time?

3 MR. von MEIER: Well, those will be in my
4 eight limitations for Kalaway Cup at the end. So I'm
5 just defining what public event is so can I refer to
6 it throughout.

7 CHAIRMAN KNIGHT: All right.

8 MR. von MEIER: Okay.

9 CHAIRMAN KNIGHT: So let's go through one
10 through whatever until you get to 12 and this is what
11 we would have under consideration right now if whoever
12 wishes to make a motion is happy with the language
13 that is coming out of this. And are you keeping as to
14 the time periods this board just voted to include in
15 that list?

16 MR. von MEIER: No. One is definitions.

17 CHAIRMAN KNIGHT: Okay.

18 MR. von MEIER: So number two is --

19 CHAIRMAN KNIGHT: Did you read the
20 definitions in number one?

21 MR. von MEIER: I just did read them, match,
22 match day and public event.

23 Number two, is the polo club shall keep a
24 written record, including the date and time for each

1 match where 20 or more players participate, of the
2 number of players, spectators and vehicles and shall
3 record a summary of any incidents that occur on the
4 polo field or the property that are related to the
5 activities of the polo club, period.

6 Now, you notice I didn't say that they would
7 keep a record for the public event, but I will say
8 that later on.

9 Number three, the use of any sound
10 amplification device, such as air horns, loud speakers
11 but not including whistles shall be prohibited except
12 during the public event as provided in condition
13 number blank below, period.

14 CHAIRMAN KNIGHT: Okay.

15 MR. von MEIER: Number four, to the extent
16 that the polo club members and spectators are legally
17 permitted to use Deepwood Road to access the polo
18 field, such use shall be limited to the first 720 feet
19 beginning at the intersection of Deepwood Road and
20 Bateman Road and in the event of such use is
21 determined to be prohibited under the existing
22 easement agreement by a court of competent
23 jurisdiction, a special use permit shall thereby be
24 revoked, period. No change.

1 Number five, if deemed necessary in the
2 reasonable judgment of the polo club, the polo club
3 shall engage personnel to ensure that no person
4 associated with the activities on the polo field
5 trespasses on any portion of any of the neighboring
6 properties, period.

7 Number six, polo club match days, excluding
8 the Kalaway Cup, shall be limited to a total of five
9 per season and all such match days shall be held on
10 Saturdays. That's number six.

11 Number seven, polo club practices may be
12 held on any day other than Sunday and shall be no more
13 than three practices per week provided, however, there
14 shall only be two practices per week in any week where
15 a match or the Kalaway Cup -- I'm sorry, or the public
16 event is held.

17 Number eight, the polo season shall be from
18 June 1st to September 15th, period.

19 Number nine, direction and/or promotional
20 signage related to the polo club matches and the
21 public event shall be erected no sooner than one day
22 prior to such match or public event and shall be
23 removed no later than one day following such match or
24 public event.

1 Number ten is the polo club may hold one
2 public event per year subject to the following:

3 Little "I", sanitary facilities for the
4 public event may be located in the southeast corner
5 and the northwest corner of the polo field and shall
6 be delivered no sooner than two days prior to such
7 event and removed no later than three days following
8 such event. I'll take a comment.

9 MR. ROSENE: Would you read that to me
10 again.

11 MR. von MEIER: Of course. Sanitary
12 facilities for the annual public event may be located
13 in the southeast corner of the polo field and the
14 northwest corner of the polo field and shall be
15 delivered no sooner than two days prior to such event
16 and removed no later than three days.

17 MR. ROSENE: I think that was an
18 over-restriction. Bear with me, I think that -- I
19 think what we agreed was that we could have porta
20 johns on both sides of the field -- on the north and
21 the south side of the field and on the north side of
22 the field they would be limited to the northwest and
23 the northeast corners. Was that?

24 MR. DRURY: My understanding was it was the

1 four corners of the field.

2 MR. von MEIER: I see.

3 CHAIRMAN KNIGHT: Four corners of the field.

4 MR. von MEIER: Thank you. Will there be
5 more than a total of four?

6 MR. ROSENE: Yes.

7 MR. von MEIER: But those are the locations?

8 MR. ROSENE: Yes.

9 MR. von MEIER: I'm not going to re-read
10 that. All right.

11 Two little "I": Attendees must vacate the
12 polo field no later than 7:30 p.m.

13 Three little "I": Live music --

14 CHAIRMAN KNIGHT: Wait, wait, the polo field
15 or the --

16 MR. PAPPAS: Property.

17 CHAIRMAN KNIGHT: The premises?

18 MR. von MEIER: Is it the property? I don't
19 think they are permitted to be anywhere but the polo
20 field, are they?

21 MR. ANDERSON: Well, the polo field --
22 depends how you are defining polo field because the
23 area that's under lease, that's the property under
24 lease by the polo club because there may be cars

1 parked down at the far end, which would be on the
2 field.

3 CHAIRMAN KNIGHT: The field, itself, may be
4 empty at five o'clock in the afternoon but you want to
5 make sure the rest is cleared out.

6 MR. ROSENE: Premises is probably a more
7 accurate description.

8 CHAIRMAN KNIGHT: The event premises.

9 MR. ROSENE: Yeah, that's good.

10 MR. von MEIER: Okay. Got it.

11 Three little "I": Live music must cease no
12 later than 6:00 p.m.

13 Sub four, no more than 2,000 adult tickets
14 may be printed and sold.

15 Sub five, the polo club shall keep records
16 of attendance and a summary of incidents related to
17 the activities of the polo club.

18 Little six, sound amplification and air
19 horns must be kept to a minimum in order to limit the
20 negative impact on surrounding properties. Sub
21 seven --

22 MS. MASTERSON: Wait, air horns kept to a
23 minimum? I thought we said no air horns.

24 CHAIRMAN KNIGHT: This is Kalaway Cup only.

1 MS. MASTERSON: I'm sorry. You are right.

2 Thank you.

3 MR. DRURY: Isn't there something I thought
4 about directing the sound amplification from the south
5 end of the field. Would that be possible, John?

6 MR. ROSENE: I think we already do. We try
7 and take the south side -- excuse me, on the north
8 side, on your side of the field, we direct the
9 amplifiers towards the center of the field, that's
10 number one. Also, I've done this a number of times
11 now but I'm no expert in terms of amplification. This
12 last year, because we extended the length of the
13 field, we did not increase the sound equipment order
14 and as a result we probably had the things cranked up
15 a little louder to compensate. And we spoke to the
16 technicians on the field and they said, yeah, next
17 year you'll need, if you had a few more amplifiers,
18 you would not have to crank them to the level.

19 CHAIRMAN KNIGHT: So you are going to point
20 them south?

21 MR. ROSENE: Yeah.

22 MR. DRURY: Yeah. Okay.

23 MR. ROSENE: They were cranked to 11.

24 MR. von MEIER: Is that just the loud

1 speakers point south?

2 MR. ROSENE: No, the loud speakers on the
3 north side of the field were pointing south and the
4 loud speakers on the south side of the field, of
5 course, were pointed north and kind of inwards.

6 MR. DRURY: Do you think we can get those
7 air horns pointing south too, John?

8 MR. ROSENE: Yeah, we'll try. Or up.

9 MR. von MEIER: There's some language kept
10 to a minimum in order to limit the negative impact on
11 surrounding properties and I'm sure they'll take that
12 language to heart.

13 Sub eight was the polo club shall engage
14 traffic control personnel and devices for the public
15 event to make sure that no portion other than the
16 first 720 feet of Deepwood Road is utilized in
17 association with the activities on the polo field and
18 that no parking shall be permitted on Deepwood Road.

19 And then sub nine, the special use permit
20 for the public event only shall expire on
21 December 31st, 2015. That's the end.

22 CHAIRMAN KNIGHT: All right. I would
23 entertain a motion that would include that language to
24 be presented to the board.

1 MR. ANDERSON: So moved.

2 MR. MULLEN: So moved.

3 MR. ANDERSON: Second.

4 CHAIRMAN KNIGHT: Member Mullen makes the
5 motion. Second by Member Anderson. Any discussion?

6 MS. FREEMAN: I had one question. The only
7 question I had was on the recitation in this last item
8 about traffic control, I had thought that someone
9 brought up the point that if the people trying to plan
10 for traffic control made a different suggestion that
11 would create a more efficient flow, that there should
12 be a mechanism to consider that.

13 CHAIRMAN KNIGHT: No, that would not be
14 included in the language. If they want to make an
15 on-site change, that's out of our purview. We are
16 just going to say this is what you have. If they
17 choose to do something differently, then I sure don't
18 know about it nor do I care. So that's, again, it's
19 hard to --

20 MS. FREEMAN: Okay. That's fine. I just
21 want to follow. Okay.

22 CHAIRMAN KNIGHT: Any other comments?

23 (No response.)

24 CHAIRMAN KNIGHT: Roll call vote.

1 MR. BURNEY: Mr. Chairman, could you just --
2 is there a clarification on the match definition that
3 it does not advertise to the public. I didn't hear
4 that and that was something that was always talked
5 about and would somebody include that as part of their
6 motion?

7 CHAIRMAN KNIGHT: Well, those aren't public
8 events. So I think we've separated that from public
9 to nonpublic. So I think it speaks to that point.
10 Doesn't it, Mr. Von Meier?

11 MR. von MEIER: Well, I mean, there's
12 certainly two separate definitions. One is for a
13 match, one is for a public event. I suppose you could
14 say a match is a polo match hosted by the polo club
15 that is not advertised to the public.

16 MR. BURNEY: That's fine.

17 MR. ANDERSON: I would propose a
18 amendment --

19 CHAIRMAN KNIGHT: Do you want to amend your
20 motion, Member Mullen as --

21 MR. MULLEN: Yes.

22 CHAIRMAN KNIGHT: Okay. So amended.
23 Second?

24 MR. ANDERSON: Second.

1 CHAIRMAN KNIGHT: Second. Discussion?

2 (No response.)

3 CHAIRMAN KNIGHT: Any other comments?

4 (No response.)

5 CHAIRMAN KNIGHT: Roll call vote.

6 COURT REPORTER: Member Freeman.

7 MS. FREEMAN: Yes.

8 COURT REPORTER: Member Anderson.

9 MR. ANDERSON: Yes.

10 COURT REPORTER: Member Valin.

11 MS. VALIN: Yes.

12 COURT REPORTER: Member Mullen.

13 MR. MULLEN: Yes.

14 COURT REPORTER: Member Masterson.

15 MS. MASTERSON: Yes.

16 COURT REPORTER: Chairman Knight.

17 CHAIRMAN KNIGHT: Motion passes. No need
18 for me to vote.

19 As we've done in the past, Mr. Von Meier
20 will finish the drafting of this as he has read. I
21 would review it with him and if there's any difference
22 from what he stated tonight, and it's on the
23 transcript, we would change it to reflect what
24 actually was said. That way we avoid the time lapse

1 of waiting until something is prepared and then we go
2 through this again. So that's something we've done on
3 many occasions and the recommendation will be made to
4 the board to pass this on this request for special
5 use. So that's the end of that item.

6 Next on the agenda is a discussion to be
7 continued on the commercial boarding. Now, I'll give
8 this board a couple of options. We can get into it.
9 It is twenty of ten. I expected us to have much more
10 time to discuss this. We do have a regularly
11 scheduled meeting on the 21st of March and we only
12 have one housekeeping item on that agenda, which is to
13 approve the zoning map. So we could try to get into
14 this tonight or we could continue it to that occasion
15 and devote basically the whole evening to that
16 discussion. Because undoubtedly if we start it
17 tonight, I have no intentions of staying here until
18 midnight again. I don't think any of you care to.
19 What are your feelings about continuing that
20 discussion to the regularly scheduled March 3rd
21 meeting?

22 MR. PAPPAS: Twenty-first.

23 CHAIRMAN KNIGHT: March 21st, excuse me.

24 MS. FREEMAN: I would prefer that given the

1 fact that we had this whole meeting on boarding and I
2 haven't actually re-read that transcript, I only read
3 the polo one.

4 MR. ANDERSON: I would agree that we should
5 continue it at least on that date. I'm looking at the
6 number of people here, though, thinking that we may
7 have an opportunity at least until ten to take some
8 limited additional public comment.

9 CHAIRMAN KNIGHT: We could do that.

10 MR. ANDERSON: And then we can review our
11 notes and proceed accordingly. But let's try to get
12 some of this out of the way.

13 MS. VALIN: I'd agree with that. I'd like
14 for public comment.

15 MS. ROSENE: Wait.

16 CHAIRMAN KNIGHT: She's back. She's whole
17 again. What do you think?

18 MS. ROSENE: I, too, would like to defer
19 this. Kurt's suggestion is great.

20 CHAIRMAN KNIGHT: A lot of hands were raised
21 that didn't speak on the polo issue. So we might as
22 well take a time and when all the questions are
23 answered -- you haven't spoken enough tonight?

24 MR. ROSENE: I just wanted to thank the

1 board and thank the neighbors and we are very pleased
2 with what happened.

3 CHAIRMAN KNIGHT: Well, I'd like to thank
4 all the participants in this process. I think it
5 worked well to the advantage of all and I'm pleased
6 with the way it turned out and hopefully it will all
7 go well for the rest of eternity, how's that.

8 Any comments on the commercial boarding
9 issue? State your name and address please.

10 MR. PATRICK: Thomas Patrick, 122 Brinker
11 Road.

12 And I won't be here for that March 21st
13 meeting so that's why I want to give you a comment.
14 We don't want Barrington Hills to turn into a feedlot
15 and that's what this will do. You have a number of
16 special interests pushing this issue and it's adverse
17 to the interest of everyone else in the community,
18 adverse to the property values in this community and
19 I'm opposed to it.

20 CHAIRMAN KNIGHT: Okay. I will say that
21 we're happy to take public comment but at the same
22 time I will say unless you provide information or some
23 objective reasoning, we're happy, again, to take
24 comments but it is not a popularity contest with this

1 board. All comments are appreciated but we have to
2 kind of deal with facts and we've heard an awful lot
3 through the last couple of years but nevertheless your
4 opinion is appreciated. Thank you. Anybody else?

5 (No response.)

6 CHAIRMAN KNIGHT: Well, it's likely at our
7 next meeting we'll probably close public comment so
8 that we can get down to the issue. Mr. Rosene?

9 MR. ROSENE: I'm going to regret this. But
10 I think maybe the air needs to be cleared regarding
11 the boarding issue. I mean, I've seen e-mails
12 generated on the subject. The one that keeps cropping
13 up is this contention that the purpose of the ZBA is
14 to come up with a boarding ordinance that allows
15 anybody on five acres to start commercial boarding and
16 I just want to know is that your take on your
17 assignment?

18 CHAIRMAN KNIGHT: Actually, I have a note on
19 that subject. I'll read the e-mail that I received
20 today. It was a copy of an e-mail that was an answer
21 to Mr. and Mrs. Dowling (phonetic) that they said, "We
22 are very much against permitting commercial operations
23 within all R1 residential zoned properties of
24 Barrington Hills." That was sent to the Village

1 clerk. She forwarded that to all trustees and the
2 chairman of the zoning board.

3 Part of that, and I'll enter it into the
4 record because I think it's appropriate, President
5 Abboud said that, "Note that the ZBA has no
6 instruction from the Village board to provide for
7 commercial activities in residential districts. The
8 word commercial is a misnomer that has been fostered
9 in the local discussion." He goes on to say, "I've
10 heard some pretty wild accusations of recent regarding
11 the ZBA's activities." I don't know what that's in
12 reference to. I'm not aware that this board has
13 engaged in any wild activities. Our discussions are
14 held in the public. Everything we do is on the
15 transcript so I don't know what that's all about.

16 It says here, "What the ZBA along with the
17 support of some of our other committees is instructed
18 to do is to look at the issues associated with
19 equestrian boarding operations which currently exist
20 throughout the Village as they pertain to the current
21 Home Occupation Ordinance. They are to report back to
22 the Village board with recommendations on code changes
23 to address concerns regarding current equestrian
24 boarding practices."

1 Well, that may be President Abboud's
2 interpretation of what our duties are as a zoning
3 board but that's a direct conflict of what is stated
4 in the Code as to how we operate and what our duties
5 are. I'm going to read a couple of items that I
6 prepared from previous Village board meetings. This
7 is written. This is in the records of the Village. I
8 don't make this up. So let's start out, I'll go to
9 the Village board meeting March 24th, 2008: Trustee
10 Mallen requested that this work be sent on to the ZBA
11 for further work in clarifying Village ordinances with
12 respect to commercial boarding of horses within the
13 Village.

14 Let's go to the Village board meeting
15 April 28th, 2008: All have indicated a desire to
16 maintain high standards within the Village and work
17 with the ZBA to draft language for permissible horse
18 boarding within the Village.

19 I'll go to June 23rd, 2008: President
20 Abboud suggested that we need to sort out the
21 commercial boarding issue before we review the
22 validity of the new permit and revisit design issues
23 with the LeComptes. He reminded everyone that we owe
24 due process to all residents.

1 August 25th, 2008: A draft has been
2 proposed by 11 members of our equestrian community who
3 proposed an amendment to the Village ordinance
4 limiting horse boarding in the Village to that
5 described in the Home Occupation Ordinance.

6 Village board meeting September 22nd, 2008:
7 ZBA report Trustee Schueppert reported that this month
8 most of the ZBA meeting was devoted to beginning
9 consideration of amendments to the Village Code for
10 the commercial boarding of horses. It keeps repeating
11 itself.

12 October 27th, 2008: The ZBA also decided to
13 hold a separate special public meeting regarding the
14 commercial boarding of horses in the Village.

15 Now, if we haven't been here to talk about
16 commercial boarding, then maybe I've been asleep at
17 the wheel. I will say further that this board does
18 not take direction from anyone. We do not serve -- we
19 serve for the Village. We do not serve at the
20 pleasure of the president of the Village. That's a
21 misnomer. This board is independent. I'm not even
22 going to quote the Code. I'll put it in the record.
23 Anyone can read what our duties are.

24 For President Abboud to say that we are

1 instructed to do this and that, we don't take
2 direction from anybody. There is a process in this
3 Village. Mr. Von Meier, would you explain that
4 process when somebody wants to make a change to our
5 Code, either text amendment, map amendment, whatever,
6 hearing, explain the process please that we go
7 through. I don't want to bias. I want it from our
8 legal counsel as to what that involves.

9 MR. von MEIER: The Code section in the
10 zoning ordinance is 5-10-6 titled Amendments and under
11 subsection B, the Initiation of an Amendment,
12 amendments may be proposed by a trustee, the Zoning
13 Board of Appeals, the enforcing officer or any person
14 owning or having interest in the subject property.

15 And so what we're looking at in this
16 instance is a potential amendment to the zoning code,
17 what we call a text amendment.

18 CHAIRMAN KNIGHT: How do we get that
19 permission to have that discussion?

20 MR. von MEIER: At the time that the
21 Equestrian Commission prepared their first official
22 White Paper, they asked us to send it up to the board.
23 We accepted it and sent it up to the board with a
24 request that the board allow us to hold public

1 hearings drafting a text amendment with respect to
2 commercial boarding.

3 CHAIRMAN KNIGHT: Is there any other
4 obligation on the part of this board to take direction
5 from the Board of Trustees once we begin that hearing
6 process?

7 MR. von MEIER: No.

8 CHAIRMAN KNIGHT: Thank you. I think that
9 clears that up. The other thing to be considered too
10 is that when we have these hearings, you'll see that
11 they are all transcribed. What is the law,
12 Mr. Von Meier, regarding what the Board of Trustees
13 may consider when they are making their decision as to
14 our records or taking additional testimony, tell me
15 what's permitted please.

16 MR. von MEIER: For example, in the case of
17 a special use application, which the board has to
18 approve and which you recommend as a zoning board,
19 they are limited to the record that comes up from the
20 Zoning Board of Appeals. The purpose for that is if
21 the applicant is denied a special use permit, they
22 have redress in the courts. The courts are limited to
23 reviewing the record that's produced at this level,
24 the Zoning Board of Appeals.

1 CHAIRMAN KNIGHT: So by statute then the
2 Board of Trustees can make any decision they care to
3 but as far as reviewing material, they have to limit
4 themselves to the written transcript; is that correct?
5 Did I state that properly?

6 MR. von MEIER: Yes. It's why you are
7 considered the fact finding body. You gather the
8 facts, make a decision based on those facts and then
9 make a recommendation to the board and the written
10 record is there to back up your recommendation.

11 CHAIRMAN KNIGHT: I'd like to know at any
12 point in this process I don't recall being instructed
13 to look at this issue associated with equestrian
14 operations as they pertain to the current Home
15 Occupation Ordinance. I don't believe that was part
16 of our charter, was it, as written and directed?

17 MR. von MEIER: No.

18 CHAIRMAN KNIGHT: Okay. That's all I need,
19 just a no. Thank you. So I suggest -- this whole
20 document I want entered into the record and I would
21 say that I've said on many occasions I really don't
22 appreciate public discussion or interruption in any
23 matter that's before this Zoning Board of Appeals. We
24 make our objectivity. As to allegations that there's

1 some wild things going on, if there's anybody in this
2 Village that's an elected official that would like to
3 bring charges against me or this board for doing
4 something improper, I invite them to do so. And I
5 think that ends the discussion tonight. There are no
6 other questions. I'll submit this. I'll submit also
7 from the Code the powers and duties of the president,
8 the creation of the membership of the Zoning Board of
9 Appeals, our jurisdiction and authority, ordinance
10 passage procedure, amendments, the whole works right
11 there. That's for the record.

12 This e-mail is on the record that will be
13 available for the public to review and there are my
14 comments that I highlighted from past public meetings.

15 I think I made it very clear how we operate,
16 what we do without interruption, the objectivity that
17 we have to live with. So any questions on that? Does
18 anybody have anymore questions?

19 MR. KENNEDY: Point of personal privilege
20 please. My name is Bill Kennedy. I live on
21 Steeplechase Road. I'm not understanding exactly the
22 commercial boarding issue that you are talking about.
23 You are not going to open this up to additional
24 comments down the road at the next meeting on

1 March 21st? Because if you don't, then I have some
2 questions on my thought on what's commercial boarding
3 and allowing it on our property.

4 CHAIRMAN KNIGHT: Have you been to any of
5 these discussions in three years?

6 MR. KENNEDY: Yes, in the three years I
7 have.

8 CHAIRMAN KNIGHT: I'll keep that open. Let
9 me explain something further, too.

10 MR. KENNEDY: If you'll keep it open, then
11 there's no comment.

12 CHAIRMAN KNIGHT: I may. I don't know. I
13 haven't made that decision yet. So you've asked the
14 question. I haven't made that decision yet. I'm
15 going to further state that the -- let's see --
16 something else I forgot to mention that we have said
17 publicly here many times that in considering
18 commercial boarding in this Village, it's an activity
19 that's been going on since 1947 or '57 or however many
20 years. People make the claim that, well, that's a
21 terrible illegal activity that's been going on in this
22 Village. Lots of things have been illegal until we
23 figure out a way to bring them into the Code. And for
24 somebody to make an allegation that we are making an

1 illegal activity legal with some dark intent, I don't
2 think that's a fair presentation.

3 Let me go back to a situation with the
4 LeCompte property and I'll be specific because it's
5 here in the record. The ZBA voted six to one to
6 uphold the cease and desist order for the LeCompte
7 barn. That's when they appealed to the zoning board
8 the decision of the Village to find them not in
9 compliance. The LeComptes communicated their intent
10 to pursue legal action. This board, this ZBA, did ask
11 the punitive action be deferred until consideration
12 was given to new ordinances regarding the commercial
13 boarding of horses in the Village. It has been this
14 board's goal that's been stated many, many times that
15 because these boarding operations have been operating
16 without complaint for years and years and years and
17 they were not originally discussed relative to the
18 Home Occupation Act, that our goal as a board was to
19 try to find a way to bring them in compliance. So to
20 say that that's some deep dark secret, this is an
21 activity that's been going on in this Village for
22 quite sometime. And that's our charter when it comes
23 to commercial boarding. We are not all of a sudden
24 opening the door to something that hasn't been going

1 on for quite sometime and we'll do it in a fair and
2 objective manner that will also recognize the rights
3 of everyone in this Village, not just special interest
4 or somebody that has something to gain. And I think
5 that's the way it is. That's the way it's going to
6 be. If anybody wants to make allegations otherwise,
7 well feel free to try to prove it.

8 So with that, I'm not going to pontificate
9 anymore but I had to clear the air on a few of those
10 items. And I'll entertain a motion to adjourn.

11 MS. MASTERSON: So moved.

12 CHAIRMAN KNIGHT: Member Masterson.

13 MS. ROSENE: Second.

14 CHAIRMAN KNIGHT: Second by Member Rosene.

15 All in favor?

16 (Chorus of ayes.)

17 CHAIRMAN KNIGHT: Let's back up. We have to
18 officially continue -- we have to have a motion --
19 would you withdraw your motion to adjourn please.

20 MS. MASTERSON: Okay.

21 CHAIRMAN KNIGHT: Thank you. I would
22 entertain a motion to continue the horse boarding
23 issue, commercial boarding to the March 21st date.

24 MS. VALIN: So moved.

1 MR. MULLEN: Second.

2 CHAIRMAN KNIGHT: Member Valin made the
3 motion, Member Mullen seconded. Any discussion?

4 (No response.)

5 CHAIRMAN KNIGHT: All in favor?

6 (Chorus of ayes.)

7 CHAIRMAN KNIGHT: No nays. The discussion
8 on the horse boarding will be continued to March 21st.
9 All right. Motion to adjourn?

10 MS. MASTERSON: So moved.

11 MS. VALIN: Second.

12 CHAIRMAN KNIGHT: Member Masterson made the
13 motion, second by Member Valin. Any discussion?

14 (No response.)

15 CHAIRMAN KNIGHT: All in favor?

16 (Chorus of ayes.)

17 CHAIRMAN KNIGHT: We're adjourned.

18 (WHICH WAS AND IS ALL OF THE
19 MATTERS PRESENTED AT SAID MEETING.)

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1 STATE OF ILLINOIS)
2) SS.
3 COUNTY OF C O O K)
4

5 I, CYNTHIA L. PEESEL, Certified
6 Shorthand Reporter and Notary Public doing business in
7 the City of Chicago, County of Cook, and State of
8 Illinois, state that I reported in machine shorthand
9 the matters presented at the public meeting of the
10 Barrington Hills Zoning Board of Appeals on the 28th
11 day of February, 2011, and that the foregoing is a
12 true and correct transcript of my shorthand notes so
13 taken as aforesaid, and contains all the matters
14 presented at said meeting, to the best of my knowledge
15 and ability.

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Cynthia L. Peesel
License No. 084-002656
March 4, 2011

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