

**VILLAGE OF BANNOCKBURN
PLAN COMMISSION/ZONING BOARD OF APPEALS
MAY 2, 2016
MEETING MINUTES**

1. 01-05/02: **Call To Order.** Chairman McShane called the meeting of the Plan Commission and Zoning Board of Appeals to order at 7:00 PM.

Chairman: James McShane

Commissioners Present: David Elston, Louise Feeney, Gerald Laures, Glenn Morris, John Ryan

Commissioners Absent: Richard Peters

Also Present: Village Counsel Betsy Gates, Village Manager Maria Lasday, Assistant to Village Manager Ryan Mentkowski, Village Forester Todd Sinn

Visitors: Scott Herrmann (Bannockburn School District), George Demarakis (ARCON Associates), Bruce Nelson (1665 Meadow)

2. 02-05/02: **Pledge of Allegiance.** Chairman McShane led everyone in reciting the Pledge of Allegiance.

3. 03-05/02: **Visitor's Business.**
No visitors spoke.

4. 04-05/02: **Approval of the March 8, 2016 Plan Commission & Zoning Board of Appeals Regular Meeting Minutes.**

Commissioner Laures moved, seconded by Commissioner Elston, to approve the March 8, 2016 Plan Commission & Zoning Board of Appeals Regular Meeting Minutes. On a roll call vote, the motion was approved. Ayes: Five (Elston, Feeney, Laures, McShane, Ryan); Nays: None; Abstain: One (Morris); Absent: One (Peters).

5. 05-05/02: **Approval of the April 4, 2016 Plan Commission & Zoning Board of Appeals Special Meeting Minutes.**

Commissioner Elston moved, seconded by Commissioner Feeney, to approve the April 6, 2016 Plan Commission & Zoning Board of Appeals Special Meeting Minutes, contingent on amendments to line 137 to accurately illustrate McShane's abstain vote, to change page 5 to correctly illustrate Feeney in the place of Lasday, as well as the additional amendments identified by Commissioner Elston. On a roll call vote, the motion was approved. Ayes: Four (Elston, Feeney, Laures, McShane); Nays: None; Abstain: Two (Morris, Ryan); Absent: One (Peters).

6. 06-05/02: **Public Hearing for the Consideration of Proposed Zoning Code Text Amendments, Special Use Permits, Amendments to Existing Special Use Permits, Variations, and any other Zoning Relief Necessary in Connection with the Proposed Installation and Maintenance of Exterior Lighting and Related Improvements on the Property commonly known as the**

Bannockburn School located at 2165 Telegraph Road, Bannockburn, Submitted by the Bannockburn School.

Dr. Scott Herrmann, superintendent at the Bannockburn School requested a recommendation of approval from the PCZBA to replace existing lights fixtures situated on two existing 16 foot light poles with 4 new exterior full cut-off light fixtures on two new 20 foot poles at the Bannockburn School. He noted that they needed approval because the lumen level was higher than what is allowed by code.

Dr. Herrmann noted that the new light fixtures were needed for safety and security reasons. He noted that it is difficult to see your car at night. It is particularly dangerous at night during the winter when walking to one's car and there is ice in the parking lot. Dr. Herrmann further noted the problem particularly occurs when the school is not open and employees are still at school until midnight cleaning.

Mr. George Demarakis, an architect retained by the Bannockburn School, noted that changing poles from 14 feet to 20 feet and going from two lights per pole to four lights per pole would substantially improve safety. He noted that motion sensors are being proposed to reduce the illumination down to a 30 percent level within 5 minutes of them being activated. He noted that the lights would only illuminate at maximum brightness when people walk or drive in the parking lot at night. He again noted that the new lights would improve safety and security especially during the winter.

The PCZBA Commissioners generally inquired about when the current lights are being illuminated. Dr. Herrmann noted that the existing lights are currently on all night, every night. Mr. Demarakis noted that it would be possible to turn off the proposed lights at night and use motion sensors.

The PCZBA Commissioners noted that the lumen count would go from 2,300 lumens to 33,000 lumens per pole. They additionally noted that the lights could be set off by someone walking by the school or if a deer or car passes by. They expressed concern since the school is situated in a residential area and would like to limit when lights are on. Mr. Demarakis noted that the proposed lights are full cut off fixtures and the illumination would be more limited.

Resident Bruce Nelson inquired whether only a portion of the parking lot could be allocated to employees' cars that are working late so only a portion of the parking lot would need to be lit with lighting. Mr. Demarakis noted that it was not possible since the proposed light poles are existing and are situated in the center of the parking lot.

Commissioner Elston moved, seconded by Commissioner Feeney, to recommend approval of A Variation from the exterior lighting regulations set forth in Section 9-101.D.10.a.iii.B of the Village of Bannockburn Zoning Code to allow a 8172-8236 lumen count for each of the proposed light fixtures in lieu of the maximum allowed 1400 lumen count and an amendment to the existing Special Use Permit granted in Ordinances Nos. 96-20, 2004-10, 2008-18, and 2015-06 to modify the previously approved plans to permit the installation of 4 exterior lighting fixtures on two new 20' foot poles (4 lights per pole) at the Bannockburn School, contingent on the proposed exterior lights being illuminated only at 30 percent until 11:00 p.m. except full illumination is permitted when motion sensors are activated and that the proposed exterior lights

may not be illuminated between 11:00 p.m. until dawn except full illumination is permitted when motion sensors are activated. On a roll call vote, the motion was approved. Ayes: Six (Elston, Feeney, Laures, McShane, Morris, Ryan); Nays: None; Abstain: None; Absent: One (Peters).

7. **07-05/02: Discuss a Referral by the Village Board of Trustees of Modifications to the Village's Tree Regulations.**

The PCZBA Commissioners and staff noted the following discussion about the potential tree ordinance modifications.

- Chairman McShane expressed concern that the Village's tree regulations were "watering down opacity" for health of tree issues, especially for the residents who spend a lot of money on their bufferyards.
- The Village Forester noted that the current opacity formula is very complicated and even some of the landscapers don't understand it. He further noted that when the formula is implemented there are too many plants within the space, creating an unhealthy situation and the requirements are cost prohibitive.
- The Commissioners noted that the Emerald Ash Borer ("EAB") is also changing opacity.
- Commissioner Elston noted that this issue could be broken down into 3 topics:
Dead or Diseased Trees: Commissioner Elston noted that a resident should be able to remove dead and diseased trees without triggering bufferyard requirements. The regulations pertaining to dead and diseased trees should be amended now. The Village code requires removal of hazardous trees. Amending the regulations would be consistent with the Village Board's current deferral of enforcement for dead or diseased trees in the bufferyard. Commissioner Elston noted that the Village should encourage people to remove dead trees. Commissioner Elston suggested that we formalize the Village Board's current deferral policy to allow removal of any dead tree without mitigation even if they are located in the bufferyard. A concern was raised that dead Ash Trees could fall down within 5-6 years if they are not taken down.

Buckthorn: When buckthorn is removed in the bufferyard, the bufferyard requirements are triggered. Commissioner Elston inquired whether we should be encouraging the removal of buckthorn because this is a huge evil. Commissioners Ryan and Morris stated that buckthorn is an invasive species and we should be encouraging the removal of buckthorn. The Village Forester stated that buckthorn chokes out higher quality trees and we would be increasing the quality and health of woodlands if buckthorn is removed. Commissioner Ryan noted that the amount of trees required for replacement was too much when he recently removed buckthorn from his property. He also noted that the requirements for replacing buckthorn in the bufferyard deterred neighbors from removing the invasive species. The Commissioners noted that removing buckthorn will help increase the health of the woodlands.

Bufferyard: Commissioner Elston generally noted the following: what should be the opacity requirement; what should the bufferyard be (front yard, all four sides or something else); and when should it be triggered?

- Commissioner Elston suggested that the commission takes this amendment in pieces.

- Regarding the correct reduction in opacity, the Village Forester suggested that the multiplier in the opacity calculation is likely the problem.
- Other Comments from Commissioners Ryan, Morris and Elston:
 - Do we want to encourage people to remove buckthorn?
 - Should there be a different percentage of opacity required for buckthorn removal? Should there be a longer period of time to meet the standard?
 - That we shouldn't legislate but encourage replacement of the trees.
 - The question as to how we get people to replace trees without requiring replacement?
 - Discussed the possibility of matching grants for removal of Ash Trees as a possible program.
- The Village Forester made the following recommendations when asked by the Commissioners:
Change opacity levels on all yards; bufferyard requirements should only be triggered in areas where an adjacent neighbor sees proposed improvements; remove the multiplier from the opacity calculation; and simplify number of alternatives within the opacity regulations.
- The Commissioners generally agreed that there needs to be a balance between affordability and maintaining the character of the Village.
- Buckthorn is less of an issue than opacity. Commissioners Ryan, Morris and Elston inquired whether a different lower percentage should be required for opacity when removing buckthorn. It would be good to encourage residents to remove buckthorn.
- Chairman McShane noted the PCZBA should probably decide opacity before buckthorn.
- Chairman McShane noted that the regulations need to change to specify a time period when trees should be removed. Village Counsel Betsy Gates noted that regulating the time period to remove trees is not within the PCZBA's purview, but a nuisance issue that would be regulated by the municipal code.
- Mr. Nelson noted that the Commissioners take a look at bufferyards on the property on Meadow Lane with all the honeysuckle, as well as the Karkazis property on Duffy Lane.
- The Commissioners noted there is an issue with dead and diseased trees. They generally agreed that we need to make it easier for people to take dead trees down, even in the bufferyard.

The general consensus was that the next agenda needs to include the following: public hearing needs to be held at the next meeting to address the dead and diseased trees issue and discussion should continue relating to the buckthorn and opacity issues.

Adjournment.

Commissioner Laures moved, seconded by Commissioner Elston, to adjourn the meeting. On a voice vote, the motion was approved. Ayes: Six (Elston, Feeney, Laures, McShane, Morris, Ryan); Nays: None; Abstain: None; Absent: One (Peters).

The meeting was adjourned at 8:53PM.