

**VILLAGE OF BANNOCKBURN
PLAN COMMISSION/ZONING BOARD OF APPEALS
OCTOBER 17, 2016
MEETING MINUTES**

1. 01-10/17: **Call To Order.** Chairman James McShane called the meeting of the Plan Commission and Zoning Board of Appeals to order at 7:00PM.

Chairman: James McShane

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

Commissioners Absent: Louise Feeney, Richard Peters

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

Visitors: Seth Dreier (Mariani Landscape), Rob Schwarz (Mariani Landscape), Tim Ball (Rocco Fiore & Sons Landscape)

2. 02-10/17: **Pledge of Allegiance.** Chairman McShane led everyone in reciting the Pledge of Allegiance.
3. 03-10/17: **Visitor's Business.**
No visitors spoke.

4. 04-10/17: **Approval of the August 1, 2016 Plan Commission & Zoning Board of Appeals Regular Meeting Minutes.**

Commissioner Elston moved, seconded by Commissioner Laures, to approve the August 1, 2016 Plan Commission & Zoning Board of Appeals Regular Meeting Minutes, contingent on adding Chairman McShane to all the votes, and amendments to line 40 and 45. On a voice vote, the motion was approved. Ayes: Five (Elston, Laures, Morris, McShane, Ryan); Nays: None; Abstain: None; Absent: Two (Feeney, Peters).

5. 05-10/17: **Discuss a Referral by the Village Board of Trustees of Modifications to the Village's Tree Regulations.**

Chairman McShane asked the landscape contractors in the audience if they had any comments related to the proposed regulations.

Seth Dreier and Rob Schwarz, from Mariani Landscape noted the following related to the proposed regulations:

- That the Village had good intentions and agreed with the Village Forester's recommendations.
- Triggers are important to look at.
- Landscaping should be mandated when lot lines are visible to neighbors.

- Presently, too much money is going to the perimeter of the lot and landscaping is being done by numbers which restricts creativity by landscape architects.
- The mechanisms that trigger the bufferyard are a cost issue.
- Density of plant material is too much.
- Regarding the area of disturbance and the dripline of the tree, they suggested allowing some landscaping in this area because otherwise it limits what can be put in the area.
- Regulations should be based on the size of the lot.
- Requiring a permit to remove a shrub seems excessive.
- Would be excessive to require a civil drawing if only one shrub is required for replacement.
- Liked the tree mitigation options, including the tree mitigation fee, and could also provide a larger credit for preserved trees on the property due to the limitation of the root zone.
- Tree protection fencing should be allowed to be removed just before fine grading.
- Regarding the types of plantings, the formulas seem somewhat restrictive so perhaps allow some substitution of plant types. Additionally, the current ordinance encourages instant landscape which does not allow for future growth of plant material and causes plant health issues in the long run.
- Regarding the bufferyard width that is required, perhaps there should not be a required minimum width required.
- Perhaps the buckthorn removal/replacement could be at a lower planting replacement ratio to encourage residents to remove invasive plants and benefiting the entire Village.
- Like the idea of focusing the buffer yard compliance on the side of the lot that is being improved (vs having the entire lot come into compliance).

Tim Ball, a Landscape Architect from Rocco Fiore & Sons Landscape noted the following related to the proposed regulations:

- He generally agreed with the comments made by Seth Dreier and Rob Schwarz.
- Presently there is the challenge of “coloring versus counting”. You want landscapers to be creative on one hand, but then you have restrictions that can be too restrictive and do not allow the creativity to flourish. We need to allow for creativity versus meeting restrictive specifications in the Village codes and ordinances.
- More is not always better because trees grow and need that room to grow. He challenged the Board to think bigger and think long term to make something that is sustainable.
- Dimension and scale is the creative side of landscaping.
- In response to a question, he generally agreed that a landscape architect could design to a specific opacity percentage within a certain period of time (except as may be prevented by site conditions).

One or more of the PCZBA Commissioners, the Village Forester and Staff noted the following discussions related to this subject:

- If the Village has landscape requirements, how do we make them sensible? What will plants look like in 10 years? How long will it take to get there?
- It would be nice for a landscape architect to design around the property. However, the Village doesn't currently have capacity to evaluate landscape plans with respect to opacity and what plans will look like in future years.
- Is there a better time period for planting at certain opacity levels...5 years? 10 years?

- Human intervention is also a factor. What are people going to do to actively take care of trees?
- There is no muscle after 5 years with respect to enforcement.
- Should we give designers the freedom to design? Provide a list of acceptable trees but must meet opacity after a certain amount of years?
- What does opacity mean? What's going to count? Current calculations do not include trees at other parts of house. Interior and foundation plantings need to be included.
- Where is the end point of opacity? Is it the base of the house?
- Can we use software to determine opacity? We can require residents to use software that depicts landscaping in future years.
- Reducing the number of units is the right direction.
- If we get away from numbers and give landscape architects freedom, the Village will need to hire someone to review the plans.
- If we give landscapers freedom to promote creativity, residents will still need to meet opacity requirements.
- There are other issues to consider, like the variation in bufferyard sizes and the triggers required for installation of landscaping.
- Within a certain amount of years, should resident's plans be at a certain plant level?
- How do we sensibly come up with certain plant levels at various year levels?
- That Lane Kendig should be asked to be at the next PCZBA meeting to provide comment related to the previously approved landscape ordinance.

Commissioners Gerry Laures and John Ryan mentioned that they provided an article regarding the removal of dead ash trees being mandated by communities. Staff noted that the Village Board decided to not mandate any rules to remove dead ash trees at this time.

One or more of the commissioners stated the following with regards to dead ash tree's in the Village:

- There should be a reasonable period of time to remove dead trees.
- Village should provide matching funds.
- Good citizens already removed their dead trees and there will be a fairness issue if the Village provides matching funds.

No further discussion took place and the general consensus of the PCZBA was to continue the discussion regarding opacity and bufferyard requirements to the November PCZBA meeting.

6. **06-10/17: Public Hearing for the Consideration of Proposed Zoning Code Text Amendments to the Bannockburn Zoning Code Regarding the Carry-Out Restaurant Uses and Accessory Drive-Through Facilities within the Village of Bannockburn's R-Retail District.**

Commissioner Elston moved, seconded by Commissioner Laures, to recommend approval of the Zoning Code Text Amendments to the Bannockburn Zoning Code Regarding the Carry-Out Restaurant Uses and Accessory Drive-Through Facilities within the Village of Bannockburn's R-Retail District, conditioned on amending Section 4-106 to the Zoning Code in regards to lighting.

On a roll call vote, the motion was approved. Ayes: Five (Elston, Lares, Morris, McShane, Ryan); Nays: None; Abstain: None; Absent: Two (Feeney, Peters).

7. **07-10/17: Public Hearing for the Consideration of Proposed Zoning Code Text Amendments to the Bannockburn Zoning Code Regarding Existing Requirements For Elimination of Exterior Lighting Non-Conformities as a Condition for Receiving Approval of Applications that are Subject to Architectural Review.**

Chairman McShane noted that the Village worked hard to make Bannockburn a “dark at night community”. He asked whether the Village wants to keep the current exterior lighting regulations. He requested that the Village Board consider referring the exterior lighting regulations for review by the PCZBA.

Commissioner Elston moved, seconded by Commissioner Morris, to recommend approval of the Zoning Code Text Amendment to Section 9-101.D.10 of the Bannockburn Zoning Code to only require a lighting review by the Architectural Review Commission when an application involves the addition of lighting. On a roll call vote, the motion was approved. Ayes: Four (Elston, Lares, Morris, Ryan); Nays: One (McShane); Abstain: None; Absent: Two (Feeney, Peters).

8. **08-10/17: Consider Approval of the 2017 Calendar Year Schedule for the Plan Commission & Zoning Board of Appeals Meetings.**

Commissioner Morris moved, seconded by Commissioner Ryan, to approve the 2017 Calendar Year Schedule for the Plan Commission & Zoning Board of Appeals Meetings, with the changes noted to the February, July and August meeting. On a voice vote, the motion was approved. Ayes: Five (Elston, Lares, Morris, McShane, Ryan); Nays: None; Abstain: None; Absent: Two (Feeney, Peters).

Adjournment.

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

The meeting was adjourned at 9:12PM.