



1200 Wilmette Avenue
WILMETTE, ILLINOIS 60091-0040

**MINUTES OF THE REGULAR MEETING OF THE PRESIDENT AND BOARD
OF TRUSTEES OF THE VILLAGE OF WILMETTE, ILLINOIS HELD IN THE
COUNCIL ROOM OF SAID VILLAGE HALL, 1200 WILMETTE AVENUE,
WILMETTE, ILLINOIS ON TUESDAY, JANUARY 22, 2019.**

The Village President called the meeting to order at 7:31 p.m.

1.0 ROLL CALL

President Bob Bielinski

Trustees Julie Wolf
 Senta Plunkett
 Daniel Sullivan
 Kathy Dodd
 Joel Kurzman
 George Pearce

Staff Present: Michael Braiman, Assistant Village Manager
 Jeffrey M. Stein, Corporation Counsel
 Barbara Hirsch, Deputy Village Clerk
 John Adler, Director of Community Development
 Brigitte Berger-Raish, Director of Engineering & Public Works

2.0 PUBLIC COMMENT

Hitami Ono, 926 Columbus Street, said she attends New Trier High School and addressing the Village Board is part of her Civics project. She is here today to demand more safety in the community, specifically, she would like a requirement to put lights on emergency stop signs during emergency situations. She summarized an event that happened to her family at an intersection that did not have a working stop light due to a recent snow storm.

President Bielinski thanked her for her comments and said that Brigitte Berger-Raish, Director of Engineering and Public Works would respond to her concerns.

3.0 CONSENT AGENDA

Trustee Sullivan moved approval of the Consent Agenda as follows:

3.1 Approval of minutes of the Regular Board meeting held January 8, 2019.

LAND USE COMMITTEE CONSENT AGENDA

- 3.2** Presentation of minutes of the Appearance Review Commission meeting held December 3, 2018.
- 3.3** Presentation of minutes of the Land Use Committee meeting held February 5, 2018.
- 3.4** Presentation of minutes of the Zoning Board of Appeals meeting held December 5, 2018.
- 3.5** Presentation of minutes of the Zoning Board of Appeals meeting held December 19, 2018.
- 3.6** Adoption of Ordinance #2019-O-9 amending the Zoning Ordinance by extending the Village Center Pedestrian Commercial West street frontage designation north along Green Bay Road to Washington Avenue, making large medical/dental clinics a special use in the Village Center Arterial street frontage designation and making large medical/dental clinics and vocational education facilities a special use in the GC-1 zoning district.
- 3.7** Appearance Review Commission Report, Case #2018-AR-36, 3612 Lake Avenue, Zukowski Center regarding a request for a sign variation to install a sign on a property with less than 100 feet of frontage; adoption of Ordinance #2019-O-10.
- 3.8** Appearance Review Commission Report, Case #2019-AR-02, 808 Linden Avenue, St. Francis Xavier Parish regarding a request for a sign variation to install two canopy signs; adoption of Ordinance #2019-O-11.
- 3.9** REMOVE FROM TABLE - Zoning Board of Appeals Report, Case #2018-Z-53, 819 Michigan Avenue regarding a request for a 975.55 square foot (10.01%) total floor area variation, an 8.0' height variation, a one-story height variation, a 0.34' stairway housing height variation, and a variation to modify the approval granted by Ordinance 2016-O-27 to retain a flat roof over an addition and a stairway housing on the legal non-conforming structure in accordance with the plans submitted- REQUEST TO TABLE TO FEBRUARY 26, 2019 REGULAR VILLAGE BOARD MEETING.

ADMINISTRATION COMMITTEE CONSENT AGENDA

- 3.10** Notice of vacancy on the Appearance Review Commission due to the term expiration of Carrie Woleben-Meade.
- 3.11** Notice of vacancy on the Transportation Commission due to the term expiration of Pat Lilly.

- 3.12** Notice of vacancy on the Building Code Board of Appeals due to the term expiration of Paul James.
- 3.13** Approval of contract in the amount not to exceed \$28,000 with Third Millennium Associates, Warrenville, IL for the Annual Vehicle Licensing Program.

MUNICIPAL SERVICES CONSENT AGENDA

- 3.14** Approval of contract in the amount of \$37,700 with Center for Neighborhood Technology, Chicago, IL for services associated with administering the RainReady Wilmette public/private green infrastructure program.
- 3.15** Approval of contract in the amount not to exceed \$254,647.75 with Allan ICS Inc., East Troy, WI for the replacement and upgrade of the Programmable Logic Controllers (PLCs) at the Water Plant.
- 3.16** Approval of contract in the amount of \$82,932 with Rush Truck Centers, Chicago, IL for purchase of one large dump truck chassis.
- 3.17** Approval of contract amendment to unit prices set forth in the proposal dated October 18, 2017 with Lucas Landscape and Design Co., Deerfield, IL for parkway tree pruning services.
- 3.18** Approval of contract in the amount not to exceed \$42,400 with Patriot Pavement Maintenance, Inc., Des Plaines, IL for the 2019 Crack Sealing Program.
- 3.19** Adoption of Resolution #2019-R-1 to secure \$700,000 of Motor Fuel Tax (MFT) funds from the State of Illinois for the 2019 Road Program.

JUDICIARY COMMITTEE CONSENT AGENDA

- 3.20** Appointment of Judiciary Committee as a Special Zoning Committee to review certain technical amendments to the Village's Zoning Code.

Trustee Wolf seconded the motion. Voting yes: Trustees Wolf, Sullivan, Plunkett, Dodd, Kurzman, Pearce, and President Bielinski. Voting no: none. The motion carried.

4.0 REPORTS OF OFFICERS:

Michael Braiman, Assistant Village Manager, said he would like to acknowledge the Public Works crews for their excellent work this past weekend during the difficult snow event.

Mr. Braiman also noted that the Village has obtained a \$1 million grant for downtown streetscape improvements on Central and Wilmette Avenues. As part of the planning process for that, we have a Community Open House on January 31st from 5:30 – 7:30 p.m. at Village Hall. Residents are encouraged to attend and provide feedback on the presented plans. There will also be a second open house on February 7th from 5:00 – 7:30 p.m. for our Master Bike and Active Transportation Plan. Staff has sent out thousands of notices to residents impacted in the community but all members of the community are welcome to attend and provide their feedback on the initial concepts on that master planning. We will move forward with that after the Master Plan Open House to a Transportation Commission meeting and eventually a presentation to the Village Board later this spring.

There was no report from Corporation Counsel.

5.0 REPORT OF LIQUOR CONTROL COMMISSIONER:

No Report

6.0 STANDING COMMITTEE REPORTS:

6.1 LAND USE STANDING COMMITTEE REPORT

- 6.11 REMOVE FROM TABLE -** Zoning Board of Appeals Report, Case #2018-Z-51, 2701 Orchard Lane regarding a corrected request for a 0.98' side yard pergola setback variation to permit the retention of an attached pergola in accordance with the plans submitted.

Trustee Pearce moved to remove Item 6.11 from table, seconded by Trustee Wolf. All voted aye, the motion carried.

Trustee Pearce moved to grant a request for a corrected 0.98' side yard pergola setback variation to permit the retention of an attached pergola in accordance with the plans submitted, seconded by Trustee Sullivan.

John Adler, Director of Community Development, summarized the issues of the case and noted the negative recommendation from the Zoning Board of Appeals.

President Bielinski said that the applicant's property is on a corner lot and asked if it would be easier to do the project on the other lots as there would be different setbacks.

Mr. Adler said it would be much easier for lots that are not on a corner due to the different setbacks of the properties. Mr. Adler said the

applicant did have a permit to construct the deck and was told by the contractor that a permit was not needed to add on the pergola. He believes it was an honest mistake by the applicant.

Silviu Nistor, applicant, said at the Zoning Board of Appeals meeting, he did not have the correct measurement for the pergola so Village staff came out after the meeting and measured the pergola posts and determined the variation that is needed is actually 0.98' rather than the 1.19' that was discussed at the Zoning Board of Appeals hearing. Mr. Nistor said the hardship is that he is on a corner lot and the house and backyard are to the south side.

Trustee Sullivan asked if the applicant had come in for a permit for the pergola and was told where it could be placed on the deck, would the applicant have still gone ahead with the pergola.

Mr. Nistor said he would still have gone ahead with the pergola, they would have reconfigured it accordingly.

President Bielinski asked the Village Board if they were in favor of granting the variance and noted that all of the Village Board were inclined to grant the variance.

Trustee Sullivan said he believes the Zoning Board of Appeals was correct in their recommendation as they did not find a hardship and the case was required to come to the Village Board. He does trust the applicant's statement that it was an honest mistake.

Trustee Wolf said she also thought it was helpful that staff went out to the resident's home to verify the pergola setbacks and it is a small amount, which makes a difference to her.

President Bielinski said it also made a difference to him that the neighbor sent a letter of support.

Trustee Kurzman said he suggested that for new residents, the Village provide a packet that includes letting residents know that permits are needed for home improvements.

President Bielinski said this has come up previously and Village staff does have all the information for permits on the website.

Trustee Dodd suggested that the spring "*Communicator*" have a reminder to residents that permits are needed for landscaping and home improvements.

Voting yes: Trustees Wolf, Sullivan, Plunkett, Dodd, Kurzman, Pearce, and President Bielinski. Voting no: none. The motion carried.

- 6.12 REMOVE FROM TABLE** - Zoning Board of Appeals Report, Case #2018-Z-37, 425 Lake Avenue regarding a request for a 248.5 square foot (7.36%) front yard impervious surface coverage variation, a variation to permit a parking space in a required front yard, and variation to permit the retention of an existing circular driveway upon demolition of the principal structure on the legal non-conforming structure in accordance with the plans submitted.

Trustee Pearce moved to remove Item 6.12 from table, seconded by Trustee Wolf. All voted aye, the motion carried.

Trustee Pearce moved to grant a request for a 248.5 square foot (7.36%) front yard impervious surface coverage variation, a variation to permit a parking space in a required front yard, and variation to permit the retention of an existing circular driveway upon demolition of the principal structure on the legal non-conforming structure in accordance with the plans submitted, seconded by Trustee Sullivan.

Mr. Adler said the relief the applicants are asking for is to allow the existing circular driveway to remain and be used when a future home is built there and to be used currently by the home at 435 Lake Avenue. He reviewed the request and noted that the Zoning Board of Appeals denied the request.

Trustee Plunkett said if the lot was vacant and they were building from scratch, would the applicant be allowed to build a circular driveway with two curb cuts.

Mr. Adler said if the curb cuts were not there, most of the time a curb cut would not be granted if there is alley access to the property. If the curb cuts exist on the property, a new conforming circular driveway could be constructed for a new home.

Trustee Pearce said it is his understanding that the standards for engineering to make a decision on curb cut, are actually not defined and he views it as more discretionary on the part of the Village Engineer as opposed to the very clear zoning standards that the Village has.

Jeff Stein, Corporation Counsel, said there are three separation sections in the Village Code that deal with curb cuts but the decision is subjective to hardship and the Engineering Department could grant a curb cut.

Brigitte Berger-Raish, Director of Engineering and Public Works, said if the Village Board denied the driveway variation requested for 425 Lake Avenue, the Engineering Department would likely revoke the curb cuts because it would make no sense to have two curb cuts that do not lead to anything. With respect to a brand new lot, if there is alley access, the property owner is encouraged to use it to preserve and protect the integrity of the right-of-way, however there are standards. There is an option to apply for an exception, where the resident would not use the alley access and would apply for front yard access. In many cases, there are residents who have existing front yard driveways they want to keep and also build an alley access. There is a detailed process in the Village Code for staff to follow for exceptions.

Trustee Wolf said there was a previous request for a driveway access and location change and staff asked the applicant to take care of stormwater on site to offset impervious surface. She asked if that could also happen for this request.

Ms. Berger-Raish said they often have stormwater requirements when they allow a resident the ability to retain a front yard driveway and build a new alley access. They incentivize residents to reduce impervious surface by making the second access with a permeable product.

Jeanne Poorman, applicant, said they are not using the driveway and have installed a fence around the property. She provided the Village Board with a photo of the wrought iron fencing around the property at 425 Lake Avenue.

Kevin Poorman, applicant, noted that it is commonplace in his area to have a circular driveway or driveway access onto the street as the lakefront does present parking issues for the neighborhood in the summer. He noted that when their neighbor passed away and the house was for sale, they bought the property as in the future they would possibly like to design a new home for the property. The house at 425 Lake was too costly to repair so they had the building demolished. They believe the hardship for the variation is the safe ingress and egress from the property, especially as they age. The other hardship is the denial of the request would require that they remove the driveway and the curb cuts and he has concerns that

they would not receive another curb cut with a new request for the property.

President Bielinski asked the Village Board if they were in favor of granting the variance and noted that all of the Village Board were inclined to grant the variance.

Trustee Dodd said she agrees with the safety and parking concerns in the neighborhood but has concerns of the possibility of a driveway in the backyard of the property. She asked if any of the Trustees would consider a condition regarding the amount of impervious surface to be allowed in the backyard of the property.

President Bielinski said he believed they were already reducing impervious surface on the property as the applicant would be required to have a larger driveway on the property with a new plan if this request is denied.

Trustee Dodd said because of the size of the lot, if the property is developed there could be significant impervious surface in the backyard so that is why she is proposing a condition to be applied to the amount of impervious surface that could be added in the backyard.

Mrs. Poorman said when he demolished the home and landscaped the lot, they added rain gardens at the back edge of the property that will remain to improve the drainage on the property.

Trustee Kurzman said he appreciates Trustee Dodd's comments and raising the issue of the amount of impervious surface on the property.

Trustee Plunkett asked Mr. Adler for clarification regarding the impervious surface regulations for the Village.

Mr. Adler said a proposed house and garage on the property will have to follow the zoning regulations. The Zoning Ordinance limits impervious surface in the required front yard, the first 45' of this property, the required rear yard, approximately the rear 32' of this property and the side yards.

President Bielinski noted that because it would be new construction on the property, the applicant will have to take care of the water on the property and they will not be allowed to make the water situation worse for the neighbors.

Ms. Berger-Raish said because the property is in a combined sewer area, the applicant will not be allowed to tie all their stormwater into the sewer so they will have to manage it on the site using green infrastructure, bio swales, rain gardens, and French drains to promote infiltration and reduce any burden to adjacent neighbors.

Trustee Pearce said there are situations where curb cuts are granted when there is an alley and he believes this is an appropriate situation. When you look at the character of the neighborhood, he believes this is one of the big reasons that exceptions are granted. He said safety is a big issue and he believes it is appropriate to grant the request.

Trustee Wolf said she agrees with Trustee Pearce and she also wanted to compliment the applicant on the appearance of the lot as it looks like a little park and is a big asset to the neighborhood. She also agrees that the driveway has been there a long time and it is an unusual situation. Between the requirements for new construction with keeping rainwater on site and the rain gardens that have already been added to the property, she is comfortable supporting the request.

President Bielinski said if the applicant did come to the Village with a new house and asked to retain the driveway, he would probably be in favor of that too.

Trustee Kurzman said in the conversation this evening, we have referred to rain gardens but we do not have standards for what constitutes a rain garden and he believes it would serve us well in the long term to work on setting standards.

Voting yes: Trustees Wolf, Sullivan, Plunkett, Dodd, Kurzman, Pearce, and President Bielinski. Voting no: none. The motion carried.

6.2 FINANCE STANDING COMMITTEE REPORT

No Report

6.3 ADMINISTRATION STANDING COMMITTEE REPORT

All items listed on the Consent Agenda

6.4 MUNICIPAL SERVICES STANDING COMMITTEE REPORT

All items listed on the Consent Agenda

6.5 PUBLIC SAFETY STANDING COMMITTEE REPORT
No Report

6.6 JUDICIARY STANDING COMMITTEE REPORT
All items listed on the Consent Agenda

6.7 REPORTS FROM SPECIAL COMMITTEES
No Reports

7.0 NEW BUSINESS

No Report

8.0 ADJOURNMENT

Trustee Sullivan moved to adjourn the meeting at 8:30 p.m., seconded by Trustee Wolf. All voted aye, the motion carried.

Barbara L. Hirsch
Deputy Village Clerk