



1200 Wilmette Avenue
Wilmette, Illinois 60091-0040

MEETING MINUTES

ZONING BOARD OF APPEALS

WEDNESDAY, JUNE 1, 2016

7:30 P.M.

COUNCIL CHAMBERS

Members Present: Chairman Patrick Duffy
Mike Boyer
John Kolleng
Bill Merci
Reinhard Schneider
Bob Surman

Members Absent: Lynn Norman

Staff Present: Lisa Roberts, Assistant Director of Community Development

I. Call to Order

Chairman Duffy called the meeting to order at 7:31 p.m.

II. 2016-Z-28 226 Woodbine Avenue

See the complete case minutes attached to this document.

III. 2016-Z-26 1809 Wilmette Avenue

See the complete case minutes attached to this document.

IV. 2015-Z-21 1515 Sheridan Road

See the complete case minutes attached to this document.

V. 2016-Z-27 201 Sheridan Road

See the complete case minutes attached to this document.

VI. Approval of the May 4, 2016 Meeting Minutes

Mr. Kolleng moved to approve the May 4, 2016 meeting minutes.

Mr. Surman seconded the motion and the voice vote was all ayes and no nays. Motion carried.

VII. Public Comment

There was no public comment.

VIII. Adjournment

The meeting was adjourned at 11:09 p.m.

Respectfully submitted,

Lisa Roberts
Assistant Director of Community Development

3.0 TESTIMONY, COMMENTS AND ARGUMENTS ON BEHALF OF THE APPLICANT

3.1 Persons appearing for the applicant

3.11 Ms. Debbie Cohen, applicant

3.12 Ms. Julie Klare
50 Crescent Place

3.2 Summary of presentations

3.21 Ms. Roberts said that this is a request for a 2.0' fence height variation and a fence openness variation to permit the replacement of a 6.0' tall solid fence in the rear yard of a double-frontage lot. The Village Board will hear this case on June 28, 2016.

3.22 The applicant said that the fence in question actually sits partly on the applicant's and partly on the neighbor's property. It was recommended that only one of them ask for the variation and that it be her because the alley is only on her property. She bought the house in 1996. Part of their decision had to do with the private backyard with a 6' closed cedar fence. The fence is around her entire backyard. They are asking to replace the whole fence on three sides, but they only need a variation for the north side. They and their neighbors have often repaired the fence as needed. In the spring a large section fell down and much of the fence has rotten away. Four fence companies recommended fence replacement. They were not aware that the fence did not conform to height restrictions or that previous owners of 50 Crescent Place had installed the fence without a permit in 1990. They had applied for a permit but did not adhere to recommendations. They learned about this from the neighbors. Most of the fence is on their property and they applied for a permit for fence replacement on April 18, 2016.

The neighbors have a corner property. Her lot is not a corner. The northeast corner of the neighbor's property merges with her property. There is a small section of the side and back of her yard that is visible to the street and sidewalk. She and her neighbors strongly believe that a fence is partially open and partially closed will look bad. Much of the fence is allowed to be 6' high. It would have a negative impact on both properties and the neighborhood. Everyone else around them has a 6' tall fence.

They have never gotten a complaint about the fence in the 20 years she has lived there. A replacement fence will not impact the neighborhood.

The neighbor said that her property has a unique shape. She has no privacy on her property. She would like the proposed fence, which would give them some privacy.

3.23 The Board had no questions. There was no one in the audience to speak on this case. There was no additional communication on this case.

5.0 VIEWS EXPRESSED BY MEMBERS OF THE ZONING BOARD OF APPEALS

5.1 Mr. Boyer said this is a minimal request. There is not a large double frontage issue happening. The property is getting caught with the unique lot shape. It meets all standards of review and he will support the request.

5.2 Mr. Surman agreed. The current owner did not create this situation.

5.3 Chairman Duffy agreed with the above. It is a unique situation and maybe the only one like it in the Village. He can support this and all standards are met.

6.0 DECISION

6.1 Mr. Boyer moved to recommend granting a request for a 2.0' fence height variation and a fence openness variation to permit the replacement of a 6.0' tall solid fence in the rear yard of a double-frontage lot at 226 Woodbine Avenue in accordance with the plans submitted.

6.11 Mr. Surman seconded the motion and the vote was as follows:

Chairman Patrick Duffy	Yes
Mike Boyer	Yes
John Kolleng	Yes
Bill Merci	Yes
Lynn Norman	Not Present
Reinhard Schneider	Yes
Bob Surman	Yes

Motion carried.

6.2 Mr. Surman moved to authorize the Chairman to prepare the report and recommendation for the Zoning Board of Appeals for case number 2016-Z-28.

6.21 Mr. Boyer seconded the motion and the voice vote was all ayes and no nays.

Motion carried.

7.0 FINDINGS OF FACT UPON WHICH DECISION WAS BASED

The Zoning Board of Appeals finds that the request meets the variation standards of Section 5.4.F of the Zoning Ordinance. The physical conditions of the property, the configuration of the lot as a double-front lot with a small portion along Crescent Place, imposes upon the owner a practical difficulty. The plight of the owner was not created by the owner and is

due to the unique circumstances of the lot. The difficulty is peculiar to the lot in question and not generally shared by others. The difficulty prevents the owner from making reasonable use of the property with a backyard space, maintaining the privacy of the existing space. The proposed variations will not impair an adequate supply of light and air or otherwise injure other property. The variations if granted will not alter the essential character of the neighborhood. The variations allow the replacement of the existing fence with no change to the appearance of the neighborhood.

Regarding the fence standards, only a relatively small portion of the fence is oriented to Crescent Place. There are other similar fences in the neighborhood including in the adjacent alley. The proposed fence does not negatively impact neighboring dwelling units and other structures. The applicant proposes to replace an existing fence with a similar closed fence of the same height. The existing fence was constructed by a previous owner in violation of the fence requirements.

8.0 RECOMMENDATION

The Zoning Board of Appeals recommends granting a request for a 2.0' fence height variation and a fence openness variation to permit the replacement of a 6.0' tall solid fence in the rear yard of a double-frontage lot at 226 Woodbine Avenue in accordance with the plans submitted.

3.0 TESTIMONY, COMMENTS AND ARGUMENTS ON BEHALF OF THE APPLICANT

3.1 Persons appearing for the applicant

3.11 Mr. Joe Rodriguez, previous owner

3.12 Ms. Natalie Hanson, current owner

3.2 Summary of presentations

3.21 Ms. Roberts said that this is a request for a 54.02 square foot (0.87%) total floor area variation, a 1.1' side yard garage setback variation, a 5.0' rear yard parking pad setback variation, a 2.0' parking space depth variation, a 52.46 square foot (4.22%) rear yard total impervious surface coverage variation, and a 45.62 square foot (3.67%) rear yard structure impervious surface coverage variation to permit the retention of a detached two-car garage and parking pad. The Village Board will hear this case on June 28, 2016.

3.22 Mr. Rodriguez said he is embarrassed that this is an after-the-fact application. He should have come before anything was done. His job was to oversee that everything got done according to blueprints. The garage is not the way it should be. They based their layout on a 22' x 22' garage. The architectural drawings show the garage at 21' x 21'. He was the owner and he was the builder. He is not the current owner.

3.23 Mr. Boyer asked if the garage was built and then the house was sold.

Mr. Rodriguez said that is correct. The new owner is at the meeting.

3.24 Chairman Duffy said that Ms. Roberts explained that there was a mistake in reading some plans.

Ms. Roberts said that the engineering plans had not been updated to match architectural plans so when the garage was inspected it was based off of the engineering plans. The garage was built larger than zoning had allowed.

3.25 Chairman Duffy asked if that was true for the addition and the porch. Those were not built according to submitted plans.

Ms. Roberts is not sure what happened with the addition and the porch.

3.26 Chairman Duffy clarified that there was a mistake as to which plans were read during construction. He addressed the new owner about when he submitted plans to the Village and they said that the garage should be smaller. The engineering

plans had to be adjusted. They knew the original plans were wrong and they needed to adhere to new plans.

Mr. Rodriguez said no, that is where the mistake was made. He followed the plans that read 22' x 22'. The architectural drawings showed another dimension.

- 3.27 Chairman Duffy asked about the addition and the porch. The plans were not followed on those elements either.

Mr. Rodriguez said he took it on his own to increase dimensions so he could make a dining room in that area. He should have asked first.

- 3.28 Chairman Duffy asked Mr. Rodriguez if he is a builder. Does he often work in the Village?

Mr. Rodriguez is a plumber but knows how to remodel a home. He only works in the Village.

- 3.29 Mr. Surman asked about additional parking added through a parking pad.

Mr. Rodriguez said that is correct. He wanted to have the option of having a new buyer have a place to park because parking in the area is limited. That pad was not on the original plan.

- 3.30 Mr. Surman asked if Mr. Rodriguez was a general contractor.

Mr. Rodriguez is not a general contractor and acts as the general contractor on his own projects because he owns the property. He said he is a licensed plumbing contractor. On his own properties, he can be his own general contractor.

- 3.31 Chairman Duffy said that when Mr. Rodriguez bought the house there was Wilmette Avenue access. The curb cut is still there. The garage is now turned to the alley, the long drive having been removed, and there is now a parking pad in the back. He has less impervious surface than he started with.

Mr. Rodriguez said that the curb cut is still there.

- 3.32 Mr. Surman noted that one cannot change the plans on a whim. Next time he tries to build in the Village, he will be closely scrutinized.

- 3.33 Mr. Boyer asked Ms. Roberts if there was a situation where the previous owner is applying for the variance like in this situation.

- 3.34 Chairman Duffy talked about a situation that happened before he was on the Board. The location was near Westmoreland Country Club. The builder built his house different from the approved plans. He built the basement higher and then it counted

as floor area. No one caught it until occupancy. The Village Board referred him to the Land Use Committee and he got fined.

- 3.35 There was discussion about who should have asked for the variation.

Ms. Roberts said that the current owner authorized Mr. Rodriguez to file for the variations.

- 3.36 Mr. Schneider asked how this came to the Board's attention.

Ms. Roberts said that staff was advised that the garage was too big, which was then confirmed. It was not caught on routine inspection. A neighbor pointed out that the garage was too large.

- 3.37 Mr. Boyer asked if there were repercussions, does it go against the applicant or the owner.

Mr. Rodriguez said he does not want anything going to the current owner. He, Mr. Rodriguez, created this situation and he will do what he needs to do. He is asking for help and recommendations.

Ms. Hanson said she was not aware of the variance when they made the offer. The neighbor brought this up a week before closing. They closed five weeks ago. They sold their previous property, which was also in the Village.

- 3.38 Mr. Boyer asked what would happen if the Board said no and the Village Board says there are repercussions, who does that go against it.

Ms. Roberts said it would be between the owner and the applicant to sort out. She would think it would be the builder but she does not think that the Village would say who should bear the burden.

- 3.39 Chairman Duffy said that the Village Board could sanction the builder for violating the code and could direct the penalty.

- 3.40 Mr. Merci asked if any changes were due to unforeseen conditions or some hardship pertaining to the site.

Mr. Rodriguez said that the lot is not a perfect rectangle in shape.

- 3.41 Mr. Merci clarified that these were willful changes.

Mr. Rodriguez said he followed the drawings approved by the Village.

- 3.42 Chairman Duffy said that Mr. Rodriguez stated this evening that he made the changes on his own as related to the porch and to the addition.

Mr. Rodriguez said he was not aware of problems with the porch until all this unraveled.

3.34 Mr. Kolleng asked if there was a garage that was taken down.

3.35 Chairman Duffy said this is shown on 1.3.

3.36 Mr. Kolleng asked about impervious surface prior to it being removed.

Ms. Roberts said that they do not do calculations for the entire lot so she would have to break it out by yard.

3.37 Mr. Kolleng noted that impervious surface seems less at this time.

Ms. Roberts agreed that impervious surface on the lot is now reduced.

4.0 INTERESTED PARTIES

4.1 Persons speaking on the application

4.11 Mr. Tim Clemens
1811 Wilmett Avenue

4.12 Ms. Marie Hirschle, broker that represented the buyers

4.2 Summary of presentations

4.21 Mr. Clemens lives directly west of the subject property. He was the one who brought this to the Village's attention. He does not have a problem with the proposal and the applicant has improved the neighborhood.

4.22 Ms. Hirschle said that none of the above came about until days prior to closing. There were errors and oversights. She asked the Board to consider the fact that the current residents had no knowledge of this. Mr. Rodriguez is saying that this is on him. The buyers had no part in this situation.

5.0 VIEWS EXPRESSED BY MEMBERS OF THE ZONING BOARD OF APPEALS

5.1 Mr. Boyer said the case is unique because the buyer owns the house and had no part in the variance request. He may have supported the request if the applicant came to the Board before he did construction. Some of the variations make sense. There is no parking on Wilmette Avenue, which is a busy street. They are removing impervious surface. The Board cannot approve this request because it is being made after the fact. A conscious decision was made in the building process, which was outside of the original plans. He is not comfortable penalizing the current

owner. The Village Board would have to look at not penalizing the current owner and figure something out with the applicant.

- 5.2 Mr. Kolleng agrees with Mr. Boyer's comments. The garage should get a pass because the Village missed it as well. It was an honest mistake by the builder. If the case had come to the Board before it was built, there would be less impervious surface, which is a positive, and the other variations are minor so the Board probably would have approved the request. The situation is unique. The buyer should not be penalized but the applicant should be penalized by the Village. He would support the request.
- 5.3 Mr. Surman said he agrees with most of the above. Every case is unique. The builders need to be responsible for what they do. It is not the buyer's responsibility but the Village Board has to make the decision about what to do about the builder.
- 5.4 Mr. Merci said agrees with the comments. The request for variance is based on willful change and not on hardship or unforeseen conditions. That is not a good practice and he will not support the request.
- 5.5 Mr. Schneider said he would support the request for above reasons. If this had come to the Board before construction, the Board would probably have approved the request. If the Village Board wants to impose a fine, it is the developers' responsibility to pay it.
- 5.6 Chairman Duffy said if this had come to the Board before construction, the Board might have asked the applicant to take some inches off of the garage. Regarding the porch and addition, this is where he starts having a problem. The Village should have a discussion with the builder about not changing approved plans. It is in the Board's best interest to send this as a negative recommendation to the Village Board so the Village Board can decide how to handle it.
- 5.7 Mr. Kolleng said this application should be been initiated by the current owner and not by the builder. This is an owner issue, but the Village Board can deal with the applicant. It should not be a negative recommendation.
- 5.8 Mr. Surman said it should be the builder's responsibility and not the buyer's responsibility. Why put the burden on the owner?
- 5.9 Mr. Boyer said that the owner was not complicit in the deceit that occurred.
- 5.10 Mr. Kolleng said that the owner is the legal owner.
- 5.11 Mr. Schneider referenced exhibits 1.1 and 1.2 that show the alley meeting Sterling but it doesn't. The alley dead ends.

Ms. Roberts said that it is an unimproved alley. It is dedicated but not improved.

5.12 Chairman Duffy said that some properties along Lawndale were deeded the alley.

Ms. Roberts said that is on the east side. The alley is Village property on the west side of Lawndale.

6.0 DECISION

6.1 Mr. Boyer moved to recommend granting a request for a 54.02 square foot (0.87%) total floor area variation, a 1.1’ side yard garage setback variation, a 5.0’ rear yard parking pad setback variation, a 2.0’ parking space depth variation, a 52.46 square foot (4.22%) rear yard total impervious surface coverage variation, and a 45.62 square foot (3.67%) rear yard structure impervious surface coverage variation to permit the retention of a detached two-car garage and parking pad at 1809 Wilmette Avenue in accordance with the plans submitted.

6.11 Mr. Kolleng seconded the motion and the vote was as follows:

Chairman Patrick Duffy	No
Mike Boyer	No
John Kolleng	Yes
Bill Merci	No
Lynn Norman	Not Present
Reinhard Schneider	Yes
Bob Surman	No

Motion failed.

6.2 Mr. Surman moved to authorize the Chairman to prepare the report and recommendation for the Zoning Board of Appeals for case number 2016-Z-26.

6.21 Mr. Boyer moved to second the motion and the voice vote was all ayes and no nays.

Motion carried.

7.0 FINDINGS OF FACT UPON WHICH DECISION WAS BASED

A majority of the Zoning Board of Appeals finds that the request does not meet the variation standards of Section 5.4.F of the Zoning Ordinance. There are no particular physical conditions of the property that impose upon the owner a practical difficulty or particular hardship. The lot is a typical size and shape. The plight of the owner was created by the owner when he modified the construction of the addition and porch without having the revision reviewed and approved. The garage was also built too large, based on a plan that had not been updated to match the approved building plans. There is nothing preventing an owner from making reasonable use of the property had the addition, porch,

and garage been built within the zoning regulations. The work was done by the previous owner who acted as the general contractor; the current owner had no involvement in the construction.

A minority of the Zoning Board of Appeals finds that the request meets the variation standards of Section 5.4.F of the Zoning Ordinance. The garage was built following plans that did not match the approved architectural plans and this was an honest mistake by the builder. This mistake was also not caught during inspection. The applicant has reduced the overall impervious surface coverage on the lot; the parking pad provides on-site parking in place of the driveway. Parking on Wilmette Avenue is limited and difficult to manage. The rear addition and porch were built larger than the approved plans and these changes should have been approved first. Overall, the requests are very minor. The variations will not impair an adequate supply of light and air to adjacent properties. The variations, if granted, will not alter the essential character of the neighborhood. The appearance of the neighborhood has been improved with the improvements to the house and the removal of the driveway.

8.0 RECOMMENDATION

The Zoning Board of Appeals recommends denying a request for a 54.02 square foot (0.87%) total floor area variation, a 1.1' side yard garage setback variation, a 5.0' rear yard parking pad setback variation, a 2.0' parking space depth variation, a 52.46 square foot (4.22%) rear yard total impervious surface coverage variation, and a 45.62 square foot (3.67%) rear yard structure impervious surface coverage variation to permit the retention of a detached two-car garage and parking pad at 1809 Wilmette Avenue in accordance with the plans submitted.

3.0 TESTIMONY, COMMENTS AND ARGUMENTS ON BEHALF OF THE APPLICANT

3.1 Persons appearing for the applicant

3.11 Mr. Tim Lenon, applicant

3.2 Summary of presentations

3.21 Mr. Roberts said that this is a request for a special use for a limited service restaurant (Taco Lago). The Village Board will hear this case on June 28, 2016.

3.22 The applicant said he's not sure how there was a misconception that they were having servers. They are a fast casual restaurant. One orders at the counter and the food is delivered to the table. This is customary for this type of food.

3.23 Chairman Duffy asked how the confusion occurred.

The applicant said something must have gotten lost in the translation. It was never stated that he would have servers. His two other restaurants in the Village do have servers, so there may have been an assumption there.

3.24 Mr. Surman asked if having servers means that no special use is required.

Chairman Duffy said it's considered a different type of use.

3.25 Chairman Duffy asked what the other two restaurants the applicant is involved with.

The applicant said Fuel and Nick's, though he has sold his interest in Nick's.

4.0 INTERESTED PARTIES

4.1 Persons speaking on the application

4.11 Ms. Katie Lenon

4.2 Summary of presentations

4.21 Ms. Lenon said that she would like a job at the venue so she hopes that the ordinance passes. She thinks that the Board should support the request.

5.0 VIEWS EXPRESSED BY MEMBERS OF THE ZONING BOARD OF APPEALS

5.1 Mr. Schneider said this is a good addition to the Village. There is no reason to not support it.

5.2 Mr. Boyer said that all standards of review are met. He can support the request. This request is just housekeeping.

5.3 Chairman Duffy said that there was some confusion during the application process. He will support the request.

6.0 DECISION

6.1 Mr. Schneider moved to recommend granting a request for a special use for a limited service restaurant (Taco Lago) at 1515 Sheridan Road in accordance with the plans submitted. The use shall run with the use.

6.11 Mr. Boyer seconded the motion and the vote was as follows:

Chairman Patrick Duffy	Yes
Mike Boyer	Yes
John Kolleng	Yes
Bill Merci	Yes
Lynn Norman	Not Present
Reinhard Schneider	Yes
Bob Surman	Yes

Motion carried.

6.2 Mr. Surman moved to authorize the Chairman to prepare the report and recommendation for the Zoning Board of Appeals for case number 2016-Z-21.

6.21 Mr. Kolleng seconded the motion and the voice vote was all ayes and no nays.

7.0 FINDINGS OF FACT UPON WHICH DECISION WAS BASED

The Zoning Board of Appeals finds that the request meets the special use standards of Section 5.3.E of the Zoning Ordinance. The proposed use in the specific location is consistent with the goals and policies of the Comprehensive Plan for vibrant commercial areas. The proposed use is located within an existing shopping center and will have no impact on surrounding properties. The restaurant has been operating as a limited service restaurant and no negative impacts have occurred. The establishment and operation of the special use in the specific location will not be detrimental to or endanger the public health, safety, and welfare. The proposed use will not be injurious to the use or enjoyment of other property in the neighborhood. The establishment of the special use will not impede the normal and orderly development of surrounding properties. The proposed use will not substantially diminish property values in the neighborhood. Adequate utilities, road access, drainage, and other necessary facilities already existing to serve the proposed use. Adequate measures exist for ingress and egress. The proposed use is consistent with the community character. Development of the proposed use will not adversely affect any

known archaeological, historical or cultural resources. The proposed use will meet any and all standards specified in Article 12 of the Zoning Ordinance.

8.0 RECOMMENDATION

The Zoning Board of Appeals recommends granting a request for a special use for a limited service restaurant (Taco Lago) at 1515 Sheridan Road in accordance with the plans submitted. The use shall run with the use.

3.0 TESTIMONY, COMMENTS AND ARGUMENTS ON BEHALF OF THE APPLICANT

3.1 Persons appearing for the applicant

- 3.11 Mr. Scott Freres, principal
The Lakota Group
- 3.12 Ms. Arona Puttrich, Director of Finance
Baker Demonstration School
- 3.13 Mr. Don Matthews
Gewalt Hamilton
- 3.14 Mr. Dan Brinkman
Gewalt Hamilton

3.2 Summary of presentations

- 3.21 Ms. Roberts said that this is a request for modification of a special use (Primary Educational Facility), a special use to allow two accessory structures exceeding 200 square feet in area, a variation to expand a legal non-conforming structure, a 1,449.48 square foot (17.47%) front yard impervious surface coverage variation, a 2,422.49 square foot (48.1%) side yard adjoining a street impervious surface coverage variation, an 814.24 square foot (5.63%) combined side yard impervious surface coverage variation, an 85.52 square foot (0.39%) rear yard pavement impervious surface coverage variation, an 11.0' side yard adjoining a street sport court (synthetic turf playfield) setback variation, an 8.83' interior side yard sport court (synthetic turf playfield) setback variation, a 3.75' refuse storage area side yard setback variation, a 4' fence height variation and a 1.5' fence height variation to permit site improvements. The Village Board will hear this case on June 28, 2016.
- 3.22 Mr. Freres is representing Baker School who is the applicant. He said there are representatives from Baker and Gewalt Hamilton and Mike Kritzman from his office.

They want to present an overall discussion of what Baker is trying to undertake in terms of the process. Baker has been an institution for over 100 years. They have been at the current site for 50 years. About 18 months ago, his firm was called in because Baker wanted to refresh and relook at their campus. The focus was on an initial understanding of playground areas and how to improve them, but also the green space. They have a terraced green lawn area. He said that he wanted to look at the entire campus and not one individual part. What is the long term vision? How can they improve the entire physical appearance? How can they refresh the brand?

They wanted to get a better understanding of how they are seen in the neighborhood. Many of the neighbors are at the meeting. They engaged the neighbors to understand concerns and issues.

This is more about looking at the whole campus and how they can improve the school moving forward. This is a reinvestment and not just a refresh. They started the process about 12 to 18 months ago and engaged staff and parents. How do they meet the school's goals from a progressive standpoint of learning, education and outdoor environments? They engaged the neighbors in early discussions about their concerns. They plan to improve the infrastructure and associated impacts.

Now is a time they package the above into a proposal to the Village. They met with Village planning staff for input. What were the bigger concerns not only from the site but from the neighborhood in terms of access and circulation? They then broke it down into implementation, which is where they are right now. There is a Phase 1 and a Phase 2. The site was broken down into two areas. They want to minimize impact on current operations. In Phase 1 they planned to start on the west end of the campus, replace the playground and make parking improvements as well as move the storage shed and make improvements to trash enclosures and access to parking. Their goal was to achieve Phase 1 this summer. Phase 2 is the east side of the building, which encompasses the playground and open field area.

He walked through the site plan. The site is 3.8 acres, residentially zoned. It is surrounded by single-family homes. Homes on the western half of the property are relatively new. He referenced photos. There are four homes on the eastern edge of the property. There is open space on the east half of the school, which is on a hill coming down from Sheridan back towards the building. There is a giant footprint under that area of an old foundation of the old National Louis University.

There were infrastructure improvements that had to be made to manage existing conditions and meet upgraded MWRD standards. Don Matthews from Gewalt-Hamilton will discuss this. This will improve the site and impact on neighbors.

Their parking today is along Maple and it is a circulation system that brings everyone in on Maple during the morning. The school manages that well. Most either go out to Maple or out to Sheridan Road. There is also parking on the east end of the campus. There is a curb cut on the west end of Maple. That is there in the early morning for traffic management but it really is a fire emergency access point. His firm has to maintain this component.

The highlighted purple areas are important. They represent areas of concern to the school. A lot of playground areas and grass areas have degraded conditions from use and the freeze/thaw cycle. A lot of the gravel pushes up and they cannot get grass to grow on the eastern edge of the site, which led to a discussion about synthetic turf.

- 3.23 Mr. Schneider asked the meaning of the brown shaded areas.

Mr. Freres said those areas have buffering and screening. Neighbors have concerns about noise and screening. The areas in purple are play areas at the west end of the site, play areas in the center and the brown areas are disturbed areas. Yellow highlights are adjacent neighbors. The plan is not changing the relationships of the playground pieces; it is not increasing the intensity of use or the intensity of the campus with more students. The proposal is improving the quality of the appearance and the brand.

- 3.24 Mr. Surman asked if what was being discussed was existing conditions. Are existing trees on there?

Mr. Freres said it was existing conditions. He said that there are trees along the edge of the field where there is parking, along Sheridan Road. The plan does not depict all trees that exist.

- 3.25 Chairman Duffy asked that the history being addressed. The lot has a unique shape. Did Baker sell off the northeast quadrant?

Mr. Freres said that was a piece that was sold off.

- 3.26 Ms. Puttrich said that Baker separated from National Louis in about 2005 and they bought a parcel of land. In order to buy back from National Louis, they had to get money, through a bond, and sell adjacent properties through Red Seal. She explained that the land where the houses sit were part of National Louis and Baker at one time.

- 3.27 Mr. Freres continued and showed photos. They are trying to show the existing conditions on the site. It is primarily fenced around the open green space and along the western and southern frontages. There is emergency access at the south end of the campus. There is fencing along the south edge of the playfields. Neighbors are concerned about errant balls that sometimes go to the neighbors' properties.

The campus has not been improved for a long time. It has been maintained and repaired. The equipment on site is 15 to 20 years old. They will refresh everything out there and will change out materials of the ball surfaces. As part of the process they realized they want to get greenery on the site in a way that can be sustained.

- 3.28 Mr. Schneider asked if the original building was where the soccer field is.

Mr. Freres said that is correct.

- 3.29 Mr. Schneider asked if they removed all of the substructure when the building was torn down.

Mr. Freres said they left part of the foundation below grade. They are 2' to 3' below to the finished foundation. They probably crushed the floor but foundation walls are still there.

They are keeping all parking in the current configuration. The goal is not to lose parking. In 2015, the initial look at the campus was to visualize the campus as a series of rooms. Each room has a different character and component. They want to link the entire campus via walkways. There are not sufficient walkways at this time. Everything they do has to be ADA accessible. There is a connected circular pathway system that goes throughout the entire site. Room 1 is on the eastern edge. It is a synthetic surface ball field not defined by striped lines. Lines will be painted on for each event and then wash away. The goal will be to have it look like a lawn area and not an athletic field. They are sensitive as to how the view is from Sheridan Road.

He will later talk about fencing treatment and signage. The center is lawn. It is being graded and they are providing underground storage for the impermeable surface that this is qualified under. That area will be regraded and will have a lawn area. Soil will be on top of it so it will be a lawn/play area.

- 3.30 Chairman Duffy said that there will be a walkway between the play area and center area. He noted that there is a pergola. Is there a distinct grade difference between the playfield and ?

Mr. Freres said that there was a distinct grade difference.

- 3.31 Chairman Duffy asked if they were creating a retaining wall.

Mr. Freres said that there is a 2' high retaining wall with prairie gardens along the slope.

- 3.32 Chairman Duffy clarified that they are digging out.

Mr. Freres said they are building up rather than digging out.

- 3.33 Chairman Duffy said that the applicant stated that there would be a retention vault.

Mr. Freres said that Mr. Matthews would discuss that in his presentation. He did say that there would be a retention vault.

- 3.34 Chairman Duffy said it had to get dug out to create the retention vault. Mr. Freres said that there will be a transitional area between two areas that is highlighted by landscaping. It is designed with stones like a small amphitheater. Everything is a learning experience and not just a utilitarian approach. The pergola element is a shade structure. On the weekend, the area is used for sporting clubs and organizations as a play space. To build the pergola, there needs to be a curbed

or sidewalk edge to retain that surface. He said that trees will be relocated and some will go in areas where there are no plants at this time. They do not want to excavate more than needed because of the cost.

The areas adjacent to the building are playground area 1. This is for younger children. It is a controlled fenced in 4' high fence. The children can come out to the open area and others can bypass that space via walkways. Immediately to the south is a green space which is a garden area. On the western side they planned to replace existing equipment in the same location. They will also provide ball court areas, which are small.

There is a dumpster storage area and green areas were out in that space. That was their first attempt at the plan. They knew that parking was important and the relationship of all areas was also important. They spoke with their neighbors and incorporated their comments into the current plan, which is before the Board. They highlighted those comments.

One area of concern was to the north. There was a desire to provide a separation and quality of care and visual and physical concern for storage of the dumpster areas. They have to have ample circulation for a truck. They don't want to lose parking.

The other concern on that side had to do with hoop houses and the compost bin, which neighbors said were not good looking and that they smelled. In the new plan the outdoor gardening elements were moved to the garden outdoor learning environment, central to the campus. This is a new area and they provided a new pull away dumpster area in synthetic wood so it is screened and well maintained. It is also well landscaped. They want to put in a solid screen of landscape. This would provide separation from the neighbors to the west. There is also a large tree that they did not want to cut down.

They looked at other dumpster location options but this was the best location from an accessibility and physical standpoint as long as they address landscaping, screening and move other facilities out of that space.

The west side is where they felt more concern from the neighbors. One issue was noise, particularly related to two neighbors to the west. The sounds of balls generates noise throughout the day. The ball courts there right now are up against the fence. There is little landscaping at this time. Their goal was how to address landscaping. They have provided significantly more landscaping – Evergreen material – along the west side. There is all new solid fencing along that frontage. They will move the small ball courts closer to the building. The ball courts are for younger children. The main ball court area is pulled to the center.

3.35 Mr. Surman asked the material.

Mr. Freres said that it would be a concrete or asphalt material. They can maintain a durable surface.

- 3.36 Mr. Surman asked as related to today, if there was less or more concrete in the area to the west.

Mr. Freres said that in a perceived world there is no more paved surface than today. From a metrics perspective, there is more impervious surface. He talked about the rubber surface. There is also synthetic grass. Village codes call that impervious. He referenced the big circle and it represents a big concern from a neighbor about the drainage patterns that occur on the site today. They will talk about that more in detail.

Drainage represented a huge piece of the budget that Baker is going to undertake to do the project. It is driven by Village requirements and MWRD's requirements, which are significant. There are two systems. One holds water in the center of the site and goes one way. There is one on the west that goes to the south. They want to tackle the one on the west first and take care of that area right away. They want to create a pipe system to hold the water underneath a specific playground. The neighbor is concerned that water will go from Baker onto her property. Right now it is all mulch. But now it will be controlled and released properly.

- 3.37 Chairman Duffy asked if the western area would only retain water from the west side of the property.

Mr. Freres said that water from the roof would be retained there.

- 3.38 Chairman Duffy clarified that the vault would take care of the synthetic playfield and center play area. Currently parking has its own drainage and they are not changing that.

Mr. Freres said they are tying into that and then it's going back to Maple.

- 3.39 Mr. Surman asked what type of fence they are proposing for the west.

Mr. Freres said they are proposing a solid 6' high traditional cedar fence.

Mr. Freres said that they are working with their neighbors and they need to make the investment to improve the site. Improvements are need. To the south they are making improvements to the alley. It is now chain link fences with trees growing through it. It is an unsecure place. They plan to clean up that area and improve the area. There are many trees on the site that occur on the south edge that were planted as memorials and dedications. Those will remain and are integrated into outdoor classroom space. They want to get rid of all the smelly garden areas. They are bringing those to a new farm space. Students can do planting, collect rain water.

One big issue is the frontage along Sheridan Road. The issue is the quality of keeping that slope and building up that area for proper drainage. They need to think about balls onto Sheridan Road. They plan to put a fence out there. The fence is 6' today, but it will go on top of a 4' high retaining wall. They are asking for 8'. They are giving themselves a 6' setback off of the sidewalk. Today that fence is on the sidewalk. They are also adding a row of trees. They are aesthetically improving the area, pulling the fence closer to where the ball sports are. One element that is important to Baker is brand recognition on Sheridan Road. They are asking for signage along Sheridan. It is essential that Baker have brand recognition on Sheridan Road. 99% of people have no idea where the school is but drive by it all the time. There is a sign that hangs off of the school it is not as tasteful as what they want.

He hit the highlights of the proposed master plan. It is tasteful and well designed. It is no more intensity of the use than there is today. They are replacing old equipment with new contemporary equipment. There is more environment for interactive play for all age groups.

Their goal is to reconfigure outdoor space to provide meaningful environments. They are not changing walking patterns and will fence spaces off. They are integrating rubberized surfaces. The climbing structures are more natural. Greenery and pathways play a big part. Metrics are showing more impervious surface, they are increasing the open space and adding more landscaping. They are already over on impervious surface. The incremental increase is not significant. It is better quality materials and they are looking at this as an overall project.

3.40 Mr. Schneider asked what the incremental increase was.

Mr. Freres said if they go on a side yard, rear yard and front yard setback, which is how they have broken down the request. Each has an incremental increase from what exists. In some areas it may be 1% and in other areas it might be 30%. Water percolates through a synthetic field.

Ms. Roberts said that it is very hard to quantify and define a permeable surface. They have been very conservative and said that if it is not grass it has to be treated as impervious surface. The applicant can explain how pervious it really is.

3.41 Mr. Surman asked for an explanation of what is below the surface and the reason for raising it up 2'.

Mr. Freres said they are storing water volume under that space. It is a big gravel bath tub that holds its own water and moves it into a big cistern. Water percolates through the fields. It is considered to be a facility and not as a green space. They are adding a field that encroaches into a side yard setback. It is viewed no differently than asphalt, concrete or brick pavers by the Village. Every community treats the rubberized surface the same way.

- 3.42 Chairman Duffy asked that this issue be addressed in more detail later in the presentation.

Mr. Freres showed the existing condition on the west side. It gives a good sense of the ball courts and the older equipment and the scale of the building and current trees. They will be replanting the entire edge and moving all of that space towards the building and taking out all the concrete along the building. The fence along that area will be replaced. There is a pipe underneath the area. It is on the west side there are a lot of encumbrances like footings for playground equipment. Having a free and clear zone to put the pipe has no impact on water. It is the best place to put it. All surfaces are rubber. Green space is important. This is best management for the school from a maintenance standpoint.

The site elements focus on perimeter fencing. Their goal is to build a retaining wall and move the fence on top of the wall and put trees along the edge. That is a good buffer from the balls. They have considered putting up temporary netting along Sheridan Road, but that is not a positive.

- 3.43 Mr. Kolleng talked about a new field next to Lane Tech and they have netting to catch balls. Maybe they could put up netting during a game and then take it down.

Mr. Freres said they are talking about that but there are logistics to doing that

- 3.44 Mr. Kolleng said that an 8' fence wouldn't stop that many balls.

Mr. Freres said that they are adding trees in that area. They need some verticality. They are losing 6' of their property.

- 3.45 Mr. Surman clarified that the field is also raised up by 2' so the fence is 6' on the inside and 8' on the outside.

Mr. Freres pointed out new enclosures for trash. They will wrap heavy steel posts with synthetic wood and do a Hardieboard finish and framing. There will be landscaping along the western perimeter to buffer from the neighbors in that area. There is a lot of stuff out there and there was no game plan as to where to put it all. Now they have a long term vision. They are moving it to the south and pulling it out into the space that were parking spaces. There will now be a walkway. Neighbors to the west would be screened with evergreens and deciduous plant material.

- 3.46 Chairman Duffy clarified that they are losing three spots along there. What is net on parking?

Mr. Freres said they are picking up that parking in the center island. They will not lose any parking. They cannot afford to lose parking. The pergola is wood and they are looking at options for posts. They will meet with the ARC with detailed

plans. It is an open air element and provides some shade. There is a storage shed for site-related elements. This is located behind the farm stand. The buildings are part of the variation request. The current building encroaches into the required setback as well. They have chosen to keep the line equal and push them back as far as possible. They add 625 square feet of coverage. They are looking at these buildings from a long term perspective.

Regarding signage, they are showing a location that is on the north side of the east/west exit drive. There is a small amount of land, there is a fence and there is landscaping from the neighbor. The sign face is only on its south side. It is there for people driving northbound. You can't turn left at that space and they will have to turn left at Maple. The sign is brand recognition. They took cues from the neighborhood as related to signage. One cue was the big stone piers across the street and they will mimic those. The framing of the sign is larger than allowed by about 9'. The sign is not illuminated.

They are working with one of their architects on the lobby to the school that will be called the entry arrival sequence. They have to think about safety, security, and controls. The drop off area is not attractive. He talked about possibly adding awnings for color, some sort of banner, and they will talk to the ARC about this.

The greenery has a naturalistic landscape character such as butterfly gardens, native grasses and plantings, simple and low maintenance with an educational component. The school integrates Latin into the environment.

They have highlighted all yards and have shown the requirements. They will not be increasing intensity but replacing what is there with the right solutions and materials. They respect the neighbors and the Village.

There is a description of each area as it currently exists and what coverages will be. There will be greater coverage. It shows all impervious surfaces within setback areas today. He showed the future plans. They believe that the new surfaces are somewhere between pervious and semi impervious.

- 3.47 Mr. Surman asked about the location of the retaining wall on the south edge. Mr. Freres said there is an existing retaining wall and a smaller retaining wall. It turns the corner, rolls down and is landscaped. There are big pine trees over there.
- 3.48 Mr. Surman asked if they needed to put in a retaining wall for the field. Is there enough transition area between the field and the lot line that they don't need to have a retaining wall?

Mr. Matthews said on the inside, there is enough land that a retaining wall is not needed.

- 3.49 Chairman Duffy said Site Plan Review Committee comments indicated that they have to grade the property so they don't have run off to the neighbors. That has to be addressed on the south lot line. It is not the Board's purview but the Village will require this.

Mr. Freres said that in summary, the special use for accessory structures exceeding 200 square feet are sheds and the pergola element. The variances are driven by synthetic turf and safety and rubber surfacing. There is a refuse enclosure area with an encroachment of 3'9". If they move it south they will lose a parking space. If they push it to the east the doors that open up are encroaching into the traffic.

- 3.50 Chairman Duffy asked if someone would address the refuse enclosure in more detail.

Mr. Freres said he wants to hear Board comments.

- 3.51 Chairman Duffy said that it is far away from the school. Have they considered moving it to a different location? What about alley access?

Mr. Freres said they cannot have alley access. They also looked at locations in the parking area.

- 3.52 Mr. Schneider said that the Board had a case regarding the building to the northeast. The case revolved around where to put the air conditioner. One option would require a variation. Whoever built the property was aware of the Baker situation of having the dumpster right there.

- 3.53 Chairman Duffy said that the dumpster is closer to the building at a commercial building. It seems to him like the dumpster in tonight's case is far away and it made sense. Why wouldn't the alley be closer to the building?

Mr. Matthews said that from a turning and traffic standpoint the proposed location is the best. They did look at other locations.

Mr. Freres said people will walk behind the dumpsters in the new plan.

There was discussion about the dumpsters and Chairman Duffy said garbage trucks do not come during drop off and pick up.

Mr. Matthews said they looked at it adjacent to the property line but it wasn't that much different than the proposed location. With the proposed location there is a drive aisle available for the truck and it is the optimal drive aisle.

- 3.54 Chairman Duffy asked about the streets or alleys to the south of the building to access it.

Mr. Matthews said that was not an option. He showed the best place, but it is problematic because the street is narrow. There is a grade transition in that area.

- 3.55 Chairman Duffy asked Mr. Matthews to address drainage and grading.

Mr. Matthews said most of his presentation is about storm water management. The existing site has a fair amount of fall from Sheridan Road down to the southwest corner. The building is about 6' to 7' lower than Sheridan Road. They are manipulating the grade from Sheridan Road. Right now water flows across the property and there are problems with water rushing into a stairwell leading down to the basement. On the west portion of the property there are wood chips and when it rains hard, water goes onto neighboring properties. Some wood chips float to neighboring properties. There is no drainage system back there now. The water goes to the alley and into a combined sewer system. Today there is no storm water management.

A portion of the roof and the west playground eventually get into the combined sewer that flows west towards the channel. The rest of the property drains through a dedicated storm sewer for the site that goes directly to the north shore channel.

- 3.56 Mr. Schneider asked if the parking lot water drained to Maple and then to the North Shore Channel directly.

Mr. Matthews said this was correct. There is a portion of the property that goes to the combined sewer south of the property. The other half is going to the storm sewers that collect it and bring it to the separate dedicated storm sewer on the north side of the school.

- 3.57 Mr. Schneider asked if there was a limit as to what they can direct to the storm sewer on the north. Do they need a special permit to do this?

Mr. Matthews said that there is a limit with respect to elevations. They tried to get as much of the site to that storm sewer. It is shown on the Wilmette utility atlas as a storm sewer going to the channel for this property. They wanted to minimize runoff into the combined sewer system. They are doing that but there are limitations because the elevation of the playground area is too low to connect to the storm sewer on Maple. That is why they are continuing the outlet to the sewer in the alley.

- 3.58 Chairman Duffy asked if the western drainage is through a new pipe that takes them directly into the storm sewer so they will mitigate the water crossing off of the property.

Mr. Matthews said that was accurate. He showed the proposed site and started with the west portion. The whole area consists of natural turf areas, planting beds, rubberized and synthetic play surfaces. Regarding the play surfaces, the upper

materials are poured and the water goes through that layer and into an underlying layer of stone, which is 8" to 12" thick. The stone is porous and allows water to migrate through the stone. The water is intercepted by perforated under drains. That goes into the detention pipe.

The water gets cooled going through the stone. It attenuates the flow and some of the water is retained in the stone reducing the volume of water leaving the site. There is a 6' diameter pipe along the western property line, about 10' off of the property line, and it is several hundred feet long. That water is detained until it is restricted and is slowly released into the combined sewer. It is all intercepted prior to washing onto neighboring properties.

- 3.59 Chairman Duffy asked if there is a valve in the detention pipe that controls it. How is it controlled?

Mr. Matthews said that it is called an orifice. It is a small pipe that is sized when there is so much pressure pushing on that the small hole allows it to spill into the combined sewer.

- 3.60 Mr. Merci asked if it was reviewed by MWRD and is it acceptable.

Mr. Matthews said they are under review now. It is first reviewed by Village staff and then it is approved by MWRD if approved by Village staff. They are much further along in the design than they typically are at this stage. They took some risks to get the plans done so contractors can price it and they might be able to build this summer.

- 3.61 Mr. Merci said that the restriction is that they don't want to overload the capacity of the Maple sewer.

Mr. Matthews said that is correct and they don't want to adversely impact neighbors.

- 3.62 Mr. Boyer asked about storm water management in that area at this time.

Mr. Matthews said there is not storm water management in that area at this time. There is a drain in the neighbor's yard and that picks up run off. The rest of it is getting into the alley and into the inlets of that combined sewer.

- 3.63 Mr. Kolleng asked about the pipe's capacity.

Mr. Matthews said it is .12 acre feet. He explained what this means.

- 3.64 Chairman Duffy asked at what rate of rain does that account for.

Mr. Matthews said that it is about 6.5" to 7" of rain on a 24 hour period.

- 3.65 Mr. Schneider asked Mr. Matthews to talk about the artificial turf.

Mr. Matthews said that the east half has a synthetic turf field that acts the same way as the west area. There is turf and stone that is collected by a network of under drains that run into a detention vault that is located? That is even larger than the one on the west side.

- 3.66 Mr. Schneider asked what would happen if they had the turf and the stone and just soil.

Mr. Matthews said if they had better soil it would migrate into the soil below. But there is a mix of a lot of fill and stones on the site. Water would pool there and eventually start bubbling up through the surface.

- 3.67 Mr. Schneider asked what happens there today.

Mr. Matthews said that some of it runs into the basement of the school. The rest is finding cavities from old foundations. It is not a good system today.

- 3.68 Mr. Schneider asked if it was impacting the neighbors.

Mr. Matthews said he has heard that there is a fair amount of wash off that goes to the southerly neighbor. After they develop the site, that area will be stabilized. The side walk around the perimeter of the field is pitched inward. He has about a 15' to 20' area beyond the sidewalk that would be stabilized turf that slopes away from neighbors. They can refine the plan if needed.

- 3.69 Mr. Surman asked if capacity included the gravel area.

Mr. Matthews said he was talking about storage as related to the voids within the storage. There is additional storage in the stones. At the front of the school they are rebuilding part of the parking lot. Anything they touch they have to comply with standards. They are redoing the front entrance for accessibility reasons. They have to regrade the front parking lot. They have to provide detention for that aspect as well. They are proposing an inverted island in the parking lot. They will have deep rooted plants with stone below that. That provides additional storage as well as cleaning and cooling the water before leaving the site. There is also permeable pavement that they are proposing where accessible spaces are being provided as well as the cross walk. He talked about the existing site and proposed changes. They can create more open space for storm water management. It is easier for people to pull into diagonal versus parallel parking spaces.

- 3.70 Mr. Surman said that there is only a 1% chance that water would go onto neighboring property. He asked Mr. Matthews to confirm this.

Mr. Matthews said that the site is 3.8 acres. They are not redoing the entire site. Vaults are sized for runoff for that 1% chance for areas that they are addressing. Of the 3.8 acres, over two acres is being redeveloped. The vaults are sized for that additional two acres. They are not bringing the entire site into compliance.

- 3.71 Mr. Surman asked if there was a heavy rain would the west area drain next door.

Mr. Matthews said that it could potentially happen. If the system was overloaded it would bleed and go into the alley. Anything they are touching will be compliant.

- 3.72 Mr. Surman said that parking is greatly improved.

Mr. Matthews agreed with this.

- 3.73 Chairman Duffy clarified that they were not addressing additional drainage in parking because they are not doing anything with the parking area.

Mr. Matthews showed one area they are redoing. Detention will be provided for that area.

- 3.74 Chairman Duffy said that current blacktopped areas have drains.

Mr. Matthews said that there are systems in place that are conveying the water to get it off of the property. There is not detention storage. They are not aware of issues due to runoff from the parking lot that adversely impact the neighbors. They know about neighbors to the west and south.

- 3.75 Mr. Surman asked if they would put in a low wall on the west side. The slope is 14'.

Mr. Matthews said that the slope is from Sheridan Road down. From the face of the school to the property line is about 4' of fall. They can intercept that water. The neighbor made some comments about how they can further ensure that does not happen. He may add more inlets along the west property line to make sure that any water flowing in that direction is intercepted and does not flow onto neighboring properties.

- 3.76 Chairman Duffy referenced the western area. Is there any plan to regrade that so there is more of a swale up? Village engineering will request a swale there.

Mr. Matthews said that is a reasonable request. They don't want to put in a cast iron grate for water flow in a playground area. They are trying to design it so that whatever runoff there is from the play areas drains into a planted area and water is intercepted. All the play areas are permeable. The likelihood of an event of the capacity of the rainwater passing through the rubber membrane is small. If it is

exceeded it is picked up by the open grated inlets in planting areas and along that entire west property line.

- 3.77 Mr. Boyer asked if all drainage systems functioned the same. Are they not affected by freeze/thaw?

Mr. Matthews said he gets concerned about leaves clogging the inlets. They have to maintain the leaves so there is no obstruction. Freezing is not a concern.

- 3.78 Mr. Boyer referenced the permeability of the turf areas.

Mr. Matthews said that area acts more like an insulator. There are air pockets. Permeable pavers in parking lots and play areas don't freeze. The stone provides an insulating effect. His colleague will now address parking and traffic.

- 3.79 Mr. Brinkman said that is all about improvements to the facilities. There is no building expansion, staff or enrollment additions. They are not changing circulation patterns or access points. They did conduct a traffic planning study as part of the special use. They did traffic counts and observations.

When they compared the volume of traffic at Baker with published information for private schools, there was a little less traffic in the afternoon and a little more traffic in the morning. They acted conservatively and he said that that impact they tested for the project is that they added about 12 more cars in and out in the afternoon peak hour. There is no expectation that they are going to see an increase in staff or attendance.

They looked at traffic from 7:00 a.m. to 6:00 p.m. There are three distinct peak hours. In the morning time, it is spread out because people arrive at various times. The afternoon is when schools have their most intense congestion when everyone gets out at once. That lasts about 40 minutes at Baker. They are not making any changes to the site with regard to parking or traffic flow. There is no loss in parking spaces.

He talked about pick up and drop off. He has done this for 20 years and Baker has probably done the best job in this area. The way they stack cars in the parking lot they recommended to another school in Lincolnshire. He said they bring about 6 cars at a time through the parking lot. They stop the cars, let everyone out (or they load cars) and they release the cars. All cars are directed out onto Sheridan Road. There are staff in the parking lots and parents are well educated on the process. They didn't have to build anything so that circulation flowed in a certain way because it already flows correctly. For short periods of time in the afternoon traffic queues back from Maple to Sheridan. Traffic is moving as quickly as possible. 10 to 15 minutes before school is out, cars start to line up side by side in the parking lot. Staff brings about 6 to 7 cars along the building frontage and they are

loaded/unloaded and then cars leave via Sheridan Road. Then the next groups come in.

They tried to maximizing how many cars they can get through the line. Cars go along the frontage as far as they can.

One of the comments from Site Plan Review was a question about the circulation of the fire truck. He showed an exhibit to address this. The primary access on Maple Avenue is for the fire lane. That currently exists

There are short and intense periods of congestion but the school does a good job in dealing with this and it happens for a short period of time.

As part of the village's requirements, they pulled three years of crash data including accidents reported in the vicinity. The intersection of Maple and Sheridan and the access points had 7 to 8 crashes reported in three years and only one of those was related to school traffic.

- 3.80 There were no questions for the presenter from the Board.
- 3.81 Mr. Surman asked if there was anywhere that shows the 6' setback along Sheridan Road. Drawings show bushes up against the sidewalk.
- 3.82 Mr. Merci said that the third page of the Lakota drawings describes it.
- 3.83 Mr. Surman said that the drawings do not seem to reflect this.

Mr. Freres said that they can provide this if it is not shown on drawings.

- 3.84 Mr. Surman referenced a 6' dimension – was this from the curb or from existing sidewalk. He noted that the Board's drawings were small.

It is 5'3" from the existing sidewalk. The current fence is 6" off of the sidewalk.

(After section 4.0)

- 3.85 Mr. Freres said they will look at other options to the dumpster location. He cannot comment about the rat problem. He heard the stories and the school is aware of it.

Regarding the tree, the Village has authority as to whether a tree can come down. The forester will make this decision. This will be addressed with the ARC. The need to remove the tree is because they have a tight site and new playground equipment and underground obstacles and utilities that are going in. Fall zones are required for all play equipment. The tree is in the way of the fall zones. As part of the big picture, they will address better things. He respects the fact that people care

about large trees. However they will add value to the property far above the removal of one tree.

- 3.86 Chairman Duffy said that what is being added in terms of foliage is more than what is being removed.

The applicant said that is correct.

- 3.87 Mr. Schneider referenced borings and asked where the water table is on the west side.

Mr. Matthews said that as part of the design they need to find out the ground water level and on that part of the site it was about 5' to 6' deep. It is a perched water condition so there is a layer of soil from the surface down and then there is sand seam that is about 3' thick and a clay layer below that. Most water is trapped in the sand seam about 5' or 6' deep. They have to make sure that the detention vault is water tight so they are not losing storage volume in the detention system to ground water. They are sensitive to the issue of ground water. He is confident that what they are doing will improve the situation. They will intercept water away from the property. There are a number of under drains throughout the site.

- 3.88 Chairman Duffy said one of the issues brought up was the play lot surface. Will the new play lot surface allow more or less water to run off the site?

Mr. Matthews said that the play surface won't change how much water runs off the site. They are intercepting and detaining water. By code, they are required to intercept water and channel it to the detention vault.

- 3.89 Chairman Duffy said that without any water retention on the site and excessive amount of water runs off, dragging wood chips with it, but with the proposed surface and water retention plan, they expect minimal amount of water runoff. There will be a swale and drainage. Not 100% solved but an extreme difference.

Mr. Matthews agreed with the above. Regarding the type of synthetic turf, they are not using the traditional crumb rubber infill. It will be sand and other types of materials. They are sensitive to concerns of neighbors and parents that there are a lot of issues with the crumb fill related to whether it is a carcinogen. They will use different products. In the playground area it is basically a carpet without infill material. It will be cushionable.

- 3.90 Mr. Surman asked about the location of the large 6' diameter pipe and will that impact trees planted along the lot line.

Mr. Matthews said there will not be impacted because roots have not had a chance to spread out that far. The vault is 10' off of the property line. The excavation for

the vault is closer than 10'. They would do some root pruning before the start of the project to avoid damage.

3.91 Chairman Duffy asked about the fence on the west side.

Mr. Freres said that there are multiple fences but they know that they need a fence on their site that is consistent for the full length of their property. It might be work a discussion with neighbors to come up with a game plan of how to do that. He thinks it would be silly to have two fences but he has to respect the school knowing they have to keep their kids on the site. The school has to maintain the fence. He talked about a possibility of building the fence on their property and save the neighbors a few inches on their property. They are willing to work on this.

3.92 Mr. Surman asked about the applicant's thoughts regarding dumpster location.

Mr. Freres said they will look at other options. There is a functional aspect from usability and making sure they can access and maintain. The place has to be reasonably accessible. There is a 6' pedestrian easement that runs along the entire south frontage of their property. It is emergency access to get people out of the school. That is why there is a grade change and retaining wall. National Louis built up to it and there is a big grade drop. He does not know what it means to move a dumpster and cross that 6' area to reach the dumpster. They will investigate this. It is not their intent to lose parking. It is their intent to get as far away from neighbors as possible. If it is their dumpster, they will maintain it and manage the problems associated with dumpsters.

3.93 Mr. Surman asked about the present dumpster situation.

Mr. Freres said it is two large 5 x 8 dumpsters. They need more space to maneuver the dumpsters. One is recycling and one is garbage.

3.94 Chairman Duffy asked how many times a week is pick up.

Mr. Freres said it is between 3 to 4 times per week. It is always in the morning.

3.95 Chairman Duffy asked why it was in the morning as opposed to after trash is put in during the day.

Ms. Puttrich said that when the parking lot is full with student pick up in the afternoon and the dumpster company does not want to come after dusk.

3.96 Chairman Duffy said that the lot empties out in the late afternoon.

Ms. Puttrich said that school is over at 3:40 p.m. and there are after school activities until 6:00 p.m. During winter it gets dark after 4:00 p.m.

3.97 Mr. Boyer said that right now dumpsters are against the lot line. Per the picture there is no pedestrian traffic going by dumpsters other than the two parking spaces. The new location is farther east and there is a sidewalk on the west side. There will now be pedestrian traffic on the west side of the dumpster and possibly on the east side. There is no pedestrian traffic at this time. The rat problem needs to be addressed one way or another.

Mr. Freres said that the rat problem is another issue. They are asking for a variance of 3' because they are going to fix the dumpsters and put them in a nice location. They could have pushed them another 3'9" and not asked for the variance. They are trying to provide pedestrian access, screen the neighbors and take into many interests and solve many problems.

3.98 Chairman Duffy said that the rat problem seems larger than the dumpsters.

3.99 Chairman Duffy agreed that if they had the additional 3' to 4' they would not have to ask for a variance and they are asking for the variance to keep it out of the drive area.

3.100 Chairman Duffy said that there was a question about the fire lane and people parking there.

Mr. Freres has seen this happen.

Ms. Puttrich said that there are parking protocols. If they see a parent in that area they get a citation and tell them not to park there. People are willful and there is not much they can do.

3.101 Mr. Surman asked about the portable toilet issue.

Ms. Puttrich said it was moved. The school did not supply this. People who used the fields on weekends provided it.

3.102 Mr. Surman asked about future portable toilets.

Ms. Puttrich said there will probably be a portable toilet in the future. It's unlikely the school will build something for that use; it would be cost prohibitive.

3.103 Mr. Kolleng asked who is using the fields.

Ms. Puttrich said it's a group called Little Legends, for 4 and 5 year olds for soccer practice.

3.104 Mr. Surman said this use should be part of the master plan.

- 3.105 Chairman Duffy explained meeting procedure and said that public comment is closed. The applicant had the opportunity respond to public questions and comments. That's how the meeting works and he explained this process at the beginning of the meeting.

4.0 INTERESTED PARTIES

4.1 Persons speaking on the application

- 4.11 Ms. Michelle Leonardo
222 Girard Avenue
- 4.12 Ms. Cindy Kogel
147 Maple Avenue
- 4.13 Mr. Kurt and Ms. Laura Topel
141 Maple Avenue
- 4.14 Mr. Larry and Ms. Marci Goldstein
136 Maple Avenue

4.2 Summary of presentations

- 4.21 Ms. Leonardo said that her street is directly west of the school and they are the neighbors that have been discussed as related to the west play yard. She sent an email about the drainage problems. There is also an email from her neighbors that attests to a lot of water on the west side of the lot.

She appreciates the team and school administration for listening to the neighbors. They will improve the neighborhood.

Regarding drainage on her lot, there are no swales or water management. There is a sidewalk and then she has a neighbor at 114 Girard. The water flows down the sidewalk. The water overflows and goes down the sidewalk. The drain is far away. She thanked the team for putting in a lot of water management in the west play yard. The retention vault is a great idea, but she is worried that the drains are too close to her lot. She talked about eight large white pine trees. The Village required her to plant the trees but she likes the trees for privacy and screening. They will provide screening and coverage in 3 to 5 years.

She would prefer that the drains up against the fence line and the swale be moved in further so they are closer to the school.

Mr. Schneider thought that they were going to install a 6' retention vault.

The neighbor said that the drains capture surface water.

Chairman Duffy asked about the distance of the drains from the lot line.

They are about 3' off of the lot line.

Chairman Duffy said that there should be a swale.

The neighbor said that Mr. Cruz from the village pointed out the swale. She talked about a swale on her yard and it was discussed during the presentation that it is capturing most of the water. She hoped that they could put a swale further into their yard to capture water.

She said that the lot was purchased and the house was built in 2013. She dug the pit of her foundation in July 2013 and it was a rainy summer. When they dug the pit there was 2.5' of standing water in the pit. They are dealing with a lot of ground water. They have clay soil from the top to the bedrock. They had some soil bores that they paid for. Engineers have come to her lot to figure out what to do with the water.

When they built her basement, the water is being pumped out through a sump pump every five minutes even on the driest of days. She had to calculate, time and measure how much water that is in a day. That is almost 1,200 gallons of water every day.

Mr. Surman asked if that had to do with the water table.

The neighbor said they didn't initially know what was happening but then they started investigating. All the water that goes from Sheridan to her lot is trickling down into the soil and hitting the foundation of her basement and then is being pumped out.

The other part of her problem is that the village did not allow them to tie in their sump pump into the sewer and instead they pump it into the front yard via a bubbler system. Part of the front yard, about 20', is a constant soggy mess. She has to deal with that every day.

Mr. Surman said that the water level can be at different spots. A sump pump that continually is on has to do with the water table.

She said that she needs to keep as much water as she can off of her property. Any water trickling down adds to the water table. She is not an engineer but she wants someone to pay close attention to those details.

She referenced synthetic turf. At the beginning of discussion with neighbors, the applicant said they might use crumb rubber. She asked the applicant to address the type of turf that it was.

Chairman Duffy said that the applicant would answer questions at the end.

The neighbor said she is glad that the wood chips will be gone. The chips fell into her yard. The same concern applies to crumb rubber, what will stop that sheeting and that turf field in the middle of the west lot from sheeting. She proposed a retaining wall for that area. Regarding that area adjacent to new playground equipment, she asked if they could add more evergreen screening and tall trees.

Mr. Surman asked the size of exiting evergreens on the neighbor's property.

The neighbor said that they are about 14' but they will grow to be four stories tall.

Mr. Boyer asked if she had any other concerns related to the proposal.

She likes the idea of rubberized surface and it will look good. The design is beautiful. Wood chips do slow down the water. She is worried that the rubberized surface won't do this. She isn't sure if the drainage that is proposed will work.

4.22 Ms. Kogel is two houses west of the school. Her home was built in 2008.

Regarding the transportation analysis, often at pick up and drop off there are a number of cars that queue up along Maple to the west of the school and filter into the entrance area. Many parents park their cars on Maple, south side, and walk through neighbors' lawns and over to the school. The neighbors' lawns get matted.

It's great that the plan proposed will enhance the property. There are valuable changes. She has an issue with the dumpster. They have not been a good neighbor or acknowledging the setbacks that are in place regarding storm water management and the dumpster location. There is a noise issue. Most of the village uses the alley for trash removal. She thinks that they could investigate a solution that grades that area so that a dumpster could be located at the back of the school and accessible from the alley. She wants to see an option explored in that area. With the dumpster being so far removed from the school, there is an out-of-site-out-of-mind mentality. For many years the dumpster was rusted and had many holes. They now have a rat and mice problem and the school just started working with pest control on this. The presenters said that they have moved other smelly things away from that lot line, but the dumpster still remains and encroaches on the setback.

There is a portable toilet on the site and it has been there for about a year. They moved it in the last week, but it was sitting near the dumpster and was used for weekend activities for the playing fields. Are they going to use a portable toilet again and if so, where will it be located? It smells and is a source of vandalism.

Mr. Schneider asked if she was saying that there are rats in that area.

She said that there are rats and mice in that area. Squirrels take things out of the dumpsters.

- 4.23 Mr. Topel said he lives in the property just to the west that has been discussed at tonight's meeting. He is appreciative of the school and their consultants because neighbors were invited to make comments. The plan is beautiful and it is much better than current conditions. They listened to him because they are adding landscaping screening behind the dumpsters. That moves the dumpsters off of the property line. Before there were a lot of things along the property line – the dumpster, a hoop house. With the plan, they are getting things off of the property line and they want a 3' variance for the 20' setback on the side. They would prefer the dumpster not be in the proposed location. It would seem that making the grading change needed to back a garbage truck in would not be that onerous.

The dumpster problem for him is rats. They recently moved in and they have seen rats.

Ms. Topel said that the rats are gross and disgusting. The rats made tunnels under the fence to get at the dumpster. The school did remove pallets and other garbage between the dumpster and the fence. The rats are a concern. Every few days she sees rats.

Mr. Topel said that an issue with the dumpster location is noise. It doesn't impact them as much as others because they are often in the back of their house. The noise level is over the top. It goes on for minutes. The garbage trucks bang. They come about 7:30 am four times per week.

Drainage is a negative. Their property is lower than the school. The grade goes from Sheridan to the channel. Most of the homes as they move west go lower. For some reason, the neighbor's house was built 6" higher than it should have been. His house is lower than theirs. He is worried about water coming off of the property. He was told that there was a water problem when his house was built. They have a sloped lot. They have a drain in the backyard because they are lower than both sides. He is worried about water issues.

He heard tonight that they are planning to take out a big tree.

Ms. Topel showed a picture of the tree. It screens the school very well. In the presentation it sounded like they were removing the tree.

Mr. Freres said they are taking out the tree.

Ms. Topel asked the village to look at the tree to see if it is necessary to have the tree taken down.

Mr. Topel said that the first presenter talked about a new fence put in on his east side, the school's west side. There is a fence there that Red Seal put in. His neighbor owns half of it and he owns half of it. What happens to the fence? He is happy that the schools wants to put in a fence, but what happens to his fence?

Ms. Topel asked where the school's fence is in relation to the lot line. Two fences together could mean rats living in there.

Mr. Surman said that timing of the garbage is not easy. He would have thought that the garbage truck would have been there earlier than 7:30 am. He is not sure if anything can be done about the time.

Mr. Topel said one of his neighbors who will speak has the history about the garbage and timing.

- 4.24 Mr. Goldstein said he has lived in his house for over 20 years. He lives across the street from the school. About 7 or 8 years ago, the school moved the dumpster when they put in a tot lot on the east side. The garbage used to be in between Sheridan Road and where the school is. They then moved the garbage to its present location. At that time the dumpsters were not that large and the garbage company would empty them in the afternoons.

About 3 or 4 years ago they changed to large dumpsters that are about 6 x 10. The company now comes 4 time per week in the morning between 6:50 and 7:15 a.m. Sometimes they take garbage from one enclosure and other times they take garbage from both enclosures.

When the company shakes the containers, it's often for 4 to 5 minutes, and it rocks the houses. About 8 to 10 homes are impacted by this. He has spoken to all neighbors. One time the driver continued to shake the container for many minutes with nothing coming out. The noise is extreme.

The school does many good things but if they are doing work in the future all elements need to be addressed. When they say they understand neighbors' concerns, he wants them to hear their concerns about the garbage. He has spoken with the head of school about moving the garbage to another area. The place for garbage is in an alley. It is perfectly flat.

Mr. Schneider asked if the dumpsters were in the alley wouldn't the noise impact other houses.

Mr. Goldstein said it might, but garbage should go in an alley.

Mr. Schneider asked if this was a 'not in my backyard' situation.

Mr. Goldstein said he is speaking to the rat problem. On the north side of Maple, they have not had an issue with rats. But neighbors on the south side have had an issue with rats.

In the plan, it shows a sidewalk. In his situation of having garbage placed in an alley where it should be, they can alter their walkway slightly. It does not impact the soccer field. If they are doing improvements now is the time to take care of problems that impact the neighbors.

Mr. Goldstein showed pictures of where existing and proposed garbage is/should be. The alley dead ends into the school. Now the truck pulls in off of Maple and backs out. In his proposal the truck would pull down Isabella, turn left into the alley and back up down the alley.

Ms. Goldstein said that trucks back down her dead end alley.

Mr. Kolleng asked if other homes on Sheridan Road had their garages on that alley.

Mr. Goldstein showed where there were houses and where their garbage cans were located.

Mr. Goldstein again reiterated that there is a more appropriate place for the dumpsters. He would say no to their variance about dumpster location.

Regarding rats, his neighbor told him about rats around the garbage cans. He made videos of this. He has spoken with Mr. Schwartz about the rats. He said he would deal with it and that was last July. He emailed Mr. Schwartz again about the problem. He has not addressed the problem to date. They want the rats gone and the garbage should be in the alley. The rats feed off of the garbage.

Mr. Kolleng asked where the rats were coming from.

Mr. Goldstein said maybe they came from the canal and started nesting in the garbage. If they relocated the garbage and proactively dealt with the rat problem, the rats might go away. They would gain two extra parking spaces.

Mr. Goldstein referenced the fire lane. His bedroom window looks out directly over the fire lane. It is used as parking for parents to drop off their children. He has spoken to the parents about not parking there. If a sign was there it might eliminate the problem.

The garbage is his number one issue.

Mr. Schneider asked if this is the only place in the neighborhood that attracts rats.

Mr. and Ms. Goldstein said this is the only place that they know of.

Mr. Goldstein has been told that in the alleys of Girard and Garrison there are rats.

Ms. Leonardo said that rats are the concern of ALL neighbors. There have been instances in the alleys behind Garrison and Girard have had rats' nests and villages having to come in and trap them. Rats have only started since the dumpster problem.

Mr. Goldstein would think that the school would want to eliminate the rat problem more than the neighbors. The Village should want to protect the neighbors.

4.25 Ms. Leonardo said she does not want the tree taken down for no reason.

4.26 Mr. Surman asked if they were to relocate the dumpster into the alley, would they still need the same variance.

Ms. Roberts said that a refuse container is not a permitted encroachment into a rear yard. They would have a 40' rear yard requirement.

5.0 VIEWS EXPRESSED BY MEMBERS OF THE ZONING BOARD OF APPEALS

5.1 Mr. Schneider said he commended the school and the team on the work they propose to do to address a lot of issues. The neighbors have some concerns and the plan will not answer all issues completely. The proposal goes a long way to address problems. They are not reducing or adding parking so that is not an issue.

The key issue is the water retention and management systems. He does not know what else they could do given soil structure and elevation changes.

With regard to garbage dumpsters, he is horrified by the rat problem and that needs to be solved. The noise will always impact neighbors no matter the location of the dumpsters.

Some of the request seem large but were not created by what is being requested and is pre-conditioned. He can support this but wants to hear colleague comments.

5.2 Mr. Merci said the impervious surface limitation and setback variation required by the ordinance is not realistic for a school with a related intensive outdoor use by students. Aesthetic and functional improvements together with logical storm water management can be accommodated by approval of these requests. He can support the request.

5.3 Mr. Surman complimented the design team and said they did a great job; it's a big improvement and a thoughtful design. Regarding the dumpster issue, this will happen at the Village Board level where both groups can go back to the drawing board and discuss at the Village Board meeting. The dumpster is a big improvement over what exists. The enclosure will be more secure. The rat issue

will be resolved. The noise issue – he is not sure what they can do about that. Perhaps they can compact garbage so it doesn't have to be picked up as often. He is not sure if they make compactors for outdoor use. Overall, the plan will be a big improvement. He is an architect and is concerned about drainage. They have presented a good scheme for that. He can support the application.

- 5.4 Mr. Kolleng complimented the team on the presentation. It was very helpful and educational. This is a unique property in the Village. The Board runs into different issues with certain cases when the definitions don't fit. What they are proposing for water management is so much better for neighbors and the school. Regarding impervious surface, this is a difficult property to apply definitions to. There are permeable surfaces that are deemed to be impermeable and this is helpful. Regarding issues, wherever the dumpsters are located, someone will be bothered. They probably have the dumpsters in the correct proposed location. Maybe there is a way to deal with garbage pickup and something has to be done about the rats. That needs to be a priority. He will support this. It is a great project for the school and for the Village.
- 5.5 Mr. Boyer said he appreciates the concern about the water issues. The water retention plan is great. The height of the fence is fine and the fence is being set back 5' to 6' and screening it. This will alleviate any detriment. The variance for that request is minimal and will minimally impact neighbors. They are moving the hoop house, plant area, and green house to a more interior location. That variance comes about they are applying residential zoning codes to a four acre lot. Having two accessory structures is not an issue. He can support the request. All standards are met.
- 5.6 Chairman Duffy said Mr. Boyer did a great job summarizing the case. The sport lot on the east and the play lot on the west dictate most variances. Those dictate water management. For what it is to what it is proposed to be, is more than the difference between night and day. It is an amazing improvement. Regarding basement water issues, Mr. Surman pointed out that this is a general water table issue. Anyone building on that property has to deal with it. The only way to avoid this is to not have as deep a basement. The issue of water running off of the site will be addressed. The group did a great job of designing a solution for water management. The accessory structure request – this is a large lot and no one will notice the buildings. They are an improvement over existing structures in function and aesthetics. The last two variances were for the fence. They are increasing height by 2' but the retaining wall is part of the development of the sport court will be beneficial to the property and people going by on Sheridan Road. Trees will create a screen. It will be safer. The way this was presented/designed was great. Nothing is perfect. There may be additional requests in the future. Regarding rats, this is not within the Board's purview but the Village now knows about it. If the school is not responding then the village needs to be contacted about the rat problem.

- 5.7 There was a letter received by Mr. Sweitzer. The letter did not address zoning requests but the Village Board should look at some of his points.
- 5.8 Chairman Duffy agreed that the Village Board should read the letter. The proposed plan – they could not do any better. He can support the request.
- 5.9 Mr. Schneider said he hopes that the applicant continues to meet with the neighbors.
- 5.10 Chairman Duffy said this case would be on the Village Board’s consent agenda and there will not be discussion unless the case is removed from the consent agenda. At the beginning of the meeting the public is asked if an item should be removed and someone says that the item should be removed. A discussion can then be had about the case. A letter can also be sent to the Village Board.

6.0 DECISION

- 6.1 Mr. Schneider moved to recommend granting a modification of a special use (Primary Educational Facility), a special use to allow two accessory structures exceeding 200 square feet in area, a variation to expand a legal non-conforming structure, a 1,449.48 square foot (17.47%) front yard impervious surface coverage variation, a 2,422.49 square foot (48.1%) side yard adjoining a street impervious surface coverage variation, an 814.24 square foot (5.63%) combined side yard impervious surface coverage variation, an 85.52 square foot (0.39%) rear yard pavement impervious surface coverage variation, an 11.0’ side yard adjoining a street sport court (synthetic turf playfield) setback variation, an 8.83’ interior side yard sport court (synthetic turf playfield) setback variation, a 3.75’ refuse storage area side yard setback variation, a 4’ fence height variation and a 1.5’ fence height variation to permit site improvements at 201 Sheridan Road in accordance with the plans submitted. The use shall run with the use.

- 6.11 Mr. Merci seconded the motion and the vote was as follows:

Chairman Patrick Duffy	Yes
Mike Boyer	Yes
John Kolleng	Yes
Bill Merci	Yes
Lynn Norman	Not Present
Reinhard Schneider	Yes
Bob Surman	Yes

Motion carried.

- 6.2 Mr. Schneider moved to authorize the Chairman to prepare the report and recommendation for the Zoning Board of Appeals for case number 2016-Z-27.

- 6.21 Mr. Surman seconded the motion and the voice vote was all ayes and no nays.

7.0 FINDINGS OF FACT UPON WHICH DECISION WAS BASED

The Zoning Board of Appeals finds that the request meets the special use standards of Section 5.3.E and the variation standards of Section 5.4.F of the Zoning Ordinance. The use as a primary school is not changing and, in the specific location, is consistent with the goals and policies of the Comprehensive Plan. The continued maintenance and operation of the use with these site improvements will not be detrimental to or endanger the public health, safety, and welfare nor be injurious to the use or enjoyment of other property. The applicant proposes landscaping to screen the property and new grading and drainage measures to address storm water. The continued operation of the special use will not impede the normal and orderly development and improvement of surrounding properties. The continued operation of the special use will not substantially diminish property values in the neighborhood. Adequate utilities, road access, drainage, and other necessary facilities already exist. Adequate measures already existing to provide ingress and egress. The continued operation of the special use is consistent with the community character of the neighborhood. The continued operation of the special use does not substantially adversely affect a known archaeological, historical, or cultural resource. The applicant has proposed landscaping and fencing to act as a buffer to neighboring properties. The use will meet any and all additional use standards specified in Article 12 of the Zoning Ordinance.

The particular physical conditions of the property, the size and shape of the lot and the location of the school building on the lot, impose upon the owner a practical difficulty. The plight of the owner was not created by the owner and is due to the unique circumstances of the development and re-development of the lot. The difficulty is peculiar to the property in question. The difficulty prevents the school from making necessary improvements to benefit the students and to improve the appearance for the neighborhood. The proposed variations will not impair an adequate supply of light and air to adjacent property. Much of the existing outdoor play space exists but will be improved by the proposal. The applicant proposes landscaping to screen the property and new grading and drainage measures to address storm water. The variations, if granted, will not alter the essential character of the neighborhood. The proposed improvements should enhance the appearance of the property.

8.0 RECOMMENDATION

The Zoning Board of Appeals recommends granting a modification of a special use (Primary Educational Facility), a special use to allow two accessory structures exceeding 200 square feet in area, a variation to expand a legal non-conforming structure, a 1,449.48 square foot (17.47%) front yard impervious surface coverage variation, a 2,422.49 square foot (48.1%) side yard adjoining a street impervious surface coverage variation, an 814.24 square foot (5.63%) combined side yard impervious surface coverage variation, an 85.52 square foot (0.39%) rear yard pavement impervious surface coverage variation, an 11.0' side yard adjoining a street sport court (synthetic turf playfield) setback variation, an 8.83'

interior side yard sport court (synthetic turf playfield) setback variation, a 3.75' refuse storage area side yard setback variation, a 4' fence height variation and a 1.5' fence height variation to permit site improvements at 201 Sheridan Road in accordance with the plans submitted. The use shall run with the use.

3.0 TESTIMONY, COMMENTS AND ARGUMENTS ON BEHALF OF THE APPLICANT

3.1 Persons appearing for the applicant

- 3.11 Mr. Scott Freres, principal
The Lakota Group
- 3.12 Ms. Arona Puttrich, Director of Finance
Baker Demonstration School
- 3.13 Mr. Don Matthews
Gewalt Hamilton
- 3.14 Mr. Dan Brinkman
Gewalt Hamilton

3.2 Summary of presentations

- 3.21 Ms. Roberts said that this is a request for modification of a special use (Primary Educational Facility), a special use to allow two accessory structures exceeding 200 square feet in area, a variation to expand a legal non-conforming structure, a 1,449.48 square foot (17.47%) front yard impervious surface coverage variation, a 2,422.49 square foot (48.1%) side yard adjoining a street impervious surface coverage variation, an 814.24 square foot (5.63%) combined side yard impervious surface coverage variation, an 85.52 square foot (0.39%) rear yard pavement impervious surface coverage variation, an 11.0' side yard adjoining a street sport court (synthetic turf playfield) setback variation, an 8.83' interior side yard sport court (synthetic turf playfield) setback variation, a 3.75' refuse storage area side yard setback variation, a 4' fence height variation and a 1.5' fence height variation to permit site improvements. The Village Board will hear this case on June 28, 2016.
- 3.22 Mr. Freres is representing Baker School who is the applicant. He said there are representatives from Baker and Gewalt Hamilton and Mike Kritzman from his office.

They want to present an overall discussion of what Baker is trying to undertake in terms of the process. Baker has been an institution for over 100 years. They have been at the current site for 50 years. About 18 months ago, his firm was called in because Baker wanted to refresh and relook at their campus. The focus was on an

initial understanding of playground areas and how to improve them, but also the green space. They have a terraced green lawn area. He said that he wanted to look at the entire campus and not one individual part. What is the long term vision? How can they improve the entire physical appearance? How can they refresh the brand?

They wanted to get a better understanding of how they are seen in the neighborhood. Many of the neighbors are at the meeting. They engaged the neighbors to understand concerns and issues.

This is more about looking at the whole campus and how they can improve the school moving forward. This is a reinvestment and not just a refresh. They started the process about 12 to 18 months ago and engaged staff and parents. How do they meet the school's goals from a progressive standpoint of learning, education and outdoor environments? They engaged the neighbors in early discussions about their concerns. They plan to improve the infrastructure and associated impacts.

Now is a time they package the above into a proposal to the Village. They met with Village planning staff for input. What were the bigger concerns not only from the site but from the neighborhood in terms of access and circulation? They then broke it down into implementation, which is where they are right now. There is a Phase 1 and a Phase 2. The site was broken down into two areas. They want to minimize impact on current operations. In Phase 1 they planned to start on the west end of the campus, replace the playground and make parking improvements as well as move the storage shed and make improvements to trash enclosures and access to parking. Their goal was to achieve Phase 1 this summer. Phase 2 is the east side of the building, which encompasses the playground and open field area.

He walked through the site plan. The site is 3.8 acres, residentially zoned. It is surrounded by single-family homes. Homes on the western half of the property are relatively new. He referenced photos. There are four homes on the eastern edge of the property. There is open space on the east half of the school, which is on a hill coming down from Sheridan back towards the building. There is a giant footprint under that area of an old foundation of the old National Louis University.

There were infrastructure improvements that had to be made to manage existing conditions and meet upgraded MWRD standards. Don Matthews from Gewalt-Hamilton will discuss this. This will improve the site and impact on neighbors.

Their parking today is along Maple and it is a circulation system that brings everyone in on Maple during the morning. The school manages that well. Most either go out to Maple or out to Sheridan Road. There is also parking on the east end of the campus. There is a curb cut on the west end of Maple. That is there in the early morning for traffic management but it really is a fire emergency access point. His firm has to maintain this component.

The highlighted purple areas are important. They represent areas of concern to the school. A lot of playground areas and grass areas have degraded conditions from use and the freeze/thaw cycle. A lot of the gravel pushes up and they cannot get grass to grow on the eastern edge of the site, which led to a discussion about synthetic turf.

- 3.23 Mr. Schneider asked the meaning of the brown shaded areas.

Mr. Freres said those areas have buffering and screening. Neighbors have concerns about noise and screening. The areas in purple are play areas at the west end of the site, play areas in the center and the brown areas are disturbed areas. Yellow highlights are adjacent neighbors. The plan is not changing the relationships of the playground pieces; it is not increasing the intensity of use or the intensity of the campus with more students. The proposal is improving the quality of the appearance and the brand.

- 3.24 Mr. Surman asked if what was being discussed was existing conditions. Are existing trees on there?

Mr. Freres said it was existing conditions. He said that there are trees along the edge of the field where there is parking, along Sheridan Road. The plan does not depict all trees that exist.

- 3.25 Chairman Duffy asked that the history being addressed. The lot has a unique shape. Did Baker sell off the northeast quadrant?

Mr. Freres said that was a piece that was sold off.

- 3.26 Ms. Puttrich said that Baker separated from National Louis in about 2005 and they bought a parcel of land. In order to buy back from National Louis, they had to get money, through a bond, and sell adjacent properties through Red Seal. She explained that the land where the houses sit were part of National Louis and Baker at one time.

- 3.27 Mr. Freres continued and showed photos. They are trying to show the existing conditions on the site. It is primarily fenced around the open green space and along the western and southern frontages. There is emergency access at the south end of the campus. There is fencing along the south edge of the playfields. Neighbors are concerned about errant balls that sometimes go to the neighbors' properties.

The campus has not been improved for a long time. It has been maintained and repaired. The equipment on site is 15 to 20 years old. They will refresh everything out there and will change out materials of the ball surfaces. As part of the process they realized they want to get greenery on the site in a way that can be sustained.

- 3.28 Mr. Schneider asked if the original building was where the soccer field is.

Mr. Freres said that is correct.

- 3.29 Mr. Schneider asked if they removed all of the substructure when the building was torn down.

Mr. Freres said they left part of the foundation below grade. They are 2' to 3' below to the finished foundation. They probably crushed the floor but foundation walls are still there.

They are keeping all parking in the current configuration. The goal is not to lose parking. In 2015, the initial look at the campus was to visualize the campus as a series of rooms. Each room has a different character and component. They want to link the entire campus via walkways. There are not sufficient walkways at this time. Everything they do has to be ADA accessible. There is a connected circular pathway system that goes throughout the entire site. Room 1 is on the eastern edge. It is a synthetic surface ball field not defined by striped lines. Lines will be painted on for each event and then wash away. The goal will be to have it look like a lawn area and not an athletic field. They are sensitive as to how the view is from Sheridan Road.

He will later talk about fencing treatment and signage. The center is lawn. It is being graded and they are providing underground storage for the impermeable surface that this is qualified under. That area will be regraded and will have a lawn area. Soil will be on top of it so it will be a lawn/play area.

- 3.30 Chairman Duffy said that there will be a walkway between the play area and center area. He noted that there is a pergola. Is there a distinct grade difference between the playfield and ?

Mr. Freres said that there was a distinct grade difference.

- 3.31 Chairman Duffy asked if they were creating a retaining wall.

Mr. Freres said that there is a 2' high retaining wall with prairie gardens along the slope.

- 3.32 Chairman Duffy clarified that they are digging out.

Mr. Freres said they are building up rather than digging out.

- 3.33 Chairman Duffy said that the applicant stated that there would be a retention vault.

Mr. Freres said that Mr. Matthews would discuss that in his presentation. He did say that there would be a retention vault.

- 3.34 Chairman Duffy said it had to get dug out to create the retention vault.

Mr. Freres said that there will be a transitional area between two areas that is highlighted by landscaping. It is designed with stones like a small amphitheater. Everything is a learning experience and not just a utilitarian approach. The pergola element is a shade structure. On the weekend, the area is used for sporting clubs and organizations as a play space. To build the pergola, there needs to be a curbed or sidewalk edge to retain that surface. He said that trees will be relocated and some will go in areas where there are no plants at this time. They do not want to excavate more than needed because of the cost.

The areas adjacent to the building are playground area 1. This is for younger children. It is a controlled fenced in 4' high fence. The children can come out to the open area and others can bypass that space via walkways. Immediately to the south is a green space which is a garden area. On the western side they planned to replace existing equipment in the same location. They will also provide ball court areas, which are small.

There is a dumpster storage area and green areas were out in that space. That was their first attempt at the plan. They knew that parking was important and the relationship of all areas was also important. They spoke with their neighbors and incorporated their comments into the current plan, which is before the Board. They highlighted those comments.

One area of concern was to the north. There was a desire to provide a separation and quality of care and visual and physical concern for storage of the dumpster areas. They have to have ample circulation for a truck. They don't want to lose parking.

The other concern on that side had to do with hoop houses and the compost bin, which neighbors said were not good looking and that they smelled. In the new plan the outdoor gardening elements were moved to the garden outdoor learning environment, central to the campus. This is a new area and they provided a new pull away dumpster area in synthetic wood so it is screened and well maintained. It is also well landscaped. They want to put in a solid screen of landscape. This would provide separation from the neighbors to the west. There is also a large tree that they did not want to cut down.

They looked at other dumpster location options but this was the best location from an accessibility and physical standpoint as long as they address landscaping, screening and move other facilities out of that space.

The west side is where they felt more concern from the neighbors. One issue was noise, particularly related to two neighbors to the west. The sounds of balls generates noise throughout the day. The ball courts there right now are up against the fence. There is little landscaping at this time. Their goal was how to address landscaping. They have provided significantly more landscaping – Evergreen material – along the west side. There is all new solid fencing along that frontage.

They will move the small ball courts closer to the building. The ball courts are for younger children. The main ball court area is pulled to the center.

- 3.35 Mr. Surman asked the material.

Mr. Freres said that it would be a concrete or asphalt material. They can maintain a durable surface.

- 3.36 Mr. Surman asked as related to today, if there was less or more concrete in the area to the west.

Mr. Freres said that in a perceived world there is no more paved surface than today. From a metrics perspective, there is more impervious surface. He talked about the rubber surface. There is also synthetic grass. Village codes call that impervious. He referenced the big circle and it represents a big concern from a neighbor about the drainage patterns that occur on the site today. They will talk about that more in detail.

Drainage represented a huge piece of the budget that Baker is going to undertake to do the project. It is driven by Village requirements and MWRD's requirements, which are significant. There are two systems. One holds water in the center of the site and goes one way. There is one on the west that goes to the south. They want to tackle the one on the west first and take care of that area right away. They want to create a pipe system to hold the water underneath a specific playground. The neighbor is concerned that water will go from Baker onto her property. Right now it is all mulch. But now it will be controlled and released properly.

- 3.37 Chairman Duffy asked if the western area would only retain water from the west side of the property.

Mr. Freres said that water from the roof would be retained there.

- 3.38 Chairman Duffy clarified that the vault would take care of the synthetic playfield and center play area. Currently parking has its own drainage and they are not changing that.

Mr. Freres said they are tying into that and then it's going back to Maple.

- 3.39 Mr. Surman asked what type of fence they are proposing for the west.

Mr. Freres said they are proposing a solid 6' high traditional cedar fence.

Mr. Freres said that they are working with their neighbors and they need to make the investment to improve the site. Improvements are need. To the south they are making improvements to the alley. It is now chain link fences with trees growing through it. It is an unsecure place. They plan to clean up that area and improve the

area. There are many trees on the site that occur on the south edge that were planted as memorials and dedications. Those will remain and are integrated into outdoor classroom space. They want to get rid of all the smelly garden areas. They are bringing those to a new farm space. Students can do planting, collect rain water.

One big issue is the frontage along Sheridan Road. The issue is the quality of keeping that slope and building up that area for proper drainage. They need to think about balls onto Sheridan Road. They plan to put a fence out there. The fence is 6' today, but it will go on top of a 4' high retaining wall. They are asking for 8'. They are giving themselves a 6' setback off of the sidewalk. Today that fence is on the sidewalk. They are also adding a row of trees. They are aesthetically improving the area, pulling the fence closer to where the ball sports are. One element that is important to Baker is brand recognition on Sheridan Road. They are asking for signage along Sheridan. It is essential that Baker have brand recognition on Sheridan Road. 99% of people have no idea where the school is but drive by it all the time. There is a sign that hangs off of the school it is not as tasteful as what they want.

He hit the highlights of the proposed master plan. It is tasteful and well designed. It is no more intensity of the use than there is today. They are replacing old equipment with new contemporary equipment. There is more environment for interactive play for all age groups.

Their goal is to reconfigure outdoor space to provide meaningful environments. They are not changing walking patterns and will fence spaces off. They are integrating rubberized surfaces. The climbing structures are more natural. Greenery and pathways play a big part. Metrics are showing more impervious surface, they are increasing the open space and adding more landscaping. They are already over on impervious surface. The incremental increase is not significant. It is better quality materials and they are looking at this as an overall project.

3.40 Mr. Schneider asked what the incremental increase was.

Mr. Freres said if they go on a side yard, rear yard and front yard setback, which is how they have broken down the request. Each has an incremental increase from what exists. In some areas it may be 1% and in other areas it might be 30%. Water percolates through a synthetic field.

Ms. Roberts said that it is very hard to quantify and define a permeable surface. They have been very conservative and said that if it is not grass it has to be treated as impervious surface. The applicant can explain how pervious it really is.

3.41 Mr. Surman asked for an explanation of what is below the surface and the reason for raising it up 2'.

Mr. Freres said they are storing water volume under that space. It is a big gravel bath tub that holds its own water and moves it into a big cistern. Water percolates through the fields. It is considered to be a facility and not as a green space. They are adding a field that encroaches into a side yard setback. It is viewed no differently than asphalt, concrete or brick pavers by the Village. Every community treats the rubberized surface the same way.

- 3.42 Chairman Duffy asked that this issue be addressed in more detail later in the presentation.

Mr. Freres showed the existing condition on the west side. It gives a good sense of the ball courts and the older equipment and the scale of the building and current trees. They will be replanting the entire edge and moving all of that space towards the building and taking out all the concrete along the building. The fence along that area will be replaced. There is a pipe underneath the area. It is on the west side there are a lot of encumbrances like footings for playground equipment. Having a free and clear zone to put the pipe has no impact on water. It is the best place to put it. All surfaces are rubber. Green space is important. This is best management for the school from a maintenance standpoint.

The site elements focus on perimeter fencing. Their goal is to build a retaining wall and move the fence on top of the wall and put trees along the edge. That is a good buffer from the balls. They have considered putting up temporary netting along Sheridan Road, but that is not a positive.

- 3.43 Mr. Kolleng talked about a new field next to Lane Tech and they have netting to catch balls. Maybe they could put up netting during a game and then take it down.

Mr. Freres said they are talking about that but there are logistics to doing that

- 3.44 Mr. Kolleng said that an 8' fence wouldn't stop that many balls.

Mr. Freres said that they are adding trees in that area. They need some verticality. They are losing 6' of their property.

- 3.45 Mr. Surman clarified that the field is also raised up by 2' so the fence is 6' on the inside and 8' on the outside.

Mr. Freres pointed out new enclosures for trash. They will wrap heavy steel posts with synthetic wood and do a Hardieboard finish and framing. There will be landscaping along the western perimeter to buffer from the neighbors in that area. There is a lot of stuff out there and there was no game plan as to where to put it all. Now they have a long term vision. They are moving it to the south and pulling it out into the space that were parking spaces. There will now be a walkway. Neighbors to the west would be screened with evergreens and deciduous plant material.

- 3.46 Chairman Duffy clarified that they are losing three spots along there. What is net on parking?

Mr. Freres said they are picking up that parking in the center island. They will not lose any parking. They cannot afford to lose parking. The pergola is wood and they are looking at options for posts. They will meet with the ARC with detailed plans. It is an open air element and provides some shade. There is a storage shed for site-related elements. This is located behind the farm stand. The buildings are part of the variation request. The current building encroaches into the required setback as well. They have chosen to keep the line equal and push them back as far as possible. They add 625 square feet of coverage. They are looking at these buildings from a long term perspective.

Regarding signage, they are showing a location that is on the north side of the east/west exit drive. There is a small amount of land, there is a fence and there is landscaping from the neighbor. The sign face is only on its south side. It is there for people driving northbound. You can't turn left at that space and they will have to turn left at Maple. The sign is brand recognition. They took cues from the neighborhood as related to signage. One cue was the big stone piers across the street and they will mimic those. The framing of the sign is larger than allowed by about 9'. The sign is not illuminated.

They are working with one of their architects on the lobby to the school that will be called the entry arrival sequence. They have to think about safety, security, and controls. The drop off area is not attractive. He talked about possibly adding awnings for color, some sort of banner, and they will talk to the ARC about this.

The greenery has a naturalistic landscape character such as butterfly gardens, native grasses and plantings, simple and low maintenance with an educational component. The school integrates Latin into the environment.

They have highlighted all yards and have shown the requirements. They will not be increasing intensity but replacing what is there with the right solutions and materials. They respect the neighbors and the Village.

There is a description of each area as it currently exists and what coverages will be. There will be greater coverage. It shows all impervious surfaces within setback areas today. He showed the future plans. They believe that the new surfaces are somewhere between pervious and semi impervious.

- 3.47 Mr. Surman asked about the location of the retaining wall on the south edge. Mr. Freres said there is an existing retaining wall and a smaller retaining wall. It turns the corner, rolls down and is landscaped. There are big pine trees over there.

- 3.48 Mr. Surman asked if they needed to put in a retaining wall for the field. Is there enough transition area between the field and the lot line that they don't need to have a retaining wall?

Mr. Matthews said on the inside, there is enough land that a retaining wall is not needed.

- 3.49 Chairman Duffy said Site Plan Review Committee comments indicated that they have to grade the property so they don't have run off to the neighbors. That has to be addressed on the south lot line. It is not the Board's purview but the Village will require this.

Mr. Freres said that in summary, the special use for accessory structures exceeding 200 square feet are sheds and the pergola element. The variances are driven by synthetic turf and safety and rubber surfacing. There is a refuse enclosure area with an encroachment of 3'9". If they move it south they will lose a parking space. If they push it to the east the doors that open up are encroaching into the traffic.

- 3.50 Chairman Duffy asked if someone would address the refuse enclosure in more detail.

Mr. Freres said he wants to hear Board comments.

- 3.51 Chairman Duffy said that it is far away from the school. Have they considered moving it to a different location? What about alley access?

Mr. Freres said they cannot have alley access. They also looked at locations in the parking area.

- 3.52 Mr. Schneider said that the Board had a case regarding the building to the northeast. The case revolved around where to put the air conditioner. One option would require a variation. Whoever built the property was aware of the Baker situation of having the dumpster right there.

- 3.53 Chairman Duffy said that the dumpster is closer to the building at a commercial building. It seems to him like the dumpster in tonight's case is far away and it made sense. Why wouldn't the alley be closer to the building?

Mr. Matthews said that from a turning and traffic standpoint the proposed location is the best. They did look at other locations.

Mr. Freres said people will walk behind the dumpsters in the new plan.

There was discussion about the dumpsters and Chairman Duffy said garbage trucks do not come during drop off and pick up.

Mr. Matthews said they looked at it adjacent to the property line but it wasn't that much different than the proposed location. With the proposed location there is a drive aisle available for the truck and it is the optimal drive aisle.

- 3.54 Chairman Duffy asked about the streets or alleys to the south of the building to access it.

Mr. Matthews said that was not an option. He showed the best place, but it is problematic because the street is narrow. There is a grade transition in that area.

- 3.55 Chairman Duffy asked Mr. Matthews to address drainage and grading.

Mr. Matthews said most of his presentation is about storm water management. The existing site has a fair amount of fall from Sheridan Road down to the southwest corner. The building is about 6' to 7' lower than Sheridan Road. They are manipulating the grade from Sheridan Road. Right now water flows across the property and there are problems with water rushing into a stairwell leading down to the basement. On the west portion of the property there are wood chips and when it rains hard, water goes onto neighboring properties. Some wood chips float to neighboring properties. There is no drainage system back there now. The water goes to the alley and into a combined sewer system. Today there is no storm water management.

A portion of the roof and the west playground eventually get into the combined sewer that flows west towards the channel. The rest of the property drains through a dedicated storm sewer for the site that goes directly to the north shore channel.

- 3.56 Mr. Schneider asked if the parking lot water drained to Maple and then to the North Shore Channel directly.

Mr. Matthews said this was correct. There is a portion of the property that goes to the combined sewer south of the property. The other half is going to the storm sewers that collect it and bring it to the separate dedicated storm sewer on the north side of the school.

- 3.57 Mr. Schneider asked if there was a limit as to what they can direct to the storm sewer on the north. Do they need a special permit to do this?

Mr. Matthews said that there is a limit with respect to elevations. They tried to get as much of the site to that storm sewer. It is shown on the Wilmette utility atlas as a storm sewer going to the channel for this property. They wanted to minimize runoff into the combined sewer system. They are doing that but there are limitations because the elevation of the playground area is too low to connect to the storm sewer on Maple. That is why they are continuing the outlet to the sewer in the alley.

- 3.58 Chairman Duffy asked if the western drainage is through a new pipe that takes them directly into the storm sewer so they will mitigate the water crossing off of the property.

Mr. Matthews said that was accurate. He showed the proposed site and started with the west portion. The whole area consists of natural turf areas, planting beds, rubberized and synthetic play surfaces. Regarding the play surfaces, the upper materials are poured and the water goes through that layer and into an underlying layer of stone, which is 8" to 12" thick. The stone is porous and allows water to migrate through the stone. The water is intercepted by perforated under drains. That goes into the detention pipe.

The water gets cooled going through the stone. It attenuates the flow and some of the water is retained in the stone reducing the volume of water leaving the site. There is a 6' diameter pipe along the western property line, about 10' off of the property line, and it is several hundred feet long. That water is detained until it is restricted and is slowly released into the combined sewer. It is all intercepted prior to washing onto neighboring properties.

- 3.59 Chairman Duffy asked if there is a valve in the detention pipe that controls it. How is it controlled?

Mr. Matthews said that it is called an orifice. It is a small pipe that is sized when there is so much pressure pushing on that the small hole allows it to spill into the combined sewer.

- 3.60 Mr. Merci asked if it was reviewed by MWRD and is it acceptable.

Mr. Matthews said they are under review now. It is first reviewed by Village staff and then it is approved by MWRD if approved by Village staff. They are much further along in the design than they typically are at this stage. They took some risks to get the plans done so contractors can price it and they might be able to build this summer.

- 3.61 Mr. Merci said that the restriction is that they don't want to overload the capacity of the Maple sewer.

Mr. Matthews said that is correct and they don't want to adversely impact neighbors.

- 3.62 Mr. Boyer asked about storm water management in that area at this time.

Mr. Matthews said there is not storm water management in that area at this time. There is a drain in the neighbor's yard and that picks up run off. The rest of it is getting into the alley and into the inlets of that combined sewer.

3.63 Mr. Kolleng asked about the pipe's capacity.

Mr. Matthews said it is .12 acre feet. He explained what this means.

3.64 Chairman Duffy asked at what rate of rain does that account for.

Mr. Matthews said that it is about 6.5" to 7" of rain on a 24 hour period.

3.65 Mr. Schneider asked Mr. Matthews to talk about the artificial turf.

Mr. Matthews said that the east half has a synthetic turf field that acts the same way as the west area. There is turf and stone that is collected by a network of under drains that run into a detention vault that is located? That is even larger than the one on the west side.

3.66 Mr. Schneider asked what would happen if they had the turf and the stone and just soil.

Mr. Matthews said if they had better soil it would migrate into the soil below. But there is a mix of a lot of fill and stones on the site. Water would pool there and eventually start bubbling up through the surface.

3.67 Mr. Schneider asked what happens there today.

Mr. Matthews said that some of it runs into the basement of the school. The rest is finding cavities from old foundations. It is not a good system today.

3.68 Mr. Schneider asked if it was impacting the neighbors.

Mr. Matthews said he has heard that there is a fair amount of wash off that goes to the southerly neighbor. After they develop the site, that area will be stabilized. The side walk around the perimeter of the field is pitched inward. He has about a 15' to 20' area beyond the sidewalk that would be stabilized turf that slopes away from neighbors. They can refine the plan if needed.

3.69 Mr. Surman asked if capacity included the gravel area.

Mr. Matthews said he was talking about storage as related to the voids within the storage. There is additional storage in the stones. At the front of the school they are rebuilding part of the parking lot. Anything they touch they have to comply with standards. They are redoing the front entrance for accessibility reasons. They have to regrade the front parking lot. They have to provide detention for that aspect as well. They are proposing an inverted island in the parking lot. They will have deep rooted plants with stone below that. That provides additional storage as well as cleaning and cooling the water before leaving the site. There is also permeable pavement that they are proposing where accessible spaces are being provided as well as the cross walk. He talked about the existing site and proposed changes.

They can create more open space for storm water management. It is easier for people to pull into diagonal versus parallel parking spaces.

- 3.70 Mr. Surman said that there is only a 1% chance that water would go onto neighboring property. He asked Mr. Matthews to confirm this.

Mr. Matthews said that the site is 3.8 acres. They are not redoing the entire site. Vaults are sized for runoff for that 1% chance for areas that they are addressing. Of the 3.8 acres, over two acres is being redeveloped. The vaults are sized for that additional two acres. They are not bringing the entire site into compliance.

- 3.71 Mr. Surman asked if there was a heavy rain would the west area drain next door.

Mr. Matthews said that it could potentially happen. If the system was overloaded it would bleed and go into the alley. Anything they are touching will be compliant.

- 3.72 Mr. Surman said that parking is greatly improved.

Mr. Matthews agreed with this.

- 3.73 Chairman Duffy clarified that they were not addressing additional drainage in parking because they are not doing anything with the parking area.

Mr. Matthews showed one area they are redoing. Detention will be provided for that area.

- 3.74 Chairman Duffy said that current blacktopped areas have drains.

Mr. Matthews said that there are systems in place that are conveying the water to get it off of the property. There is not detention storage. They are not aware of issues due to runoff from the parking lot that adversely impact the neighbors. They know about neighbors to the west and south.

- 3.75 Mr. Surman asked if they would put in a low wall on the west side. The slope is 14'.

Mr. Matthews said that the slope is from Sheridan Road down. From the face of the school to the property line is about 4' of fall. They can intercept that water. The neighbor made some comments about how they can further ensure that does not happen. He may add more inlets along the west property line to make sure that any water flowing in that direction is intercepted and does not flow onto neighboring properties.

- 3.76 Chairman Duffy referenced the western area. Is there any plan to regrade that so there is more of a swale up? Village engineering will request a swale there.

Mr. Matthews said that is a reasonable request. They don't want to put in a cast iron grate for water flow in a playground area. They are trying to design it so that whatever runoff there is from the play areas drains into a planted area and water is intercepted. All the play areas are permeable. The likelihood of an event of the capacity of the rainwater passing through the rubber membrane is small. If it is exceeded it is picked up by the open grated inlets in planting areas and along that entire west property line.

- 3.77 Mr. Boyer asked if all drainage systems functioned the same. Are they not affected by freeze/thaw?

Mr. Matthews said he gets concerned about leaves clogging the inlets. They have to maintain the leaves so there is no obstruction. Freezing is not a concern.

- 3.78 Mr. Boyer referenced the permeability of the turf areas.

Mr. Matthews said that area acts more like an insulator. There are air pockets. Permeable pavers in parking lots and play areas don't freeze. The stone provides an insulating effect. His colleague will now address parking and traffic.

- 3.79 Mr. Brinkman said that is all about improvements to the facilities. There is no building expansion, staff or enrollment additions. They are not changing circulation patterns or access points. They did conduct a traffic planning study as part of the special use. They did traffic counts and observations.

When they compared the volume of traffic at Baker with published information for private schools, there was a little less traffic in the afternoon and a little more traffic in the morning. They acted conservatively and he said that that impact they tested for the project is that they added about 12 more cars in and out in the afternoon peak hour. There is no expectation that they are going to see an increase in staff or attendance.

They looked at traffic from 7:00 a.m. to 6:00 p.m. There are three distinct peak hours. In the morning time, it is spread out because people arrive at various times. The afternoon is when schools have their most intense congestion when everyone gets out at once. That lasts about 40 minutes at Baker. They are not making any changes to the site with regard to parking or traffic flow. There is no loss in parking spaces.

He talked about pick up and drop off. He has done this for 20 years and Baker has probably done the best job in this area. The way they stack cars in the parking lot they recommended to another school in Lincolnshire. He said they bring about 6 cars at a time through the parking lot. They stop the cars, let everyone out (or they load cars) and they release the cars. All cars are directed out onto Sheridan Road. There are staff in the parking lots and parents are well educated on the process. They didn't have to build anything so that circulation flowed in a certain way

because it already flows correctly. For short periods of time in the afternoon traffic ques back from Maple to Sheridan. Traffic is moving as quickly as possible. 10 to 15 minutes before school is out, cars start to line up side by side in the parking lot. Staff brings about 6 to 7 cars along the building frontage and they are loaded/unloaded and then cars leave via Sheridan Road. Then the next groups come in.

They tried to maximizing how many cars they can get through the line. Cars go along the frontage as far as they can.

One of the comments from Site Plan Review was a question about the circulation of the fire truck. He showed an exhibit to address this. The primary access on Maple Avenue is for the fire lane. That currently exists

There are short and intense periods of congestion but the school does a good job in dealing with this and it happens for a short period of time.

As part of the village's requirements, they pulled three years of crash data including accidents reported in the vicinity. The intersection of Maple and Sheridan and the access points had 7 to 8 crashes reported in three years and only one of those was related to school traffic.

- 3.80 There were no questions for the presenter from the Board.
- 3.81 Mr. Surman asked if there was anywhere that shows the 6' setback along Sheridan Road. Drawings show bushes up against the sidewalk.
- 3.82 Mr. Merci said that the third page of the Lakota drawings describes it.
- 3.83 Mr. Surman said that the drawings do not seem to reflect this.
- Mr. Freres said that they can provide this if it is not shown on drawings.
- 3.84 Mr. Surman referenced a 6' dimension – was this from the curb or from existing sidewalk. He noted that the Board's drawings were small.
- It is 5'3" from the existing sidewalk. The current fence is 6" off of the sidewalk.

(After section 4.0)

- 3.85 Mr. Freres said they will look at other options to the dumpster location. He cannot comment about the rat problem. He heard the stories and the school is aware of it.

Regarding the tree, the Village has authority as to whether a tree can come down. The forester will make this decision. This will be addressed with the ARC. The need to remove the tree is because they have a tight site and new playground

equipment and underground obstacles and utilities that are going in. Fall zones are required for all play equipment. The tree is in the way of the fall zones. As part of the big picture, they will address better things. He respects the fact that people care about large trees. However they will add value to the property far above the removal of one tree.

- 3.86 Chairman Duffy said that what is being added in terms of foliage is more than what is being removed.

The applicant said that is correct.

- 3.87 Mr. Schneider referenced borings and asked where the water table is on the west side.

Mr. Matthews said that as part of the design they need to find out the ground water level and on that part of the site it was about 5' to 6' deep. It is a perched water condition so there is a layer of soil from the surface down and then there is sand seam that is about 3' thick and a clay layer below that. Most water is trapped in the sand seam about 5' or 6' deep. They have to make sure that the detention vault is water tight so they are not losing storage volume in the detention system to ground water. They are sensitive to the issue of ground water. He is confident that what they are doing will improve the situation. They will intercept water away from the property. There are a number of under drains throughout the site.

- 3.88 Chairman Duffy said one of the issues brought up was the play lot surface. Will the new play lot surface allow more or less water to run off the site?

Mr. Matthews said that the play surface won't change how much water runs off the site. They are intercepting and detaining water. By code, they are required to intercept water and channel it to the detention vault.

- 3.89 Chairman Duffy said that without any water retention on the site and excessive amount of water runs off, dragging wood chips with it, but with the proposed surface and water retention plan, they expect minimal amount of water runoff. There will be a swale and drainage. Not 100% solved but an extreme difference.

Mr. Matthews agreed with the above. Regarding the type of synthetic turf, they are not using the traditional crumb rubber infill. It will be sand and other types of materials. They are sensitive to concerns of neighbors and parents that there are a lot of issues with the crumb fill related to whether it is a carcinogen. They will use different products. In the playground area it is basically a carpet without infill material. It will be cushionable.

- 3.90 Mr. Surman asked about the location of the large 6' diameter pipe and will that impact trees planted along the lot line.

Mr. Matthews said there will not be impacted because roots have not had a chance to spread out that far. The vault is 10' off of the property line. The excavation for the vault is closer than 10'. They would do some root pruning before the start of the project to avoid damage.

3.91 Chairman Duffy asked about the fence on the west side.

Mr. Freres said that there are multiple fences but they know that they need a fence on their site that is consistent for the full length of their property. It might be work a discussion with neighbors to come up with a game plan of how to do that. He thinks it would be silly to have two fences but he has to respect the school knowing they have to keep their kids on the site. The school has to maintain the fence. He talked about a possibility of building the fence on their property and save the neighbors a few inches on their property. They are willing to work on this.

3.92 Mr. Surman asked about the applicant's thoughts regarding dumpster location.

Mr. Freres said they will look at other options. There is a functional aspect from usability and making sure they can access and maintain. The place has to be reasonably accessible. There is a 6' pedestrian easement that runs along the entire south frontage of their property. It is emergency access to get people out of the school. That is why there is a grade change and retaining wall. National Louis built up to it and there is a big grade drop. He does not know what it means to move a dumpster and cross that 6' area to reach the dumpster. They will investigate this. It is not their intent to lose parking. It is their intent to get as far away from neighbors as possible. If it is their dumpster, they will maintain it and manage the problems associated with dumpsters.

3.93 Mr. Surman asked about the present dumpster situation.

Mr. Freres said it is two large 5 x 8 dumpsters. They need more space to maneuver the dumpsters. One is recycling and one is garbage.

3.94 Chairman Duffy asked how many times a week is pick up.

Mr. Freres said it is between 3 to 4 times per week. It is always in the morning.

3.95 Chairman Duffy asked why it was in the morning as opposed to after trash is put in during the day.

Ms. Puttrich said that when the parking lot is full with student pick up in the afternoon and the dumpster company does not want to come after dusk.

3.96 Chairman Duffy said that the lot empties out in the late afternoon.

Ms. Puttrich said that school is over at 3:40 p.m. and there are after school activities until 6:00 p.m. During winter it gets dark after 4:00 p.m.

3.97 Mr. Boyer said that right now dumpsters are against the lot line. Per the picture there is no pedestrian traffic going by dumpsters other than the two parking spaces. The new location is farther east and there is a sidewalk on the west side. There will now be pedestrian traffic on the west side of the dumpster and possibly on the east side. There is no pedestrian traffic at this time. The rat problem needs to be addressed one way or another.

Mr. Freres said that the rat problem is another issue. They are asking for a variance of 3' because they are going to fix the dumpsters and put them in a nice location. They could have pushed them another 3'9" and not asked for the variance. They are trying to provide pedestrian access, screen the neighbors and take into many interests and solve many problems.

3.98 Chairman Duffy said that the rat problem seems larger than the dumpsters.

3.99 Chairman Duffy agreed that if they had the additional 3' to 4' they would not have to ask for a variance and they are asking for the variance to keep it out of the drive area.

3.100 Chairman Duffy said that there was a question about the fire lane and people parking there.

Mr. Freres has seen this happen.

Ms. Puttrich said that there are parking protocols. If they see a parent in that area they get a citation and tell them not to park there. People are willful and there is not much they can do.

3.101 Mr. Surman asked about the portable toilet issue.

Ms. Puttrich said it was moved. The school did not supply this. People who used the fields on weekends provided it.

3.102 Mr. Surman asked about future portable toilets.

Ms. Puttrich said there will probably be a portable toilet in the future. It's unlikely the school will build something for that use; it would be cost prohibitive.

3.103 Mr. Kolleng asked who is using the fields.

Ms. Puttrich said it's a group called Little Legends, for 4 and 5 year olds for soccer practice.

3.104 Mr. Surman said this use should be part of the master plan.

- 3.105 Chairman Duffy explained meeting procedure and said that public comment is closed. The applicant had the opportunity respond to public questions and comments. That's how the meeting works and he explained this process at the beginning of the meeting.

4.0 INTERESTED PARTIES

4.1 Persons speaking on the application

- 4.11 Ms. Michelle Leonardo
222 Girard Avenue
- 4.12 Ms. Cindy Kogel
147 Maple Avenue
- 4.13 Mr. Kurt and Ms. Laura Topel
141 Maple Avenue
- 4.14 Mr. Larry and Ms. Marci Goldstein
136 Maple Avenue

4.2 Summary of presentations

- 4.21 Ms. Leonardo said that her street is directly west of the school and they are the neighbors that have been discussed as related to the west play yard. She sent an email about the drainage problems. There is also an email from her neighbors that attests to a lot of water on the west side of the lot.

She appreciates the team and school administration for listening to the neighbors. They will improve the neighborhood.

Regarding drainage on her lot, there are no swales or water management. There is a sidewalk and then she has a neighbor at 114 Girard. The water flows down the sidewalk. The water overflows and goes down the sidewalk. The drain is far away. She thanked the team for putting in a lot of water management in the west play yard. The retention vault is a great idea, but she is worried that the drains are too close to her lot. She talked about eight large white pine trees. The Village required her to plant the trees but she likes the trees for privacy and screening. They will provide screening and coverage in 3 to 5 years.

She would prefer that the drains up against the fence line and the swale be moved in further so they are closer to the school.

Mr. Schneider thought that they were going to install a 6' retention vault.

The neighbor said that the drains capture surface water.

Chairman Duffy asked about the distance of the drains from the lot line.

They are about 3' off of the lot line.

Chairman Duffy said that there should be a swale.

The neighbor said that Mr. Cruz from the village pointed out the swale. She talked about a swale on her yard and it was discussed during the presentation that it is capturing most of the water. She hoped that they could put a swale further into their yard to capture water.

She said that the lot was purchased and the house was built in 2013. She dug the pit of her foundation in July 2013 and it was a rainy summer. When they dug the pit there was 2.5' of standing water in the pit. They are dealing with a lot of ground water. They have clay soil from the top to the bedrock. They had some soil bores that they paid for. Engineers have come to her lot to figure out what to do with the water.

When they built her basement, the water is being pumped out through a sump pump every five minutes even on the driest of days. She had to calculate, time and measure how much water that is in a day. That is almost 1,200 gallons of water every day.

Mr. Surman asked if that had to do with the water table.

The neighbor said they didn't initially know what was happening but then they started investigating. All the water that goes from Sheridan to her lot is trickling down into the soil and hitting the foundation of her basement and then is being pumped out.

The other part of her problem is that the village did not allow them to tie in their sump pump into the sewer and instead they pump it into the front yard via a bubbler system. Part of the front yard, about 20', is a constant soggy mess. She has to deal with that every day.

Mr. Surman said that the water level can be at different spots. A sump pump that continually is on has to do with the water table.

She said that she needs to keep as much water as she can off of her property. Any water trickling down adds to the water table. She is not an engineer but she wants someone to pay close attention to those details.

She referenced synthetic turf. At the beginning of discussion with neighbors, the applicant said they might use crumb rubber. She asked the applicant to address the type of turf that it was.

Chairman Duffy said that the applicant would answer questions at the end.

The neighbor said she is glad that the wood chips will be gone. The chips fell into her yard. The same concern applies to crumb rubber, what will stop that sheeting and that turf field in the middle of the west lot from sheeting. She proposed a retaining wall for that area. Regarding that area adjacent to new playground equipment, she asked if they could add more evergreen screening and tall trees.

Mr. Surman asked the size of exiting evergreens on the neighbor's property.

The neighbor said that they are about 14' but they will grow to be four stories tall.

Mr. Boyer asked if she had any other concerns related to the proposal.

She likes the idea of rubberized surface and it will look good. The design is beautiful. Wood chips do slow down the water. She is worried that the rubberized surface won't do this. She isn't sure if the drainage that is proposed will work.

4.22 Ms. Kogel is two houses west of the school. Her home was built in 2008.

Regarding the transportation analysis, often at pick up and drop off there are a number of cars that queue up along Maple to the west of the school and filter into the entrance area. Many parents park their cars on Maple, south side, and walk through neighbors' lawns and over to the school. The neighbors' lawns get matted.

It's great that the plan proposed will enhance the property. There are valuable changes. She has an issue with the dumpster. They have not been a good neighbor or acknowledging the setbacks that are in place regarding storm water management and the dumpster location. There is a noise issue. Most of the village uses the alley for trash removal. She thinks that they could investigate a solution that grades that area so that a dumpster could be located at the back of the school and accessible from the alley. She wants to see an option explored in that area. With the dumpster being so far removed from the school, there is an out-of-site-out-of-mind mentality. For many years the dumpster was rusted and had many holes. They now have a rat and mice problem and the school just started working with pest control on this. The presenters said that they have moved other smelly things away from that lot line, but the dumpster still remains and encroaches on the setback.

There is a portable toilet on the site and it has been there for about a year. They moved it in the last week, but it was sitting near the dumpster and was used for weekend activities for the playing fields. Are they going to use a portable toilet again and if so, where will it be located? It smells and is a source of vandalism.

Mr. Schneider asked if she was saying that there are rats in that area.

She said that there are rats and mice in that area. Squirrels take things out of the dumpsters.

- 4.23 Mr. Topel said he lives in the property just to the west that has been discussed at tonight's meeting. He is appreciative of the school and their consultants because neighbors were invited to make comments. The plan is beautiful and it is much better than current conditions. They listened to him because they are adding landscaping screening behind the dumpsters. That moves the dumpsters off of the property line. Before there were a lot of things along the property line – the dumpster, a hoop house. With the plan, they are getting things off of the property line and they want a 3' variance for the 20' setback on the side. They would prefer the dumpster not be in the proposed location. It would seem that making the grading change needed to back a garbage truck in would not be that onerous.

The dumpster problem for him is rats. They recently moved in and they have seen rats.

Ms. Topel said that the rats are gross and disgusting. The rats made tunnels under the fence to get at the dumpster. The school did remove pallets and other garbage between the dumpster and the fence. The rats are a concern. Every few days she sees rats.

Mr. Topel said that an issue with the dumpster location is noise. It doesn't impact them as much as others because they are often in the back of their house. The noise level is over the top. It goes on for minutes. The garbage trucks bang. They come about 7:30 am four times per week.

Drainage is a negative. Their property is lower than the school. The grade goes from Sheridan to the channel. Most of the homes as they move west go lower. For some reason, the neighbor's house was built 6" higher than it should have been. His house is lower than theirs. He is worried about water coming off of the property. He was told that there was a water problem when his house was built. They have a sloped lot. They have a drain in the backyard because they are lower than both sides. He is worried about water issues.

He heard tonight that they are planning to take out a big tree.

Ms. Topel showed a picture of the tree. It screens the school very well. In the presentation it sounded like they were removing the tree.

Mr. Freres said they are taking out the tree.

Ms. Topel asked the village to look at the tree to see if it is necessary to have the tree taken down.

Mr. Topel said that the first presenter talked about a new fence put in on his east side, the school's west side. There is a fence there that Red Seal put in. His neighbor owns half of it and he owns half of it. What happens to the fence? He is happy that the schools wants to put in a fence, but what happens to his fence?

Ms. Topel asked where the school's fence is in relation to the lot line. Two fences together could mean rats living in there.

Mr. Surman said that timing of the garbage is not easy. He would have thought that the garbage truck would have been there earlier than 7:30 am. He is not sure if anything can be done about the time.

Mr. Topel said one of his neighbors who will speak has the history about the garbage and timing.

- 4.24 Mr. Goldstein said he has lived in his house for over 20 years. He lives across the street from the school. About 7 or 8 years ago, the school moved the dumpster when they put in a tot lot on the east side. The garbage used to be in between Sheridan Road and where the school is. They then moved the garbage to its present location. At that time the dumpsters were not that large and the garbage company would empty them in the afternoons.

About 3 or 4 years ago they changed to large dumpsters that are about 6 x 10. The company now comes 4 time per week in the morning between 6:50 and 7:15 a.m. Sometimes they take garbage from one enclosure and other times they take garbage from both enclosures.

When the company shakes the containers, it's often for 4 to 5 minutes, and it rocks the houses. About 8 to 10 homes are impacted by this. He has spoken to all neighbors. One time the driver continued to shake the container for many minutes with nothing coming out. The noise is extreme.

The school does many good things but if they are doing work in the future all elements need to be addressed. When they say they understand neighbors' concerns, he wants them to hear their concerns about the garbage. He has spoken with the head of school about moving the garbage to another area. The place for garbage is in an alley. It is perfectly flat.

Mr. Schneider asked if the dumpsters were in the alley wouldn't the noise impact other houses.

Mr. Goldstein said it might, but garbage should go in an alley.

Mr. Schneider asked if this was a 'not in my backyard' situation.

Mr. Goldstein said he is speaking to the rat problem. On the north side of Maple, they have not had an issue with rats. But neighbors on the south side have had an issue with rats.

In the plan, it shows a sidewalk. In his situation of having garbage placed in an alley where it should be, they can alter their walkway slightly. It does not impact the soccer field. If they are doing improvements now is the time to take care of problems that impact the neighbors.

Mr. Goldstein showed pictures of where existing and proposed garbage is/should be. The alley dead ends into the school. Now the truck pulls in off of Maple and backs out. In his proposal the truck would pull down Isabella, turn left into the alley and back up down the alley.

Ms. Goldstein said that trucks back down her dead end alley.

Mr. Kolleng asked if other homes on Sheridan Road had their garages on that alley.

Mr. Goldstein showed where there were houses and where their garbage cans were located.

Mr. Goldstein again reiterated that there is a more appropriate place for the dumpsters. He would say no to their variance about dumpster location.

Regarding rats, his neighbor told him about rats around the garbage cans. He made videos of this. He has spoken with Mr. Schwartz about the rats. He said he would deal with it and that was last July. He emailed Mr. Schwartz again about the problem. He has not addressed the problem to date. They want the rats gone and the garbage should be in the alley. The rats feed off of the garbage.

Mr. Kolleng asked where the rats were coming from.

Mr. Goldstein said maybe they came from the canal and started nesting in the garbage. If they relocated the garbage and proactively dealt with the rat problem, the rats might go away. They would gain two extra parking spaces.

Mr. Goldstein referenced the fire lane. His bedroom window looks out directly over the fire lane. It is used as parking for parents to drop off their children. He has spoken to the parents about not parking there. If a sign was there it might eliminate the problem.

The garbage is his number one issue.

Mr. Schneider asked if this is the only place in the neighborhood that attracts rats.

Mr. and Ms. Goldstein said this is the only place that they know of.

Mr. Goldstein has been told that in the alleys of Girard and Garrison there are rats.

Ms. Leonardo said that rats are the concern of ALL neighbors. There have been instances in the alleys behind Garrison and Girard have had rats' nests and villages having to come in and trap them. Rats have only started since the dumpster problem.

Mr. Goldstein would think that the school would want to eliminate the rat problem more than the neighbors. The Village should want to protect the neighbors.

4.25 Ms. Leonardo said she does not want the tree taken down for no reason.

4.26 Mr. Surman asked if they were to relocate the dumpster into the alley, would they still need the same variance.

Ms. Roberts said that a refuse container is not a permitted encroachment into a rear yard. They would have a 40' rear yard requirement.

5.0 VIEWS EXPRESSED BY MEMBERS OF THE ZONING BOARD OF APPEALS

5.1 Mr. Schneider said he commended the school and the team on the work they propose to do to address a lot of issues. The neighbors have some concerns and the plan will not answer all issues completely. The proposal goes a long way to address problems. They are not reducing or adding parking so that is not an issue.

The key issue is the water retention and management systems. He does not know what else they could do given soil structure and elevation changes.

With regard to garbage dumpsters, he is horrified by the rat problem and that needs to be solved. The noise will always impact neighbors no matter the location of the dumpsters.

Some of the request seem large but were not created by what is being requested and is pre-conditioned. He can support this but wants to hear colleague comments.

5.2 Mr. Merci said the impervious surface limitation and setback variation required by the ordinance is not realistic for a school with a related intensive outdoor use by students. Aesthetic and functional improvements together with logical storm water management can be accommodated by approval of these requests. He can support the request.

5.3 Mr. Surman complimented the design team and said they did a great job; it's a big improvement and a thoughtful design. Regarding the dumpster issue, this will happen at the Village Board level where both groups can go back to the drawing board and discuss at the Village Board meeting. The dumpster is a big improvement over what exists. The enclosure will be more secure. The rat issue

will be resolved. The noise issue – he is not sure what they can do about that. Perhaps they can compact garbage so it doesn't have to be picked up as often. He is not sure if they make compactors for outdoor use. Overall, the plan will be a big improvement. He is an architect and is concerned about drainage. They have presented a good scheme for that. He can support the application.

- 5.4 Mr. Kolleng complimented the team on the presentation. It was very helpful and educational. This is a unique property in the Village. The Board runs into different issues with certain cases when the definitions don't fit. What they are proposing for water management is so much better for neighbors and the school. Regarding impervious surface, this is a difficult property to apply definitions to. There are permeable surfaces that are deemed to be impermeable and this is helpful. Regarding issues, wherever the dumpsters are located, someone will be bothered. They probably have the dumpsters in the correct proposed location. Maybe there is a way to deal with garbage pickup and something has to be done about the rats. That needs to be a priority. He will support this. It is a great project for the school and for the Village.
- 5.5 Mr. Boyer said he appreciates the concern about the water issues. The water retention plan is great. The height of the fence is fine and the fence is being set back 5' to 6' and screening it. This will alleviate any detriment. The variance for that request is minimal and will minimally impact neighbors. They are moving the hoop house, plant area, and green house to a more interior location. That variance comes about they are applying residential zoning codes to a four acre lot. Having two accessory structures is not an issue. He can support the request. All standards are met.
- 5.6 Chairman Duffy said Mr. Boyer did a great job summarizing the case. The sport lot on the east and the play lot on the west dictate most variances. Those dictate water management. For what it is to what it is proposed to be, is more than the difference between night and day. It is an amazing improvement. Regarding basement water issues, Mr. Surman pointed out that this is a general water table issue. Anyone building on that property has to deal with it. The only way to avoid this is to not have as deep a basement. The issue of water running off of the site will be addressed. The group did a great job of designing a solution for water management. The accessory structure request – this is a large lot and no one will notice the buildings. They are an improvement over existing structures in function and aesthetics. The last two variances were for the fence. They are increasing height by 2' but the retaining wall is part of the development of the sport court will be beneficial to the property and people going by on Sheridan Road. Trees will create a screen. It will be safer. The way this was presented/designed was great. Nothing is perfect. There may be additional requests in the future. Regarding rats, this is not within the Board's purview but the Village now knows about it. If the school is not responding then the village needs to be contacted about the rat problem.

- 5.7 There was a letter received by Mr. Sweitzer. The letter did not address zoning requests but the Village Board should look at some of his points.
- 5.8 Chairman Duffy agreed that the Village Board should read the letter. The proposed plan – they could not do any better. He can support the request.
- 5.9 Mr. Schneider said he hopes that the applicant continues to meet with the neighbors.
- 5.10 Chairman Duffy said this case would be on the Village Board’s consent agenda and there will not be discussion unless the case is removed from the consent agenda. At the beginning of the meeting the public is asked if an item should be removed and someone says that the item should be removed. A discussion can then be had about the case. A letter can also be sent to the Village Board.

6.0 DECISION

- 6.1 Mr. Schneider moved to recommend granting a modification of a special use (Primary Educational Facility), a special use to allow two accessory structures exceeding 200 square feet in area, a variation to expand a legal non-conforming structure, a 1,449.48 square foot (17.47%) front yard impervious surface coverage variation, a 2,422.49 square foot (48.1%) side yard adjoining a street impervious surface coverage variation, an 814.24 square foot (5.63%) combined side yard impervious surface coverage variation, an 85.52 square foot (0.39%) rear yard pavement impervious surface coverage variation, an 11.0’ side yard adjoining a street sport court (synthetic turf playfield) setback variation, an 8.83’ interior side yard sport court (synthetic turf playfield) setback variation, a 3.75’ refuse storage area side yard setback variation, a 4’ fence height variation and a 1.5’ fence height variation to permit site improvements at 201 Sheridan Road in accordance with the plans submitted. The use shall run with the use.

- 6.11 Mr. Merci seconded the motion and the vote was as follows:

Chairman Patrick Duffy	Yes
Mike Boyer	Yes
John Kolleng	Yes
Bill Merci	Yes
Lynn Norman	Not Present
Reinhard Schneider	Yes
Bob Surman	Yes

Motion carried.

- 6.2 Mr. Schneider moved to authorize the Chairman to prepare the report and recommendation for the Zoning Board of Appeals for case number 2016-Z-27.

- 6.21 Mr. Surman seconded the motion and the voice vote was all ayes and no nays.

7.0 FINDINGS OF FACT UPON WHICH DECISION WAS BASED

The Zoning Board of Appeals finds that the request meets the special use standards of Section 5.3.E and the variation standards of Section 5.4.F of the Zoning Ordinance. The use as a primary school is not changing and, in the specific location, is consistent with the goals and policies of the Comprehensive Plan. The continued maintenance and operation of the use with these site improvements will not be detrimental to or endanger the public health, safety, and welfare nor be injurious to the use or enjoyment of other property. The applicant proposes landscaping to screen the property and new grading and drainage measures to address storm water. The continued operation of the special use will not impede the normal and orderly development and improvement of surrounding properties. The continued operation of the special use will not substantially diminish property values in the neighborhood. Adequate utilities, road access, drainage, and other necessary facilities already exist. Adequate measures already existing to provide ingress and egress. The continued operation of the special use is consistent with the community character of the neighborhood. The continued operation of the special use does not substantially adversely affect a known archaeological, historical, or cultural resource. The applicant has proposed landscaping and fencing to act as a buffer to neighboring properties. The use will meet any and all additional use standards specified in Article 12 of the Zoning Ordinance.

The particular physical conditions of the property, the size and shape of the lot and the location of the school building on the lot, impose upon the owner a practical difficulty. The plight of the owner was not created by the owner and is due to the unique circumstances of the development and re-development of the lot. The difficulty is peculiar to the property in question. The difficulty prevents the school from making necessary improvements to benefit the students and to improve the appearance for the neighborhood. The proposed variations will not impair an adequate supply of light and air to adjacent property. Much of the existing outdoor play space exists but will be improved by the proposal. The applicant proposes landscaping to screen the property and new grading and drainage measures to address storm water. The variations, if granted, will not alter the essential character of the neighborhood. The proposed improvements should enhance the appearance of the property.

8.0 RECOMMENDATION

The Zoning Board of Appeals recommends granting a modification of a special use (Primary Educational Facility), a special use to allow two accessory structures exceeding 200 square feet in area, a variation to expand a legal non-conforming structure, a 1,449.48 square foot (17.47%) front yard impervious surface coverage variation, a 2,422.49 square foot (48.1%) side yard adjoining a street impervious surface coverage variation, an 814.24 square foot (5.63%) combined side yard impervious surface coverage variation, an 85.52 square foot (0.39%) rear yard pavement impervious surface coverage variation, an 11.0' side yard adjoining a street sport court (synthetic turf playfield) setback variation, an 8.83'

interior side yard sport court (synthetic turf playfield) setback variation, a 3.75' refuse storage area side yard setback variation, a 4' fence height variation and a 1.5' fence height variation to permit site improvements at 201 Sheridan Road in accordance with the plans submitted. The use shall run with the use.