

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23

PLANNING & ZONING COMMISSION.
VILLAGE OF VOLO, ILLINOIS
July 28, 2020

In Re:
The Woods of Terra Springs
Application for a Planned Unit Development by
Cunat, Inc.

TRANSCRIPT OF PROCEEDINGS taken before
the Village of Volo Planning and Zoning Commission,
held at Big Hollow Middle School, 26051 West
Nippersink Road, Ingleside, Illinois, on Tuesday, the
28th day of July, 2020, at 6:00 p.m. CST.

PLANNING AND ZONING COMMISSION

- ELIZABETH CONNELL, Chairman
- KENNETH ALT, Commissioner
- LISA LaMANTIA, Commissioner
- GEORGE GUFFEY, Commissioner
- GEORGIA BIRUTAS, Commissioner

- MR. MICHAEL MAY, Village Manager
- MS. COLLEEN HUHN, Village Administrative Assistant

- MR. DANIEL P. BRINKMAN, Gewalt Hamilton, Associates,
- MS. DIANE BOUCKAERT, Manhard Construction Company

- MR. BRIAN CUNAT, Developer
- MR. JOHN CUNAT, Developer

- GENERAL PUBLIC

STENOGRAPHICALLY REPORTED BY:
DEBRA M. HASS, CSR, RPR, CLR

	INDEX	
		<u>Page</u>
1		
2		
3	Roll call	3
4	Approval of Minutes 11/12/19	3
5	Statement from Brian Cunat, Developer	8
6	Statement from Michael May, Village Manager	15
7	Statement from Dan Brinkman, Gewalt Hamilton	18
8	Statement from Diane Bouckaert, Manhard Construction	25
9		
10	Public Commentary	28
11		
12		
13		
14		
15		
16		
17		
18		
19		
20		
21		
22		
23		

1 CHAIRMAN CONNELL: I would like to start
2 with the Pledge. The flag is to your left.

3 (WHEREUPON, the Pledge of Allegiance
4 was recited by the Assemblage.)

5 CHAIRMAN CONNELL: Roll call.

6 MR. MAY: Chairman Connell.

7 CHAIRMAN CONNELL: Present.

8 MR. MAY: Commissioner Alt?

9 COMMISSIONER ALT: Present.

10 MR. MAY: Commissioner Birutas?

11 COMMISSIONER BIRUTAS: Here.

12 MR. MAY: Commissioner Guffey?

13 COMMISSIONER GUFFEY: Here.

14 MR. MAY: Commissioner LaMantia?

15 COMMISSIONER LaMANTIA: Here.

16 CHAIRMAN CONNELL: We have a quorum.

17 The first item on the agenda are the
18 minutes of the regular meeting of November 12th, 2019.

19 Can I get a motion to approve those
20 minutes?

06:06PM

21 COMMISSIONER BIRUTAS: So moved.

22 COMMISSIONER LaMANTIA: Second.

23 CHAIRMAN CONNELL: Moved and LaMantia

1 second. Are there any questions or comments on those
2 minutes?

3 Okay. Seeing none, no further
4 questions. All those in favor?

5 (A chorus of ayes.)

6 CHAIRMAN CONNELL: Any opposed? Motion
7 carries.

8 The next item on the agenda is public
9 hearing for a planned unit development for the Woods of
10 Terra Springs.

06:06PM

11 The Commission will consider an
12 application for a planned unit development for the
13 proposed development of a multi-family residential
14 property located on Hartigan Road and Terra Springs
15 Drive.

16 The petitioner is Cunat, Incorporated,
17 5400 West Elm Street in McHenry, Illinois, owner and
18 developer of the property.

19 The petitioner's proposal for the
20 development of the property, includes 240 rental units
21 in 11 buildings, a clubhouse and parking facilities.

22 This public hearing is being held
23 pursuant to notice duly published in accordance with

1 Division 11-13 of the Illinois Municipal Code.

2 All members of the public who wish to
3 object will have an opportunity to do so.

4 Before we open the public hearing, I
5 would like a minute to review the order and the rules
6 of conduct.

7 Cunat will have 15 minutes to make their
8 presentation. Then a brief presentation by the staff
9 will follow. They will also have 15 minutes to make
06:07PM 10 their presentation. After the presentation, members of
11 the public will have an opportunity to address the
12 Commission.

13 In order to give everyone the
14 opportunity to speak, each speaker will have three
15 minutes to speak. I have a two-minute warning and a
16 one-minute warning. I hope we will remember.

17 After everyone who wishes to comment has
18 spoken, anyone who wishes to make further comments will
19 have an additional two minutes to speak.

06:08PM 20 After everyone has spoken, anyone who
21 wishes to make further comments will have an additional
22 minute and so on. After all public comments have been
23 heard, the Commission will close the public comment

1 portion of the hearing.

2 The developer will not respond to
3 questions during the public comment portion of the
4 public hearing. The developer will address comments
5 and questions from the public following the public
6 comment portion of the public hearing.

7 If you wish to comment, please write
8 your name and address on the cards that should be on
9 your seats. The court reporter will use the card to
10 include your information in the record. That way we
11 don't have to have you spell out your name. Everything
12 is on the card.

06:08PM

13 Colleen will collect your card when you
14 are recognized to speak. Come to the microphone and
15 state your name and address before making any comments.
16 Please speak slowly and clearly so that we can hear you
17 through the mask.

18 In addition, just because of sanitation,
19 if you wouldn't mind not touching the microphone. As a
20 short person that might be an issue, but there is hand
21 sanitizer there, I think.

06:09PM

22 I said speak slowly and clearly so we
23 can hear you through your mask. I would ask every one

1 to be respectful of the person speaking. Refrain from
2 making noise such as cheering, booing or clapping and
3 avoid repeating comments previously made.

4 I was at the last two meetings where
5 this was brought up and I think that the public did a
6 wonderful job in not repeating comments.

7 As you know, it's kind of warm in here.
8 Try to not repeat the comments all the time. We have
9 them. They're entered in.

06:09PM 10 After the public comment portion of the
11 hearings, Cunat will address comments from the public.
12 The Commission will then have an opportunity to ask
13 questions followed by discussion and deliberation
14 before the voting.

15 So the public hearing for a planned unit
16 development for The Woods of Terra Springs was opened
17 at 6:10.

18 Anyone in the audience who wishes to
19 speak regarding the zoning ordinance regarding this
06:10PM 20 planned unit development, please stand and be sworn in.

21 (WHEREUPON, those attendees who wished
22 to speak before the Commission were duly
23 sworn.)

1 CHAIRMAN CONNELL: Thank you very much.

2 Cunat will now present.

3 MR. BRIAN CUNAT: Thank you, Madam

4 Chairman -- chairperson.

5 Thank you all for coming tonight and
6 thanks for all the guests for coming as well and
7 hopefully learning about our project that we are very
8 exited about.

9 Tonight we have with us our engineer,
06:11PM 10 Don Dixon and three other people from our office,
11 Stefanie Spitson, Jennifer Grippo, and my brother,
12 Executive Vice President, John Cunat, is with us as
13 well.

14 We started this project almost a year
15 and three quarters ago when the land became available
16 for sale. This land was originally annexed and zoned
17 into the, Village of Volo allowing for 360 or more
18 apartment units, and it was designed as a high-density
19 multi-family buffer between the low-density
06:11PM 20 multi-family and the retail/commercial that was planned
21 at the time.

22 When we looked at the property, we felt
23 that 360 or more units was not appropriate for the

1 site, and part of the negotiations when we bought the
2 property was we were looking at a much lower number.

3 Working with the city and the city
4 staff, we came up with 240 units which would protect a
5 good portion of the integrity of the property and its
6 forested area and green areas, a lot of open space.
7 And part of our plan is all the open space that's left
8 that's not built on now would be -- have a deed
9 restriction for perpetuity which would leave it open
06:12PM 10 space from here on out.

11 The type of apartment complex that we
12 are planning, again, planning it with the city -- we
13 put a lot of time and effort into the elevations, into
14 the overall architectural design, and, again, with the
15 city's input on that.

16 This is considered a Class A apartment
17 complex, which is the highest level of apartment
18 complex that you can get. It does have amenities such
19 as the indoor pool, exercise area, meeting room. It
06:13PM 20 has walking areas and paths and a lot of open space.

21 The units will range in rent from
22 approximately \$1200 for one bedrooms to \$1600 for two
23 bedrooms and that's the starting rate. Our experience

1 in this general area is that that rate is probably in
2 the mid range of where rents will be, and after the
3 complex is built and we see how the occupancy levels
4 are, more than likely they will go up from there.

5 The property was designed originally
6 along Hartigan Road and goes up to Nippersink Road on
7 the north. It was decided -- and we worked with the
8 city as far as Hartigan Road -- there were concerns
9 about it being too narrow. Hartigan was originally 22
10 feet wide curb to curb, so part of the development that
11 we will putting in will be widening Hartigan Road to 33
12 feet or adding 13 additional feet of the road from curb
13 to curb.

14 We have met all of the planning
15 restrictions as far as water retention and sewer and
16 water. We have reserved the sewer capacity, and we
17 have everything designed in accordance with and in
18 cooperation with the city as well.

19 Being a project that originally was
20 designed for 360 or more units, we looked at preserving
21 and really respecting the open space as much as
22 possible, so we have had a tree study done, a very
23 thorough tree study done to look to minimize the number

1 of mature trees that would be removed, and we also have
2 a pretty thorough landscaping plan that will be adding
3 back a considerable number of trees as well.

4 We were very concerned about neighbors
5 as far as being too close and not having enough buffer
6 space, so the property to the -- the property to the
7 south we are really not close to neighbors. There is a
8 large amount of open green space and forest between
9 most of the townhouse neighbors. But the property on
06:15PM 10 the north side of Hartigan Road, there is single family
11 that's outside of the village, but single family that
12 is along Nippersink. We want to respect those people
13 as much as -- I am sure they would be happy to have
14 that happen -- so we did move the building away; we put
15 an additional screening, landscaping to protect them
16 from seeing the buildings. And as a matter of fact,
17 the way the buildings are set down on the property
18 through the elevation changes, they're really only two
19 stories high, not three on that end of the property
06:16PM 20 because there is set-down into the dirt there.

21 The parking that we have designed allows
22 for one space per one-bedroom apartment and two spaces
23 for a two-bedroom apartment with additional parking for

1 guest parking. Typically when we run our projects --
2 and by the way, we have been in the apartment business
3 since 1979. We have been long-term owners and managers
4 of many, many apartment complexes, and so we wanted to
5 make sure that there was adequate parking but also that
6 it's controlled so people that live here do get parking
7 permits, and unfortunately we do tow people that are
8 not allowed or not supposed to be there.

9 We don't allow campers, boats, trailers,
06:17PM 10 RVs, anything like that. It's designed for
11 single-family transportation only, and if you are going
12 to be a guest and stay overnight, you need to get a
13 permit parking there. If you are there during the day,
14 you don't need permit parking but you do if you stay
15 overnight.

16 This particular site will have a
17 full-time staff. They will be there from 8 a.m. to 5
18 p.m. each day and on Saturdays from nine to one. We do
19 have 24-hour emergency maintenance service if anything
06:17PM 20 would go wrong with a unit or a person locks themselves
21 out or a plumbing problem. They can call the 24-hour
22 line, and we do have staff members that come out.
23 They're all our staff members. They work for our

1 company, not outsiders.

2 The only outside vendor we use is
3 landscape maintenance. Everything else is done with
4 our own staff including the plan is to use our own
5 staff for the snow removal and keep the snow
6 maintenance going as well.

7 Let's see. The complex consists of 12
8 -- excuse me, five, twelve-unit buildings and six
9 30-unit buildings. One clubhouse.

06:18PM

10 One of the things that we have found to
11 be very effective in keeping down the garbage and
12 debris from blowing around, instead of having a
13 dumpster, we go with a compactor unit, one compactor
14 unit on the whole project. We have sites that are as
15 large as 350 units with only one compactor and never
16 had an issue.

06:19PM

17 Garbage has to be put into a window
18 that's on the side of the compacting screen, if you
19 will, and it's automatically compacted. There is a
20 sensor there that automatically compacts it when it
21 needs it and automatically calls the refuse company to
22 come and have it emptied when it's full so garbage is
23 not piling up all around the place like you see when

1 there is dumpsters.

2 We will have a centralized mail center
3 where people will get their mail and their packages.
4 If they fit within the box of the Post Office, there is
5 a lock box there that you will find a key in your
6 mailbox, and if you can -- if the package will fit
7 there, it's put in there. If not, it's put in the
8 office.

06:19PM

9 FedEx and UPS deliveries are delivered
10 at the office and there is a note put into your box
11 that tells you there is a box or package for you to
12 pick up.

13 These are secure buildings. You will
14 need to have a cell phone and you will -- each of the
15 units are opened by a cell phone, the buildings
16 themselves. So if you have guests coming over, they
17 will push a button that says Apartment 2C, but then you
18 will need to be the one with your cell phone to let
19 them in. You can't push all the buttons and hope
20 someone let's you in. It's a different system than
21 some in the past.

06:20PM

22 Let's see. We have the site plan here
23 for people to look at and so on.

1 We do have elevations for both the
2 12- and the 30-unit buildings as well as the elevation
3 of the clubhouse.

4 We do have the sample board that shows
5 the actual siding, roofing material, brick and so on.
6 Again, we worked with the city on developing the design
7 on the outside of the building. We tried to make the
8 outside of the buildings compatible with neighboring
9 properties and complementary as well.

06:21PM

10 I think everything else you received was
11 in your package and I look forward to answering other
12 questions.

13 Thank you.

14 CHAIRMAN CONNELL: Thank you. Now it's
15 time for the Volo village staff to make their
16 presentations.

17 MR. MAY: Thank you, Chairman Connell.

06:21PM

18 I am just going to give a brief review of the history
19 of the property for the Commission, then we do have
20 Dan Brickman from Gewalt Hamilton, the village traffic
21 consultants to review traffic impact study, and Diane
22 Bouckaert from Manhard to review the storm water -- the
23 storm water management report as well as those get to

1 be a little more technical.

2 I think Brian did a good job recapping
3 the history.

4 The property was annexed in 1998 as part
5 of the Four Oaks annexation. That annexation agreement
6 and amendments thereto contemplated up to 384 apartment
7 units in conjunction with single family and commercial.

8 We have the portion developed commercial
9 with Home Depot, the single-family component of Terra
06:22 PM 10 Springs, when that was platted, back in 2003, I
11 believe.

12 I did include lots 1 and 2 of the Terra
13 Springs subdivision which are the properties that Cunat
14 does own and are looking to develop with that
15 multi-family component.

16 The property is zoned MU-2, mixed use
17 residential/commercial, which is the underlying zoning
18 district for multi-family developments as part of the
19 PUD. So the zoning is appropriate for the proposed
06:22 PM 20 use.

21 With respect to the departures, I think
22 Brian was very modest in his proposal. Essentially,
23 the developers wanted to come in and not have any

1 variances needed, obviously, for ease of process.
2 There were a number of things that the village did
3 request or require that had led to some of those
4 departures being requested. One in particular as he
5 mentioned we worked very closely on the elevations in
6 trying to maintain compatibility and consistency with
7 Terra Springs. That included pitched roofs with
8 similar pitches to Terra Springs as opposed to
9 flat-roof buildings or half-pitched roofs.

06:23PM

10 I did mention that they have agreed to
11 do widening on Hartigan Road to Terra Springs Drive.
12 That does require some additional right of way which
13 ultimately reduces some of those street-ward setbacks
14 that they're requesting departures for.

06:23PM

15 The village would require for the
16 roadway (audio) (those would be met at the 20 foot
17 required and the rear setbacks are all 30 foot as
18 required. The building will be no closer to the road
19 because that north curb line of the road is not moving
20 as part of the expansion. That's all on the south side
21 of the road where there is nothing currently developed
22 on that side.

23 As it relates to the trees: The

1 parkway, the perimeter yard, the 14 trees there, again
2 that was a village request that they put up fencing
3 along the Home Depot property in order to provide some
4 separation, some greenings, essentially more security
5 for their units that back up to that loading area of
6 Home Depot.

7 As it relates to the sidewalk: The
8 sidewalk on the western portion of Hartigan Road on the
9 south side would be close to a steep slope down to the
10 bottom of the detention pond. That raises security or
11 safety issues. That's the rationale for that request
12 there.

13 With that, I would invite Dan Brinkman
14 to come and give a brief overview of the traffic impact
15 study.

16 MR. BRINKMAN: Thank you again.

17 Dan Brinkman, Assistant Director for
18 Transportation Services for Gewalt Hamilton Associates,
19 Licensed Professional Engineers. I also am an engineer
20 and have been doing this for 25 years.

21 A couple things tonight of what a study
22 should cover. We will talk about the study that was
23 conducted for the village for the proposed development,

1 and lastly, even though it's been touched on a couple
2 times, touch on the mitigation that's proposed with the
3 development.

4 Really, the goal of traffic impact
5 studies is just that; understanding the necessity and
6 recommendations to mitigate traffic impact of a
7 proposed development. You want to make sure that that
8 study includes an assessment of the current conditions,
9 understand the future, uses nationally published
10 standards for how much traffic the proposed type of
11 development will generate.

06:25PM

12 We do an analysis capacity just can the
13 roads accommodate the traffic or additional traffic.
14 National and federal standard for that. I will touch
15 on that. Talk about level of service.

16 And then if necessary, determine the
17 impact and determine any mitigation necessary to help
18 blend that. The goal should be, when you are doing an
19 impact study is, is the intersection able to
20 accommodate not only the development that's proposed,
21 but a little bit of growth.

06:26PM

22 So the study we conducted for the
23 proposed development started back in January. We did

1 existing counts at Christmas rush when everyone has
2 returned to school to make sure we had as accurate data
3 as we could get. As the result of that and several
4 other delays, the counts were done the first Thursday
5 or second Thursday in January, on the 9th, Saturday the
6 25th. Traffic counts were conducted from 6 to 9 a.m.
7 and from 10:00 o'clock to 2:00 o'clock on Saturdays.

8 Out here along Hartigan and Terra
9 Springs, your morning peak hour occurs from 7 to 8,
10 4:45 to 5:45 in the evening and Saturday afternoon in
11 midday peak was 11:30 to 12:30.

12 Before considering the development
13 itself to make sure we build in safeguards, the traffic
14 counts that we collected in January projected out
15 technically six years, build-out of the development
16 plus at five years. One percent per year compounded
17 growth from what we started with a baseline for 2026.

18 And that baseline traffic then we piled
19 the proposed development on top of that.

20 The proposed development traffic is
21 determined by utilizing national data published by the
22 Institute of Transportation Engineers or the ITE. For
23 the proposed development, what we considered was 240

1 mid-rise apartments. It's important to understand the
2 difference.

3 Up until about three years ago, all
4 apartments or all rental units were lumped in one land
5 use. What that tended to do was underestimate the
6 traffic volumes generated because it combined 1, 2,
7 3-story rental units with those five and six and even
8 20 or 50 stories. So subsequently the ITE broke that
9 out.

06:28PM

10 So we considered the mid-rise apartments
11 which is the lowest level that they considered, one to
12 five floors, types of building.

13 So the 240 apartments would be expected
14 to generate roughly 80 peak our hours in and out in the
15 morning. I will try and speak up. And roughly 80
16 trips in this morning peak hour, 103 trips during the
17 evening peak hour, and again about 110 trips in and out
18 on Saturdays. With the average daily traffic, again
19 trips, all the trips in and out in a 24-hour period at
20 build-out right around 1300.

06:28PM

21 Again, this is residential traffic. For
22 the most part in the morning, everyone is leaving going
23 to work, and in the evening everyone is coming in.

1 Distribution of traffic. And again,
2 since we have residential here. In addition to all the
3 counts we did, we looked at the pattern of where people
4 who leave the existing residential go. We expect 60
5 percent of the traffic generated by the development
6 ultimately head to Nippersink Road, the vast majority
7 head south. The rest use Hartigan Road to access Route
8 12 and most of that in the morning is going to head
9 south.

06:29PM

10 Once we assign that existing traffic, we
11 have that non-project related background growth, one
12 peers per year generated by the development following
13 similar patterns out there then we do analysis of all
14 the intersections.

06:30PM

15 We looked at Nippersink and Terra
16 Springs, Terra Springs and Hartigan, all the proposed
17 access drives, and we do an analysis based on federal
18 guidelines, looking for LOS, level of service; it's an
19 assessment of how long people wait at various
20 intersections, determined based on your average delays,
21 seconds per vehicle. Make this like in a report card.
22 An A is good, an F not so much.

23 The goal when you have a roadway, when

1 you have a new development, the goal for the most part
2 is at build-out you be at level of service C or better.
3 That's not always achieved.

4 For example, any time you build a
5 development, with a traffic signal in the Chicago area,
6 you are going to wait longer. Un-signalized
7 intersections is pretty easy to accommodate.

8 When we looked at the existing roadway
9 network right now during all the peak hours, we looked
10 at a.m. p.m. weekday and Saturday midday. All the
11 level of service are A. Without any roadway
12 improvements they're expected to stay there through
13 2026 if there is no development.

14 We piled the development and saw a
15 little bit of deterioration of those operations. So
16 again, as I mentioned, working with the village, there
17 was a recommendation to make roadway improvements to
18 mitigate this.

19 As the result of that through 2026 with
20 that background growth and all the development at
21 build-out, all the intersections in the Terra Springs
22 area are expected to operate at LOS B or better.
23 That's the few left turns, left turns out on to

06:30PM

06:31PM

1 Nippersink or some of the left turns from Hartigan up
2 to Terra Springs Drive, which probably the biggest
3 change anybody will notice other than the widening is
4 that intersection of Hartigan and Terra Springs will be
5 an all-way stop; not where two approaches stop and the
6 one coming out of the existing development doesn't.

7 I think parking was touched on. We
8 talked about the roadways and the widening. So again,
9 all the existing roadways, Terra Springs and Hartigan,
10 the 20 feet edge-to-edge pavement, the blacktop is 20
11 feet wide and the curb and gutter on top of that. Two
12 ten-foot lanes. The proposal was to have three 11-foot
13 lanes along Nippersink and Terra Springs and Hartigan
14 Road to the back of Home Depot where it widens out
15 today.

16 Really, what that does is provide a
17 separate right-turn lane, and coming from Nippersink on
18 Terra Springs up to Hartigan, if you picture that, and
19 then Hartigan back out.

20 The idea is, understanding that there is
21 traffic from the development as well as traffic that
22 uses the retail, trying to get them out of the way of
23 people who are in the existing residential development,

1 giving a separate lane for those movements so no more
2 delay than necessary.

3 The only thing that changed from the
4 traffic study that was provided to you in the proposal
5 is: When we did the study, the access to Nippersink
6 Road was going to be a direct turn in and out only.

7 Subsequently, working with the
8 development, that's going to be full access. So if you
9 are coming up Nippersink and want to go to the
10 apartment complex, you will be able to make a left
11 directly in, instead of turning on to Terra Springs,
12 come around the block, come up Hartigan Road and enter
13 the development.

14 So again, our study is a little more
15 conservative in terms of development traffic that will
16 be using Terra Springs Drive and Hartigan because now
17 they have full access to Nippersink.

18 Questions?

19 CHAIRMAN CONNELL: Thank you.

20 DIANE BOUCKAERT: Good evening. I am
21 Diane Bouckaert with Vocart Consulting, professional
22 engineers.

23 I just wanted to talk real briefly about

06:33PM

1 the storm water management regulations that are out
2 there and how this project is working to meet those as
3 well.

4 The state and the county have provided
5 outlined ordinances that require -- that this
6 development is regulated under -- that would require
7 and allow less than or equal to the existing conditions
8 for this rate. Obviously, because when you develop a
9 site, you put a lot more impervious area on the site,
10 you typically generate a lot more runoff than in an
11 existing condition.

12 What we do to provide detention
13 facilities onsite and these detention facilities
14 provide volume to store the additional runoff and they
15 are restricted via storm sewer or some kind of a
16 restricter structure, restricted at the rate of, like I
17 said, either the existing conditions or less than that.

18 Lake County has a certain allowable rate
19 which is typically significantly less than existing
20 conditions. So developments are required to actually
21 provide detention for 100-year storms and to release at
22 or less than the existing conditions. And the release
23 is also designed to release the site from roughly at or

1 about the same location as in existing conditions.

2 So you can't take a site that drains to
3 one side and drain it to the other side. That's
4 against Illinois drainage regulations. So this
5 development is following that -- those ordinances, and
6 basically what happens is they have split the area into
7 three separate pond service areas. So there is a north
8 pond, there is a central area that has two ponds that
9 are interconnected to each other, they work as one
10 pond, and then a south pond. All of the development
11 drains to either of those three ponds.

06:36PM

12 The north pond and the south pond are
13 connected to the central pond, and then the north pond
14 and the south pond are connected to the central pond
15 and the central pond discharges off to Fish Lake.
16 That is in compliance with existing conditions. It
17 does follow the drainage pattern, and like I said,
18 everything is designed to drain to each of those ponds
19 and then release at the level... (inaudible).

06:37PM

20
21 CHAIRMAN CONNELL: Thank you. I believe
22 that was all the comments from the village then,
23 correct?

1 MR. MAY: Correct.

2 CHAIRMAN CONNELL: Okay. So before we
3 go into the public, we do have quite a few comments
4 that were received today, and I am just going to read
5 the names and the addresses of those who sent in
6 comments and they will be entered into the record
7 verbatim.

8 I am going to read the names and
9 addresses.

10 Don and Tammy Lackey,
11 106 Grandview Court.

12 Mark Harris, 110 Oak Knoll Court.

13 Larry Siuda, two submissions. He did
14 not provide an address.

15 Patricia Murray, 122 Terra Meadow
16 Circle.

17 Kalliopi Antoniou and Constantinos
18 Antoniou, a joint statement, 203 Terra Firma Lane and
19 403 Terra Springs Circle.

20 Eric Wang, 108 Terra Vista Court.

21 Jessica Schnoor, 402 Terra Springs
22 Circle.

23 Todd Schmauderer, 109 Terra Firma Lane.

1 Daryl Bottenhage, 345 Terra Springs
2 Circle.

3 Carmen Rivera, 228 Terra Firma Lane.

4 Sonya Leicht, no address provided.

5 Barbara Franciois, 538 Terra Springs
6 Circle.

7 James and Janice Bajerski, 117 Grandview
8 Court.

9 Amy Ruiz, 120 Grandview Court.

10 Bethany Shore and Andrew Rozanski,
11 111 Terra Firma Lane.

12 Jeff Scholtz, no address provided.

13 Tom Kleine, 103 Terra Vista Court.

14 John Crimmins, 111 Oak Knoll Court.

15 Janet Campbell, 1399 Nippersink.

16 Anna Rivera, no address provided.

17 Thomas Robertson, 542 Terra Springs
18 Circle.

19 Kevin Nuccio, four submissions and no
20 address provided.

21 Terra Springs HOA, also provided a
22 petition of opposition with 170 signatures.

23 Chris Kazmura, no address provided.

1 Derek Hartmann, no address provided.

2 Mayor Donny Schmidt, Village of Fox
3 Lake.

4 Anastassia Hudachko-Strine, 1918 West
5 Greenleaf Drive.

6 Jason Thomas, no address provided.

7 Tracy Stella, 113 Terra Springs Circle.

8 Amanda Schluter, 526 Terra Springs
9 Circle.

06:39PM

10 So at this time, members of the public
11 who wish to speak, please raise your card. When you
12 are called, give Colleen your card when you come to the
13 microphone to speak.

14 State your name and address and speak
15 slowly and clearly. I have the signals as I mentioned.

16 LAUREN POOR: Lauren Poor, 422 Terra
17 Springs Circle.

18 Obviously, you know where I live. I
19 live in Terra Springs. I also lived in a Cunat
20 development due to the fact that there was a fire.

06:40PM

21 Do I have experience living at Cunat
22 apartment complexes? I could hear the guy every single
23 morning, get up walk across his house which was a short

1 part away, pause and drop his toilet seat.

2 One of my questions is: Is -- if this
3 is a Class A apartment complex, what is the one in
4 Spring Grove, the one in Lake in The Hills and in --
5 what are those classes? Because those are all -- if
6 you drive through there, they're not nice apartment
7 complexes at all. They really aren't. They haven't
8 updated them. They don't look like that.

06:41PM

9 What is this going to do to Terra
10 Springs' property values? Terra Springs has really
11 been hit hard with one, the recession, and there is --
12 I fought a foreclosure, I would like to sell my place.
13 I am having too many issues and bills due to the fact
14 that -- so I am -- nobody wants to buy these places
15 that have been sitting up for sale now.

16 And my other question is -- sorry, I
17 wrote it down here.

06:42PM

18 Is that a concern of you guys, that
19 these apartments complexes around the area are not very
20 well kept? I wish that I could get some feedback.

21 CHAIRMAN CONNELL: Unfortunately, the
22 way this is set up is we take the comments and we give
23 feedback at the end. We write down your concerns. It

1 will give us time --

2 LAUREN POOR: Has anyone in the room
3 lived in a Cunat facility? Was it crappy? See? I am
4 done.

5 CHAIRMAN CONNELL: Thank you.

6 I would also like to repeat when you are
7 coming up, we are not going to give feedback until the
8 end, so you are making all your comments to the
9 Commission up here. Thank you.

06:43PM

10 LORI WARD: Lori Ward. I live in Terra
11 Springs also. I am also the president of the
12 association board of directors, and as you read, we did
13 submit a letter as well as a petition with over --
14 close to 170 signatures of homeowners who are opposed
15 to the development.

16 Some of the concerns are insufficient
17 green space, although Mr. Cunat did speak about having
18 adequate green space.

06:43PM

19 If you look at the plans, it is mostly
20 parking lot, and the green space is a huge gully. So
21 there is concerns about dog walking. Absolutely no
22 place for 240 units to walk dogs except on our
23 property. We have enough trouble picking up dog

1 doo-doo from our own homeowners, let alone 240-plus
2 renters.

3 The homeowners also do not want to have
4 our open space used for the renters' recreation. We
5 were approached about allowing a park or a playground
6 to be built on our property, which we declined. It's
7 an open space right across from the buildings on Terra
8 Springs Drive and so, of course, people will walk over
9 and see it as a spot that they can use because it's
10 just there and it's open.

06:44PM

11 This will present overcrowding. We have
12 286 units on almost 40 acres. You are proposing 240
13 units on 16 acres, almost as many units in half the
14 amount of space. That will contribute to the
15 overcrowding, more traffic. Not only do residents use
16 those roads, but every single person that goes for
17 their Starbuck's run every day, to go to Home Depot, to
18 go to Jewel, they use that thoroughfare off of
19 Nippersink, through Terra Springs Drive to Hartigan to
20 the businesses and back.

06:45PM

21 Noise is a concern. Litter is a
22 concern. We have litter blowing all over the place.
23 Even with the compactor, people driving through there

1 will be tossing their Starbuck's cup out the window.

2 An increase in potential crime. I
3 personally would not like to see the use of the name
4 Terra Springs, and I think many of our homeowners
5 agree. We do not want to be associated with a rental
6 community. We have our name, you can pick another
7 name.

8 And then the three-story building will
9 definitely tower over a two-story town home. You may
10 be sinking them back by a Home Depot where there is no
11 people walking along Home Depot's drop-offs we are
12 going to see a three-story building towering over us
13 and the description of the trees and pastoral, I think
14 all the things, if not an extensive list, but many of
15 the things our homeowners are opposed to.

16 Thank you.

17 CHAIRMAN CONNELL: Thank you.

18 DAVID VONDER HAAR: Hello. My name is
19 David Vonder Haar. I live at 27359 West Nippersink
20 Road. I have been there for 20 years. I have also
21 been in the trades for a long, long time so I have seen
22 builders exactly like this and it's not pretty. I can
23 tell you that.

1 First of all, do you guys have a plan
2 for single-family homes? Because if you take a
3 topographical view of this area, that's what you are
4 going to find. Some town homes, but the single-family
5 area.

6 Okay. So if they don't have one to
7 present, I suggest you guys don't vote on this.

8 Next, I would say Cunat -- I hope I have
9 your attention now.

06:47PM

10 Give me that time back.

11 CHAIRMAN CONNELL: I paused it.

12 DAVID VONDER HAAR: I appreciate that.

13 So the goal is to come into this
14 community, maximize the profit on the backs of the real
15 estate of the folks that live in the community.

16 I understand they're out to make
17 business, but they prey upon communities just like this
18 in order to maximize their profit. They hope that
19 people do not show up at meetings like this so that
20 they can slide this in.

06:48PM

21 Have any of you folks visited any of
22 their previous properties and visited it today? Not
23 pretty, is it? Okay.

1 I suggest you guys also look these folks
2 up online, look up their reputation. You can also see
3 that if you ask their employees if it's a good place to
4 work, there was one pro and it was that they have
5 Saturdays free lunch. The rest were cons. Not a
6 pretty place.

7 I did not hear one thing mentioned about
8 impact fees for the schools. Not one thing. Isn't
9 that the most important thing for our property values
10 is the schools? They do not care about that. I can
11 tell you that. These are our kids we are talking
12 about. These guys will be gone. These families are
13 staying. Okay?

14 The other thing is five buildings of
15 twelve; these are massive buildings. Some of these
16 houses will be in shadows.

17 These lies about trees. They ain't
18 going to be any trees. That's not going to happen.
19 And it's obvious they're doing the bare minimum for the
20 roads too. You have to ask for a lot more than that.
21 Widening a road for 13 feet? That's it?

22 Also, how long will this keep the roads
23 clean during construction? They do not have a good

1 reputation for any of their maintenance around and
2 taking care of the community around there.

3 This is the type of building that you
4 are going to find in Round Lake Beach. And I don't
5 want to offend anyone there. Their crime is better and
6 property values are lower and this is where you are
7 headed if we continue with this. This place they are
8 trying to say it's a buffer between single family?
9 That's just malarkey. It's a single-family area, and I
10 think they should keep it that way.

06:50PM

11 By the way, are you folks elected
12 officials?

13 CHAIRMAN CONNELL: The three minutes is
14 up if you want to put a line -- come back for the two
15 minutes.

16 DAVID VONDER HAAR: Thank you.

17 CHAIRMAN CONNELL: I would like to
18 reiterate you are speaking to the Commission. Also I
19 would like to reiterate which I mentioned earlier is
20 that cheering, booing and clapping; please refrain.
21 It's not that we don't appreciate your position. We
22 are trying to keep the meeting running.

06:50PM

23 TRACY STELLA: I am Tracy Stella and I

1 live at 113 Terra Meadow Circle in Volo and I am a
2 licensed realtor and I serve Lake County. And the
3 impact to property values is -- according to
4 Realtor.com, there are only two things that are worse
5 than having a large high-renter concentration that
6 affects property values. That's said that the impact
7 would be 13.8 percent. The only thing worse were to be
8 next to a strip club and/or in a bad school district
9 which someone talked about.

06:51PM

10 Based on the prices of Terra Meadow
11 property over the last twelve months, the impact to a
12 homeowner would be a \$23,000 loss per home sale which
13 does not sound like a lot, but whoever bought before
14 the crisis of the economic fall, so people are still
15 not above water and we watched a lot of our neighbors
16 lose their homes to foreclosure, and we know those
17 people. We don't want to have people bringing money to
18 a closing table because we are being held hostage to a
19 property value decline.

06:52PM

20 And then the other thing is that having
21 a three-story rental at both entrances does
22 dramatically increase the first impression. Anyone
23 that wants to sell will have a very difficult time.

1 A high traffic volume that cuts through
2 our neighborhood adding 240 apartment units to that
3 where tenants are not as concerned about the safety as
4 we are as homeowners, is also a very big concern.

5 And the other thing that no one has
6 talked about yet is we Terra Springs residents have
7 limits on how many rentals we can have per complex to
8 protect our property values and all that we maintain
9 property values would be pushed on the wayside. All
10 that we have done to try to protect our property values
11 will be diminished when we have large rental complexes
12 that are brought in.

13 So the other thing is that just I also
14 had a question about the monthly rental rates. Those
15 are very low rental dollars for our area, just so
16 everyone knows; those are extremely low. You can't
17 rent anywhere decent for those prices. Practice
18 protections are in place for future condo conversions.

19 Thank you.

20 LARRY SIWA: Larry Siwa. I live at
21 207 Terra Firma Lane. I have been here 16 years. Not
22 all renters are bad. Is this on?

23 For one year I tracked all the

1 violations we had in Terra Springs. Something like
2 over 90 percent -- talking about parking, garbage, not
3 picking up after your dog, drug busts -- over 90
4 percent were renters. Ninety percent. If you guys
5 talk to Jewel -- I talked to Jewel and I talked to
6 Aldi's. They are not sure they can handle that many
7 more people.

8 So anybody check that out? One more
9 thing: They have a reputation. We did our homework.

06:55PM

10 They have a reputation. They are not going to get the
11 rent they are asking. They are going to file for
12 Section 8. They have a reputation and have done it
13 before. We have done our homework.

14 Thank you.

15 THOMAS JOHNSON: Tom Johnson. I am
16 probably one of the most senior residents in the area.
17 I have been here for over 50 years and we have seen it
18 grow and blossom into a beautiful community.

06:56PM

19 What I see presented here and what I
20 have heard presented is not something that is going to
21 add to the beauty or the serenity and the peaceful
22 living that we have experienced over the past 50 years.
23 There is plenty of open space around Lake County around

1 the immediate area. To put such a project, it doesn't
2 belong here.

3 You mentioned about 60 percent of the
4 traffic that would be going down Nippersink Road there
5 -- I don't know how you adjust to that, but we have
6 seen it increase 100 percent for, you know, probably a
7 thousand percent since we have lived here and now you
8 are going to add more? When do the traffic lights come
9 in? When does the widening of Nippersink have to
10 occur? What are the impacts that this project will
11 have on your immediate area? That's not being
12 presented.

06:56PM

13 I am also concerned and I don't quite
14 understand because I am not in your business, I am
15 merely a citizen that pays the taxes; is this the slam
16 dunk deal where there is a public hearing and they make
17 a presentation and we, the residents make our comments
18 and then it happens? It would be appropriate if
19 someone here would explain to us, the residents, how
20 this is going to occur and will it or will it not? Is
21 it a slam dunk or is it not? Did our comments have an
22 impact or meaning to you or not? That is important.

06:57PM

23 The people that live here in Terra

1 Springs and Fisher Estates have sometime in the past
2 made a decision that's where they wanted to be, that's
3 the environment they were looking for, that's where
4 they made their investment. They did not anticipate
5 there would be an increased density of this type and in
6 a multi-family unit like this that would change the
7 complexion of the environment that we are living in,
8 and you folks need to consider that very seriously.

9 Thank you.

06:59PM

10 ANTHONY RUIZ: Can you guys in the back
11 hear me?

12 Good evening, everybody. If there is
13 one thing here that everyone can agree on is that we
14 all care about the town of Volo. You, me, everyone who
15 showed up here tonight and all the residents who signed
16 petitions.

06:59PM

17 When I walked in, I saw a lot of people
18 with a lot of comments who oppose this, specially the
19 Woods of Terra Springs. That just kills me. What is
20 Volo? What does Volo represent? Volo is much more
21 than a famous auto museum or Fratello's. Volo is all
22 about the residents. We are a family community, a
23 community which has been cultivated for nearly three

1 decades, and as far as I know, if what we see, the
2 Village of Volo's residents care. We all care very
3 deeply.

4 Now I can sit here and argue for hours
5 about the process and consequence of this development
6 regardless of the issues that we face such as water
7 retention, property tax burdens of all the residents,
8 insurance liabilities from possible flooding, fire
9 protection, but most importantly, the issues with
10 safety for the residents and children who would be
11 occupying those 240 apartments and those of us
12 currently living in Terra Springs.

13 Has anyone stopped to ask our local fire
14 and police departments their perspectives concerning
15 logistics? I think that's important, don't you? All
16 right.

17 I recently witnessed a fire in Terra
18 Springs and I cannot say enough about the great job our
19 men and women in the fire department and police force
20 did in response to that fire. But you know what? Due
21 to the narrow roads, it wasn't easy for them getting
22 everything set up. Luckily for us, those men and women
23 are well trained.

1 At the last meeting, the fire chief
2 voiced his concerns about safety with the narrow roads.
3 If the fire chief states that there is a problem, then
4 we must listen.

5 After carefully reviewing the traffic
6 impact statements submitted online, it's quite clear
7 that widening five feet on each side of Hartigan is
8 still not sufficient. As they are now, the roads
9 through Terra Springs are very narrow. Hartigan also
10 being a hot spot for accidents on a daily basis.

07:01PM

11 You can do all the metrics you want, but
12 unless you live there day to day, you don't see how
13 many idiots almost cause accidents and have caused
14 accidents there. It's insane.

15 Remember this, you guys work for us, and
16 if you cannot or will not comply with what the rest of
17 the departments demand, please keep that in mind the
18 next time elections come around.

19 If this gets rubber stamped and this
20 plan goes through, we will fight all the way. One way
21 or another, we will get what we want.

07:01PM

22 This construction doesn't benefit any
23 resident and I challenge anybody here to prove me

1 wrong.

2 Look, as elected officials you need to
3 make the correct decision. It is pretty obvious that
4 the residents of Volo oppose this construction. You
5 guys represent us and what we want as a community. And
6 right now, the residents of Volo have spoken. We do
7 not want this construction.

8 Thank you very much for your time.

9 COMMISSIONER LaMANTIA: Thank you.

07:02PM

10 CHAIRMAN CONNELL: Sir, what was your
11 name. Sorry?

12 TONY RUIZ: Tony Ruiz, R-U-I-Z.

13 WILLIAM LEE: Good evening. My name is
14 Lee, William Lee. I do not live in Volo. I live
15 kitty-corner on the corner of Burkhart and Nippersink
16 from the project basically across the street.

17 My background is I am a retired
18 attorney. I lived in Barrington briefly before moving
19 up north here. I was on the village board of
20 Barrington, first elected in 1985. I was then -- I ran
21 again in 1989, was elected again and retired in 1993
22 after two terms. I thought that was enough.

07:03PM

23 I have had a look at this project and

1 it's got some problems, some major problems. One is
2 that it doesn't meet the spirit or the letter of
3 Section 5.7. 5.7 says, among other things, that the
4 character of the MU-2 district is such that it respects
5 the character of the neighboring residential district
6 while establishing compatibility with higher density
7 use on the other side.

8 This project has failed rather
9 dramatically to respect the character of the
10 residential areas on the north and the east.

07:04PM

11 For that reason alone, the project
12 should be denied.

13 Also, the project requests a variance
14 from the floor area ratio. Floor-area ratio is .40.
15 This project wants .51, which is a massive increase,
16 and incompatible with what you see in the surrounding
17 area, and incompatible with what's in the village
18 ordinances.

19 For that reason it should also be
20 denied. The village manager spoke about the street
21 yard setbacks and the fact that if we didn't have the
22 streets expanded, they would be met -- I think he
23 misspoke, though, because Building 11 is not on

07:04PM

1 Hartigan. It's on Terra Springs. And that also is in
2 violation of the village ordinances.

3 I guess there is no ordinance of the
4 village with respect to impervious surface ratios.
5 That would violate that because it practically paves
6 the entire area except for areas that are reserved.

7 So, even if this project is approved --
8 and it shouldn't be -- Buildings 7 through 11 should be
9 no more than two stories tall at the very most.

07:05PM

10 Thank you, and I reserve the rest of my
11 comments.

12 CHAIRMAN CONNELL: Thank you, sir.

13 AMY RUIZ: Hi. I'm Amy Ruiz. I live in
14 Terra Springs. My first point is to the traffic study.
15 They did mention that now they're going to have a
16 fully-managed intersection at Terra Springs Drive and
17 Hartigan. Anyone who lives in Terra Springs knows why
18 there is no stop sign there today, because that is a
19 slope coming up out of the subdivision.

07:06PM

20 In the winter, once you start down that
21 hill, you don't stop. And if you are behind someone
22 who stops, they're going to slide into you. That's why
23 there is no stop sign. The people in Terra Springs are

1 not changing, so why is our traffic pattern changing?
2 They need to accommodate, okay? There can't be a stop
3 sign there. It's a disaster.

4 I am also on the homeowner board. The
5 storm water study, everybody says, yes, there is enough
6 capacity and everything else. The issue: What none of
7 these engineering reports online are addressing is the
8 fact that the runoff is not Cunat's property; it is
9 Terra Springs homeowners. We spend tons of money to
10 maintain that property. Our homeowner assessments are
11 high. We have 26 residents living on those ponds that
12 you so flippantly talk about that have to pay flood
13 insurance.

14 You start draining more water, we are
15 going to have more people needing flood insurance.
16 This is in my backyard so I really care. I understand
17 gravity only works one way, but engineering works too.
18 You could use water permeable on your parking lots and
19 maintain all your water up there.

20 The new variances that were just posted
21 online, building height, people have talked to it.
22 Your street yard variances are taking away green space.

23 Less landscaping in the parking lot. I

1 don't think you have enough parking lot for the people
2 that are there, but now you are going to take away more
3 green space too? You can't come up with 43 trees? How
4 many trees are you taking out?

5 The building should be required one for
6 one in volume replacement. I mean, we are destroying
7 the environment. We are requiring a pitiful number and
8 he can't even meet that and then he wants to call it
9 the Woods of Terra Springs? Just name it the Former
10 Woods of Terra Springs because that's the way Terra
11 Springs residents feel. You are destroying the whole
12 area.

07:08PM

13 That's it.

14 COMMISSIONER LaMANTIA: Thank you.

15 JANET CAMPBELL: I am Janet Campbell. I
16 live at 1399 Nippersink in Fox Lake.

17 I would like to say that I don't believe
18 you gave the Village of Fox Lake proper notice of this
19 meeting today. They did not receive notification until
20 June 22nd. I got mine ten days before that. This is
21 the sixth meeting, and this is the first time we were
22 informed and within the week, you have added studies,
23 so much information it's not possible to go through it

07:09PM

1 all. The mayor is not here. His wife has cancer. He
2 does not feel safe. To add 60 percent more traffic to
3 Nippersink? Nippersink is already failing. Have you
4 driven through the S curve?

5 My home values have already been
6 impacted just by the signs going up. Two of my
7 neighbors have sold because of this project and because
8 the trash compactor is going to be located by our
9 estate homes.

07:09PM

10 Why not put the trash compactor by Home
11 Depot? Why should it be in my backyard? I believe
12 it's because Volo knows it has to have low-income
13 housing. Cunat is known for low-income housing. Volo
14 wants to push their low-income housing as far out of
15 the village as they can, to the Fox Lake, Ingleside and
16 where Terra Springs is which will ruin where we chose
17 to live to have renters that don't care.

18 Thank you.

07:10PM

19 HENRY SCHAAF: My name is Henry Schaaf.
20 I live at 27241 West Nippersink.

21 A lot the questions have been answered
22 but just as years ago with Terra Springs, you voted to
23 give the lowest impact fees to the schools for \$750 a

1 unit. The following year our taxes went up. And as
2 far as building, I didn't hear anything or see anything
3 if they went and did what Fire Marshal Dave said, that
4 they can't make it into the last units that are behind
5 me. If they can't make it in there and God forbid
6 those things catch on fire, I am in jeopardy.

7 So let's take care of some of this
8 stuff. Safety is the main issue for these people no
9 matter who they are or where they are.

07:11PM

10 And when they were putting in the water
11 mains back in the beginning before Terra Springs to get
12 Home Depot a septic, all the equipment was parked
13 behind me, I had to fight to get a water wagon to keep
14 the dust down. You know what they said? Your board --
15 "Oh, well, the rain will take it away." The whole
16 house was covered.

07:12PM

17 So think of these people here. We have
18 a lot invested, and it is hurting us. Yes, she
19 mentioned S curve. I live on that S curve. We had gas
20 mains knocked out from erratic and speeding drivers and
21 who is going to pay for the road impacts and where are
22 those trucks going every day -- down Nippersink -- to
23 dump their loads?

1 We have school buses going down
2 Nippersink every morning and every afternoon and kids
3 standing on the road. Your kids are standing there on
4 Terra Springs Drive. Think safety, think of this --
5 think of these people here and everybody that borders
6 it.

7 Thank you.

8 COMMISSIONER LaMANTIA: Thank you.

9 KEVIN STRINE: Good afternoon. I am
07:13PM 10 Kevin Strine. I'm at 1918 West Greenleaf Drive. I am
11 not a resident of Terra Springs but I am a resident of
12 this community and have been here for 14 years.

13 One of the things that I had a lot of
14 the same concerns that have been expressed here.

15 One thing that I think as a parent of a
16 student or students in this school district is what
17 kind of impact we are going to have on the schools?

18 We currently have, I think, 26 to 28
19 students per teacher in this school district. That's
07:13PM 20 quite high. If we bring in this number of new families
21 for rentals, we are bringing in a lot of children.

22 One of the things that's going to impact
23 as well is our taxes. We pay our property taxes to pay

1 for our schools. And the property taxes out here I am
2 assuming are not going to be on-line or on par with the
3 kind of taxes that we pay. How is that going to impact
4 us as homeowners then?

5 The price or the cost of education for
6 our children is going to go up because of the influx of
7 students that are going to come in here and so that tax
8 burden is going to spill out and affect us all.

07:14PM

9 That's one thing I want the Planning
10 Commission to think about is how that's going to affect
11 our children.

12 Thank you.

13 COMMISSIONER LaMANTIA: Thank you.

14 LORNA BORELLI: I'm Lorna Borelli. I
15 live at 123 Terra Meadows Circle in Terra Springs of
16 course. You answered my dog question. I am good on
17 that one.

07:15PM

18 I also have one concern and it's not a
19 concern of mine; it's just what we have heard from
20 these people about low income and I do kind of take
21 offense by that, but that's okay. That's another
22 story.

23 How are you going to address concerns in

1 regards to lowering property values, crime and safety?
2 And do you have research and statistics that we could
3 all read that are current and not based on Google and
4 out of date?

5 That's it. I am done. Thank you.

6 PATRICK WARD: Hello. I am Patrick
7 Ward. I live in Terra Springs, 116 Oak Knoll Court.

07:16PM

8 I have been here for 16 years and I got
9 to tell you, listening to the studies that have been
10 done regarding traffic and so forth, seem to be
11 ridiculous. I don't know who came up with them. The
12 state? I don't care -- well, I won't say God, but
13 anything short of that, I don't care who came up with
14 it. They're out of their minds. It is going to be a
15 disaster over there with 240 units.

07:16PM

16 The idea that they could have put in 360
17 units legally there is -- I think this entire room
18 would say ridiculous. In fact, it's beyond the scope
19 of thinking. We are going to be like sardines over
20 there and it doesn't take a genius to figure this out.

21 286 they started with, and when it
22 whittled down to 240 and -- 286 is how many Terra
23 Springs has, and they're talking about putting in 240

1 units there.

2 The two roads coming in, Terra Springs
3 Drive and Hartigan are -- even if they're widened, you
4 are still doubling the amount of traffic on there,
5 easily doubling it. Right now it's just unbelievable.

6 I don't know what the little ring-y,
7 ding-y thing is going to show because there is nobody
8 there, but I am telling you what, it is busy. The idea
9 that 80 people leaving in the morning and over 100
10 coming back at night? Really? Going through those two
11 entrances? I don't -- we are going to have people
12 backing up the entire length of Terra Springs Road
13 clear to the intersection there, with the former
14 blinking light just to make left-hand and right-hand
15 turns.

16 Now, they had approached us to put in a
17 playground on our grounds over there across from the --
18 down there at the bottom of the hill where the big
19 stone is because they didn't have room for themselves
20 to create one of them. I thought that was required by
21 the city for all new builds.

22 They still -- there is nothing on here
23 that indicates a playground now.

1 They need to cut this down by about one
2 third. Take the third floor off each one. There is
3 far too many units there.

4 The roads, construction of the roads, we
5 haven't had any repairs done on curbs in Terra Springs
6 for 15 years and how often -- how this is going to
7 impact that but certainly not going to help it. Way
8 too crowded and the idea that it's not going to hurt
9 our home values and the way of life there and the
10 calmness and everything else is just ridiculous.

07:18PM

11 We have an issue with police protection.
12 We depend on the county, County Sheriff, and I wonder
13 how this is going to impact the police protection
14 doubling the people living in this area. All of these
15 things need to be thought about.

16 The best that we could hope for here, I
17 think, that the people who would really like to see it
18 if nothing else is this be sliced down by I don't know
19 how many units. I understand the more units the more
20 money you get. You put them in like sardines, it's
21 like great. It's just way too crowded. It's going to
22 change that entire area and impact us all negatively.

07:19PM

23 I wish I could have been more eloquent

1 for you guys, but it's off the cuff.

2 COMMISSIONER LaMANTIA: Thank you.

3 CHERYL MECHER: I am Cheryl Mecher and I
4 am at 26901 Burkhart Lane.

5 This does impact us as well as with
6 Nippersink and with the Terra Springs. I was there
7 before they put Terra Springs in and I was not too
8 happy when that happened, but this is much worse. You
9 are not giving the people anything for their value.

07:20PM

10 It's taken away value from our properties.

11 I am a realtor, I understand what this
12 can do. They don't care. They use the property and
13 abuse it and don't care if it has an impact on us. It
14 has taken total monies out of our pockets to have some
15 rentals there and I don't understand why you would have
16 that kind of impact for our community. It doesn't
17 bring any value to us, takes away our value from our
18 homes and I pay a lot of taxes as well and I am sure
19 every one else does here. So I don't see what value it
20 does bring to Volo to do that.

07:20PM

21 And I just want to make sure you
22 understand what it does take and does take value away
23 from our homes. We have been there for many years. It

1 should be under consideration. I don't care when you
2 had the plan before; was it for rentals when you first
3 started this plan for the 300-some units? I am sure it
4 wasn't. But right now you are asking us to take on
5 that with no consideration really when you sit here and
6 say it's not going to hurt us. But it does. Every
7 time something happens like this, it really has an
8 impact on everyone that lives there. That's all.

9 COMMISSIONER LaMANTIA: Thank you.

07:21PM

10 KAREN CHRISTENSEN: Hello. My name is
11 Karen Christensen. I live at 34500 West Wooster Lane
12 in Ingleside.

13 At the risk of repeating what may have
14 already been said, these concerns bear repeating. My
15 husband and I moved into this area to get away from
16 congestion, light, pollution and noise. We love the
17 peace and tranquility of the area.

18 Since we purchased our property over 20
19 years ago, much development has happened all around us.
20 Other than the town home developments of Terra Springs
21 and Holiday Park, this area is predominantly
22 single-family homes on larger lots, mostly at least an
23 acre.

07:22PM

1 As homeowners, we have a vested interest
2 in the communities and the surrounding area.
3 Developments of this size have many detrimental impacts
4 to the area. It is not the location for rental units
5 for many reasons.

6 Bringing a high-density rental
7 development will adversely effect all of our home
8 values. There is a potential for more congestion, a
9 loss of tranquility we sought, higher crime and more
10 light and air pollution.

07:22PM 11 Most families today now have at least
12 two cars if not more. Putting 240 units would add the
13 potential for nearly 500 additional vehicles on narrow
14 two-lane streets.

15 Our infrastructure cannot handle a
16 development of this size. Roads are already crumbling.
17 The increase on Nippersink since Terra Springs was
18 built is ridiculous. And what about the intersection
19 of 134 on Nippersink? I am not trying to stereotype,
20 but generally speaking, homeowners take pride in their
21 homes. Renters don't have that same pride. It's not
22 mine, so why should I care?

23 Three-story buildings would be an

1 eyesore. As with prior developments in the area, there
2 is the potential for clear cutting the beautiful forest
3 that is there. Trees and wetlands are imperative to
4 the ecosystem.

5 Impact fees or taxes -- and many times
6 the developer will get tax exemptions increasing the
7 burden of the taxpayer.

8 Even if the tenant has only one child,
9 that potential for 240 more children that will attend
10 our schools without distributing to the cost of the
11 schools. What if they have two or more children? You
12 can do the math.

07:23PM

13 How do you compute the impact it will
14 have if you don't even know how many children? I
15 believe our school system is already overburdened. I
16 doubt the developer is amenable to cover those costs.

17 We homeowners are overburdened with high
18 taxes. A development of this size would place a larger
19 demand on our water resources and our waste management
20 system.

07:24PM

21 Will they all be as conscious of our
22 resources as we are? Also potential for increased hard
23 scape and less land to absorb runoff.

1 Many of us are already suffering the
2 consequences of development. Properties that never had
3 water issues during rain storms are flooding. Job
4 opportunities in the area are few and far between which
5 means more commuting and I can't think of one good
6 reason for a rental development to be built in this
7 area.

8 If you have to develop property, please
9 make it single-family homes or at the very maximum,
10 low-density town homes that will complement the area.

07:24PM

11 Thank you for your consideration.

12 CLAUDIA BRANDON: You know I am smiling.
13 Thank you very much for allowing us to have this time
14 to speak.

15 I am Claudia Brandon. I live at 532
16 Terra Springs Circle.

17 I am looking at this and I am trying to
18 figure out what's prompting the need for a 200-plus
19 apartment complex. Businesses are closing, not opening
20 now and there is lots of unemployment. So if this
21 complex doesn't rent out, most of the units, what will
22 happen? One person has suggested apartment-to-condo
23 conversions. Still another has said Section 8. So my

07:25PM

1 call to action to all of you is to please somehow name
2 and explain all of the other possible zoning changes
3 that could negatively impact our home values.

4 Thank you.

5 RICHARD GAYLOR: I am Richard Gaylor. I
6 live at 27062 West Nippersink Road, basically right
7 where the Nippersink exit is to this property.

8 I would like to first say something nice
9 tonight and thank you, Volo, for doing all your past
10 developments to a standard that we can all appreciate.

07:27PM

11 There is space. There is dog walk. There is
12 playground. Things are not bad with your developments.
13 They look nice. This is not your best job. This is
14 not at all anything like what you have done in the
15 past.

16 As far as -- I have lived there my whole
17 life. That house has been in my family forever, so I
18 have watched this community grow. I used to hunt right
19 out my front door. I used to bale hay on the property
20 of Terra Springs. So I have seen it all developed.

07:27PM

21 One of the big things is where that exit
22 comes onto Nippersink Road is on a hill with the
23 traffic, the speed, the fact that it is a hill, whether

1 it's ice, snow or rain, there will be accidents there,
2 a lot of them.

3 As far as water runoff, currently that
4 property drains onto my yard. I currently take all
5 that water in my lower woods. I take all the water
6 from Wooster Lane in my lower woods. I take all the
7 water from Fox Lake, the new water tower, anything on
8 the property from the S curve down, since it's all down
9 a hill, on my property through my driveway through my
10 yard to my woods.

07:28PM

11 And in the last five years, trees are
12 falling regularly, as the township can attest because
13 the water doesn't go away. All the roots, everything.

14 The watershed there puts more water on
15 me with the hardware. This is not something Volo is
16 used to doing and I hope they don't do it. I say no
17 and thank you.

18 COMMISSIONER LaMANTIA: Thank you.

19 SAMUEL STELLA: Sam Stella. I live at
20 113 Terra Meadow Circle. I was probably one of the
21 first buyers of a home back in Terra Springs before
22 anything was even built. It was just a trailer when I
23 went there, and I remember when I first moved in and

07:29PM

1 going to one of the town hall meetings and listening to
2 the residents concerned about Terra Springs going in as
3 one person had mentioned. Thank you for the good job
4 that you guys did with Terra Springs. I am very happy
5 with the neighborhood I moved into. I think it is very
6 appealing and nice looking. And we had 280 homes built
7 and I believe when we were first, when Terra Springs
8 first wanted to put that in, I believe they wanted
9 something like 360, and the village actually reduced it
10 down, they did a great job of keeping us spread out and
11 I am wondering if these lots were officially or
12 originally slotted for Terra Springs subdivision? Was
13 this 360 number a number that got left by a mistake for
14 that small amount of property that this developer found
15 and is taking advantage of to be able to build the most
16 homes on a small piece of property?

17 Please look into that.

18 Also, if it's not a mistake, please look
19 into how it is you determine how many houses go on an
20 acre and how you have done it in the past, and I am
21 sure that you will see that this subdivision is not a
22 subdivision that Volo wants.

23 Speaking of safety, on Hartigan Road, I

1 had one time where a person came through the S curve in
2 my lane, I had to go all four tires onto the grass and
3 thought I was going to hit this person head on. It's a
4 very dangerous road.

5 I am also a runner. I went down
6 Nippersink Road one day and that road can get very busy
7 and the city did not put in any type of side curbs on
8 that road at all. Going down the road, I had a Chevy
9 Tahoe hit me while I was running because another car
10 was coming in the other direction and the other guy had
11 no room to go. It could have been a little kid instead
12 of me. I fell into a ditch and I got up and I forgave
13 the guy for hitting me.

14 Please, please, make the right choice
15 and do not do this to the residents of Volo and just
16 think with your heart on this. Don't think anything
17 else. This is not right. Everybody knows it. This
18 developer knows it. He knows it. One of them was
19 laughing over there I was going to give him the benefit
20 of the doubt, but I am thinking the character is not
21 there. Thank you.

22 BRIAN SCHLUTER: Hello. My name is
23 Brian Schluter. I live at 526 Terra Springs Circle.

1 When I say everything that everybody
2 said, I really appreciate it. Everybody has great
3 points.

4 While we were sitting here, I did a
5 little research and I am looking at what Class A
6 apartments are. And the price points and what you get
7 with a Class A doesn't match up in my opinion.

07:32PM

8 So for \$1200, \$1600, somebody can rent a
9 town house for that and get a much nicer place, bigger
10 area, more square footage. What do you get with that
11 that you are spending -- what kind of quality people
12 are we getting in there at that price point?

13 I think if these are Class A apartments,
14 they should be a heck of a lot more price point than
15 that. It should be about \$2000 and up. Let's get good
16 quality people in there at that price point. You are
17 not going to get that at the price point.

07:33PM

18 I can look at other apartment buildings
19 and see what people are paying in rent and I just don't
20 see that this is going to be a Class A apartment
21 building.

22 That's all I have to say. I just wanted
23 to bring up a few extra information that may be

1 somebody didn't notice.

2 COMMISSIONER LaMANTIA: Thank you.

3 EMILIO RIVERA: My name is Emilio

4 Rivera. I live at 106 Terra Firma Lane.

5 One of the things I want to say, based
6 on everything that the developer is saying, the one
7 thing we need to point out is that none of it is a
8 guarantee. None of what they're saying is a guarantee.

07:34PM

9 Okay? One of my main concerns over this, it's going to
10 hit the property value. I have plans for my home in
11 the future and this is not going to affect it in any
12 way positively. Okay?

13 So my main thing here is to plead to
14 those making this decision, to listen to your
15 constituency. We do not want this to happen, so it is
16 your job to listen to us and decide in that manner.

17 Thank you.

18 ANNA RIVERA: Hi. My name is Anna
19 Rivera, and that was my spouse who just spoke.

07:34PM

20 We live in 106 Terra Firma Lane in Volo
21 since 2016. We do have two underage children who are
22 attending Big Hollow School and hopefully they will
23 attend Grand High School.

1 If you continue with this plan and they
2 will build the apartments, we will move and we are not
3 the only ones. I am a new nurse. I am going to be
4 entering the work force. My husband is a marine. We
5 are paying our taxes. We will leave this neighborhood
6 if you guys will start. We are not the only ones. If
7 you build this apartments, you will lose Terra Springs.
8 The people that have little children will leave. We
9 are not ready to -- they are talking about 240
10 apartments. If it's one person per apartment, and that
11 is not -- that is not possible. There will be families
12 in this; 500-plus people moving into this little area.

13 They are talking about preserving the
14 forest. That will not happen. They will cut it all
15 down. That is our concern. Our concern is that our
16 safety, our safe little neighborhood will be exposed to
17 all kinds of people who are not planning on staying
18 there. They will come in and they will just completely
19 destroy us.

20 We are pleading to you guys that you
21 consider us as humans and what we want. And we are
22 hoping that you guys will decline those plans.

23 Thank you.

1 COMMISSIONER LaMANTIA: Thank you.

2 LEX PROVENZANO: Good evening. I'm Lex
3 Provenzano, 269 West Nippersink Road.

4 Twenty years ago, some folks out here
5 will remember, we fought Terra Springs for a lot of the
6 same reasons that people are voicing tonight;
7 high-density, pressure on municipal services, runoff,
8 inconsistent with the area. Which is a big one.

9 When I bought my house, I looked out at
10 100 acres of horse farm. I am not a stupid man. I
11 knew that would not be 100 acres of horse farm, but I
12 never imagined it would be this.

13 I never imagined the ridiculously narrow
14 roads, yet seemingly tiny impact fees that are paid to
15 the schools. The deferment of taxation given away to
16 developers, not for the benefit of the community, but
17 literally given to the developer. As far as I know,
18 you don't fully collect 100 percent on the Home Depot,
19 do you? Exactly my point.

20 This is a continuation. The seeds of
21 what we are seeing today were sewn 20 years ago. You
22 are fighting the same fight we fought 20 years ago.
23 This should not happen. The density? Come on. This

1 isn't even close to what the community is.

2 Now, if you want to make \$30,000 a year
3 impact fees, we call that a win. But is this right
4 now? This is nothing but bad for the community.

5 Those of you live in Volo, put the
6 pressure up. Only you can change this. The rest of us
7 on the perimeter, we are stuck with whatever crumbs are
8 thrown our way. This is your fight. Thank you.

9 COMMISSIONER LaMANTIA: Thank you.

07:38PM

10 JANICE BAJERSKI: I'm Janice Bajerski.
11 I live at 117 Grandview Court.

12 I am going to tell you exactly what
13 happened where we came from, from Franklin Park,
14 Illinois. They built beautiful apartments like this
15 for the pilots and the stewardesses -- well, they were
16 stewardesses back then. They are not stewardesses,
17 they are flight attendants.

18 They were gorgeous. It was for the
19 people to be -- for ease for them to get to the
20 airport.

07:38PM

21 Well, ten years later, it is called the
22 jungle and it's the jungle because no one can even go
23 in there without being afraid. This is going to make

1 all of us afraid also because they have to go through
2 that -- anybody has to go through that to get to us.

3 My husband was a fireman in Franklin
4 Park and he could not go into the jungle unless he had
5 police escort. Do you want that for our town? Because
6 that police escort is going to have to save all of us
7 too in order to get past the future jungle to get to
8 us. You are going to need police.

07:39PM

9 This is all in your hands. We are all
10 in your hands. And every point they have made, parking
11 is going to be ridiculous. The traffic is ridiculous.
12 You say 80 cars go through here in the morning? I walk
13 out there every morning. I see 80 cars coming from
14 Terra Springs out, let alone all of them passing
15 through who want to get to Nippersink or Route 12.

16 This is a mistake and it's a mistake
17 that you have the ability to change and I hope you do.

18 COMMISSIONER LaMANTIA: Thank you.

07:40PM

19 FLOREAN IVERS: Hi. My name is Florean
20 Ivers and I live at 348 Terra Springs Circle.

21 I have a question for you. Do you think
22 we could fit roughly 240 to 500 additional people in
23 this room? Because everybody here owns real estate

1 here. But do you think we could fit an additional 500
2 people or so in this room? I don't think we could.

3 The development behind our house
4 currently 348, there has been at least -- I have
5 reported at least four or five people who I have just
6 seen stealing job site stuff off the job site off
7 hours. Is there going to be any security when it's in
8 development to avoid the crime it might bring?

9 And in Terra Springs, it's no through
10 traffic currently, but we all know that it gets
11 violated daily. It's seen as a shortcut to get from
12 one way to the other and that's all I got.

13 Thank you.

14 COMMISSIONER LaMANTIA: Thank you.

15 DAVID WINBERG: Hi. Good evening.

16 My name is David Winberg. I live in
17 Round Lake. 430 (inaudible) I can barely hear back
18 there but anyways, I more or less just have some
19 questions. I don't know that anybody will be able to
20 answer them, but I want to get them down.

21 My first question is, has there been a
22 financial statement pushed out about what the gain is
23 for the municipality for having this property there?

07:41PM

1 And has there been any estimates gone out as to what
2 the taxes are going to cost the homeowners in the area?
3 Because I don't understand why such a small property is
4 being jammed in a small property.

5 But besides that, I just have a few
6 other questions. They're fairly simple.

7 Is this associated with the AFFH
8 policies that are out there? And if it is, how much of
9 that housing is going to be committed to that? Thank
10 you.

07:43PM

11 The other question I have is who are the
12 investors in this property? Where is the money coming
13 from? I would -- if we can get that out there, that
14 would be great.

15 The other question that I have is who is
16 the property manager going to be? Who is going to own
17 the property eventually? Who is going to run this
18 property? What is their reputation. Things like that.

19 And then the final question I have,
20 really, is who ultimately makes this vote? I don't
21 know that. Who makes the vote? Who says yes or no?
22 Can we get that answered so we can at least have those
23 conversations? I don't know if it's you guys or not.

07:43PM

1 If it is, so be it.

2 Those are questions that I have that --
3 since I saw the signs like somebody here earlier said
4 that this is like their sixth meeting? This is first
5 time seeing anything about it. Is there a way we can
6 get these answers? Would they be distributed through
7 --

8 COMMISSIONER LaMANTIA: I think our goal
9 was to answer once all the comments are done.

07:44PM

10 DAVID WINBERG: Thank you.

11 CHARLES LOUGH: Good evening. My name
12 is Charles Lough. I live at 1972 West River Oaks
13 Drive.

14 I just had some questions: Is there
15 going to be federal money used to build this? Will
16 there be set-asides for low-income housing?

07:45PM

17 Formerly a member of Alcore Realty
18 Investment, I have been a landlord in West Chicago and
19 also Oak Park. I am an experienced landlord. I have
20 lived in Lombard, Villa Park, different places, all
21 over -- Chicago twice. So investing.

22 I'd just like to say, if you really want
23 to mess the town up, put a lot of apartments in it. I

1 have seen it happen, and unfortunately I have seen it
2 happen over and over.

3 I bought a home in Valley Lakes South as
4 an investment. I did my due diligence. I did my
5 research of the area. I worked with a realtor. This
6 is going to increase my school district taxes, and in
7 doing so, it's going to lower my property value with
8 higher taxes and just lower quality of life for the
9 neighborhood.

07:45PM

10 Trying to look at the future also of
11 holding on to my investment, and what is this going to
12 be like in 15 years? Think of most buildings when you
13 think of investing in stuff, specially in projects and
14 stuff as big as this, just what is it going to come to?
15 Are they maintained or not?

16 What really kills a project like this is
17 after they build it, if they decide to make more money
18 and split the project up. If there are going to be six
19 buildings and selling them as individual units later
20 on. Then you have absentee landlord problems.

07:46PM

21 But I would consider condominiums for
22 townhouses, but this is a neighborhood of homeowners.
23 It's just the wrong place to build this big of a

1 project of apartments.

2 Requesting that you vote no on this
3 project.

4 COMMISSIONER LaMANTIA: Thank you.

5 CARIE PASENELLI: Hello everybody. My
6 name is Carie Pasenelli, and unlike probably everybody
7 in this room, I just purchased my home officially
8 July 24th, which was Friday, and -- (applause).

9 I have been a resident of Fox Lake since
07:47PM 10 June of 2015 and Holiday Park. I left Holiday Park to
11 purchase 1391 -- I am so new, I don't know if know if
12 it's Nippersink or West Nippersink, so somebody help me
13 out -- Road, on 1.1 acres, which so far is really
14 awesome neighbors who I am pretty sure all feel the
15 same as my wife and I do.

16 I don't know if any of you -- pretty
17 much nobody can see, but pretty much we are going to
18 have a trash compactor in our backyard. Our property
19 line will end and three-story apartment buildings will
07:48PM 20 be kind of looking in our bedroom window, bathroom
21 window, living room window.

22 We left Holiday Park to have space, to
23 grow our family. We are definitely 100-percent against

1 that, and I have no idea -- I just learned about this
2 last -- two weeks ago in driving to Starbuck's and
3 stalking our house that we were going to buy. I saw
4 the signs.

5 I know this is a repeat question but I
6 want to know who votes on it and what we can do to not
7 make it happen. Put it somewhere else? Where else?

8 Thank you.

9 COMMISSIONER LaMANTIA: Thank you.

07:49PM

10 CHAIRMAN CONNELL: I believe that was it
11 for the first round. I know one gentleman who had
12 further comments and I had to cut him off at three
13 minutes. There is two minutes if you want to continue
14 your comments or if something came up that, please not
15 ask that it is redundant to keep it going. But raise
16 your hand and come up. Thank you. Two minutes.

17 TONY RUIZ: Hi. My name is Tony Ruiz
18 and I live at 104 Terra Vista Court in the friendly
19 confines of Terra Springs.

07:49PM

20 One of the things that I thought kind of
21 got missed here is -- these guys are pretty smart. I
22 am not going to lie. They're more intelligent than I
23 am, but the estimated population calculations that I

1 saw online are mind blowing. You are going to tell me
2 out of 240 units, they predict 18 students? 18 out of
3 240 units? I got some property in Florida to sell if
4 you guys -- that's a bunch of bull.

5 The traffic survey. I was looking at
6 that too. One day in the wintertime to view traffic?
7 How about they come out every single day and see what
8 traffic is like from 6 a.m. to 9 a.m. How many times
9 when they got to drive through, how many times have
10 they almost hit? As intelligent as they are, it
11 doesn't add up. Something is wrong here and it's up to
12 you guys to figure that out and I say we just vote no
13 because this doesn't suit us.

07:50PM

14 There is great property elsewhere,
15 Gilmer and Ellis. That's for sale. Right by
16 Woodman's. Great shopping. A huge empty lot. Not by
17 us.

18 SAMUEL STELLA: Hi. I'm Sam Stella.
19 113 Terra Meadow Circle.

07:51PM

20 Might be redundant but that's okay.

21 So this plan definitely does not fit the
22 neighborhood. It's definitely a small piece of
23 property with way too many units on it. I do want to

1 know who votes, how they vote. Can we be there during
2 the vote? How do we stop it?

3 The other thing is if this thing is
4 going to get voted through, it should not be at least
5 this plan. This plan has to change. If this developer
6 wants to have his footing in Volo, it must change.
7 This is ridiculous. Very ridiculous. \$20,000 to us
8 property value? That's a lot of money. Probably not
9 to these guys. I would assume not. To us, it's a lot
10 of money.

07:52PM

11 It's one of the first fires here. I
12 paid a high price and we had the fall, and now we got
13 this. Still with probably have to bring money to the
14 closing table.

15 Do the right thing. Do the right thing
16 so you guys can sleep at night. This guy can find
17 another piece of property, one that suits him. There
18 is plenty of property out west. We are realtors. But
19 this one had a little loop hole, something about this
20 one that he wanted. What was that?

07:52PM

21 Thanks, guys.

22 LORI WARD: This is the tall-people mic.
23 I will hand sanitize. Thank you.

1 Lori Ward. 116 Oak Knoll Court, and
2 just a couple more points, not to be repetitive.

3 I am very concerned about whether the
4 Village of Volo actually has thought through the
5 resources required to be able to support this
6 additional community.

7 We have had the intersection of Hartigan
8 and Terra Springs Drive -- there is a light pole there.
9 We have had it mowed down by car three times. Right
10 now there is an orange cone sitting on top of it
11 because it was struck two or three weekends ago. We
12 actually had the pole moved. The village moved the
13 pole so that it wouldn't be hit, and guess what? It
14 was hit again. So the village has had to repair that
15 or replace the pole three times.

16 The fire hydrant right next to it has
17 been knocked down twice. So now add all the more cars.
18 We have a tree that was knocked down two years ago and
19 the village has yet to remove the stump. I, as the
20 board president, have written numerous e-mails to say
21 this is the trip hazard, there is a huge stump sticking
22 out of the ground where the tree was struck down and
23 still there two years later.

1 Are there any requirements for the Cunat
2 development to keep ownership of the property for a
3 specific amount of time? So you may approve it, they
4 build it, they say, "You know what? This is a losing
5 operation." They sell the property, they leave the
6 property. Are there any covenants within the contract?

7 Also, I have had homeowners ask, when
8 are the public hearing signs coming down? We have a
9 number of neighbors who are trying to sell their
10 property right now in Terra Springs, and it's a real
11 deal breaker when you have people coming to look at
12 your property and you see five huge signs erected for
13 the public hearing.

14 I appreciate you're giving notice to
15 people, but after tonight, the signs need to come down.

16 Thank you.

17 HENRY SCHAAF: A couple quick questions:
18 Is any money going to be set aside for Nippersink Road?
19 Because those trucks are not going to get to keep going
20 out Hartigan/12. And our roads are bad enough. You
21 people in Volo only own 100 feet. I live at the
22 S-curve. I hear these trucks 6:30, 7:00 o'clock in the
23 morning coming from Rennington, and they're loaded when

1 they come back empty, it's an alarm clock and a big
2 one.

3 The other thing is how far from people
4 that live around the perimeter on Nippersink -- and it
5 was mentioned that there was going to be compensation
6 for footage -- how much is that when the easement is 30
7 feet? Is it going to be 40 feet from our house? 50
8 feet? What's it going to be?

07:56PM

9 And, please, when you think about all of
10 this, think about all these people here tonight who
11 have invested in Volo. Don't think roof tops and roofs
12 or somebody. Think about the people that are here, not
13 who is coming. Thank you.

14 COMMISSIONER LaMANTIA: Thank you.

15 LORNA BORELLI: Here goes, and I don't
16 want to hear any boos, and I can hear it under the
17 mask.

18 Okay. I am Lorna Borelli, 123 Terra
19 Meadow Circle.

07:57PM

20 I have heard all of your cons, many,
21 many cons; a little bit racial as far as I am concerned
22 but I am not going to go there.

23 I am curious. Are there no pros?

1 Nobody here sees any pros? You think that Bank of
2 America closed? That's okay. The fact that we can't
3 build anything on 132 and 12? That's okay.

4 Come on. You don't think this might
5 have helped -- maybe not this, maybe not this per se --
6 but I have to honestly tell you something has to be
7 done. Businesses are closing. Come on. Maybe not
8 this. Maybe this is the wrong thing. But then let's
9 find an alternative so we can build our community and
10 not let it, you know, just be stagnant.

07:58PM

11 A VOICE: Put it on Ellis and Gilmer.

12 CHAIRMAN CONNELL: All comments need to
13 be addressed to the Board. Thank you.

14 LORNA BORELLI: Thank you, sweetheart.
15 Anyhow. That's all I have to say. Take it or leave
16 it, you know? That's okay.

17 TRACY STELLA: Hi. Tracy Stella, and I
18 live at 113 Terra Meadows Circle, and I just want to
19 say yes, the single-family homes are going to be
20 impacted in a huge way. Even more so in terms of the
21 financial dollar that we are in Terra Springs. But the
22 one thing I will say with our board at Terra Springs,
23 they do a really good job.

07:59PM

1 We see a lot of HOAs. We see a lot of
2 condo and town home complexes that don't manage, manage
3 the fund and the improvements and just maintaining the
4 grounds and our board does an awesome job at that. And
5 can we say the same thing is going to happen and be
6 true with the apartment complex? They're not going to
7 take the same diligence and care that our board who
8 take a lot of heat -- and I have been to board meetings
9 that take a lot of heat, but they do a really good job.
10 And so I am concerned that the apartment complex and
11 whomever the property managers are not going to do the
12 due diligence that our board has done to maintain our
13 property values and to do a really good job of making
14 sure that we don't have special assessments and things
15 like that that some of the other communities in our
16 area do.

08:00PM

17 Something to think about. We have done
18 a good job with our board in maintaining property
19 values and maintaining the exterior facades of our
20 buildings and I am concerned that that won't happen
21 over the long haul with the apartment complex.

08:00PM

22 Thank you.

23 DAVID VONDER HAAR: David Vonder Haar,

1 27359 West Nippersink Road.

2 I guess the question I got for you guys
3 is is there a standard or a fulfillment that you need
4 to make in your village to satisfy Section 8 housing,
5 and if so, is that what this is about? Because if it
6 is, I suggest you find it somewhere else, maybe in the
7 center of your village, not on the outskirts where it
8 affects other folks. That would be my question for you
9 I would like to have that answered.

08:01PM

10 JANICE BAJERSKI: 117 Grandview Court.

11 I want to make this clear. I was not --
12 there was nothing racial about the jungle. The jungle
13 was all races. It was people who just took over --
14 there were drug deals going on. There were rapes and
15 there were murders. I think it turned into a cesspool.

16 I did not mean, to all of you, anything
17 racial at all. I didn't even know what she meant until
18 she mentioned "jungle" on the way out.

19 Renters are different than homeowners.

08:02PM

20 Homeowners are worried about their properties, and
21 renters for the most part are not. And this is just, I
22 feel, going to turn into what it did where I came from.
23 But I want to make it clear I was not trying to be a

1 racist at all. I am not. And I do not see color. I
2 am embarrassed actually that anyone thought that and I
3 am sorry if anyone was offended.

4 COMMISSIONER LaMANTIA: Thank you.

5 MS. HUHN: Are there any additional
6 cards? You are the last one, sir.

7 THOMAS JOHNSON: In light of what's been
8 happening in our country, tonight is a wonderful event.

9 We start out with a pledge of allegiance
08:03PM 10 and we have a meeting, a meeting in a country that
11 started out with the pilgrims and the patriots and the
12 pioneers, and then came the politicians, and we know
13 what happened.

14 But behind it all is this nation founded
15 on the fact that the principle of our constitution, and
16 the government of the people, for the people and by the
17 people and tonight you people have made your message
18 clear to make their job very simple. And if you do
19 anything different, you are defying your oath of office
08:04PM 20 to represent the people. Thank you.

21 CHAIRMAN CONNELL: On that note, as a
22 history teacher I am good with that. I would like a
23 motion to close the public hearing.

1 COMMISSIONER BIRUTAS: So moved.

2 COMMISSIONER LaMANTIA: Second.

3 CHAIRMAN CONNELL: All those in favor?

4 (A Chorus of ayes.)

5 CHAIRMAN CONNELL: Any opposed?

6 Mr. May, how about taking a small break,
7 a small break to stretch a little bit? Two minutes and
8 then going into Cunat answering your questions.

9 (WHEREUPON, a recess was taken.)

08:09PM

10 CHAIRMAN CONNELL: One of the questions
11 take came up is the procedure for these meetings.

12 What I would like to know was the first
13 couple meetings we had over at the village hall were
14 more of open forums. They were not official meetings.
15 They were just for the developer to express and get
16 some ideas.

17 This is the first official meeting and
18 what our job is is we will make a recommendation -- we
19 will vote later on tonight to make a recommendation to
20 the trustees, the board of trustees one way or the
21 other.

08:09PM

22 The board of trustees will then have a
23 meeting and they will make the decision. So we are

1 more of a recommending body and we make a
2 recommendation.

3 In addition, what we are recommending
4 tonight is on the zoning relief from some of the
5 ordinances. So that hopefully answers some of your
6 questions as to the process.

7 So again, that's kind of -- what is
8 going to happen now as part of the meeting is Cunat is
9 going to come up and address any concerns that they
10 have answers to that were brought up, and then we will
11 go into the Commission.

12 So the public hearing part is closed.
13 So now is really between Cunat and the Commission, the
14 Planning and Zoning Commission.

15 So if you would be --

16 MR. CUNAT: Thank you. And thanks for
17 all the comments that were made.

18 There is a number of them that I wrote
19 down. Some of them I will not address, but the
20 comments that were made -- but there are those that I
21 felt could use some clarification and let me take a
22 stab at those.

23 First of all, as far as storm water is

1 concerned, there was a lady up here hired by the
2 Village of Volo along with our independent engineers,
3 the storm water issues and concerns that were brought
4 up have all been addressed, and by building less units,
5 there is a lot less coverage.

6 But all of the water issues, they're not
7 going to be adding to the problem; if any, it may
8 control it somewhat more because right now there is no
9 restrictions and so on on that piece of property which
08:11PM 10 we would have when we're finished. So that's number
11 one.

12 No. 2, the streets. Originally that
13 property was developed and that includes the town house
14 section as long was -- as well as this zoned property
15 for apartments, which it's always been zoned apartments
16 with a 20-foot wide street.

17 The thought was it would control traffic
18 and slow it down. That has not worked. There has been
19 many existing concerns of things that are problems
08:11PM 20 today, and one of the things that we have been working
21 with the village on very diligently is to correct some
22 of the problems that have happened already and that
23 were there before we ever bought the property a year

1 ago.

2 We bought the property based on the fact
3 that it was zoned for apartments. We bought the
4 property not in a blind pool or something, we bought
5 the property because it was zoned apartments. We are
6 experts on apartments. We have been for 42 years. The
7 very first complex that we built we still own and
8 manage it.

9 We are so proud of it. It's in McHenry.

08:12PM

10 We own thousands of units. We are proud of the
11 management style. Our reputation is extremely good.

12 If I have any comment to make, it's
13 disappointing to hear people throw stones when they
14 don't know who they're talking about or what the
15 history is about our family and our reputation.

16 So that part is my jab back.

17 We had a professional feasibility done
18 on rents and on the need for apartments in this
19 particular community. Not everybody has the position
20 in life to own their own home. There are many people
21 starting out leaving home and starting out a job that
22 need a place to rent and live and they want a quality
23 place to live.

08:13PM

1 There are those that unfortunately get
2 divorced or have changes in their lives due to death or
3 whatever and they can no longer afford a home and look
4 for a place to rent, a quality place to rent, and
5 wouldn't it be too bad that they have to leave the city
6 of Volo to find a place to live because there is
7 nothing for them here to live in.

8 I started out and I said this is not
9 Section 8. There is no subsidized housing here. There
10 won't be. It's not allowed. If we don't ask for it
11 now and the village doesn't give it to us, we can't do
12 that. It's not allowed. Any kind of rumors to that
13 effect are false.

14 I offered to the City Council when I
15 first met with them to call the police department in
16 McHenry, Woodstock, Cedar Rapids, Richmond, Illinois;
17 call the police departments and find out what their
18 opinion is on our apartments. You will find for the
19 number of units, in this case it would be 240, and you
20 compare any 240 single-family homes in this town, let
21 alone any town, the number of police calls are a
22 fraction of what you would see in a normal home
23 setting.

1 You might say why is that? Because
2 these people live there based on leases. They're
3 governed by leases. They could be evicted. We have
4 been doing this for a long time. We know what we can
5 do, what our rights are as an owner.

6 It's very difficult to get out a
7 neighbor who is a homeowner when they're not a very
8 good neighbor. With apartments, it's not difficult.
9 It's 60 days and they're out. If they don't follow the
10 rules that are set, they're out.

08:15PM

11 The three complexes that were mentioned
12 we are very proud of. One is the Highlands of
13 Kensington Manor. One is Irish Prairie, and the other
14 one is -- I think the one she mentioned was the -- the
15 one in Woodstock.

16 All of those properties are Class B
17 complexes. They're nice complexes. They're well
18 maintained and they do provide homes for many people.

19 If there is a resident here tonight that
20 didn't have a good experience in our complexes, I am
21 sorry. I cannot satisfy everybody. But the majority
22 of the people that are living there are enjoying their
23 residency and we -- most of our tenants stay longer

08:15PM

1 than one year. And by the way, all of our complexes
2 require a one-year lease. You can't move in month by
3 month. It's not a day-to-day rental. One-year leases.

4 We are governed by the laws of the State
5 of Illinois and also the federal laws. They have
6 specific strict requirements or how many people can
7 live in an apartment. That's why when someone
8 mentioned that the school -- by the way, it was the
9 school that came up with the numbers, not us -- they're
10 estimating that will be 18 students, 18 students added
11 to the school district and there is a reason for that.

08:16PM

12 One-bedroom apartments are not conducive
13 to have children because the State of Illinois doesn't
14 allow them in a one-bedroom apartment. No more than
15 two kids in a one-bedroom apartment. Two-bedroom
16 apartments are limited as far as the sex of the
17 children and the number of -- can only be two in a one
18 bedroom, per bedroom -- excuse me.

19 In a two-bedroom you can only have two
20 children maximum, and they can only be of different
21 sexes up to a certain age. We have to follow the state
22 rules. Your neighbor is renting his house or his town
23 house, they don't necessarily have to follow the state

08:16PM

1 rules. We have to follow them.

2 So that's why they came up with a very
3 small number. The city of Volo already has the
4 estimated -- it may be in your packet, I am not sure --
5 the estimated amount of real estate taxes that will be
6 generated and also the amount of school donations, park
7 donations and other donations to the various entities
8 that more than offset the impact of this particular
9 complex will have.

08:17PM

10 The variances that we have asked for are
11 to accommodate the city's request for some of the
12 things that they were hoping to get accomplished when
13 this development got built.

14 All the other codes and things are
15 today's codes. They're not the codes that were used
16 when Terra Springs was built. These are all sprinkler
17 buildings, they have hard-wired alarms and security.
18 They have cameras, so we can keep an eye on things
19 going on, and those cameras are monitored 24 hours a
20 day so we know who did what, and again, we go back to
21 evicting them. We have a very good record for that, by
22 the way.

08:18PM

23 Give me a second to run through my

1 notes. I have a lot of them here.

2 One gentleman mentioned there is no
3 guarantees and he is absolutely correct. There are no
4 guarantees in life. But with the type of zoning that
5 this property has on it which is a PUD, it is the most
6 restrictive type of zoning that a city can place on any
7 particular piece of property because what is shown
8 there is what has to be built. We don't have an option
9 to come back and move a building or change something
10 around. That's exactly what would be built and also,
11 all the other things that we have submitted belong to
12 the city, that's the way it has to be operated. We
13 can't change it later without coming back to a meeting
14 like this and asking for those types of changes.

15 So the one guarantee is that it will get
16 built the way we said. The other guarantee is that we
17 don't duck and run. We are not a developer that does
18 that. We built our own portfolio and we keep our own
19 portfolio.

20 The income, by the way, for these people
21 living here, to give you an idea how all those people
22 are, the lowest income for a one-bedroom apartment
23 would have to be a person earning \$76,000 or more a

1 couple. It could be a couple. \$76,000 or more up over
2 \$100,000 per income to make them qualify for these
3 particular units.

4 The investor? Who are the owners? We
5 are not shy. The two of us, the guy in the white shirt
6 and shorts -- I am not so sure about the shorts -- my
7 brother and myself are the two owners. You don't have
8 to go very far to find out who they are.

9 We have been a resident of McHenry
08:20PM 10 County, my family since the 1800's. My brother and I
11 spent our entire lives there. We followed our
12 grandparents' and parents' reputations and continue to
13 build on those reputations and are very proud of that
14 fact.

15 I think everybody has a right to want to
16 think that they can live next to a big open field and
17 so on and it will always be there when people buy
18 something. They also need to look at what's next to
19 them, what's already been zoned and planned. This
08:21PM 20 hasn't been planned in a week or two weeks or even a
21 year. This was not something we ran and tried to make
22 a quick buck on. This is something we are looking to
23 do a long-term investment on and add value to the city.

1 When apartments are built, our
2 properties values are going to go down and that lady is
3 one-hundred percent incorrect. If it's a subsidized
4 housing, she is correct. If it's a full market price
5 unit like this Class A, she is absolutely incorrect.

6 There is no study at all that shows
7 property values go down because you are building a
8 quality apartment complex next to a single family, and
9 there is a multi-family, attached multi-family, but
10 it's still multi-family.

08:21PM

11 We built these complexes in McHenry next
12 to single family and none of those property values ever
13 went down.

14 We heard the same comments from them.
15 Oh, it's going to be terrible. Some of those people
16 ended up being very good friends of mine. They never
17 lost money on their homes. So that is just not true.

18 There is facts and there is not facts.
19 There's rumors and the rumors must be true because
20 that's what I heard from somebody else.

08:22PM

21 I can't speak to those. I can't chase
22 ghosts. All I know is that this is a well thought-out
23 project planned by the city many many years ago.

1 It's our intention and goal to make this
2 the best project possible to not tear down the
3 community, but to add to it.

4 Thank you.

5 Do you want me to stay here to answer
6 questions?

7 CHAIRMAN CONNELL: Probably. That would
8 be great.

08:23PM

9 I think what we are going to do, unless
10 you want to sit close to us -- I am not sure if there
11 are comments or concerns, we are going to start at that
12 end and pass the mic this way.

13 Again, these are going to be the
14 Commission talking and perhaps I think questions of
15 either Cunat or staff if we have questions of the
16 staff.

08:23PM

17 COMMISSIONER ALT: One of the big
18 questions is school impact fees. A lot of the
19 constituents have been discussing the school impact
20 fees.

21 Do you have the numbers of what the
22 initial impact fees that you are going to be put up to?
23 The -- is that something that you would like to share?

1 MR. MAY: I can answer that from a staff
2 standpoint.

3 The impact fees are governed by the
4 village's ordinances. Those have been on the books and
5 there are prescribed calculations for that.

6 The impact fee numbers that you have in
7 your packet there -- I don't remember them off the top
8 of my head -- for the school district, those are
9 probably double what would be required under the
10 ordinance based on the estimated population table and
11 the calculation for them. So the developer has worked
12 to that end.

13 Again, that population table and formula
14 are prescribed by ordinance, so we are bound to follow
15 that ordinance unless that ordinance is amended. Even
16 if that were the case, it would only apply to any
17 applications that would come subsequent to that.

18 COMMISSIONER ALT: And all property
19 would be passed for the school district as well the
20 high school? There was no tax exemptions that they
21 would not be paying?

22 MR. MAY: We can't authorize a tax
23 exemption for another taxing body. There is no tax.

1 COMMISSIONER ALT: So property taxes
2 will be paid in full to the school districts as all
3 property taxes should be?

4 MR. MAY: Correct.

5 COMMISSIONER ALT: As well as the impact
6 fees of 100,000 to that district?

7 MR. MAY: Correct.

8 COMMISSIONER ALT: Okay.

9 So, yes, I know there has been a lot of
10 concerns about impact fees as well as the Fox District
11 Library has their impact fees as well. The Fox Lake
12 Fire Department has their impact fees. So those
13 municipalities will be receiving funds based on the
14 impact fees of this community.

15 COMMISSIONER LaMANTIA: Okay. Hello,
16 everybody.

17 Just to give a little bit of
18 clarification on that what was presented to us in our
19 packet regarding impact fees.

20 For your knowledge, it was \$75,000 to
21 the Big Hollow School District, \$25,000 to the Grant
22 Community High School District, \$10,000 to the Fox Lake
23 Library District and \$25,000 to the Fox Lake Protection

1 District.

2 A little bit of my knowledge regarding
3 student population counts from the project, just in
4 speaking with the superintendent here at Big Hollow, to
5 my understanding, the chart used was a standard table
6 count to come to the four children going to Grant High
7 School and 13 going to Big Hollow K through 8.

8 I did speak with him and there was
9 concern between him and the superintendent at Grant
10 High School and they said that they were looking into
11 possibly alternate data, and I don't believe they were
12 under the impression that that was a finite number.

13 Is that a finite number?

14 MR. CUNAT: That's the state findings
15 and the state's numbers that were used by all the
16 different towns we were working with. It does change
17 from time to time but that is the number, yes.

18 COMMISSIONER LaMANTIA: And if they are
19 able to present you with alternate data or any kind of
20 information, are you open to looking at that to --

21 MR. CUNAT: Of course.

22 COMMISSIONER LaMANTIA: Okay. That is
23 touching on schools.

1 I do have an awful lot of questions.
2 One of my questions was for Diane -- are you still
3 here -- from storm water management at Manhard.

4 I understand that the studies have been
5 done and the storm water release rate proposed is going
6 to be less than or equal to existing, but the location
7 to which it is moving is not on this property.

8 Are there any laws or references or
9 guidances to that when the storm water is going off of
10 your own property onto the property of somebody else
11 and who is responsible for maintaining that, should
12 there be any issue with this additional runoff?

08:28PM

13 DIANE BOUCKAERT: So first, I want to
14 clarify that we are in the process -- we are reviewing
15 the engineering on all of the calculations, the storm
16 water calculations, and to this date they are complying
17 with all the comments that we have made.

18 I guess to answer your question, every
19 parcel has -- it does have a discharge point in
20 existing conditions before development is realized.
21 And what we do is we assess the existing conditions and
22 we try to mirror the discharge point. In fact that's
23 Illinois drainage law; we have to discharge at the same

08:29PM

1 location that it discharged in in existing conditions.

2 Now, when you look at a site, there is a
3 lot less -- obviously, a lot less runoff coming from a
4 non-developed site because there's trees and grass and
5 things like that. When we bring in pavement, that's
6 when we start having to put in detention to hold back
7 the water to a rate that is either less than or equal
8 to existing.

9 Have I answered your question?

08:30PM

10 COMMISSIONER LaMANTIA: So it makes
11 sense -- it's kind of answered, but my question in
12 general is more towards the maintenance of the receding
13 bodies because that does not lie on that property, that
14 lies on Terra Springs property.

15 So if there are issues with maintenance
16 of those detention or retention ponds, who is going to
17 pay for that or who is responsible for any kind of
18 overflow or erosion control? Things like that.

08:30PM

19 DIANE BOUCKAERT: So when we do review,
20 we look at where the overflow is going to go, because
21 since we design for the 100-year storm, and, you know,
22 we don't have any control over when we have higher than
23 100-year storms, however, we do look at what will

1 happen to the runoff in those higher storms and where
2 it will go; make sure we have a safe path for it to go
3 into the receding stream which is a Fish Lake drain.

4 It's my understanding that Cunat is
5 going to have responsibility for maintaining all the
6 storm water management facilities there and that is a
7 part of the storm water review.

8 COMMISSIONER LaMANTIA: So my question
9 would be redirected to Cunat.

08:31PM

10 If there are issues in the future
11 regarding storm water management in these ponds that
12 are not on your property, do you assume any
13 responsibility for that?

14 MR. CUNAT: No. We have to maintain the
15 ones on our property because as was stated, the runoff
16 rate that's coming off our property is not going to be
17 increased. We are not adding anything more to any
18 other properties. So we have to maintain it and hold
19 it back and release it at a slower pace. But we have
20 to maintain our own, yes. But would we maintain
21 someone else's? No, because we aren't contributing to
22 the problem.

08:31PM

23 DIANE BOUCKAERT: That's a part of the

1 county-wide ordinance, that's the whole purpose for the
2 ordinance is to make sure developments don't cause
3 damage downstream. And the studies that they do, I am
4 looking at -- looking to ensure that damages won't
5 occur downstream.

6 COMMISSIONER LaMANTIA: Thank you. I
7 was asking that question on behalf of many of you and
8 that is the answer.

9 I believe the answer is the storm water
10 management studies that they did are saying that the
11 release rate is less than or equal to what is existing
12 and they will be responsible for whatever problems
13 happen on their property and that they are not
14 responsible for whatever problems do not happen on the
15 property.

16 Am I understanding that's the answer?

17 MR. CUNAT: We need to maintain that
18 same rate. If it goes off, then it's our
19 responsibility to make sure it's fixed.

20 DIANE BOUCKAERT: There is another
21 aspect of everything, where I heard a comment about the
22 volume was the same? What about the rate, of the
23 amount of water? (Inaudible).

1 THE COURT REPORTER: Can you please
2 speak into the microphone?

3 DIANE BOUCKAERT: Actually, the other
4 aspect of the Lake County ordinance that I wanted to
5 address is the volume control aspect.

6 It is true that when developments occur,
7 there is additional volume that leaves the site, but it
8 leaves it at the rate -- the existing condition's rate.
9 So in other words, the amount of flow that's leaving
10 the site might take longer to leave the site; however,
11 the Lake County ordinance does have provisions and the
12 Village is required to adhere to those provisions, that
13 requires a developer to address the additional volume
14 and to provide means to reduce the amount of volume
15 that's leaving the site.

16 And that's -- we do that by providing
17 additional means to infiltrate water, and I can tell
18 you that looking at the report, they are addressing
19 those -- the requirements on that site.

20 COMMISSIONER LaMANTIA: Thank you.

21 I also have a question for Dan Brinkman
22 about the traffic study.

23 My question is pretty simple because I

1 did not have time or frankly the desire to read that
2 170-page study. So I am going to just go by what you
3 tell me.

4 Is it typical to do a traffic study like
5 this based on simply a day in January which may or may
6 not have peak traffic, as opposed to, say, a summer
7 day? Or is it more typical to include maybe both, a
8 winter day and a summer day?

9 MR. BRINKMAN: Standard is a single day.

08:35PM

10 The state publishes data in terms of percentage of
11 traffic for various months (inaudible). On the average
12 in terms of where we look at and how we design a.m. and
13 p.m. peak hours, summer months are generally less than
14 average; January and February are usually higher than
15 average.

16 Basically what we do is we do a
17 single-day count that's industry standard and do it
18 when we get authorization with the exception of if you
19 call. Now is a bad example with everything that is
20 going on with the COVID.

08:35PM

21 The biggest concern that we have with
22 respect to collecting traffic for development is
23 proximity to school. That's you want to avoid

1 holidays, you don't want do a Saturday count between
2 Black Friday and Christmas. This is a single day.

3 We do longer counts. A lot of studies
4 will do a two-hour count, maybe 7 to 9. I live very
5 close by. I know peak hours are earlier than that so
6 we stretch our counts out between 6 and 9.

7 We do longer counts in the afternoon and
8 catch a big window for midday because we know how busy
9 the Home Depot and Jewel is.

08:36PM

10 So it's a single day. It's a single
11 count. We do the best we can to get a normal traffic
12 day, again avoiding holidays, as I mentioned before.

13 I think we put counters out two or three
14 different times and kept getting Saturday afternoon
15 snow storms in January and we had to continually
16 recount that until we get accurate data.

08:36PM

17 CHAIRMAN CONNELL: Okay. To add to
18 that, it was -- the study was done in January because
19 this meeting was supposed to take place in March and
20 then because COVID happened. We had to keep pushing it
21 back. That's why it was done so long ago. It was done
22 in January because it was going to be two months before
23 Cunat came before this committee.

1 COMMISSIONER LaMANTIA: Thank you.

2 And your counts when you had to give
3 other than estimates, you were basing that on other
4 mid-rise apartments, you said one to five story; was it
5 in a certain location? Did you base it off of mid-rise
6 apartments that had public transportation accessible,
7 or were they mid-rise apartments in a similar location
8 without public transportation?

9 MR. BRINKMAN: The information is
10 actually in the 107 pages. These are mid-rise general
11 urban/suburban no nearby rail transit is actually the
12 way the language is.

13 COMMISSIONER LaMANTIA: Thank you.

14 MR. BRINKMAN: Maybe one to five
15 stories.

16 In any case, they did -- there was a lot
17 of effort to separate out different types of rental
18 units in the last five or ten years by the IPE who
19 publishes this information. Previously apartments were
20 all lumped together, so it's a different
21 trip-generation rate. We took the steps and published
22 data and separated those out.

23 COMMISSIONER LaMANTIA: Did your study

1 look at the intersection at Nippersink and 134?

2 MR. BRINKMAN: We did not go to
3 Nippersink and 134. I don't expect the traffic from a
4 development like this based on the pattern that we saw
5 in the existing residential. A lot of people go that
6 way, you know.

7 Your trend in this area in the morning
8 for residents is the commercial or to work is south and
9 east and the return in the evening.

08:38PM

10 That's a tough intersection. I am just
11 on the other side of 12 off Molitor Road, so I am
12 familiar with the traffic patterns. I drive through
13 the subdivision. So I know the roads in that part.

14 There is other opportunity for people
15 who live here to go there. Particularly I know there
16 is a lot of concerns about left-hand turns from
17 Nippersink to 134.

08:39PM

18 There is no reason for anybody who would
19 live in this development to go there and make that
20 turn. They have access to a signal at Hartigan and 12.
21 And if they're going south and east, they have
22 Nippersink or they have again 12.

23 We did not go all the way out. You look

1 at how far away, based on how much development traffic,
2 I think we figured maybe five or ten cars in a peak
3 hour would head in that direction or less than that.

4 COMMISSIONER LaMANTIA: On Nippersink
5 Road where there was one entrance to Terra Springs,
6 there is going to be this secondary entrance for Cunat.
7 Are both of those not right-in and right-out? Because
8 they're, I don't know, exactly a couple hundred feet
9 apart, the entrance into the parking lot and the main
08:40PM 10 entrance into Terra Springs Drive? Are both of those
11 all-way in and outs?

12 MR. BRINKMAN: Yes, you can make left
13 and right turns. Nippersink and Terra Springs isn't
14 going to change. It's going to get widened so it will
15 be a separate left- and right-turn lane at Terra
16 Springs Drive at Nippersink.

17 The entrance from the parking lot onto
18 Nippersink. The intent was to try and keep the traffic
19 off Terra Springs and Terra Springs and Hartigan. You
08:40PM 20 can make a left into the parking lot. Why would you
21 make a left onto Terra Springs and go all the way
22 around the block up to Hartigan if there is access on
23 Nippersink?

1 COMMISSIONER LaMANTIA: One final
2 question.

3 So based on your traffic study, was it
4 your recommendation to widen Hartigan?

5 MR. BRINKMAN: It wasn't a
6 recommendation, it came up in discussion with the
7 development, with the village working with village
8 staff, again, touched on before. Our office was
9 involved in the original development. The thought
10 process was that narrow roads and tight radiuses would
11 act as traffic (inaudible). Clearly that didn't work.
12 Clearly tight radiuses reflect when lights get knocked
13 down and trees get knocked down and hydrants get
14 knocked down, so the intent is to widen the road, put
15 in standard radiuses so you can accommodate turning
16 vehicles and people can stay in their lane. It made
17 sense.

18 The Village's standard -- we had some
19 discussion with the village administrator -- would be,
20 I want to say it's 28 feet, something less than
21 proposed. So in discussions and discussions with
22 Cunat, when you have additional access drives and you
23 want to control those left-turn conflicts, it only made

1 sense to provide three lanes and provide the additional
2 capacity at the intersection.

3 So it was kind of -- our village
4 standard wasn't addressed when it was done the first
5 with the very narrow roads. We wanted to get those to
6 standard. And then a little bit more than standard is
7 the three 11-foot lanes that make sense.

8 COMMISSIONER LaMANTIA: So as is, as it
9 stands, it does not meet the village standard?

10 DAN BRINKMAN: The Village's standards
11 for roadways for that type of road were developed after
12 this development, and the intent of narrow roads and
13 tighter radiuses to keep people from cutting to
14 Nippersink to Home Depot or Jewel, it didn't work,
15 clearly. And the roads are too narrow. You can see by
16 all the black marks on the curb as you drive through
17 here.

18 So widening out to standard lane width
19 tapers based on the speed limit, turn radiuses, based
20 on the type of vehicles that go through there, school
21 buses, garbage trucks, et cetera, that was an important
22 part of the discussion.

23 COMMISSIONER LaMANTIA: Thank you.

08:42PM

1 A VOICE: With all due respect, you have
2 one item that you're missing in the traffic study gee
3 because you did not go down Nippersink to 134. There
4 are people who probably need to use the train station
5 down 134 and going down Nippersink east is not good.
6 You are going to through two different schools and it
7 takes a minimum of seven minutes longer than if you are
8 going from Nippersink and turning right onto 134 and
9 heading down 134 more towards the train station.

08:43PM

10 CHAIRMAN CONNELL: Thank you for that
11 comment.

12 I have quite a few concerns, honestly
13 that have not been addressed. One is the fact that
14 your development crosses Hartigan and the clubhouse's
15 on one side, I believe in Plat 2, and people will have
16 to cross Hartigan, as most people know, and I am
17 probably one of them people driving too quickly on
18 Hartigan and obviously I have to slow down, but that is
19 a concern that they have to cross Hartigan without a
20 stop sign.

08:44PM

21 The traffic compactor being in Lot 1 as
22 well. That's one thing that I think I would like to
23 see addressed later on throughout the process.

1 Traffic count. I know you don't have to
2 get up for it. I have a concern. I look at the
3 weather. The Thursday date was a rainy day, and the
4 Saturday date had, like, not much, but it was a snow
5 day. So I don't think there were as many cars, because
6 again as people have said, I know that the formula's
7 there. I just disagree with it, having seen the number
8 of cars coming from Terra Springs.

9 What does your privacy fence look like
10 between the apartment complex and Home Depot and the
11 apartment complex and the single family? Because I
12 didn't see that in the plans. Could you maybe explain
13 what the privacy fence is like?

14 MR. CUNAT: It's solid fencing, cedar
15 fencing, that goes back and forth so that you can't see
16 it.

17 CHAIRMAN CONNELL: How high?

18 MR. CUNAT: Six feet.

19 CHAIRMAN CONNELL: Okay. Thank you.

20 MR. CUNAT: In some areas it looks
21 higher than six because it's on an elevated area, so in
22 some cases it's six, eight feet above the ground and
23 then six feet of fence. That's just where the

1 apartments back in to the north.

2 CHAIRMAN CONNELL: I am concerned about
3 the lighting. If this does go through, could we make
4 sure that the lighting mirrors the lighting that is in
5 Terra Springs? Because I would like that whole look.
6 I would like to have --

7 MR. CUNAT: We put a lot of discussion
8 in with the city on lighting itself. Most of the might
9 go is going to be low lighting to the ground. There is
10 some parking illumination, but the majority of it is
11 the type that shoots down and is 3-foot high, 4-foot
12 high off the ground.

13 CHAIRMAN CONNELL: Is that okay for
14 driving? I mean, I would think you want it --

15 MR. CUNAT: There is some parking
16 lighting -- I forget the number, but a few parking, but
17 those are the ones that go straight down.

18 CHAIRMAN CONNELL: Okay.

19 MR. MAY: The street lights along
20 Hartigan and Terra Springs will be comparable the ones
21 that are currently in Terra Springs.

22 CHAIRMAN CONNELL: Thank you.

23 MR. CUNAT: Interior. The same as the

1 rest of the street lighting.

2 CHAIRMAN CONNELL: Thank you.

3 The rest I have just concerns.

4 Exhibit 27 talks about the storm runoff
5 and I was looking at it. Some of the pathway goes
6 through the town homes between Terra Meadow Circle and
7 Terra Springs Circle. Any time we have a decent rain
8 -- and I don't mean a heavy rain -- I mean a decent
9 run, that floods.

08:47PM

10 Now, it seeps down, but every time there
11 is some rain, that little park section I like to call
12 it does flood. So there is a concern. I realize that
13 we talked about it, that the amount of runoff will
14 still be the same, but that it will be longer. Again,
15 it's my concern that it pools there. It doesn't seep
16 as well as it should, apparently.

08:47PM

17 Another concern I have is the bus
18 turning. I know right now you are talking about
19 widening Hartigan, but this was brought up at a meeting
20 previously, waiting behind buses as they are trying to
21 turn right from Terra Springs Drive onto Hartigan, and
22 having to wait because they can't make that wide turn.
23 So I am hoping if Hartigan is going to be --

1 MR. CUNAT: I can address that. That
2 was for both fire protection and as far as buses that's
3 been widened so all those can make the radius.

4 CHAIRMAN CONNELL: It's not going to
5 bother the people going left?

6 MR. CUNAT: That's correct.

7 CHAIRMAN CONNELL: Okay. Traffic is
8 probably my number one concern. Also because even that
9 light at 12 and Hartigan with the Starbuck's there,
10 sometimes if that light is short, that might be
11 something we have to talk to IDOT about. But sometimes
12 that light you have to sit through two lights,
13 specially coming from the Menards part, which I think
14 is Fox Lake; not our jurisdiction.

15 But my concern is with all these cars
16 coming from the apartments, are we going to have to sit
17 through more of those lights to turn left or even go
18 straight? And I know again, this is be brought up, I
19 am going to reiterate it. I know Nippersink Road is
20 not necessarily our jurisdiction, but specially that S
21 curve is in horrible condition, and I don't know when
22 the township or whoever is in charge of it -- they seem
23 to put blacktop on to fix it and it just -- again, I

1 worry that the number of cars that is suggestive from
2 this proposal is not -- is a little conservative.

3 Figure a two-bedroom apartment, what if
4 you have a couple and one of the couple's older
5 siblings, that's three cars. Again, you are going
6 through a formula. I don't doubt that you haven't done
7 your due diligence. My concern is the formulas that
8 are out there. I just feel that the roads just aren't
9 going to be able to handle it.

08:49PM

10 And again, also brought up that the hill
11 at Hartigan and Terra Springs Drive, and also, with the
12 stop sign at Terra Springs Circle and Terra Springs
13 Drive and then having to go up that slope in the snow,
14 I have seen cars go up and slide back down. I just
15 feel like somewhere along the line -- and again, I
16 don't know if that's something the village -- it's --
17 the slope is just not -- or the gradient whatever they
18 call it is just -- I don't know, maybe coming from 12
19 down Hartigan and they slide. I have done it myself.

08:50PM

20 I look around to see other cars. I coast going down
21 hoping nobody is coming down.

22 School count: I am a teacher. I looked
23 at the data. Again, I don't fault you for your due

1 diligence. I fault the formula out there.

2 I looked at my own school where I teach,
3 and it said that the average class size is 28. That
4 same year that data came out, I was teaching classes of
5 31, 31, 33, 33, 32. I feel even though Big Hollow said
6 that there average class size was 26 or 25 I believe,
7 that can't be because what you are doing is averaging
8 some of those smaller classes like special ed or the
9 specials that just don't have as many. I feel that the
10 schools are going to have more students coming, so I
11 kind of concur with the gentleman out there -- I don't
12 remember your name who said it -- this is going to be
13 apartments because it was apartments even when Terra
14 Springs was built, when it was Four Oaks. It was four
15 apartments. I feel there are too many apartments on
16 that spot.

17 I think those are my concerns.

18 Also, one thing, the trash compactor. I
19 know it's in Lot 1, but I believe was a second phase.
20 I want that built when you have Phase 1 so that people
21 have somewhere to put their trash. Okay.

22 COMMISSIONER GUFFEY: Thank you. I
23 forgot the question that I was going to ask, but that

1 road is steep. Is the grade staying the same or are
2 there any improvements or just widening?

3 CHAIRMAN CONNELL: Is the curve coming
4 off? Is Hartigan going to be straightened a bit? No.
5 It's staying the same.

6 COMMISSIONER ALT: The north side of the
7 curb is going to stay the same. They are going to
8 extend the southwest side of the road. It will
9 virtually stay the same.

08:53PM

10 COMMISSIONER GUFFEY: And maybe these
11 are just some more open questions of if the road test
12 was done a week later and there is -- I can't imagine
13 it doubles -- how much more traffic would have had to
14 have been seen for lights or -- just so people can
15 understand how much more traffic it would take to have
16 to put a light there or -- even a wider road or, you
17 know, I am just hearing the concerns, trying to
18 understand what, you know, when you are looking at the
19 information and, you know, it's great to hear the
20 clarification, this is supposed to be a long time ago,
21 and it's like it's January, and here in the answer,
22 it's supposed to be, you know -- it was done when it
23 was done because this meeting was supposed to take

08:53PM

1 place -- I just don't know if there is anything that
2 could be added to explain to residents, you know, 20
3 percent more still doesn't impact it or is there
4 something to be said?

5 MR. BRINKMAN: Sorry, George. Where are
6 we talking about main signal? Where is the concern?

7 COMMISSIONER GUFFEY: Whether it's the
8 added traffic to the Home Depot side or to the
9 Nippersink side.

08:54PM 10 CHAIRMAN CONNELL: You are asking what
11 percentage more traffic would be the concern?

12 COMMISSIONER GUFFEY: Right.

13 CHAIRMAN CONNELL: As opposed to right
14 now your result said that the data you have states that
15 the impact of the apartment cars will not make --

16 COMMISSIONER GUFFEY: An impact.

17 CHAIRMAN CONNELL: -- a huge impact.

18 The question George is asking is how much.

19 MR. BRINKMAN: How much more? That's
08:55PM 20 not -- my off-the-top-of-my-head answer, because a lot
21 of the operations had to do with the conflicts and how
22 people deal with left turns and right turns and
23 widening, so we get the left-turning traffic out of the

1 way of right turns and try to mitigate some of those.

2 With respect to traffic signal, you
3 would be looking at -- I mean more than five or six
4 times more traffic from all the roads, and again, those
5 are state and federal standards in terms of how much
6 traffic you should have before you may put one in, not
7 necessarily that you have to.

8 None of the roadways out here are
9 anywhere near close to meeting these thresholds even on
10 a peak hour. We are a long ways from the volume that
11 would justify the traffic signal.

08:56PM

12 ATTENDEE: Did I understand right that
13 only cars that go down that street during going-to-work
14 time? We have 286 units in Terra Springs. Only 80
15 people work?

16 CHAIRMAN CONNELL: Again, we are not --
17 the public hearing has been closed.

18 I believe it's been found that at the
19 time period that they were -- I leave before 6 o'clock.
20 So my part wouldn't have been in that study.

08:56PM

21 But again, I need to reiterate,
22 unfortunately for the public, this is more of a hearing
23 section for you as opposed to the question and answer.

1 ATTENDEE: I apologize.

2 CHAIRMAN CONNELL: It's between us and
3 Cunat.

4 COMMISSIONER GUFFEY: As a reminder, for
5 the overall look of the grounds, what rules did we have
6 to keep that standard just for the overall grounds
7 look? Because I am trying to make sure -- I know there
8 is a standard, but I want to -- for -- just trying to
9 understand, it's all going to have to be followed
10 anyway, whatever the standards are across the Board, we
11 have to believe that it's going to continue to stay
12 there.

08:57PM

13 CHAIRMAN CONNELL: Yes. Which is part
14 of the -- (inaudible).

15 COMMISSIONER GUFFEY: All my other
16 questions were asked or if not, they were already
17 answered.

18 COMMISSIONER BIRUTAS: Okay.

08:58PM

19 I am going to ask a really dumb
20 question. Why are there no garages? This is Illinois
21 and it snows, and it's nice to have your car in the
22 garage. These are Class A apartments. Is there such a
23 thing as a Class A-plus that has garages? And that

1 would help to alleviate the extra parking that is --
2 paving that is causing more problems with water runoff.
3 Okay? It's a silly question, right?

4 CHAIRMAN CONNELL: No, it's not.

5 MR. CUNAT: It's a question that I can
6 try to answer.

7 First of all, adding garages won't take
8 away any water runoff whatsoever. It's still a hard
9 surface, whether it's blacktop hard surface or whether
10 it's a (inaudible) hard surface.

08:59PM

11 If anything, garages would take up more
12 space because the size of a garage stall is larger than
13 a typical parking stall. So as far as that's
14 concerned, it wouldn't help any type of water problems
15 at all.

16 COMMISSIONER BIRUTAS: So the thing to
17 do to help have more open area that's not paved would
18 be to lose maybe the third level on anything that goes
19 up to three levels?

08:59PM

20 MR. CUNAT: If you were to take and move
21 the third floor to a separate building --

22 COMMISSIONER BIRUTAS: I was saying
23 subtract it.

1 MR. CUNAT: There would be more trees
2 lost. More trees lost. The more that you spread the
3 project out, the more trees that are lost. What we are
4 trying to do is preserve as much of the nature as we
5 could. That's why we went to three stories, and
6 because of the way that the topography is on the site.
7 Again, most of people would never see the three
8 stories. You will see it if you are all the way at the
9 very bottom and look up, you will see it, but the
10 majority of the site won't see three stories because
11 it's built into the hill.

09:00PM

12 So it's -- but if we went to two
13 stories, it would spread out and more trees missing.

14 COMMISSIONER BIRUTAS: Okay.

15 MR. CUNAT: The price for the land and
16 everything that we bought zoned for 300-some units. We
17 brought it down to 240 and it's still a financially
18 feasible project.

19 If you make it smaller, it makes it
20 financially unfeasible to do it.

09:00PM

21 And, by the way, the land wasn't bought
22 in a vacuum. When we bought the land, it was zoned for
23 apartments. It was 300 and some in a PUD, which we

1 knew that. And the PUD allows for us to work with the
2 city to develop a plan that is acceptable and that's
3 what we have been doing for the last year, working with
4 the city.

5 COMMISSIONER BIRUTAS: Thank you.

6 CHAIRMAN CONNELL: Is that it?

7 COMMISSIONER BIRUTAS: That's all I got.

8 COMMISSIONER LaMANTIA: Mr. Cunat,
9 understanding you did buy this property and it was
10 zoned for apartment living, my question -- and maybe
11 for you and maybe for the village -- in terms of your
12 requirements for an on-site park, is that something the
13 village requires for a new development for this?

14 MR. MAY: Or they can pay cash if there
15 is not space on the property for it. So there is not a
16 hard and fast requirement that they provide a park.

17 COMMISSIONER LaMANTIA: So if there is
18 not space for said park, then you will provide a park
19 impact fee? Is that correct?

20 MR. CUNAT: We are making a park
21 donation.

22 MR. MAY: Yes.

23 COMMISSIONER LaMANTIA: So you had made

1 reference to the multiple walking paths on this
2 property and I am looking at the landscape plans and I
3 am looking at the sidewalks going around the buildings.
4 Is that what you are considering a walking path?

5 MR. CUNAT: The area that's set aside
6 open area with the exception of the retention pond
7 which is pretty steep, there will be paths for people
8 to walk through the woods. It's not shown on the
9 drawing.

09:02PM

10 COMMISSIONER ALT: In the
11 deed-restricted woodland area?

12 COMMISSIONER LaMANTIA: You are going to
13 create paths?

14 MR. CUNAT: There is paths there now and
15 we are going to allow people to walk in there. It's a
16 public space.

09:02PM

17 COMMISSIONER LaMANTIA: I guess I am
18 trying to understand because I have not walked in these
19 woods. So you are just saying there is woods and
20 people can walk in them; you are not actually going to
21 do anything to create paths in the woods?

22 MR. CUNAT: We are not going to create
23 any solid surface paths, no.

1 COMMISSIONER LaMANTIA: Okay. And in
2 all -- how many Class A apartment complexes do you
3 have?

4 MR. CUNAT: That we own? Two.

5 COMMISSIONER LaMANTIA: And of those,
6 how many of them have parks, on-site parks?

7 MR. CUNAT: None of them have on-site
8 parks. They have open space. None of them have this
9 much open space. This is a lot more open space than
10 any other ones had.

09:03PM

11 COMMISSIONER LaMANTIA: Okay. And the
12 other two Class A apartment complexes that you have
13 have wall AC units?

14 MR. CUNAT: Yes. They're all electric.

15 COMMISSIONER LaMANTIA: Are any of the
16 apartment complexes that you own, do any of them have
17 central air conditioning?

18 MR. CUNAT: We do have a few complexes
19 that have central air. We did not build them. Those
20 were ones that we bought and remodeled.

09:04PM

21 COMMISSIONER LaMANTIA: So what is the
22 reasoning behind not building with central air?

23 MR. CUNAT: The cost of utilities are

1 significantly more if you go with either a gas
2 forced-air and central air conditioning system or an
3 electric forced-air central air conditioning system.
4 These are the most efficient type of units that you can
5 buy operational wise and the tenant does pay their own
6 electricity.

7 COMMISSIONER LaMANTIA: So this is a
8 cost passed onto the tenant?

9 MR. CUNAT: It's by the tenant, yes.

09:04PM

10 The tenant pays for the electricity, the cable if they
11 get table TV. Included in the rent is the sewer water
12 and the trash removal.

13 COMMISSIONER LaMANTIA: And one more
14 question. I know it's a long night and thank you for
15 coming out here -- you built other projects,
16 single-family homes?

17 MR. CUNAT: Yes. We have in the past.

09:05PM

18 COMMISSIONER LaMANTIA: In light of the
19 response you heard tonight, have you ever looked at the
20 possibility of developing something other than this on
21 this --

22 MR. CUNAT: On this particular site?
23 No. Nothing that you could build here would be

1 feasible, financially feasible.

2 COMMISSIONER LaMANTIA: For you
3 financially. Understood. Okay.

4 I believe those are all the questions
5 that I have for these people.

6 Are we going to answer comments from the
7 audience? Okay.

8 I would just like to go through my notes
9 here and see from resident comments if there is
10 something --

09:05PM

11 CHAIRMAN CONNELL: She is going to try
12 to answer comments. Please, I don't mean to be rude
13 about this, just time constraints, try -- we are not
14 getting into a conversation with you. She is going to
15 answer the comments that have not been answered before.
16 So she is not going to be able to interact and have a
17 conversation with you. She is just going to give any
18 of the answers based on the questions that might not
19 have been answered so far.

09:06PM

20 COMMISSIONER LaMANTIA: I believe you
21 answered the question about -- you answered the
22 question about not having any Section 8. There was a
23 question directed towards the village. Is there any

1 village requirements to satisfy any Section 8?

2 MR. MAY: We don't have a low-income
3 housing requirement.

4 COMMISSIONER LaMANTIA: So there is no
5 low-income housing requirement in the village.

6 There is a question regarding the HOA
7 from Terra Springs being exceptionally wonderful. You
8 -- do you know who will be the project manager, I mean
9 the property management company for this?

09:06PM

10 MR. CUNAT: Cunat. Us.

11 COMMISSIONER LaMANTIA: You are the
12 property management company?

13 MR. CUNAT: Yes.

14 COMMISSIONER LaMANTIA: I am trying to
15 make sure that all the points were touched.

16 Regarding just the actual plan of the
17 property, the trash compactor location, did you ever
18 look at putting that more towards the Home Depot
19 location or is that something that you could look at
20 getting out of the residential line of view? How much
21 noise will that create, and --

09:07PM

22 MR. CUNAT: The only noise is
23 approximately once a week when the garbage truck backs

1 in and empties it. No noise from the compactor.

2 COMMISSIONER LaMANTIA: Is there any
3 recycling component?

4 MR. CUNAT: Yes. There is a screened-in
5 area for recycling.

6 COMMISSIONER LaMANTIA: Okay. I feel
7 like all of the other comments were addressed.

8 I did have a question on price points
9 because you said it could potentially go higher than
10 1200 to 1600, and I had called around a couple of
11 properties and I looked into, I believe, Coventry Glen
12 in Round Lake which is considered a Class A, and their
13 rent rolls I was told today go from 1050 to 1410 for a
14 two-bedroom apartment.

15 So I just want to know a little bit
16 better, and you said it would possibly go up. Is this
17 a similar rent that you are charging in your other
18 Class A apartment buildings or do you think that's
19 warranted based on our location?

20 MR. CUNAT: This is the conservative
21 number that we would start with.

22 COMMISSIONER LaMANTIA: That's what you
23 would start at and you believe you have people paying

1 that.

2 MR. CUNAT: Easily.

3 COMMISSIONER LaMANTIA: I am just asking
4 questions.

5 And is there any chance -- I know your
6 property in Richmond is half apartment and half --

7 MR. CUNAT: Condos.

8 COMMISSIONER LaMANTIA: Was it
9 originally built that way?

09:09PM

10 MR. CUNAT: Yes.

11 COMMISSIONER LaMANTIA: So at no point
12 are you going to transfer this over to condos?

13 MR. CUNAT: No. And the value in fact
14 from a real estate standpoint, the value is higher for
15 apartments than it is for condos. So we have no
16 motivation or incentive to do that.

17 COMMISSIONER LaMANTIA: If there is no
18 -- what happens to you if there is no renters, let's
19 just say, like, for instance, now there is a moratorium
20 --

09:10PM

21 MR. CUNAT: We would be pretty foolish
22 not to do the apartment. The demand is really strong.
23 We have done lots of research. We don't look at that.

1 We are building it in two phases,
2 looking to do phase one which is lot two, the south
3 part first. Once that is finished and leased up, we
4 will build the part to the north.

5 COMMISSIONER LaMANTIA: Other than
6 24-hour security cameras, you don't have any security
7 patrol, right? You rely on local law enforcement to
8 patrol the area? You don't have any on-site security
9 personnel?

09:11PM 10 MR. CUNAT: Not that's 24 hours, no.

11 COMMISSIONER LaMANTIA: Thank you very
12 much. I had one question for Diane. It's a pretty
13 simple question posed by one of the residents in the
14 letter, and it was stating that your storm water
15 engineer report was based on a 2002 corps report and
16 that there is a newer projection available after Terra
17 Springs was developed in 2007.

18 Are you basing everything in that storm
19 water report off of a study from 2002?

09:11PM 20 DIANE BOUCKAERT: No. I guess I want to
21 clarify. You are referring to a core report?

22 COMMISSIONER LaMANTIA: Corps of
23 engineers.

1 DIANE BOUCKAERT: That has more to do
2 with wetlands on-site. And that was done back, I
3 believe, in 2002 as a part of that, and all of the
4 wetlands that were found on-site were mitigated at the
5 time.

6 There is a stipulation that once those
7 wetlands are mitigated, meaning that they were impacted
8 and paid the fee to either replace them or -- or they
9 replaced them in kind, they don't have to be
10 re-mitigated.

11 Now, that being said, the wetland
12 portion of the storm water report is still under review
13 and still under scrutiny.

14 COMMISSIONER LaMANTIA: Thank you.

15 COMMISSIONER ALT: Capital improvements.

16 Your general intent with capital
17 improvements is that all for phase one, roadways,
18 underground, curbing, all the improvements done by
19 phase one? All your capital improvements; roads,
20 sewers, detention ponds, all of that would be part of
21 phase one of your project?

22 MR. CUNAT: Correct.

23 COMMISSIONER ALT: Okay.

1 MR. CUNAT: That part I got.

2 CHAIRMAN CONNELL: Thank you, public,
3 for sticking around for this.

4 So there are no other comments or
5 questions of the Commission?

6 Seeing none, may I get a motion for the
7 approval a planned unit development for The Woods of
8 Terra Springs including the request of the departures
9 and of the inclusion of trash compactors during phase
10 one --

09:13PM

11 MR. MAY: You have to close the full
12 public hearing first before you do any deliberation.

13 CHAIRMAN CONNELL: Do I have a motion to
14 close the public hearing?

15 COMMISSIONER ALT: I move to close the
16 public hearing.

17 COMMISSIONER BIRUTAS: Second.

18 CHAIRMAN CONNELL: Roll call vote?

19 MR. MAY: Chairman Connell?

09:13PM

20 CHAIRMAN CONNELL: Aye.

21 MR. MAY: Commissioner Alt?

22 COMMISSIONER ALT: Aye.

23 MR. MAY: Commissioner Birutas?

1 COMMISSIONER BIRUTAS: Aye.

2 MR. MAY: Commissioner Guffey?

3 COMMISSIONER GUFFEY: Aye.

4 MR. MAY: Commissioner LaMantia?

5 COMMISSIONER LaMANTIA: Aye.

6 CHAIRMAN CONNELL: Now we get the
7 motion?

8 MR. MAY: Now you can do any further
9 discussion or deliberation.

09:14PM

10 CHAIRMAN CONNELL: Any further
11 discussion?

12 COMMISSIONER LaMANTIA: We are just
13 voting on recommending the -- (inaudible discussion
14 between board members.)

15 CHAIRMAN CONNELL: So the comment was
16 that the departures that are requested, the maximum
17 amount of building height is so that they could have a
18 pitched roof. If we decide to say no to that, they
19 could still have the three stories, but it would be
20 flat roof, and they are also asking for, I believe it
21 was one of the landscaping was to make sure that the
22 road could be widened.

09:15PM

23 COMMISSIONER GUFFEY: It was just always

1 how far from the road --

2 COMMISSIONER ALT: The setback. The
3 road adjustment was to appease for the setback. So the
4 village is requiring a safer road so we are looking to
5 give them more variance on the setback so that the road
6 safety can be addressed.

7 CHAIRMAN CONNELL: That was the vote.
8 All right.

9 Seeing no other comments or questions,
10 if I get a motion for the approval for a planned unit
11 development for the Woods of Terra Springs, including
12 the request for departures and on the inclusion of the
13 of building the trash compactor during phase one, and
14 concerns from the village engineer or village attorneys
15 or any plans, plats or other submittals.

16 COMMISSIONER LaMANTIA: I would like to
17 request a vote on each individual ordinance rather than
18 voting on this as a whole.

19 MR. MAY: You are voting on the
20 recommendation which would include any of those
21 departures.

22 COMMISSIONER LaMANTIA: It's as a whole?

23 MR. MAY: Yes.

1 CHAIRMAN CONNELL: We are voting on the
2 whole, not each individual departure and they are
3 asking for six.

4 MR. MAY: If the chair wishes to allow a
5 vote on each individual, you can do that. But the
6 ultimate recommendation will be based on the PUD with
7 any -- with those departures included or not included.

8 CHAIRMAN CONNELL: Thank you. I am not
9 reading again.

09:17PM

10 Someone do a motion?

11 COMMISSIONER BIRUTAS: So moved.

12 CHAIRMAN CONNELL: A second?

13 COMMISSIONER ALT: Second.

14 CHAIRMAN CONNELL: Thank you. Roll call
15 vote?

16 MR. MAY: Yes.

17 Alt?

18 COMMISSIONER ALT: Aye.

19 MR. MAY: Birutas?

09:17PM

20 COMMISSIONER BIRUTAS: Aye.

21 MR. MAY: Guffey?

22 COMMISSIONER GUFFEY: Aye.

23 MR. MAY: LaMantia?

1 COMMISSIONER LaMANTIA: Nay.

2 MR. MAY: Connell?

3 CHAIRMAN CONNELL: Nay.

4 Motion carries.

5 The next item on the agenda are any
6 public comments? Okay.

7 Last item is the motion to adjourn.

8 COMMISSIONER ALT: So moved.

9 COMMISSIONER BIRUTAS: Second.

09:18PM 10 CHAIRMAN CONNELL: All those in favor?

11 (A chorus of ayes.)

12 Any opposed? Thank you.

13 Now, just for the public, because the
14 motion was approved, this will go to the Board. I am
15 not sure -- I am sure there will be huge signs around
16 about when the Board meeting is, and then you can also
17 come to the Board meeting and they are the ones that
18 actually vote on it. We just make the recommendation.

19 Thank you.

20 (WHEREUPON, the meeting was
21 adjourned at 9:18 p.m.)

22

23