

MINUTES
ENVIRONMENTAL REVIEW COMMITTEE
April 22, 2015

The April 22, 2015 meeting of the Environmental Review Committee was called to order at 7:00 PM by Chairman Hughes in the board room of the Village Hall. Roll was called and a quorum was present. Upon roll call, the following were:

Present: Commissioners Beck, Derby Lewis, Jaffe, Korling and Chairman Hughes
Absent: None
Also present: Tony Repp, Planner

APPROVAL OF MINUTES

Chairman Hughes asked for comments or corrections to the minutes from the October 9, 2014 ERC meeting. The follow comments were made:

- It was suggested that the Latin names be used for invasive species.
- No substance corrections were noted.
- Minor corrections were submitted to staff.

Commissioner Jaffe moved to approve the minutes of the October 9, 2014 Environmental Review Committee meeting as amended. Commissioner Beck seconded the motion. Upon roll call, the vote was:

AYES: Commissioners Beck, Derby Lewis, Jaffe, and Korling

NAYS: None

Motion passed.

GENERAL COMMUNICATIONS

Mr. Repp stated that there were no general communications for tonight's meeting.

NEW BUSINESS

ERC 2015-001 1725 Portage Run – Grier Residence

- Environmental Plan Approval
- Recommendation to the Plan Commission

Present to petition for the Grier Residence proposal were:

Peter Canalia, representing owner
John and Kelly Grier, property owners

Because the case was considered public hearing, all speakers were sworn in by Mr. Repp. Purpose of the meeting was for the ERC to review the presented case and forward recommendation to the Plan Commission.

Mr. Repp presented a brief background for the property under discussion and summarized the proposed modifications. Case under discussion was lot 2 of a 5-lot subdivision that had received approvals in:

October 4, 2001 – Environmental Review Committee
February 19, 2002 – Ordinance 4366
Plan Commission – January 2002 – approval of building envelope

Modifications to the existing envelope were being requested to allow for relocation of portions of the allowable square foot building pad to accommodate the construction accessory structure and pool. Modification would reduce the building envelope from 814 sq. ft. to 813 sq. ft. Mr. Repp showed the

site plan via overhead and pointed out the areas to be moved. Also shown via overhead were the architectural plan, site plan with proposed pool and patio modifications, and photos of newly constructed home and surrounding areas.

Peter Canalia, builder and developer of the project and representing the property owner approached the podium. He mentioned that he was familiar with Portage Run and had worked closely with Greengard, Inc., the engineer who had worked on the proposal. A letter from Greengard included in the commissioners' packets was referenced. The letter stated that Don Fielding with Greengard felt that the reconfiguration of the building envelope to accommodate the pool and cabana in the rear was within the intent of the subdivision. He also noted that by moving the building box to the east would not remove any additional trees and would conform to designed drainage patterns with no alteration to original house grades.

Continuing, Mr. Canalia pointed out that the lot under discussion was a very clear, flat area. The wetlands were located to the south of the proposed work area and there would not be any impact on trees or the wetlands. Homeowners were making concerted effort to stay within designated sq. ft. area as well as initial intent of the area.

Questions and comments by commissioners were:

- Commissioner Derby Lewis clarified with petitioner that they had been working with Village Natural Resource Manager, Robyn Flakne, and the flagging designated ash trees on the property that were dead and to be removed.
- Commissioner Derby Lewis asked what was the intent of the applicant in regards to replacement in the areas marked in red on the site plan to mitigate the paver areas on the site.
 - Petitioner explained that lot 2 was initially defined as a grassy field. The intent of the applicant was to retain the area in its natural state resulting in “big blocks of areas” to keep it in its natural state and the existing natural environment. .
- Commissioner Beck confirmed with petitioner that a soil test had not been done on the proposed pool area.
 - Petitioner added that soil testing had been conducted on the lot and it was determined that a hard clay base was consistently across the entire pad.
- Commissioner Beck asked to clarify the pool operation and maintenance. Also, if chemicals were to be used to maintain the pool, how would they be stored, who would be using them, and if they would be aware of the ESA area.
 - Petitioner responded that the pool was a chlorine based pool and the chemicals would be stored on site in an enclosed area in the structure at the south end of the pool. Homeowners would have a professional to service the pool on a weekly basis.
- Commissioner Beck questioned staff about information for contractors who service the ESA
 - Mr. Repp stated that there was information available on state standards and best practices but there was nothing specifically crafted for ESA property.
 - Commissioner Beck felt that it would be a good idea to develop this type of information for contractors who might be working in an ESA area.
 - Petitioner mentioned that the applicant was leaning heavily on Greengard and Hoffman who had expertise on this type of area and how ESA areas are handled. He added that they felt they were working with the appropriate professionals.
 - Commissioner Beck pointed out that there are good intentions but that the intentions do not necessarily get passed down to the worker actually on site.

- Chairman Hughes clarified that an Environmental Plan was not submitted to the ERC with this application because the Environmental Plan had been approved with the underlying subdivision and had addressed many of the issues considered in the application. This reference would be incorporated as part of the motion.
- Commissioner Jaffe confirmed that tree removal was in compliance with the 2001 environmental plan and the 2002 plan recommendation.
 - Petitioner mentioned that they have conferred with Robyn Flakne and the Natural Resource Group that visits the area. Because the area was dormant for a couple of years, the invasive species grew and the ash issue escalated significantly. The village had been consulted and the tree removal had been monitored.
 - Petitioner stated that due to the HOA for the Portage Run development being dissolved, the applicant was seeking village guidance
- Commissioner Jaffe commented on the asphalt drive and the stone patio and mentioned that staff had recommended permeable asphalt and permeable pavers.
 - Petitioner clarified that the recommendation was for Redfield Drive that would separate lots 2 and 3. Asphalt had been approved for the individual drives.
 - Petitioner also stated that they were using half of the allowable permeable drive area for the service drive to the house due to its length.
 - In response to Commissioner Jaffe, Mr. Repp stated that the ERC could include anything in the motion, but to pursue permeable pavers in all areas where possible is a recommended standard.
- Commissioner Korling referenced the staff memo which stated that the applicant's engineer would have to demonstrate that the proposed plan did not negatively affect drainage in the area. She noted that there was no perched water table but heavy clay in the area and that staff would be reviewing specifically whether there would be any negative affect.
- Mr. Repp stated that as the exterior work on the home was completed, the patio would be installed, and the developer would restore and re-stabilize the area. He noted that as part of the final engineering permit, this would be a time to determine opportunity for addition of pervious pavers or any grading changes that might be necessary. The final engineering plan was not closed until the site was completely mitigated and all the standards within the code were met. Staff monitors situation as engineering plan is closed out.
- Commissioner Korling stated that the proposal was a good use of the outdoor space and the work appeared to be good quality.

In response to Commissioner Korling, Chairman Hughes was in agreement that it was unusual to review a proposal that was so far along. He mentioned that the village grading plan had been submitted and approved and would be modified to reflect the additional proposal now under discussion. He further mentioned that the ERC always reviewed whether detention was provided within a subdivision and in this area, concern was for mitigating impacts on ESA area. He felt that there would be little impact because they were working within the original envelope.

At this time, petitioner stated that they did have an updated grading plan that Mr. Canalia received earlier in the day (April 22, 2015) and distributed to commissioners for their review. He pointed out the flatness of the lot and felt that there should be little if any impact on the land. Chairman Hughes commented that there should not be any impact on the ESA area and from a storm water management standpoint, he was satisfied.

In response to Chairman Hughes, petitioner pointed out the downspout pipes shown on a photo via overhead. He explained that there were several around the pool area and water would flow naturally into grade. There was not one overburdening area but many downspouts for equal spread. Natural grass plantings would be planted beyond the pool deck for additional positive impact on water disbursement.

Regarding lighting around the pool area, petitioner pointed out lighting locations with the help of a photo and the overhead. Lighting in the rear of the home would be more incandescent and not spotlights were being proposed. There were lights around the door area and on the second floor balcony. There was a light shining down from the fire area into the rear yard for security reasons. Cameras were also installed on the rear of the home for security reasons.

In response to Chairman Hughes, there would be a custom rail fencing installed around the window well for safety reasons.

At this time, Commissioner Beck stated for the record that she felt some discomfort that work approved in 2002 was being constructed at this time. She stated that the tree ordinance had been updated since that time and questioned if the updated standards were being applied. She also pointed out that the village had a ban on the use of coal tar sealants and questioned if the applicant would be considerate of this. It has been found that sealants with coal tar were water soluble which would wash off into the land. This type of sealant was highly toxic in an ESA area.

In response to Commission Beck, Mr. Repp stated that Robyn Flakne has been doing her best to evaluate trees to be kept long term. It was necessary to remove ash and diseased trees to keep the disease from spreading and to provide safety for the homeowners. Mr. Repp felt that Ms. Flakne was evaluating with the original plan and attempting to preserve as much as possible. However, the removal of dead and/or diseased trees was done in a controlled manner and that the property was governed by both the current tree ordinance and the tree preservation plan that was included in the original development approval.

Petitioner commented that the site under discussion did not have to remove a lot of the existing trees. Property owners would like to have trees on property and intended to replant some of the trees, not all the same species, and would plant according to the schedule included in the development.

In response to Commissioner Derby Lewis, Mr. Repp clarified that a schedule of acceptable plant materials was included with the 2002 approval. Guidelines recommend that plant materials were to be consistent with surrounding areas.

Commissioner Beck suggested that the homeowners walk in the area to see what was growing in the surrounding area. She also stated that the Grove acquired letters written by the originals settlers, John Kennicott, to his brother that state the reason they settled in the Grove area in 1836 was because of the trees.

Petitioner stated that they had a plant list that was compiled by Burke Engineering and/or Greengard that lists approved plantings for this area. For example, the list indicates canopy style trees as opposed to evergreens. Commissioner Derby Lewis commented that she would encourage a higher profile planting as an example for others. She felt it was a nice opportunity to recreate the habitat and connect to existing habitat.

Commissioner Derby Lewis confirmed with Mr. Repp that the village had a list of approved plantings for this type of area. The list was development specific and staff could distribute to the commissioners. He added that the language was flexible yet strong and that monitoring was important and done by the ERC, Robyn Flakne and the Glenview Park District. Some flexibility was appropriate because of possible code changes.

Commissioner Beck commented to the applicant that the Park District was a good ally and Steve Swanson with the Grove was a good contact for advice and guidance.

Commissioner Korling questioned petitioner about the species of prairie grass they intended to use. Petitioner responded that he was not able to respond to any specific species and would have to defer to the landscape architect. He added that all conversations were based on expert opinion and their intent was to make the landscaping appear as a seamless integration to existing plantings. Commissioner Korling suggested reed grass as a good choice and to consider what was currently in the area.

At this time, discussion ensued regarding the Homeowners Association. Chairman Hughes felt that it was still in existence for the area. Petitioner clarified that he was referring to the HOA for the five lots on Portage Run until the lots were built. He further mentioned that the five lot HOA was dissolved due to the other association being dissolved as well. He felt that there was not a formal association that would govern the potentially be 16+ homes if lots subdivided. There was however, a working relationship with the neighbors that oversaw snow plowing, for example.

Chairman Hughes was concerned about who was responsible for the wetlands area. Mr. Repp stated that he was unsure of the HOA and whether the wetlands fell under its responsibility. He explained that HOA responsible for private roads, for example, frequently dissolve for various reasons without the village being aware of it.

Chairman Hughes mentioned the issue of sanitary sewers and other issues that homeowners would have to discuss and decide upon. Petitioner explained that the original developer attempted to recapture the sanitary sewer issue. Because the developer went defunct, several lots became bank ownership and/or into foreclosure. Petitioner stated that they were now talking with lot 4 and 5 owners regarding future construction and the village in an attempt to get the road in a more usable condition. The permit process was in place and the village was reviewing the original plan resulting in the current owners being responsible for what the original developer was supposed to do.

Chairman Hughes recommended that the village look at the common elements to develop a common plan to address potential issues should they occur. Mr. Repp stated that the village was reviewing the original plans as people developed their properties. Staff will review to see that a plan was in place. Petitioner mentioned that they had been interacting with the village to do an updates on the ESA area. A full report was done for lot 2 due to the wetlands on the southern section and it was determined that there was no impact on what was being proposed and discussed this evening.

Commissioner Korling clarified with petitioner that there was a filtration system for the pool. Petitioner explained that the intention was to have a more traditional style, chlorine based pool with the equipment on the northern portion in the storage area. The discharge was on the right NE corner and far away from the wetlands on the southern. Chairman Hughes felt that the discharge would not have any impact. Mr. Repp stated that the pool permit or any permit with discharge of water would be

reviewed by the engineers and had most likely been addressed in this case. He felt that the planned discharge area was the best location for the water discharge for this case.

Commissioner Derby Lewis discussed the prescribed fire management of woodland areas. She explained that fire was a natural way to maintain woodland area and that it was typically done by licensed professionals for protection of homeowner as well as natural habitat. Mr. Repp and Commissioner Jaffe found that it was noted in the 2002 development plan that prescribed burn was one of the ways to mitigate issues in the area.

There were no other questions or comments at this time. Chairman Hughes closed the public hearing and asked for commissioners final comments.

- Commissioner Korling commented that it was late to review the case but felt that the work done to date was appropriate. She commented on the eventual landscape and suggested that the owners take advantage of the village’s guidance and knowledge.
- Commissioner Jaffe recommended that the environmental management plan be updated. He also commended the developer for reducing the total area of the building envelope. He also felt that the management of the existing trees made sense but should be reflected in a formal amendment to the 2001 environmental plan that addressed burning, maintenance of the area, etc.
- Commissioner Jaffe suggested that the ERC recommend to the Plan Commission that the original document be amended to reflect reality.
- Chairman Hughes suggested that the village revisit the original plan to determine if it was an appropriate plan for the specific lot under discussion and for the area.
 - Mr. Repp commented that the village had been keeping with the “spirit of the plan” while allowing people to build and occupy homes.
 - Petitioner asked to clarify if there was a better way to present the property in terms of language versus picture on the plat of survey.
 - Mr. Repp stated that it was always better to show some type of drawing.
 - Chairman Hughes felt that it could be done simply by working with the village attorney.
 - Mr. Repp stated that a preliminary subdivision approval would be included with the Plan Commission approval and could be recorded from that.

At this time, petitioner stated that they had a more efficient plan that was better for the pool layout and increased the natural area. It was distributed to the commissioners for their review. The width of the pool was reduced and the length lengthened and fit within the original design of the pool area. Petitioner stated that rather than reducing the square footage by one square foot, the revised plan reduced it by 6-8 square feet. After brief review, consensus was that the newly submitted document was appropriate and had little impact on the ESA area.

At the suggestion of Commissioner Korling, a legend would be added to the site plan for clear understanding. Chairman Hughes was in agreement that a legend be added to the new plan and stated that it should also be noted a different plan was reviewed prior to the meeting, but the committee felt that the revision had little impact on the charges of the ERC.

In response to Commissioner Korling, petitioner explained that the 100 x 100 with 10 feet for grading was established and the attempt was to stay within that area. Documents indicate that the building was built within the approved building area. After reviewing the plan, Chairman Hughes confirmed that the building envelope was in place and suggests that the corners would not be disturbed at all.

Commissioner Beck stated that the village has an ordinance trying to have a buildable lot with constriction within the building area. The process is in place but could be considered unfair and cumbersome as well as dealing with changes in ordinances. However, in reviewing the case, the applicant had made a decent attempt to stay within the building envelope.

After additional comments were made, it was felt that a precedent should be established that could be uniformly addressed. It was also felt that there was a need for a package of information/guidelines to distribute to potential developers/owners to help plan more appropriately for this type of area. A plant list had been crafted and available for distribution to HOA at another development (Weekley Homes). Mr. Repp stated that the village now has standards for mitigation at the “front end”. Chairman Hughes felt that the applicant had done a good job in working with staff regarding the proposal.

Mr. Repp pointed out that the applicable code should be Article IX, Section 98-**457** and not 357 as shown in sample motion. Also, if the newly submitted plan would be approved in this motion, the date should be noted as **March 19, 2015** rather than February 16, 2015.

Commissioner Jaffe moved in the matter of ERC2015-001, 1725 Portage Run, that the Environmental Review Committee forward a positive recommendation to the Plan Commission based on the petitioner’s application materials, testimony and discussion relating to the petition which together demonstrated compliance with Chapter 98, Article IX, Section 98-457 of the Municipal Code, including the site plan prepared by Greengard and dated March 19, 2015, and that the applicant includes the Environmental Plan ERC-00-01, and in accordance with and inclusive of all items listed in the sample motion. Commissioner Beck seconded the motion.

Discussion:

Suggest that Point D be added to the sample motion stating, “In granting approval for this application that it is based upon the Environmental Plan previously submitted for case ERC-00-1”

Commissioners Jaffe and Beck were agreeable to the amendment to the motion.

Upon roll call, the vote was:

AYES: Commissioners Beck, Derby Lewis, Jaffe, and Korling,

NAYS: None

Motion passed.

There was no other business and Commissioner Beck moved to adjourn the meeting at 8:45 pm.

Respectfully submitted,

Janet Pomillo
Recording Secretary