

**MINUTES OF THE NORTH BARRINGTON PLAN COMMISSION MEETING
WHICH WAS HELD WEDNESDAY, NOVEMBER 9, 2009 AT THE NORTH
BARRINGTON VILLAGE HALL, 111 OLD BARRINGTON ROAD, IN SAID VILLAGE**

1. Call to Order and Roll Call

At 7:38 P.M. Vice Chairman Bill Bishop called the meeting to order and the Deputy Clerk called the roll:

Present in Person:	Vice Chairman Bill Bishop, Martin Pais, Janis Menges, Denis Taillon, David Wilford
Absent:	Chairman Dan Nass
Also Present:	Brad Rot, 890 Rainbow Road Mark Kolar, Village Trustee Kelly Rafferty, Village Building and Zoning Officer Kris Lennon, Deputy Village Clerk

**2. Approval of Past Minutes:
Plan Commission Public Hearing Meeting October 12, 2009**

The Minutes of the October 12, 2009 Plan Commission Public Hearing Meeting were made available to the Commission.

Motion: Janis Menges moved that the Minutes of the October 12, 2009 Plan Commission Public Hearing Meeting be approved; seconded by Denis Taillon.

Discussion: There was no discussion.

Vote on Motion: The voice vote was unanimous in favor.

Vice Chairman Bishop declared the Minutes of the October 12, 2009 Plan Commission Public Hearing Meeting approved and put on file.

Plan Commission Meeting October 12, 2009

The Minutes of the October 12, 2009 Plan Commission Meeting were made available to the Commission.

Motion: Janis Menges moved that the Minutes of the October 12, 2009 Plan Commission Meeting be approved; seconded by Denis Taillon.

Discussion: There was no discussion.

Vote on Motion: The voice vote was unanimous in favor.

Vice Chairman Bishop declared the Minutes of the October 12, 2009 Plan Commission Meeting approved and put on file.

3. Pennington Ponds Unit II: 890 Rainbow Road

Vice Chairman Bishop asked Mr. Rot if he would like to make a small presentation on the Pennington Ponds Unit II issue. Mr. Brad Rot, 890 Rainbow Road, stated that he and his wife are completing what Mr. and Mrs. George McCarty had started when they purchased the property from them in 2004. Mr. Rot is requesting the subdivision of his 5 acres into two parcels. Vice Chairman Bishop asked the Commission for their questions or comments on the matter. Mr. Rot then stated that the Commission did not have a copy of their current Covenants, Conditions, and Restrictions (CCR's) and that he had just received a copy from Village Attorney J. W. Braithwaite. The Plan Commission did have a draft copy however, which had been approved as satisfactory per J. W. Braithwaite subject to a few minor revisions.

Ms. Menges asked if the easement was going to be in the back lot or part of the front lot. Mr. Rot stated that one lot would be just less than 2 acres, and one would be just over 2 acres. He also stated that the driveway is part of the back lot. Mr. Rot stated that it was an easement for the people who share his driveway, who are part of Deer Park, but that the driveway would not be changed; and the front lot will come off of Rainbow Road. The property is part of the Ela Township. Ms. Menges asked if the property was currently all under one pin, or if it had been subdivided into two pins already. Mr. Rot stated that it was under two pins regardless because that was how it had been previously divided and marked by the tax assessor's office. There was some additional discussion regarding the pin numbers and the original preliminary plat. Lot 1 is the front lot, on the road, and Lot 2 is the back lot, which is on the pond. Mr. Rot plans to take on the slightly larger lot once the plans are finalized.

Mr. Pais asked if the draft version of the CCR's that the Commission was in possession of had been written by Mr. Rot's lawyer or by the Village Attorney. Mr. Rot responded that it had been written by his lawyer. Mr. Pais then asked about a specific section of the CCR's which stated that owners of Lot 2 would not be able to use the pond and would have no responsibility in maintaining the pond. However, later in the CCR's, it states that the maintenance schedule, type, and degree for the pond, located on the property, should be determined by the owner of Lot 2 which is contradicting the previous statement. Mr. Rot stated that the Village Attorney, J. W. Braithwaite, caught the error and stated that Lot 1 and Lot 2 got switched. Mr. Pais then asked Mr. Rafferty, Village Building and Zoning Officer, regarding a statement in the CCR's that stated that properties abutting the pond can not use it for irrigation of lawns if it was a Village Ordinance. Mr. Rafferty stated that is was a specific covenant restriction that was only for this specific subdivision and that it was not a Village Ordinance.

Mr. Rafferty stated that from the Village Staff perspective there were no objections. Mr. Wilford asking if there had been any substantial changes to the property since the reports had been done. Mr. Rafferty stated that there hadn't been, and that there was no need for additional reviews. Ms. Menges asked if the lots were ever going to subject to impact fees. Mr. Rafferty stated that if or when a house was ever built on Lot 1, that house would then be subject to impact fees.

Motion: Martin Pais moved that the plat for Pennington Ponds Unit II be approved subject to the revisions to the Covenants, Conditions, and Restrictions made by Village Attorney J. W. Braithwaite; seconded by David Wilford.

Discussion: There was some discussion.

<u>Vote on Motion:</u>	<u>Ayes:</u>	Vice Chairman Bill Bishop, Martin Pais, Denis Taillon, David Wilford, Janis Menges
	<u>Nays:</u>	None
	<u>Abstain:</u>	None
	<u>Absent:</u>	Chairman Dan Nass

Vice Chairman Bill Bishop declared the motion approved.

4. New/Old Business

Vice Chairman Bishop noted the Dark Sky article in the Quintessential Magazine. Mr. Taillon stated that there had been two articles in the Daily Herald regarding Barrington Hills and their attempt at pursuing the Dark Sky concept. Mr. Wilford stated that in one of those articles it seemed as if Barrington Hills was receiving some backlash and everything hasn't been positive. Ms. Menges suggested that a short awareness paragraph be put in the Village newsletter letting people know some things that they can do to help the initiative, but also letting them know that the Village isn't passing anything at this time. Mr. Pais suggested that guidelines be made available to residents in lieu of an ordinance to help people become aware of the issue. Mr. Pais then asked what Mr. Kolar's, Village Trustee, thoughts were regarding the regulations on lights. Mr. Kolar stated the Dark Sky concept was noble, but perhaps not practical. He continued by saying that it may be a better idea to monitor what lighting does go up, particularly in new construction, so that the lights are pointing downward and not into the sky. Mr. Kolar also stated that Barrington Hills has had significant opposition to the ordinance, and he would not like to see the Village force people to do something they didn't want to do. Vice Chairman Bishop stated that this magazine article will draw great attention to the topic.

The Commission discussed impact fees. Ms. Menges stated that some developers, not necessarily in this area, who had done bigger subdivisions and are now going bankrupt are coming back and asking for their impact fees to be returned. She asked if there was anything in our Village that would fall into this category. Mr. Rafferty stated that impact fees in our Village all get paid at time of permit issuance. Ms. Menges stated that she thought it was something for the Commission to think about.

There was some brief discussion from the Commission regarding possible future Plan Commission projects.

5. Adjournment

Motion: Janis Menges moved the meeting be adjourned; seconded by Denis Taillon.

Discussion: There was no discussion.

Vote on Motion:

The voice vote was unanimous in favor.

At 8:20 pm, Vice Chairman Bill Bishop declared the meeting adjourned.

These Minutes were approved at the Plan Commission Meeting held July 19, 2010.

ATTEST:

Nicole Keiter, Deputy Village Clerk