

PLAN AND ZONING

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REPORT OF THE PROCEEDINGS OF A MEETING  
BEFORE THE VILLAGE OF NORTHFIELD  
PLAN AND ZONING COMMISSION

COMMISSION

REPORT OF PROCEEDINGS had before the Village of  
Northfield Plan and Zoning Commission taken at the Northfield  
Village Hall, Board Room, Northfield, Illinois on the 4th day  
of February, 2019, at the hour of 7:00 p.m.

MEMBERS PRESENT:

DAN deLOYS, Acting Chairman  
KATHY ESTABROOKE  
STEVEN HIRSCH  
CONNIE BERMAN  
TODD BERLINGHOF  
TRACEY MENDREK  
THOMAS BOLLING

MEMBERS ABSENT:

BILL VASELOPULOS, CHAIR

ALSO PRESENT:

STEVE GUTIERREZ, Community Development Director

1           ACTING CHAIRMAN DAN deLOYS: I'd like to call to  
2 order the meeting of the Planning and Zoning Commission.  
3 My name is Dan deLoys, I'm the Acting Chair of the  
4 Commission tonight. At this time, I'd like the  
5 Commissioners to introduce themselves, starting with --  
6           COMMISSIONER BERMAN: Connie Berman.  
7           COMMISSIONER HIRSCH: Steven Hirsch.  
8           COMMISSIONER ESTABROOKE: Kathy Estabrooke.  
9           COMMISSIONER BERLINGHOF: Todd Berlinghof.  
10          COMMISSIONER MENDREK: Tracy Mendrek.  
11          COMMISSIONER BOLLING: Tom Bolling.  
12          ACTING CHAIRMAN DAN deLOYS: Thank you very much.  
13 The purpose of tonight's meeting is to hear a  
14 continuation from our last meeting of January 2nd, 2019,  
15 regarding a zoning code text amendment, noise  
16 reductions. The public hearing format will provide an  
17 overview of this proposal and a forum for public comment  
18 and rebut. This Commission is a recommending body only  
19 and we will forward our recommendation to the Village  
20 President and the Board of Trustees for their final  
21 determination on whether or not to grant this item  
22 before us tonight.  
23          The Board will then consider this item being  
24 discussed this evening at the next Board meeting, which  
25 is scheduled for Tuesday, February 19th, 2019 at 7:00  
26 p.m. right here in this board room. Commission meetings  
27 require that all persons wishing to be heard and to  
28 enter testimony must be sworn in. This includes all  
29 petitioners, individuals with petitioners, and any  
30 interested parties or other property owners.  
31          Following the petitioner's presentation, and after  
32 the Commission has had an opportunity to ask questions  
33 and discuss amongst themselves, then all interested  
34 parties will be given an opportunity to speak. Prior to  
35 speaking, we request that all parties step forward to  
36 the microphone and be sworn in and provide their name,  
37 address, and their interest in the matter, for the  
38 record. These proceedings are being recorded and that  
39 is why we request you speak only at the podium where the  
40 microphone is located.  
41          Our first order of business is to pass the minutes  
42 of our last meeting on January 2nd, 2019. Is there a  
43 motion?  
44          COMMISSIONER HIRSCH: I'll make a motion to approve  
45 the minutes.  
46          ACTING CHAIRMAN DAN deLOYS: Second?  
47          COMMISSIONER BOLLING: Second.  
48          ACTING CHAIRMAN DAN deLOYS: All those in favor?  
49                (Chorus of ayes.)  
50          COMMISSIONER ESTABROOKE: All those opposed?  
51                (No response.)  
52          ACTING CHAIRMAN DAN deLOYS: The motion passes.

1 Before the petitioner steps up to the microphone, Steve,  
2 do you have any comments you'd like to make?

3 MR. GUTIERREZ: Thank you, Chairman deLoys. As you  
4 indicated, this hearing is regarding an amendment to the  
5 Village's noise regulations. This hearing was actually  
6 initiated on January 2nd of this year and was continued  
7 until this evening. The Commission in January was  
8 concerned somewhat that the public may not have had a  
9 good opportunity to be made aware of the proceedings,  
10 and so they asked that staff post public hearing signs  
11 at the parks advertising this meeting.

12 So, those signs were posted a couple of weeks ago,  
13 and in addition to the posting of those signs, staff has  
14 posted the background material on this discussion on the  
15 Village's website as well as pushed word out on social  
16 media. The other thing that the Commission asked staff  
17 to do was to do some research on what surrounding  
18 communities were doing with regard to regulating noise  
19 for park and school district special events.

20 So, we did that. We have a summary of that in the  
21 materials we sent you last week, but just in a nutshell,  
22 only one of the communities actually specifically  
23 addressed parks and school district special events.  
24 That was Northbrook which actually exempts those types  
25 of events from their noise regulations. The other  
26 communities don't specifically address parks and  
27 schools. However, none of the seven communities,  
28 including Northbrook, actually had ever received  
29 complaints about these types of special events.

30 Now, some of these parks are near residential  
31 areas, some of them aren't, so there's any variety of  
32 reasons they may not have received complaints. But in  
33 general none of these communities have really dealt with  
34 this as an issue. Their general noise regulations for  
35 other sources of noise and nuisances apply three  
36 different types of standards.

37 One of which is whether a reasonable person would  
38 find the noise disturbing, whether the noise is audible  
39 at a certain distance from the source of the noise or  
40 from a property line, and lastly and most predominantly,  
41 some of the neighboring communities have decibel level  
42 restrictions on noise. And most of those were similar  
43 to the Village's decibel level restrictions.

44 Most had more stringent requirements for night-time  
45 hours. For the audible standard, they would measure the  
46 distance to the noise source, but the distance would be  
47 shorter during night-time hours. With a decibel  
48 standard, that decibel level limit would be lower. All  
49 of the communities allowed their police officers in the  
50 field to enforce their regulations. Typically, that's  
51 going to be a reasonable person or audible standard,  
52 particularly where the police officer is making that

1 judgment in the field.

2 You have a table in the materials we sent you  
3 giving you a little bit more detail on our findings. If  
4 you have any more questions about them, I'd be happy to  
5 answer those. I have a little bit more detail in my  
6 notes.

7 Those were the marching orders that we received  
8 from the Plan and Zone Commission at the January  
9 meeting.

10 Since the January meeting, representatives from the  
11 Village and the Park District also took the opportunity  
12 to discuss ideas on how we might come up with an  
13 approach on how to balance the park district's desire to  
14 continue these popular events, such as the music and  
15 market events that took place last summer, with  
16 everyone's desire to find some reasonable guidelines for  
17 noise that some might consider nuisance.

18 Staff's memo outlines the outcome of that  
19 discussion for you. And I'll just go over that very  
20 quickly here for the audience. Number one, we discussed  
21 exempting special events for that are held on park  
22 district property, from the decibel noise levels that we  
23 have for general noise nuisances. The hours that they  
24 would be exempt include: Sundays from 12:00 p.m. until  
25 7:00 p.m., Monday through Thursday from 10:00 a.m. until  
26 8:30 p.m., and Fridays and Saturdays from 10:00 a.m.  
27 until 10:00 p.m.

28 Secondly, we would maintain a reasonable person  
29 standard rather than an audible standard or decibel  
30 standard for all park district events including  
31 athletic, non-athletic, or private events. What that  
32 means is even during these exempt hours, if you had,  
33 let's say, a band that was playing in the park and the  
34 band was just really cranking the volume up and it was  
35 what a police officer would consider to be unreasonable  
36 - the police officer would be the final arbiter of that  
37 decision and would have the authority to require that  
38 the music be turned down.

39 As an example, the concert series held in Clarkson  
40 Park last summer went over the 65 decibel level limit.  
41 Under the proposed text amendments, they would not be  
42 subject to the decibel level limitation. If there were  
43 a complaint a police officer would have to make a  
44 judgment call, as to whether the level was reasonable.

45 We also agreed to distinguish private events, that  
46 is any event that is not organized by the park district  
47 itself, that have amplified sound. Their rentals of  
48 Clarkson Lodge or other facilities, that would require  
49 a permit from the park district and those permits would  
50 be limited to 10 annually. The permit conditions would  
51 require adherence to the hours that we noted, as well as  
52 an written acknowledgement that the police department is

1 the sole arbiter of what's reasonable and what's not, in  
2 terms of noise levels.  
3 We also discussed that private event permittees  
4 could ask the Village Board directly for relief from  
5 either that limit of 10 permits a year or from the hours  
6 restrictions. Park district sponsored events would be  
7 exempt from our decibel level limitation, during these  
8 hours, but would be limited to the same number and scope  
9 of events that they currently put on. After talking  
10 with the park district, they indicate that that could be  
11 up to 17 events.

12 The Village Attorney is also suggesting that we add  
13 a definition of 'park district special community civic  
14 event'.

15 This was a collaborative exchange of ideas and an  
16 approach that both park district and Village staff, the  
17 Village President and Park District President, felt  
18 could work. The Commission should feel free to adopt  
19 whatever language you'd like to make it more stringent  
20 or less stringent. This is not fait accompli, it's just  
21 a suggested approach. And with that, if you have any  
22 questions, I'll be happy to answer them.

23 I'm sorry, I almost forgot that there was a  
24 suggestion made at the January meeting that we should  
25 consider whether or not generator noise is an issue that  
26 should be addressed in the proposed amended noise  
27 regulations. I checked with the police department and  
28 our building commissioner who enforce our noise  
29 regulations. They pointed out that the zoning code  
30 currently requires a 10-foot setback for generators,  
31 they require screening, and plan review. If somebody's  
32 putting a generator in, they need a permit, so we check  
33 to make sure that those requirements are being met. We  
34 also make sure that generators meeting the appropriate  
35 sound rating. That's what we are currently doing in  
36 terms of protection. Neither the police department or  
37 the building department do not normally receive  
38 generator noise complaints. If you have any questions  
39 please let me know.

40 ACTING CHAIRMAN DAN deLOYS: Thank you, Steve.  
41 Anybody from the park district, George, any comments?  
42 Steve?

43 ACTING CHAIRMAN DAN deLOYS: Can you wait to be  
44 sworn in? Anybody from the park district?

45 MR. GUTIERREZ: Anybody that was sworn in at the  
46 January meeting, that will carry forward to this evening.

47 However, if you wish to speak and were not sworn in in  
48 January, I'd appreciate it if we could do that in mass  
49 right now. So, does anybody wish to speak who was not  
50 sworn in at the January meeting?

51 (No response.)

52 MR. GUTIERREZ: Okay, thanks.

1 MR. BICKFORD: Thank you. Steve Bickford, I live  
2 at 265 Dicken Street. I'm also the President of the  
3 Park District Board of Commissioners. And, yeah, as Mr.  
4 Gutierrez was saying, we did meet with some of the  
5 Village staff to say what was compromising. Part of the  
6 concern was in the early discussion, there was some,  
7 maybe even a desire by some of the Village to say let's  
8 let the elected body and the other government body  
9 manage this. But there was a concern, especially  
10 expressed by the Village president, that we didn't want  
11 to give an open-ended, you could have 100 events and  
12 things of that nature.

13 And that's certainly not our intention. We live in  
14 this Village as well, I mean, so, we wanted to look at  
15 it in terms of what have we been doing in the past and  
16 make sure that we weren't restricting ourselves from the  
17 types of events that have gone very well and that the  
18 community seems to enjoy. The concern we had, this is  
19 when the sound ordinance issue was brought to us, we  
20 brought out, you know, decibel meter, and found we're in  
21 violation with almost everything we did.

22 We found children playing in Clarkson Park who  
23 exceeded the decibel ratings. The cicadas blew the  
24 decibel ratings crazy. The noise traffic, of course, at  
25 Willow, which we don't control, but we found every  
26 sporting event at the school district, the park  
27 district, or any of our fields exceeded decibel ratings.  
28 And so we really looked at it, and I think in  
29 conversations with some of the other village boards to  
30 say none of us want to shut down the park district. I  
31 believe that's good, but we do want to strike a balance.

32 And so what we did speak about at the meeting that  
33 Mr. Gutierrez was suggesting is we want to continue the  
34 events we've done, the state fair, the market music and  
35 some of the other ones, and we want to be able to  
36 continue to serve our renters right in that Clarkson  
37 Park especially, but some of our other facilities as  
38 well are rented largely by members of our community for  
39 their own events, for reunions, for weddings, for things  
40 of that nature.

41 Some of them, and I believe, you know, we struck a  
42 number of around 10, but we didn't do 10 last years.  
43 Those, we just put 10 out there as a number, would be  
44 pretty reasonable and would strike a balance between  
45 serving the community from what they've come to expect  
46 from the park district, but also putting some reasonable  
47 limits on it from the different Village, even Planning  
48 and Zoning, so that we weren't, not only the reality,  
49 but the perception that we're giving an open-ended carte  
50 blanche for people to be turning us into Tinley Park.  
51 So, if you have any questions about any of the  
52 specifics, I'd be happy to answer them.

1 COMMISSIONER BERLINGHOF: Just a couple of  
2 questions. The school district, you don't really talk  
3 about that in your new, but that's included in the whole  
4 process or does that change anything as it relates to  
5 the school district?  
6 MR. GUTIERREZ: Yes, the proposed ordinance  
7 actually exempts the school district athletic events.  
8 COMMISSIONER BERLINGHOF: Because I'm sure some of  
9 the football games go past 10:00 o'clock at night.  
10 MR. BICKFORD: So, there were specific complaints  
11 over time I believe when New Trier, we looked at the  
12 school district in terms of the Northfield school  
13 district and also the park district in terms of games  
14 that we'll have at Willow Park or at Fox Meadow and  
15 other places. We would like to see the blanket  
16 exemption for the sporting events.  
17 COMMISSIONER BERLINGHOF: Sure, yes. The 10, the  
18 limit to 10 for private events, that will have amplified  
19 sound, is that something that's been defined. I mean, I  
20 don't think anyone in this room wants to keep people  
21 from having get-togethers, you know, more than 10 a  
22 year, if there are a number of people who want to do it,  
23 unless there's a parking issue as well.  
24 MR. BICKFORD: Sure.  
25 COMMISSIONER BERLINGHOF: Or any other issues,  
26 right? If they have a little Bose personal speaker,  
27 they're playing a little music versus having a band  
28 that's --  
29 MR. BICKFORD: We think --  
30 COMMISSIONER BERLINGHOF: What does that roll into?  
31 But you said you only had less than 10 last year, even  
32 requests, so maybe it's not an issue.  
33 AUDIENCE MEMBER: We had six last year.  
34 MR. BICKFORD: We had six with amplified sound. We  
35 had numerous, you know, dozens of rentals of Clarkson  
36 Park. Many people stayed inside, but as far as people  
37 who assembled, whether it's a DJ or a band outside,  
38 that's what we're looking for.  
39 COMMISSIONER BERLINGHOF: Okay, there's some  
40 definition of what amplified sound is?  
41 MR. BICKFORD: Right, okay.  
42 COMMISSIONER BERLINGHOF: So, the process for  
43 relief is to go to the Village Board. Have you defined  
44 the process? Is it so cumbersome and time-consuming to  
45 be not, you know, something that no one even wants to do  
46 or is it --  
47 ACTING CHAIRMAN DAN deLOYS: Well, it's time  
48 sensitive, also.  
49 COMMISSIONER BERLINGHOF: Well, it's time sensitive  
50 if people want to do it. Is there a notice, it just  
51 talks about going to the Board. It doesn't talk about  
52 how you would do that process.

1 MR. GUTIERREZ: I think what we contemplated is  
2 that they would bring a request to the Village Board and  
3 what normally happens is that prior to the Village Board  
4 meeting, we would need a written request to be placed on  
5 the Board meeting agenda. That would be the extent of  
6 the process.

7 COMMISSIONER BERLINGHOF: Okay, that's it.

8 COMMISSIONER BOLLING: I would just like to, first  
9 of all, we had the same issue last month and we asked  
10 for the Village to provide communication to the group.  
11 And I think this, I would like to appreciate the fact  
12 that the Village put forth the effort to put the signs  
13 up and make sure that everybody was involved. So, the  
14 communication issue that we were trying to address I  
15 think has been addressed. So, I just want to go on  
16 record on appreciating that action by the Village.

17 ACTING CHAIRMAN DAN deLOYS: Any other questions,  
18 Tracey?

19 COMMISSIONER MENDREK: Are there any plans for  
20 expansion at Clarkson Park in terms of playgrounds,  
21 facilities, anything that could make the parties larger?  
22 More outside space in future years?

23 MR. BICKFORD: I'm going to defer to George to  
24 answer that.

25 MR. ALEXOFF: Yeah, we've actually applied for an  
26 outside grant. This is a continuation of a park  
27 improvement that we've been working on since 2013. And  
28 some of the things we're talking about is upgrading the  
29 current shelter, so the old shelter, we'd like to tear  
30 down and put a new one on that. It's going to be a  
31 little bit larger, yes. We also, in the initial plan,  
32 have talked about a potential amphitheater put in there.  
33 We're looking at redoing the entire playground  
34 in terms of equipment, as well as the play surface  
35 itself. We're looking at more of a poured in place.  
36 And we've also looked at a continuation of the, what I  
37 would call a patio surface, more closer to the  
38 playground, which would have a wet spray area also  
39 incorporated within there. And there, we also talked  
40 about some counsel rings, some gathering areas,  
41 throughout the park.

42 COMMISSIONER MENDREK: Can you just go a little  
43 deeper on the word amphitheater for me.

44 MR. ALEXOFF: Well, it would be a small shelter  
45 that would have a roof that would accommodate roughly 10  
46 band members.

47 COMMISSIONER MENDREK: Do you have it located in  
48 any renderings or plans at this point?

49 MR. ALEXOFF: Currently, what we're showing, when  
50 we applied for the grant, we had it in what I would call  
51 the larger grass area by, in front of the building. More  
52 on the west side of the building, west side of the park,



1 I should say.

2 COMMISSIONER MENDREK: So, the sound would be  
3 projecting eastward, then, is what you're saying?

4 MR. ALEXOFF: The way it's showing in our plan  
5 currently, correct. That still has to go through all  
6 the review processes.

7 COMMISSIONER MENDREK: Right. Okay.

8 MR. BICKFORD: If I could add one point there, when  
9 we did acoustical readings, the highest readings were  
10 actually behind the band. So, projecting out, it  
11 projects out through the open area, through lots of  
12 people, through trees, it actually cuts down sound waves  
13 pretty well. The highest ratings were right behind it.  
14 And so part of it is having an elevated area so frankly  
15 you don't have to rent the stage every time we do it.  
16 But also, it would provide some backdrop so that you're  
17 lowering sound transmission in the most affected area.

18 COMMISSIONER BERLINGHOF: Yes, I think, I'm sorry,  
19 that, just for the audience's sort of information, when  
20 this, if this happens, this has got to come through the  
21 --

22 MR. BICKFORD: Oh, it's going to come through,  
23 absolutely, this is an idea at this time.

24 COMMISSIONER BERLINGHOF: There will be an entire,  
25 you know --

26 COMMISSIONER BOLLING: Yes, and not only that,  
27 we're talking about an ordinance that goes over the  
28 entire Village, all of the parks, not just Clarkson. So,  
29 this meeting is not just about Clarkson Park, it's about  
30 the entire Village. It's residents, it's parks, it's  
31 school, you know.

32 MR. BICKFORD: I totally agree.

33 ACTING CHAIRMAN DAN deLOYS: Any other questions?

34 COMMISSIONER ESTABROOKE: The Friday and Saturday  
35 10:00 p.m. limit, I don't know, 11:00 p.m. is curfew. I  
36 don't live there, but I'm just saying.

37 ACTING CHAIRMAN DAN deLOYS: It's kind of late if  
38 you live there.

39 COMMISSIONER ESTABROOKE: Is it? On a Friday and  
40 Saturday?

41 ACTING CHAIRMAN DAN deLOYS: If you live there, do  
42 you want the noise? If you have kids, I don't know.

43 COMMISSIONER ESTABROOKE: I'm just saying.

44 COMMISSIONER MENDREK: I just think that it takes a  
45 little time for people to disperse after the music stops  
46 and so it does tend to go on for --

47 COMMISSIONER ESTABROOKE: So, if you say 10:00,  
48 really it will be 11:00?

49 COMMISSIONER MENDREK: Yes, I think so. I mean,  
50 10:30, 11:00.

51 MR. GUTIERREZ: In terms of enforcement, we're  
52 really looking at this as far as the sound.

1 COMMISSIONER ESTABROOKE: Okay, so they can still,  
2 okay.  
3 MR. GUTIERREZ: So, people may be talking as they  
4 are exiting. We're not seeking to control their events,  
5 just the sound issue.  
6 COMMISSIONER ESTABROOKE: Just the sound, okay. It  
7 got it.  
8 MR. BICKFORD: Yeah, typically, if you look at  
9 existing, we have nothing in terms of our rentals that  
10 have gone past 10:00. We've had one concert which has  
11 gone to 11:00, and that's always been the state fair.  
12 So, that would be --  
13 COMMISSIONER ESTABROOKE: That's where I was going.  
14 COMMISSIONER BERLINGHOF: And that's probably where  
15 you have the opportunity of the Village Board for a  
16 single event like that to ask for --  
17 MR. BICKFORD: That would be within the exemptions.  
18 COMMISSIONER BOLLING: The exemption, right. If  
19 the proposed ordinance gives yields to the police  
20 department who is on site, correct?  
21 MR. GUTIERREZ: Just the level of sound, whether  
22 it's reasonable or not.  
23 COMMISSIONER BOLLING: So, if we have an event.  
24 MR. BICKFORD: So, it could be too loud even  
25 earlier.  
26 COMMISSIONER BOLLING: Yes, right, okay.  
27 ACTING CHAIRMAN DAN deLOYS: Anybody else?  
28 COMMISSIONER BERLINGHOF: No, but just in general,  
29 I don't think we should be adding language about  
30 generators, we don't have a problem yet. Let's not  
31 solve a problem we don't have. If it becomes a problem,  
32 we can certainly deal with it.  
33 ACTING CHAIRMAN DAN deLOYS: So, anybody from the  
34 audience who would like to comment, please come up to  
35 the microphone. If you haven't been sworn in, please be  
36 sworn in. Anybody? Any final comments?  
37 (No response.)  
38 COMMISSIONER BERLINGHOF: No, I think this has been  
39 a good process. Obviously, this all stemmed from I  
40 think one complaint, but the bottom line is I think it's  
41 a good thing that we've come through and what's talked  
42 about this. It's gotten the groups together and there  
43 seems to be a lot of support for the park district and  
44 for these events and I think we all would like to  
45 continue to see them happen, so --  
46 ACTING CHAIRMAN DAN deLOYS: So, I agree. I  
47 compliment everybody on working together and coming up  
48 with a really strong plan here.  
49 COMMISSIONER ESTABROOKE: And I like the fact that  
50 we're putting it all in one spot, so it's not --  
51 MR. GUTIERREZ: It helps enforcement, that's for  
52 sure.

1 COMMISSIONER ESTABROOKE: Right.  
2 ACTING CHAIRMAN DAN deLOYS: All right, do we have  
3 a motion?  
4 COMMISSIONER BERLINGHOF: I guess I could make a  
5 motion.  
6 COMMISSIONER BOLLING: So, in this case, we're  
7 going to motion to approve the ordinance as written. I  
8 don't think we had any changes, right?  
9 ACTING CHAIRMAN DAN deLOYS: No.  
10 COMMISSIONER BOLLING: We didn't add anything. We  
11 all agree with the timing? So, **motion to recommend to**  
12 **the Village Board approval of the model noise standards**  
13 **as presented by Village staff on February 4th, 2019.**  
14 COMMISSIONER BERLINGHOF: Second.  
15 ACTING CHAIRMAN DAN deLOYS: All those in favor?  
16 (Chorus of ayes.)  
17 ACTING CHAIRMAN DAN deLOYS: All those opposed?  
18 Motion passes. So again, it will go to the Village  
19 Board on February 19th.  
20 ACTING CHAIRMAN DAN deLOYS: Do we have a motion to  
21 adjourn?  
22 COMMISSIONER ESTABROOKE: Motion to adjourn.  
23 COMMISSIONER MENDREK: Second.  
24 ACTING CHAIRMAN DAN deLOYS: Adjourned.  
25 (Whereupon, at 7:28 p.m., the above meeting  
26 was concluded.)

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29 APPROVED 3/4/19  
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