

**MINUTES OF A “CONTINUED” PUBLIC HEARING OF THE BOARD OF TRUSTEES
OF THE VILLAGE OF NORTH BARRINGTON WHICH WAS HELD WEDNESDAY,
JUNE 24, 2009 AT THE NORTH BARRINGTON VILLAGE HALL,
111 OLD BARRINGTON ROAD**

**RE: Proposed Annexation Agreement
Old Barrington Road LLC; Equestrian Center**

Call to Order and Roll Call

At 7:30 p.m. President Sauer called the “continued” Public Hearing to order. The Deputy Village Clerk then called the roll:

Present in Person: President Sauer, Trustees Boland, Das Gupta, Kolar, Koertner, & Pino

Absent: Trustee Weiner

Also Present: Kathy Nelander, Village Administrator
J.W. Braithwaite, Village Attorney
Kris Lennon, Deputy Village Clerk
Nicole Keiter, 285 Honey Lake Court
Rich Curran, Barrington Countryside Fire Protection District Attorney,
400 N. Northwest Highway, Barrington
Jim Arie, Barrington Fire Protection District Fire Chief,
400 N. Northwest Highway, Barrington
Paul Heinze, 248 Aberdeen, Barrington Hills
Barbara Benson, 21621 Crown Road, Barrington
Tom Rowan, 21581 N. Countryside Lane, Barrington
Ed Harris, Lake County Sherriff’s Department,
1301 N. Milwaukee, Libertyville
Deloris Petersen, 26170 N. Edgemon, Barrington
John Cifonelli, 297 Oxford Road
M/M Ed Covers, 22159 N. Bertha Lane, Barrington
Ron Polasek, 22099 N. Bertha Lane, Barrington
Jane Papadimitrio, 132 Old Barrington Road
M/M Mike Murphy, 46777 Cuba Road, Barrington
Thomas E. Rosensteel, Thomas E. Rosensteel & Associates, Ltd.,
555 S. Randall Road, St. Charles
James R. Doherty, Doherty & Associates, Inc.,
1424 Cabot Lane, Schaumburg
David McArdle, Old Barrington Farm, LLC
Jerry Bohn, 26293 W. Highway 22, Barrington
Cyndee Herzog, 26284 Edgemon, Barrington
Jackie Andrew, 610 Signal Hill Road

1. Legal Notice (see attached legal notice)

Notice of this hearing was duly published as required by law and duly mailed to all property owners as indicated by those paying the last real estate tax bill as required by law.

The published notice of the public hearing was incorporated into record.

- 2. Public Comment – Proposed Annexation Agreement Old Barrington Farm LLC; Equestrian Center** – The Common location of the property is south of Scott Road, at the southern terminus of Bertha Lane, east of Old Barrington Road beginning approximately 1300 feet north of Cuba Road and approximately 1300 feet south Scott Road, comprising of approximately 70 acres.

Village Attorney J.W. Braithwaite explained that the purpose of the hearing was to review items under consideration within the proposed Agreement and that the matter would not be concluded upon adjournment of the hearing. It was noted that another meeting would need to be held on July 15, 2009 in order to finalize matters. Attorney Braithwaite additionally explained that the Agreement may either be a “current” or “pre-annexation” agreement due to the property needed for contiguity.

Attorney Braithwaite invited Thomas E. Rosensteel to address the Board as a representative of Old Barrington Farm LLC to provide an update on the property needed for contiguity. Attorney Thomas E. Rosensteel, Thomas E. Rosensteel & Associates, Ltd. addressed the Board and stated that there has been ongoing communication between the owner of the property and Old Barrington Farm LLC. President Sauer added that the participation by the owner is voluntary.

President Sauer asked the Board and audience members if they had any questions or comments.

Barbara Benson, 21621 Crown Road, Barrington, stated that she spoke at the public hearing held 5/27/09 to address area flooding and drainage concerns. Ms. Benson submitted pictures of the 1994 flooding in order to illustrate the importance of addressing drainage issues as well as, repairing drain tiles. For the record, Ms. Benson added that the 1996 drainage repairs fell under the jurisdiction of the Army Corps of Engineers.

Village Attorney J.W. Braithwaite explained the Agreement provides that the property owners maintain the drainage on their property. The Agreement additionally provides for the establishment of a special service area.

It was noted that draft copies of the Annexation Agreement as proposed by the developers are available at the Village Hall.

Ron Polasek, 22099 N. Bertha Lane, addressed the Board and inquired about zoning.

President Sauer explained that the presently zoned Rural Estate District will be subdivided into seven (7) single family home sites with five (5) acre lots and will allow horses and horse fences.

Village Attorney J.W. Braithwaite stated that the Village is working on a zoning provision called "Premier Equestrian Estate District" in order to allow horses on the lots. The number of allowable horses on each lot will be determined by its acreage.

Mr. Polasek asked it was legal to pay someone compensation in order to annex their property. Attorney Braithwaite stated that the Village was not involved in such a matter. President Sauer reiterated that the participation of the owner is voluntary.

John Cifonelli, 297 Oxford Road, addressed the Board with questions about the proposed annexation which President Sauer answered.

Rich Curran, 400 N. Northwest Highway, Barrington, Attorney for Barrington Countryside Fire Protection District, addressed the Board and asked the Board to consider a provision within the Annexation Agreement to allow for residential sprinklers. Village Attorney J.W. Braithwaite explained that the Village Code requires sprinklers for commercial and industrial buildings only.

Jackie Andrew, 610 Signal Hill Road, addressed the Board and asked about the added cost for a residential sprinkler system.

Jim Arie, Fire Chief, Barrington Fire Protection District, 400 N. Northwest Highway, Barrington, addressed the Board and stated that the cost per resident for new construction is approximately \$3.00 per square foot.

There was a question from the audience about how the sprinklers operate by means of well and septic systems, especially without electricity and this was explained by Chief Arie.

It was noted that the Equestrian Center does not have a sprinkler system.

Jerry Bohn, 26293 W. Highway 22, Barrington, addressed the Board and asked if there would be a change to fire districts. It was noted that the fire districts would not change by reason of annexation.

Jane Papadimitriou, 132 Old Barrington Road, addressed the Board and stated that she has an interest in the project; she owns property in an unincorporated area and wishes to preserve her property.

Cindy Herzog, 26284 W. Edgemon Lane, Barrington, addressed the Board and noted her disapproval of the construction of the Village's cell phone tower at the Village Hall site which was completed in 1997.

Trustee Das Gupta stated that the language pertaining to the lot coverage ratio within the proposed agreement was not consistent with the current Village zoning ordinances relative to

drainage issues; specifically, the language such as a 10% lot coverage for a barn structure, seemed excessive.

James R. Doherty, Doherty & Associates, Inc. 1424 Cabot Lane, Schaumburg, the developer's consultant, stated that the current lot coverage ratio for R-1 Zoning allows for 10% percent lot coverage and that the engineering plans have been based upon on maximum lot coverage of 10%. Mr. Doherty noted that the language referencing the 10% lot coverage for a barn structure was a scrivener's error and apologized.

It was noted that the Agreement has not been finalized.

There were a few additional questions among the Board addressed by Village Attorney J.W. Braithwaite and Mr. Doherty.

3. Adjournment

Motion: Trustee Boland moved to adjourn the Public Hearing to 7:30 p.m. on July 15, 2009 at the Village Hall: seconded by Trustee Koertner:

Discussion: There was no discussion.

Vote on Motion:

The voice vote was unanimous in favor.

At 8:20 p.m. President Sauer declared the Public Hearing meeting adjourned. These Minutes were approved by the Board at a meeting held August 26, 2009

Attest: _____
Kris Lennon, Deputy Village Clerk