

ARCHITECTURAL

REPORT OF THE PROCEEDINGS OF A MEETING
BEFORE THE VILLAGE OF NORTHFIELD
ARCHITECTURAL COMMISSION

COMMISSION

REPORT OF PROCEEDINGS had before the Village of
Northfield Architectural Commission taken at the Village of
Northfield, 361 Happ Road, First Floor Board Room,
Northfield, Illinois on the 11th day of July, 2022 at the
hour of 7:00 p.m.

MEMBERS PRESENT:

TEV BOND, Chairman
KATHRYN TALTY
NANCY NAZARIAN
ANDY BOWYER
PATRICIA MORRELL
JEFF EIGEL

MEMBERS ABSENT:

JOE MCINERNEY

ALSO PRESENT:

STEVE GUTIERREZ, Community Development Director
CHARLES ORTH, Trustee Liaison

1 CHAIRPERSON BOND: I'd like to call to order
2 the July 11th, 2022 meeting of the Architectural
3 Commission. Good evening, my name is Tev Bond. Steve
4 Gutierrez is here for the Village of Northfield, and
5 Charles Orth is our Trustee Liaison. I will let the
6 Commissioners introduce themselves.

7 COMMISSIONER NAZARIAN: Nancy Nazarian.

8 COMMISSIONER TALTY: Kathryn Talty.

9 COMMISSIONER MORRELL: Patty Morrell.

10 COMMISSIONER BOWYER: Andy Bowyer.

11 CHAIRPERSON BOND: And Jeff Eigel will be
12 joining us soon.

13 So, may I have a motion to approve the
14 minutes for the June 13th, 2022 meeting?

15 COMMISSIONER MORRELL: So moved.

16 CHAIRPERSON BOND: Second?

17 COMMISSIONER TALTY: I'll second.

18 CHAIRPERSON BOND: All in favor?

19 (Chorus of ayes.)

20 CHAIRPERSON BOND: Great, so the motion
21 passes.

22 There are two items this evening: 500
23 Central Avenue, and the continuation of the proposed
24 changes to the Village Code for the Landscaping,
25 Screening and Tree Preservation.

26 So, our first item is 500 Central Avenue,
27 consideration of an application for permanent signage
28 for Pella Windows & Doors. This request requires a
29 variation from the Village Code, Chapter 12, Section 12-
30 3, in order to allow more than one permanent sign on an
31 east facade of the building at 500 Central Avenue.

32 So, I see the Petitioner is there. If
33 you could raise your right hand and I'll swear you in?

34 (Witness sworn.)

35 CHAIRPERSON BOND: What's your name please?

36 MS. MENNA: Carmela Menna.

37 CHAIRPERSON BOND: Carmela Menna?

38 MS. MENNA: Yes.

39 CHAIRPERSON BOND: Thank you very much, the
40 floor is yours.

41 MS. MENNA: So, first, I'd like to, I'm
42 Carmela Menna. I'm with Omega Sign & Lighting. I'm
43 here representing our sign company along with
44 representing Pella. First, we want to thank you for the
45 consideration of the variance for this particular sign.
46 The sign that we're going to be talking about today is
47 the variance on the east facade of the building.

48 So, Pella, I'd like to give you a little
49 bit of a quick background. Pella Windows & Doors is
50 opening a showroom at the 500 Central Avenue location.
51 This tenant space was previously used as a showroom for
52 PC Nation which is still going to exist in that facility
53 at that office as well. Basically, the Chicago Sporting
54 Institute also occupies the west end of the building,

1 and then the owner of the actual building is PC Nation.

2 So, basically, what we're looking for
3 today is to hopefully get approval on this particular
4 building here. Pella will reside here as well as here,
5 the parking lot, and that is the south elevation. That
6 is just going to be a standard sign for Pella that will
7 say their logo, and then Pella's, it will have Windows &
8 Doors on that as well.

9 On the east elevation is where we're
10 asking for the variance. Due to high volume of the
11 expressway and just where the location is, we are hoping
12 to get, I'm going to go ahead and get you that one, is
13 going to have Pella get a variance for this particular
14 logo sign. Basically, it's so that there's some more
15 visibility and attract the customers to that facility,
16 and also where it is, because when you're coming down
17 Frontage Road, if you are coming down the opposite
18 direction you will pass this sign before you actually
19 see the one in the parking lot.

20 I will go back and show you, this is
21 currently what is there. We are going to be removing PC
22 Nation's sign and then putting in an illuminated sign
23 that says Pella Windows & Doors. The Pella Windows &
24 Doors, the Pella sign will be a digital vinyl that will
25 have the Pella logo on it and the Pella colors. Then
26 Windows & Doors is going to be a black trim cap with the
27 letters being a white color, and they will be made of
28 polycarbonate. That is going to go, as I mentioned, on
29 that part of the building, that's the south entrance,
30 excuse me.

31 Then this is the one that we're asking
32 for approval, which here is the sign itself. It is a
33 three by three, so that's nine square feet. This will
34 also be a digital print doing the colors that are Pella
35 colors. That will go on the east facade of the
36 building.

37 As you can see, it will have, I believe
38 we said that the current facade is about 175 feet long,
39 this is where PC Nation will be, and Pella is actually
40 going to be occupying some of this area here as well.
41 So, we're hoping that this consideration would be
42 approved to help their visibility.

43 Then with the monument, I'm not sure if
44 you guys would like to know a little bit more on the
45 monument. What we are doing is we are keeping the PC
46 Nation. We are going to go ahead and manufacture the
47 sign as it is currently. Currently, it is aluminum
48 backing with FCO letters and we're going to go ahead and
49 keep the PC Nation, and then we're going to add these
50 FCO letters at the bottom. Then this is a bigger view
51 of those letters, they will all be FCO and they will be
52 exactly matching what PC Nation's letters look like
53 except it will have the colors and the logos for each
54 company.

1 I want to thank all of you for your time
2 and I'm available to answer any questions that you have
3 regarding the signs, the material, anything that you
4 have about that.

5 CHAIRPERSON BOND: Thank you.
6 So, Commissioners, do you have any
7 questions?

8 (No response.)

9 CHAIRPERSON BOND: I have one question.
10 MS. MENNA: Sure.

11 CHAIRPERSON BOND: So, I think the package
12 looks solid. My only slight concern is the location of
13 the Pella on Central Avenue, which I do think that
14 that's smart because of the expressway, and especially
15 since you're a showroom you need visibility.

16 MS. MENNA: Yes.

17 CHAIRPERSON BOND: So, it's three feet, sounds
18 like it should be three feet because you've got the
19 expressway. But in the, there is no exact determination
20 of where you're putting it in the package, do you know
21 what I'm saying? It sounds like it's coming down a
22 foot, it will be exactly in the center. So, I just want
23 to make sure that the placement of it is correct.

24 MS. MENNA: Sure, okay. So, you're looking at
25 how far down from the --

26 CHAIRPERSON BOND: From the top.
27 MS. MENNA: From the top.

28 CHAIRPERSON BOND: And then I'm assuming that
29 right now this picture, is that really just down, that
30 Pella, is that really three feet on that?

31 MS. MENNA: This one is.

32 CHAIRPERSON BOND: It is?

33 MS. MENNA: This one is not because that
34 originally is what we sent in, that's more of a mockup
35 because originally we tried to go a little bit larger,
36 and the landlord came back and said no, I don't want it
37 that big, can you go back? So, we went ahead and --

38 CHAIRPERSON BOND: Oh, okay. So, PC Nation
39 was like you can have it but that's too big.

40 MS. MENNA: Yes, exactly.

41 CHAIRPERSON BOND: So, that's three feet on
42 that building.

43 MS. MENNA: Yes.

44 CHAIRPERSON BOND: Wow, I didn't realize,
45 because I went by the building that, I didn't realize
46 that that facade is as large as it is, because it looks
47 so tiny, doesn't it?

48 COMMISSIONER BOWYER: Yes, maybe like 15, 18-
49 foot.

50 CHAIRPERSON BOND: Yes, it looks so small but
51 it's three feet. So, any feedback on that? I guess if
52 the building owner and you are happy with it, are we
53 okay with it?

54 COMMISSIONER MORRELL: We don't have any other

1 options really, do we?
2 CHAIRPERSON BOND: Right.
3 COMMISSIONER BOWYER: So, what is it?
4 Centered --
5 COMMISSIONER TALTY: So, is this a variance
6 because there's already an existing sign on that facade?
7 Is that why it's a variance?
8 MR. GUTIERREZ: Correct.
9 COMMISSIONER TALTY: Because PC Nation is
10 staying on that --
11 CHAIRPERSON BOND: Yes, they are staying,
12 correct.
13 COMMISSIONER BOWYER: And so where is it
14 designed to be? Is it like, is it the center line of
15 the circle? The center line of the vertical black
16 portion of the roof?
17 MS. MENNA: Here? Yes, so it will be centered
18 between this portion of the building.
19 COMMISSIONER BOWYER: Yes, and then
20 vertically, is it in the center of the black part that's
21 to the right?
22 MS. MENNA: This right here?
23 COMMISSIONER BOWYER: That, yes.
24 MS. MENNA: Right, yes.
25 COMMISSIONER BOWYER: That center line, the
26 center line in the circle?
27 MS. MENNA: Yes, okay. So, it kind of almost
28 measures up with the center of the PC Nation.
29 CHAIRPERSON BOND: Okay, that makes sense.
30 COMMISSIONER MORRELL: Yes.
31 CHAIRPERSON BOND: Okay, great. Just wanted
32 to make sure that there was a thoughtful determination
33 on where it is going, and then when you put it up it
34 doesn't end up being off center and we're all like, oh,
35 maybe we should have asked that.
36 Then, also the monument sign, typically
37 with some of our other monument signs we kind of
38 discourage too much information. However, with your
39 monument sign, especially given your location because
40 it's kind of on that curb, it's a very busy area,
41 visually you can miss it, I think it makes sense for you
42 to have the logo and the information that you have.
43 So, I'm assuming that we are approving
44 for Pella and Chicago Sports to be changed?
45 MR. GUTIERREZ: Correct.
46 CHAIRPERSON BOND: Okay, so Commissioners, are
47 you good with the monument sign?
48 COMMISSIONER TALTY: I think it improves it
49 visually.
50 CHAIRPERSON BOND: Yes, I do, too.
51 COMMISSIONER TALTY: Actually, it improves it.
52 CHAIRPERSON BOND: Yes, and I think actually
53 those logos help to kind of define it more, too. It
54 doesn't get as lost, so it will be easier to read for

1 people driving by. That is, that curb can be a little
2 distracting, so I think you definitely need your logo on
3 it.

4 Okay, so I guess I was the only one with
5 questions. Any others? Any thoughts?

6 (No response.)

7 CHAIRPERSON BOND: Does anyone in the audience
8 -- no?

9 (No response.)

10 CHAIRPERSON BOND: Okay, so let the record
11 show there are no audience members for public questions.
12 Thank you, you can sit down, Carmela.

13 All right, so may I have a motion? I
14 think it can be as simple as the first one.

15 COMMISSIONER MORRELL: **Motion to approve**
16 **signage with code variation for Pella Windows & Doors at**
17 **500 Central Avenue.**

18 CHAIRPERSON BOND: Do we have a second?

19 COMMISSIONER NAZARIAN: Second.

20 CHAIRPERSON BOND: Roll call vote. Nancy
21 Nazarian.

22 COMMISSIONER NAZARIAN: Yes.

23 CHAIRPERSON BOND: Jeff Eigel.

24 COMMISSIONER EIGEL: Yes.

25 CHAIRPERSON BOND: Kathryn Talty.

26 COMMISSIONER TALTY: Yes.

27 CHAIRPERSON BOND: Patty Morrell.

28 COMMISSIONER MORRELL: Yes.

29 CHAIRPERSON BOND: Andy Bowyer.

30 COMMISSIONER BOWYER: Yes.

31 CHAIRPERSON BOND: Congratulations! Welcome
32 to Northfield.

33 MS. MENNA: Thank you.

34 CHAIRPERSON BOND: We're excited to have you.
35 Motion passes.

36 All right, so our second item is the
37 continuation of discussion of proposed changes to
38 Chapter 10 entitled Landscaping, Screening and Tree
39 Preservation of the Village of Northfield Code.

40 All right, so what we have tonight, what
41 we're going to do is look at the discussion we had prior
42 and then make recommendations which they will then
43 discuss. So, what we can do is go through and decide
44 what it is that we are recommending to the Committee,
45 correct?

46 MR. GUTIERREZ: Sounds good.

47 CHAIRPERSON BOND: Okay, so maybe it might be
48 easiest to look at the list that Steve gave us.

49 COMMISSIONER MORRELL: The amendments?

50 CHAIRPERSON BOND: Yes. I have it here
51 somewhere. Unless somebody has other items that you
52 would like to bring up?

53 MR. GUTIERREZ: If anybody needs a copy of
54 that table, I have some extra, too.

1 COMMISSIONER BOWYER: I have a question
2 regarding the first one. Why, and maybe it's in the
3 definition of heritage trees, but why can't willows and
4 river birch and that kind of thing be classified as a
5 heritage tree? Then there's no protection that's needed
6 for them.

7 COMMISSIONER TALTY: Why can't willows and
8 river birch be categorized as a heritage tree?
9 Personally, I think willows should be eradicated.

10 COMMISSIONER BOWYER: Oh, you don't like them?
11 COMMISSIONER TALTY: Well, it's just that
12 they're very weak wooded and they have, even though they
13 can pull water and they serve that purpose, they also
14 are short-lived and can be dangerous, you know.

15 COMMISSIONER BOWYER: They fall.
16 COMMISSIONER TALTY: They're weak wooded and
17 they fall and they, you know.

18 COMMISSIONER BOWYER: But is this, the whole
19 point of that is should we protect them somehow? So,
20 I'm wondering why don't we just make them heritage and
21 then they are protected?

22 CHAIRPERSON BOND: But we were talking about
23 actually reducing the heritage list because it was so
24 large and the fees for that are so great that, that was
25 part of our discussion, too, was are we making it so
26 difficult for people and the fees would be so high that
27 they won't be able to make changes or do things on their
28 property? So, it would be like, you know, it's going to
29 cost you \$10,000.

30 COMMISSIONER MORRELL: I'm more in that camp,
31 especially like young people moving in, I know I'm
32 working on a couple of houses and they're, you know,
33 they want to add trees but it's so expensive for them to
34 get it and then have it put in, or if they need to take
35 something out because they're putting an addition on,
36 we've run into all of that. I think we should have some
37 heritage trees protected, but having a long list of
38 trees I think just makes it really hard for the Staff to
39 manage, and I don't feel a need, like I'm with Kathryn
40 on the willows.

41 COMMISSIONER TALTY: Right.
42 COMMISSIONER BOWYER: Don't come in my
43 backyard.

44 COMMISSIONER TALTY: I think of heritage trees
45 as really the kind of best of class, you know, the top,
46 you know, your super desirable, all-around, you know,
47 all-star trees like, you know, burr oak, for instance
48 or, you know. I mean, so things like that, you know, to
49 me should be reserved as a heritage tree.
50 I love a weeping willow. I think they're
51 beautiful on a college campus or, you know, alongside a
52 river or whatever. It's just in these residential
53 neighborhoods, they could be problematic, you know.

54 COMMISSIONER BOWYER: Yes.

1 CHAIRPERSON BOND: So, you have recommended
2 certain trees. Is that here, too?

3 COMMISSIONER TALTY: Oh, yes, that's in the
4 first one, I think. I recommended, you know, kind of
5 encouraging the use of certain trees that do that same
6 sort of purpose but are a little sturdier, you know,
7 bald cypress, river birch, alder, swamp white oak, those
8 are trees we like to incorporate in areas that are wet,
9 you know.

10 COMMISSIONER NAZARIAN: So, what's on number
11 six that has, on the far left column where it said
12 consider oak, hickory, beech, walnut and ginkgo, that
13 was not consistent with what you were recommending
14 earlier?

15 COMMISSIONER TALTY: I'm sorry?

16 COMMISSIONER NAZARIAN: Under point six, the
17 far right column.

18 MR. GUTIERREZ: Left.

19 COMMISSIONER NAZARIAN: I'm sorry, far left
20 column.

21 COMMISSIONER TALTY: Yes, yes.

22 MR. GUTIERREZ: That was the short list that I
23 believe we've been talking about.

24 COMMISSIONER TALTY: Yes, I think we were just
25 trying to narrow down the list of heritage trees.

26 COMMISSIONER NAZARIAN: Right.

27 COMMISSIONER TALTY: Not that the rest should
28 be, you know, unprotected. It's just, you know, if
29 you're going to categorize them --

30 COMMISSIONER EIGEL: But isn't protection just
31 a different financial scale?

32 COMMISSIONER TALTY: I think so.

33 CHAIRPERSON BOND: Right.

34 COMMISSIONER TALTY: I mean, that's how I --

35 COMMISSIONER EIGEL: It's not like there's any
36 other aspect of protection in this ordinance.

37 CHAIRPERSON BOND: It's going to cost you more
38 to take down these trees than, so if we separate, these
39 trees will cost you more than other trees to take down.

40 MR. GUTIERREZ: You'd have to replace them two
41 for one as proposed. Then if you don't replace,
42 whatever you don't replace, you pay a fee in lieu of
43 replacement.

44 COMMISSIONER EIGEL: So, the heritage fee is
45 more expensive than the standard.

46 MR. GUTIERREZ: Yes.

47 CHAIRPERSON BOND: But then we also had the
48 discussion on people replacing, like overdoing it
49 because they don't want to pay a fee, but their property
50 can really handle the number of trees that would be
51 required under this, right?

52 COMMISSIONER EIGEL: Is there a, maybe this is
53 too much to ask of you, Staff, but could there be any
54 sort of subjectivity that the Staff would use aside from

1 just saying, you know, you really can't replace these
2 many trees, you're going to, for what you're
3 recommending you can have six and then the rest is going
4 to have to be in fee in lieu of?

5 CHAIRPERSON BOND: I don't, I think that's --
6 COMMISSIONER EIGEL: Or is that too much to
7 ask?

8 CHAIRPERSON BOND: That's similar to what we
9 were talking about last time, too, can it go for review
10 in front of, so this is what I was asking Steve. I'm
11 like, can people then, would they end up coming in front
12 of us and try to, you know, can we appeal this, and you
13 said no, there would be no appeal process.

14 MR. GUTIERREZ: The way that it's written
15 right now, and an appeal process wasn't proposed.

16 CHAIRPERSON BOND: Right.

17 MR. GUTIERREZ: So, neither of those would
18 accommodate an appeal process. If I had an arborist in
19 the office working full time and looking at these
20 permits every day, we could probably handle that. Then
21 there's an issue of subjectivity versus, putting it into
22 the code and trying to make it a little bit more black
23 and white.

24 So, if we were to go that route and we would
25 then need to essentially ship that review out to our
26 tree consultant. This would add time to the process as
27 well as expense for the homeowners.

28 COMMISSIONER EIGEL: So, it wouldn't seem wise
29 to codify that and make that process, make you have to
30 go through that process.

31 MR. GUTIERREZ: That's a policy decision for
32 the Village Board to make, I'm just explaining, or you
33 know, making sure that you guys understand how that
34 might affect the actual permitting process, and I'm
35 concerned about the timing because I hate to slow down
36 permitting for people that --

37 COMMISSIONER EIGEL: For sure.

38 MR. GUTIERREZ: For that type of extra layer
39 of review.

40 COMMISSIONER EIGEL: That does tie into my
41 sort of one qualm about what was proposed, and this
42 could be wrong, but just in my own experience, it seems
43 that most people that are taking out heritage trees,
44 whatever that list ends up being, let's just say high
45 quality trees, are not doing it just sort on a whim.
46 They're doing it for a purpose, for a reason. They're
47 doing it most likely because they have some sort of
48 thing that they want to do at their house, whether it's
49 a patio or a driveway or an addition or something that
50 they're doing at the property that requires that tree
51 removal. Usually people don't get sick of the burr oak
52 in their yard, it's a beautiful tree.

53 So, it seems like maybe some of these
54 sliding scales are pretty punitive, like those numbers

1 start getting really high both on the replacement and
2 the fee in lieu of. So, I don't know of if maybe, and I
3 was looking at it as compared to sort of our neighbors,
4 you know, our neighboring villages and their heritage
5 tree regulations. It seems like maybe we could be a
6 little lower on those requirements, just because I don't
7 think it's a big problem, people taking down trees just
8 because they feel like it if it's a good tree. I think
9 they're almost always doing it for a reason and I don't
10 know how punitive you want to be, you know, if it's for
11 a good reason, if it's for the property being improved
12 in general.

13 COMMISSIONER MORRELL: Steve, is it a problem?
14 I mean, I haven't heard of any tree situations, taking
15 them down.

16 MR. GUTIERREZ: We don't get a lot of
17 complaints. We have people calling with concern over
18 specific projects. Board members or you folks or P&Z
19 members, you know, they may hear from their neighbors,
20 so I can't account for that. But we get a handful of
21 complaints and usually it's having to do with a property
22 that has been wooded for a long, long time.

23 There was a subdivision that was approved
24 over on Briar for instance. One house, two acres, with
25 a beautiful oak grove and a lot of scrub trees. So,
26 somebody bought the property, subdivided, and is
27 building two homes, and a lot of trees had to come down.

28 So, then the point I guess is that
29 prompted a number of calls, not a ton but two or three
30 calls from the neighbors just saying what's going on.
31 The calls that I took from the neighbors I spoke to, I
32 explained what the current tree ordinance said and that
33 they were going to have to pay or replace, et cetera, et
34 cetera. There was a tree survey and removal plan, we
35 reviewing it and at the end of the day they met the
36 ordinance requirements. They seemed satisfied, I mean,
37 they weren't probably happy that the trees were coming
38 down but they kind of understood, the new homeowners had
39 to site a house on each lot and then, you know, they had
40 to have a yard.

41 CHAIRPERSON BOND: Well, and I have had some
42 unknowledgeable neighbors, and I think sometimes in my
43 neighborhood you get people that don't understand trees,
44 that are kind of first-time homeowners, and we did have
45 some people taking down trees that they shouldn't, in
46 their front yard, in the parkway, you know. You're like
47 what are you doing? They have no clue what the tree is,
48 they don't really care, they're coming from the city or
49 whatever, they're just first-time homeowners.

50 So, I do think that the ordinance, this
51 is where it's good to have that protection. That's when
52 the neighbors go running out which we tried to say you
53 can't do that, you know, if you could catch them in
54 time, right? So, there's I think validity to the

1 ordinance and especially to the trees if you don't want
2 these people to just waddle. I guess and take them down
3 in the front yard, because we all know that trees create
4 a certain ambience and desire and a layer that is, it
5 adds value to the street as a whole, right?

6 When those big trees in the front yard or
7 the parkway come down, all of a sudden there's this big
8 barren space and a lot of, you know, the ambience is
9 gone. Personally, I think that affects your property
10 value and affects the entire street, too. So, I totally
11 understand the ordinance and wanting to have a certain
12 protection for everything, yes. Then that helps prevent
13 from someone who is buying a property just coming in and
14 blasting it, right? That's like oh.

15 COMMISSIONER TALTY: I think it's important,
16 we are still saying that trees in the rear yard are not
17 protected?

18 MR. GUTIERREZ: Correct.

19 CHAIRPERSON BOND: But most towns do have
20 protection, right?

21 MR. GUTIERREZ: Right.

22 CHAIRPERSON BOND: Like we're one of the few
23 that won't.

24 MR. GUTIERREZ: It's a mix, but yes, a lot of
25 them do.

26 CHAIRPERSON BOND: Yes, so --

27 COMMISSIONER TALTY: So, this really is kind
28 of, you know, the way it's being framed I think is
29 protecting the trees for the greater benefit --

30 CHAIRPERSON BOND: Right, of the neighborhood,
31 of the community, right.

32 COMMISSIONER TALTY: Which I think is fair.

33 CHAIRPERSON BOND: Right.

34 COMMISSIONER TALTY: I mean, I think, I
35 protect certain trees in the backyard, but I can
36 appreciate, you know, the philosophy behind, you know,
37 allowing the homeowners some rights, you know.

38 CHAIRPERSON BOND: Is it acceptable, are you
39 comfortable, Trustee Orth, joining our conversation?

40 MR. ORTH: Absolutely, that's why I'm here
41 tonight because I can provide some background and some
42 of other information. This all really came about --

43 CHAIRPERSON BOND: So, Charlie is part of the
44 committee that has been working on this.

45 MR. ORTH: So, this all came about when
46 President Frazier was president, and the tree ordinance
47 hadn't been updated for a while; is that correct, Steve?

48 MR. GUTIERREZ: Yes.

49 MR. ORTH: So, it hadn't been updated. So, it
50 came up at a Committee of the Whole meeting, we
51 discussed, you know, updating it, changing it. I
52 volunteered to be chair of the committee. At that time,
53 President Lungmus came in to be president, and President
54 Lungmus and Stacy and I sat down and started going

1 through this. We decided that instead of trying to have
2 a huge committee and get a bunch of people and have it
3 drag out, that we would go through, you know, what we
4 had in the past with Staff's help and go through a lot
5 of the stuff from different communities, we'd go through
6 and try to tweak it. We weren't looking at a huge
7 overhaul for this because we didn't feel that it really
8 needed to have a huge overhaul.

9 So, basically, then we also, because
10 stuff comes to the Architectural Commission and I'm also
11 a liaison, so it all kind of worked out really well that
12 I'd be involved and that we'd continue to try to move
13 forward on this. So, that's how this all came about.
14 So, we're continuing, so that's why originally I spoke
15 to Kathryn and spoke to different people in the
16 community about if they wanted to be involved in this
17 committee. Then we kind of, you know, downsized it
18 because we didn't want to have, you know, 10 people and
19 to try and have, you know, everyone to agree.

20 CHAIRPERSON BOND: Right.

21 MR. ORTH: So, we also thought it a good idea
22 to go through to the Architectural Committee and
23 Commission and go through and get some ideas and
24 thoughts. We also went back through this at a Committee
25 of the Whole meeting with the rest of the Village Board
26 on a lot of these ideas and stuff. So, we're just
27 trying to kind of tweak this.

28 But some of the concerns were, you know,
29 we talked about people's rights in their backyard, but
30 then also people trying to keep the community nice. Tev
31 and I talked about this when street parkway trees with
32 the neighbors that are just hacking up and they didn't
33 realize, you know, that they shouldn't be touching it
34 because it's a parkway tree and it's the Village's
35 responsibility, not them to, you know, start trimming
36 and doing something. So, that was another issue.

37 Then, recently in my neighborhood, there
38 was a tree that was huge. I mean, I've lived here for
39 62 years and that tree has been there since I was a
40 little kid, and the property was recently sold. The guy
41 said to the neighbors, he goes, well, it's an old tree.
42 Well, there's nothing wrong with the tree, it was
43 basically an old tree that we would consider a heritage
44 tree, but because of the way the ordinance and stuff has
45 been created, he told them he'd cut it down. It wasn't
46 going to impact him building the house at all. So, this
47 tree that was --

48 MR. GUTIERREZ: Which one was that?

49 MR. ORTH: The one next to -- well, they need
50 to, you know, unfortunately, I think it was one of those
51 things where maybe it was one of those trees that they
52 can maybe, well, anyway, this is part of the reason why,
53 you know, we want to look at tweaking this and trying to
54 get these people taking down trees, because it takes

1 years for trees as we all know to get to the full
2 maturity. So, we're trying to then, you know, if
3 someone takes trees down, we're trying to replace them
4 with similar caliper or trees that are going to then,
5 and then we're trying also, like you're talking about,
6 getting trees that are really, I mean, a willow tree and
7 a willow park and stuff is great and maybe if you had a
8 huge piece of property a willow tree is nice. But on a
9 smaller piece of property, you know, sometimes with a
10 storm it can be, you know, dangerous if it's not
11 maintained.

12 So, you know, I see both sides of it and,
13 like I said, we want to work together to get this put
14 together.

15 MR. GUTIERREZ: Was there, I don't recall,
16 Charlie, but was there a specific discussion among the
17 working group with regard to rear yard versus not the
18 rear yard?

19 MR. ORTH: Yes. The three of us spoke about
20 the rear yard. There were some valid points that I had
21 brought up to them. Some people have huge backyards.
22 Other parts of town, the backyards are small. So, the
23 concern was if you have a huge backyard, yes, would we
24 want to try to regulate them? In a sense, maybe, but
25 then it's not fair to say, okay, you have a huge
26 backyard, we'll regulate you, but someone who maybe
27 lives east of Russell Road that has a small backyard
28 and, you know, all of a sudden you're going to try to
29 regulate them when they want to put in a deck or a pool
30 or an addition and they find now they can't because a
31 smaller backyard is only 50 by 50. So, there's not
32 enough room and it's not fair to tell people what they
33 can and can't do in their backyard.

34 So, that's why instead of coming to where
35 the side yard and the front yard, we were trying to
36 protect them more from the rear yard. So, we went back
37 and forth on it. I think at that time, Greg didn't
38 realize, President Lungmus, that, you know, there are a
39 lot of smaller backyards and it's very difficult, you
40 know, to try to --

41 MR. GUTIERREZ: Yes, the majority of our
42 permits for exterior work are for rear yard
43 improvements. If they're not an addition or a new
44 house, it's decks, hot tubs, you know, that type of
45 thing.

46 CHAIRPERSON BOND: Can we actually include,
47 maybe not, a percentage of trees that do remain in the
48 backyard? Do you know what I mean? So, someone just
49 can't, or do you feel that that wouldn't be fair? So,
50 I've got a couple of neighbors come in and just take out
51 everything, and so now there's no privacy.

52 COMMISSIONER TALTY: Well, there is that
53 buffering, right?

54 CHAIRPERSON BOND: So, there is no buffer.

1 COMMISSIONER BOWYER: Isn't there a buffer of
2 like 15 feet you can't take trees out of?
3 CHAIRPERSON BOND: I don't know. I guess
4 that's what I'm, is there a buffer for that?
5 MR. ORTH: Well, there's also the, they should
6 also have the easements. Commonwealth Edison has
7 easements. So, like in my backyard which is actually on
8 an alley, I've got trees back there, and ComEd comes
9 down there and I have pictures --
10 CHAIRPERSON BOND: Yes.
11 MR. ORTH: -- I can show you, it's like part
12 of my tree is hanging over the alley and the other part
13 of the tree is gone. So, you know, that's another thing
14 as you look at the easements and stuff that, you know,
15 and there aren't too many alleys just easements. But
16 rather than -- there's an easement behind there and
17 ComEd would come back there and also, you know, cut the
18 trees down.
19 So, there's a fine line between, you
20 know, you want to try to save the tree but then ComEd
21 comes along and, you know --
22 CHAIRPERSON BOND: Yes, they cut that.
23 MR. GUTIERREZ: We do not have a landscape
24 buffer requirement for residential, for single-family
25 residential?
26 CHAIRPERSON BOND: Yes.
27 MR. GUTIERREZ: We do for commercial, but not
28 for single-family residential.
29 CHAIRPERSON BOND: Yes, because if someone
30 puts in a fence, they tend to rip out everything around
31 it and we've had that recently in the last couple of
32 years, and it's just, it's a bit sad to watch it where
33 you saw these beautiful trees and then they're gone
34 because they've put in a fence.
35 COMMISSIONER BOWYER: I think it's fair that,
36 I mean, we have setbacks, so at least within the setback
37 you can't take stuff down, trees.
38 CHAIRPERSON BOND: Right, but then that also,
39 then we have a dilemma of, I guess if they have to take
40 down their trees because they want to put in a fence,
41 then they have to, I guess there could be something like
42 that, if there's a setback and your fence falls in that
43 setback and there's a tree that you would have to take
44 down, you'd then have to replace it. Is that what, or
45 you just can't do it?
46 MR. ORTH: Well, that falls under the backyard
47 issue.
48 CHAIRPERSON BOND: And then that falls, right,
49 and that's something you can't really like tell people,
50 I'm sorry, you can't put in a fence, right?
51 COMMISSIONER BOWYER: I just put in a fence
52 and I had a bunch of trees that I've put in over the
53 last 18 years, and it turned out that some of them I had
54 put on my neighbor's yard. But at the time I talked to

1 my neighbors about it and they were like, I mean, so the
2 fence, you know, some of the trees are outside of my
3 yard and some of them are in. I mean, it didn't really
4 matter.

5 CHAIRPERSON BOND: Oh, so you just worked
6 around the fence?

7 COMMISSIONER BOWYER: I worked around the
8 trees.

9 CHAIRPERSON BOND: I mean the trees.

10 COMMISSIONER BOWYER: Yes. I mean, what do I
11 care for trees on the other side? They're not going to
12 cut it down.

13 CHAIRPERSON BOND: That's true.

14 COMMISSIONER EIGEL: Did you put your fence on
15 your property line or did you work around it to the
16 degree that it's near your property line?

17 COMMISSIONER BOWYER: Property line. As much
18 as I could on the property line.

19 MR. ORTH: Well, the other issue that came up,
20 too, is a lot of people have planted trees and sometimes
21 they've over-planted trees, and then all of a sudden,
22 they wanted to buffer neighbor situations and they've
23 over-planted. Now, all of a sudden you tell them they
24 can't take that tree down and maybe it's rubbing up
25 against their house or it's a hazard or it's, you know,
26 in the right-of-way. So, that was the other issues
27 that, you know, some of the plants are over-plants, now
28 who's going to tell them they can't take the tree down?
29 So, that was another concern about this is my house and
30 the Village --

31 COMMISSIONER EIGEL: Am I mis-understanding
32 that, even in protected zones you can take trees down
33 with the proper permitting as long as you either pay or
34 replace, correct?

35 MR. GUTIERREZ: Okay, let me answer that. So,
36 you can take dead trees down, okay?

37 COMMISSIONER EIGEL: Okay.

38 MR. GUTIERREZ: But if you want to take a
39 live, healthy tree down, unless it's a junk tree, we'll
40 call it desirable tree, you do need a permit and then
41 you do need to, if it's in the required side yard and
42 front yard, whatever that is in the district, you need
43 to replace it on a one-to-one basis or pay the \$175 for
44 every caliper inch not replaced.

45 COMMISSIONER EIGEL: So, outside of parkway
46 trees, if you, you know, either have a reason or are
47 just determined to take down a tree, you can do it.
48 You're not prevented from doing it. You just have to --

49 MR. GUTIERREZ: Yes, you can take trees down.

50 CHAIRPERSON BOND: That's true.

51 COMMISSIONER EIGEL: You just have to go
52 through the process.

53 CHAIRPERSON BOND: Yes.

54 MR. GUTIERREZ: You have to replace them or

1 pay the fee in lieu if you're not going to replace them.
2 COMMISSIONER EIGEL: That's what I thought.
3 COMMISSIONER TALTY: Which is kind of, you
4 know, which is kind of my case for thinking about, you
5 know, regulating someone, the backyards as well, because
6 you're not prohibiting somebody from doing it. You're
7 just saying if you choose to take something down, you
8 know, you're kind of making somebody pause and say, hey,
9 is this tree really, should this tree really come down?
10 Can I rework the addition? Can I, you know, I mean,
11 there's lots of decision making that goes into new
12 construction anyway.

13 You know, you're not prohibiting somebody
14 from taking something down. You're just saying that if
15 you choose to take it down, then there's a process.
16 Either it's a fee or it's a replacement.

17 COMMISSIONER MORRELL: But doesn't the permit
18 process, so if I'm going to take down two trees in my
19 backyard, one is clearly dead and the other one is just
20 kind of a nuisance for whatever reason, and I'm making
21 this up, then I still have to come for a permit,
22 correct?

23 MR. GUTIERREZ: Yes, because we do want to
24 check that it's dead.

25 COMMISSIONER MORRELL: Right. So, you do have
26 some oversight at that point, that if somebody is taking
27 six trees out for a fence, you're saying you have no
28 authority to do anything about that or comment on that,
29 right?

30 MR. GUTIERREZ: We don't prohibit somebody
31 from taking a tree down. But do require a permit.
32 Then if it's a desirable tree, that's when we impose the
33 replacement or a fee in lieu of replacement.

34 COMMISSIONER MORRELL: But not in the
35 backyard?

36 MR. GUTIERREZ: But not in the backyard. Just
37 the required side yard or front yard.

38 COMMISSIONER NAZARIAN: Currently, there's no
39 waiver process, correct? The person who applies to have
40 that tree taken down the front yard either has to
41 replace it or pay the fee, but they can't apply for a
42 waiver and say here is the reason why I need to take it
43 down?

44 MR. GUTIERREZ: Other than if they want to
45 claim that it's diseased or declining.

46 COMMISSIONER NAZARIAN: Like it's standing over the
47 house and it's, you know, a good lightning strike or a
48 good storm will knock it on to my roof and so I'm
49 fearful and that's why I want to take it down?

50 MR. GUTIERREZ: Yes, code does not allow us to
51 take that into account currently, sorry.

52 COMMISSIONER BOWYER: What about if you had
53 buckthorn in the front yard?

54 MR. GUTIERREZ: Buckthorn is not a desirable

1 tree.

2 COMMISSIONER BOWYER: Right, but so can you

3 take that down without --

4 MR. GUTIERREZ: You can just take that down.

5 COMMISSIONER BOWYER: In the front yard or if

6 it was in the parkway I suppose?

7 CHAIRPERSON BOND: I think there's something

8 in here about the undesirable.

9 MR. GUTIERREZ: Nothing in the parkway.

10 COMMISSIONER BOWYER: Even buckthorn?

11 MR. GUTIERREZ: Nothing in the parkway can be

12 taken down unless the Village, unless you get the Public

13 Works Department's permission.

14 COMMISSIONER EIGEL: But if you had a

15 buckthorn in the parkway, could you not like implore the

16 Village to take it down because it's bad?

17 MR. GUTIERREZ: Technically speaking, anything

18 in the parkway you're taking down, you'd have to check

19 with the Public Works Department.

20 COMMISSIONER EIGEL: Okay, so just a real

21 quick question. Can we add a little color on to how the

22 fees were generated? Was there a process with that,

23 comparing to other villages? You know, where do those

24 come from?

25 MR. ORTH: Part of the fee structure was based

26 on previous fee structures and also comparing

27 communities in the area. Also, part of the fee

28 structure was brought up to try to see, what we've all

29 talked about, just try and potentially as best we can

30 discourage some people from taking down trees that

31 really don't need to be taken down, just all of a sudden

32 they decide to go and take a tree down. I mean,

33 obviously, in all the communities around there are

34 trees, it's beautiful to drive down to see tree-lined,

35 you know, streets. So, that was one of the reasons for

36 the fee structure increasing, or part of increasing the

37 fee structure was to kind of discourage people, you

38 know, from just randomly taking trees down.

39 I think that's when, you know, I think

40 someone with a pocketbook, I think sometimes they might

41 even say, okay, well, maybe we won't take it down. They

42 didn't just want, or we didn't want to, as a Village

43 Board and we talked about this, was people just to

44 randomly take trees down. So, I think part of that fee

45 structure was to discourage that, and then in light of

46 that review, we also said, okay, if they don't want to,

47 or if they do want to take it down or they want to move

48 it, then make them get similar caliper trees to replace

49 the caliper tree that they're losing.

50 So, that's kind of what the thought was

51 between, you know, as we met and also as the Committee

52 of the Whole and the Village Board met, and it goes back

53 and forth, and the rear thing, Kathryn, I totally

54 understand, but there were very strong feelings about,

1 you know, people's rights and people being told what
2 they can and can't do with their property. There are so
3 many rules and regulations, some of the Board members
4 felt currently just in general, whether you live in
5 Wilmette or Winnetka or Northfield, with so many rules
6 about your own property what you can and can't do.
7 Years ago, there's a lot of things you could do without
8 permits, but now it seems like, oh, there's somebody
9 saying you need a permit, you know.

10 So, it's gotten to that point where, and
11 the reason being is because people don't look at what
12 their, ask their neighbors and they put stuff on the
13 line or they do things without having, you know, JULIE
14 come out and make sure that the electric line, you know,
15 they're not all of a sudden slicing the neighbor's power
16 line in order to put something in. You're also
17 protecting that from the next person that may buy the
18 house. So, that's where a lot of this came into play,
19 but people felt very strongly about, you know, not
20 telling people what they can and can't do, you know,
21 especially in the smaller backyards.

22 I mean, obviously, we try to maybe move
23 the hot tub over a few feet and then you can keep the
24 tree, but there were a lot of issues about, you know,
25 talking about it's my house, you know, I have so many
26 rules and regulations now, this is just another one.
27 The term was government overreach, so to speak.

28 COMMISSIONER TALTY: Do we have to get a
29 permit even if there is no mitigation or, you know, fee
30 required, protection fee required? Do we have to permit
31 tree removal in the backyard?

32 MR. GUTIERREZ: No.

33 COMMISSIONER TALTY: Is it permitted now?

34 MR. GUTIERREZ: Correct.

35 COMMISSIONER TALTY: What if the tree is
36 removed by Joe Blow and, you know, you have a gigantic
37 tree and you have a small yard and it's going to be
38 taken down by a handyman, you know, who could, you know,
39 in theory cut a tree down, it could damage a neighboring
40 property and it's a backyard tree? So, I'm just, I'm
41 making a kind of devil's advocate argument for
42 permitting. You know, you're also sort of protecting
43 the health, safety and welfare of your neighbors. Some
44 of these large trees are --

45 COMMISSIONER NAZARIAN: But that scenario is a
46 dispute between neighbors that basically has to be
47 litigated.

48 COMMISSIONER TALTY: Say that again?

49 COMMISSIONER NAZARIAN: That becomes a dispute
50 between neighbors that they would have to litigate. I
51 don't think the Village can insinuate itself where two
52 neighbors would have that dispute. Legislating that,
53 we're going back to Charlie's point which is that a lot
54 of people were concerned about government overreach. If

1 we're going to regulate that, even if we're, you know,
2 benignly trying to protect the neighbors and what may or
3 may not happen to them for what Neighbor 1 does with his
4 trees, at the end of the day it's still a dispute
5 between Neighbor 1 and Neighbor 2 or Neighbor 3 and they
6 would have to litigate that and resolve that amongst
7 themselves. Getting ourselves involved in that, getting
8 the Village involved in that puts an extraordinary
9 burden on the Village, especially legally, I think.

10 COMMISSIONER EIGEL: I think though I can see
11 a scenario that maybe Kathryn was sort of suggesting
12 where rear yard tree removal requires a basic permit of
13 some sort, so at least then whatever process the
14 contractor who would remove a front yard tree or a side
15 yard tree that was permitted through the regular
16 process, that you would have to have the same types of
17 contractors to do the backyard tree where maybe it's
18 just a \$50 permit or something like that and it's not
19 subject to the same oversight as the protected areas.

20 MR. ORTH: Well, it may not even be the fee
21 structure because it would be --

22 COMMISSIONER TALTY: Right, just approval by
23 the Village.

24 MR. ORTH: What you talked about, is it a
25 permit to make sure that that person is removing the
26 tree, to Kathryn's point, is licensed, bonded, insured,
27 so that it's not one of these folks who are trying to, I
28 see both sides, who are trying to --

29 COMMISSIONER EIGEL: Maybe it's a tree --

30 MR. ORTH: Where the tree ends up on the
31 neighbor's and this guy just all of a sudden walks away.
32 We saw this years ago with many of these contractors
33 that were using torches to burn off paint and all of a
34 sudden they started people's house on fire and then also
35 got to the next-door neighbor's house, and we find out
36 later they didn't have insurance, they didn't have
37 anything and that's why a lot of these communities ban
38 open flame, burning torches to remove paint. So, I get,
39 Nancy, I get your point, and I know Steve's got issues
40 with it, too, I'm sure.

41 MR. GUTIERREZ: Well, just a comment that,
42 Kathryn, in theory I understand what you're saying. In
43 practice, we haven't had a problem with, you know,
44 somebody doesn't know what they're doing and they damage
45 the person's property or themselves, you know, God
46 forbid. So, we really haven't seen that as an issue.
47 So, I'd be a little concerned trying to legislate
48 something that isn't really a problem that we have seen
49 ourselves. Then, honestly, I'm not familiar with, you
50 probably are more than I am, how people regulate that.
51 There isn't, you know, there's not a building code for
52 taking trees down.

53 So, you know, and we don't, in our
54 current regulation of the trees that are protected,

1 we're really just saying, okay, what tree are you taking
2 down? We're not going out and inspecting, you know,
3 that they're taking it down properly. We're not
4 requiring licensure either and I don't know that the
5 industry requires licensure with some kind of standards.

6 COMMISSIONER TALTY: I guess what I'm getting
7 at is there is potentially a safety issue with taking
8 trees down in general.

9 MR. GUTIERREZ: Absolutely. I understand.

10 COMMISSIONER TALTY: And that safety issue can
11 exist in the front yard or can exist in the backyard. I
12 mean, you take a cottonwood down that's, you know, a 36-
13 inch cottonwood, you know, I mean, that requires, that
14 should require a bonded licensed contractor, you know,
15 in the event, you know, a limb comes down on your
16 neighbor's car, you know, or something to that effect.

17 MR. ORTH: Well, or the power line runs back
18 there and --

19 COMMISSIONER TALTY: Or a power line, you
20 know.

21 MR. ORTH: -- the easement in that backyard,
22 falls down and takes out the power line, takes down the
23 whole neighborhood potentially. So, I mean, I see both
24 sides.

25 CHAIRPERSON BOND: So, I'm sorry, go ahead.

26 COMMISSIONER TALTY: No, that's okay. No, I'm
27 done.

28 CHAIRPERSON BOND: I think we have to kind of
29 move or we're a bit late. So, do other Commissioners,
30 feel that the backyard should be addressed? Or how many
31 are okay with the current direction that the backyard
32 stays how it is, how it's proposed, which is right now
33 there is no regulation of trees in the backyard?

34 Andy, do you have a definitive way that
35 you feel? And if you're indifferent, that's fine.

36 COMMISSIONER BOWYER: Well, so I live on an
37 acre and when I moved here, probably a third of that
38 acre in my backyard was woods that I took down 80 trees.
39 But they were all what we call, and we got a permit for
40 it because there's a swamp in the middle of it and water
41 was standing there, and they were all less, we didn't
42 take down anything that was three-inch diameter, or --

43 CHAIRPERSON BOND: Well, you're allowed to
44 take down a three-inch without a permit.

45 COMMISSIONER BOWYER: But we didn't. I mean,
46 we wanted trees, but that left us with a walnut and a
47 cottonwood and a couple along the lines. But all the
48 others were what they call lollipop trees which aren't
49 really trees, but they grow really tall and then they
50 have a canopy up here with a bough. So, you know, and
51 my neighbors had the same sort of thing. So, I kind of
52 like the policy that when it's crap trees in the back
53 you can take it all down, you know, and then we slowly
54 rebuilt it around the perimeter up.

1 So, you know, but I can see the reason, I
2 mean, I don't think if we'd have had oaks and all that,
3 we wouldn't have taken it all down. But it wasn't, you
4 know, I had a toddler that was starting to run for the
5 swamp whenever he possibly could, and it wasn't the nice
6 pretty woods like I grew up with in West Virginia.

7 CHAIRPERSON BOND: So, do you feel that the
8 current code is okay, that the backyard is the decision
9 of the homeowner?

10 COMMISSIONER BOWYER: Yes.

11 CHAIRPERSON BOND: Okay.

12 COMMISSIONER BOWYER: With the caveat that I
13 could get off with saying, or support --

14 COMMISSIONER MORRELL: Heritage trees?

15 COMMISSIONER BOWYER: I could support doing,
16 that you can't take down trees in the setbacks, because
17 I like the buffer between. We also didn't take down
18 anything that was within 15 feet of the property line.

19 COMMISSIONER MORRELL: So, I kind of feel the
20 same way as Andy, only I do think heritage trees should
21 be protected even in the backyard. So, where does that
22 leave me? We don't have anything there, right? No
23 protection in the backyard?

24 COMMISSIONER BOWYER: Correct.

25 COMMISSIONER MORRELL: Right.

26 CHAIRPERSON BOND: Okay, and Kathryn?

27 COMMISSIONER TALTY: Honestly, I don't have a
28 super strong feeling one way, I can see both sides of
29 the coin. I do, however, think it should be something,
30 I think tree removal no matter where it is on your
31 property should be permitted because I think there is,
32 you know, there is a safety, you know, issue that comes
33 along with tree removal no matter, you know, no matter
34 what yard it is. If you're permitting tree removal in
35 the front and side yards, I think you should permit it.

36 CHAIRPERSON BOND: And you think it should be
37 permitted no matter where the tree is?

38 COMMISSIONER TALTY: Yes, but I'm not, I don't
39 have a strong feeling about the mitigation.

40 COMMISSIONER BOWYER: I guess we didn't know
41 because we did permit all of it. Had I known I didn't
42 have to, I could have saved a lot of money, but I agree
43 with you, I mean, we had Rosburg do it all and they, you
44 know, but we had permits for it because I had a neighbor
45 calling on me.

46 CHAIRPERSON BOND: Jeff?

47 COMMISSIONER EIGEL: I actually completely
48 agree with Kathryn. I think that, I don't think the
49 ordinance needs to be changed or altered in terms of
50 your ability to do it in any of the zones including the
51 rear yard. I think the rear yard should require a
52 permit even if it's just a free permit just saying, you
53 know, here's who's doing the work. I think it's just
54 sort of a basic level of, like responsibility, that you

1 are requiring that, you know, somebody do the paperwork
2 and say what they're going to do so it's not this sort
3 of potential like Kathryn was talking about, like fly by
4 night somebody's handyman is just coming out. It's like
5 a more structured process.

6 CHAIRPERSON BOND: Right. I think what Steve
7 was saying though was that the Village can't guarantee
8 that. There is no guarantee of who is taking it down
9 because that's unregulated on the whole.

10 COMMISSIONER EIGEL: Okay, I would agree with
11 that.

12 CHAIRPERSON BOND: So, but having people come
13 to get a permit is, then we're going back to are you
14 overreaching or is it just something else that people
15 have to pay for, especially if it's an unregulated
16 industry that's coming in to take it down? So, if the
17 reason for the permitting is to try to create safety of
18 the people taking it down, there's no reason for the
19 permit because they can't guarantee that. But if the
20 reason for the permit is because you want people to
21 think twice about taking down a tree, then there is I
22 think validity, unless I've misunderstood something.

23 COMMISSIONER EIGEL: That's where I am is on
24 the latter, it's that I feel like, you know, if there's
25 a process, even understanding that it's a low bar, at
26 least you're sort of making people state what they're
27 doing, you know, to fill out the paperwork, like, you
28 know, coming in and say what they're going to do instead
29 of just one Sunday afternoon deciding they're going to
30 hack a tree down.

31 COMMISSIONER TALTY: But also it's not an
32 unregulated industry. I mean, I think that's kind of a
33 mischaracterization. Even my, you know, Mow N Blo
34 landscaper that cuts my grass every week is insured, you
35 know. So, that's I guess where I think, I'm not saying
36 that the Village needs to, you know, protect anybody,
37 but I think it's fair enough to say, you know, people
38 should be insured, you know.

39 COMMISSIONER MORRELL: But I don't think a
40 permit is going to guarantee that.

41 CHAIRPERSON BOND: Right.

42 COMMISSIONER MORRELL: And also, it could open
43 them up, you know, well, they gave me the permit, the
44 Village did, so then you bring the Village in as sort of
45 being who's responsible in this whole matter which I
46 don't think, I mean, you could technically, but I mean,
47 there's no, I don't know if the guy that does my trees
48 has insurance. He takes them down all over Winnetka and
49 Kenilworth. I got his name from my friend. He says he
50 does, I didn't see his insurance thing.

51 CHAIRPERSON BOND: You never ask for it, but
52 he does a good job.

53 COMMISSIONER MORRELL: Yes. I work with trees
54 and so I do have insurance, I learned the hard way

1 through an accident that they didn't and we paid for it
2 even though he said he did, but I didn't ask to see his
3 insurance policy. So, I just don't know that we can, I
4 just have a problem with getting down into it with the
5 legislation. It does absolutely no good and we can't
6 support it in our Village. That's the only, that's my
7 only thing.

8 COMMISSIONER NAZARIAN: And that's one of the
9 concerns I had with the idea of a free permit. If it's
10 a free permit, then it has no teeth and you're again
11 opening the Village up to, well, you permitted it, just
12 as Patty was saying, that if you permitted it, you said
13 it was okay, you put your effort on this, then I'm
14 coming after you the Village because it was done
15 inappropriately or in an unsafe way and here's the
16 damage that was caused.

17 I mean, you know, I understand Kathryn's
18 point. I like the idea instinctively of permitting the
19 backyard trees, but realistically, I don't think there's
20 any good way of doing that that isn't going to open us
21 up to anything that --

22 CHAIRPERSON BOND: And what if they were going
23 to cut down some heritage trees?

24 COMMISSIONER NAZARIAN: Even then, even then.
25 I think that's going to be problematic for the Village.

26 MR. ORTH: And I know there's a strong
27 overreach opposition by quite a few members of the Board
28 currently about the backyard thing. So, I'm not really,
29 you could have a recommendation, but my guess when this
30 goes back to the Committee of the Whole or prior to the
31 Board meeting whenever we decide, I know there's strong
32 opposition to the backyard, to telling people what to do
33 in their backyard.

34 CHAIRPERSON BOND: I think that like what
35 you're saying is there is validity, I understand where
36 you're coming from. I think also though that there is
37 enough, as just in our group, of not really coming
38 together on it, that they can then listen to the minutes
39 and choose whether or not, you know, they feel that it's
40 something to pursue. But I think as a group, we haven't
41 really come to a consensus. So, should we move to
42 another point?

43 COMMISSIONER MORRELL: There's a lot of good
44 points with it so they can listen.

45 COMMISSIONER TALTY: Yes. I mean, I think
46 it's, I also think the purview of our group is an
47 aesthetic, not regulatory necessarily. I'm just putting
48 it out there because I think it's something that needs
49 to be considered and, you know, I think it has to be,
50 you know, you permit your electrician, you know, you
51 permit your roofer, you know. I mean, so I think you
52 just, as a Village, you should consider it, keep it in
53 mind.

54 CHAIRPERSON BOND: Okay, so I think we have in

1 our discussion kind of touched on some of these other
2 points that we have, issue points. So, part of I think
3 what we have to consider, too, is that we do have a
4 small village and Staff can only do so much, right? So,
5 should we provide incentive for replacing trees that are
6 taken down in the rear yard and that's not protected
7 under the ordinance? It's an idea. I'm not sure that
8 that's something that we can get to fruition right now
9 at this time. Maybe the next time.

10 You look at the ordinance, but does
11 anyone feel strongly, or maybe what we should do is if
12 you could look over the 14 points and let me know which
13 ones you feel really strongly about. I think number six
14 is, Kathryn, you brought up last time and, Patty, you
15 strongly agreed with.

16 COMMISSIONER MORRELL: Yes.

17 CHAIRPERSON BOND: I think number six is an
18 excellent point and has really good validity. Does the
19 list of trees, does that get narrowed down?

20 COMMISSIONER EIGEL: I think five and six also
21 kind of touch on a little bit the same issue. So, maybe
22 if the list was focused, that might help improve the
23 concern with number five.

24 CHAIRPERSON BOND: Right. So, if it's a
25 smaller list, you leave the fees for heritage as high as
26 they are, which means these other trees you would still
27 have a fine but it wouldn't be the heritage tree fine,
28 right?

29 MR. GUTIERREZ: Yes, these are desirable trees
30 that will be treated as we do today.

31 CHAIRPERSON BOND: Right. Right, so they'll
32 still be fined but not as deeply as heritage. Is there
33 anything that you think should be added to this?

34 COMMISSIONER TALTY: I think there should be,
35 I think you should remove box elder from --

36 MR. GUTIERREZ: From desirable?

37 COMMISSIONER TALTY: From desirable. Osage
38 orange I think is also, in some regards, kind of a
39 nuisance tree. It produces that fruit like, you know,
40 so they are actually, in some villages --

41 MR. GUTIERREZ: Nuisance?

42 COMMISSIONER TALTY: They're prohibited to be
43 replanted. So, I would say those. To me, I think the
44 rest looks fair.

45 CHAIRPERSON BOND: And then do you want to
46 move any others to heritage or do you feel that the one,
47 two, three, four, five --

48 MR. GUTIERREZ: Oak, hickory, beech, walnut,
49 ginkgo.

50 CHAIRPERSON BOND: Does anyone else feel
51 strongly about having something included into the
52 heritage?

53 COMMISSIONER NAZARIAN: Which one of these is
54 hornbeam?

1 COMMISSIONER TALTY: What's that?
2 COMMISSIONER NAZARIAN: Which one of these is
3 hornbeam? Isn't hornbeam just another name for
4 something?
5 COMMISSIONER TALTY: Hornbeam is its own tree.
6 It probably should be under desirable I would say.
7 CHAIRPERSON BOND: So, add to desirable?
8 COMMISSIONER TALTY: Yes.
9 COMMISSIONER TALTY: I see, but like if
10 somebody wanted to come and remove a tree that was not
11 desirable like, you know, buckthorn or something like
12 that, do you have a list of those that are kind of like
13 free game, you know?
14 MR. GUTIERREZ: Not in the code. We use
15 reference material from Morton Arboretum or others to
16 determine what is desirable and what is not. If we had
17 a question about particular species we weren't familiar
18 with or that's not listed in these reference materials
19 then we would call our arborist consultant.
20 COMMISSIONER TALTY: Okay, so if somebody
21 comes to you and they want to get a permit, but they
22 don't want to, you know, they can make a case that a
23 tree is a nuisance species like a box elder.
24 CHAIRPERSON BOND: Do I remember, did we have
25 a discussion that you feel that we have too many maples
26 in Northfield? Did somebody mention that, or is that --
27 COMMISSIONER TALTY: Yes, I mentioned it.
28 CHAIRPERSON BOND: Yes, and so that would make
29 sense why it's not on the heritage because there are too
30 many.
31 COMMISSIONER TALTY: Correct.
32 CHAIRPERSON BOND: Maybe sycamore, don't we
33 want sycamore, too? Or maybe I'm --
34 COMMISSIONER TALTY: So, sycamore is one of
35 those trees that are, some people dislike that tree
36 because of the extra large leaves and they feel like
37 they litter, you know. They're kind of, I think most
38 arborists promote using that tree but, you know, there's
39 a downside to that, too. Kind of like your willow, you
40 know.
41 CHAIRPERSON BOND: So, we would like for the
42 committee to consider number six, to scale the list of
43 species of heritage trees to five from the list that
44 they had, or at least consider scaling down the big list
45 maybe if there are some others that you guys have.
46 MR. ORTH: Sure.
47 CHAIRPERSON BOND: But that's the
48 recommendation from us, okay. Is that an agreement?
49 Okay.
50 MR. GUTIERREZ: And then to consider box
51 elder, Osage orange should not be desirable.
52 COMMISSIONER TALTY: Right.
53 CHAIRPERSON BOND: Right, yes.
54 COMMISSIONER EIGEL: The two to one.

1 COMMISSIONER MORRELL: What about this two-to-
2 one ratio?

3 CHAIRPERSON BOND: Yes. So, number four, I
4 thought that was a really good point when we discussed
5 it last time which is, you know, some people may not
6 have enough room to accommodate the ratio and they could
7 end up over-planting. Do you feel that that's
8 something, like that's very real especially through
9 experience?

10 COMMISSIONER TALTY: Yes, I think that's a
11 hard measure to meet, you know, for a lot of
12 residential, even the large lots, that's a hard thing to
13 achieve, the two-to-one ratio.

14 COMMISSIONER EIGEL: If you have one big tree,
15 you'd have to be planting almost 60 inches of
16 replacement trees.

17 COMMISSIONER TALTY: Exactly. I think one to
18 one is, you know, more than --

19 CHAIRPERSON MORRELL: One to one?

20 COMMISSIONER TALTY: Yes.

21 CHAIRPERSON BOND: So, our recommendation
22 would be one to one. Are we in agreement with that?

23 COMMISSIONER MORRELL: Yes, I am.

24 COMMISSIONER BOWYER: So, Kathryn, it's not if
25 you take down one tree, you put in one tree? It's if
26 you took down a 60-inch tree, you're going to have to
27 put back in 60 inches?

28 COMMISSIONER TALTY: 60 inches, yes. Yes,
29 it's a caliper ratio, not an individual tree ratio.

30 COMMISSIONER BOWYER: Two to one is hard.

31 CHAIRPERSON BOND: Okay, so we'll include that
32 we would recommend a one-to-one ratio. So, number four
33 would be a one-to-one ratio versus the two-to-one ratio
34 as our recommendation.

35 MR. ORTH: I think a lot of that came some of
36 the other communities that require trying to get their
37 caliper back is my understanding from what we had from
38 some of the other communities.

39 MR. GUTIERREZ: Yes, most of the other
40 communities are inch for inch. A couple were times two,
41 Lake Forest and Kenilworth. But this would lessen the
42 distinction between a normal desirable tree and a
43 heritage tree, just to remind you of that.

44 CHAIRPERSON BOND: Okay, and these are
45 recommendations, too.

46 MR. GUTIERREZ: Right.

47 CHAIRPERSON BOND: Like based on the allotted
48 time, right? So, should we just continue with seven,
49 reconsider protecting heritage trees in the rear? Well,
50 we discussed that.

51 Consider including evergreens on the
52 heritage list. Do you still feel, I think that was your
53 recommendation. Do you still feel that evergreens
54 should be on there?

1 COMMISSIONER TALTY: It was not my
2 recommendation. I actually think that evergreens are a
3 hard thing to consider.

4 CHAIRPERSON BOND: Oh, yes, I see on the right
5 side, yes.

6 COMMISSIONER TALTY: Yes. Evergreens every
7 year they have something that --

8 CHAIRPERSON BOND: Oh, and Commissioner
9 Morrell, you said no also, okay, so we can strike that
10 unless anyone feels strongly about that? Okay. Incent
11 people to take down nuisance trees.

12 COMMISSIONER MORRELL: I think that's a nice
13 idea, but I think that would need a committee, something
14 that --

15 COMMISSIONER TALTY: Yes, that's not --

16 COMMISSIONER MORRELL: More of a tree
17 committee. I don't think it's going to go into the --

18 COMMISSIONER BOWYER: Code?

19 COMMISSIONER MORRELL: Correct, the code.

20 COMMISSIONER NAZARIAN: That's more of a, I
21 thought we had talked at some point about educating --

22 MR. GUTIERREZ: Public education.

23 COMMISSIONER NAZARIAN: Public education like
24 through the Northfield newsletter, you know, hey, do you
25 realize that what this is in your front yard is actually
26 buckthorn? You might want to get rid of it.

27 MR. ORTH: I think it was going to be called
28 Kathryn's Tree Corner.

29 COMMISSIONER NAZARIAN: Yes. So, rather than
30 incentivizing, just educating people because there's a
31 lot of people who don't even realize that a buckthorn is
32 just a tree version of a weed.

33 CHAIRPERSON BOND: Right.

34 MR. GUTIERREZ: So, that's a consensus? But
35 that was brought up, about public education on a
36 newsletter and on our website.

37 COMMISSIONER TALTY: Yes. Yes, we talked
38 about like the Arbor Day stuff and, you know.

39 MR. ORTH: Right, like Kathryn's Corner.

40 COMMISSIONER MORRELL: I think 11 and nine
41 fall under the same, you know, the rain gardens, that's
42 education, you know, garden clubs could do that. They
43 do do that.

44 CHAIRPERSON BOND: So, 11 would be more like
45 educate.

46 COMMISSIONER MORRELL: Right.

47 CHAIRPERSON BOND: Okay, and I do think, I
48 personally think 12 and 13 and 14 I agree with.

49 COMMISSIONER MORRELL: Right. Me, too.

50 CHAIRPERSON BOND: Right. If we could try to
51 educate new homeowners somehow that there is a tree
52 ordinance, that they can't just start taking stuff down,
53 that would be great.

54 COMMISSIONER MORRELL: Isn't there some

1 welcome wagon when we moved here, we had such a great,
2 we learned everything and you got a little note from
3 everyone at the Village and I got to know Lou Denny
4 really well.

5 COMMISSIONER BOWYER: Well, there's, you know,
6 in some municipalities there are certain documents you
7 have to be given when you close on a piece of property.

8 COMMISSIONER MORRELL: That would be good to
9 have.

10 COMMISSIONER BOWYER: I don't know how that
11 happens, but can that be something that Northfield
12 mandates that you have to be given the tree ordinance at
13 a closing?

14 CHAIRPERSON BOND: I know, I was wondering
15 that, too. I think that would be tremendous.

16 MR. GUTIERREZ: Well, we have no way of
17 knowing when closings are. We don't have a transfer tax
18 so where you have municipalities who have transfer tax,
19 then that's required to be reported, but we don't.

20 COMMISSIONER NAZARIAN: Do you get notice when
21 somebody new comes into the Village though?

22 MR. GUTIERREZ: No.

23 COMMISSIONER NAZARIAN: No?

24 MR. GUTIERREZ: Well, I shouldn't say that. A
25 change in who we sent water bills to, I guess that's the
26 notification we get that there's been a change of
27 ownership or occupancy.

28 COMMISSIONER NAZARIAN: Yes, maybe that could
29 be the trigger. So, when you get that notice, can we
30 send out these automatically?

31 MR. GUTIERREZ: So, I mean, we could make a
32 recommendation. The Village Board, when they make those
33 kinds of decisions, also obviously they take into
34 account Staff time and what that looks like.

35 COMMISSIONER NAZARIAN: Sure.

36 MR. GUTIERREZ: But if you want to make that
37 public education recommendation that as best we can when
38 somebody is new, sure.

39 MR. ORTH: Number 10, we do have a 50-50
40 program for the parkway trees. So, we have that for
41 that number 10. I think if you want to encourage, I
42 don't know that we have the money, it would be something
43 that we put in the budget. If it's not a parkway tree
44 but it's on the front yard, then we'd work with the
45 homeowner to try to encourage a certain type of tree and
46 maybe incentivize them by helping them, you know, with
47 the pricing. If it's a \$400 tree, maybe we say we'll
48 help you, we can give you \$100. I mean, I don't know if
49 that's something the Board would consider.

50 COMMISSIONER TALTY: Winnetka does something
51 similar. Like the, I think it's two times a year, maybe
52 a spring and a fall and they'll say, you know, we have,
53 you know, half a dozen variety of trees and, you know,
54 it's almost like their program, you know.

1 MR. GUTIERREZ: We do that. We have a 50-50
2 parkway tree placement program.
3 MR. ORTH: We have a program just like that.
4 COMMISSIONER TALTY: Perfect.
5 MR. GUTIERREZ: We do advertise that in our
6 newsletter. I think Melissa does social media on that
7 as well every year.
8 COMMISSIONER TALTY: This is anywhere. I
9 think they allow it anywhere on the property, you know.
10 MR. GUTIERREZ: That's a different program,
11 yes.
12 CHAIRPERSON BOND: I mean, that actually kind
13 of --
14 COMMISSIONER MORRELL: I don't know how, they
15 used to have that in Northfield 30 years ago. I know I
16 planted trees that way.
17 CHAIRPERSON BOND: Yes, I think that would be
18 the incentive you're looking for.
19 COMMISSIONER BOWYER: 15 years ago they
20 planted them, too.
21 MR. ORTH: Well, I know they did some stuff
22 with Arbor Day in the years past, too, that kind of
23 program.
24 CHAIRPERSON BOND: So, that could be an idea
25 of taking this desirable tree list and then having the
26 incentive of we do a 50-50 on your property, or for
27 heritage trees we will do it 50-50, or just a
28 discounted. If you put these trees in, we can get them
29 for you at a discounted price over if you go somewhere
30 else. That might be part of an incentive you're talking
31 about, right? That would be good.
32 COMMISSIONER NAZARIAN: But does the Village
33 have the budget to do that?
34 MR. ORTH: No, that would have to be something
35 that would have to be added to the following year's
36 budget and see if we get a rough idea out there of how
37 many people would be interested and the dollars it would
38 be. I mean, that's the deal with the 50-50 program is
39 that there's only a certain list of trees that they
40 incentivize and work with you on the 50-50. So, they're
41 not going to pay for a tree that you want if it's not on
42 the list.
43 CHAIRPERSON BOND: Right.
44 MR. ORTH: This list that we're talking about
45 for the parkway trees.
46 COMMISSIONER BOWYER: Does that 50-50 include
47 planting?
48 MR. ORTH: Yes.
49 COMMISSIONER MORRELL: Where does the money
50 go?
51 MR. GUTIERREZ: Well, we don't do the
52 planting.
53 COMMISSIONER BOWYER: You subcontract it
54 though, don't you?

1 MR. GUTIERREZ: So, we subcontract it, but
2 again, this is for, 50-50 is for parkway trees.
3 COMMISSIONER BOWYER: No, I understand that.
4 MR. GUTIERREZ: So, we do a contract, you
5 know, once a year with a nursery. So, yes, we say, hey,
6 these are the trees we want to plant this year and it
7 includes the labor obviously of installation because we
8 don't do that. We wouldn't do the installation
9 ourselves, especially since it's a private property.
10 That type of program will need a good
11 deal of administration.
12 CHAIRPERSON BOND: Well, that would be down --
13 MR. GUTIERREZ: At cost I think was what --
14 COMMISSIONER TALTY: I think it should be at
15 cost. I don't think it should cost the Village
16 anything.
17 CHAIRPERSON BOND: Yes. No, it shouldn't cost
18 the Village anything.
19 MR. GUTIERREZ: Well, it will cost us to
20 administer it because we will have --
21 COMMISSIONER BOWYER: But if we charge enough,
22 then that can cover the administration, too.
23 CHAIRPERSON BOND: That's true.
24 MR. GUTIERREZ: So, I'm just saying that we
25 would have to staff that because now I think we get --
26 COMMISSIONER TALTY: I think these are just
27 suggestions anyway, right?
28 MR. GUTIERREZ: Absolutely. The Village Board
29 can make that fiscal decision.
30 CHAIRPERSON BOND: I have a couple of
31 questions about the parkway though which will also bring
32 this 10-foot triangular area, but on Bosworth the
33 Village took down trees and they haven't been replaced.
34 So, is the only way that you're replacing parkway trees
35 is if the homeowner is willing to do the 50-50, or are
36 you replacing the trees that you come in and take down?
37 Because I know for a fact, I knew one of the homeowners,
38 they didn't have a choice, the Village took the tree
39 down, they decided it was diseased or something and we
40 have this big area now on Bosworth that is just barren
41 because those homeowners didn't replace the trees. The
42 Village came in and took them down.
43 I think that scenario should not happen.
44 I think if the Village comes in, they take out a tree
45 that is diseased or dead, they ought to put one back in,
46 or at least like, I don't know, but it's a bit sad
47 because it's a long area now that all these trees were
48 taken out and no one has put them back.
49 MR. GUTIERREZ: Unfortunately, I can't answer
50 the question, so I don't know if there's a policy that
51 automatically replaces them or not.
52 CHAIRPERSON BOND: I don't think there is.
53 That is a question, a very real question I have for the
54 Village.

1 COMMISSIONER MORRELL: Public Works would know
2 that.
3 CHAIRPERSON BOND: And why like, it's been
4 years now and there's no trees.
5 COMMISSIONER MORRELL: Just call Mike
6 Nystrand. I called and e-mailed one time and he always
7 does what he --
8 MR. ORTH: Well, the only other thing, too,
9 that can happen is when you have a tree, depending on
10 how big it was and the root structure, you may not be
11 able to put a tree back in that same spot because the
12 root structure is so huge that you can't put the tree
13 back in that same spot.
14 CHAIRPERSON BOND: That's true.
15 MR. ORTH: So, there's these issues, there's
16 also, depending on where the gas line, the water line
17 and the sewer line run, maybe there's a narrow pathway
18 that that could go in, now it can't go next to it
19 because --
20 CHAIRPERSON BOND: Maybe a smaller tree.
21 MR. GUTIERREZ: Questions/suggestions, you
22 know, we can certainly --
23 MR. ORTH: We've got all sorts of issues with
24 that having gone through it myself just recently, so I
25 know it first-hand about what you can put back and where
26 and when.
27 CHAIRPERSON BOND: Okay.
28 COMMISSIONER MORRELL: So, I have a little
29 off-topic question. The money you collect from all
30 these trees, like the heritage trees, when people take
31 them down because they're building or clearing a lot,
32 does that money go back into the coffers --
33 MR. GUTIERREZ: General fund.
34 COMMISSIONER MORRELL: For the general fund?
35 MR. GUTIERREZ: Yes. We don't have a tree
36 fund.
37 CHAIRPERSON BOND: Can you please explain, and
38 I know I had asked this once, but I never found, the 10-
39 foot triangular area, because I'm not sure if I'm
40 understanding it but my concern is, in our neighborhood,
41 the houses are kind of close. So, if it's a 10-foot
42 area that you, because I think I had asked you just on
43 e-mail, does that mean you can't plant a tree? So, that
44 would mean the two trees by my driveway would not have
45 been allowed to be there, and the tree by my neighbors'
46 would not. So, that would put one maybe tree in the
47 middle between our two driveways would be the only place
48 it could go if I'm understanding the 10-foot triangle.
49 MR. GUTIERREZ: Yes. So, the 10-foot triangle
50 is measured from where the sidewalk intersects your
51 driveway to the right, to the left.
52 CHAIRPERSON BOND: Okay.
53 COMMISSIONER TALTY: Wait, did I just do --
54 CHAIRPERSON BOND: I don't know. Is that

1 right?

2 COMMISSIONER NAZARIAN: Well, so what about
3 existing trees? Are those grandfathered in?

4 MR. GUTIERREZ: Yes, we would grandfather
5 those in.

6 COMMISSIONER MORRELL: What if, even if it's
7 something that's grandfathered, this is something I had
8 a question about when I was reading through this because
9 it confused me. It said here on the right column, I
10 would anticipate we would enforce this on new
11 construction and on a complaint basis. What constitutes
12 a complaint?

13 MR. GUTIERREZ: Yes, I think we're trying the
14 complaint basis, so if we grandfather existing trees in
15 single-family residential properties.

16 COMMISSIONER MORRELL: Okay.

17 CHAIRPERSON BOND: Okay, so Kathryn and I, or
18 she was explaining the triangular, she drew it for me.

19 MR. GUTIERREZ: Thank you.

20 CHAIRPERSON BOND: So, you said typically you
21 can have a tree because a tree will grow if the tree
22 will grow high enough. That's something I don't think
23 we should prevent because then in neighborhoods like
24 mine where the driveways are closer together, you have
25 less option for the parkway, like we have some really
26 beautiful parkway trees, but definitely with this 10-
27 foot, it would prevent some of that happening.

28 MR. GUTIERREZ: Yes, some sight triangle
29 requirements exempt trees provided the limbs are at
30 least --

31 COMMISSIONER TALTY: Are high.

32 MR. GUTIERREZ: Yes.

33 CHAIRPERSON BOND: Okay, or you could have a
34 tree, provided that it's tall enough?

35 MR. GUTIERREZ: This was, well, this was
36 drafted to include trees.

37 COMMISSIONER TALTY: Yes, they usually say,
38 you know, you can't have anything over two feet or, you
39 know, you can't have anything over two feet and you
40 can't have branches lower than six feet or something
41 like that. There's usually, you know, some --

42 MR. GUTIERREZ: Some inches.

43 MR. ORTH: Because the branches block the view
44 of the parkway.

45 COMMISSIONER TALTY: Just for visual, you
46 know, so you can pull a car out.

47 CHAIRPERSON BOND: So, are there any other
48 points that we would like to recommend or discuss?

49 MR. GUTIERREZ: Was there a consensus on that
50 one, to exclude trees from that particular site triangle
51 requirement?

52 CHAIRPERSON BOND: Oh, no, to include, not --

53 COMMISSIONER TALTY: No, it's --

54 COMMISSIONER EIGEL: Exclude trees from

1 exclusion.
2 CHAIRPERSON BOND: Oh, okay.
3 MR. GUTIERREZ: Sorry, let me rephrase that.
4 We would not apply the site triangle requirements to --
5 CHAIRPERSON BOND: Okay, right, right. To
6 exclude, you're right, exclude trees from the --
7 COMMISSIONER TALTY: You could say shade
8 trees.
9 CHAIRPERSON BOND: Right.
10 MR. GUTIERREZ: But we'd add a range of --
11 CHAIRPERSON BOND: Right, so that trees could
12 be allowable. Sorry, I'm with you now.
13 COMMISSIONER TALTY: You could say shade trees
14 versus --
15 MR. GUTIERREZ: In the parkway only.
16 COMMISSIONER NAZARIAN: And eliminate the
17 complaint language.
18 MR. GUTIERREZ: I'm sorry?
19 COMMISSIONER NAZARIAN: And eliminate the
20 complaint language.
21 MR. GUTIERREZ: Well, we weren't going to say
22 that in the code language. I was just saying that's how
23 we would administer it
24 COMMISSIONER NAZARIAN: Okay.
25 CHAIRPERSON BOND: So, do we have any other
26 discussion items for the tree ordinance? Then, do you
27 think that that is, the information is definitive
28 enough, Steve?
29 MR. GUTIERREZ: Can I just walk through these?
30 You agree that we're not going to, number one is a no to
31 consensus. Number two?
32 COMMISSIONER MORRELL: That could fall under
33 education.
34 MR. GUTIERREZ: That could be public
35 education.
36 COMMISSIONER MORRELL: Public education.
37 MR. GUTIERREZ: Okay, number three? I don't
38 think we discussed that or at least entered into a
39 consensus on it.
40 COMMISSIONER MORRELL: I think you --
41 MR. GUTIERREZ: Sliding scale?
42 COMMISSIONER MORRELL: Yes.
43 MR. GUTIERREZ: I mean, I don't know how we
44 would do that, honestly, but I just want to confirm that
45 there was a consensus on that part.
46 COMMISSIONER MORRELL: But really we're saying
47 we're leaving it in the Village's hands in that case, in
48 that situation, right?
49 MR. GUTIERREZ: I just don't want to give you
50 expectations that we're going to do a deep dive analysis
51 on these permits --
52 CHAIRPERSON BOND: Right.
53 MR. GUTIERREZ: -- because we just don't --
54 COMMISSIONER NAZARIAN: Yes, don't have the

1 staffing.

2 COMMISSIONER MORRELL: Oh, this is the permit
3 question you're saying, okay, yes. So, no, we didn't
4 have consensus on that.

5 COMMISSIONER NAZARIAN: I don't see how it's,
6 practically speaking, the Village can enforce that in a
7 way that's fair, right, and provides that equal
8 protection to all of the residents, especially when
9 you've got so many different lot sizes.

10 MR. GUTIERREZ: So, consensus is no on that
11 one.

12 COMMISSIONER MORRELL: Four is we want a one
13 to one replacement ratio.

14 MR. GUTIERREZ: One to one. Fees, did we talk
15 about, do we have a consensus on that?

16 CHAIRPERSON BOND: I think we decided, since
17 we're narrowing the list of heritage, that you can leave
18 the fee structure that you're recommending.

19 MR. GUTIERREZ: As proposed.

20 COMMISSIONER EIGEL: Making the replacement a
21 more manageable replacement so that it seems like the
22 fee on the heritage would be a more focused fee.

23 CHAIRPERSON BOND: Right.

24 MR. GUTIERREZ: Right, okay. Perfect, that
25 covers it.

26 CHAIRPERSON BOND: Yes, and then, there we go,
27 right.

28 CHAIRPERSON BOND: Then, Steve, I just have a
29 couple of quick questions that I think since this is
30 typically under our umbrella, Northfield Road has some
31 things going on it. So, I was on the committee,
32 Commissioner Morrell was on the committee, I don't
33 remember who else when we started those monument signs
34 on Northfield Road. So, there's one at My Body complex
35 and someone has written on a black marker Tender Care
36 Systems instead of, and it's just written with a Sharpie
37 because it's white.

38 So, I think in the future we probably
39 need to make sure that those are dark so that somebody
40 won't take a Sharpie and write on it instead of coming
41 in front of us to have it done correctly, but I noticed
42 that because I walk down the street.

43 The other thing is --

44 COMMISSIONER BOWYER: But what will we do
45 about that one?

46 CHAIRPERSON BOND: Well, the Village will go
47 and let them know that --

48 MR. GUTIERREZ: Well, they can only do what
49 was approved by you guys.

50 CHAIRPERSON BOND: Yes, and they didn't come
51 in front of us. So, it's typically, like if someone on
52 Staff goes by it, then they'll make a note and then
53 they'll contact, correct?

54 MR. GUTIERREZ: Yes.

1 CHAIRPERSON BOND: And they'll have a
2 discussion like, oh, you can't do that, you have to have
3 an appropriate sign. But I think in the future we
4 probably should make sure that anything that is blacked
5 out is dark so that that can't happen, right?

6 Then I noticed the Biedermann building
7 has construction on it. Is that something that they
8 just came to the Village to do? They're building out
9 six different areas on the Biedermann building on the
10 facade, and we haven't seen that.

11 MR. GUTIERREZ: The facade?

12 CHAIRPERSON BOND: Yes, on the facade. There
13 are six; I have pictures actually.

14 COMMISSIONER TALTY: What building was that?

15 CHAIRPERSON BOND: The Biedermann, it's the
16 old Biedermann building.

17 MR. GUTIERREZ: It's the one where the
18 Heritage Trail Mall moved into.

19 COMMISSIONER TALTY: Yes.

20 MR. GUTIERREZ: They moved into the north end
21 of that.

22 CHAIRPERSON BOND: Able Distributors, and
23 actually there was a sign on it that said Happy to See a
24 New Business and Encourage New Business in Northfield,
25 Able Distributors. So, hopefully it looks good because
26 it's being built. That was, yes, those two were pretty
27 much it.

28 MR. GUTIERREZ: We'll run that down --

29 CHAIRPERSON BOND: Yes. So, if you are in the
30 Village and you see things like that, you can contact
31 Steve and let him know, hey, I don't remember us
32 approving it, and then they'll take a look at it.

33 MR. GUTIERREZ: Yes.

34 CHAIRPERSON BOND: And then I just wanted to,
35 really fast, give recognition to Bernardi Securities
36 that we passed last year. They have done such a
37 beautiful job with their facade.

38 COMMISSIONER MORRELL: It's beautiful.

39 COMMISSIONER NAZARIAN: Really nice.

40 CHAIRPERSON BOND: Their landscaping I think,
41 you know, for the record, I just want to, you know, say
42 I think that they could be, you know, go look at
43 Bernardi Securities, that's what we want you to do,
44 right?

45 So, all right. Well, thank you. Any
46 other items before we end the meeting?

47 MR. ORTH: And I just want to say thank you
48 for all your input. There's a lot that goes into this,
49 and it goes back and forth and we really appreciate it.
50 This is something that's kind of, you guys seem to go
51 back and forth and back and forth and, you know, we will
52 discuss this and take everything into account. I'll
53 make sure I relay your concerns about certain issues to
54 them as well.

1 So, that's kind of the nice thing about
2 having somebody that's on both sides so to speak, you
3 know, that I'm here to hear what you guys have to say.
4 It's much easier to actually see it in person than just
5 to try to read all the minutes. Steve does a great job,
6 but to try to read all the minutes you get a better
7 understanding on it. So, I'll make sure to give any of
8 that information when we get together, and Steve has a
9 lot of notes. So, again, thank you for all your work.

10 MR. GUTIERREZ: It was a lot of heavy lifting
11 for you and we appreciate it.

12 CHAIRPERSON BOND: Thank you.

13 COMMISSIONER TALTY: Thank you.

14 CHAIRPERSON BOND: So, our next meeting is
15 Monday, September 12th. You know, we do not have a
16 meeting in August, right? So, may I have a motion to
17 adjourn?

18 COMMISSIONER MORRELL: So moved.

19 CHAIRPERSON BOND: Second?

20 COMMISSIONER BOWYER: Second.

21 CHAIRPERSON BOND: In favor?

22 (Chorus of ayes.)

23 CHAIRPERSON BOND: Meeting adjourned. Thank
24 you, everyone, for your time.

25 (Whereupon, at 8:29 p.m., the above
26 meeting was adjourned.)

27

28

29 APPROVED 8/22/22

30

31

32

33

34

35

36

37

38

39

40

41

42

43

44

45

46

47

48

49

50

51

52

53