

**REPORT OF PROCEEDINGS OF THE  
REGULAR BOARD MEETING OF THE BOARD OF TRUSTEES  
VILLAGE OF NORTHFIELD  
Tuesday, June 19, 2018 - 7:00 p.m.**

As provided for by public notice, the Board of Trustees of the Village of Northfield met in the Council Chambers of the Village Hall at 7:00 p.m. on Tuesday, June 19, 2018 for the Regular Board meeting. The meeting was called to order by President Joan Frazier. The Village Clerk took the roll call.

PRESENT:	President	Joan Frazier
	Trustees	Tom Roszak Allan Kaplan Greg Lungmus Thomas Terrill John Gregorio John Goodwin

ALSO PRESENT: Attorney Everette M. Hill, Jr.

**SWEARING IN OF NEW SERGEANT KEVIN TIERNEY**

Our first item this evening is the swearing in of a new Sergeant, Kevin Tierney. Corporal Tierney has worked for the Northfield Police Department for the past 18 years. He has been a wonderful asset to the department and we are very excited to celebrate his promotion to Sergeant. Corporal Tierney was hired by Northfield as a police officer on December 18, 2000 and was promoted to Corporal on December 18, 2011. Corporal Tierney serves the Village as a certified bicycle officer, evidence technician, juvenile officer, defensive tactics instructor, physical fitness instructor, tactical knife instructor, truck enforcement officer, expandable baton instructor, radar instructor and a certified child safety seat installer. He has served as Northfield's representative to NIPAS mobile field force where he is the arrest team leader. He has served as one of Northfield's representatives to NORTAF's burglary task force and he has attended Northwestern University's Supervision of Police Personnel class. He is a two time Northfield Police Department merit award winner. In 2011, he received the prestigious award for his role in saving a man who had drowned in an overturned vehicle in a culvert along Eden's Expressway. In 2014 he received an award for his role in rescuing a woman in crisis and her young son who were running in traffic on Eden's Expressway. If Corporal Tierney could step forward – I will ask the Clerk to swear him in.

**APPROVAL OF CONSENT AGENDA ITEMS:**

1. Approve the Report of Proceedings from the May 15, 2018 Village Board meeting.
2. Approve the Bills and Disbursements from 4/28/18 to 6/6/18:

General Fund	\$255,542.62
Motor Fuel Tax Fund	45,815.00

Longmeadow SSA Bond & Interest	5,648.31
Foreign Fire Insurance Tax Fund	3,367.86
Water and Sanitary Sewer Fund	166,927.62
Storm Sewer Improvement Fund	2,847.78
Capital & Equipment Fund	61,764.09
2017 Go Bond Project Fund	13,390.50
2017 Bond Fund Debt Service	45,500.00
Rolling Ridge SSA Project Fund	<u>\$199,271.48</u>
<b>TOTAL</b>	<b><u>\$819,045.66</u></b>

3. Approve the Prevailing Wage Ordinance as required by the State of Illinois.
4. Approve the update to the Northern Illinois Police Alarm System Mutual Aid Agreement.
5. Approve an MFT resolution with IDOT for maintenance of streets and highways for FY2018-19 and FY2019-20.

Trustee Lungmus made a motion, seconded by Trustee Goodwin, to approve Consent Agenda items 1 through 5.

Upon the following roll call vote, a motion to approve Consent Agenda items 1 through 5 was approved.

AYES: Roszak  
Kaplan  
Lungmus  
Terrill  
Gregorio  
Goodwin

NAYS: 0

ABSTAIN: 0

ABSENT: 0

**CONSIDERATION OF A MOTION TO APPROVE A BID AWARD TO A. LAMP CONCRETE CONTRACTORS IN THE AMOUNT OF \$232,577.20 PLUS A 10% CONTINGENCY FOR THE CONSTRUCTION OF THE SIDEWALK FOR WAUKEGAN ROAD**

Trustee Lungmus made a motion, seconded by Trustee Roszak, to approve a bid award to A. Lamp Concrete Contractors in the amount of \$232,577.20 plus 10% contingency for the construction of the sidewalk for Waukegan Road.

Assistant to the Village Manager Melissa DeFeo said that the Village was awarded a \$201,000 grant to assist with the funding of the completion of the sidewalk on the east side of Waukegan Road from Christian Heritage Academy to Winnetka Road.

AVM DeFeo indicated that we recently went out to bid for the project and A. Lamp Concrete Contractors presented as the low bidder and is within budget. If approved, they plan to begin construction in mid-July and finish in August, with landscape restoration work to follow immediately after. This project has presented a number of impediments, including the need for easements from ten properties along the corridor. The most challenging easement to secure

was from the Courts of Regent Wood, simply because they are a Homeowners Association with their own Declaration and Bylaws dictating how Grants of Easements are given. We have been meeting with the Courts of Regent Wood's Board since January. Since then they conducted a successful vote amongst their residents and adopted a Resolution approving the easement. However, in accordance with their bylaws, the adopted Resolution includes a 90-day notice period. Unfortunately this will delay the start of construction on this segment of the sidewalk until mid to late September. Because the contractor will complete the rest of the sidewalk before then, we are forced to segment the project into two phases, which will require a remobilization of the construction team and equipment and cost \$3,200. Unfortunately it is not as simple as delaying the start of construction to allow for one phase because of the required construction sequencing and the contractor already booked their staff and equipment to begin in mid-July before staff received word of Regent Wood's 90-day notice period. We are also recommending approval of a 10% contingency that would only be used for formal change orders that are subject to the Village Manager's written approval.

Item B provides for the associated construction engineering services by Gewalt Hamilton Associates. Gewalt Hamilton was the design engineer that was used to prepare the grant application last spring. They also provided invaluable assistance in securing the easements. We are recommending continuing to use them for construction engineering because the experience they have with this project will provide continuity.

We will receive payment from Cook County for \$201,000 to assist us with this cost.

President Frazier felt this is a great thing because one of the Board's goals has been to increase the walkability of the Village. Village Manager Stacy Sigman indicated after this is constructed, there will be a continuous loop with the existing sidewalks.

President Frazier then requested a roll call vote to approve a bid award to A. Lamp Concrete Contractors in the amount of \$232,577.20 plus 10% contingency for the construction of the sidewalk for Waukegan Road.

AYES: Roszak      NAYS: 0      ABSTAIN: Terrill      ABSENT: 0  
Kaplan  
Lungmus  
Gregorio  
Goodwin

**CONSIDERATION OF A MOTION TO APPROVE AN AGREEMENT WITH GEWALT-HAMILTON FOR THE CONSTRUCTION ENGINEERING SERVICES PROJECT IN THE AMOUNT OF \$27,000.00 FOR THE WAUKEGAN ROAD**

Trustee Roszak made a motion, seconded by Trustee Godwin, to approve an agreement with Gewalt-Hamilton for the construction engineering services project in the amount of \$27,000.00 for the Waukegan Road sidewalk.

President Frazier then requested a roll call vote to approve an agreement with Gewalt-Hamilton for the construction engineering services project in the amount of \$27,000.00 for the Waukegan Road sidewalk.

AYES: Roszak      NAYS: 0      ABSTAIN: Terrill      ABSENT: 0  
Kaplan  
Lungmus  
Gregorio  
Goodwin

**CONSIDERATION OF A MOTION TO APPROVE THE PERMANENT SIGNAGE PLANS FOR 1900 WILLOW ROAD**

Trustee Lungmus made a motion, seconded by Trustee Goodwin, to approve the permanent signage plans for 1900 Willow Road.

Community Development Director Steve Gutierrez said that late last year, the owners of the commercial center at 1900 Willow submitted a comprehensive sign package to revise the signage that is currently on the building. The Board considered that request last December and referred it to the Architectural Commission for review and for the recommendation. The Architectural Commission, over the course of a few meetings, has recommended approval of the sign package before you tonight. Specifically, with regard to Boutique Nail & Spa, the Architectural Commission is recommending approval of option 2B. Staff is also recommending that if the Board approves this signage that they do so with the condition that the property owner install a light fixture over the Boutique Nail & Spa sign that matches the light fixtures over the other signs. The representative of the property is more than willing to do it. The representative is present.

Tim Thanasouras is the property manager of the center. He said they went through quite an extensive review process with the Architectural Commission and made all the changes that they wanted and they are in the process of getting the new permanent signage up for North Shore Kitchen & Bath and bring up to date the existing signage for the Nail Salon and Dunkin Donuts.

President Frazier thanked Mr. Thanasouras for his patience in this process. She likes the new signs. She confirmed with him that he will furnish the same light fixture over the nail salon.

President Frazier then requested a roll call vote to approve the permanent signage plans for 1900 Willow Road.

AYES: Roszak      NAYS: 0      ABSTAIN: 0      ABSENT: 0  
Kaplan  
Lungmus  
Terrill  
Gregorio  
Goodwin

**CONSIDERATION OF A MOTION TO APPROVE AN ORDINANCE AMENDING CHAPTER 10 “TREE PRESERVATION CODE”**

Trustee Goodwin made a motion, seconded by Trustee Terrill, to approve an Ordinance amending Chapter 10 “Tree Preservation Code.”

Director Gutierrez indicated staff is proposing some housekeeping amendments to our Landscaping, Screening and Tree Preservation ordinance. The goal with these amendments are to clarify our tree protection language to reflect the best industry practices in our Code and to require maintenance of newly planted trees for a period of one year. These are for trees that are planted as required by the Code, i.e. replace trees that were taken down. The best industry practices proposed come in the form of a reference manual (Northfield’s Specifications for Landscape Materials and Maintenance) that we have and want to codify the reference to that manual. These best practices were identified by the Morten Arboretum as a condition of a grant we are trying to obtain.

President Frazier asked Director Gutierrez to explain how this differs from the previous code. Director Gutierrez explained that in terms of the clarification, the previous code did not specify for a multi-stemmed tree and how we determine the caliper inches. There was an instance where multi-stemmed trees were taken down and it was deemed they were in conformance with the code because staff felt the code wasn’t very clear. So under this, the caliper inches of all the stems would be counted at a certain height in determining the caliper inches. The specifications for landscape material and maintenance specifies things such as what type of medium you should replant the tree in, pruning, not allowing topping off of trees which are industry practice.

President Frazier then requested a roll call vote to approve an Ordinance amending Chapter 10 “Tree Preservation Code.”

AYES: Roszak      NAYS: 0      ABSTAIN: 0      ABSENT: 0  
Kaplan  
Lungmus  
Terrill

Gregorio  
Goodwin

**CONSIDERATION OF A MOTION TO APPROVE A CONTRACT WITH RJN GROUP  
ENGINEERING FOR THE 2018 MWRD INFLOW AND INFILTRATION PROGRAM IN THE  
AMOUNT OF \$49,965.00**

Trustee Roszak made a motion, seconded by Trustee Lungmus, to approve a contract with RJN Group Engineering for the 2018 MWRD inflow and infiltration program in the amount of \$49,965.00.

Public Works Director/Fire Chief Mike Nystrand indicated in 2014 the Metropolitan Water Reclamation District mandated a program that communities that dump sewage into their interceptors needed to make efforts to eliminate infiltration and inflow into the sanitary sewer of non-sewer related water such as clear water. This is our fourth year of doing the program and it requires smoke testing of buildings to see if downspouts are hooked to them, drains in yards, storm water which would need to be disconnected. This is all in an effort to minimize sanitary sewer overflows as well as basement backups of sewage into homes. There was an earlier version back in 1985 called the SSA, similar in scope but not as detailed and didn't have the impact that they wanted, so they implemented this new mandate. We have worked with RJN the last three years to bring the Village up to where we needed to be in a five year program. For 2018, they are proposing to provide professional engineering and services to review the existing sanitary sewer televising video and provide recommendations for rehabilitation as required by the Infiltration and Inflow Control Program, complete the required 2018 WRDIICP paperwork and file it with the MWRD, provide sanitary system rehabilitation design services for additional sewer lining, manhole rehabilitation and point repairs and review the Village specific data and assist with preparation of the MWRD IICP private sector plan which comes after the five year program and the long term operation and maintenance requirements of the mandate. RJN specializes in sanitary sewer infiltration and inflow programs. They have been doing it for many years. In order for continuity of information and all the work they have done to this point, staff is recommending the Board approve an engineering proposal to RJN Engineering in the amount of \$49,965.00.

President Frazier asked if this went out to bid three years ago. Director Nystrand indicated it was longer than that. All the communities that use the MWRD system, Wilmette, Glencoe, Winnetka, are all partnering on this to reduce the cost which is one of MWRD's stipulations. MWRD helped structure the multi-jurisdictional partnerships to reduce costs and to get the work completed.

Trustee Gregorio asked if this was within the budget. Director Nystrand said the amount in the current fiscal year for this work was estimated at \$61,250.00 and their price is \$49,965.00.

President Frazier then requested a roll call vote to approve a contract with RJN Group Engineering for the 2018 MWRD inflow and infiltration program in the amount of \$49,965.00.

AYES: Roszak      NAYS: 0      ABSTAIN: 0      ABSENT: 0  
Kaplan  
Lungmus  
Terrill  
Gregorio  
Goodwin

**CONSIDERATION OF A MOTION TO APPROVE A BID AWARD TO QUALITY LIGHTING ASSOCIATES, LLC IN THE AMOUNT OF \$27,766.30 FOR THE INSTALLATION OF LED FIXTURES**

Trustee Terrill made a motion, seconded by Trustee Roszak, to approve a bid award to Quality Lighting Associates, LLC in the amount of \$27,766.30 for the installation of LED fixtures.

AVM Melissa DeFeo indicated that this is the final phase of LED lighting conversions for all Village facilities and is eligible for over \$10,000 in rebate funding from ComEd. Total conversion of Village facilities to LED technology has been a four-phase project that started long before she even got here.

This proposal includes lighting at the water reservoir at Willow and Waukegan Road, the outdoor canopy lights here at Village Hall, and the large majority- about 90% of the project- are lights at Fire-Rescue/Public Works. As you are aware, the Fire-Rescue/Public Works building is a large facility that operates 24/7.

AVM DeFeo has been working closely with Public Works on this project and they are very excited to finalize our lighting conversions. As with the other phases of this project, there is a sizable upfront cost, but we anticipate huge savings in the time and money our crews spend on fixture maintenance and bulb replacement. The bulbs themselves are warrantied for 10 years, but will likely last much longer. The new fixtures will consume roughly 66% less energy than the current fixtures, which supports our Greenest Region Compact commitment to use energy efficiently and reduce energy consumption. The ComEd incentive is temporarily 50% more than the typical rebate level, which brings the project well below the \$40,000 that was budgeted. This temporarily increased incentive will last until funding is depleted.

A contract is available through an intergovernmental purchasing agreement with Quality Lighting Associates LLC, who we have worked with before and have had a positive experience.

If approved, a ComEd engineer will perform a preliminary walk-through with the contractor to verify fixture counts and will also perform a final audit to insure accuracy. If approved, the project could be completed by early August. Village Hall Canopy Lights: \$737.12; Water Reservoir: \$2,926.72; Public Works/Fire-Rescue: \$24,062.46

President Frazier asked AVM DeFeo if she is able to quantify at this point what the annual cost savings could be. Director Nystrand answered \$14,475.00. President Frazier indicated that one of our community objectives was to meet green initiatives. This change has a financial savings, reduces labor costs and reduces energy use.

President Frazier then requested a roll call vote to approve a bid award to Quality Lighting Associates, LLC in the amount of \$27,766.30 for the installation of LED fixtures.

AYES: Roszak      NAYS: 0      ABSTAIN: 0      ABSENT: 0  
Kaplan  
Lungmus  
Terrill  
Gregorio  
Goodwin

**CONSIDERATION OF A MOTION TO APPROVE A PROPOSAL FROM GEWALT-HAMILTON FOR THE DESIGN AND BIDDING SERVICES ASSOCIATED WITH THE 2018 WATER MAIN PROJECT IN THE AMOUNT OF \$43,000.00**

Trustee Roszak made a motion, seconded by Trustee Lungmus, to approve a proposal from Gewalt-Hamilton for the design and bidding services associated with the 2018 water main project in the amount of \$43,000.00.

Director Mike Nystrand this proposal if for engineering services for the design and bidding requirements to replace an existing six inch water main on Thackeray Lane between Bosworth and the south end of Thackeray. There is about 1,600 feet of water main which needs to be replaced. There have been many water main breaks in that area. The pipe is being held together by repair sleeves. That portion of Thackeray was not paved in order to get this work done. That section of the road will be replaced after the water main is done. The engineering services would include doing the design and bid services for that project.

President Frazier indicated that every year the Village attempts to undertake at least one storm water remediation project that tends to cost millions of dollars. In the past, the Village has done work east of Wagner, the new water main under Willow Road and now we are trying to do some of the smaller projects which include Thackeray.

Trustee Lungmus asked Director Nystrand when it will be done. Director Nystrand answered that if it is approved tonight, it will be done before the snow falls.

President Frazier then requested a roll call vote to approve a proposal from Gewalt-Hamilton for the design and bidding services associated with the 2018 water main project in the amount of \$43,000.00.

AYES: Roszak      NAYS: 0      ABSTAIN: 0      ABSENT: 0  
Kaplan  
Lungmus  
Terrill  
Gregorio  
Goodwin

**CONSIDERATION OF A REQUEST FOR AN AMENDMENT TO SPECIAL USE ORDINANCES #94-799, #04-1218 AND #08-1388 TO ALLOW FOR SEASONAL OUTSIDE SALES AT MARIANO’S AT 1822 WILLOW ROAD**

Trustee Terrill made a motion, seconded by Trustee Goodwin, to approve a request for an amendment to Special Use Ordinances #94-799, #04-1218 and #08-1388 to allow for seasonal outside sales at Mariano’s at 1822 Willow Road.

Director Gutierrez indicated Roundy’s Supermarkets is the parent company of Mariano’s and they are seeking approval of an amendment to the special use permit that governs the store located at 1822 Willow Road. They are requesting permission for seasonable outdoor sales on the sidewalk area in front of the store. The Plan and Zoning Commission approved the request unanimously and recommended its approval. There is a representative from Roundy’s here.

Dan Ferrill, President of Real Estate for Roundy’s d/b/a Mariano’s. President Frazier said she didn’t feel a presentation was necessary and the Board was provided with all the documentation. President Frazier asked Mr. Ferrill if the employees could be more assiduous in cleaning up the garbage in the parking lot and adjacent parcels. Mr. Ferrill indicated this came up at one of the meetings and the employees were informed. President Frazier then asked where the actual sale will take place. Mr. Ferrill indicated sales would take place inside the store. They will make sure the pedestrian walkway is clear.

President Frazier then requested a roll call vote to approve a request for an amendment to Special Use Ordinances #94-799, #04-1218 and #08-1388 to allow for seasonal outside sales at Mariano’s at 1822 Willow Road.

AYES: Roszak      NAYS: 0      ABSTAIN: 0      ABSENT: 0  
Kaplan  
Lungmus  
Terrill  
Gregorio  
Goodwin

**CONSIDERATION OF A REQUEST FOR A SPECIAL USE FOR A PLANNED UNIT DEVELOPMENT, A CHANGE IN ZONING DESIGNATION FROM M-1 TO R-6 AND RELIEF FROM VARIOUS ZONING CODE REQUIREMENTS FOR A MULTI-FAMILY RESIDEWNTIAL DEVELOPMENT AT 1725 WINNETKA ROAD**

Trustee Lungmus made a motion, seconded by Trustee Goodwin, to approve a request for a Special Use for a Planned Unit Development, a change in zoning designation from M-1 to R-6 and relief from various zoning code requirements for a multi-family residential development at 1725 Winnetka Road.

Director Gutierrez indicated the petitioner is 1725 Winnetka Avenue, LLC and are seeking approval of a planned unit development, rezoning to R-6 multi-family residential and a number of variations for the property at 1725 Winnetka Road. The variations include a variation to the minimum area per unit requirement of 5,000 square feet. They are proposing 3,363 square feet per unit. The total of units allowed under the Zoning Code for proposed R-6 zoning is 17 units which equates to 8 dwelling units per acre and they are seeking to build 28 units at 13 dwelling units per acre. The maximum building height in this district would be 35 feet and they are seeking a building height of 41-1/2 feet. The minimum front yard setback for this district is 30 feet and they are seeking a front yard setback of 23 feet off of Winnetka Road. The maximum lot coverage for this district is 50% and they are seeking a lot coverage of 61-1/2%. Finally, the floor area ratio for R-6 district is .35 and they are seeking a floor area ratio of .82. Both the Plan and Zoning and Architectural Commissions, after a series of meetings with both commissions, have recommended approval of the project subject to various conditions which are in the packets. The petitioner is present.

President Frazier said Mr. James will make a presentation and then we will hear comments from the crowd. The Village Clerk will take down the questions and when everyone is done speaking, she will ask them for Mr. James to answer. If he brings up something new, the public may ask a rebuttal question. If he doesn't bring up anything new she asks that you not stand up and make the same points again.

Jerry James thanked the President and Board for their consideration tonight. Edward James, Mike Fitzgerald, principal at OKW Architects, Mike Ballis, his colleague and Brett Duffy from Spaceco Engineering are present also. He said this is the 9<sup>th</sup> meeting before the Village going back to November of 2015. There was also a 10<sup>th</sup> meeting at the Village regarding the text amendment to the project. The Village's action spans back more than that when they undertook the Northfield Road corridor study. That study addresses this property. He said he appreciates the concerns expressed by the community, the Plan Commission and Architectural Commission. From the meetings, they have changed their plans substantively. Mr. James

believes because of the input, the plan is better today. The plan may not satisfy all the concerns of everybody, but no plan ever does. He believes that this new plan furthers the goals enunciated in the Northfield corridor study adopted as part of the Comprehensive Plan and believes it is consistent with those goals and to the health, welfare and benefit of this community. This is the third project they have done in Northfield and he lives nearby and traverses Winnetka Road at least twice a day. He will live with this project as well as the community.

Mr. James indicated the unique part about this property is that it was an obsolescent property, zoned M-1 but surrounded by residential on the east, south, a mix on the north, light industrial on the northwest corner and ComEd easements and the institutional communities including the House of Welcome and North Shore Senior Center and the Northfield Fire Department. It has presented many challenges in how they approach the property. However, the corridor study was clear. The Village felt the current M-1 zoning was no longer relevant and that they were supportive of a residential use and of those uses, either a 4 story apartment building or a collection of townhomes was feasible and things that were consistent with their aspirations and vision for this site. The advancement of this plan, if approved, will no longer relegate any of the surrounding owners to the possibility of any of the M-1 uses. As a land use professional, Mr. James believes any of those uses could have a detrimental effect on the property value of a residential use. From that standpoint, one of the benefits of moving forward on this site would be the elimination of that uncertainty. He indicated they are taking the zoning from M-1 light manufacturing to R-6 residential. They need a special use permit for a planned unit development. Within that development, they are asking for six variations – minimum area, maximum building height, front yard setback, lot coverage, FAR and fencing along the north and the south. The rationale and planning objectives when they first began would be to be responsive to the economic obsolescence, responsive to the Village's corridor plan, responsive to the transitional location and adjacent uses and to enhance the community and not impose detrimental impacts to the health, welfare and safety of the community. Lastly, it needs to be economically viable and financeable.

Mr. James then showed slides of the plan when they began in November presented at the Preliminary Plan Review Committee and they were given a positive nod to move forward. In moving ahead with their plans, they determined that underground parking would be cost prohibitive. They then began to explore other alternatives throughout the year. They met with the fire and public works departments and it ended up being a four and partial five story building. But he did not feel comfortable with that plan. In the end, they decided to go with a

townhome plan. The first plan they presented was on September 5<sup>th</sup> with the Plan & Zoning Commission. That plan is 34 units and then subsequently went to the Architectural Commission on the 11<sup>th</sup> and that plan was then modified to one entry and has 32 units. In January of 2018, before the Plan & Zoning Commission, a plan with 28 units. They listened to the neighbors who wanted them to reduce density and so they dropped another 4 units. That plan was unanimously recommended by the Plan & Zoning Commission. They then went to the Architectural Commission for their input. They received their input and then went to plan #7. They appeared again before the Architectural Commission with Plan #7 which changed the driveways flanking the entrance. The Architectural Commission felt that was a lot of pavement, so they asked for them to eliminate that view. What they did was have to reshuffle the cars and ended up getting the plan which is before the Board tonight. It has six units facing Winnetka Road versus two turned on the side. There isn't a view of any garages and a narrower entry. It is now a forward facing appearance and they believe it is a better, positive address to the street. There were also discussions at the Plan Commission meeting about setbacks and concerns by the neighbors across the street. They challenged themselves to make it a better plan to be responsive to the neighbors. The final plan tonight shows the setback at 23 feet. The Commission then felt there were issues with the architecture. They wanted to see the foundation jogged. Mr. James indicated they went back and jogged the foundations. They feel the final plan is consistent with Comprehensive Plan.

Mr. James then addressed some of the concerns which have been articulated. They presented numerous studies regarding traffic with the traffic light and then without the traffic light at Winnetka and Happ. Their consultants have said that this will have no material, impact on the level of traffic that occurs at that intersection. The Village has also had their consultant look at it. Mr. James then addressed the height issue saying that they are not the only structure above 35 feet in the neighborhood. The neighbors to the east and south are over 35 feet. To the peak ridge is 41 feet and is less than that for the majority of the structure. They have conducted shadow studies that the impact, given the setbacks on the east which exceed the minimum of 6 feet will have no impact on the neighbors. The height will not play a factor. He said that had they done a four story building as indicated in the corridor plan, it would have been over 41 feet. He then addressed density. There is a chart in the Board's packet showing that Arbor Lane has 14 units per acre and the proposed property is 12.96 units per acre. This is consistent with, if not below, the average of the neighborhood. The building immediately east has over 17.5 units per acre. It won't make any difference on the overall traffic impact. Mr. James said that precedence is a concern. He said that if you go back in the testimony, you will

find that when Arbor Lane was approved, many of the concerns expressed with his project were concerns found in the minutes in the 1990's. Concerns were destroying the character and ambiance of Northfield and the traffic will be a nightmare. That has not happened. Arbor Lane is a wonderful project and a great addition to Northfield. He said if there is any precedent to be concerned about would be not be approving a project that has been unanimously endorsed by two commissions, has had nine hearings, three years of rigor, has changed significantly and has dropped the density by 18%. It would be a precedent to countermand the judgments and evaluations of people and the many hours they spent. Lastly, Mr. James said they view their business as a privilege and it is a great opportunity and a special opportunity to work in Northfield. He is very proud and couldn't be happier with the things that they have accomplished in Northfield. The time was spent to ensure that they don't destroy the reputation or the quality of life in Northfield.

Gerry Magner, 7030 Arbor Lane, said everybody has probably looked at the website and looked at the 20 properties they have developed in the Chicagoland area. It is quality. About 3 years ago, one of the members of the opposition group made a statement that the positive thing about the James companies is that they are the best contractor/developer in the Chicago area which was said by Jim McKevin.

Tom Anderson, 8010 Arbor Lane, said he moved to Northfield in 1962 and through the ensuing years, his family has 30 years of community service within Northfield. That includes two presidencies and one co-presidency. He is a general contractor dealing in heavy construction projects. He does it on a turn-key basis so he has to do a complete site development and site studies and then confers with the owner to get his input and then he plans, designs it and builds it and then hands them the keys. He has been in his business for 26 years and has done work from Zion to Richmond, Illinois and Romeoville and New Lenox and Frankfort as well as the City of Chicago. He said when you look at the site, it is oddly configured. To the west is power lines and AT&T infrastructure lines over the property line. There is also a slew behind this area. The configuration automatically eliminates a lot of development possibilities. This would be one unit residential type developments, but it does lend itself more to multi-level units. Half of that site is on the floodplain. The plat of survey shows a fence that goes around 800 – 900 feet. There is a sea of asphalt and concrete, catch basins and sewer lines. The current building is 18,000 square feet. The demolition costs is another red flag. On the east side of the plat of survey shows a 12 foot easement granted to The Landmark, done in 1979. To the west side of the site, there is an easement of 15 foot easement that was granted to the Village of Northfield for 36 inch sewer line. Further south to

the southwest corner, there is an easement for AT&T for an underground vault. He said when you said add of these things together, and based on what the developer has pointed out, this is a 15% intrusion on the building site. The site is 2.1 6/10ths acres which converts to 94,000 square feet and 15% of that is 14,000 which nets out at 80,000. Now you are down to 1.9 acres that is buildable. The civil drawings show the sanitary sewer line is on the south side of Winnetka Road. That involves auguring under the road to make that connection. The site is so flat and level that you cannot get gravitational movement with the sewer line; you have to get it to a point that the develop has done with a lift station in which you physically force the sanitary sewerage over to the sewer line. He asked if all of that was considered. Then you take all of these building code intrusions which he has to make to make it work. He is stating the height is 41' 6" which is not totally accurate. If you go to the southeast corner, there is a retaining wall that abuts building #6. The elevation of that is 20.0'. The interior elevation of the building is 27.2. So you have the retaining wall that goes up to almost the same height as the building. Mr. Anderson said that Mr. James also states that the foundation wall for building #6 is a special foundation. Where the retaining wall stops, the building then takes up the use of the retaining wall all the way to the end of the building where the next retaining wall takes its place. You are taking 2' of the foundation wall and applying that to the height of the wall. When you add the 2' then you have to add 41'6". From grade, it will be 43'6".

Mr. Anderson continued by saying that once you go to the Winnetka Fire Prevention Bureau, you will find in their studies is that the 20' roads won't accommodate our fire trucks in a heavy snow storm. This has been applied to the 34 development and all the ensuing developments. This particular development, the Fire Department in Winnetka was never asked to analyze it. They were asked to analyze the previous submittal. Also the aerial equipment within our fire department demands a 26' road width. The only width on this site that will accommodate that is the front drive which is 30'. Assuming the height of the building is 41', this is the only way you can reach and service and put out a fire if its roof height or above. You cannot get this piece of equipment on the site. This is a site with a lot of liability on it. He asked who takes the responsibility. The developer is presenting that to the Board. The Board is taking that responsibility and making it a liability of the Village. This goes on for the life of the project. Taking all of this information and applying it to a PUD which is a special use and a privilege to earn and not a right which may be claimed by complying with the standards established in this article. If you take all of the Code violations, the umbrella of heavy liability, then introduce what a PUD demands and there are not any amenities involved in this program. There is a section which defines openness and the limitations on openness. The limitations are anything that is

long and narrow or of an odd configuration. There are two long easements on each side of the property and one AT&T property which is oddly configured. The two on the end have to have service because part of the obligation when they were issued was that the people who have the easement has to service it and maintain it. That requires a road network. This is an infringement on the openness of this property. Mr. Anderson said his point is that you take all of the building intrusions, the liability on here and you then try to put in all the planned uses that a PUD requires, this does not satisfy a PUD. There was a consideration that was made to the Board which was on density. You take the M-1 site which has been previously stated is roughly 8 units per acre, increase that by 50% which would go to 12 units per acre which is a total of 24. The site is over 1/10<sup>th</sup> of an acre wide. Add one more unit and you're at 25. This is equal to The Landmark. The Landmark has 2 acres and this site has 2 acres. He said if you adopt this as a standard, all future developments, you can start off with 12 units per acre. If you went back on what's happened to our Village staff, at the inception of this particular development, you have had over 1,000 emails going back and forth. If you adopt a standard, you will reduce the amount of the emails, so the Village staff is far more efficient if they have less to do for each particular site. We went through a litany of all the different developments that happened on this site.

Mr. Anderson said he has to have this 2' perimeter around and this becomes the building platform. Adopt and put in The Landmark height, 38'2" which takes us up to 40'2" then the building code is 35'. The front yard setback is at 25' and if you adopt the density he is talking about, you can go back to the original code which is 30. Lastly, if you go to Royal Ridge, Fox Meadow, Regent Wood, Middlefork Wood, 309 Happ, The Landmark and Meadowlake, all of these projects are brick. Proposed for the 34 units was real stucco. Brick is here, real stucco is not. Then when he proposed the 28 units, he went down to cement shingles and Hardy Board. To get him from Hardy Board up to brick will be expensive. These are rentals and subject to depreciation over time. Prorate that cost over the duration of the lifetime of the building. This greatly reduces that impact. He would like the Board to approve what he is talking about.

Mary Lou Mellon, 7050 Arbor Lane, has lived there for 6-1/2 years. She also lived at 150 Coach Road for 16 years. According to Northfield's Village Code, Appendix A, Article XVII, a planned unit development is a special use that is a privilege to be earned and not a right that can be claimed. Also from Article XVII, the planned unit development should provide amenities and establish facilities and open space greater than the minimum, otherwise required. In the proposed development, there are no amenities, no facilities and no open space that the developer has planned. There is no room for any of these things because of the density of the

layout. This is completely in opposition to the Village Code. Her second point is when located within an established neighborhood, a PUD should provide harmonious architecture and site design as scale, character and density that are appropriate to the site and the surrounding area (Section 17-3). The buildings that are in the neighborhood of 1725 Winnetka Road are multiple family dwellings – The Landmark and Meadowlake and are all brick. Virtually all the multiple family developments in Northfield are brick as well. The plan is not compatible with the character of the neighborhood or of other similar developments in Northfield. For somebody driving by, this project will stick out and look totally out of place on Winnetka Road. The density of the plan is greater than that of The Landmark which has 25 units. Her third point is that another requirement of a PUD mentions that there shall be separation of vehicular and pedestrian traffic (Section 17-4.6). There are no sidewalks in this plan. For residents in buildings 5 or 6 wishes to walk to the Northfield Post Office, they will have to walk in the driving lanes of the development and out the entrance/exit driveway to find a sidewalk. Safety for pedestrians is clearly an issue that the developer hasn't addressed. In PUD mandatory findings (Section 17-5.2) states that a PUD will not be injurious to the use and enjoyment of other property in the immediate vicinity, nor diminish or impair property values within the neighborhood. Traffic plans aside 28 rental units with the residents, guests automobile, and service vehicles will dramatically increase traffic and will affect her life because it is difficult now to get out to Winnetka Road. Their driveway will be exactly opposite the driveway to 1725 Winnetka Road. She feels it will dramatically alter her lifestyle and their property values. If renters in this development have children, additional students will stress the local schools and parents who are renters won't pay any taxes and get a world class education for their kids for the price of their rental. The developer is asking for variances on 7 PUD guidelines and has gotten a text amendment on the one rule that he couldn't get a variance on. He is effectively rewriting the Village zoning laws for his project in the face of growing intense and serious opposition from the community. The opposition is not just from the immediate neighbors. There were over 463 people who responded to their mailing that said they were in opposition to this particular development. The developer has simply not met the requirements for the PUD. She said she doesn't understand how he can claim a PUD when he doesn't meet 4 of the requirements. The Northfield Village Zoning Ordinance was carefully crafted and approved 15 years ago. She is mystified as to why the Plan & Zoning and Architectural Commissions were willing and seemingly eager to overturn the existing ordinances which sets a dangerous precedent for Northfield development. She hasn't heard any rationale of why everybody is so delighted to throw out what exists. The architectural elevations show buildings that are

unattractive to her – grey composite, grey stone and grey siding. It is depressing looking. The all grey facades are institution-like, particularly the interior courtyard. Mr. James isn't selling these units, he is renting them. As long as he needs to recoup the costs of construction, let's ask him to make it more attractive and bring up the quality for the neighborhood. All the multiple family developments in Northfield are brick. She would like Mr. James to upgrade this development and to meet the standing of the community.

Cricket Truder Hauff, 1050 Arbor, previous to that she lived at 18 The Landmark since 1999, and when she was married they moved to Meadowlake in 2004. She is a sitting member of the Northfield Caucus. She is not at the hearing to represent the Caucus, but as a member of the community. The Northfield Caucus has drafted a platform to guide the nominees for Village Board on how to best protect the quality of life. The officials are elected to oversee her Village and the community by following the guidelines of the platform and the existing well thought regulation, all of which maintain the precious small town character of Northfield. She quoted the Caucus platform, buildings should be constructed in a style consistent with neighboring properties. They have entrusted the Village Board to follow the platform and steer her community into the future. She has been very disappointed to see some present and former Caucus members who sit on the Plan & Zoning and Architectural Commissions totally disregard the Caucus platform. She finds it even more disturbing that the Village has adopted the philosophy that state and county rules and laws don't matter because Northfield has home rule. So basically, Northfield can do whatever it wants. The revisions of the James project for the 1725 Winnetka Road that have been submitted for Village and public viewing many times, have been inconsistent or incomplete relating to current zoning and architectural regulations put in place to protect the character of the existing neighborhood and of her Village. She does not think it is productive to accommodate one developer at the expense of the community as a whole. She urges the Board to reject these changes. As a member of the community and this neighborhood, hopes that the President, the trustees and the commissioners would continue to follow the principles of the Caucus platform and the existing ordinances and rules as well as listen to the voices of the community and protect her Village. Otherwise, let it be known that this is the elected Board of Trustees who shall be forever remembered as the officials that destroyed the quiet corner of the North Shore, Northfield.

President Frazier indicated that the Caucus can do what it wants, but she felt it was inappropriate to threaten the Plan Commission members, Architectural Commission members, the people sitting here, they are all volunteers. Ms. Hauff has a right to state her opinions, but President Frazier takes exception to that comment. Ms. Hauff said that the Caucus nominated

her on the Caucus platform and President Frazier and the commissioners are not doing it. President Frazier indicated that Ms. Hauff's interpretation of the Caucus platform might be different than theirs. President Frazier said Ms. Hauff's belief as to what the Caucus means, might be different from what somebody else sitting up there has to do. Otherwise, it would be Caucus members up there. Ms. Hauff said they have Caucus members of there. President Frazier took exception to the comment and didn't appreciate it.

James Murray, 4 The Landmark, said that one of the things he wants to remind the members of the Board is to go back in time when The Landmark was developed. He asked the Village to produce for him all the documents that they had as it related to the development of The Landmark. Unfortunately, he only got three pieces of information. The first dealt with the report by the members of the Zoning Commission of the Village of Northfield dated October 20, 1978 which is Exhibit 2 of the documents dropped off at the Village. The second document which is Exhibit 3 was an ordinance that was recorded in 1980, known as ordinance number 257. In the ordinance was an exhibit called "Site Plan" which the Village provided which was a drawing of the site elevations. He is an attorney and hopes that the representations he makes with hold some merit. He said let's go through what The Landmark is and what this site isn't. The Landmark is not the floodplain, this site is. The Landmark at the time is not a PUD, it existed and was under the old zoning law of R-7 multifamily. It had to comply with all of requirements – front yard, setbacks, height. The first report which authorized construction, he assumes the ordinance was passed based on the Plan & Zoning Commission report and authorized 21 dwelling units to be constructed on the site. Under the old zoning law, there were environmental points. Additional units over and above were permitted under the existing R-7 zoning requirement. The developer got an additional 6 units for a total number he was able to construct to 21. In the second reiteration, he went back to the Village, he couldn't find anything from Plan & Zoning, but if you examine the ordinance, what does that tell you about what the developer was intending to do to the development at The Landmark. He said there are a couple of elements that the Board should be aware of. The first is that the developer was going to acquire additional property and as a result, the Village was going to authorize him to construct a total of 34 units. However, they also agreed to permit him on the first parcel and additional four units. That is how he arrived at 25 dwelling units at The Landmark. According to the Agreement, there is a variation in the height requirement. This is nothing, this document says they met all of the requirements of the ordinance which would include all of the setbacks, all of the side yards, all of the height requirements which at that time is the same that exists in this which is 35 feet in height. Page 4 of the ordinance (Exhibit 3) says the maximum height limit of

35 feet is hereby increased to 37-1/2 feet for two units, unit 1 and unit 8. Those units are located on Happ Road. They do not border the AT&T site. The height of the roof line for those units are 24 feet. It is a substantial difference so when Mr. James suggests that somehow the height line of Landmark and his project are somewhat similar, Mr. Murray said he is mistaken. The project seeks to construct 28 rental units on a site of 2.1 acres, more or less, occupied by AT&T. It is currently zoned as M-1 and it is proposed to be rezoned as R-6 multifamily dwelling district. He said he does not object to the change in zoning. The sponsor of the developer seeks to utilize the PUD ordinance for this project and it requires to make certain definite standards as contained in that ordinance. The ordinance requires P&Z to make mandatory findings. In the minutes, they don't do that, they just prepare a motion approving the development and all the variations. They don't make any mandatory findings as required by the PUD. Mr. Murray then addressed the President and the Board saying it is their obligation to make mandatory findings as it relates to the PUD and also to the special use which is Article XVI. They both require special findings. He said Ms. Sigman who drafted the ordinance and basically prepared when he submitted all the other documents and made specific reference that there had to be required specific findings in order to support the PUD. He said, let us reason together, he doesn't want to object. He would like to Board to approve the project. He said he agrees with this is a very competent developer. They do good work. He would like to see the site be a little bit better than he has done. This structure intends to place 28 three story structures on the site. Use The Landmark as an example with 25 units. The minutes of the January 18, 2018 which approved this (page 105) for 28 units. There were comments as to the density by two of the commissioners and Commissioner DeLoys said "if The Landmark was 11 feet away from the road, I probably would not be in favor, we want to stick to the 25 or 30 feet. This was misinterpreted, it is a side yard not a front yard. Mr. Murray would like to see 24, 26 units. He realizes there are economic issues. He doesn't know what the feasibility is because Mr. James has provided no financial information. The other comment about density occurred by Chairman Vaselopulus at the meeting. Page 106 of the transcript, the Chairman said, "I'd like to see maybe two less units myself." At least two commissioners voiced their concern about whether or not the number of units could be decreased.

Mr. Murray said the height of the units that Mr. James seeks is 41 feet 6 inches. If you take Mr. Anderson's testimony is correct and says it increases the elevation of the units 2 feet. That adds to the numbers, so you're really looking at 43' 6". Assuming it is, R-6 zoning is 35'. The western units of The Landmark at 24' on the roofline. That means there is anywhere from 16' to a 17 or 18' difference. It is a substantial sum and it relates to the shadow test. Mr.

Murray made mention of the definition because this is a floodplain. The site is 2.1 acres, but there is a definition in the Zoning Code called “buildable area” in Article II. Buildable area of the site is substantially less than 2.1 acres. The definition of buildable area excludes whatever property is in a floodplain. A vast percentage of property at this site is within a floodplain. That is how Mr. James has described it. Mr. Murray said he didn’t think the developer could use 7-6 4.1 entitled “Credit for Existing Structure for Storm water Management” for some substantial legal reasons which both Mr. James’ attorney and Mr. Hill have copies of his memorandum with the attachments and submissions.

Mr. Murray found it strange when he attended the Architectural Commission meeting on June 11<sup>th</sup>, that one of the submissions that Mr. James made to the Architectural Commission was a shadow test. He wondered why a shadow test was being done because the height was already approved by the Plan & Zoning Commission. An interesting statement by one of the Commissioners dealing with shadows. Commissioner Berlinghof states on transcript 105, “I mean the sun. It’s all facing south. We all know where the sun is right? The majority of the time of the year, that sun is going to be south, so those building aren’t really going to be put a shadow except late in the afternoon. Very late in the afternoon. So I’m going to vote to recommend this to the Village Board.” This was out without a shadow test. He didn’t have any basis in fact to deal with. Looking at Mr. James’ shadow test. It consists of three pages. The first basically consists of what the heights are. With respect to this particular one, this is the unit that fronts onto Happ Road. This is unit 1 that is referred to in the ordinance. All the rest are mostly 24 feet under the ordinance. This is a shadow test. You can see what this particular document is. It doesn’t reflect what the shadows would be on the walls next to The Landmark. There is a difference of probably in between the height of the top of those western units and The Landmark and his approximately 13 to 17 feet. Mr. James’ architect would have the ability to do this, but didn’t. Mr. Murray showed an example of a three dimension shadow test. It includes, not only the solstice, but it also includes the equinox. So you are not only looking at June or the winter but in March and September. There is a variety of times and dates. As an example, the important thing in this shadow test is that it is three dimensional and will look to the effects of the shadows on the adjoining buildings. Mr. James should have instructed his architect to provide a shadow test. Back in November 15, 2015 when he provided his first reiteration of this project, he had a shadow test but it was top down. As a result of what occurred at that meeting, was that there was an email to Trustee Roszak on November 20<sup>th</sup> because he was absent for the Preliminary Plan Review. Mr. Gutierrez’s email pointed out complete additional studies determine at what point in the day will neighbors loose direct oversight. Mr. Gutierrez makes

reference to former trustee George Warga. Mr. Murray said the shadow test should not have been submitted to the Architectural Commission. That was not part of their powers and duties. It should have gone to Plan & Zoning.

John Green, 1060 Arbor Lane, moved to Northfield two years ago. Since he has lived here, he has made an effort to become involved in the community because he really likes it here. Being around so many people that have engineering and legal experience but would like to speak as a resident involved with the community. He has joined the Northfield Caucus, Northfield 20/40 Vision Plan Committee and tried to invest himself in the future of Northfield. As a resident of Meadowlake, he attended all the meetings. There has never been any reference as to how do we stop this or delay it. The discussion has always been about the property needing development, but making sure it fit in with the neighborhood and the character of the community. His exposure to meetings and the process, the way the project has been addressed has been a little disconcerting. He feels they have been treated like an obstructionist and not people who are interested in positive change. During several meetings, he has seen deviations from due process. At the Architectural meeting the other night, the Chairman sealed off public comment before the applicant presented new content which cut off wider debate of the new content. He found that frustrating. He believes the entire process has been about enabling the applicant to build to his desired profit level without the perception of a true regard for how it will affect the neighborhood or the community. It has seemed like a done deal from day one. Although countless logical, factual objections have been made, they truly haven't been heard. He has no doubt that the James Company are fine builders capable of great things, he doesn't see them in these plans. He doesn't think it will be attractive and not congruent with the community where The Landmark, Meadowlake and Regent Wood are all created with brick. To him, it looks to have one of every feature from the builder's supply catalog except for a classy appearance. He said it also looks unsafe for firefighters and life safety vehicles to access the interior, particular with snow involved. Significant deviations from the Zoning Code are acquired to raise the profit level to Mr. James' needs because this project may not fit as it is currently designed. He is confused as to what the Village's zoning regulations are for or apply to. It was disconcerting to read that upheld these long held thoroughly vetted ordinances. The attitude from the Village has been let the developer come to us with what they want and we will figure it out then. The setback from the street and the height have been tossed aside or the calculations for the height are not even accurate. As far as a PUD, there aren't any amenities for the project and the discussion for how they are required have been amply handled. At the Architecture

meeting last week, he heard the underground water vault described as an amenity when it is a requirement. Only a fountain over the water vault.

Mr. Green then said the Board had the wisdom to shut down the recent Willow Road project, in part because of the density of homes planned. Why can't this same Board have that same courage. Send this project back and demand some true amenities such as Meadowlake's. His neighbors have advocated for a 25 unit project with a currently zoned setback in height, leaving room for safe access and amenities. He is a member of Northfield's Vision Plan 20/40 Committee and at the first meeting, the Committee which includes members of P&Z, trustees and members of the Village Government as well as residents at large, all listed issues to address in the 20/40 plan. As each priority issues, they voted as a group to prioritize them. They voted to name the number one issue and it was "How do we preserve Northfield's rural character?" Approving this plan as laid out, not only violates that stated number one priority, it creates a terrible precedent for the next developer that approaches with a non-conforming, unsafe, over dense, rental based project with no amenities. He doesn't want to see a view similar to Sheridan Road across from Plaza Delago with medium or high rises in Northfield. He also doesn't want to see the development James built in Park Ridge. It is filled with internal shadow canyons and unattractive construction. The Board has the power to say no and he is asking that they use. He wants the land developed also, but not at any cost. Just like the Willow Road project, this is not right for Northfield now or for the precedent it creates.

Barbara Muller, 8030 Arbor Lane, said regarding the AT&T property on Winnetka Road, she suggests that the way the Board votes tonight will foretell the future of Northfield. To protect that future, short term and long term, the citizens need for them to reject the plan proposed for this property. It has been in process for a very long time and she submits that from the beginning, and at some level, everyone has known all along that it simply is not right for Northfield. They all want the property to be developed. It is a prime Northfield location and now it is a terrible eyesore. The developer is a Northfield neighbor, but it is time to recognize that no matter how often this proposal has been changed and modified, it just doesn't fit the character of our community. Northfield deserves much better. Northfield is not a rental community. It is mostly long term owners with permanent values who invested in the community and plan to stay. A rental community will appeal to short term transient residents who want to take advantage of our resources, mostly our schools, and then move on. That is not the kind of community she wants or wants to be. She asked the Board if they want Northfield to become a rental community. If not, they need to vote to reject the proposal. Also, it claims to be a high quality, luxurious project, but it is quite ordinary. Northfield has a unique

brand of luxury; it's not Winnetka or Kenilworth luxury, but it is a country luxury. A luxury of space. We are told that some of these added features such as gables or decorations or unit separations make more high quality or luxurious, but it's not quality or luxurious. She asked if they wanted Northfield to become ordinary. If not, the Board needs to vote to reject this proposal. She also asked why it is grey. Nothing about Northfield is grey. Next to its red brick neighbors, this will look drab and dreary and that look will look worse over time. Drab and dreary is not right for Northfield. She asked the Board if they wanted Northfield to become a community of drab, grey buildings. If not, she asked the Board to reject this plan. It is dense. Northfield is anything but dense. As a community, as told before, we have established our standards but this plan defies those standards. If it is allowed to go forward with those variances, each and every future development will expect that same leniency and Northfield will quickly become a community of densely packed, very ordinary looking developments like the ones that surround Northfield. She asked the Board if they want Northfield to become a community with dense developments. If not, they need to reject this proposal. She said she respects the people who have tried to make this fit, but despite the best efforts of many well intentioned people, for these reasons and many others as well, it is time to recognize what we have known all along. It just isn't right for Northfield. The citizens of this community don't want Northfield to be rental, ordinary, grey and dense. Northfield deserves better than this. She said this proposal has been around for a long time and everyone wants it to be over, but what is more important now is not to get it over with but to do the right thing. It's not too late. Ms. Mullen said the Board is the community's gatekeepers, the standard bearers. They have chosen the Board to protect the future of this community. They depend on voting tonight to protect Northfield's future. Please reject this proposal.

President Frazier indicated that the Board knows about the brick, the density and height and requested that those points don't get repeated.

Robert Soare has been a resident in Northfield for 43 years. He came from the University of Chicago as a Professor of Mathematics and have raised three children who have gone to the schools and the churches and the parks. There is something special and indescribable about Northfield. As he has come to the meetings, month after month, the people on one hand have come with Powerpoint presentations, fancy charts and the other people in the back have come one by one as longtime residents and have talked about the character, spirit and tradition of Northfield. Those are intangible and more difficult to define. It depends on who you ask as to what is the character of Northfield. Last fall, he joined the League of Women Voters of Northfield, Kenilworth and Winnetka because he approved at what they were trying to

do and he was amused with the President in January said we are going to continue these seminars sponsored by the League, but can't meet at the Winnetka Library because it is under construction so you will have to go to the Northfield Library, but you may not know where it is. He was amused and thought yes, it's out west somewhere near Wyoming. If you live in east Winnetka or Kenilworth, you view Northfield as somewhere far to the west. If you look at a map, the Village of Northfield lies entirely to the west of Hibbard Road and the west of Eden's Expressway. It is a frontier town. When he moved here, there were horses that would walk along Winnetka Avenue – 43 years ago. He asked how one describes this character. It is a place where on a crisp winter day, you take your children ice skating in Clarkson Park. He coached and umpired his son's baseball teams across their street and the baseball diamonds and a few yards up the road is the Northfield Community Center and across the street is the Northfield Community Church and further up Willow Road are the other churches. Those churches are not as large or grand as those in Winnetka and this Village is not at all like its sister Villages and New Trier High School District 203 of Glencoe and Winnetka and Kenilworth and Wilmette.

Mr. Soare continued saying it was said earlier that developments like this have been erected in Wilmette. We are not Wilmette and this is not our type of Village. The meeting tonight reminds him of another Village of Northfield meeting about a power zoning issue almost 30 years ago. Some residents in the room were there and so was Attorney Hill. That was a zoning issue because New Trier High School District 203 needed \$22 million for repairs on the campus and they were perfectly willing to sell this New Trier campus for the \$22 million for their repairs. It had dropped to 3,500 students and could safely sell the campus. The Village of Northfield met on a Monday night in September 1997 and Barbara Wick was Village President flanked by her six trustees and on the other side was the Superintendent, Rod Bickert and Mr. McMullin, the President of New Trier also Keck, Main & Cate, a large and prestigious law firm whose principal, Robert Keck, and also the President the National College of Education Board of Trustees who was trying to buy. It was like walking into a showdown at the OK Corral. There was also a court stenographer. This sleepy little Village had never seen a court stenographer there before, so why was she there that time pecking away. It was because Robert Keck had brought her in, paid for her, in order to intimidate the Village of Northfield to back down and agree to the sale. The sale was held up for only one reason – the zoning reason. The buyer, National College of Education, insisted that the Village of Northfield change its zoning requirement to allow high rise development on the New Trier West campus in order to allow 1,000 – 2,000 undergraduate students to reside there. The Village objected. The New Trier

School Board threatened litigation for the \$22 million plus damages. But Board of Trustee of the Village of Northfield did not back down. They could have taken the easy way out and said we'll let you have it and thereby will protect the citizens of Northfield for having the financial liability of a huge judgment. They didn't, they took the right way and held firm and to the standards of this community. We have a choice of whether we will change the character and the zoning in order to accommodate an outside buyer because this is about the money. Some outside buyer wants us to change our zoning and our character in order to make more money. In those days they had a secret weapon – Barbara Wick who had a spine of steel and Buzz Hill who fended off the legal attacks of the New Trier School Board and we won in the end. Mr. Soare asked the Board why they sit before the residents now and said it is because they elected the Board. The Board was elected because of their experience and of their willingness to put in all hours to be a Board member and are grateful for that. They were elected because of their integrity and because of your courage to do the right thing. They were elected because of the Board's character to protect the residents' character, the character of this Village and which is the character that the people represent who have come week after week and month after month to all these meetings and have tried to express this in terms of their heartfelt emotions as they have lived here. If you want to see why this proposal is inappropriate, look at the screen.

John Cherveney, 2050 Arbor Lane, wanted to repeat what John Green said about the emphasis on the Comprehensive 20/40 Commission. He is a 44 year resident and they have lived in three residences in Northfield. He has served on the Caucus, Park Board as well as various clubs and committees. He was reminiscing with a good friend who had been coaching youth basketball in Northfield for 30 years. They agreed that one of the most enjoyable accomplishments they have experienced in town was coaching youth sporting teams. Kids are fun, they are great and the best asset the Village can produce. He also read an article about Kevin Costner. One of his best childhood memories was of playing in his backyard in California. Mr. Cherveney would think most of the adults here would have had the same experience to play in the backyard as a kid. He grew up on a farm and had a 300 acre backyard that he got to play in. This project is about the money. Mr. James wants to maximize his profits and the Village needs tax revenues for the future of Northfield and the property owners want to protect their property values and the quality of life that they have. Everyone is here to advocate their positions. There is one group that doesn't have an advocate and that is the kids that will be living in this complex. They need a place to go outside and play just as we all did. He doesn't know what the demographics will be – 10 or 30 kids. In 28 units, there could be quite a few. They deserve a place to play outside and there is nothing he can see where they can possibly

get outside and play. Mr. Chervey said that Mr. James said at an earlier meeting that this process was harder than climbing the K2 mountain. He would like to ask him to give up his next mountain climbing trip and drop two units from this project, free up some green space, specifically in the back middle two units on the side of the walkway would be a great place for them to play. This project isn't being required to donate any land or money to the schools or park district and it will cause a burden on those institutions when it is occupied. The kids in the entire community will appreciate you making an effort like this. Please consider doing this. Not for him, the James's or the Village. He doesn't want to see them closed inside with video games and computer games. Many adults today are concerned that kids are spending far too much time on computer devices. He said Mr. James can do something about that. He is not demanding this, but asking for it. Mr. Chervey said the first rule of PUD's is that they provide amenities. This project does not have amenities. A small green space for the kids would be great. When you are driving by, you could stop in and talk to the kids on the playground and tell them all about mountain climbing.

Dick Muller, 8030 Arbor Lane, said he feels very strongly about one issue and that is that this will be a rental property. He has owned and managed rental units and renters are not the same quality, nor do they have the same commitment to the community as homeowners do. He is sure everyone there is a homeowner that takes care of their property very differently than if they were a renter. Renters are short term outlook. This complex was initially built initially as a luxury rental complex, but is certainly is not luxurious and the type of people who will be attracted as renters are not going to be what he considers top drawer. In a few years, this complex may be something less than what we would desire. This is a structure that is likely to weather early. He is asking the Board to consider what rental units will be like with 28 and what tenants will do. He asked them to vote down the proposal.

Beverly Smith has lived in Northfield for 21 years. Before that she lives as long in Wilmette with 9 years on the Zoning Board and 8 years as a Village Trustee. It didn't take her long to learn that she should really listen to what the residents said because the neighbors really are experts in their neighborhood. The meetings that she has come to, she has heard intelligent, receptive arguments and she agrees with Judge Murray that we should be working together on this problem. The other point is that when she served on the Zoning Board, it was hard to get a foot. They would labor over giving someone a variance of one foot. Whenever someone came in with a request of multiple variances or large variances, they automatically knew it wasn't going to work before they started working on the report. Many times they had

continuances. She has heard a lot of reasonable arguments and points made by the residents and she hopes that the Board will take those into consideration.

James McKevit, 4010 Arbor Lane, him father and his grandfather were very good friends. They have known the James family forever. He was an industrial real estate licensed broker since 1958 in downtown Chicago and never had to deal with them, but he heard many times about their quality and character. Jerry's grandfather was a friend of Mr. McKevit's father and is a friend of his. In 1980, he was the President of the Chicago Real Estate Board for 18 months. They had a Code of Ethics with the Real Estate Board put in place to protect the general public against brokers who were not legal or tried to scam. It is important because Northfield, on its government page, says in the last paragraph, "The Board of Trustees shall represent the citizens of Northfield." He has a list of things Northfield has done for this project. They adjusted the flood plain in 2015 and moved the residential requirements onto the AT&T property which was a terrific advantage for anybody that would own it in the future. The land area and density are very important here. The amendment was passed to nullify the 1993 ordinance to give us flexibility. His involvement started in July of 2017, so the three years or so that they have been working on this was before them until they got notice that the project was underway so they got involved. He has never heard anything about life safety. Winnetka Road is a concern for life safety. We all know all of the ingress and egress points along Winnetka from Happ to Northfield Road. There are 6 to 8 entry points at least (Mosquito Abatement, Senior Center, Department of Public Works, Fire Department, a bike path that ends there. There is only one sign. Coming up on the road, you can't see the people there. When you talk about life safety and the cars on Winnetka Avenue, you're talking about when can I see laterally east and west to know it is safe to get only Winnetka Avenue. We have seen pictures of the landscaping on this development. As the right of way from the property to the road lessens, down to 15' to the edge of the road and there are trees planted in the parkway and he drives out and looks left and sees the stop light and he looks the other way and it's clear. He didn't look back the second time to see if the green light went on and the people are accelerating off of that intersection. The same is true with Meadowlake and the four townhouses and with The Landmark. You can easily say it is a county problem, but action you take effects the county road. He spoke with Commissioner Suffredin and he had no idea what was happening over here. Mr. Muller explained it to him that he, the county, was in trouble because as sure as we are sitting here tonight, somebody is going to get killed on Winnetka Road in this two block area. Then you have Northfield Road over on the other side of Happ Road is going through major alterations. They are gearing up for major state tournaments, baseball, soccer, football or

whatever and all these people are going to have day, night and weekend games and that traffic will be coming across also which increases the life safety issue for the residents of Northfield, not to mention the safety of the Northfield residents that use that road to go east and west and don't live in the immediate area. When you look at the front yard setbacks reduced from 30' down to 15' and clear to the edge of the asphalt, you're asking for trouble. There are a lot of senior citizens in Northfield and in this particular area between his two buildings and if you go into any side street off Winnetka Road and come out all the way to Waukegan, your car stops at the edge of the asphalt because of the planning along Winnetka Road. All of the access points they have are right in his neighborhood. No one is discussing this. When you talk about how close the development can be to the road, whether they have steps to account for or a wall or trees, we have a serious problem.

Mike McIntyre, 370 Thackeray Lane, has been watching this whole process and he used to think that all PUD's were local and zoning, but it is a bigger issue. What he has learned in coming to the meetings is that we had a Village that trusted and still trusts the decision makers and the Zoning Board and the Village Board and one night while Northfield slept, he retrofitted for a development and a development is very important, but they retrofitted PUD because we amended the text which took the teeth out of any kind of leverage that the Village has over the PUD developments. He speaks not only about this development, but also the proposed development that was discussed along Willow Road. It seems to him that we are making this work for the developers and providing short sighted vision for what Northfield is going to look like down the road. He was most surprised to see three Board members actually wanting to do the legwork for a development for a PUD to reconsider turning left onto the westbound lane along Willow Road. He moved here in 1987 and Barbara Wick was fighting that tooth and nail. We had just widened Willow Road and a gentleman came along with some friends and he has interest in 5 of 7 one acre lots and he is renting them and says we need him more than he needs us because Willow Road is an eyesore. This is about PUD's and it's about development and sometimes the decisions that we make have actions that have reactions. He is suggesting that the development here has too many units and there is no restriction now with PUD's and we are relying on the Board's expertise and trust them to make the right decision in terms of the number of units in this development. There are too many units fitting into an intersection that has too much traffic to begin with. Lastly, in the high tech world we live in, the traffic that people take to get around the major thoroughways are now taking drivers into areas they are not familiar with to make shortcuts. They are cutting down Wagner Road, Winnetka Road and the traffic is impacted when the major thoroughfares like Waukegan Road and Eden's gets backed up.

Marilyn Wiselyeera (sp?), 19 The Landmark, and said it is easier for everyone to consider storm water concerns less important when it isn't raining. As an adjacent neighbor, storm water is her chief concern regarding this proposed project. After becoming aware of what was being proposed for 1725 Winnetka Road and going back over the Village Board of Trustees' minutes, she saw the June 26, 2016 storm water amendment that was passed over Trustee Kaplan's nay vote and really great question, shouldn't this be considered as a variance. She and her neighbors were not aware of the proposed storm water amendment regarding this property and did not have any notice of that meeting. At the September, 2017 zoning and planning meeting, she and her neighbors were first presented with this project and proposed PUD. She doesn't believe there are any grounds for a PUD here. It is for multiple reasons, particularly that there are no special amenities being offered. Nice landscaping is certainly not an amenity and has been the norm in Northfield. Six zonings seems more appropriate here. At the January, 2018 Plan & Zoning meeting, her neighbor, Dick Brown, posed a critical question, what is the grade of this project and this question went unanswered both by Jerry James and Steve Gutierrez. She thinks the ZPC was completely remiss in approving this project without an answer to that question. The potential storm water impacts were unknown at that time if the grade was yet to be determined. The submissions prior to that meeting included a November final engineering and final storm water letter that solely signed off on an additional infill grade in the floodplain, not the entire property. The proposal initially presented in September initially presented in September included 2-1/2' additional grade in the entire property. There were numerous subsequent plans that did not show grade. The May 28 plan seemed to have the 2-1/2' additional grade back in. Any increased grade is objectionable for multiple reasons. It may create storm water problems for The Landmark. The Landmark is now at a higher elevation than the former AT&T property, so The Landmark is the dominant property and the AT&T property is a subservient property. An increased grade could change the water flow and negatively impact The Landmark. A Village staff letter addressing this project specifies sufficient overland flow on this property to the north and east. This sounds like a plan to add water flow to the east to The Landmark sewer easement on the east side of this property. Any additional flow and any increased runoff rate due to an increased grade may well be a problem for The Landmark in severe storm scenarios. Landscape and hardscape plans that could be incorporated into this project to help with storm water include planting oak trees, a current MWRD initiative, and installing permeable driveway pavers like The Landmark. The existing AT&T parking lot is old and cracked and at least partly permeable now. A fact that was not accounted for in engineering and storm water calculations. The lower density afforded by the R-

6 zoning would provide less impervious surface coverage and promote smart growth. The proposed height of this project is well above R-6 zoning limits and well above The Landmark. With the additional grade proposed, it may be 6' higher than The Landmark which could well affect light and air to neighboring townhouses, The Landmark and along Winnetka Road. It may be more than 6', it may be 13 to 16'. The height of this project should be kept within the R-6 zoning limits and no additional grades should be allowed. The Board considers storm water matters at many meetings, usually in remedial mode. This is the time to be proactive regarding this project. She said she realizes that these issues are difficult, but she is in favor of a townhouse development by Mr. James, who has a track record of great developments, high quality exterior and beautiful interior designs. But at the same time, great care must be taken to help insure that neighbors are not negatively impacted by this development.

Joel Messer, a cardiologist for North Shore University Health Care System and lives at 133 Regent Wood. He anchors the other end of Winnetka Avenue and has been a resident for five years and said how wonderful a development can be. It was a model built many years ago, but we should look at each time we talk about a development in Northfield. He came to the meeting with no conceived notion. He has never been to a meeting before and never met any of the residents and have never involved himself in any of the politics of Northfield. He has been too busy in academic politics in medicine. He came to the meeting to listen because he heard it was a very controversial issue. He drives past this eyesore of a site 2 to 3 times a day. He wondered why Northfield hasn't done something about it. He has watched Winnetka Road since the reconstruction of Willow Road become the Northfield raceway. The cars zoom down Winnetka Avenue at 40, 50 and 60 miles an hour when they turn off Waukegan Road and head east. It seems to him, hearing both sides tonight, that it boils down to four problems: the traffic problem, the safety problem and it was expanded to the safety of children, the health issue, possible accidents, a place for kids to play and the appearance problem. They were attracted to Northfield because of brick. He is surrounded by brick. It is, to his mind, the keystone landmark of Northfield. As he looks at the samples of what is proposed, he doesn't think it fits at all. Another issue is usage. What is the best way to use this property – for rentals or for some other property. He has had experience with rental properties and he shares some of the feelings that were expressed tonight and what happens to real estate when it is occupied by renters rather than owners. He thinks this matter needs to be tabled and rethought. He is not against it, he just doesn't see how this is best for Northfield in its current state.

VM Sigman said most of the questions fall into categories so she has tried to lump them together. The first is has the access for fire trucks been studied and does the site plan allow for

the safe access for fire trucks, even during inclement weather? Mr. James responded that yes, there has been an engineering study. Part of what they have to do during that is use the templates that are standard practice for turning radii by a licensed engineer who is experienced in this practice of testing for life safety and then running it by the fire chief. They have done all of that. These are licensed professionals. He understands the heartfelt emotions, but he has never once heard a licensed professional to talk about any of these issues. He has spent three years with professionals exercising the due courtesy and the expectations of him to present factual information and the answer is absolutely and the life safety issues are the thing that comes up time and time again because they tug at the heart and emotions. He said you simply must abide by facts and if you have uncertainty about it, then hire a professional to get up here and address it and to speak to his professionals. They have had two professional engineers study this issue and they have concurred with the fire chief that he can make the project work and will not jeopardize the health, welfare and safety of the residents. Many residents have been heard who have spoken from their heart about the factual aspects of this development, but they simply are not correct.

VM Sigman asked Mr. James to confirm the height of the building, specifically confusion based on grade and how that height is measured and whether there is an impact on how the retaining wall then applies. Mr. James addressed the height saying it is a confusing issue because there are codes that are written with certain methods of measuring height. The height that they have proposed at 41-1/2' is exactly what it is according to the code. If he were deposing or cross examining, he would ask Mr. Anderson if he is a residential developer, but he would also thank Mr. Anderson because he has done a beautiful job of explaining how difficult this site is to redevelop from the eyesore that it is and all the factors that play a role in this. An exhibit shows you the varying heights of the buildings. Building 1 is 39'8", building 2 is 39'4", the remainder is at 41'6", 41', 41'6" and 41'5". The structure height, the fifth column, is actually the height to the ridge of his building from the finished floor. Mr. Anderson dutifully did his homework and noted that there is a plank of 2'. He is not disputing that, but that is not the way the ordinance is written. The ordinance is written so that you measure the average grade around the perimeter of every building. His engineers did an average elevation around each building, strictly in accordance with the way one is supposed to measure things in Northfield. What it showed was that taking those elevations, he shows the dotted lines, that they use to measure the height and why they get to 41-1/2' is that those elevations are the measuring point. They have measured these buildings correctly and there is a 2' difference in grade, but that is not a violation nor is it included in the "height." 41-1/2' or 39' in the previous exhibit is the

exactly the height measured from these distances. They sent out professionals to get these elevations. He said he is troubled because what is said out in the public then becomes fact and it is a complete misrepresentation. He thanked Judge Murray for his compliments, but when he said the buildings at The Landmark are 24', it just isn't true. Mr. James said they had their licensed professionals shoot the grade at The Landmark to get the 39'2". To say that it is 24' on the western building is not possible. Every one of those buildings is three stories. So you live with heights that are 8' ceilings. The members to build each floor must be a certain dimension, 8 to 10", that adds to the height on top of the 8'. Just multiply 3 times 8 and you get 24'. To say that the height of that building is 24' says that it either has no roof or it has invisible floors that don't exist. Those buildings to the immediate west or east of his property, are at 38'2". In order for them to provide the detention, they must elevate the grade which is why there is a 2' differential. Someone made the statement that half of the site is in the floodplain which is not true. They have mitigated the floodplain, but according to the ordinance, they have to provide detention at a ratio of more than one to one. Where they fill in that floodplain that exists today, they have to overcompensate for that which is exactly what their plan will do. Yes, it is a cracked pavement, but that's counting pennies in terms of impervious surface. They are going to add a very significant vault below grade to capture that water that currently runs to the neighbors, and he has pictures, where the water gathers in the northeast corner now. Whatever they do, it must not only pass the MWRD, but has to pass the Village engineer Gewalt-Hamilton and it has already been reviewed by a licensed engineer who has overland flow that runs along the perimeter there which is one element of an overall system designed to enhance and improve the storm water management today which for years now and every time there is a big rain, it sheets off that and goes in whatever direction it chooses to go. So this is a substantial improvement to the current conditions. Storm water is a very valid concern. But it has to pass two licensed engineers and the MWRD.

VM Sigman indicated there was a question on whether this development falls under the new Article IV in Chapter 7 as adopted in 2016. Attorney Hill indicated yes, it does. The application for this project was filed in September 2016 and this was adopted in June of 2016. The legislative history is, while this 2016 ordinance was to have a Village wide application, this particular piece of property was often referred to as an exhibit of why that zero credit ordinance need to be changed.

VM Sigman then stated the next question was about the lack of public amenities or public benefit as part of the project. Mr. James responded that this site has been described by Mr. Anderson as having a lot of constraints to it and he asked to go backwards when they first

approached the site and the Comprehensive Plan contemplated a four story building. What he has tried to convey is that they moved away from the four story building on their own volition because they felt that, while it was supported by the Comprehensive Plan, it would impose certain effects on the neighbors that they felt would be a greater impact by a significant degree. They went from 68 units down to 28. He said that unequivocally, the cost to develop this site under townhomes is more expensive from an infrastructure standpoint than to go up. To go up, he would have more space, but he is not planning on having top lots, because there is a forest preserve and abundant open space within walking distance. His point is if they went to the initial plan, there would be a chance to do some of those open space amenities. The tradeoff is that the amenities to this plan are in fact the central courtyard but they are limited by virtue of the many constraints that Mr. Anderson has already laid before you. They could go back to a four or five story building to give some of those amenities, but he knows what would happen then. They would be back taking about traffic and height and shadows. This plan is better because it is townhomes and yes, he needs a certain number to pay and offset for all of the storm water management and other things, including the quality. He could save money by going with brick. Stone is two times more expensive than brick. The stone is a very expensive material and Hardy Board is not cheap either. It is designed to maintain itself to stand up over time and not need some of the recurring maintenance. He has never done a ratty project and intends to own this.

VM Sigman said there was a question on the architectural style materials and is what is being proposed in keeping with the character of Northfield and the general area. Mr. James noted that there is stone on the recently approved downtown building and there is Hardy Board on Dunkin Donuts and it is right downtown. There is also stone on the entry walls. There is stone at Hibbard Gardens and he can point to many other locations of stone in Northfield. They used brick at Fox Meadow, but he doesn't think it is a standard and not allowing stone in Northfield is not correct. He believes that the materials are luxurious, the forms that they have changed in response to the Architectural Commission have added to the quality in terms of bringing shadow lines and all the details in their submittal. VM Sigman asked Mr. James to discuss the materials. Mr. James said there is an updated shadow study. This is a shadow study done by a licensed profession and is the standard in the industry. It is the shadow study for the spring, fall and equinox and varying times. He then showed the different times of the study. Along the entire border, there are trees that surpass the height of the buildings. In the wintertime the sun is oblique so the shadows get longer. At 3:00 p.m. there are shadows everywhere. The drawings have been updated to incorporate the extra 2'. There are no

impacts because they have exceeded significantly the side yard on the east which is only 6' by code. Their side yard setback is 25'. They have quadrupled the setback on the east to be respectful of The Landmark neighbors and have engaged in an agreement with The Landmark to protect those trees. In terms of amenities, they have entered into an agreement with the North Shore Senior Center to contribute approximately \$25,000 to landscaping to upgrade their campus in consideration for the right to have a license to use their parking lot on off hours in the event we should need it for a seasonal party.

Mr. James then discussed the materials. There are asphalt shingles and a mixture of lap and shake Hardy Board, Hardy trim and Rock Port blend stone which is real stone. They chose the grey because they felt they needed to add a contrast to the stone. The details are brackets under the eaves, decorative lighting fixtures, stone sills and metal railings. They are picked not only for their aesthetics but also for durability. As an owner of the asset, he wants to maintain it.

VM Sigman said the next question had to do with life safety implications and has he studies the life safety implications of ingress and egress from the site and the site triangles for oncoming traffic and the pedestrian access in and around the facility. Mr. James said at one point they had some offset entries and was discussed with the county and the county said it should be aligned with Arbor Lane's access which is what they have done. There were three curb cuts and they have reduced them to one. They have removed the driveways that flank that entry. This improves the stacking and the safety and the view. There will be nothing done with landscaping to include the view and you come and go, but the alignment is the issue as far as overall traffic safety and the traffic consultants have reviewed this and they have not determined that this will in any way, shape or form be detrimental to the overall flows of traffic that exist today or present a life safety hazard. This has been improved by increasing the setback from 15' to 23 and 25'. He then showed the fire safety circulation and the ladder truck at 41'. They have widths and steering angles. They need to prove that they can get through. They have had discussions about final engineering which the islands can be reduced from 15' to 13' or the amount of curbs. The trees will need to have a clearance of 13'6". They have satisfied the life safety issues. He then showed a drawing of the site with snow where there are plenty of places to put the snow. They also have a landscaping company that will come and truck out the snow if necessary. No snow will be plowed somewhere to block the life safety. The code has been met along with the fire chief who has met with Winnetka.

VM Sigman said the last question was the grade and storm water improvements of the project. There seemed to be confusion on how the storm water management would be handled and what the grade of the property was.

Brett Duffy from Spaceco in Rosemont, said they will provide storm water detention on the site per Village Code. They are also reducing the impervious coverage by over 20% on the site, so they are removing existing asphalt and paved surfaces and reducing it by 20%. They will not be draining the site toward the property to the east or north. Everything will drain from this site to the storm water vault in the middle of the property and then discharged southwest. No storm water will be routed to the adjacent properties and if the adjacent properties are draining toward this site, it will be accepted. They are not raising the grade around the perimeter of the site to block anyone's drainage. They have accounted for the runoff and their own runoff on the site, plus the detention requirements of the Village.

Trustee Roszak thanked Mr. James for his professionalism through the process and the time they have taken and also thank the community for all the time they have taken and taken so seriously thousands of hours of time and zoning is a process and a conversation between all the parties and there have been a lot of conversations. He has been a resident of Northfield since 1993 for 25 years and he witnessed the Meadowlake planned development process. He has reviewed the requirements of Article XVI and XVII for this site and how it relates. He likes the variety of housing, and likes the townhomes and likes the idea of having different product types in the community. In terms of rentals, at this price point, it will attract quality renters, single parents, divorcees, young families who understand the quality and all the attributes of Northfield. The rent price will include operations and real estate taxes and real estate taxes pay for schools. In reviewing the plans and the history of the changes, in terms of the pedestrians, it is similar to The Landmark where one comes out of the unit and right out onto the driveway. There is a precedent for that and that it works. Trustee Roszak said he liked the landscaping plan and the storm water management will meet code as required. The traffic study was done. For him, this is a question of density and if you look at the precedent of Optima's Meadowlake and Blietz's Landmark, this is within that range. So to him, the density seems to be appropriate as well as the height in looking at the other projects. Also, the setbacks are similar and he finds it to be acceptable based on the precedent. Trustee Roszak also likes the scale of the proposal and the three stories is nice. From a massing standpoint, he feels it will fit with the community. He said he has seen large projects have amenities like Meadowlake which has 180 units because it is a large project. For 28 units, it is quite rare to have amenities per se. It has to be about quality. He likes the massing of the elevations. He has an issue with the materials. He

feels that brick would be more appropriate and thinks the siding and the vertical shingles are not of the right quality for a project of this density and size. If you are doing business in Northfield, it has to have a certain quality. The process of a planned development is a two way conversation between groups, the community and the developer. In exchange for the density and he understands the task Mr. James has with storm water management and all the issues with the site, but architecturally, it is not the right quality material-wise. To him, if the project was brick, he would like it. He doesn't like the siding. The original plans had stucco and felt that was inappropriate for a multi-story building. The brick would give the building longevity. He said the other material problem he has are the asphalt shingles. Blietz has a combination of cedar shakes and some standing seam roof and Meadowlake has the faux mansard, but it is also has the applied cedar shake. He would like to see a combination of brick and cedar shake. He said he doesn't have a problem with the grey which he really likes. He was pleased to hear Mr. James say that brick was less expensive as he would have thought otherwise. He likes the project overall except for the two quality issues.

Trustee Goodwin said he likes the look of the buildings and said he had the same stuff on his house that he changed to red brick. He likes the different textures. He asked Trustee Roszak how the brick would work. Trustee Roszak indicated all of the siding would become brick and leave the stone and it could be a light grey brick. The pallet could be the same or a variegated grey. Mr. James responded that this is in the land of subjective. They have been before Architectural three times. They started out with brick and then stucco. He said if he polled 10 or 15 people, we would get answers that split right down the middle. It is so subjective. Trustee Roszak is entitled to that opinion. One of the issues they felt in looking the various materials was that they tested brick against the shingle and thought it doesn't fly. If shake is going to be part of the element that they need to go with stone. Those two materials are more effective. They feel this is a more authentic look. In terms of quality, downtown has stone and shingle. If that wasn't quality, why did it get approved downtown. As far as the roofs, they have done asphalt roofs and shingle roofs. In today's day in age, wood roofs are pricy. What he is hearing is that Trustee Roszak thinks it should be entirely brick and we should have cedar shingle roof. He said it isn't going to work because he handle and manage all of the other aspects on top of a very expensive underground vault, detention, floodplain mitigation, and the lift station and do an all brick building with asphalt shingle. He would never present this if he didn't think he is using high quality materials. In his opinion, it is a nice authentic look. Hardy Board is a durable material and it has a 10 year warranty and the stone will last a long time. The asphalt roof has a 30 year life. The wood roof would go 20 years or less. His density will

pay for all the things that are necessary to make this site work. Every time he changes something, he has to change something else. There is another developer in the area that has taken the same amount time because there are so many requirements on the development that the market and financing make it impossible.

Trustee Roszak then said to use a brick veneer which is what Meadowlake has. Mr. James responded that if they do brick veneer. Meadowlake was done in 1993 and now the cost is up to the roof. The cost differentiation between 1993 and today is big. He thinks it is a lovely project and he thinks this will be too. They have looked at varieties of brick but they can't seem to make it work. This has been changed so many times with the Architectural Commission and he is not trying to evade anything. It's not cheap architecture.

Trustee Kaplan commented that he likes Northfield the way it is and he has seen changes in his own backyard that he has not been happy with, but urges people who don't like what is going on to get on the new planning committee for the community and think hard about changing the zoning and some of these restrictions on how much impermeable you can have versus lot size. He thinks this is a great project. He said people brought up Barbara Wick but he remembers when she was pushing Kraft and the whole room was going ballistic because Kraft Food would be there. She made a comment and said hey, it's either Target or Kraft, what is your choice. As it turned out, Kraft was pretty good. He said he heard the same thing with Dunkin Donuts. Youngren is leaving and there will be another new building. Things change – its progress. He said he attended all the P&Z meetings and one of the neighbors commented that he remembers when AT&T was up and running and there were over 100 trucks going in and out every day doing service work, not including the guys who were in the trucks driving to the site. The traffic density is not going to be worse. He said the materials used will be fine and urges the residents who feel strongly about Northfield to get on the committee. When Uncle Bob's was going in on Northfield Road, people were screaming they didn't want a storage facility, but that was the zoning. He said as Jerry said, if it isn't this project, you could end up with a storage unit.

Trustee Lungmus said he likes the look of the development. He moved to this community in 1962 and it was ugly and is probably the biggest eyesore in the community. He is thrilled that something good looking will be there and he has a lot of faith in Jerry, his father and the company that a high quality product will be built. Mr. James has a good track record in the community and his reputation is a huge plus. Trustee Lungmus thinks it is too dense but understands that the project has to be economically viable. His assessment is that Mr. James has been pushed to the edge of his ability to make this project viable. 28 units is okay with him.

He also thinks the materials are very important and would like to see a wood roof. The new bank has a wood roof as well as the building next door. He likes the stone and the color scheme and would like to see copper on the roofs. He asked Mr. James if it is standing seam. He said it is prefinished aluminum. Trustee Lungmus said he would like to see it age to a patina that over time turns green. He is pleased with the project and is thrilled that something will happen there. The Landmark and Meadowlake have been very contentious and he remembers when the Landmark and you would like he was building a super max prison there. People were furious that it was going in and the same thing with Meadowlake. Both of the developments have blended nicely with the fabric of Northfield. He is hoping that the quality of this project meets the same standards as Mr. James has always brought to this community.

Trustee Terrill commented that the density is one or two units too high. As he looks at the building, he feels it looks too busy in relating to other structures. He lives at Regent Wood and likes the brick look. He thinks Mr. James is close and appreciates his patience for the years doing this and the desire to make it a more attractive area is vital to the residents. He likes the idea of reasoning together, but he is inclined to think the density is too high and he still questions the height. He likes 38'. There is a petition has 463 resident signatures that expresses a negative view as it is presented, but have also offered suggestions. Trustee Terrill appreciates all the things Mr. James have done, but he is not quite with the project as it stands.

Trustee Goodwin stated that this is a difficult site and has presented a lot of challenges but feels Mr. James has really gone to the well a number of times to meet the needs of the neighbors, most of whom are his friends. He takes great responsibility for sitting in this chair. He thinks this is moving in the right direction and it has been a situation of tradeoffs. With all the turns, Mr. James has come back with enthusiasm. He really likes the design and he happens to know the Hardy stuff as they put it on his house. You can stick it in a can of water for 25 years and it doesn't change. He has a nice look. He agrees with his colleagues with a few less units would be nice, but there is the economics and sustainability to be kept in mind. He is in favor with what Mr. James has done at this point.

Trustee Gregorio said he has listened carefully to what everyone had said on both sides and came in with an open mind from the beginning. He agrees that it has been a big eyesore in the Village and something had to be done and Mr. James has come forward and stepped up to improve the site. The points have all been good on both sides and there were eloquent presentations and he has read all the letters and has spent a lot of time on this. The bottom line is that everyone agrees that something has to be done with that site and what is being proposed is acceptable. He may differ on color or material, but doesn't feel its position to tell the

developer what color he should use as long as the quality of building meets the quality we hold to in Northfield. He trusts the people on the commissions that serve on the P&Z and Architectural commissions who spent a lot of time on this. He read the minutes and they voted unanimously on the project. Change and construction is uncomfortable and a nuisance, but at the end of the day, he feels his responsibility is to do what is best for the Village and doing something with this site and dealing with a reputable builder, he feels that this project will enhance the Village and he supports it.

President Frazier asked if the project passes, what would the rent be. Mr. James said ballpark would be about \$4,100 for a unit averaging just under 2,200 square feet that has 3 bedrooms. All but 8 units have 2 car attached parking plus guest parking. President Frazier then asked about the market for luxury rentals. Mr. James said he normally does sale programs, but the more he does it, the more people ask if he has anything for rent. They own another home somewhere else, would like to sell their current home but doesn't want to give up their friends, places of worship and their shopping. There will always be people that are doing something with their home and want to rent. Friends of his who are buying a new home and are renting in an elevator building, 3 bedroom plus den, and they are paying a lot over by Old Orchard. It seems to be a trend that he is seeing more and more. Some people like the flexibility to rent. These are people that could easily afford to buy. A chairman of a bank came to him and said they own two homes but want to rent. There are single people and divorcees that want to be close to the children.

President Frazier asked if Mr. James' company would manage the development. Mr. James indicated yes for as long as he is here. One of the advantages of owning rental property is that you can turn them over to your heirs on a tax advantage basis. He would like this to be a family asset to own and manage for a long time. They are not building a commercial grade or an institutional property that will be flipped to some national landlord. President Frazier said if this passes, she would hate to see two years later, somebody that we don't know and knows nothing about Northfield comes in. She would like an open ended commitment. Mr. James said his company resides less than two miles from here. His house is within a mile. He said it would be irresponsible for him to give her a lifelong commitment because he can't predict the future. But his abiding objective is to build a quality development that is a long term asset that he can work on, managing and owning for the perpetuity. By building in quality, the materials seen tonight surpass the typical rental programs. If they don't rent, he would have no problem selling them. He reminded the audience that Arbor Lane started out as an equal rental equal for sale program and it all went to for sale. It won't happen here unless he builds in the quality. He

is holding himself to the standards both outside and inside with 9' ceilings, the hard surface materials, the stainless steel appliances, the granite counter tops, 42" cabinets, the things that people coming from a home around here would expect, even though they are renting.

President Frazier said there are some subjective things, if it were up to her, could change, but it is his development. She would like to see a little playground. The brick is subjective and she is surprised that people wanted red brick. In general, she likes the way it looks and thinks it looks like Northfield as a high quality project. If it fails, she can't imagine any other developer would come in here and want to go through the same process. We are also looking at light industrial which could be auto repair, retail manufacturers and printers. It would be great to be less dense, but she doesn't own the property. She then thanked everyone who came tonight and to all the other meetings. She respects all the views. You can't always make everyone happy. Also to take into consideration is the fact that downtowns are changing. There are a lot of vacant properties. She likes the idea of a development downtown where people will shop in our stores and restaurants. She also thanked all the commissioners on P&Z and Architectural Commissions who worked very hard. Everyone has worked very hard.

Donald Unger, 5020 Arbor Lane, said that after listening to all the comments of the trustees, he is very disappointed because they are going to vote against their interests and the rule of law has been lost. The first inquiry should be what does the law say, not what you like, not what you put on your house, not that it looks good, but what does our PUD ordinance say. That is representation. If we start doing what he thinks they are going to do tonight, there is no law. We become ruled by the whims of men and women that happen to be sitting here tonight. So he asked the Board to please listen. The people tonight didn't say they didn't like it, they said we have standards and apply it. Trustee Gregorio knows this as well as his friend Buzz knows this as well as President Frazier. You apply the law to the facts as presented. You don't just say you like what you see and rule when you have a zoning code.

Trustee Roszak asked if it is possible to ask one material change and have it incorporated into the vote. Attorney Hill said that right now the motion on the floor is whether or not you are going to vote in favor or not in favor of what is being presented. If there is an amendment that you want to make to that in terms of requiring something else, you make a motion to amend.

Trustee Roszak questioned Mr. James that if everything else stayed the same, would he change the asphalt shingles on the roof to a cedar shake. Mr. James said he does not have his construction professions with him. He has been warned that it is an ongoing maintenance issue. In the spirit of compromise, his architect has made a suggestion that he would be willing

to live with, not even knowing what it would cost. That would be to simply put the cedar roofs on the showcase buildings which front Winnetka and use the shingles on the other two roofs. Qualitatively, he would not recommend shingles if he didn't feel it would denigrate the integrity but he wasn't to be respectful and in the spirit of compromise he could commit to that. He doesn't know all the unknowns when they go under the site. He doesn't know what they will be so for him to commit to that element and if he thought cedar roofs would have been the saving grace, this wouldn't have gone on so long. If it would make a difference to put the cedar on the first two roofs, they would do it. He said he started with 68 units and is now down to 28 and is still trying to deal with the architecture. Trustee Roszak said he does care about the full picture and the way it will look and feel. He doesn't think it makes sense to do just two buildings. He questioned Mr. James if he would do cedar on the whole project. Mr. James said he could not commit to him tonight. These wood roofs deteriorate over time.

Judge Murray said it appears that they are about to approve this project. He just wants to remind them, and he said Buzz would agree with him, PUD and special use and this ordinance doesn't contain those. You are required to put mandatory findings in both the special use and the PUD as in 17-5 of the PUD ordinance which talks about mandatory findings. If you look at 16-4 of the Special Use Ordinance, you have to make mandatory findings. He said if the Board is going to do it, do it right.

Attorney Hill said the practice in Northfield has always been that the findings are deemed to be instructions to the individuals on the Plan and Zoning Commission that they are to take them into consideration in their vote and implicit in that positive vote are those findings.

President Frazier then requested a roll call vote to approve a request for a Special Use for a Planned Unit Development, a change in zoning designation from M-1 to R-6 and relief from various zoning code requirements for a multi-family residential development at 1725 Winnetka Road.

AYES:	Kaplan	NAYS:	Rozsak	ABSTAIN:	0	ABSENT:	0
	Lungmus		Terrill				
	Gregorio						
	Goodwin						

President Frazier indicated that they are foregoing the departmental updates.

**PUBLIC COMMENT**

None.

**ADJOURN TO CLOSED SESSION**

There being no further discussion or issues to come before the Board, Trustee Terrill made a motion, seconded by Trustee Lungmus to adjourn to Closed Session to approve Closed Session meeting minutes from the April 17, 2018 Village Board Closed Session meeting pursuant to 5 ILCS 120/2(c)(21) and to discuss probable and imminent litigation pursuant to 5ILCS 120/2(c)(11).

Upon the following roll call vote, the motion was approved.

AYES:	Roszak	NAYS: 0	ABSTAIN: 0	ABSENT: 0
	Kaplan			
	Lungmus			
	Terrill			
	Gregorio			
	Goodwin			

**RETURN TO OPEN SESSION**

**ADJOURNMENT**

There being no further discussion or issues to come before the Board, Trustee Lungmus made a motion, seconded by Trustee Roszak to adjourn the meeting.

Upon the following roll call vote, the motion was approved.

AYES:	Roszak	NAYS: 0	ABSTAIN: 0	ABSENT: 0
	Kaplan			
	Lungmus			
	Terrill			
	Gregorio			
	Goodwin			

The meeting was adjourned at 11:44 p.m.