

## MINUTES OF TOWER LAKES

### PRESIDENT AND BOARD OF TRUSTEES MEETING

Date: October 16, 2000

Location: Village Office

Time: 7:13 p.m.

**PLEDGE:** Trustee Jansing called the meeting to order and led the Pledge of Allegiance.

#### **ROLL CALL:**

Present: Trustees Aitken, Cantieri, Jansing, Parro; President Fitzpatrick (late).

Absent: Trustees Heagarty, Kuskowski, and Village Clerk Chulumovich.

#### **PLAN COMMISSION:**

Dorothy Hawkes presented the report from the Plan Commission's September 25, 2000 meeting. Progress on revised Plan presented and discussed. Trustee Parro was thanked for his input on the history of the Village.

#### **ZONING BOARD OF APPEALS:**

Member Kathleen Leitner presented the report from the Zoning Board of Appeals meeting held on the Mannina property at 5603 Warwick, and on the Gray at Roberts Road. The ZBA recommends the Village Board grant the Mannina's height variance request of one (1) foot due to the uneven grade of their parcel. Trustee Cantieri made a motion to approve the ZBA's recommendation of the Mannina's height variance request which was seconded by Trustee Aitken and followed by a unanimous voice vote. Trustee Cantieri made a motion to enact the Ordinance granting a variation from Section 14.01 of the Village of Tower Lakes Zoning Ordinance to permit the construction and maintenance at 25603 Warwick Road of a two-story residence including 4 bedrooms, 3 bathrooms and other amenities on the subject property, with a completed height of approximately 37 feet, which would exceed by approximately two feet the 35 foot height limitation

required by Section 14.01, seconded by Trustee Jansing.  
Ayes: Trustees Aitken, Cantieri, Jansing, Parro. Nays: None.

The ZBA deferred voting on the Gray's request until it could meet again on Monday October 16, 2000 because the published notice was not correct, and because the neighbors within 250 feet of the construction site were not properly notified ten (10) days prior to the meeting in accordance with Village Ordinance. The Gray's height variance request was originally thought to be a three (3) foot request, but is correctly a five (5) foot request. Many North Lake residents attended the meeting, voicing their opposition to the house generally, and the height variance request specifically. The ZBA meeting conducted October 16, 2000 further deferred decision on this matter, and recommends publication of the corrected Gray notice as well as timely renotification to all the Gray's neighbors, with a new ZBA meeting to be scheduled as soon as possible prior to next month's Village Board meeting. The Board so noted the ZBA's recommendation.

### **APPROVAL OF MINUTES:**

Trustee Parro made a motion to approve the September 18, 2000 minutes which motion was seconded and followed by a unanimous voice vote.

### **BUILDING AND ZONING:**

Trustee Cantieri reported that the Village issued ten permits this month: 26936 West Roberts Road-new house; 207 Melrose Drive-kitchen alteration; 135 South Hills Dr- new roof; 120 South Hills Dr- new roof; 411 Oxford-deck; 118 Rose Terrace-septic repair; 311 E. Tower-room addition; 134 South Hills Dr.-foundation only for addition; 99 Rolling Green- sidewalk; 27165 Fenview- deck Trustee Cantieri also had a list of inspections.

Trustee Cantieri noted that the construction on the Gray's site of an outbuilding for storage of construction materials, telephone and fax machines is a violation of village ordinances. Mr. Gray asked that his outbuilding be considered a Construction Trailer. Trustee Cantieri discussed the matter with the village attorney, Jim Bateman, who noted that construction trailers are also in direct violation of village

ordinance. Trustee Cantieri said Mr. Bateman advised the village to encourage Mr. Gray to request a variance from the ZBA to ensure Mr. Gray's opportunity for due process. Trustee Jansing indicated that the ZBA is already scheduled to meet in November on another matter concerning the Gray's construction, so this outbuilding can be addressed then. Discussion ensued. Mr. Gray noted that he had been given verbal permission from the Building Inspector to build the outbuilding. Judy Stetzler, a neighbor behind the Gray's property, noted that the building regulations are a matter of public record, and Mr. Gray can easily avail himself of the proper course to follow. Further, Ms. Stetzler asked why the outbuilding will be allowed to stay until the November meeting since the outbuilding is illegal. Mr. Gray suggests that the building code is just a guidebook, and the building official makes the call. Trustee Jansing ended the discussion by remanding these matters to the ZBA, and encouraged Mr. Gray to address future code and ordinance questions to Trustee Cantieri. Mr. Gray may seek legal advice, but wishes to proceed in a neighborly spirit.

## **BAYS PLACE**

Mr. Hamilton pointed out that he has a buildable lot behind his home and expressed his view that the Village must maintain the Circle Drive access to this lot. He also asked for a list of roads that the Village has vacated. Pres. Fitzpatrick noted the following road vacations by the Village on North Lake: the tip of Bays Place at the North end; the portion of the west leg of the southern end of Circle Drive, so that it does not intersect with West Drive ( half to the Gotter's property and half to TLIA); the Causeway; and an alley off Circle Drive that led to the Lake which permitted the Bloom house to be erected. There is one other vacation on the East side. President Fitzpatrick stated that the Village has no intention of vacating that part of Circle Drive leading to the Hamilton's property; rather the Village gave a revocable licence to TLIA to manage the property.

Dean Logan presented the petition by North Lake residents who are now dissatisfied that there is no turnaround at the Bays Place/ Circle Drive intersection in front of Rigali's home. After discussion, Trustee Jansing summarized the group's issues as follows: 1) How far toward the causeway should the road be continued; and 2) How will the Village end the road, i.e., hammerhead or turnaround. Trustee Cantieri reviewed August meeting minutes in which the Village's actions were discussed and approved with many from the North Lake group in attendance. Further discussion ensued. Mr. Guernsey opined that the

Village's reconfiguration of the road has created a safety issue for the residents and their children. President Fitzpatrick suggested that professional road engineers could be brought in to resolve the situation, and the North Lake group's concerns could be given to the engineers for consideration. Trustee Cantieri wants to be sure that if the Board pays for an engineer's evaluation of the situation that the North Lake group will abide by the engineer's findings. Trustee Jansing encouraged the North Lake group to continue to work with the Village, TLIA and the Rigali's on this matter, noting that resolution is very close. Mr. Guernsey thanked Trustee Jansing for meeting with this group to discuss their perspective. No vote was taken on this matter. The Board will discuss whether to hire an engineer.

#### **TREASURER'S REPORT:**

Trustee Jansing handed out the Treasurer's Report. Additions to the report included a bill from Trustee Cantieri for independent inspectors in the amount of \$2,156.72 , and Trustee Jansing noted that the police car payment comes out of the grant fund of \$35,000, and goes below the line. Motion to approve the Treasurer's Report made by Trustee Cantieri, seconded, and followed by a roll call vote. Ayes: Trustees Aitken, Cantieri, Jansing, Parro. Nays: none.

#### **FINANCE:**

Trustee Jansing presented the FUNDS POSITION report, which details the Village's revenue position. President Fitzpatrick thanked Trustee Jansing for his preparation of this document and suggested that it be retained for future reference. The Village has established funds for:computer; police cars; road paving; copiers; storm water management. General Fund currently has available \$223,000. Road paving portion accrued \$220,000. Additional funds accruing to pay for planned paving. Total in all accounts is \$765,000.00. Trustee Jansing noted that the Village's goal is to maintain at least \$100,000 in the General Fund. Water system owes the Village \$100,000. The Loan to Old Kent, used to purchase the water system, has been paid down to \$150,000.

#### **POLICE:**

Trustee Aitken reviewed the monthly Police Activity Report which is on file at the Village Office.

#### **STORM WATER MANAGEMENT:**

No report.

### **ROADS:**

President Fitzpatrick stated that the paving project is moving right along, and that Trustee Kuskowski will report on it next month. The Board approved payment of the paving bill, with a holdback of \$22,000.00 for the sand/granulated gravel that was being placed along the side of the road. No more sand will be laid, and if a replacement material is not laid, the Village will retain the \$22,000.00. Trustee Heagarty will discuss the sand that has been laid with Peter Baker. Trustee Parro noted that the Highway Commissioner Kermit Smiddy was upset with the use of sand. Trustee Parro noted further that the same paving company installed a gravel on the shoulder in North Barrington. President Fitzpatrick said that the Highway Commissioner does not believe that Village roads need anything at the shoulder. Al Gumtow told the Board that the road is disintegrating in front of his house. President Fitzpatrick asked this to be put in writing. Board agreed to hold back full payment to Peter Baker until the issue brought up by Mr. Gumtow is addressed by the Highway Commissioner.

### **HEALTH AND SANITATION:**

No report.

### **UTILITIES:**

Trustee Parro reports that ten residents were erroneously sent shut off notices from water company--computer glitch. The water company is addressing.

### **URBAN FORESTRY:**

Brush chipping started today.

### **OLD BUSINESS:**

No report.

### **NEW BUSINESS:**

Parking Ordinance: Al Gumtow brought up the trailer parked along Rte 59, towards the northern boundary of the Village. Trustee Cantieri said

a letter would be sent to the home owner. Mr. Guntow also mentioned the semi's parked at the Groh property on Route 59. President Fitzpatrick said the Board will look into it. President Fitzpatrick suggested that the Village have a professional look at the Village ordinances, especially those in relation to building and zoning.

Entrance Gates: Look great. Thanks to Dick Latham, Al Guntow, Pat Covek for all their hard work.

Minutes from September 18, 2000 Executive Session: Trustee Parro made a motion to approve the minutes, seconded by Trustee Cantieri, and followed by a unanimous voice vote.

Lights on Rest Island: Trustee Cantieri spoke with John Featherstone who offered to put lights on rest island if Village will provide labor.

### **RESIGNATIONS AND APPOINTMENTS:**

Trustee Jansing retired. President Fitzpatrick and Board thank him for all his hard work, especially on financial planning. He will be replaced by Mike Fillapell on the Board, and Brian Gidley will be appointed as Treasurer of the Village. Madeline Chulumovich has resigned as Village Clerk; to be replaced by Kathleen Leitner. Scott Kochaney will replace Kathleen Leitner on the Zoning Board of Appeals, since she cannot hold both positions.

### **MEETING ADJOURNED:**

At 10:03 pm., Trustee Jansing made a motion to move into Executive Session to discuss personnel matters, seconded and followed by unanimous voice vote. At 10:25 pm Trustee Aitken made a motion to adjourn the Executive Session and move back into the Board meeting which was seconded by Trustee Jansing and followed by unanimous voice vote. At 10:35 pm, Trustee Parro made a motion to adjourn the Board meeting which was seconded by Trustee Aitken and followed by unanimous voice vote.

Respectfully Submitted,

Kathleen Leitner

Village Clerk

11-10-00