

Approved
Ryan / Peterson

**MINUTES
VILLAGE OF HINSDALE
PLAN COMMISSION
December 14, 2016
MEMORIAL HALL
7:30 P.M.**

Chairman Cashman called the meeting to order at 7:30 p.m., Wednesday, December 14, 2016, in Memorial Hall, the Memorial Building, 19 East Chicago Avenue, Hinsdale, Illinois.

PRESENT: Chairman Cashman, Commissioner Ryan, Commissioner Peterson, Commissioner Fiascone, Commissioner Crnovich, Commissioner McMahon and Commissioner Willobee

ABSENT: Commissioner Unell and Commissioner Krillenberger

ALSO PRESENT: Robb McGinnis, Director of Community Development, and Michael Marrs, Village Attorney
Applicant Representatives for Case: A-35-2016, and A-18-2016

Approval of Minutes

Chairman Cashman asked the Plan Commission (PC) to approve the minutes from November 9, 2016, as presented.

Commissioner McMahon motioned and Commissioner Crnovich seconded. The motion passed unanimously (7 Ayes, and 2 absent).

Exterior Appearance Review

Case A-35-2016 – 339 W. 57th St. – Jacobs for Verizon Wireless - Exterior Appearance for Telecommunication Equipment upgrades on an Existing Antenna Location. This is a Public Meeting item that has followed the Notice Requirements for Nonresidential properties within 250 feet from a single family zoning district.

Chairman Cashman introduced the next item on the agenda as cellular upgrades at the water tower, and asked if the applicant could please present.

Mr. Paul Williams, from the Jacobs Company, introduced himself and is representing the application on behalf of Verizon Wireless. He explained that there are currently 9 antennas and the request is to remove the 9 to install 6 antennas and adding additional equipment called RRU's and raycaps. Currently, there are 4 pipe mounts in each sector, 12 altogether, and this request will be utilizing all 12 mounts. He added the total additional surface area will be 22 inches by 22 inches.

Chairman Cashman asked if there are any questions or comments for the applicant. With none, he thanked the applicant.

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Chairman Cashman stated having no questions, he asked for a motion to approve the application as submitted.

Commissioner Willobee motioned to approve, Commissioner Fiascone seconded and the motion passed unanimously (7 Ayes and 2 absent).

Public Hearing – All those wishing to provide public testimony must be sworn in and after the applicant makes their presentation will be recognized by the Chair to speak.

Case A-18-2016 – 55th St./County Line Rd. – Hinsdale Meadows Venture, LLC – Text Amendment to Section 3-106: Special Uses, to allow a Planned Development in any single-family residential district, subject to the issuance of a special use permit, and subject to a minimum lot area of 20 acres.

Chairman Cashman reviewed the next item on the agenda as public hearing item case A-18-2016, the Hinsdale Meadows venture at 55th Street and County Line Road, continuing from the November 9, 2016, PC meeting.

Chairman Cashman asked for a motion to formally continue the public hearing.

Commissioner McMahon motioned to approve, Commissioner Crnovich seconded and the motion passed (7 Ayes and 2 absent).

Chairman Cashman welcomed back Mr. James.

Mr. Edward James introduced that he would like to address some of the questions raised at the last public hearing on November 9, 2016. He explained, these questions focus on: (1) school enrollment, using the Rutgers statistics,; (2) if on-street parking would be allowed and is it available, (3) storm water management (and mentioned their engineer is present to answer any questions), (4) existing pond conditions, (5) additions to Article 19 of the HOA declaration, paragraphs 18 and 19, and (6) basement information (such as walk-out vs. window basement).

(Please see the attached transcript for Case A-18-2016 included as part of this record, Attachment 1)

Chairman Cashman asked for a motion to continue the public hearing on January 11, 2017.

Commissioner McMahon motioned to approve, Commissioner Crnovich seconded, and the motion passed unanimously (7 Ayes and 2 absent).

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Case A-26-2016 – 21 W. Second St. – TinkRworks, LLC –Special Use Permit Application to allow tutoring educational services in the O-2 Limited Office District. This item is for scheduling for a public hearing.

Case A-33-2016 – 534 Chestnut St. – Christine Stec – Special Use Permit Application to allow tutoring educational services in the O-2 Limited Office District.

Chairman Cashman asked Chan about Cases A-26-2016 and A-33-2016, and if a text amendment would be required.

Chan responded yes, although “tutoring” falls under the same Standard Industrial Classification (SIC) code as “music schools”, however, since the concern was raised, we will proceed carefully through a text amendment (for the Zoning Code to specifically reference “tutoring”).

Chairman Cashman asked if that means we should continue both cases to the next meeting.

Chan responded correct.

Chairman Cashman asked for a motion to continue Cases A-26-2016 and A-33-2016 for the next PC meeting.

Commissioner Peterson asked for clarification, if TinkRworks is currently occupying the space.

Mr. McGinnis responded that staff found out in the afternoon on the date of the last Plan Commission meeting, and have taken enforcement action.

Commissioner Peterson responded OK.

Mr. McGinnis further clarified Commissioner Crnovich’s point from the last meeting; although the SIC Code remains the same, “tutoring”, from staff’s perspective, is a lower intensity use, is not specifically listed as a permitted Special Use (in the Zoning Code). To that end, we will proceed more carefully and ask the Board to refer it through a text amendment if they believe it’s appropriate.

Chairman Cashman said he agrees with this, so that it is crystal clear and not based on looking up (SIC) code numbers. It will also be better for future applicants, since they can immediately reference their use in the Zoning Code.

Commissioner Crnovich added being in the buffer zone, we should be extra careful.

Chairman Cashman asked for a motion to continue Case A-26-2016 for the next PC meeting.

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Commissioner Peterson motioned to approve, Commissioner Willobee seconded, and the motion passed unanimously (7 Ayes and 2 absent).

Chairman Cashman asked for a motion to continue Case A-33-2016 for the next PC meeting.

Commissioner McMahon motioned to approve, Commissioner Crnovich seconded and the motion passed (7 Ayes and 2 absent).

Chairman Cashman added that next month's meeting will be a busy one, since it will be likely that Hinsdale Middle School (HMS) will be on the agenda, along with the Hinsdale Meadows application. He also said there will be a special meeting on Thursday, January 19, 2017, to assist the 90-day review window (State law) for a school district application.

Commissioner Willobee asked if the 90 days reflects the entire review process.

Chairman Cashman replied correct. He also added there were recent adjustments to the school designs based on neighborhood meetings. Additional HMS design changes ensued, including moving the bus lane back to the existing location, and completing a traffic study.

The meeting was adjourned unanimously at 9:16 p.m.

Respectfully Submitted,

A handwritten signature in black ink, appearing to be 'Chan Yu', written in a cursive style.

Chan Yu, Village Planner

STATE OF ILLINOIS)
) SS:
COUNTY OF DU PAGE)

BEFORE THE VILLAGE OF HINSDALE
PLAN COMMISSION

In the Matter of:)
)
Case A-18-2016)
55th St./County Line Road -)
Hinsdale Meadows Venture, LLC)
Text Amendment to Section 3-106:)
Special Uses, to allow a Planned)
Development in any single-family)
residential district, subject to)
the issuance of a special use)
permit, and subject to a minimum)
lot area of 20 acres.)

REPORT OF PROCEEDINGS had and testimony
taken at the continued public hearing of the
above-entitled matter before the Hinsdale Plan
Commission at 19 East Chicago Avenue, Hinsdale,
Illinois, on the 14th day of December, 2016, at
the hour of 7:30 p.m.

BOARD MEMBERS PRESENT:

- MR. STEPHEN CASHMAN, Chairman;
- MS. JULIE CRNOVICH, Member;
- MS. ANNA FIASCONE, Member;
- MS. LAURIE MC MAHON, Member;
- MR. SCOTT PETERSON, Member;
- MS. MARY RYAN, Member;
- MR. MARK WILLOBEE, Member.

ALSO PRESENT:

- MR. ROBERT MC GINNIS, Director of
Community Development/Building
Commissioner;
- MR. MICHAEL A. MARRS, Village Attorney;
- MR. CHAN YU, Village Planner;
- MR. EDWARD R. JAMES, Edward R. James
Companies;
- MR. MICHAEL BALAS, Edward R. James
Companies;
- MR. BRETT DUFFY, Spaceco Inc.;
- MS. JANET GRISEMER;
- MR. PHILIP MORIARTY.

* * *

1 Tonight, as we have in the past, we
 2 would like to address some of the questions that
 3 were raised at the last meeting and which we
 4 have hopefully found suitable answers to. We
 5 will go over those this evening. They are
 6 basically the school enrollment using the
 7 Rutgers statistics and the school district of
 8 the age-targeted communities and what school
 9 district these homes, these communities were in.
 10 Then there was a question about on-street
 11 parking, would it be allowed and is it
 12 available. Stormwater management, we have our
 13 engineer with us tonight to respond to any
 14 questions you might have there. Existing pond
 15 conditions. And then additions to Article IX of
 16 the homeowner declaration, paragraph 18 and
 17 paragraph 19, play equipment on lots and board
 18 of directors expanded control. And then
 19 basement information, standard basements, which
 20 is a typical closed basement with the window
 21 wells and so forth, a window basement, and a
 22 walkout basement; and we will review those.

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1 CHAIRMAN CASHMAN: Our next order of
 2 business is to reopen the public hearing that
 3 was continued at the November 9 meeting.
 4 Can I have a motion to open the
 5 public hearing.
 6 MS. MC MAHON: So moved.
 7 MS. CRNOVICH: Second.
 8 CHAIRMAN CASHMAN: Anna?
 9 MS. FIASCONE: Aye.
 10 MR. WILLOBEE: Aye.
 11 MS. CRNOVICH: Aye.
 12 CHAIRMAN CASHMAN: Aye.
 13 MS. MC MAHON: Aye.
 14 MR. PETERSON: Aye.
 15 MS. RYAN: Aye.
 16 CHAIRMAN CASHMAN: Welcome back.
 17 MR. JAMES: Thank you. For the record,
 18 my name is Edward James, Edward James Companies.
 19 It's nice to be here. And so I don't forget, if
 20 the evening gets too long, we bring you
 21 greetings for a Merry Christmas and happy
 22 holidays and whatever else we can conjure up.

07:34:01PM

1 So let me see if I can start the
 2 PowerPoint. I think each of you have in front
 3 of you a copy of the PowerPoint presentation.
 4 And Mike, let me if I get this
 5 right --
 6 (Witnesses sworn en masse.)
 7 CHAIRMAN CASHMAN: Thank you.
 8 MR. JAMES: On the screen and in front
 9 of you we will review the estimated population
 10 and student generation. The first line shows
 11 Hinsdale Meadows based on our survey of the
 12 comparable developments. The total population
 13 was estimated at 124, the elementary students
 14 were at 4, and the high school students at 2.
 15 The Rutgers study, the Rutgers analysis would
 16 show the population, total population of 137,
 17 elementary students at 9, and high school
 18 students at 6. The current zoning based on
 19 4 and 5 bedrooms using the Rutgers analysis
 20 would have 129 population, total population, 29
 21 elementary students, and 8 high school students.
 22 The proposed plan based on the subdivision code

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1 would estimate that there would be 182 people in
2 the development, in this development. And they
3 do not, shouldn't do anything regarding the
4 students, either elementary or high school. And
5 the current planning, current zoning for 4- and
6 5-bedroom homes shows 137. And the same, no
7 answer for the high school and elementary
8 students.

9 It's interesting to note at the
10 bottom of the page that when we spoke to the
11 school superintendent of District 181 he made
12 the statement, and it's in the packet that you
13 have received, that even if the elementary
14 students were increased from 4 to 9 no
15 additional staffing needs would arise. And his
16 thought process -- I don't want to speak for
17 him -- but from what I understood was that those
18 children may not be in the same class, and they
19 may not even be in the same school building so
20 they could be assimilated easily. But that is
21 the answer to the estimated population and
22 student generation using the Rutgers analysis

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1 done it.
2 The next page is an interesting
3 response again to your questions. And this is
4 the -- When we did our study of 12 communities,
5 the question was asked what school district were
6 they in. And we went ahead and added the number
7 of units and then the children in each of those
8 communities, and it totals up to 631 total
9 units. 25 children in the elementary are
10 K through 8 and 11 high school. And that's
11 .040 percent for elementary and .17. 1 point
12 less than .020 for the high school district. So
13 we are competent of what we, what we have
14 projected for our own school population.

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15 Moving on to the next page if I can
16 get it. Yes, parking. Parking for each of our
17 homes will have an attached two-car garage. And
18 they will have accommodations for at least two
19 cars in their driveway. We questioned the
20 Village and the Chief of Police, who is
21 responsible for monitoring the roads and what
22 have you. He wrote us a note. He came out and

1 and then also comparing it with our own actual
2 survey.
3 CHAIRMAN CASHMAN: Thank you for doing
4 that.
5 MR. JAMES: You are welcome. You are
6 welcome.
7 CHAIRMAN CASHMAN: That was my request.
8 MR. JAMES: That's okay.
9 CHAIRMAN CASHMAN: I think it was
10 interesting. And in my mind it doesn't show a
11 huge variation. And I did find it interesting,
12 what Hinsdale Superintendent Don White said
13 about it. And this makes sense. If you had
14 some in the elementary school, some in the
15 middle school isn't really going to impact them
16 even in worst-case scenario.
17 MR. JAMES: I'm quite surprised, quite
18 frankly, that the Rutgers study hasn't been
19 updated to provide for empty-nester house. It's
20 such a powerful and dynamic form of development
21 nowadays that you would think that they would do
22 it. But for some reason, they have just not

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1 inspected the roads and said that the roads are
2 sufficient to provide for on-street parking on
3 both sides and that they would go under further
4 study where they would, if they said no parking
5 here and no parking there, and they would also
6 monitor. And the attitude there is no overnight
7 street parking allowed in accordance with the
8 Village Code so we are comfortable with that.
9 Stormwater management. We have
10 asked, and I think the Village engineer and our
11 engineer and others met some months ago, and
12 talked about the existing detention pond and
13 concluded that we would retain the existing
14 detention pond because it would be impractical
15 and hugely prohibitive costwise to convert the
16 area into a wetland. It's been functioning
17 well. We have not received one complaint in the
18 15 or 14 years we have owned the property that
19 there has been any off-stream, offsite flooding.
20 And I think before we bought the property we did
21 hear that they always -- or had been instances
22 where to the east or southeast water had gone

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1 downstream and flooded either lots or houses or
2 whatever.

3 The total impervious surface
4 coverage is 9.5 acres. There is no increase in
5 the runoff curve number, that's called the RCN,
6 of 83. That's for the existing plan or for the
7 revised plan, which you -- the 59 units. We
8 will raise the existing outfall structure by .24
9 feet, which is less than 3 inches. And we have
10 also been told that the revised detention pond
11 capacity provides for sufficient capacity for
12 the proposed plan.

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13 Then we were asked about the
14 existing pond conditions. That's your next
15 page. The pond depth is 8 to 10 feet. And any
16 necessary pond cleanup, sediment, weed, and
17 algae control will be confirmed and done during
18 the final engineering process. We have a pond
19 in our back yard and where we live now, and we
20 have cattails. So we treated the cattails late
21 this fall by September, and you do it
22 systemically. You don't pull them out. And

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1 trustees as well as your approval.

2 The next page is the homeowners
3 declaration and referencing Article IX. You
4 have in front of you the revised declaration. I
5 also dropped off a sheet, a single page with red
6 type on it. That is, that's page 33, which
7 includes paragraphs 18 and 19 in the
8 declaration.

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9 And specifically, paragraph 18
10 deals with "There shall be no trampolines,
11 basketball hoops, swing sets, above ground pools
12 or other similar types of recreational equipment
13 permitted on a lot." That specifically itemizes
14 the swing sets and what have you that we were
15 questioned about.

16 CHAIRMAN CASHMAN: For 18, this is
17 important to note, that page in our packet does
18 not match this. It must not have been revised.
19 So the page that was in here was incorrect.

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20 MR. JAMES: Okay.
21 CHAIRMAN CASHMAN: Paragraph 18 reads
22 differently. It says --

1 they die, they go down. And then they are all
2 gone, clean as a whistle at this point. And we
3 would do the same thing with the cattails that
4 have grown up in that pond.

5 The actual detention, the question
6 was asked what about any sediment buildup. And
7 the response of that is in your packet. But in
8 short, actual detention volume determined above
9 the normal waterline, that's where it's
10 determined. Therefore, any sediment buildup
11 does not upset the detention volume. So we are
12 very comfortable again with the way the pond is
13 acting and what's happened to it in the last few
14 years.

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15 The Village engineering staff's
16 preliminary recommendation is to keep the pond
17 as a wet basin, and we would pay the fee in lieu
18 of converting it to a wetland. And we would
19 need that recommendation, I think, or the Plan
20 Commission would need it or the Plan Commission
21 maybe has it. But we would want, we would
22 expect that, that approval to be sent on to the

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1 MR. JAMES: In Article IX?

2 THE WITNESS: Pardon me?

3 MR. JAMES: In Article IX?

4 MR. BALAS: We added that extra, that
5 change in the extra paragraph was made after our
6 submittal package.

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7 CHAIRMAN CASHMAN: Okay. What was in
8 here when I read it here, I was thinking --

9 MR. JAMES: Paragraph 18 was added
10 after we printed that. Now it includes that.

11 MR. BALAS: As an oversight, yes.

12 CHAIRMAN CASHMAN: Okay. Because
13 that's where it was confusing to me. And then I
14 asked Chan to send me the whole article. And
15 then when I read the whole article, it was
16 revised.

17 MR. JAMES: That was not -- Yes. You
18 do have a revised declaration separate from the
19 packet.

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20 CHAIRMAN CASHMAN: So just to point
21 out, so the one that we received here, this is
22 the official language.

1 MR. JAMES: Yes, that will be the
 2 official language.
 3 CHAIRMAN CASHMAN: The one that was in
 4 the bound packet was incorrect.
 5 MR. JAMES: Right.
 6 Now, let me speak to paragraph 19.
 7 And this was after a long conversation with our
 8 legal counsel, who has been doing these
 9 declarations and documentations for us for,
 10 well, since the beginning, about 45, 50 years.
 11 He said, No matter how many items you list,
 12 somebody will come up with another use that they
 13 want to do on their property, you just can't
 14 list them all. So he crafted the language
 15 that's in your packet that gives the board of
 16 directors of the homeowners association to
 17 determine in their own way whether or not
 18 something is a nuisance.
 19 And this determination does not
 20 have to come as a result of a complaint. They
 21 can see something that maybe the neighbor
 22 doesn't want to say something to their neighbor

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1 designed to be escape routes. But it's a
 2 standard, unfinished basement.
 3 Then we have what we call a lookout
 4 basement. Now, the lookout basement is where
 5 you have a site, a site where the building is
 6 located, and it may drop two or three feet from
 7 the front of the lot streetside to the back of
 8 the lot. And so we have to deal with that in
 9 the elevation and the foundation of the
 10 building. Well, as the lot drops away going
 11 down, you have a greater exposure of the
 12 concrete foundation. So rather than just having
 13 a big, ugly concrete foundation sticking out of
 14 the ground, we put windows. And that's what we
 15 call a window basement, an English basement if
 16 you will. And it's looking out over the,
 17 whatever the backyard has in it.
 18 Then where the lot configuration
 19 has a severe drop-off from front to rear, we
 20 have what we call a walkout basement. And this
 21 basement would have sliding glass doors, a lower
 22 patio, and presumably a deck at the first -- at

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1 or whatever the case may be. But the board of
 2 directors will say, We believe this is a
 3 nuisance and we want you to stop it or what have
 4 you. And they, this gives them that full
 5 control. And it takes away the opportunity for
 6 anyone to say, well, it wasn't listed in the
 7 book so, therefore, it's approved. And we think
 8 this catchall phrase is very good. And that's
 9 why we inserted it into the declaration. We
 10 did, however, at the request -- and I can't
 11 remember where it came from -- addressed the
 12 subject of swings and what have you in
 13 paragraph 18.
 14 And the next page deals with the
 15 plans for the basements. The definition of a
 16 basement or our standard lookout or walkout and
 17 what we put in the building is totally dependent
 18 on the site where the building is located. If
 19 the site is relatively flat, then we call that a
 20 standard basement. It's a typical basement.
 21 You go down the basement, there is window wells.
 22 And they have an escape mechanism, or they are

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1 the grade level off the living room or wherever
 2 it is in the floor plan.
 3 But those are the three
 4 configurations. One could have an option for a
 5 crawl space instead of a standard basement. One
 6 could have an option for a slab on grade, which
 7 is heated, the perimeter would be heated, so
 8 that it is warm when it's at standard
 9 configuration.
 10 But the fact of the matter is the
 11 homes will come, we have -- At the current plan
 12 we have 12 standard single-family basements,
 13 12 duplex standard basements for a total of 24.
 14 We have 7 lookout in the single families and 12
 15 in the duplex. And we have 10 in the
 16 single-family walkout basements, and we have
 17 6 walkout basements in the duplex.
 18 I might add here that in a duplex
 19 home, if the home -- the homes must have
 20 identical basement configurations. If you have
 21 a window on one side, it must be a window on the
 22 other. If it's standard, it's standard on both

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1 sides. And walkout would be the same way.
 2 Now, the next slide shows the
 3 public benefit and economic considerations. The
 4 36 traditional single-family homes compared to
 5 the 59 age-targeted homes will produce a 100 --
 6 estimated 122,000 net increase or a 31 percent
 7 positive impact to the school District 181. The
 8 estimated surplus in high school District 86 is
 9 33,000 estimated, 13 percent, increase, positive
 10 impact. The Hinsdale Village would have a
 11 \$14,000 estimated net increase or a 13 percent
 12 positive impact.

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13 In addition to these positive
 14 impacts in the tax benefits, several years ago
 15 we paid the Village park district \$720,000. If
 16 you add up the 122, the 33, and the 14,000, it
 17 comes to about \$169,000 estimated positive tax
 18 benefit to the Village, the school districts
 19 combined. Over 10 years that's \$1.69 million.

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20 If those -- I'm not going to get into it. But
 21 if those same cash, cash flows were capitalized
 22 at 5 percent, it would be close to 3 million,

1 \$3.5 million, close to it, 3.38.
 2 Now, the other, let's go to the
 3 next slide, the planned development benefits.
 4 It's already known, it's been supported, I just
 5 read some e-mails that the Village has received,
 6 and we know from the public meeting you had here
 7 some months ago that there is community support
 8 for age-targeted housing. We also know that
 9 many Hinsdale residents have already left the
 10 Village of Hinsdale for other communities where
 11 age-targeted homes have been provided and are
 12 continued to be provided. There is a projected
 13 75 percent decrease in the high school
 14 enrollment compared to the current zoning for
 15 36 single-family homes. There is an 86 percent
 16 decrease in elementary student population versus
 17 the existing zoning. I already mentioned that
 18 over 10 years the \$169,000 estimated annual
 19 benefit would be \$1.69 million as a benefit to
 20 the Village.

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21 Questions on traffic. I just read
 22 an e-mail a few minutes ago, worried about the

1 traffic and the increase. There is going to be
 2 a decrease in traffic of 33 percent. About
 3 134 average daily trips per day less from the
 4 proposed development than there would be from a
 5 36-single family plan, as we now have it, as
 6 it's now zoned.

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7 And there is a 98 percent increase
 8 in the common, common open space. As the
 9 current plan, all of the property is platted in
 10 private lots. There was about 1700 feet and
 11 some buffer area that was open space or common
 12 space. Now we have over 44,000 square feet of
 13 additional common open space.

14 CHAIRMAN CASHMAN: Can I just make one
 15 comment about that.

16 MR. JAMES: Yes.

17 CHAIRMAN CASHMAN: Per the previous
 18 meeting, though, when we look at open space, per
 19 the way our Code is defined, it was a 6 percent
 20 increase from original to today.

07:55:58PM

21 MR. JAMES: Yes. That's why I made the
 22 reference common open space, the open.

1 CHAIRMAN CASHMAN: Total open space we
 2 are talking about 6 percent increase.

3 MR. JAMES: Yes. Exactly. But in the
 4 common space, up at the northeast corner or the
 5 northwest corner of the plan, and over on the
 6 entrance off of 55th, those areas exceed 44,000
 7 square feet that weren't there before. And
 8 that's the common, you know, gathering place of
 9 a park or what have you.

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10 So what is the proposed plan
 11 details. It's an R-2 district with a planned
 12 unit overlay. And that language is a text
 13 amendment, which you will hopefully approve and
 14 pass on to the trustees. There are 44
 15 buildings, 1.8 buildings per acre. There are
 16 59 units, 2.4 units per acre. 29 single-family
 17 homes with an average lot size of 12,000, over
 18 12,000, and a minimum of 10,000 square feet.
 19 30 duplex homes and average lot of close to
 20 18 though 17,920 and a combined total of about
 21 15,000 square feet. It's fee simple ownership
 22 and the two parks are in excess of 44,000 square

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1 feet. And we will include a sidewalk
2 connection, the public walk at the far south end
3 of the property into Katherine Legge park so
4 that's a public benefit.

5 And the last page is just a
6 continuation of the many awards that we have won
7 from our development from land planner to
8 architecture to landscaping. And I'm pleased to
9 say at the last home builders award ceremony our
10 two most recent projects garnered nine more Gold
11 Keys. So we are very proud of that, and we have
12 added those to this list.

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13 That concludes our answers to the
14 questions you raised. And I will be glad to
15 review any of the information or answer any of
16 the questions that you have.

17 CHAIRMAN CASHMAN: All right. Thank
18 you.

19 MR. JAMES: You are welcome.

07:58:30PM

20 CHAIRMAN CASHMAN: Questions by the
21 Commissioners?

22 MR. WILLOBEE: I guess I appreciate,

1 original plan with the 36 lots, they took into
2 account all the homes and driveways and
3 sidewalks on the properties. The new plan with
4 the increased density has the total impervious
5 coverage on the lots themselves increased by .2
6 of an acre, the original plan. There is more
7 coverage on the lot. I don't know how that
8 relates to the open space in the calculation but
9 the impervious coverage --

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10 MR. WILLOBEE: I guess as far as, I
11 mean per the Code is the delta impervious open
12 space? I'm just --

13 CHAIRMAN CASHMAN: Open space, it could
14 be impervious surface could be considered open
15 space. Pavement would be still open space in
16 the Code definition.

17 MR. WILLOBEE: In the Code def?

18 CHAIRMAN CASHMAN: Yes. Open space
19 refers to structures, buildings. Not to pull up
20 the definition, I think I have it here, but that
21 was really defining the difference.

08:00:15PM

22 MR. WILLOBEE: Okay.

1 Steve, you clarifying that 6 percent. In
2 looking at the information that was provided,
3 the current number calculations, I know you said
4 the curve number doesn't change. However, the
5 impervious area, just to be clear, on those
6 calculations does increase by .2 of an acre; is
7 that correct?

8 MR. JAMES: I would ask -- This is
9 Brett Duffy, our engineer.

07:58:58PM

10 MR. DUFFY: Brett Duffy with Spaceco.
11 Yes. It does increase by .2 of an acre, you are
12 correct.

13 MR. WILLOBEE: So we have seen the
14 numbers for open space several different ways,
15 for example, the 98 percent and the 6 percent we
16 are looking at. I'm just a little confused per
17 how the Code is written as all inclusive for
18 open space, private, just -- So I'm still not
19 understanding the math if we are increasing the
20 impervious area.

07:59:25PM

21 MR. DUFFY: The increase in the
22 impervious area is the -- from the first

1 CHAIRMAN CASHMAN: And really to me it
2 makes sense. It's how you perceive it. If you
3 look and it's not a building there, whether it's
4 a sidewalk or a patio, whatever. Stormwater is
5 a whole different ball game.

6 MR. WILLOBEE: Exactly. I look at open
7 space where the raindrop falls. So that's where
8 I'm just, that's why I'm asking for
9 clarification.

08:00:38PM

10 CHAIRMAN CASHMAN: I will look through
11 my notes, but I believe that was exactly --

12 Because that was initially when I
13 think in your first submittal package --

14 MR. JAMES: Right.

15 CHAIRMAN CASHMAN: I kind of went
16 through the definition of open space.

17 MR. JAMES: Right. I think my comment
18 was speaking to the fact that in the 36-unit
19 subdivision all of the land is platted out for
20 private lots. There were no areas where
21 neighbors could gather in a public setting, sit
22 and chat or, you know, walk and what have you

08:00:59PM

1 and talk because they were all private lots.
2 Now we have the northeast corner
3 and the entrance by 55th. And that space I,
4 that's called -- We call that the common open
5 space.

6 CHAIRMAN CASHMAN: And basically, Mark,
7 to answer your question, in the definition in
8 our Code, it talks about open space. Open,
9 unobstructed from ground to sky except by
10 facilities specifically designed to range
11 10 degrees. So it's structures.

08:01:30PM

12 MR. WILLOBEE: Right. Well, but it
13 also says for active outdoor recreation and
14 relaxation; right? So are we including patios
15 and things like that in this context? Because I
16 wouldn't consider a driveway recreation or
17 relaxation.

18 CHAIRMAN CASHMAN: That's a good
19 question.

08:01:53PM

20 MR. WILLOBEE: So --

21 MS. CRNOVICH: Does that change total
22 lot coverage?

1 MR. WILLOBEE: I agree. But under the
2 planned development, we are tasked with -- and
3 the Village is tasked with making sure there is
4 an increase in the amount of open space versus
5 conventional -- right? -- overall. So that's
6 the part where --

7 MR. BALAS: That's been established.
8 We are at I think 34 percent total lot coverage
9 under the proposed plan versus the 15 percent
10 that's allowable under the existing plan.

08:03:08PM

11 MR. WILLOBEE: On a per lot basis. I'm
12 talking about the whole development.

13 MR. BALAS: Right. So there is no
14 common open space. You can build up to
15 50 percent.

16 MR. JAMES: Of the 36 lots.

17 MR. BALAS: Of those 36 lots. We have
18 got 34 percent on our lots. And we have over, I
19 think, 2 acres of common open space. So it's

08:03:34PM

20 clearly more open space, I believe, as defined
21 under the Code.

22 MR. WILLOBEE: I apologize. I don't

1 MR. WILLOBEE: Well, it depends on the
2 calculation. It sounds like -- And I'm just
3 sticking to the part of the PUD and what we
4 are --

5 CHAIRMAN CASHMAN: The open space
6 requirement is big.

7 MR. WILLOBEE: Right.

8 MR. DUFFY: The stormwater report was
9 only focusing on impervious coverage. It didn't
10 have anything to do with open space

08:02:14PM

11 calculations. So it was just --

12 MR. WILLOBEE: I'm trying to put two
13 sets of math together, and it's not adding up to
14 me in --

15 MR. YU: So in the private lot in the
16 R-2 district, you can have a maximum lot
17 coverage of 50 percent.

18 MR. WILLOBEE: Right.

19 MR. YU: So if these were single-family
20 residential, the building code would allow them

08:02:31PM

21 to potentially have a lot coverage of 50
22 percent. Whereas here it's really not --

1 think it's clear.

2 CHAIRMAN CASHMAN: Are you able to
3 bring up the slide from last month? Do you
4 happen to have that with you? Because that
5 was --

6 MR. JAMES: If we can find it, yes. We
7 will try.

8 CHAIRMAN CASHMAN: In the previous
9 packet where you had open space was page 102 and
10 163. It looks like this.

08:03:59PM

11 MR. JAMES: Was that last meeting?

12 CHAIRMAN CASHMAN: Yes, at the
13 November meeting. And this is where you had
14 your calculations. Yes. It might be good to go
15 through that.

16 MR. JAMES: What page was that? 102,
17 103 you said?

18 MR. WILLOBEE: So the November 9
19 packet.

08:04:52PM

20 CHAIRMAN CASHMAN: I guess the trick
21 would be space that -- I mean patios. Do you
22 have a standard in these single-family duplexes,

1 is there a standard like patio offering or how
2 do --
3 MR. JAMES: Here is the open space
4 comparison. The fee simple lot area was
5 736 -- 36 units, there are 759,112 square feet.
6 That's using a 50 percent lot coverage for the
7 36 homes.

8 The 59 Hinsdale Meadows plan has
9 638,453 square feet or 34 percent. The maximum
10 lot coverage (b) is 379 for the 36 plan and 215,
11 215,000, for the 59-unit plan. And the private
12 open space, (a minus b), 379,556, and 422,718
13 for the 59-unit plan. There are no pocket
14 parks. There is no common center open space.
15 And there was a fringe area open space of
16 1,751 feet. And it comes out to be,
17 calculations, it's an increase of it was
18 381,000 square feet in round numbers versus
19 522 open space, total minimum open space in the
20 59-unit plan. And the current plan, as I said,
21 was 381, the proposed plan was 522, an increase
22 of 140,000 or 37 percent increase in open space.

08:05:41PM

08:06:43PM

1 accommodate.
2 When we reran those, and however
3 those were established originally, established
4 the size of the detention basin. We then took
5 the most current plan and calculated all the
6 impervious coverage, driveways, new surface
7 walks, patios, decks, everything that was
8 included, and came up with an increase from the
9 original design calculations of about .23 acres.

10 I don't know how that relates to
11 open space and coverage. To me it doesn't
12 relate back and forth. I'm just looking at raw
13 numbers and how we established the detention
14 pond. And I don't know how that relates to open
15 space, and I don't think that's --

16 CHAIRMAN CASHMAN: I would say we go
17 from 36 driveways to 59.

18 MR. WILLOBEE: Right.

19 CHAIRMAN CASHMAN: So that's a big
20 change right there. But then we are talking
21 about smaller footprints.

22 MR. DUFFY: Smaller footprints.

08:08:03PM

08:08:21PM

1 Those are the numbers in your book and that was
2 all --

3 CHAIRMAN CASHMAN: I guess so my
4 question would be if we are increasing the open
5 space where are we coming up with additional
6 impervious surface.

7 MR. WILLOBEE: That's my point because
8 the definition per the Code of open space is
9 very broad.

10 CHAIRMAN CASHMAN: Well, the only thing
11 that we wouldn't be counting would be like a
12 patio.

13 MR. WILLOBEE: Exactly.

14 CHAIRMAN CASHMAN: So it's not a large
15 area.

16 MR. DUFFY: I cannot speak to how it
17 relates to the open space. I'm going back in
18 the original calculations that were prepared for
19 the stormwater management basin from when this
20 was developed back in 2003. There was a certain
21 impervious coverage that was assumed that needed
22 to be -- that a detention basin was designed to

08:07:17PM

08:07:33PM

1 MR. JAMES: Versus 50 percent.

2 MR. DUFFY: So the footprints of the
3 houses are smaller. How the open space relates,
4 I'm not exactly sure. But just looking at raw
5 numbers of how the original calculations were
6 made for detention basin sizing itself and how
7 it relates to the new plan and strictly go with
8 that.

9 MR. WILLOBEE: That's fair. It wasn't
10 necessarily apples to apples, you were using
11 these numbers.

12 MR. DUFFY: Right.

13 MR. WILLOBEE: I guess what I was
14 asking for last month was just a comparison of
15 impervious calculated the same way you did for
16 the proposed off of what's already permitted to
17 get a true apples-to-apples comparison.

18 Because I think there is a lot of
19 different ways you can present these open space
20 numbers. And per our Code, again I'm still not
21 understanding that net increase.

22 So, Mr. Duffy, I understand your

08:08:47PM

08:09:08PM

1 calculation was in one regard.
 2 MR. DUFFY: Right.
 3 MR. WILLOBEE: But I guess on the open
 4 space --
 5 CHAIRMAN CASHMAN: I guess if you made
 6 assumptions like on patios, you made assumptions
 7 for each of the units, what is that area. You
 8 know, we would be able to find out what that
 9 area was in your calculations. But we are still
 10 talking about a 6 percent delta taking that out
 11 of the equation. So I doubt it's quarter of an
 12 acre, but I don't know.
 13 MR. DUFFY: I didn't look at individual
 14 patios on each building. I'm not sure what each
 15 one of those added up to. I took the overall
 16 coverage of the lots in the impervious
 17 calculations. So I don't know --
 18 CHAIRMAN CASHMAN: Did you add in
 19 patios?
 20 MR. DUFFY: Whatever was shown on the
 21 plan is whatever was calculated. The current
 22 plan that was presented includes patios and

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08:09:54PM

1 various models within the planned unit
 2 development. We took the largest lot, the
 3 largest home that could be built on that lot.
 4 Because there are some lots that will not
 5 accommodate the largest home.
 6 MR. WILLOBEE: All right.
 7 MR. JAMES: Thank you.
 8 CHAIRMAN CASHMAN: I guess you still
 9 must have that data on the patios, just the area
 10 of the patios.
 11 MR. JAMES: I think they are probably
 12 about 10 by 12.
 13 CHAIRMAN CASHMAN: If you could just
 14 provide us that information, that would be
 15 great.
 16 MR. JAMES: Sure.
 17 CHAIRMAN CASHMAN: But we are talking
 18 about a delta here that's 60,000 square feet.
 19 And looking at the size of the patios that are
 20 shown in here, it doesn't look like 60,000
 21 square feet of patio. So we just want to make
 22 sure we are truly looking at this properly and

08:11:02PM

08:11:16PM

1 decks, and those were included in the coverage
 2 calculations.
 3 MR. WILLOBEE: But you don't know if
 4 the 2003 calculations included that same?
 5 MR. DUFFY: These were custom lots.
 6 They made assumptions on those lots. And those
 7 kinds of sizes, I don't know how that relates.
 8 CHAIRMAN CASHMAN: Okay. So these
 9 small patios that are indicated on the current
 10 site plan?
 11 MR. DUFFY: That was included in that
 12 number, correct.
 13 MR. JAMES: Yes. Yes.
 14 MR. DUFFY: My understanding is those
 15 single-family homes are the biggest homes that
 16 can be built on the lots. And there are other
 17 models that are a smaller footprint. So we have
 18 used the maximum size building on each one of
 19 those lots. And I'm going to make a pretty big
 20 guess that the biggest house will not be on
 21 every single lot, there will be some reduction.
 22 MR. JAMES: We are talking about the

08:10:19PM

08:10:33PM

1 we can say, yes, you are providing additional
 2 open space.
 3 MR. JAMES: Are you talking about open
 4 space or impervious surface?
 5 CHAIRMAN CASHMAN: Well, we want to
 6 know what the patio amount is.
 7 MR. JAMES: I think the, if I'm not
 8 mistaken, our typical patio is about 10 by 12;
 9 but I can confirm that.
 10 MR. MC GINNIS: Chairman, if I can jump
 11 in just for a minute.
 12 CHAIRMAN CASHMAN: Sure.
 13 MR. MC GINNIS: I'm not sure if I'm
 14 going to be able to add any clarity to this or
 15 not. It seems like we are commingling terms.
 16 So there is total lot coverage, which is I'm
 17 sure what was used as part of the original
 18 subdivision approval in addition to whatever
 19 stormwater calcs they had to provide. And under
 20 the R-2, you are allowed a total of 50 percent
 21 lot coverage.
 22 MR. JAMES: Right.

08:11:43PM

08:11:59PM

1 MR. MC GINNIS: In this case, you have
2 much smaller lots that could theoretically be
3 built on with a lot more common open space that
4 can't. So arguably you would end up with less
5 total lot coverage under this proposal than you
6 would theoretically under the R-2.

7 But you are right, the definition
8 of open space is somewhat nebulous.

9 MR. JAMES: That's the problem.

08:12:25PM 10 CHAIRMAN CASHMAN: It's just that
11 paragraph where it says, Except by facilities
12 specifically designed, arranged and intended for
13 use in conjunction with passive or active
14 outdoor recreation or relaxation, which in my
15 mind is a patio or a play field or something.

16 So if we have less than 60,000
17 square feet of patios, we have an increase in
18 open space. Because right now the difference
19 between the previous proposal was Sedgwick was
08:12:54PM 20 602,000 square feet of open space and the
21 Hinsdale Meadows is 662 and change.

22 So I think we are still there, but

1 it would just be good to have that data. And
2 we are basically talking 120 square feet times
3 59 so --

4 MR. JAMES: I mean that's impervious
5 surface. And how you determine, how you justify
6 open space versus impervious surface, they are
7 apples and/oranges.

8 MR. WILLOBEE: Not necessarily. I
9 mean --

08:13:23PM 10 MR. JAMES: Well, it is. Open space
11 you can look through it, but there may be a
12 patio below it.

13 MR. BALAS: Yes. The criteria under
14 the Code is open space as defined under the
15 Code.

16 MR. WILLOBEE: Right. And I guess
17 that's what Steve's pointed out, too.

18 MR. JAMES: It was confusing for us.

19 MR. WILLOBEE: Right. Yes.

08:13:49PM 20 CHAIRMAN CASHMAN: Other questions?

21 Well, I appreciate you clarifying
22 this document because that was causing me some

1 consternation. It didn't seem like we were
2 getting anywhere.

3 MR. JAMES: Right.

08:14:24PM 4 CHAIRMAN CASHMAN: I guess my only
5 question on paragraph 18 would be if it could
6 just be revised to read more like the start of
7 19 where instead of it ending, Permitted on a
8 lot, permitted on -- in and about a unit, lot,
9 or common property. Just so it's consistent
10 between the two. Because if you read that, you
11 could actually have recreational equipment on
12 the common property unless there is some other
13 paragraph elsewhere that says you can't.

14 MR. JAMES: I think we covered that
15 elsewhere.

08:14:44PM 16 CHAIRMAN CASHMAN: That's just my
17 concern. I think it -- I wanted to kind of
18 hear what the Commissioners thought about that.
19 Because as we talked about at the last meeting,
20 the whole discussion about age targeted versus
21 age restricted, if we are going the age-targeted
22 route, we need to have something that is going

1 to encourage these to be empty-nester type units
2 versus just single-family units.

3 And I think when we talked before,
4 we thought the homeowners association
5 restrictions could go in that direction.
6 Because if you are looking at a property there
7 for \$900,000 and you can't have a play set and
8 you have a 6-year-old daughter, and you have a
9 house somewhere else in Hinsdale, and it's
08:15:15PM 10 900,000, it's got a back yard and play sets and
11 swings, I know where I would be going to make
12 sure my daughter has a play set. So that would
13 be the hope.

14 But you could always have like a
15 high school, a family with, say, a high school-
16 aged student, could decide they want to move in,
17 they don't really need a play set. They are
18 okay with that. They are in sports, whatever.
19 So there is no way to guarantee that this is
08:15:35PM 20 going to be all empty-nester, but I think we can
21 encourage through these restrictions a higher
22 level of empty-nester use.

1 MR. JAMES: If you look at the opening
 2 sentence in paragraph 19, which is the paragraph
 3 that gives the board of directors total control,
 4 it says, There shall be no trampolines,
 5 basket -- Correction. In the event any
 6 activity in or about a unit, lot, or the common
 7 property, so that's the catchall. It's a unit,
 8 the lot, or the common property shall be, you
 9 know, causing disturbance which adversely
 10 affects any owner. And I think there is
 11 something that --

08:16:13PM

12 MR. BALAS: Yes. There is the
 13 provision on -- You don't have it there in
 14 front of you. But Article IX, paragraph 4,
 15 There shall be no courts, play fields, lounging,
 16 parking, baby carriages, playpens, swing sets,
 17 bicycles, wagons, toys, or placing of benches or
 18 chairs on the common property except as
 19 authorized or designated by the association.

08:16:41PM

20 CHAIRMAN CASHMAN: Okay. Article 4 --
 21 MR. JAMES: Yes.
 22 CHAIRMAN CASHMAN: So you can't

1 suddenly put a playground in somewhere.
 2 MR. JAMES: Yes.
 3 MS. MC MAHON: I have thought on this
 4 declaration, is there a method that the
 5 homeowners association can change this?
 6 MR. JAMES: Well --
 7 MS. MC MAHON: This document.
 8 MR. JAMES: The only thing they, the
 9 homeowners situation -- and I don't want to play
 10 attorney here -- cannot change the terms of the
 11 planned unit development. Only your board can
 12 change the terms of the planned unit
 13 development.

08:17:09PM

14 MS. MC MAHON: So if this declaration
 15 is a part of the planned unit development, then
 16 it can't be changed?

17 MR. JAMES: That's right. Yes.
 18 MR. BALAS: On the Village's --
 19 MR. JAMES: If they want to change
 20 something in the declaration having to do
 21 with -- I don't want to play attorney. All I
 22 know is they cannot change the terms of the

08:17:28PM

1 planned unit development without coming back to
 2 this board.
 3 CHAIRMAN CASHMAN: And I think we
 4 talked about that. Mike, I had that question
 5 for you in the past.
 6 MR. MARRS: Yes.
 7 MR. JAMES: They don't have the right
 8 to do that.
 9 MS. MC MAHON: Because this document is
 10 a component of the approved PUD?

08:17:51PM

11 MR. JAMES: Yes.
 12 MR. MARRS: Yes. And one of the
 13 standards for planned unit developments in your
 14 Code talks about the covenants and says that the
 15 covenants shall provide a -- may not be
 16 modified, removed, or released without the
 17 express consent of the Board of Trustees and
 18 that they may be enforced by the Village as well
 19 as by future land owners.

08:18:18PM

20 CHAIRMAN CASHMAN: Okay. Thank you.
 21 MR. JAMES: That's our understanding,
 22 too.

1 CHAIRMAN CASHMAN: Anna, any questions?
 2 MS. FIASCONE: Obviously we have seen a
 3 lot of support for this through e-mails and
 4 people coming in here, and I think it's very
 5 well-supported, so it's great. But we have seen
 6 a lot of the pushback on the pricing. And I'm
 7 not one to dictate your pricing at all, I don't
 8 think that's our job. But obviously, we are
 9 concerned on whether these sit vacant or not.
 10 What's kind of your response to the
 11 pricing, your experience? You have obviously
 12 done this.

08:18:53PM

13 MR. JAMES: We always want to price
 14 them at the market price or below. We would
 15 like to reduce our prices. And we are working
 16 on that. But we don't have any, anything that
 17 we can talk about at this point. But the answer
 18 is we are doing everything we can.

08:19:26PM

19 But labor, wood, materials, it's
 20 all, that's all a commodity. Pricing goes back
 21 to the land, what is the land, what is the value
 22 of the land, what did you pay for the land.

1 That's the real variable and what, how much per
2 unit.

3 And as you probably know, we
4 purchased this property back in 2002, some
5 14 years ago, going on 15 years. And it's no
6 secret, we paid about \$15 million, a little more
7 than that, for the land. Now, you add to that
8 the carrying costs, the real estate taxes, the
9 site improvements with all the infrastructure,
10 streets, sidewalks, sewer, utility lines, what
11 have you, and you get up to a pretty high,
12 pretty high figure.

08:20:07PM

13 We do appreciate very, very much
14 the fact that we have been able to increase the
15 density. And that helps, that helps a lot; and
16 we hope it will come to fruition. And we can
17 lower the prices, and we are working on that.
18 But we don't have that definite figure yet
19 because we just don't have all the information
20 in yet.

08:20:37PM

21 We have been talking about the
22 public benefit. We have been talking about the

1 dog park. We have been talking about a running
2 track. And I wrote a note today to the Village
3 that said the running track just isn't going to
4 work because the total -- We were going to take
5 our excess dirt and build a sledding hill, and
6 then we would do the running track. And
7 hopefully it would all come out less than what
8 it would cost us to move the dirt offsite and
9 dispose of it. It doesn't work that way. It
10 just adds to the price so we can't do that.

08:21:07PM

11 So then I did send to the Village
12 today information on a question they asked us
13 about the Humane Society office building at KLM
14 park. And they have that information, and I
15 haven't heard back from them yet. But we are
16 doing everything we can I can assure you.

17 And quite frankly, with some of the
18 other projects around more recently, most
19 recently completed, our prices are not that, are
20 not that far out of line at all. They are right
21 in line with them. And I'm not going to mention
22 the projects, but they are recently completed.

08:21:36PM

1 CHAIRMAN CASHMAN: If the density was
2 increased even more, couldn't that help drive
3 down some of your costs if you took a --

4 MR. JAMES: That's a good question.

5 CHAIRMAN CASHMAN: -- if you took the
6 single-family and they became 4 duplexes.

7 MR. JAMES: That's a good question.

8 But here are the issues here, the infrastructure
9 is already in this, in other words, the streets,

08:22:06PM

10 the sewers, the electric utility lines going
11 back to the houses where they were going to
12 enter. So typically if a developer is given an
13 increase in density and it's a plain, flat piece
14 of ground with nothing there, yes, that's a
15 definite positive.

16 But when you have infrastructure
17 already in the ground and you are limited by
18 where you can put these houses and the size of
19 the houses, then the density is -- the increased
20 density is good to a point at which you can't do
21 anymore because you have got the utility lines
22 and everything in there. And to move and

08:22:32PM

1 restructure those, it would be more than, more
2 than you could get out of the increased density.

3 But we continue to look at that, we
4 continue to strive for it. And we will continue
5 to do that. It's all part of the process.

6 CHAIRMAN CASHMAN: Okay.

7 MS. CRNOVICH: Won't some of the
8 infrastructure have to be changed now anyway?

9 MR. JAMES: Pardon?

08:23:05PM

10 MS. CRNOVICH: Won't some of the
11 infrastructure have to be changed anyway to get
12 the duets in?

13 MR. JAMES: The road network remains
14 the same. The major sewer, water lines all
15 remain the same. It's the electrical and some
16 of the lines that, the transformers and what
17 have you, that have to be repositioned to fit
18 the dimensions of the new homes and the lot
19 configurations.

08:23:26PM

20 So the answer is it has been
21 changed to the point where it's economical where
22 it doesn't increase the cost. I mean, you know,

1 over and above any benefit of increased density.
 2 CHAIRMAN CASHMAN: I just want to
 3 state, you comment on it, regarding the public
 4 benefit and the dog park we talked about a month
 5 ago. It's in the packet. But for people
 6 watching or listening, it was basically then
 7 reviewed by Village staff, a recommendation was
 8 then sent to the parks and rec commission, they
 9 reviewed it, and basically rejected the idea.

08:24:03PM

10 So I'm glad they looked at it. It
 11 would be terrible -- You don't want to give
 12 presents and have them returned. But I
 13 appreciate your patience because then,
 14 obviously, we were heading down that path; and
 15 now we have to find a different path to go down.

16 So the issue of public benefit is
 17 still being discussed and reviewed by the
 18 applicant and by the Village. So we really
 19 don't have that information to act on tonight.

08:24:27PM

20 What he's mentioned, a couple things that have
 21 been discussed, some needs that the Village has
 22 related to Katherine Legge that they could

1 possibly help with. But we are just going to
 2 have to continue that for another discussion
 3 because we just are not going to have the
 4 information tonight.

5 And I appreciate your patience. I
 6 was, a month ago I thought tonight we might be
 7 in a position to vote on this. But it's because
 8 of that one crucial piece, it's the public
 9 benefit, we are not going to be able to.

08:24:54PM

10 MR. JAMES: Well, I can leave you only
 11 with our thoughts. I think the information I
 12 sent to the Village today about the roof
 13 structure was very positive at the KLM Humane
 14 Society building, and I would hope that would be
 15 satisfactory.

16 And you add to that, which I don't
 17 think you can discount, and that is the 720,000
 18 we paid several years ago to the park district.
 19 Add to that the tax benefit to the high school,
 20 to the District 181, and to the Village, add to
 21 that the 33 percent less traffic coming out of
 22 the development. It all adds up to a long-term

08:25:23PM

1 public benefit that you may not realize today,
 2 but you will realize it over years to the tune
 3 of the tax impact, 1,690,000 in 10 years, or
 4 \$169,000 a year, if our figures are right; and
 5 we have every reason to believe they will be
 6 based on our survey.

7 And I might add this, when it comes
 8 to age targeted versus age restricted, right
 9 now, right now, this property is zoned for 36
 10 single-family homes. And there are projected
 11 29 school children in the elementary school
 12 district. If you take our numbers and reduce --
 13 I mean take the difference between the
 14 29 projected for the existing zoning and the
 15 4 projected students for the elementary school,
 16 I'm just talking elementary now, that would mean
 17 you would have to go -- And our superintendent,
 18 your superintendent, tells us that they can
 19 handle the 9 in the Rutgers report. But

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20 forgetting that, taking the 4 from the 29, you
 21 would have to have 25 school children or about
 22 40 percent of the units that we are proposing to

1 have a child, which is just unheard of in an
 2 age-targeted community. That would be one child
 3 in 25 of the 59 homes, one child each in 29 --
 4 in 25 of the 59 homes before you would equal
 5 where you are today with 36 homes and
 6 29 children. It's just unheard of. There is no
 7 evidence. There is nothing to, nothing to show
 8 that.

9 In addition -- And this is very
 10 simple, in fact, maybe it's too simple. If you
 11 take those same 12 units that we surveyed, and
 12 suppose they are automobiles in an automobile
 13 show room. You have the first 11 cars, you can
 14 buy any car you want, they are all the same.
 15 And you come to the 12th car, it's the same as
 16 the first 11, but it has a restriction that you
 17 can't drive it unless you are 55. Maybe you
 18 can't sit in the front seat unless you are 55,
 19 maybe you can't put your luggage in the trunk,
 20 you have to leave it unless you are 55, you have
 21 to put it in the backseat. Any one of those
 22 idiotic things, that 12th car would be at a

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1 distinct disadvantage compared to the first 11.
 2 And that is a very simple analogy of what an
 3 age-targeted -- age-restricted home would be
 4 like if you compared it to the other 11 homes,
 5 11 projects in this area including those in Burr
 6 Ridge close by in proximity to this area.
 7 So you are, the homeowner, if they
 8 do buy an age-restricted unit, are going to be
 9 at a distinct disadvantage in selling that unit
 10 at a future date. And we know from surveys that
 11 25 to 35 percent of the people looking at homes
 12 do not want an age-restricted home to begin
 13 with, at least not in the type of community that
 14 we are planning here.
 15 There are places for age
 16 restricted. Those are in vacation areas. There
 17 are large amenity projects where they have golf
 18 courses, where they have recreation centers,
 19 where they have programs. And they have all the
 20 things that fit the elderly person and who is
 21 there full-time, he or she is not an active
 22 adult. This is not that community, nor are the

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1 children in -- one each in 25 homes or
 2 42 percent of our 59 homes, 59 homes, 42 percent
 3 would have to have a child before you even match
 4 what we have now, 29 homes, 29 children in
 5 36 single-family homes. There is nothing, there
 6 is nothing in our survey anywhere that suggests
 7 anything to the contrary. People will go where
 8 they are comfortable. And adults are
 9 comfortable in age-targeted communities. And
 10 they are also comfortable in age restricted but
 11 those are different communities, those are
 12 life-style communities. They are not what we
 13 are talking about.
 14 I don't know of one age-restricted
 15 community in this area in the whole, I don't
 16 know of any in the north shore -- In fact,
 17 there was one, Mallinckrodt College, and that
 18 was in one of your previous books.
 19 MS. MC MAHON: We talked about that,
 20 that was not a relevant comparison.
 21 MR. JAMES: That was a total failure,
 22 not only from the developer's standpoint but

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1 communities in Burr Ridge or Ruth Lake or any
 2 other that we have developed over the last 60
 3 years, that ilk. They were age targeted and
 4 that's all they serve.
 5 And the people regardless -- 40 to
 6 50 percent of the homes that have sold in
 7 Hinsdale are selling at a lesser price than the
 8 price of our homes. And it doesn't stand to
 9 reason that a young family would come into a
 10 development such as Hinsdale Meadows with all of
 11 the restrictions and the things in the
 12 declaration and what have you and buy something
 13 there when they could buy a full single-family
 14 home in Hinsdale with a back yard, a community
 15 of children and what have you, that they don't
 16 have at Hinsdale Meadows. If they were your
 17 children and they were spending their money or
 18 you were going to lend them money, I'm sure you
 19 would give them family advice and say, This not
 20 where you want to go, you want to be where other
 21 children are located.
 22 So our margin of error is 25

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1 from the people who originally bought there.
 2 And they had to go back to the Village of
 3 Wilmette, and they changed the age restriction
 4 from 62 down to 55. But in the meantime, people
 5 who had bought at the higher price lost a
 6 significant amount of money in value.
 7 CHAIRMAN CASHMAN: Thank you.
 8 MR. PETERSON: Can we go back to the
 9 housing cost? When you said you are working on
 10 different, different ways to reduce the stuff or
 11 reduce the cost, I mean I'm hoping that's not
 12 going to affect the finish and the details that
 13 we have seen.
 14 MR. JAMES: Not at all, no. No.
 15 MR. PETERSON: I just want to make sure
 16 we are not value engineering the homes we saw.
 17 MR. JAMES: Absolutely. We will not
 18 reduce the quality or character of the house.
 19 MR. PETERSON: I just wanted to make
 20 sure that wasn't --
 21 MR. JAMES: And the same goes for the
 22 landscaping.

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1 MR. PETERSON: Okay.

2 MR. JAMES: You can take that to the

3 bank.

4 CHAIRMAN CASHMAN: Okay. Laurie?

5 MS. MC MAHON: Just on the public

6 benefit, I guess I continue to believe that you

7 really shouldn't count the 720,000 as a benefit

8 to the PUD because you had to do that just to

9 put a subdivision in no matter what version of

10 it it was. So to me that's not really a PUD

11 benefit.

12 MR. JAMES: Well, I appreciate what you

13 are saying. The 44,000 square feet, we haven't

14 done the calculations, but I'm assuming if we

15 added the 44,000 square feet that would reduce

16 the amount of 720 to some lesser number. But I

17 don't know that for a fact.

18 The only thing I can say is whether

19 it was that subdivision or whether it's this

20 project or whether it comes out of the same

21 pocket, it's still 720,000 that went to the

22 Village some years ago with zero cost to the

08:33:14PM

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1 CHAIRMAN CASHMAN: We talked about the

2 trustees might want one within the final plan.

3 MR. JAMES: I think that was the idea,

4 that it would not be at this point. But once

5 the plan was approved and they want to see a

6 traffic study, there could be one produced.

7 CHAIRMAN CASHMAN: Which I think makes

8 sense.

9 MR. JAMES: We are confident that based

10 on all the experience we have had and others

11 that there are just less average daily trips.

12 The children aren't going to the soccer games or

13 the baseball games. The husband and the wife

14 aren't getting up and going to the office at

15 7:30, 8 o'clock in the morning. Their hours are

16 different. And so you have peak hours in the

17 morning, peak hours in the afternoon. And then

18 during the day you have traffic. But overall,

19 overall, our study or estimate, statement,

20 whatever you want to call it, was about 134

21 average daily trips less per day or about a 33,

22 34 percent reduction in AADT, average daily

08:34:48PM

08:35:15PM

1 Village from our subdivision that we built.

2 Because if there is one family lives there and

3 that's all.

4 MS. MC MAHON: Well, I'm just saying I

5 don't call it --

6 MR. JAMES: I don't mean to be

7 argumentative. I'm just saying it's still out

8 of the same pocket.

9 MS. MC MAHON: And then I guess the

10 only other thing I would say, you talked about

11 the reduced traffic. And I think we established

12 there really hasn't been a traffic study per se.

13 So until we see that, you know, I guess we

14 don't --

15 MS. CRNOVICH: I thought we were going

16 to be getting one because of the Oak Street

17 bridge. Am I wrong? I thought we had asked for

18 something like that.

19 CHAIRMAN CASHMAN: We talked about when

20 it went to the --

21 MS. MC MAHON: They said that they were

22 going to need one eventually.

08:34:10PM

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1 traffic, average annual daily traffic.

2 MS. CRNOVICH: Back to what Laurie was

3 saying about the public benefit. Also, on the

4 list of questions that we were given today, you

5 also mentioned the additional 150,000 for

6 changing the existing pond to a wetland. And in

7 my opinion, that's not a public benefit. That's

8 something you would have to do anyway.

9 MR. WILLOBEE: Right.

10 MS. CRNOVICH: And I agree with what

11 Laurie has to say. You do keep going back to

12 the, what is it, 720,000. But again, that's

13 something you had to do for a subdivision. And

14 I'm still not convinced that you would only

15 have -- that this would be empty-nester housing

16 or age-targeted. I'm thinking of the price

17 point, new construction, perhaps families moving

18 in with older children, not wanting to move into

19 District 181 but perhaps District 86.

20 And at one time I thought you said

21 that no basements would be fine with you, but

22 now I see that every unit is going to have a

08:35:57PM

08:36:30PM

1 basement.

2 MR. JAMES: No. If a person does not
3 want a basement, he can have a crawl space. I
4 mean he can have a slab on grade. It's heated
5 and that's perfectly acceptable.

6 And when you talk about high school
7 students, our projections show there would be
8 2 high school students in this project of the
9 12 communities. So that's compared to 6 in the
10 Rutgers analysis.

08:37:04PM

11 CHAIRMAN CASHMAN: And it's a good
12 question. And I guess what are your thoughts as
13 far as the revisions to the homeowners
14 association declarations? Do you think that
15 goes far enough to kind of encourage this to be
16 empty-nester? Because other than something like
17 that as age targeted, the design and something
18 like that, and the fact that there isn't a park
19 there with a playground and that kind of
20 functions, that would make this more of an
21 empty-nester community. And the fact that all
22 the houses look the same. It's a different

08:37:30PM

1 and passionately about his opposition to slabs
2 on grade -- but I think that could help, again,
3 influence the outcome. It's not going to
4 guarantee anything. But then again you would
5 have a mix of units. You would have 17 units
6 that could have a basement, and you would have
7 12 that wouldn't.

08:38:48PM

8 MS. CRNOVICH: Right. And you brought
9 up a good point about falls down basements. I
10 was more in favor of the bonus room above the
11 garage for extra storage.

12 And I think at the last meeting I
13 had asked if you had any plans for the basements
14 but all the basements would be unfinished.

15 MR. JAMES: Yes, unfinished. If a
16 person wants to finish it, make a recreation
17 room out of it, he or she can do that; but they
18 come unfinished.

08:39:13PM

19 MS. CRNOVICH: They all come
20 unfinished. So no bathrooms. They aren't
21 divided into rooms?

22 MR. JAMES: It's a basement basement.

1 look. But it's going to, it's always going to
2 be a leap of faith if we are going age targeted
3 versus age restricted.

4 MS. CRNOVICH: Right.

5 MS. MC MAHON: Which I think some of us
6 are still a little uncomfortable.

7 MS. CRNOVICH: Right. That's what
8 I'm -- I think the basements, I thought at one
9 point you had said, okay, you don't want

08:37:52PM

10 basements, no basements. I think that would
11 help keep it down to the empty nesters. And I
12 do believe there is a need for empty-nester
13 housing in Hinsdale, but I think the basements
14 would bring more people in.

15 CHAIRMAN CASHMAN: If I remember
16 correctly, that was the 12 standard basement
17 types.

18 MR. JAMES: I was just looking at that.

08:38:16PM

19 CHAIRMAN CASHMAN: So if you took those
20 12 that are based on flat areas, that those
21 could conceivably be crawl spaces or slabs on
22 grade -- though Michael spoke very eloquently

1 CHAIRMAN CASHMAN: What's your thought
2 about possibly eliminating those 12 basements?
3 I know we talked about this before. I can't
4 remember exactly what your response was.

5 MR. JAMES: I talked to a broker
6 recently. And she is very familiar with this
7 area and with the some of the recent
8 developments, the Savoy Club specifically. And
9 her comment was people want it for storage.
10 They want the storage space.

08:39:48PM

11 And I just had a friend move from a
12 home in Winnetka into an apartment over on the
13 lake in no man's land. We had dinner with him
14 the other night. And I said, How is it going?

15 He said, We can't get rid of the
16 boxes. There is no place to put them. And they
17 don't have their basement.

18 CHAIRMAN CASHMAN: What I do recall, I
19 thought we had some citizens speak in that
20 regard.

08:40:11PM

21 MR. JAMES: And they wanted the
22 basement.

1 CHAIRMAN CASHMAN: And they thought
2 don't restrict that.

3 MR. JAMES: Yes.

4 MS. CRNOVICH: Well, I guess I'm still
5 looking at the overall picture, too. You are
6 asking for a text amendment. It's currently
7 zoned R-2, single-family homes. I'm still not
8 quite comfortable with that. You already have
9 the zoning in place. I'm not sure if there is
10 enough of a public benefit.

08:40:39PM

11 I'm just, I'm having a hard time
12 thinking the single-family homes versus age
13 targeted, I guess I'm not convinced that
14 families are not going to be moving into these
15 units.

16 MR. JAMES: Well, I, all you -- You
17 have got to look at the 12 communities. And you
18 have got -- I mean when we were doing the
19 survey, one of the property management firms
20 told me, he said the last 20 to 25 people that
21 we sold to came out of Hinsdale because there
22 was nothing there. And he said, We love it.

08:41:08PM

1 elementary students in those 600 units,
2 600 homes.

3 Let me ask a question. If your
4 children were going to -- They came to you and
5 said, Mom, we would like to move in to this
6 age-targeted community and it's going to cost us
7 \$900,000.

8 And you are going to say, Well,
9 what else is available in that community.

08:43:07PM

10 Well, I can buy a single-family for
11 700 or I can buy a -- for 800 or even buy it for
12 900.

13 And you will say, Well, you are
14 going to have a family. Or maybe they already
15 have their family. And you are going to say,
16 Where is the neighborhood for children, where is
17 their -- where are their playmates. They aren't
18 there. When our children grew up, they went out
19 to the rear yard into the back yard and open the
20 gate and they were on the school field. They
21 played with their friends and neighbors, and we
22 could watch them and see them. That's not going

08:43:37PM

1 That was his comment. That's a management
2 company comment to me.

3 And people are leaving Hinsdale
4 because there is no place for them to live in a
5 development similar to what we are proposing
6 with 1st floor master bedrooms, quality
7 finishes, size and character like what they left
8 in their own single-family home.

9 And they can go to Chanticleer
10 Lane, which is very, very nice; Claymoor, which
11 is very, very nice. But they are different
12 types of units. And they are not, those -- The
13 Hamptons in Hinsdale, that's vertical living.
14 It is not what we are proposing here. It's a
15 very nice development. There is nothing wrong
16 with it, and it's selling well; but it is not
17 what we are proposing. And it's not what we
18 have been doing elsewhere that has been very,
19 very successful. And families with children are
20 not moving into them. They're just not.

08:41:49PM

08:42:22PM

21 And you have got 12, you have got
22 12 -- 600 and some units here and you have .04

1 to be the case. It just isn't the case here and
2 not -- Don't take my word for it. Look at the
3 survey. It tells the story. Go to Savoy Club.
4 Go to the Burr Ridge club, a wonderful
5 development. Fine people there. We have many
6 friends over there. There are no children
7 there.

8 MS. CRNOVICH: That's a little bit of a
9 different development, though, too.

08:44:08PM

10 MR. JAMES: It's the same. It may
11 be -- It's not different. It's age targeted.
12 It's a single-family house. It is a 1st floor
13 master bedroom, and that's what we are selling.
14 You don't have to go up and down the stairs to
15 enjoy your daily activities. That's all we are
16 selling.

17 Typically parents want to be on the
18 same floor as their young children, sleeping.
19 So they can watch them. So the kids don't have
20 to go up and down the stairs, they can run right
21 to the bedroom and see mom and dad. And you can
22 hear them if they are crying or what have you.

08:44:38PM

1 That, what we are selling is totally different.
2 And it's proven over and over and over again.
3 I just moved into one after
4 42 years on Indian Hill Road in Winnetka, and we
5 love it.

6 MS. CRNOVICH: Have you considered
7 having like a meeting for the neighbors of the
8 adjoining properties, hear if they have any
9 ideas or thoughts?

08:45:10PM 10 MR. JAMES: The neighbors to the north,
11 the boundary to the north is 55th Street.

12 MS. CRNOVICH: Across the street from
13 55th.

14 MR. JAMES: Okay. We have got single-
15 family homes facing their single-family homes.
16 Then the west we have single-family homes and
17 County Line Road facing their single-family
18 homes.

08:45:31PM 19 MS. CRNOVICH: And I understand that
20 but for --

21 MR. JAMES: Okay, but just let me
22 finish. On the east we have the huge detention

1 When we were invited here, look at the property,
2 if you can -- This is a -- Look at here.

3 There is 55th Street. There is
4 County Line Road. Single family across from
5 single family. Here is Burr Ridge property
6 line. There are, right there, those two homes
7 are probably as close to the property line as
8 any. And then down here you have one or two
9 homes. The rest, there is KLM park. Here is
10 the hospital site here.

08:47:23PM 11 So we are talking a road, a road,
12 and then the pond, and then our housing back
13 here. The single-family homes, those were all
14 typical, large, single-family homes. They are
15 just a different size home now in the same, same
16 general location. Because the road never, we
17 didn't change the road network.

18 MS. CRNOVICH: And I understand that.
19 But I still think it would be a neighborly thing
08:47:56PM 20 to do is to reach out to your potential neighbor
21 saying, This is what we want to do, do you have
22 any thoughts.

1 pond and the Village of Burr Ridge and only two
2 or three or four houses maybe in that whole area
3 are next to or adjacent to the property line at
4 the far north end and at the far south end. The
5 rest of the property is bounded by KLM park on
6 the south. And the entire hospital property on
7 the south, part of the south, the southeast
8 corner and the west at the south end.

08:46:09PM 9 And that's why if -- Get the map.
10 We will show you.

11 MS. CRNOVICH: I understand. I know
12 the site. But have you reached out to the
13 neighbors to get their thoughts?

14 MR. JAMES: The neighbors, the
15 neighbors on Pamona (phonetic) or --

16 What's the name of the street?

17 MS. MC MAHON: Pamela.

18 MR. JAMES: Pardon?

19 MS. MC MAHON: Pamela Circle.

08:46:27PM 20 MR. JAMES: -- Pamela Lane led the
21 fight 13 years ago against any development that
22 we are proposing. And I might make this point.

1 MR. JAMES: Well, yes, I do. This room
2 is evidence enough of the concern. In the last
3 meetings we have not had one single objector
4 except for the first meeting at the trustees'
5 when a woman announced she did not want us to
6 build ticky-tacky homes and what have you. And
7 that's frankly why I put at the back of every
8 one of these all the awards that our project,
9 that our projects have won from land planning to
08:48:32PM 10 architecture to you name it. And they are all
11 there.

12 13 years ago, 14 years ago, we were
13 invited in to provide empty-nester housing the
14 Village thought they wanted. This was after we
15 had completed Chasemoor of Burr Ridge with the
16 metropolitan -- with Metropolitan Life, that was
17 our project. This was after we were invited to
18 do the cottages and the homes that are at the
19 King Bruwaert, the freestanding cottages. We
08:49:06PM 20 did that with KB. And then we were invited,
21 say, come in and do this project.

22 So we came in, and we were

1 disappointed to say the least. And here we are
2 14 years later talking about coming back and
3 doing a single-family, empty-nester,
4 age-targeted development 13 years later. And
5 the residents on Pamela Lane have not said
6 anything. We are more than willing, more than
7 ready to talk with them if they wanted. They
8 certainly know where we are.

9 MR. YU: Commissioner, if I can just
10 add something really quick, there was a public
11 notification, certified mailing that was done.
12 And since it's been done, I have gotten only
13 3 calls. And after I explained what was going
14 on and gave them the date and time of the
15 meetings, I haven't had -- haven't seen them at
16 the meetings. But I just want to add there was
17 a certified mailing notification for this
18 project.

19 MS. CRNOVICH: Thank you.

20 CHAIRMAN CASHMAN: Going to both the
21 citizens of Hinsdale and Burr Ridge?

22 MR. JAMES: 250 feet of the entire

08:49:51PM

08:50:13PM

1 showed up here speaking in favor of it, not one
2 negative. And 40 some residents sent e-mails to
3 the Village when they had the public hearing all
4 in favor of it. There wasn't any, there weren't
5 any negatives; were there?

6 MR. MC GINNIS: I believe we had one
7 comment, she was concerned about rezoning to
8 R-5, which is not in play here.

9 MR. JAMES: We are not zoning to R-5.

10 CHAIRMAN CASHMAN: I wanted to ask, I
11 see some community members here, would you like
12 to speak on the issue?

13 MS. GRISEMER: Yes, I would.

14 CHAIRMAN CASHMAN: Please come up and
15 state your name.

16 MR. WILLOBEE: Have they been sworn in,
17 Mr. Chairman?

18 CHAIRMAN CASHMAN: Yes, they were. I
19 saw them standing.

20 MS. GRISEMER: Yes, I was sworn. I'm
21 Janet Grisemer. I was on the Plan Commission
22 here when Mr. James' company came the first

08:51:44PM

08:52:00PM

1 surrounding property.

2 MS. CRNOVICH: I understand all that,
3 and I appreciate you going to such detail. I
4 just always think -- Like, for instance, like
5 last week, Hinsdale Middle school with the new
6 plans they were going to do, they had a
7 neighborhood meeting. I just think it's a
8 neighborly thing to do.

9 MR. JAMES: I should tell you, every
10 single project we have ever done we have done
11 that. We have done that. But we have never had
12 a project, never, extend 13 years like this
13 project, 14 years. And if you, you know, you
14 don't like the high prices, we don't like them
15 either; but that's a function of the carrying
16 costs, the land and the improvements and
17 everything else that we have done.

18 And as was stated by one of the
19 people here, who is speaking in front of you,
20 don't let this opportunity pass by. That's not
21 my word, that is your resident's. And your
22 residents, 40 some residents, 24 residents,

08:50:38PM

08:51:10PM

1 time. I no longer live in Hinsdale because we
2 decided to downsize. We could not find a place
3 to live here in town that was cost effective for
4 us. I live in Burr Ridge in one of the
5 developments he talked about.

6 I would like to tell you a story
7 about where I live, which is Fieldstone Club.
8 It was built about 20 years ago. And it's high
9 quality. They are single-family homes,
10 detached. There is 60 of them on property
11 that's probably twice to three times the size of
12 this piece of property. They all cost very
13 close to a million dollars. And depending on
14 what people did to them in terms of finishes and
15 embellishments, many of them were more than a
16 million dollars.

17 And at the same time that this
18 project was going through its planning stages
19 and so on -- Well, I guess it was more, a
20 little bit, 5 years later, the 2008 recession.
21 People -- First of all, it's always hard to
22 sell a place when you can't have a sign in front

08:52:41PM

08:53:18PM

1 of it. And that's what our homeowners
2 association says is you may not have signs. It
3 always has to be done through, you know, public
4 channels otherwise. It was difficult for people
5 to sell their units at all for a number of years
6 because they wanted what they, they wanted to
7 get out of them what they put into them and the
8 market dropped out. So it's now beginning to
9 creep up again. But there are very few, I don't
10 think there is any that has sold for a million
11 dollars. We are close on a couple of them, but
12 they have been on the market for six years
13 maybe.

08:53:59PM

14 So what I am seeing here is, number
15 one, it's awfully dense, this project. And I
16 understand why it's dense. But my sense is that
17 if people are going to pay this amount of money
18 they are not going to be able to sell it for
19 what they paid for it because it is so dense
20 that it's not going to be as desirable in my
21 view. And what I'm afraid of is that you may
22 have a depressed situation here down the road

08:54:30PM

1 that is going to be a negative in terms of tax
2 revenues. Our taxes have gone down considerably
3 where I'm living. And people are beginning to
4 be relieved because they have been paying high
5 taxes for something they couldn't sell for what
6 they paid for it. And these are people who for
7 the most part are probably able to pay cash if
8 they want to for one of these places because
9 they are usually downsizing from someplace else.

08:55:17PM

10 So, you know, I'm just really
11 concerned that this is so dense and that it's
12 going to end up being upside down in the future.
13 So I would give it a real hard look to see if
14 you think it's something that might have a
15 downside later on that you haven't thought of
16 yet. That's all. Thank you.

17 CHAIRMAN CASHMAN: Thank you very much.

18 Sir, would you like to speak?

19 MR. MORIARTY: Thank you. Good

08:56:00PM

20 evening, members of the Plan Commission, Village
21 staff, Mr. James and his entourage.

22 My name is Phil Moriarty, and I

1 reside at 914 Harding Road in Hinsdale. We have
2 been residents here for 49 years. Let me state
3 unequivocally that I know many of the James
4 developments and they are outstanding. And I
5 have no quarrel with the Jameses or any
6 development that they have built. I spent part
7 of my afternoon I think where you live right
8 now. Is it Hibbard Gardens?

08:56:45PM

9 MR. JAMES: Hibbard Gardens.

10 MR. MORIARTY: Right. Very nice.

11 MR. JAMES: Thank you.

12 MR. MORIARTY: Do they have basements?

13 MR. JAMES: No.

14 MR. MORIARTY: No basements. Slabs?

15 MR. JAMES: Yes.

16 MR. MORIARTY: No place for boxes.

17 MR. JAMES: Upstairs.

18 MR. MORIARTY: At any rate, my concern

19 is that we have basically been this road before

08:57:00PM

20 with this developer, with this piece of
21 property. Let me assure you there are many of
22 us who are opposed to this increase in density.

1 Planned unit development aside, whatever you
2 want to, whatever you want to call these, text
3 amendments, there are lots of fuzzy figures,
4 surveys, terms, you know, age restricted. It
5 just doesn't matter.

08:57:46PM

6 What matters is that the fact was
7 they bought this property in 2000. They paid
8 15 million for it. They came before us. They
9 wanted 114 units, we said no. We kept it at
10 R-2. We didn't want multifamily. We didn't
11 want attached. We wanted the 36 homes that we
12 fought long and hard to have on this property.
13 We won. We are back, they are back; and we are
14 going to fight again. This is about our zoning
15 code.

16 And the fact that there were
17 carrying costs that affect the price just seems
18 to me to be not at all appropriate to what we
19 are talking about here. Our zoning code is the
20 one precious thing we have in this Village.

08:58:15PM

21 Please do not lose sight of that.

22 And I will add one other thing. I

1 don't think this developer has been a very good
2 neighbor over the years since they got the
3 approval to build 36 homes. The roads are
4 atrocious in there, half built houses, whatever,
5 it's two of them or three of them. You know,
6 the fence that was hit by some vehicle on 55th
7 Street hasn't been repaired in years. It's
8 unsightly.

08:58:48PM

9 That pattern of not being a good
10 neighbor and then all this back and forth about
11 dog parks and water and pathways, those things
12 don't matter a hoot. What matters is our zoning
13 code. Think about the value of the zoning code
14 and what it means to all of us who pay taxes
15 here. So there will be more of us at the next
16 meeting. Thank you. Merry Christmas.

17 CHAIRMAN CASHMAN: Thank you.
18 Mary, have anything?

08:59:23PM

19 MS. RYAN: I guess my thoughts are,
20 because I have benefited personally from very
21 restricted covenants and deed restrictions, if
22 we decide to go forward with housing for more

1 senior people, I think we can get there by
2 virtue of what we include in here and do the
3 best possible job. You can't think of
4 everything, but I like the addition of the
5 clause that does allow flexibility for the board
6 or the homeowners association to make
7 adjustments as needed.

09:00:01PM

8 The things that still concern me
9 would be, really, two. The price point from
10 this vantage point, if we are going to do
11 something like this and address a need, people
12 have spoken to what they think is a reasonable
13 price point. And I guess with all due respect
14 to you, folks -- I agree with the gentleman who
15 just spoke -- the fact that you have had the
16 carrying costs and you spent the money you
17 spent, that's a fact of doing business. I think
18 we have to be realistic in terms of what the
19 price point is.

09:00:27PM

20 On the other hand, either they are
21 going to sell or they aren't. So you are going
22 to have to make some adjustments as a business

1 person in terms of, all right, are we pricing
2 them or not. They don't seem to be selling,
3 maybe we need to address it again. But I sure
4 would hate to see a development go in there and
5 have it be vacant for lack of your ability to
6 meet kind of what the people are hoping is a
7 good price.

09:00:57PM

8 And I guess the third thing is I
9 would say I still am looking for something --
10 I'm sorry, you know, if this hurts some people
11 or offends people or whatever -- our Code is
12 pretty strict about public benefit and open
13 space. And I welcome the fact that you are
14 looking at some other options. I still think
15 that is important because a public benefit does
16 not just mean to the people that are going to be
17 in this particular planned development. It
18 means for the greater good of the Hinsdale
19 people so I still think that piece is missing.

09:01:29PM

20 CHAIRMAN CASHMAN: Anything else?
21 Mark?

22 MR. WILLOBEE: Yes. I would like to

1 revisit the \$150,000 that Julie brought up.

2 MR. JAMES: What?

3 MR. WILLOBEE: The \$150,000 fee in lieu
4 of. First of all, I want to -- appreciate all
5 the information you provided on the stormwater
6 pond. I understand the detention is above
7 normal water. My concern I think you have
8 addressed, indicating that you would clean it up
9 if needed.

09:01:52PM

10 MR. JAMES: Oh, yes.

11 MR. WILLOBEE: My point last month was
12 to make sure that that burden wasn't transferred
13 to the Village or the homeowner association if
14 it needed to be cleaned up.

15 MR. JAMES: No.

16 MR. WILLOBEE: So I understand the
17 detention is addressed. But my concern is
18 runoff volume and the fact that -- And I want
19 to understand, if Mr. Duffy could speak to this
20 or not, but is the \$150,000 for the

09:02:12PM

21 postconstruction BMP, fee in lieu of?
22 MR. DUFFY: That's correct. It's a

1 postconstruction BMP fee in lieu to the Code.
2 It's a \$500 per 1,000 square feet impervious
3 so --

4 MR. WILLOBEE: And that was a
5 recommendation from the staff?

6 MR. DUFFY: It's allowable under the
7 Code, and we had discussions with staff. And
8 this is one of the options we had in lieu of
9 converting the detention basin to a mainly

09:02:39PM 10 planned wetland basin, which the owner does not
11 want to convert. So the fee in lieu route was
12 offered up as an alternative.

13 MR. WILLOBEE: I think I need to see
14 more of what you evaluated between the fee in
15 lieu and the wetland. There is a lot of
16 options. We just did a bunch in the Woodlands
17 as far as -- I mean we talked about open space.
18 We could do borrow retention, we can do all -- a
19 lot of other volume reduction benefits instead

09:03:06PM 20 of just writing a check onsite.

21 MR. DUFFY: Right. Part of the trouble
22 with this one is the development has already

1 this particular development. There is no
2 grandfathering. When they adopted the new
3 stormwater ordinance, that was it. There was no
4 provisions for facilities that were already
5 constructed.

6 MR. WILLOBEE: And --

7 MR. MC GINNIS: That's about the limit
8 of my depth in this.

09:04:22PM 9 MR. WILLOBEE: I know this isn't zoning
10 code. The reason I'm bringing it now is this is
11 the time at the planning level to look at the
12 site configuration and layout of additional
13 stormwater management practices on the site.

14 CHAIRMAN CASHMAN: Maybe if we can ask
15 and get engineering's review of this for the
16 next meeting.

17 MR. MC GINNIS: Certainly. I can have
18 them produce a memo and have that for the next
19 meeting.

09:04:41PM 20 CHAIRMAN CASHMAN: If that would be
21 helpful. That way we know what they are
22 thinking about it and that they concur.

1 been constructed. So it is retroactively coming
2 back in and putting in some of the stuff. So
3 pavements are in, units are in, and the pond is
4 in. You try to implement individual lot BMPs is
5 going to be very difficult to maintain.

6 MR. WILLOBEE: Was that evaluated, or
7 was that something assumed?

8 MR. DUFFY: We have not gone through
9 and done a cost analysis of that, no.

09:03:39PM 10 MR. WILLOBEE: So my opinion, the fee
11 in lieu of -- And I don't want to digress into
12 the ordinance. I've got to get ahold of
13 Mr. Deeter today to talk to him. But I think
14 the fee in lieu of is supposed to be the last --
15 It's supposed to be when it's impractical. And
16 it doesn't sound like at this stage you guys
17 have evaluated whether or not it's impractical.

18 CHAIRMAN CASHMAN: Rob, can you add to
19 this at all? Are you familiar with the
09:03:59PM 20 discussions?

21 MR. MC GINNIS: I'm sorry, I can't. I
22 know that Du Page County doesn't give credit for

1 MR. WILLOBEE: I just need to
2 understand the logic behind that jump to the
3 150,000.

4 MR. DUFFY: Right. It was discussed.
5 And that's the alternative that was -- It was
6 an alternative for us, and that's how the
7 developer wanted to approach it was the fee in
8 lieu.

09:05:03PM 9 MR. JAMES: Brett is our engineer. Our
10 architect looked at it with all of the utility
11 lines included, talking about on site per lot,
12 so forth and so on. And it was just impractical
13 to do it.

14 MR. WILLOBEE: I do this every day. I
15 need to see proof.

16 MR. JAMES: Pardon me?

09:05:26PM 17 MR. WILLOBEE: I do this every day, I
18 need to see proof of that. I need to understand
19 that. I need to understand the evaluation to
20 proving it wasn't practical.

21 CHAIRMAN CASHMAN: So we will have the
22 Village look into this. And then if you can

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1 just reflect on it some more along with that
 2 patio information.
 3 MR. WILLOBEE: All right. Thank you.
 4 CHAIRMAN CASHMAN: I feel like we
 5 have -- The big thing we need to get back to a
 6 month from now, I would like to continue this so
 7 that we can then talk about the public benefit.
 8 A month from now, you will tie in the work with
 9 the Village.
 10 I want to see if there is not any
 11 other comments. We are kind of rehashing. We
 12 have gone through this now three times.
 13 So if there aren't any additional
 14 comments or questions for the applicant, I would
 15 like to entertain a motion to continue this to
 16 the January 11 meeting.
 17 MS. CRNOVICH: One question.
 18 CHAIRMAN CASHMAN: Perfect.
 19 MS. CRNOVICH: I would like to see a
 20 new table of compliance at the meeting in
 21 January. I believe there has been some changes.
 22 MR. JAMES: The table of compliance?

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1 MS. CRNOVICH: Yes.
 2 MR. JAMES: Okay.
 3 MS. CRNOVICH: Thank you.
 4 MR. JAMES: Got that.
 5 CHAIRMAN CASHMAN: And that was changed
 6 for the last month.
 7 MR. JAMES: What is the next meeting
 8 date?
 9 CHAIRMAN CASHMAN: I believe it's
 10 January 11. Is that correct?
 11 MR. YU: Correct.
 12 CHAIRMAN CASHMAN: I appreciate your
 13 patience. This is important, and I'm glad we
 14 are going through it in detail.
 15 Do I hear a motion to continue
 16 Case A-18-2016 to January 11? Do I have a
 17 motion?
 18 MS. MC MAHON: So moved.
 19 MS. CRNOVICH: Second.
 20 CHAIRMAN CASHMAN: Anna?
 21 MS. FIASCONE: Aye.
 22 MR. WILLOBEE: Aye.

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1 MS. CRNOVICH: Aye.
 2 CHAIRMAN CASHMAN: Aye.
 3 MS. MC MAHON: Aye.
 4 MR. PETERSON: Aye.
 5 MS. RYAN: Aye.
 6 CHAIRMAN CASHMAN: Thank you.
 7 * * *
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1 STATE OF ILLINOIS)
) ss.
 2 COUNTY OF DU PAGE)
 3
 4 I, JANICE H. HEINEMANN, CSR, RDR, CRR,
 5 do hereby certify that I am a court reporter
 6 doing business in the State of Illinois, that I
 7 reported in shorthand the testimony given at the
 8 hearing of said cause, and that the foregoing is
 9 a true and correct transcript of my shorthand
 10 notes so taken as aforesaid.
 11
 12
 13
 14 _____
 Janice H. Heinemann CSR, RDR, CRR
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