

VILLAGE OF LAKE BARRINGTON

Minutes of Regular Meeting of the Board of Trustees

Held October 1, 1984

A regular meeting of the Board of Trustees of the Village of Lake Barrington was held on October 1, 1984 in the Village Hall, Kelsey Road and White Pine Drive, and was called to order by the President at 8:20 p.m. On roll call, the following answered:

Present: President Wood, Trustees Miller, Rebmann, Stephens and Tucker
Absent: Trustees Krueger and O'Connor
Also present: Attorney Springer, Plan Commission Chairman Dalitsch, Building Commissioner Donini and Treasurer Jacobson

A motion was made by Trustee Miller and seconded by Trustee Rebmann to approve the minutes of September 10, 1985 regular meeting as submitted. On roll call, the vote was:

Yeas: Trustees Miller, Rebmann, Tucker and Stephens
Nays: None
The motion carried.

President Wood read a letter of resignation from Trustee James S. O'Connor and a motion was made by Trustee Miller and seconded by Trustee Rebmann to adopt Resolution No. 84-R-17, a resolution acknowledging and accepting the resignation of Trustee O'Connor. On roll call, the vote was:

Yeas: Trustees Miller, Rebmann, Tucker, Stephens and President Wood
Nays: None
The motion carried.

Discussion ensued re a letter request from the developer of Grandview Estates, 2nd Addition, and a subsequent letter from the village engineer. It was the consensus that the improvements in the subdivision are to be completed before any building permits are issued by the building commissioner.

A motion was made by Trustee Miller and seconded by Trustee Rebmann to pay the bills as read by the clerk as follows:

Gidcumb Construction Co.	\$	90.00
Jeff Foszcz		120.00
Mangold Cleaning Services		257.25
Clarke Outdoor Spraying Co.		907.14
Ray Donini		910.00
Tepper Press, Inc.		182.50
Barrington Press, Inc.		6.24
Wight Consulting Engineers, Inc.		4,224.28
James Sayers		910.00
Springer, Casey, Haas, Dienstag & Silverman		1,903.85
Joanne Larson		300.00
Illinois Bell Telephone		91.09
AT&T Information Systems		11.25
Brooktree Homes		200.00
J. Gilbert Kaufman		200.00
Barrington Pools - Maint. Divn.		1,000.00
Bradley Beebe		1,000.00

On roll call, the vote was:

Yeas: Trustees Miller, Rebmann, Tucker and Stephens
Nays: None
The motion carried.

Mr. Donini stated that Mr. Van Gemert has not removed the wood and rubbish from Pepper Lake at the back of his lot; that vehicles continue

to be parked on the shoulder in front of Joseph Foreman & Co.; and that the Ameritech antenna tower parcel on Pepper Road has been landscaped and work will be done on the ditch along Pepper Road. Trustee Rebmann and President Wood suggested that "No Parking" signs be placed along streets in the industrial area; the village clerk was directed to check the traffic control and parking ordinance. The Board directed Attorney Springer to draft and send a letter to Mr. Van Gemert giving him 10 days from receipt of said letter to comply with the anti-dumping ordinance. If there is no compliance by the end of the 10-day period, the Board further directed Attorney Springer to file suit to enforce the ordinance.

A motion was made by Trustee Rebmann and seconded by Trustee Miller to adopt Resolution No. 84-R-18, a resolution awarding a snow removal and sanding contract to Joe M. Pesz for the 1984-85 season without competitive bidding. On roll call, the vote was:

Yeas: Trustees Rebmann, Miller, Tucker and Stephens
Nays: None
The motion carried.

Road Commissioner Tucker stated that maintenance road work needed to be done on the east side of Hillview Drive. A motion was made by Trustee Stephens and seconded by Trustee Miller that Trustee Tucker be authorized to spend up to \$2,000 for road repairs along Hillview Drive without competitive bidding. On roll call, the vote was:

Yeas: Trustees Stephens, Miller, Tucker, Rebmann
Nays: None
The motion carried.

Zoning Board of Appeals Chairman Dalitsch stated that a hearing was held on 9-13-84 before the ZBA on a petition requesting a variance to allow construction of a residence on Lot 39, Barrington Harbor Estates, a lot containing less than 40,000 square feet. By a vote of 4 yeas and 2 nays, the ZBA passed a motion to recommend to the Board of Trustees that the variance be granted for said construction. A motion was made by Trustee Rebmann and seconded by Trustee Miller to receive the Report of the Zoning Board of Appeals on the Petition for Variance for Lot 39. On roll call, the vote was:

Yeas: Trustees Rebmann, Miller, Tucker and Stephens
Nays: None
The motion carried.

Dr. Dalitsch stated that a petition was received during the hearing procedure containing approximately 93 signatures of persons objecting to the granting of the variance.

Mr. Kenneth Glick, attorney for certain Barrington Harbor Estates homeowners, submitted a new petition with approximately 130 signatures of persons objecting to the granting of the petition for variance. He stated that construction on the undersized lot would affect the entire character of the neighborhood, will cause great diminution of value of neighborhood homes, and that residents were concerned that the septic field of the proposed home would flood into neighboring wells. He also raised questions re the notice of the hearing be re the ZBA not being proper, which questions were addressed by Attorney Springer. He asked that the petition be referred back to the ZBA.

Statements objecting to the proposed variance were made by Tom Hardin, 554 Welch Circle; Dave Boss, 136 Harbor Drive; Ron Edwards, 549 Meadow Lane, Andy Huggins; 135 Harbor Drive and Richard Johnston, 131 Harbor Drive.

Statements were also made by Michael Graft, petitioner, and his attorney, Dwight Adams, explaining the decision to apply for a variance and the background of the purchase and marketing of the lot. Mr. Graft believes

that prohibiting use of the lot for the construction of a home would be inverse condemnation.

Questions arose as to what the county zoning regulations were when the lot was platted under those regulations before the formation of the Village of Lake Barrington and before the said parcel was annexed into the Village. A motion was made by Trustee Stephens and seconded by Trustee Rebmann that the Petition for Variance regarding Lot 39 in Barrington Harbor Estates be referred to the Zoning Board of Appeals for further hearing to determine the applicability of the grandfather clause in the Village's zoning ordinance and if not, to again consider if a variance should be granted. On roll call, the vote was:

Yeas: Trustees Stephens, Rebmann, Miller and Tucker
Nays: None
The motion carried.

Plan Commission Chairman Dalitsch reported on the meeting regarding Twin Pond Farms Subdivision. A motion was made by Trustee Miller and seconded by Trustee Rebmann to receive the Report of the Plan Commission regarding Twin Ponds Farms Subdivision. On roll call, the vote was:

Yeas: Trustees Miller, Rebmann, Stephens, and Tucker
Nays: None
The motion carried.

A motion was made by Trustee Rebmann and seconded by Trustee Miller to adopt Resolution No. 84-R-19, A Resolution for the Extension of Time for a Performance Guarantee in regard to Twin Pond Farms Subdivision and the depositing of a Letter of Credit. On roll call, the vote was:

Yeas: Trustees Rebmann, Miller, Stephens and Tucker and President Wood
Nays: None
The motion carried.

Dr. Dalitsch stated that Mr. Joseph Foreman has appeared before the Zoning Board of Appeals re a Petition for Variance to construct an antenna tower. He stated further that a letter has been received from the attorney representing Mr. Sam Loiacono withdrawing the Plat of Resubdivision of Lot 27 on Commercial Avenue. During the hearing proceedings it was learned that the lot with the second building on it would not have 100% expansion septic area and since he could expand his present facilities by constructing an addition, there was no hardship demonstrated. The PC recommended that the balance of the petition fee be returned less expenses incurred.

A motion was made by Trustee Stephens and seconded by Trustee Rebmann to receive the Report of the Plan Commission re the Loiacono Resubdivision and that the petition fee be returned less the costs incurred.

On roll call, the vote was:

Yeas: Trustees Rebmann, Miller, Tucker and Stephens
Nays: None
The motion carried.

Dr. Dalitsch stated that Lake Barrington Associates was recently given permission to construct a haul road exiting onto Kelsey Road with the understanding that no construction equipment or materials be stored within sight of Kelsey Road. The situation exists. President Wood will contact Mr. Ken James re removing the equipment and materials.

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President Wood announced that a special meeting has been scheduled for October 13, 1984 at 10 a.m. for the purpose of dedicating the Wienicke parcel as the Emil and Myrtle Wienicke Memorial. A ceremony and open house will be held with the public invited to attend at the Wienicke parcel on Old Barrington Road.

It was the consensus that Road Commission Tucker will contact the developer of Farm Trails in regard to repair of Oneida Lane by October 18, 1984.

Trustee Stephens agreed to meet with the President of the Lake Barrington Countryside Park District in regard to a facilities self-inspection for compliance with Federal handicapped regulations.

A motion was made by Trustee Rebmann and seconded by Trustee Miller to refer a Petition for Variance for Lot 107 in Flint Lake Estates to the Zoning Board of Appeals. On roll call, the vote was:

Yeas: Trustees Rebmann, Miller, Tucker and Stephens
Nays: None
The motion carried.

A motion was made by Trustee Stephens and seconded by Trustee Rebmann to conduct a closed session to discuss pending litigation this evening at the end of this open meeting of the Board of Trustees. On roll call, the vote was:

Yeas: Trustees Stephens, Rebmann, Tucker and Miller
Nays: None
The motion carried.

A motion was made by Trustee Rebmann and seconded by Trustee Miller to schedule a series of closed meetings to discuss pending litigation as follows: 10-13-84 at 8 a.m.; 10-22-84 at 7 p.m. and 10-29-84 at 7 p.m.-- all meetings to be held at the Village Hall. On roll call, the vote was:

Yeas: Trustees Rebmann, Miller, Tucker and Stephens
Nays: None
The motion carried.

The closed session was held.

A motion was made by Trustee Miller and seconded by Trustee Rebmann to adjourn the meeting; the voice vote was unanimous and the meeting was adjourned at 11:30 p.m.

Respectfully submitted,



Joanne E. Larson
Village Clerk