

REVISED MINUTES OF TOWER LAKES
BOARD OF TRUSTEES MEETING

Date: June 17, 2002

Location: Village Office

Time: 7:30 pm

1. PLEDGE: President Kuskowski called the meeting to order and led the Pledge of Allegiance. Sign in sheet circulated.

ROLL CALL: Present: Village President Kuskowski, Trustees Parro, Rigali, Adams (very late), Village Clerk Leitner, Village Treasurer Gidley.
Also in attendance: Dorothy Pratt, Deputy Village Clerk and newsletter correspondent.

2. APPROVAL OF MINUTES: With no quorum present, the minutes could not be approved.

3. PUBLIC COMMENTS: Terry Jennings-Barrington Park District Director came back again to see if Tower Lakes decided to help out the Barr Park District to keep the Jewel Park Brown Field Grant. Tower Lakes' Village Attorney is concerned with liability for environmental coverages. Barr Park District's insurance can indemnify the Village of Tower Lakes and the Park District is willing to execute an intergovernmental agreement with Tower Lakes to help insulate Tower Lakes from liability. Pres Kuskowski stated that he thinks generally the community would like to help, but he'll have to explore the Village Attorney's concern.

Janet Angoletti of BACOG presented a Development Impact Fee Committee Status Report. This Ad Hoc Committee was established to design an impact fee ordinance. The Committee has been interviewing attorneys, seeking one who can craft a legally defensible ordinance which transfers the liability from the municipality. The Committee decided to hire Richard Flood from Crystal Lake. He is an expert on municipal law and impact fees. The cost will be \$10,000, to be paid out of the budget collected from districts that will benefit from the impact fees collected. June 26, 2002 is the tentative date of the next scheduled Ad Hoc Committee meeting. BACOG has also sponsored a symposium of all BACOG police to put together emergency response plans for each village. BACOG is sponsoring a workshop next week at the BACOG meeting. All are welcome. Practice sessions will be on the agenda.

Margaret Petronik and Sara Sellers updated board on leaf burning. They seek to have the Village Board have a non-partial presentation by a health care representative outside of the community. They would like the village to circulate health information. Jerry Young, a Village resident in attendance at the leaf burning forum, stated that he thought the Lake County health info wasn't even all that good, and suggested getting better information. Trustee Rigali noted that he had not had a chance to prepare information for community dissemination, and would get to it when he could. Ms Sellers said the No 1 question people are asking her is what the village liability is [on the health issue]. Ms.

Petronik and Sellers are also concerned that the burning ordinance as it stands is not enforced consistently. They recounted a report from a resident who told them a police officer did not know the ordinance. Ms. Sellers was concerned by the petition being circulated against banning leaf burning.

5. WATER SYSTEM REPORT: Pres Kuskowski reported that the Village monthly water consumption is at 128,000 gallons per day, which is a little higher than normal, because of flushing. **DCCA Grant:** President Kuskowski will be closed out this month.

6. PLAN COMMISSION: No Report.

7. ZONING BOARD OF APPEALS: Chairman Gold reported that the ZBA recommends approval of two Zoning Ordinance requests considered by the ZBA on May 30, 2002.

FAUT VARIANCE REQUEST—Fencing Variation:

In the first, the Fauts seek relief from Tower Lakes Zoning Ordinance Section 16.01, so that they can retain new fencing which they erected to replace old fencing which was originally installed (they believe) sometime in the 1970's. The replacement fencing is 15 sets of two-hole split rail fencing. All requirements of notification were met. Mr. Faut explained that they simply replaced fencing which has been on the property at least since 1985, according to a landscaping plan they have. Mr. Faut added that his neighbors seem to be in favor of the replacement. Chairman Gold noted that the Village was incorporated in 1966, and the Faut's house was originally built in the 1970's. Therefore, any fence installed was in violation of the ordinance. Chairman Gold pointed out that the Ordinance only allows repair of 50% of the fence. Member Aitken noted that there are several examples within the Village of decorative split-rail fencing similar to the Faut's. Examples include CCE, Fenview, South Hills. Like these examples, the Faut's fencing does not enclose anything. Ms. Faut noted that the fencing closest to the road is still 25 feet from the road, so she did not believe it fell within the Village road easement, as has been suggested.

LASHEN VARIANCE REQUEST—Height Variation:

In the second recommendation, the Lashens seek relief from Tower Lakes Zoning Ordinance Section 14.01, so that they may build a new home with a rear side height of 29 feet, which is 2 feet over the height limit set by Section 14.01. The Lashens propose to build at 225705 West Drive, Tower Lakes, and a one story home with a basement totaling approximately 2600 square feet. The rear side of the lot slopes down, as compared to the other three sides of the lot, which causes the Lashens to seek the variance. The other three sides of the house comply with the height requirement. They have approval from Lake County Health Department to install a septic field. Notification requirements have been met. Mr Fitzpatrick, the Lashen's attorney, noted that the builder did not realize that our building height was measured from the lowest point of grade, which is not the common standard. In order to comply with the height limit, the Lashens would have to flatten their roof line, which would be a hardship for them. Mr Fitzpatrick noted that the neighbors have expressed no objection to the height. Chairman Gold questioned why the builder and the architect were not aware of the local height requirement. Mr Fitzpatrick

admitted that neither of them checked the ordinances, for two reasons: 1) Tower Lakes' ordinance requiring measurement from the lowest point of grade is unusual, and 2) Common height limits range from 32-35 feet. Mr. Fitzpatrick recalled that the ordinance was originally enacted to prevent Tower Lakes homeowners from building homes so large they blocked the neighbors' views. Mr. Fitzpatrick summarized the Lashen's project as requiring: 1) a revocable license to install the driveway across Village property; 2) a watershed development permit, and 3) a zoning variance request. The Lashens have already obtained from the Village the revocable license, and they are in process with the watershed development permit. By obtaining the zoning ordinance variance, they can push onward.

The Village Board cannot act on the ZBA recommendations, but Trustee Parro had some environmental concerns regarding the Lashen property's drainage. He would like to have either the Village Engineer or ILM, a Lake Management firm, look into it. The neighbors to the north are concerned with water drainage into their respective yards.

8. BUILDING AND ZONING: Pres Kuskowski reported that four permits were issued: information in the Village Office.

Barclays Woods Update—Pres Kuskowski met with Jack Lageschulte, discussing the road bond and other outstanding issues. Pres Kuskowski agreed that the road bond is for the development, not for houses. The builders will have to post their own road bonds when the building actually commences. Lageschulte agrees to repair or resurface damaged roads prior to the issuance of building permits. In lieu of overweight fees, we will require each builder to pay a flat fee of \$3,000.00. Lageschulte agrees.

9. TREASURER'S REPORT AND FINANCE REPORT: Treas. Gidley distributed the monthly expenditures summary. Lake County has collected only 67.5 % of taxes due, approximately \$82,000 for Tower Lakes. The State and federal governments are slow in collecting this year also, which means they will also be slow in distributing the taxes they have collected. We are not collecting our fees as well either—Tower Lakes is \$115,000 short on collections while our expenses are up \$42,000: all in all we're experiencing approximately a \$25,000 shortfall. All discretionary expenses should be on hold.

Monthly Bills: Could not be approved for payment.

10. POLICE REPORT: Pres Kuskowski presented the 677 monthly activities report, on file at the Village office. Chief Sinacore noted “**You Drink and Drive, You Lose**” flyer for the newsletter to serve as a reminder for the Fourth of July season. This campaign is part of the “Staying Alive” state program. **TLIA Liquor license** permit prepared.

11. STORM WATER MANAGEMENT: Trustee Rigali reported receiving lots of storm water management calls after the rain.

12. ROADS: Trustee Parro reported on additional shoulder work throughout village. Resident seeks a ‘Dead End’ sign at the end of West Drive.

13. HEALTH AND SANITATION: Tr. Rigali addressed leaf burning earlier.

SWALCO's Refuse consortium bid went out to four different refuse companies. Bids are due back by June 20th.

14. UTILITIES: ATT Broadband- no report.

15. URBAN FORESTRY: no report.

16. OLD BUSINESS: Codification: Village Clerk Leitner told to expect changes back in two weeks.

17. NEW BUSINESS:

BACOG Resolution regarding Route 59 expansion: tabled again. Janet Angliotti appreciates all the support from Tower Lakes, especially Dave Parro, Brian Gidley, Tony Cantieri, Police Chief Sinacore, and Pres Kuskowski. She noted that Pres Kuskowski is the chairman-elect of BACOG.

Barrington Main Street Letter of Support—grew out of historic preservation and develops a timetable for action. They are a Barrington group seeking support from various municipalities. Can access state resources: staffing, planning assistance etc.

Eagle Scout reunion jamboree wants money-two written comments on this. Two years ago the Tower Lakes Board voted not to give money to organizations just because they ask. If there are people from Tower Lakes being honored maybe its okay. Maury Van Den Eykel will be called by Pres.Kuskowski to see if any Tower Lakes residents might be involved.

Special meeting to be announced. Next Monday night possible.

MEETING ADJOURNED: Motion to adjourn the Board meeting made by Tr Rigali and seconded by Tr Adams and followed by unanimous voice vote.

Respectfully Submitted,

Kathleen Leitner
Village Clerk
07-17-02

