

**THE VILLAGE OF HAWTHORN WOODS  
SPECIAL VILLAGE BOARD MEETING  
2 LAGOON DRIVE, HAWTHORN WOODS, ILLINOIS  
JULY 1, 2010  
7:00 P.M.  
MINUTES**

**I. CALL TO ORDER AND ROLL CALL**

Mayor Mancino called the meeting to order at 7:10 p.m. Roll call indicated the following members were present: Mayor Mancino, Trustees Riess, Ponzio, Morgan, Wright, Weick and Corrigan.

Also present were Chief Operating Officer Pam Newton, Chief Administrative Officer and Village Clerk Donna Lobaito, Village Attorney Dan Shapiro.

**II. PLEDGE OF ALLEGIANCE**

**III. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD \*\***

Minutes of this portion of the meeting were prepared by Angela Adesso-Phipps of Real-Time Reporters, Inc. and are attached as Exhibit A.

**IV. PUBLIC HEARING – DARTMOOR ANNEXATION AGREEMENT**

Minutes of the public hearing were prepared by Angela Adesso-Phipps of Real-Time Reporters, Inc. and are attached as Exhibit A.

**V. NEW BUSINESS**

A. A Resolution Authorizing the Mayor and Village Clerk of the Village of Hawthorn Woods to Enter Into a Certain Annexation Agreement – Hawthorn 45, LLC, Kildeer Outlots, LLC, Kildeer Three, LLC and Western Springs National Bank & Trust – Approximately 72 Acres Located Generally at the Northeast Corner of the Intersection of Quentin and Illinois Rt. 22

B. An Ordinance Annexing Property to the Village of Hawthorn Woods - Located Generally at the Northeast Corner of the Intersection of Quentin Road and Illinois Route 22 and the Northeast And Southeast Corners of the Intersection of Quentin Road and South Road

*\*\* Thank you for attending the Village of Hawthorn Woods Board meeting. If you wish to address the Board, please fill out the information sheet so that we can follow through with a direct response. If the item you wish to discuss is currently listed on the agenda, we ask that you wait to address the Board until the time that issue is being discussed.*

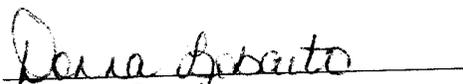
- C. An Ordinance Annexing Property to the Village of Hawthorn Woods – Pursuant to 65 ILCS 5/7-1-13 for Certain Property Located Generally West of Quentin Road and North and South of Illinois Route 22 and East of Telser Road
- D. Motion Approving an Ordinance Adopting an Amendment to the Comprehensive Plan in and for the Village of Hawthorn Woods
- E. Adoption of the Plan Commission’s Findings of Fact – Hawthorn Woods
- F. Adoption of the Plan Commission’s Findings of Fact – Cypress Grove I, LLC and Kildeer Two, LLC
- G. An Ordinance Zoning Land Newly Annexed to the Village of Hawthorn Woods, Granting Certain Other Relief – Approximately 15.82 Acres Located Generally at the Northeast Corner of the Intersection of Quentin Road and Illinois Route 22
- H. An Ordinance Zoning Land Newly Annexed to the Village of Hawthorn Woods, Granting Certain Other Relief Approximately 74 Acres Located Generally at the Northeast and Southeast Corner of the Intersection of Quentin Road and South Road
- I. An Ordinance Approving An Economic Incentive Agreement For Property Consisting of Approximately 15.75 Acres Located at the Northeast Corner of Quentin Road and Route 22
- J. An Ordinance Annexing Property to the Village of Hawthorn Woods – Pursuant to 65 ILCS 5/7-1-13 for Lot 13 in the Cypress Grove Subdivision Located Generally at the Northeast Corner of the Intersection of Quentin Road and Illinois Route 22
- K. An Ordinance Granting Final Plat Approval and Granting Engineering Plan Approval - ± 68 Acres Cypress Grove Subdivision

Minutes of this portion of the meeting were prepared by Angela Adesso-Phipps of Real-Time Reporters, Inc. and are attached as Exhibit A.

**VI. ADJOURNMENT**

There being no further business, the special meeting adjourned at 8:51 p.m.

Respectfully submitted,

  
Donna L. Lobarino  
Village Clerk

THE VILLAGE OF HAWTHORN WOODS )  
SPECIAL VILLAGE BOARD MEETING )

Report of Proceedings taken in the  
above-entitled matter, taken at 2 Lagoon Drive,  
Hawthorn Woods, Illinois, on the 1st day of July,  
2010, at the hour of 7:00 p.m.

APPEARANCES:

MAYOR JOSEPH MANCINO

KELLY CORRIGAN, TRUSTEE

JOANNE WEICK, TRUSTEE

CLIFF WRIGHT, TRUSTEE

PAMELA NEWTON, CHIEF OPERATING OFFICER

DANIEL SHAPIRO, VILLAGE ATTORNEY

NEIL MORGAN, TRUSTEE

PETE PONZIO, TRUSTEE

STEVE RIESS, TRUSTEE

DONNA L. LOBAITO, CHIEF ADMINISTRATIVE OFFICER

1           MAYOR MANCINO: Good evening, and welcome to  
2 the Village of Hawthorn Woods Special Village Board  
3 Meeting for July 1st, 2010.

4           Donna, can you please take the roll.

5           MS. LOBAITO: Trustee Ponzio.

6           TRUSTEE PONZIO: Here.

7           MS. LOBAITO: Trustee Riess.

8           TRUSTEE RIESS: Here.

9           MS. LOBAITO: Trustee Morgan.

10          TRUSTEE MORGAN: Here.

11          MS. LOBAITO: Trustee Wright.

12          TRUSTEE WRIGHT: Here.

13          MS. LOBAITO: Trustee Weick.

14          TRUSTEE WEICK: Here.

15          MS. LOBAITO: Trustee Corrigan.

16          TRUSTEE CORRIGAN: Here.

17          MS. LOBAITO: Mayor Mancino.

18          MAYOR MANCINO: Here.

19          Please rise for the pledge.

20                           (The pledge of allegiance.)

21          MAYOR MANCINO: Thank you. On our agenda is  
22 opportunity for the public to address the Board, but I  
23 would like to clarify we are going to be holding a  
24 public hearing this evening, and at this time, if there

1 is anybody in the public that would like to address our  
2 Board about any matters that are part of the public  
3 hearing, now would be the time to do that. We could  
4 spend a couple moments doing that. Otherwise, we will  
5 have an opportunity for the public to address this Board  
6 during the public hearing session.

7 If you could step up to our podium. Please  
8 state your name and address.

9 MR. WOOTEN: My name is Dennis Wooten,  
10 W O O T E N. My address is 21854 West Highway 22, Lake  
11 Zurich, Illinois.

12 My property is located and known as Cedar Hill  
13 Nursery. We're on the northwest corner of Route 22 and  
14 Quentin Road. I've got a few points I want to bring up  
15 concerning this meeting.

16 First of all, when did you notify me of  
17 annexation? Secondly, how did you notify me of this  
18 hearing pertaining to my property? Third, I would like  
19 to know why you're attempting to annex my property. The  
20 fourth thing, I did not sign any petition to be annexed  
21 by your Village.

22 The fifth point I would like to bring up is, I  
23 do plan on annexing into the Village of Lake Zurich.  
24 Only notice I was given, concerning the Dartmoor Homes

1 property across the street and was at the last meeting  
2 on Monday evening, and nothing was brought up about  
3 what's on the agenda tonight.

4 MAYOR MANCINO: Thank you very much for your  
5 comments. I believe we did post -- When was the date we  
6 posted this annexation notice?

7 MR. WOOTEN: I have it with me. There's no  
8 reference to my property.

9 MAYOR MANCINO: I'm pretty certain we posted  
10 it.

11 MR. SHAPIRO: The notice for the annexation of  
12 the property, which includes your property,  
13 Mr. Wooten, was published timely in the Daily Herald. A  
14 mailed notice for the annexation, which I think you're  
15 referring to is 7/1/13, and mailed certified notice is  
16 not required in the statute for that type of proceeding.

17 I would be happy to give you a copy of the  
18 publication in the Daily Herald for your reference.

19 MR. WOOTEN: I have it, sir. There's nothing  
20 here talking about my property.

21 MR. SHAPIRO: Your property was legally  
22 described in the newspaper, which includes your  
23 property.

24 MS. NEWTON: Donna, do you have that date

1 handy?

2 MR. WOOTEN: I'm not owned by Dartmoor Homes.

3 MR. SHAPIRO: I don't know what notice you're  
4 looking at.

5 MR. WOOTEN: The one you sent me certified  
6 mail.

7 MR. SHAPIRO: That's a difference notice.  
8 You're referring to the notice that you were sent for  
9 the public hearing of Dartmoor Homes, which occurred  
10 just a couple days ago Monday night.

11 There was another notice published in the Daily  
12 Herald for a different type of annexation, which is the  
13 annexation we're referring to -- which I'm referring to  
14 as Annexation 7/1/13.

15 MR. WOOTEN: My question. Why did you feel it  
16 necessary to send me certified mail pertaining to the  
17 Dartmoor Property. You didn't have the courtesy to send  
18 that certified mail to me pertaining to my own property.

19  
20 MR. SHAPIRO: All I can tell you is I believe  
21 that notice that you received was notice that was sent  
22 by Dartmoor for their hearing, and the notice that was  
23 sent in the newspaper was sent --

24 MR. WOOTEN: Do you see a problem with that,

1 moral problem?

2 MR. SHAPIRO: I just want to finish my  
3 sentence. And the notice that was published in the  
4 newspaper for 7/1/13 was published pursuant to State  
5 statute.

6 MR. WOOTEN: Do you see a problem with that?

7 MR. SHAPIRO: What I see is what follows State  
8 statute.

9 MR. WOOTEN: It seems very sort of behind the  
10 back door type deal. Is that all you have to say?

11 Why do you want to annex me? What's the  
12 reason?

13 MAYOR MANCINO: Because we feel it's in the  
14 best interests of this Village.

15 MR. WOOTEN: It has no reference to the  
16 Lake County zoning plan that's currently been in place  
17 for the last 25 years?

18 MAYOR MANCINO: I'm not understanding your  
19 question.

20 MR. WOOTEN: Are you familiar -- You're  
21 familiar with the zoning -- plat of zoning for the  
22 Village of Lake County, for the County? The land use  
23 plans for Lake County?

24 MAYOR MANCINO: Am I familiar with it?

1 MR. WOOTEN: Yes.

2 MAYOR MANCINO: Yes.

3 MR. WOOTEN: Where do I lie?

4 MAYOR MANCINO: I'm not certain. I don't know  
5 them all off the top of my head. I'm not understanding  
6 what your question is.

7 MR. WOOTEN: If you look at your land use plan,  
8 I'm already commercially zoned in the County of Lake  
9 County and under the jurisdiction the property boundary  
10 of Lake Zurich.

11 MAYOR MANCINO: So what is your question?

12 MR. WOOTEN: Why are you annexing me?

13 MAYOR MANCINO: We are annexing you because we  
14 feel that is in the best interests of our Village.

15 MR. WOOTEN: Hawthorn Woods?

16 MAYOR MANCINO: Correct.

17 MR. WOOTEN: Why? What about my interests?

18 MAYOR MANCINO: Certainly we can discuss that  
19 after this meeting.

20 MR. WOOTEN: I wasn't notified. Just some  
21 common courtesy versus if I try to read a legal  
22 description that's 20 pages you put in the paper I need  
23 to be a surveyor am to figure out.

24 I find it sort of funny that I got a notice of

1 a hearing concerning the property across the street,  
2 which then I did attend just to see what was going on on  
3 Monday.

4 And come Monday and at this point, at this  
5 meeting, you're not showing anything on your exhibits  
6 concerning Part C, D, and E of your agenda tonight. All  
7 the sudden, nothing was mentioned during that meeting on  
8 Monday about this.

9 MAYOR MANCINO: That meeting was very specific  
10 to the annexation for Dartmoor?

11 MR. WOOTEN: That's what I had notice to. I  
12 find it -- It's not very courteous for me as a resident  
13 and businessman of this town for 30 years. Got me?  
14 That's where I'm --

15 MAYOR MANCINO: I understand your comments, and  
16 I appreciate your comments?

17 MR. WOOTEN: There's proper ways to go about  
18 doing business --

19 MAYOR MANCINO: Thank you very much --

20 MR. WOOTEN: I just want you to know we will be  
21 entering --

22 MAYOR MANCINO: -- for your comments.

23 MR. WOOTEN: Entering an agreement with Lake  
24 Zurich.

1           MAYOR MANCINO: Thank you very much. Any other  
2 comments for anything not pertaining to our public  
3 hearing?

4           MR. VITAS: Bob Vitas, Village Administrator of  
5 the Village of Lake Zurich, 70 East Main Street, Lake  
6 Zurich, Illinois 60447.

7           Good morning, Mayor Mancino, members of the  
8 Board.

9           I came to make a statement on behalf of the  
10 Village, which I would like read into the record of the  
11 minutes tonight. I'm going to read it to the Board.

12           The Village of Lake Zurich must state its  
13 official objection to the wholesale annexation of the  
14 Village of Hawthorn Woods annexation of properties west  
15 of Quentin Road, both north and south of Illinois Route  
16 22.

17           Any such action is in clear violation of the  
18 1998 intergovernmental agreement, which clearly  
19 established boundary limitations upon both Lake Zurich  
20 and Hawthorn Hoods.

21           This legally binding agreement identified that  
22 all properties east of Quentin Road would eventually be  
23 annexed until Hawthorn Woods, while all properties west  
24 of Quentin Road would eventually be annexed into Lake

1 Zurich.

2 Further, the Village of Lake Zurich Facilities  
3 Planning Area and Comprehensive Plans both identified  
4 these properties as being within Lake Zurich and that  
5 all public utilities will be and shall be provided by  
6 Lake Zurich.

7 Without any further comments, I am requesting  
8 on behalf of the Village of Lake Zurich that the Village  
9 of Hawthorn Woods cease any attempt to annex any  
10 properties located west of Quentin Road on both the  
11 north and south side of Illinois Route 22.

12 I am further requesting that the Village of  
13 Hawthorn Woods honor the intergovernmental agreement  
14 between the two communities and commit to do so now and  
15 well into the future.

16 Last, the Village of Lake Zurich will honor its  
17 commitment in the intergovernmental agreement and will  
18 not object to the annexation of properties east of  
19 Quentin Road.

20 We do, however, object to any attempt to rezone  
21 the southernmost 15.75 acres of the property located  
22 north and adjoining Illinois Route 22 and west of  
23 Quentin Road to any zoning classification outside of a  
24 residential classification. I'll let that be the record

1 for the Village of Lake Zurich going forward.

2 MAYOR MANCINO: Thank you, Mr. Vitas.

3 Thank you.

4 MS. BRANDING: Good evening, Mayor Mancino,  
5 elected officials. I'm Suzanne Branding. I'm the  
6 village president in Lake Zurich, and I'm here this  
7 evening representing the Village of Lake Zurich and the  
8 residents of Lake Zurich.

9 I am here to strongly and officially object to  
10 Item C on your agenda, which is the annexation of  
11 property west of Quentin Road and north and south of 22  
12 to Telser Road.

13 As you well know, the Village of Lake Zurich  
14 and the village of Hawthorn Woods have boundary  
15 agreement, and this property that you're planning on  
16 annexing is clearly to the side of the Lake Zurich  
17 boundary.

18 We would ask the trustees that you take this  
19 seriously, not focus in this evening, and we would also  
20 ask the elected officials and the staff to sit down with  
21 the elected officials and the staff of Lake Zurich to  
22 discuss this further. Thank you.

23 MAYOR MANCINO: Thank you, President Branding.

24 Thank you.



1 the guests tonight in Village Hall how we got to this  
2 motion tonight and the journey that this relationship  
3 has taken over the years. So before getting into the  
4 business for tonight, we thought it would be helpful to  
5 recall that the Petitioner -- that I will use a couple  
6 words interchangeably, Dartmoor Homes or Cypress Grove  
7 filed a request to the Village of Hawthorn Woods for  
8 annexation and rezoning.

9 In order to annex this Petitioner's property,  
10 statutes dictate that there be a public hearing for the  
11 Plan Commission to determine any zoning which would be  
12 part of that annexation agreement, and that hearing did  
13 take place this Monday, June 28.

14 The Village was an applicant for an R-2 single  
15 family residential zoning.

16 After months of exhaustive research and years  
17 of judicial oversight, appeals, and court orders, this  
18 area is now available for the Village to act on the  
19 request of the Petitioner.

20 Earlier this year, the State of Illinois  
21 Appellate Court Second District rendered that the Court  
22 Order allowed this request as final and that it shall  
23 stand as a mandate of the Court.

24 The Village tonight will be considering a

1 request to assume the development already under  
2 construction in unincorporated Lake County.

3 Staff has recommended that R2 single family  
4 zoning is consistent with surrounding Hawthorn Woods  
5 neighborhoods, specifically Lakewood Meadows, and for  
6 the sake of the audience Lakewood Meadows is rendered as  
7 an exhibit for you.

8 Lakewood Meadows is zoned in the Village of  
9 Hawthorn Woods as R2 single family and consists of  
10 residential lots ranging from 11,200 square feet per lot  
11 to 17,676 square feet per lot. These standards were  
12 used as a basis for staff's recommendation.

13 Philosophically the Village Staff believes that  
14 this request to rezone follows the residential areas and  
15 land use categories found on Page 21 of the Village's  
16 comprehensive plan that supports moderate density  
17 residential areas with single family lot sizes ranging  
18 from 8,500 square feet to 20,000 square feet.

19 This area meets the suggestion that the  
20 moderate density residential areas in our town be served  
21 with sanitary sewer and potable water from deep  
22 aquifers.

23 The Village of Hawthorn Woods currently  
24 provides water service through Aqua Illinois servicing

1 the Dartmoor parcel.

2 Village staff and the officials have met with  
3 many of the affected homeowners over the past years,  
4 working to abate as many possible concerns resulting  
5 from this petition.

6 Over the course of many years and two  
7 administrations, the mayors have met with many of the  
8 homeowners to discuss their concerns, and to that end I  
9 did present actually and to the Plan Commission letters  
10 signed by Mayor Mancino and myself ensuring that this  
11 rezoning does not affect the current tax structure of  
12 these residents who are already in and occupying their  
13 home for as long as they do own and occupy the  
14 structure.

15 The Village is considering tonight an  
16 assumption of the already approved plat of subdivision  
17 from Lake County that was approved in 2007; and as such,  
18 the Village will inherit the reviews of all regulatory  
19 agencies, and I would like to list them for the Board.

20 That would be the Lake County Planning and  
21 Zoning Committee, the Lake County Department of  
22 Transportation, the Lake County Storm Water Management  
23 Commission, the Ela Township Highway Commissioner  
24 recommendations, the Lake County Clerk, the surface

1 water drainage certification that rides with the parcel,  
2 the regional superintendent of schools, and the local  
3 school district fees contribution letters of agreement  
4 as well as professional engineering plans and  
5 professional landscape designs and all other agencies  
6 that have signed the final plat of this subdivision.

7 The Village under these circumstances will not  
8 require the effective lots to comply with our current  
9 bulk regulations as previously outlined.

10 In essence, these lots will merely reflect a  
11 different zoning designation and will remain unchanged  
12 in their existing setbacks and bulk regulations.

13 So tonight the Board will also consider an  
14 ordinance to amend our comprehensive plan to be  
15 consistent with this future development.

16 As a result of the Village's submittal of legal  
17 requirements of notices, we sent -- pertaining to these  
18 requests, we submitted our affidavit, our notice, our  
19 mailing list, pictures of the posted signs,  
20 certification of the publication and letters to the  
21 homeowners representatives granting leave of the village  
22 requirements in these already occupied homes, and I'm  
23 referring to those homes occupied by forest lake  
24 residence and the Kildeer Estates, commonly known as the

1 Dartmoor Cypress Grove subdivision.

2 Finally, Board members, as a result of the  
3 public hearing on June 28, all members of the public  
4 were heard, and plan commissioners received a packet of  
5 written comments that were submitted to the Village, as  
6 well.

7 I would like to remind you that also at your  
8 place are another copy of the written comments that the  
9 Village has received regarding the annexation and/or  
10 rezoning of this parcel.

11 Trustees have these comments recorded, whether  
12 the residents were in attendance or if they sent  
13 something by way of email or phone call.

14 The plan commission recommended all motions on  
15 the agenda on that night with a favorable ruling, four  
16 votes positive to one negative.

17 There was a condition placed on the southern  
18 15.75 acres requesting public notification for all  
19 citizens within 300 feet of the subject property to  
20 inform them if or when a nonresidential site development  
21 plan would ever be considered before the Village of  
22 Hawthorn Woods.

23 Notice would also be sent to the neighboring  
24 villages, according to the plan commission's

1 recommendations.

2 And that, Mayor Mancino, is a synopsis of the  
3 history that brings us here tonight, and CAO Lobaito has  
4 additional staff history and findings of fact.

5 MS. LOBAITO: Thank you, Pam. Later on in the  
6 agenda tonight, the Village Board will be asked to  
7 consider the findings of fact from the plan commission.  
8 These are the findings that were presented as a result  
9 of a public hearing held on Monday night.

10 I have been asked to summarize the findings of  
11 fact for you, but you will find a complete copy in your  
12 packets.

13 The Village of Hawthorn Woods petitioned the  
14 plan commission to rezone certain lots within the  
15 Dartmoor/Cypress Grove subdivision, and Lots 14 through  
16 29, inclusive, in the Forest Lake subdivision, which was  
17 previously a part of a court supervised annexation  
18 petition from R3 residential district in Lake County to  
19 R2 one-family residence district within the Village of  
20 Hawthorn Woods.

21 Hawthorn Woods also requested that the plan  
22 commission amend the Village's comprehensive plan to be  
23 consistent with the rezoning.

24 A public hearing was conducted on June 28th

1 before the plan commission of the application materials,  
2 testimony, and exhibits submitted by the Village of  
3 Hawthorn Woods and its consultants, the comments and  
4 testimony submitted by the community and the reports of  
5 the Village staff.

6 The recommendation of the plan commission was  
7 to approve the rezoning to R2 one-family residence  
8 district in Hawthorn Woods.

9 The Village also explained to the plan  
10 commission that it sought to adopt the final plat of  
11 Cypress Grove subdivision approved by Lake County and  
12 recorded on January 9, 2007 as its own.

13 As a result, the aforementioned lots will  
14 reflect a different zoning designation, R2, and remain  
15 unchanged in their existing bulk regulations.

16 The proposed use related zoning designation is  
17 consistent with the comprehensive plan amendment. At  
18 the end of meeting, the plan commissions carefully  
19 reviewed the findings of fact and recommended them for  
20 consideration by the Village Board.

21 The Plan Commission has also forwarded onto the  
22 Village Board the findings of fact related to the  
23 Cypress Grove and Kildeer 2's application for rezoning  
24 of Outlot A, Outlot B, Lot 1, Lot 3 through 6, both

1 inclusive, Lot 9, Lot 14 through 71, both inclusive, Lot  
2 73 through 105, both inclusive, and Lot 110 in Cypress  
3 Grove from R3 zoning in Lake County to R2 one-family  
4 residence district in Hawthorn Woods, rezoning of the  
5 southern 15.75 plus or minus acres to be retail business  
6 commercial district, effective upon site plan approval,  
7 which will require the Village to cause notification  
8 letters to be sent via regular mail to those property  
9 owners who live within 300 feet of the subject property  
10 and to the Villages of Lake Zurich and Kildeer no  
11 earlier than 30 days nor less than 15 days prior to any  
12 public meeting regarding site plan review by the plan  
13 commission so that these property owners' comments can  
14 be heard.

15 A public hearing was conducted on June 28,  
16 2010, before the plan commission of the application  
17 materials, testimony, and exhibits submitted by the  
18 Cypress Grove, LLC and Kildeer Two LLC, and its  
19 consultants, the comments and testimony submitted by the  
20 community.

21 The applicant originally petitioned the Village  
22 of Hawthorn Woods for a comprehensive plan amendment,  
23 annexation, zoning map amendment, text amendment,  
24 special use for a planned unit development, final

1 subdivision approval and final planned unit development  
2 plat approval to allow either single family residential  
3 development or mixed use residential and commercial  
4 office development on the property.

5 At the conclusion of the hearing, the applicant  
6 clarified its request that it was seeking R2 zoning on  
7 all 68 plus or minus acres unless and until the southern  
8 15.75 plus or minus acres is rezoned to be only  
9 effective upon site plan approval.

10 Applicant also withdrew its request for a text  
11 amendment in that it had been previously addressed in  
12 the Village's zoning ordinance.

13 Thomas Burney testified on behalf Dartmoor,  
14 along with Steve Lennon, William A. Myers, Junior, and  
15 Brian Taylor.

16 The Village comprehensive plan amendment  
17 designates its property as residential and retail uses,  
18 and the proposed use related zoning designations are  
19 consistent with the comprehensive plan amendment.

20 At the end of the meeting the plan  
21 commissioners carefully reviewed the findings of fact  
22 and recommended them for consideration by the Village  
23 Board.

24 MAYOR MANCINO: Thank you, Ms. Lobaido, I

1 believe our petitioners from Dartmoor are here and might  
2 be willing to offer some comments, as well.

3 MR. KENNY: Good evening, Mayor Mancino. I  
4 will give our cards to the court reporter.

5 Mayor Mancino, members of the Village Board.  
6 My name is Thomas Burney. I'm from Schain, Burney Banks  
7 & Kenny. I'm here representing Cypress Grove, LLC,  
8 Kildeer Three, LLC, Kildeer Outlots, LLC, and Hawthorn  
9 45 LLC. I'm here today with my partner Robert C. Kenny  
10 and Brian Taylor, who is representing the Cypress Grove  
11 as well as the Kildeer entities.

12 This is a properly noticed hearing on an  
13 annexation agreement. Notice was published in the  
14 newspaper, as required by State statute, not less than  
15 15 days before the hearing. Notice was also sent to the  
16 appropriate township officials in the event the Village  
17 would act on the annexation.

18 I have the affidavit of service. I will tender  
19 that to Ms. Lobaito at the conclusions of my remarks.  
20 We received all the green cards back, indicating that  
21 everybody who was entitled to receive notice so received  
22 it.

23 As your staff has indicated, the property  
24 that's before you consists of approximately 68 acres.

1 That's the property which is the subject of annexation  
2 agreement.

3 This property is located at the northeast  
4 corner of Quentin and Route 22. The property and 13  
5 other lots. Our property consists of 97 of the 110  
6 lots. There's 13 other lots. Those were approved in  
7 2007 by Lake County for a final subdivison plat for 110  
8 lots. That was approved.

9 As Ms. Newton said, before the County was to  
10 approve that, it went through a rigorous review by many,  
11 many agencies. It had to secure many permits before  
12 construction could start.

13 My client owns 97 of the 110 lots and the two  
14 outlots. They present to you an annexation that has  
15 been an -- an annexation agreement that has been a  
16 product of a significant amount of negotiation and a lot  
17 of time and talent that's come from your staff,  
18 including Mr. Shapiro, Ms. Newton, and Ms. Lobaito, and  
19 we thank them for all the time and talent over the last  
20 two or three weeks. It's been really a testament to  
21 what a fine staff you have.

22 The agreement is for 20 years, as the State  
23 statute requires, and it conditions -- it sets forth the  
24 conditions, the road map, the blue prints, so to speak,

1 of how this land will develop, and it sets the ground  
2 rules for how it's going to develop, and that's what an  
3 annexation agreement is all about.

4 We are bound to be part of your community and  
5 develop the property pursuant to those requirements, and  
6 conversely you are bound to follow those requirements as  
7 we move forward. We're looking forward to this  
8 partnership and think it will be beneficial to all of  
9 us.

10 One of the elements in an annexation agreement  
11 is the future land use, and Ms. Lobaito described three  
12 or four types of relief we're asking, amendment to  
13 comprehensive plain to make what we're proposing  
14 consistent with what your long-term goals are; two,  
15 rezoning or map amendment of this ground to the R2  
16 zoning district, and really an assumption of everything  
17 that the County has done, the annexation agreement  
18 allows you to do that.

19 Thirdly, the zoning of this 15.75 acres to a B  
20 district zoning classification subject to site plan  
21 approval and that the B zoning is not going to go into  
22 effect until this body, after review by the Plan  
23 Commission, and as Ms. Lobaito said, after the property  
24 owners within 300 feet of this property have been

1 notified and are given the opportunity to appear before  
2 the Plan Commission for a site plan approval  
3 recommendation.

4 It's then going to come to you, and you're  
5 going to make the decision to zone it, approve the site  
6 plan, and then effective on that occasion, the property  
7 will be zoned in the commercial district.

8 As you know, the Plan Commission voted four to  
9 one in favor of this. I want to highlight some of the  
10 reasons why they recommended this.

11 As was indicated Mr. Lenid testified on our  
12 behalf. He talked about the impacts of property located  
13 at a singlized intersection like this, what kind of  
14 impacts that has in future use and development of the  
15 property, talked about the channelization that occurs.

16 He really surveyed the Route 22 corridor from  
17 the lake all the way out to 12, and talked about the  
18 other high quality communities like Hawthorn Woods that  
19 have located commercial development at interactions like  
20 this, starting with Lake Forest, moving into  
21 Bannockburn, moving into Lincolnshire, moving into  
22 Buffalo Grove, moving into Long Grove.

23 And then the neighbor to the west,  
24 Lake Zurich, has approved a substantial amount of

1 commercial development along this Route 22 corridor, and  
2 it has been a source of great income for that community  
3 in terms the types of activity that have taken place on  
4 Route 22 and 12.

5 We also learned during the course of the  
6 hearing that Lake Zurich has recommended the property  
7 which is at the northwest corner of this intersection  
8 for commercial development, and we heard the gentleman  
9 who owns the nursery talk about that and his plans for  
10 commercial development of the property.

11 At least once of the Plan Commission members  
12 asked the members from Lake Zurich why is it okay to  
13 have commercial on the west side of Quentin Road, but  
14 not on the east side. And with all due respect, I don't  
15 think there was really a credible explanation for that,  
16 and there isn't.

17 It makes sense at an intersection like this to  
18 have high quality neighborhood types of commercial, and  
19 that's why we're requesting it.

20 I'm not going to spend a lot more time. The  
21 Plan Commission heard over four hours of testimony.  
22 Another stellar effort on the part of one of your bodies  
23 and by your chairman.

24 After hearing four hours of testimony, we had

1 the opportunity to listen to all that testimony, and we  
2 made some substantial changes of the annexation  
3 agreement which Mr. Taylor is going to talk about. But  
4 there's some themes that I suspect that you're going to  
5 hear that we heard over and over again, and I want to  
6 respond to that because we're not going to be getting  
7 into a debate tonight. This is the last time I'll be  
8 speaking.

9 One is that Dartmoor homes wasn't honest with  
10 the neighborhoods when they were circulating the  
11 petition.

12 Mr. Taylor was the one who circulated that  
13 petition, and he's going to stand up in front of you and  
14 tell you he told the people, when he was asking them to  
15 sign this petition, that he intended to use this  
16 property for commercial, that 15.75 acres. So people's  
17 memories -- you start to lose your memory, start to  
18 forget what people told you.

19 We had to go through a court process for the  
20 Court to bless this annexation. If there had been some  
21 deception, this would have been an argument that could  
22 have been raised and would have been a basis for  
23 disowning their petitions. Nothing of the kind was ever  
24 raised this court proceeding.

1           Second of all, there will be claims that the  
2 process that we're proposing with the B zoning being  
3 effective upon the -- approval by this body of the site  
4 plan. That is a check and balance. We think that is  
5 totally appropriate, and it's forbidden under the State  
6 statute which you operate.

7           Third, you're going to hear that we didn't  
8 listen, and Mr. Taylor is going to talk about many of  
9 the changes that we made in this development and this  
10 annexation agreement that have been responsive to the  
11 legitimate concerns of the community.

12           After you heard the testimony, we respectfully  
13 request that you authorize your mayor to execute this  
14 annexation agreement, that you authorize the zoning  
15 requests, the conference plan amendment, the final  
16 subdivision and approval, and we look forward to working  
17 with all of you in the future. Thank you. Brian.

18           MR. TAYLOR: Good evening. Good evening, Mayor  
19 Mancino, and members of the Village Board.

20           TRUSTEE RIESS: Sir, would you state your name  
21 and affiliation for the the record, please.

22           MR. TAYLOR: My name is Brian Taylor, executive  
23 vice president of Dartmoor homes.

24           TRUSTEE RIESS: Thank you, sir.

1 MR. TAYLOR: I would like to thank everybody  
2 for the opportunity to present before you tonight, and I  
3 just would like to talk about a couple things.

4 On Monday night, we presented before your Plan  
5 Commission our case for the zoning of our property for  
6 R2 within the Village of Hawthorn Woods. And I want you  
7 to know we did hear the concerns of the residents, many  
8 of which were behind us that night. Of those concerns,  
9 we would like to incorporate as many as we can within  
10 our annexation agreement.

11 We would like to provide a park site for our  
12 residents that are within the Cypress Grove development.  
13 Within the park site, we would like to take \$22,868 and  
14 donate it to the Village of Hawthorn Woods to be used  
15 for our -- a tot lot for a park site.

16 We would also like to -- we also heard many  
17 residents complain about some of the different uses that  
18 could be put at the corner.

19 Of those uses included a pawn shop, a gas  
20 station, any sort of gun sales, any sort of ammunition  
21 sales, and we would like to specifically ask that these  
22 uses be prohibited from our annexation agreement.

23 We also heard about the idea of many of our  
24 residents not liking the idea of commercial being down

1 there on the corner.

2 What we would like to do is stress that the  
3 commercial will not go past the 15.75 acres, and within  
4 the 15.75 acres we would like to do everything possible  
5 from an engineering standpoint to either build a berm/a  
6 buffer and do anything we can with landscaping to buffer  
7 it as much as we can from the residential.

8 We ourselves have a large stake in the  
9 residential that's contained within the rest of the  
10 development, and we're not looking to do anything that  
11 would devalue the value of our homes. We would like to  
12 have a partnership with Hawthorn Woods, and we would  
13 like this to be a development everybody can be proud of.

14 Lastly, I just would like to reiterate that we  
15 understand that this is going to be the entryway to your  
16 community.

17 We would like to rezone the property at the  
18 corner ultimately for some commercial upon a site plan  
19 approval. We want this to be a development everybody  
20 can be proud of.

21 Within that being proud of, I want to make it  
22 clear that, I did personally meet with each of our  
23 residents that lived in the subdivision, and I want  
24 everybody to know I was very up front about the

1 commercial. I wanted everybody to know that we thought  
2 the commercial was good for the rest of the development  
3 together.

4 I presented exhibits that would show there  
5 would be landscaping, that there would be buffers, that  
6 there would not be townhomes on the site, only on the  
7 commercial, and we would buffer it as much as we  
8 possibly could from that standpoint.

9 There were concerns raised early on from some  
10 of the residents that they did not want to have  
11 commercial there. I understood that. I explained to  
12 them that this was not going to be detrimental to them,  
13 but I did hear concerns up front from everybody, and I  
14 did meet with everybody multiple times and tried to  
15 appease everybody as much as I could, while still taking  
16 into account our opinion of what we thought was going to  
17 be best for the overall community.

18 As our attorney, Tom, said, we aren't looking  
19 to do anything as a bailout. We believe this project  
20 will be a great addition to the Village of Hawthorn  
21 Woods, and we believe that the commercial and everything  
22 that's within the development is going to be something  
23 that we can all be proud of.

24 With that, I ask that you approve our

1 annexation agreements, any changes, requests, or  
2 anything that you have. Bob, Tom, and I will be happy  
3 to answer any questions that you have.

4 MAYOR MANCINO: Thank you, Mr. Taylor.

5 MR. TAYLOR: One last thing, if I didn't  
6 mention it. One concern that we had was how long it was  
7 going to take for us to find a commercial developer to  
8 present a site plan to your community.  
9 With that, we can't make any predictions of what's going  
10 to happen with the economy.

11 We would like to make a guarantee or have  
12 something written into the agreement that, if we have  
13 not had a commercial developer present a site plan to  
14 within four years, we will agree to come back. I don't  
15 see any reason why we can't come back before the years,  
16 but have something written that during the four years  
17 we'll come back continually, give you updates on who we  
18 met with, where we sit, what the status is on the  
19 development, and we will be happy to answer any  
20 questions that you have along that.

21 MAYOR MANCINO: Thank you, Mr. Taylor. I just  
22 wanted to clarify. You mentioned those uses that were  
23 brought up as concerns of the Plan Commission that we  
24 discussed, and those would be prohibited, not excluded,

1 from the annexation agreement.

2 MR. TAYLOR: Yes. They would be prohibited.

3 MAYOR MANCINO: That's what I thought you  
4 meant. I appreciate that. Our residents don't want any  
5 types of those uses on that corner. I can't speak for  
6 the entire Board, but I would not like to see any of  
7 those uses on that corner either.

8 The uses that we are prohibiting, based on the  
9 discussions and based on Plan Commission, that we came  
10 up were gas stations, cell towers, car washes, adult  
11 uses, any cemeteries or crematoriums, funeral homes,  
12 pawn shops, firearm sales, or ammunition sales.  
13 Regardless of any requirements in the B zoning, those  
14 are being prohibited based on our annexation agreement,  
15 not excluded, prohibited.

16 MR. TAYLOR: I apologize.

17 MAYOR MANCINO: No problem. I just wanted to  
18 make that clear. Thank you. Thank you, Mr. Taylor.

19 At this time, I would like to open the floor to  
20 any public comment regarding the annexation. If you  
21 would like to make a comment, if you made a comment this  
22 Monday at our Plan Commission meeting, please know they  
23 have all specifically been shared with this Board and  
24 digested and processed. If you would like to make a

1 comment, you can step up to the podium, please just  
2 state your name and address, and make your comment.

3 MS. BLACK: Good morning, Mayor Mancino. Good  
4 evening, fellow trustees. My name is Nandia Black. I  
5 am the Village President of the Village of Kildeer.  
6 Thank you for allowing us to address the Board this  
7 evening.

8 I am here tonight to formally state and  
9 reiterate our Village's express desire to maintain the  
10 residential character of a northeast section of  
11 Route 22 and Quentin.

12 I would also ask of this Board and request this  
13 Board to accept and adopt in full your planning  
14 commission's recommendation that notice be provided to  
15 the surrounding villages. That would be Lake Zurich,  
16 Kildeer, and any residents within 300 feet of any  
17 planned commercial development. Thank you.

18 MAYOR MANCINO: Thank you, President Black.

19 Mayor Mancino, Dan Peterson, director of  
20 building and zoning, for the Village of Lake Zurich. I  
21 am here to clarify a statement that Attorney Burney made  
22 this evening because I was the gentleman that was spoke  
23 to about the use in Lake Zurich.

24 I would like the record to reflect I did answer

1 that question, and the question was that what we  
2 proposed and looked at commercial --

3 MR. SHAPIRO: Mr. Peterson, I'm sorry to  
4 interrupt you. We just need to swear in everybody if  
5 you're going to speak.

6 (The witness was duly sworn.)

7 MR. PETERSON: Dan Peterson, director of  
8 building and zoning, Village lawyer, 70 East Main  
9 Street. I am the gentleman that attorney Burney spoke  
10 about earlier when asked the question about why  
11 commercial in Lake Zurich and not Hawthorn Woods.

12 My answer was that, according to comprehensive  
13 plans for the Village of Lake Zurich in our planning  
14 jurisdiction area west of Quentin Road called for  
15 commercial retail light industrial on-site and that in  
16 Hawthorn Woods the property in question, even according  
17 to your comprehensive plan, was not even designated as  
18 residential. It was agriculture. So that was the  
19 answers in Lake Zurich. We planned for it in our  
20 comprehensive plan. Hawthorn Woods, it was not  
21 addressed this the your comprehensive plan.

22 MAYOR MANCINO: Thank you, Mr. Peterson.

23 MR. BURNEY: Just so there's no error in the  
24 records, can we be sworn after the fact if we're going

1 to have to start swearing people.

2 MR. SHAPIRO: Maybe we'll take care of it all  
3 now. Anyone that wishes to speak during this public  
4 hearing or has spoken during this public hearing, please  
5 allow the court reporter to swear you in.

6 (The witness were duly sworn.)

7 MAYOR MANCINO: Thank you, Mr. Peterson.

8 MR. TAYLOR: Good evening, Mayor, trustees,  
9 Village staff. I'm Craig Taylor, your County Board  
10 representative for District 19. Address is 18 County  
11 Street, Waukegan.

12 Monday evening, I attended the special plan  
13 commission meeting and sat from 7:00 p.m. to a little  
14 after midnight, learning about the annexation and the  
15 zone proposal that you have before you this evening.

16 I have to commend your Plan Commission for the  
17 manner in which they conducted the meeting and also  
18 commend the 100 or so Kildeer and Forest Lake residents  
19 who were in attendance and spoke in opposition of the  
20 proposal.

21 They conducted themselves with dignity while  
22 expressing their concerns about how any change to the  
23 longstanding and approved comprehensive plan for this  
24 area that would affect their homes and livelihood.

1           While there was opposition to the annexation  
2 from the Cypress Grove residents, there was no doubt the  
3 major concern about the 15.75 acres of the property  
4 fronting Route 22 being potentially zoned to B zoning  
5 retail commercial use.

6           I have some concerns as well. The approved  
7 comprehensive plan for the area took many hundreds of  
8 thousands of dollars to develop. It was accepted and  
9 approved by the County as well as the villages it  
10 touches.

11           The plan has always called for large lots  
12 single-family homes at the northeast corner of Quentin  
13 and Route 22. Any changes to the comprehensive plan  
14 should not be taken lightly.

15           Again, it was a great deal of time and money as  
16 well as buy-in by many parties involved in putting that  
17 comprehensive plan in place.

18           I've had the -- I've been out to several site  
19 visits to the location in question and observed  
20 firsthand run-off that affects not only Cypress Grove  
21 but the Beacon Hill area as well as all the surrounding  
22 area.

23           If this proposal is approved, I would hope this  
24 problem would be mitigated first thing. I would also

1 hope the engineering firm use any existing design not be  
2 used for any further engineering in that area.

3 As you know, by Illinois statute, the County  
4 does not have a formal role in annexation -- in the  
5 annexation process. However, if this is approved, as  
6 the County Board representative for this area, at the  
7 very least, I ask that you honor the recommendation the  
8 Plan Commission approved Monday evening.

9 Specifically, they recommended that the  
10 residents of the area as well as the Villages of Kildeer  
11 and Lake Zurich be provided notice of any future  
12 meetings that may be conducted relating to the potential  
13 rezoning of any portion of this property. As good  
14 neighbors and in the sake of transparency, it's the  
15 right thing to do. Thank you.

16 MAYOR MANCINO: Thank you very much. And I  
17 would like to mention that those requests are indeed not  
18 only part of our motions, but also part of our  
19 annexation agreement that we would notice within  
20 300 feet as well as the Village of Kildeer and the  
21 Village of Lake Zurich when we do receive a site plan  
22 and potential rezoning of the south 15.75 acres. We  
23 will honor that as recommended by Plan Commission.  
24 Thank you.

1 MR. FARHAT: My name is Andy Farhat,  
2 F A R H A T. My address is 21725 Glendale Court,  
3 Kildeer, Illinois.

4 I also attended Monday's meeting, and I'm here  
5 to object to the annexation, specifically the rezoning  
6 of the southern 15.75 acres to business district.

7 There are obvious reasons for this for the  
8 residents of Kildeer and Lake Zurich. The health and  
9 safety of our families.

10 Traffic, I'm not sure if many of you have  
11 driven down 22. It narrows down to one lane each  
12 direction. Noise and light pollution as well as home  
13 values being lowered because of this.

14 I know you heard Mr. Taylor and Mr. Burney talk  
15 about how they're going to be respectful in how they  
16 design this.

17 We also heard about we're going to only bring  
18 in upscale shops, and it's going to be really classy,  
19 and I understand that. That's respectful.

20 But I had a chance to look at the business  
21 code, and I see what types of businesses are allowed to  
22 be there. There's very limited restrictions in terms  
23 of -- there's a little bit about lights and whatnot, but  
24 very few restrictions for the most part. Even

1 restaurants with drive-thru's, special permits required,  
2 can be put there.

3 We were told specifically that that really  
4 wouldn't happen, that really wasn't part of this code,  
5 but upon further evaluation, I kind of found that out.

6 I also want to talk a little about, I don't  
7 know, the track record of Dartmoor. And I know they  
8 have -- Mr. Taylor just testified earlier that he was  
9 very honest talking to the Kildeer Estates residents,  
10 very up front. They were all obtained with the business  
11 part of it. That doesn't sound too right.

12 But if you talk to some of the residents of Kildeer  
13 Estates, they'll tell you the total opposite.

14 So I guess you have one word versus the other  
15 word. You have residents living here who bought into a  
16 neighborhood they thought was going to be residential  
17 add the word of a developer who took a gamble. I don't  
18 think was really successful with it, and now looking at  
19 a way to partner up, and I totally understand there are  
20 monetary -- benefits for monetary to them as well as  
21 your village, so they're looking for a little help here,  
22 at the expense of residents.

23 What happens when the commercial district there  
24 fails? We look down Route 22 to the east and Route 22

1 to the west. We see strip malls with  
2 50 percent vacancy rate on them. Is that the type of  
3 entrance you want for your village? How is that  
4 beneficial to you, empty stores?

5 And once they're empty, guess what. Developers  
6 get desperate. They're not going to want that top shelf  
7 store there anymore. They will take whatever they can  
8 take to fill it. And I'm sure -- great we're going to  
9 get the site plans. We're going to get notice of the  
10 site plans. But we have no say in that. It's up to you  
11 guys.

12 I guess we can view it, see it, voice our  
13 concerns, kind of like Monday, and be in some ways  
14 summarily ignored. Some ways I think that decision was  
15 made Monday. We didn't even need to show up.

16 In addition to having empty store fronts, it  
17 becomes an awkward eyesore, empty stores. Lowers the  
18 property value everywhere. Who wants to be around an  
19 empty commercial development? It's not good.

20 And ultimately if there's no stores and no  
21 sales, I don't think it benefits you guys that much. So  
22 what's the benefit to keeping it residential, I guess?  
23 I guess we maintain the integrity of our neighborhood.

24 When I say "our neighborhood," I'm not just

1 talking about Kildeer and Lake Zurich. I'm talking  
2 about your neighborhood, too, because I consider us to  
3 be good neighbors, all of us. But also increases the  
4 image of all our neighborhoods, drawing more residents  
5 to want to live here.

6 So with that being said, I'm not going to be  
7 taking up any more of your time. I wanted to thank you  
8 all. In addition, I've only been living here two years.  
9 I moved here because I loved this area. I moved from  
10 Brooklyn, New York, here, and, you know. Why mess with  
11 something this good? Why mess with something that's so  
12 nice? Thank you.

13 MAYOR MANCINO: Thank you for your comments.

14 MR. SLAVICEK: My name is Don Slavicek,  
15 D O N, S L A V I C E K. I live at 22920 North  
16 Hillendale Lane. And, Mayor, I'm a middle school  
17 teacher, and I deal with many personalities, learning  
18 styles. There's something I think everyone is missing,  
19 and it's that picture.

20 Please look at the picture. It's a trinity, a  
21 tree, and a family and a house. I don't see any stores.  
22 I don't see -- I don't even see paving in that picture.  
23 Do any of you see that?

24 When I have trouble teaching, I use pictures.

1 Maybe that should be on that wall. Don't do this thing.  
2 It's a trinity. When you add another point to the  
3 trinity, it's a square. A square is a coffin.

4 MAYOR MANCINO: Thank you for your comments.

5 MS. HUGHES: Good evening. My name is Jill  
6 Hughes, H U G H E S. I live at 23751 North Valley Road  
7 in Lake Zurich. That's the Forest Lake subdivision.

8 First, I would like to clarify something that  
9 Dartmoor's attorney said tonight as well as Monday  
10 night's zoning hearing. He mentioned a court case that  
11 this annexation petition went through, and he implied  
12 that everything was okay because the objections from the  
13 Kildeer Estates residents were not raised at that point.

14 That court case was brought to the Court by  
15 residents of Forest Lake, and the subject of that case  
16 was the property rights of Forest Lake Community  
17 Association and all residents from Forest Lake. So the  
18 Kildeer Estates residents were not involved in that at  
19 all. So implying that their objections weren't heard  
20 there makes it okay is irrelevant.

21 If I were a trustee in a village that was  
22 desperately trying to repair its reputation tarnished by  
23 a prior administration and a developer brought this  
24 petition for annexation to me, I would say no thank you.

1           If I were a trustee and I heard that the  
2 majority of the residents who signed the petition sought  
3 to remove their support from that petition, I would  
4 really wonder what's going on.

5           If I were a trustee and I heard those residents  
6 claim that they were misled, lied to, or even  
7 threatened-- those are their words --by the developer in  
8 the previous Village administration when asked to sign  
9 the petition, I would say this is not the way Hawthorn  
10 Woods does business anymore, and I would show that  
11 developer to the door.

12           Those residents were not able to withdraw their  
13 signatures from the petition in time to stop it, so  
14 Hawthorn Woods can legally accept the petition and annex  
15 those parcels, but that doesn't make it right.

16           Dozens of homeowners would be annexed against  
17 their will, and the developer is the only one who stands  
18 to gain from this proposal.

19           There will be better opportunities for  
20 development within Hawthorn Woods in the future. Is  
21 moving forward with this project under these  
22 circumstances the way to prove things have changed here?

23           The Village's administration's reputation won't  
24 improve simply by wishing it will. You have to do

1 something to earn a better reputation than your  
2 predecessors. Do the right thing and say no to this  
3 annexation. Thank you.

4 MAYOR MANCINO: Thank you, Ms. Hughes. Any  
5 other public comment.

6 MR. TO: David To, T O. 23487 North Acacia, A  
7 C A C I A, Lane, Lake Zurich. Good evening, Mayor  
8 Mancino, Ms. Newton and Board members.

9 I am a homeowner at Kildeer Estates.  
10 Currently, there are 13 households at Kildeer Estates,  
11 and I'm one of them. I have a letter here which I  
12 emailed to you, Mayor Mancino and Ms. Newton, earlier  
13 today.

14 11 of the 13 homeowners have signed objecting  
15 to the commercial rezoning. We bought our homes at  
16 Kildeer Estates based on it being a 110 one-family  
17 residential community. We don't want any changes made  
18 to it, and we don't want any commercial.

19 If you like to have the original, I'm more than  
20 happy to present it.

21 Now, when I represent the Kildeer Estates  
22 homeowners to meet with you, Mayor and also  
23 Ms. Newton, there at the meeting we were told that the  
24 Village of Hawthorn Woods wanted to improve the quality

1 of life for the residents at Kildeer Estates, and we  
2 just don't see how having commercial there is going to  
3 improve anybody's quality of life.

4 The two of you were so nice to even say that,  
5 if the majority of the homeowners were not happy, that  
6 you wouldn't enact this into Hawthorn Woods. So now the  
7 majority of homeowners are extremely unhappy. So we  
8 respectfully ask the Board to abandon the commercial  
9 rezoning; and if the Board is unwilling to do so, please  
10 keep your words and don't annex us into the  
11 Village of Hawthorn Woods. Thank you.

12 MAYOR MANCINO: Thank you, Mr. To. You know,  
13 I'm a little confused about some of your comments, and I  
14 don't respond too often to some of these comments, but  
15 after we met, you came and represented the residents of  
16 Dartmoor there, we had a lengthy meeting with you,  
17 myself, and Ms. Newton.

18 I would like to read the email you sent  
19 Ms. Newton after that meeting. "Hi, Pam. Thanks for  
20 your letter dated April 13th which addressed on the  
21 homeowners' concerns that Fay Adine -- Fay was your  
22 spouse, I believe, "that also attended brought up during  
23 our March 25 meeting.

24 "However, as I mentioned during our last

1 Friday's phone conversation that there are areas that  
2 need to be further clarified in order to completely  
3 clear the homeowners' concerns."

4 I understand what you said about being unable  
5 to confirm some of the subjects until written agreement  
6 has been signed between the Village Board and the  
7 builder, but it would be helpful if you could clarify as  
8 much as possible or just let us know what's been  
9 verbally agreed to between the Board and builder for now  
10 and then follow up with written confirmation later."

11 "Number one, the area of land that would be  
12 converted to commercial in the future will not exceed 15  
13 acres and that only small businesses will be allowed,  
14 depending on the market situation, the idea about  
15 commercial may be abandoned and the entire area remains  
16 residential."

17 Number two, you said, "Playground components,  
18 swings, monkey bars, slides will be built as part of the  
19 park amenities."

20 "Three, going forward, the houses that would be  
21 built will continue to be single family homes, and  
22 number of houses will not go up."

23 "Please feel free to call me if you have any  
24 questions pertaining to the above. Thanks in advance to

1 your kind attention and continuous support."

2 Mr. To, when people come to the podium and say  
3 we are not being honest and haven't notified people  
4 about this potential commercial development on the south  
5 15 acres, it's a little tough to take, especially when  
6 we've been completely honest. We have told you there  
7 may be a component of businesses down there or it may  
8 stay all homes. Yet you continue to testify that, had  
9 you known there would be commercial there or businesses,  
10 you would have not agreed to any of this.

11 And I just wanted to read that into the record  
12 that, indeed, not only has the Petitioner claimed they  
13 have been up front with you, but I know for a fact I  
14 have been up front with you, and I will give you a copy  
15 of this email. I'm sure you still have a copy.

16 MR. TO: I still do. At that time, when I met  
17 with you, yourself, and Ms. Newton, the purpose was to  
18 find out what the plans are from the Hawthorn Woods  
19 Village Board, what the plans are and what are the  
20 staffs, et cetera, et cetera. So that's why I mentioned  
21 in the email very clearly that there are still things  
22 that need to be clarified. At no point did I say, yes,  
23 the homeowners agree to the commercial rezoning.

24 MAYOR MANCINO: No, but you said, had you known

1 that there may be commercial, you would not agree to  
2 this.

3 MR. TO: No. I'm saying had we known about the  
4 commercial, we would not have bought into that property  
5 that we own now, and this this was back in 2007. At  
6 that time when we purchased our homes, we purchased our  
7 homes based on the site plan mapped in the sales  
8 brochure provided by the builder, which was a purely 110  
9 homes, one family residential community. This is what I  
10 meant. If I was not clear, I'm sorry. But this is  
11 exactly what I meant.

12 MAYOR MANCINO: Thank you very much for  
13 clarifying that.

14 MS. SHEN: My name is Emily Shen, S H E N. I  
15 live at 23391 North Empress Court in Kildeer Estates.

16 I understand the many concerns from Kildeer,  
17 Lake Zurich residents from our neighborhood. My  
18 neighbors who just spoke. It's very hard to top the  
19 issue. I don't know the best resolution, but the only  
20 thing I can tell you is, I have two concerns.

21 One is that the path between me and my  
22 neighbor, Lots 10 and 11, that path is very -- how do  
23 you say that? Make me very worried, not safe.

24 I've seen more and more people that I think

1 they're strangers literally 4 feet from my window, east  
2 window. I have never seen such a residential area that  
3 you literally see a stranger coming to your window, walk  
4 on the path. You observe them, see if they behave or  
5 not, and disappear.

6 It's a long path, five minutes walk maybe. I  
7 am sincerely asking, if we are merged to Hawthorn Woods,  
8 this issue can be resolved.

9 Secondly, in the wintertime -- I live there  
10 since November. I don't know -- if we belong to Lake  
11 County or somewhere else, incorporated, the road from  
12 the entrance of Quentin all the way into our home is  
13 very icy.

14 My old neighborhood, I live in a townhome. I  
15 never worry about shoveling. Never been icy. One of  
16 the street belong to police. So it's always clean.

17 This whole winter, I worry about me falling.  
18 Me, as a 40-some year old person. I fall on the ice.  
19 Nobody can do anything.

20 This whole neighborhood is really becoming  
21 incorporated now. We need some neighborhood we could  
22 come out even in the winter when the road is dry, the  
23 snow, when the snow has stopped the day after, I can  
24 come out on the side street and walk. That's all I

1 need.

2 I hope this is going to be a better resolution  
3 for me as a person, human being, that I bought a house,  
4 and I hope I have a better life there.

5 Thank you for listening to me.

6 MAYOR MANCINO: Thank you very much.

7 MS. SHEN: I moved to a townhome. I hope I'm  
8 moving to a better area.

9 MAYOR MANCINO: Thank you very much. I think  
10 Ms. Newton has addressed some of those issues already.

11 MS. NEWTON: I have, and I will be very happy  
12 to respond.

13 We spoke a little bit after Monday's meeting,  
14 and I was very familiar with your comment about that  
15 path.

16 Under Lake County's jurisdiction, the County  
17 required a sidewalk of sorts to connect the Forest Lake  
18 subdivision neighborhood with this neighborhood in the  
19 Dartmoor Homes/Kildeer Estates community. It was under  
20 the premise that the school children would need to  
21 connect by way of a safe walkway to get on their buses.

22 There was testimony Monday night that, in fact,  
23 that is not occurring. Those are two separate school  
24 districts. So what has occurred as a result of this

1 installation of this path is that there are -- there are  
2 concerns in the Dartmoor Estates property of people  
3 coming from other areas on dirt bikes, walking dogs  
4 unleashed, and other nuisances into the neighbors where  
5 these 13 residents reside.

6 I have spoken to both parties on both sides of  
7 this walk, and they had petitioned for a fence from the  
8 Village upon annexation.

9 What we talked about was landscaping  
10 opportunities and an opportunity to address this concern  
11 with the developer themselves.

12 I did mention this to the developers after your  
13 testimony on Monday evening in an opportunity to have a  
14 discussion to remove that path to nowhere if, in fact,  
15 it doesn't go anywhere. I looked at the plat, and it  
16 doesn't. It stops in your cul-de-sac.

17 With that, you have a valid concern, and we will address  
18 that.

19 Likewise, we in this annexation plan have  
20 addressed the connectivity of the road that connects the  
21 Dartmoor Homes subdivision to the Beacon Hill Estates in  
22 Kildeer. That road in this annexation agreement has  
23 been in removed.

24 Once again, it was in the original plan because

1 the county mandated the connectivity of roadways. We  
2 all know and fear that cut-through traffic opportunity,  
3 so that road was removed by this Village in the  
4 annexation agreement should the corporate authorities  
5 decide to approve that.

6 If this development remains in unincorporated  
7 Lake County, that road will be built and connected.

8 Finally, your concern about the icing, we did  
9 meet with representatives about many of the issues,  
10 including your entryway.

11 We talked about various issues -- I'm sorry. I  
12 have the wrong one. We talked about visual separation  
13 of the berms and landscaping to the business section  
14 section of the south.

15 We talked about the wetland complex. We  
16 discussed the natural resource separation, path and park  
17 amenity you were looking for. We talked about getting a  
18 park built in the development for you. We talked about  
19 assistance with lighting and traffic control in your  
20 intersection, and we also talked about the safety of  
21 that icing.

22 Currently, you would fall under County  
23 Department of Transportation needs, or if there's a  
24 reciprocal with the township, in the event of

1 annexation, you would fall under the public works  
2 department of the Village of Hawthorn Woods, and we do  
3 have our own fleet and ice removal operations. So those  
4 would be addressed at that time.

5 MAYOR MANCINO: Thank you, Ms. Newton.

6 MR. ARETT: My name is Pat Arett. 21317  
7 Williamsberg Court in Beacon Hills subdivision.

8 I'm here to express my feelings that the  
9 annexation and zoning as residential, I think most  
10 people in the area are perfectly fine with that.

11 I think the areas of concern are related to the  
12 potential to have it zoned commercial, and I would  
13 wonder why there's this rush to put the stipulation it  
14 can be zoned commercial. Why can we not wait for a site  
15 plan to be actually be presented and have a hearing at  
16 that point in time if we have all of the facts?

17 MAYOR MANCINO: That is precisely what we're  
18 doing.

19 MR. ARETT: Excuse me?

20 MAYOR MANCINO: I'm trying to keep it concise.  
21 That is precisely what we're doing, being zoned  
22 residential, and when there's a site plan, this Board  
23 will consider along with our plan commission in order to  
24 approve it commercial.

1 MR. ARETT: I'm asking that you actually take  
2 the automatic rezoning to commercial off so we can go  
3 back and --

4 MAYOR MANCINO: It's not automatic. It's not  
5 automatic. We're doing exactly what you're asking us to  
6 do.

7 MR. ARETT: I don't agree with that. It  
8 doesn't require the formal hearing that a zoning  
9 commission would. I understand -- I'm very glad and I'm  
10 happy that the Plan Commission agreed to put in  
11 notification requirements, and certainly I hope that  
12 provision stays if you decide that you need to keep that  
13 in there.

14 But part of the conversation on Monday was very  
15 difficult to have because we were all talking in  
16 hypotheticals, and the defense to it was, we don't know  
17 that's what's going to happen. You're right. Nobody  
18 knows what's going to happen.

19 So it would nice to have a real plan we can all  
20 sit down and talk about reasonably rather than making  
21 conjectures.

22 There seems to be a foreground conclusion it  
23 should go commercial, and one of the arguments is, well,  
24 if you look at the signalized lights, that's what

1 happens. Well, I don't think 22 and 83, which is a  
2 pretty big intersection, has any commercial there,  
3 unless you consider the Royal Meadow Golf Course  
4 commercial. But at that intersection it's all homes.

5 So I don't know that it is a foregone  
6 conclusion that, if we look at all the signalized  
7 lights, it has to go commercial.

8 As a resident of Beacon Hill, I have some  
9 concerns about safety. I don't know if you've driven  
10 into Beacon Hill, but our park is recently close to the  
11 front of the subdivision. And as a parent of young  
12 children, I'm concerned about having retail traffic  
13 around there.

14 Obviously depending upon what type of retail it  
15 is, it may not be an issue, but I have some concerns  
16 that my playground where my kids go and play would be  
17 within a couple hundred yards of commercial real estate.

18 As mentioned by Craig Taylor, we do have a  
19 flooding problem. Every time it rains -- and I know  
20 there's been some talk about getting that addressed.  
21 But when it rains, it gets to a spot where the water is  
22 over the curb of some of our roadway, and it is the only  
23 roadway we have to get in and out, which makes it very  
24 dangerous for us and or emergency people to get in and

1 out during rain storms.

2 And it's particularly bad in winter. It  
3 becomes a great big sheet of ice, which is -- which is  
4 really hard for the Village of Kildeer to try to keep  
5 clean.

6 And, finally, as mentioned before, there would  
7 certainly be the issue of adding more traffic to an  
8 already congested intersection, particularly where that  
9 one spot goes down to a single lane.

10 I do think it needs to be thought out carefully  
11 as to how we want to approach that and what the site  
12 plan, what the ingress and egresses might be.

13 Also mentioned in the comprehensive plan that  
14 the County put together and, it sounds like, the Village  
15 put together as well, this was originally slated to be  
16 residential.

17 As neighbors, I think we all wanted to live out  
18 here because we like the open space. We like the larger  
19 lots, and so I would ask that you keep that in mind and  
20 think about maybe we should keep it that way.

21 And so bottom line is, what I'm asking for, is  
22 for you to consider removing the automatic approval to  
23 go to commercial on approval of the site plan. I would  
24 rather see it all go in as your residential R2, and if

1 and when an appropriate plan comes up, it can go through  
2 the normal zoning process. Thank you.

3 MAYOR MANCINO: Thank you for your comments.

4 MS. CRONBERG: Good evening. My name is Debra  
5 Cronberg. C R O N B E R G, and I live at 21705 West  
6 Hillendale Court in the Groves.

7 I was here over five hours on Monday evening,  
8 and I don't want to rehash the -- what's come before. I  
9 agree for the record with Andrew Farhat, the previous  
10 speaker. I think their points are well-taken.

11 I would like to concentrate my points on the  
12 addition of Item C of tonight's agenda.

13 I was here for five hours. The fact that the  
14 area of Quentin -- west of Quentin Road north and south  
15 of Illinois 22 was never addressed.

16 I've been a resident for ten years, and I can  
17 tell you I was actively involved in the opposition to  
18 the turning of that space commercial. And if that was  
19 known to be on tonight's agenda, you would not be able  
20 to have parked here this evening. There were hundreds  
21 of people in opposition from the adjoining communities.

22 I've lived in Chicago for many years, and I've  
23 seen some very unusual zoning issues approved. Do not  
24 be part of that.

1           And also, I want to address some comments to  
2 Dartmoor Homes. Your attorney was quite eloquent in his  
3 conversations on Monday evening, and he talked about the  
4 community. He talked about transparency and how these  
5 things would be beneficial to all of us.

6           I can tell you for the residents of Kildeer  
7 Estates, The Groves, Foxborough, Beacon Hill, we don't  
8 want you, Dartmoor. We don't want commercial  
9 development.

10           MAYOR MANCINO: Thank you for your comments.

11           MS. FROMM: Janice Fromm, F R O M M.  
12 21529 Greenwood, in Kildeer. I am the president of the  
13 Foxborough Homeowners Association, and our association  
14 would like it noted that we oppose the rezoning to  
15 commercial.

16           Our residents bought, it said, homes. That's  
17 what that was supposed to be. We all knew Cedar Hill  
18 was there. Their building is probably the size of our  
19 garages. It's a small building. There's a huge  
20 difference. That's all.

21           MAYOR MANCINO: Thank you for your comments.

22           MR. FARHAT: I know I spoke already, but I want  
23 to add one more comment, and I'm done.

24           MAYOR MANCINO: Sure. Please step up.

1 MR. FARHAT: Andrew Farhat, F A R H A T. I  
2 just have one thing I wanted clarification on because  
3 it's kind of hard for me to understand on today's  
4 agenda.

5 On the application for consideration that was  
6 passed out at the Plan Commission meeting on Monday, I  
7 see that the joint ownership is Kildeer Two, LLC, as  
8 well as Cypress Grove One, LLC. I'm confused who are  
9 all these LLCs up here now. I don't see one of those  
10 LLCs up here. Can someone explain that to me, because I  
11 think maybe things have happened that weren't really up  
12 front on Monday but maybe now they are.

13 MAYOR MANCINO: I believe one of the Dartmoor  
14 representatives can answer that.

15 MR. BURNEY: Yes. We refiled this evening  
16 amended applications which show the successors in  
17 interest to Kildeer Two, Kildeer Two, LLC, as being  
18 Hawthorn 45, LLC, Kildeer Outlets, LLC, and Kildeer  
19 Three, LLC. Cypress Grove LLC still is an owner.

20 We also filed amended petitions before this  
21 hearing started with the clerk, and she can  
22 independently confirm that.

23 Dartmoor Homes completed a sale -- Kildeer Two,  
24 LLC, completed a sale of its interests in the properties

1 of those three entities. It is all recited in the  
2 annexation agreement that I believe is before you  
3 tonight. So we've gone over this with staff. We  
4 reviewed it with your Village attorney. In my opinion,  
5 we filed the proper paperwork, and we followed all the  
6 rules of the requirements.

7 MAYOR MANCINO: Thank you.

8 MR. FARHAT: Can I comment to that? I  
9 understand -- I guess you went through all the  
10 legalities of it. Can someone put that in laymen's  
11 terms for us? Really, honestly.

12 MAYOR MANCINO: They sold it to a different  
13 investor, sir.

14 MR. FARHAT: Is that investor represented here?  
15 Is that investor represented here?

16 MR. BURNEY: The investor is represented -- the  
17 manager of two of the LLCs, Kildeer Outlets and Kildeer  
18 Three is Mr. Taylor, Brian Taylor. He is here. And  
19 Peter Brennan from Foxford, formerly the family that  
20 owned Town & County, is the manager of the Hawthorne 45.  
21 That's all been disclosed in the applications filed with  
22 you.

23 MR. FARHAT: One last point. You can stay  
24 right there actually because you might want -- can you

1 clarify which entities own -- do they own certain lots  
2 exactly?

3 MR. BURNEY: Yes.

4 MR. FARHAT: Which lots?

5 MR. BURNEY: Kildeer Outlots A and B, two model  
6 homes-- I want to say 68 and 100 --are owned by Kildeer  
7 Three.

8 Cypress Grove continues to own what it always  
9 owned, and the remainder -- there's 41 lots in total  
10 that are owned by Hawthorn 45, LLC.

11 They're all a matter of record on the  
12 annexation agreement before the Board.

13 MR. FARHAT: Did this happen in the last day or  
14 so?

15 MR. BURNEY: It was complete on Tuesday, which  
16 way the day of the Plan Commission.

17 MR. FARHAT: Things are going on right now. I  
18 know this is all within the realms of the law. Doesn't  
19 this kind of reek a little bit? It stinks.

20 MAYOR MANCINO: No. I'm sorry. It doesn't,  
21 sir. Sir, people sell and buy property every day.  
22 There's nothing that reeks about it. Those are legal  
23 transactions, so you're seeking conspiracies here that  
24 don't exist.

1 MR. FARHAT: No conspiracies. I'm saying it's  
2 all within the law. I did not say --

3 MAYOR MANCINO: You said it reeks.

4 MR. FARHAT: It's back door.

5 MAYOR MANCINO: We are allowing comments, but  
6 we would like to keep it --

7 MR. FARHAT: It's back door, and it's  
8 deceptive.

9 MAYOR MANCINO: It's not back door, sir. They  
10 are selling and buying property. What is back door  
11 about that? Did you buy and sell your house and tell  
12 everybody? Was that back door when you did that?

13 MR. FARHAT: No, sir. No, sir. I appreciate  
14 that. Thank you, Mayor.

15 MAYOR MANCINO: Thank you. Any other comment?

16 MR. MAHNI: Daniel Mahni, M A H N I. I live at  
17 22879 Fox Tail Drive in Kildeer.

18 Concerning the why's of the annexation, it is  
19 of interest to me as well, the why's are.

20 I have quite a bit of documentation from the  
21 Monday meeting and tonight. What is the plan without  
22 the why.

23 I understand this is for the benefit of the  
24 community, although I did hear a few specific reasons

1 why it could be good for your community Monday meeting,  
2 one being, this is going to be the gateway to Hawthorn  
3 Woods. Another is that since Kildeer has signage on a  
4 major road, you would also like to have signage on a  
5 major road. Another being for future of commercial  
6 developments in your Village, that you basically need to  
7 develop a resume to attract the highest quality  
8 commercial developments in the other areas. And I might  
9 also infer that looking to add the close to shopping to  
10 your MLS listings to your homes in your Village.

11 I think some of these reasons are somewhat  
12 short-sighted. Once the other elements of your plan  
13 have been put in place along, for instance, Midlothian,  
14 which actually really needs commercial development much  
15 more than their area of 22 and Quentin, which already  
16 has quite readily available access to commercial areas,  
17 once those are in place, this area won't really be as  
18 needed or is sort of a publicity thing that isn't needed  
19 as much.

20 And this is kind of worn out in the fact that  
21 in previous plans and expectations that this really  
22 isn't -- wasn't planned to be commercial. It really  
23 Does make sense to make the area of Midlothian  
24 commercial.

1 I have a friend that lives near there. There's  
2 a little area there. I think it's called Cedar Hill.  
3 It's at Guildmore and Midlothian, and we utilize that  
4 shop very frequently.

5 It's difficult -- It's not convenient to go to  
6 Lake Zurich or that middle line in that area, and it  
7 really is needed there.

8 And also I would like to point out there's no  
9 existing homes across from that development to disturb  
10 as there is here in this case.

11 And in this day and age, where we talk a lot  
12 about not littering and recycling and using  
13 fuel-efficient cars, we need to make the best use of the  
14 land we have. It's a limited resource. And I believe  
15 in this case, I believe and many of the people here also  
16 believe the best use of this land is for families to  
17 raise future leaders of our community and country, and  
18 the best use of the other areas which have already been  
19 designated as commercial could be as commercial to -- as  
20 close to shopping feature for your community, and so I  
21 would ask for future generations that you consider the  
22 best use of this land as you can, and I would suggest  
23 that that is residential. Thank you.

24 MAYOR MANCINO: Thank you very much for your

1 comments.

2 MS. HERRIMAM: My name is Deidre,  
3 D E I D R E, H E R R I M A N. I live at 23515 Cottage  
4 Grove. That's the Forest Lake subdivision. I just  
5 wanted to make a few comments. I'm not real comfortable  
6 doing this, but I feel nobody has spoken out for the  
7 Forest Lake residents.

8 I live in that little piece of Forest Lake  
9 that's going to be taken along with the Dartmoor Homes.  
10 It's called in this paperwork annexation agreement, and  
11 I'm sure it's mostly about that big piece of property.  
12 But nobody has mentioned much about the little piece of  
13 a few homes that are being ripped off of their current  
14 subdivision and taken along with just so you can -- I'm  
15 assuming that's why, and correct me if I'm wrong, just  
16 so that it's contiguous and it will allow you to take  
17 that piece.

18 Again, that's something hard to take. We seem  
19 to have no say in that. There was a lot of talk about  
20 how the residents were talked to in that Kildeer  
21 Estates, but it seems none of our concerns were  
22 considered at all, and we're sort of being taken along  
23 with it.

24 It was mentioned in the beginning --

1 Ms. Newton, I think when she was talking about the  
2 synopsis of history of what's gone on. All residents  
3 were allowed to speak who wanted to Monday night.  
4 However, it wasn't mentioned that not one single person  
5 was in favor of this, and obviously tonight I'm getting  
6 the same feeling.

7 The surrounding residents in other communities,  
8 the residents even in the part that's going to be taken,  
9 certainly us in the Forest Lake, are all against this,  
10 and it feels our voice is not being heard. So I felt I  
11 needed to bring those up.

12 As someone else said, just because it's legal  
13 doesn't necessarily make it right. I'm hearing a lot of  
14 opposition, and I wanted to make our voice is heard. In  
15 Forest Lake, it doesn't seem right or in any way logical  
16 that that little piece should be taken off and separated  
17 from the rest of the subdivision. It's not even a whole  
18 street. It's a half of a street.

19 And I'm sure you're going to work out the  
20 logistics of plowing and all that, but it seems very  
21 wrong from our standpoint. So I wanted to make sure  
22 that was heard.

23 MAYOR MANCINO: Thank you for your comment, Ms.  
24 Herriman. We did meet with Steven Gray, your homeowner

1 president, and I hope he has communicated to you we did  
2 send a letter out to you folks regarding the annexation.  
3 In that letter, we did address all the concerns Mr. Gray  
4 brought to us. Do you have a copy of that letter? We  
5 would be happy to provide one for you. Okay. Thank you  
6 very much for your comments.

7 Any other comments?

8 (No response.)

9 MAYOR MANCINO: At this time I would ask for a  
10 motion to close the public hearing

11 TRUSTEE RIESS: So moved.

12 MAYOR MANCINO: Second?

13 TRUSTEE WEICK: Second.

14 MAYOR MANCINO: All in favor?

15 (And the ayes were heard.)

16 MAYOR MANCINO: Those opposed?

17 (No response.)

18 MAYOR MANCINO: The public hearing is closed.

19 Next on our agenda is new business.

20 Item A is a resolution authorizing the Mayor  
21 and Village Clerk of the Village of Hawthorn Woods to  
22 enter into a certain annexation agreement, Hawthorn 45,  
23 LLC, Kildeer Outlots, LLC, Kildeer Three, LLC, and  
24 Western Springs National Bank and Trust, approximately

1 72 acres located generally at the northeast corner of  
2 the intersection of Quentin and Illinois Route 22,  
3 subject to attorney approval.

4 We have a motion to approve?

5 TRUSTEE PONZIO: I'll make a motion to approve.

6 MAYOR MANCINO: Second?

7 TRUSTEE CORRIGAN: Second.

8 MAYOR MANCINO: Please take the roll,  
9 Ms. Lobaito.

10 TRUSTEE RIESS: Discussion.

11 MAYOR MANCINO: Excuse me. Discussion on this  
12 item.

13 TRUSTEE RIESS: As previously stated in  
14 testimony, some of the underlying property owners have  
15 changed. I would like the record to reflect the fact  
16 that the Village of Hawthorn Woods did not participate  
17 nor were they a catalyst in regards to any of these  
18 transactions associated with the change in the  
19 underlying properties.

20 MAYOR MANCINO: Correct. That is correct.

21 Any other discussion on this?

22 MAYOR MANCINO: Ms. Lobaito, can you please  
23 take the roll.

24 MS. LOBAITO: I just need clarification from

1 our Village attorney. Does the Mayor vote on an  
2 annexation agreement?

3 MAYOR MANCINO: Yes.

4 MS. LOBAITO: Trustee Ponzio.

5 TRUSTEE PONZIO: Yes.

6 MS. LOBAITO: Trustee Riess.

7 TRUSTEE RIESS: Yes.

8 MS. LOBAITO: Trustee Morgan.

9 TRUSTEE MORGAN: Yes.

10 MS. LOBAITO: Trustee Wright.

11 TRUSTEE WRIGHT: Yes.

12 MS. LOBAITO: Trustee Weick.

13 TRUSTEE WEICK: Yes.

14 MS. LOBAITO: Trustee Corrigan.

15 TRUSTEE CORRIGAN: Yes.

16 MS. LOBAITO: Mayor Mancino.

17 MAYOR MANCINO: Yes.

18 That motion carries.

19 Item B is an ordinance annexing property to the  
20 Village of Hawthorn Woods located generally at the  
21 northwest corner of the intersection of Quentin Road and  
22 Illinois Route 22 and the northeast and southeast  
23 corners of the intersection of Quentin Road and the  
24 south road.

1 TRUSTEE PONZIO: Mr. Mayor, I would like to  
2 amend the motion to allow separate approval for Court  
3 supervised annexation under 7/1/2 and a separate motion  
4 for voluntary annexation under 7/1/8.

5 MAYOR MANCINO: Is everybody understanding what  
6 Trustee Ponzio asking for here?

7 TRUSTEE RIESS: Yes, sir.

8 MAYOR MANCINO: There are two motions and two  
9 annexations.

10 TRUSTEE WRIGHT: I would like to make a motion  
11 in regard to the ordinance listed as to  
12 Letter B under new business and do two separate  
13 ordinances.

14 MAYOR MANCINO: We can amend that ordinance --  
15 or that motion, so we would be looking for the motion to  
16 approve an ordinance annexing property to the Village of  
17 Hawthorn Woods located generally at the northeast corner  
18 of the intersection at Quentin Roads and Illinois Route  
19 22 under the 7/1/2 annexation. Is that the motion  
20 you're asking for?

21 Why don't you restate that.

22 TRUSTEE PONZIO: To amend motion to allow  
23 approval for court supervised annexation under 7/1/2 and  
24 separate motion for voluntary annexation under 7/1/8.

1 MR. SHAPIRO: As I understand your motion,  
2 Trustee Ponzio, you would like to separate this so if  
3 you want, and it's up to this Board and if it's okay  
4 with this Board, why don't you address one motion at a  
5 time.

6 TRUSTEE PONZIO: I would like to amend the  
7 motion to allow separate approval for court supervised  
8 annexation under 7/1/2.

9 MAYOR MANCINO: Do we have a second?

10 TRUSTEE RIESS: I'll second.

11 MAYOR MANCINO: We just had some discussion.  
12 Any discussion on that one? We're trying to clarify the  
13 Court ordered annexation as opposed to voluntary. Any  
14 further discussion?

15 (No response.)

16 Ms. Lobaito, can you please take the roll.

17 MS. LOBAITO: Trustee Ponzio.

18 TRUSTEE PONZIO: Yes.

19 MS. LOBAITO: Trustee Riess.

20 TRUSTEE RIESS: Yes.

21 MS. LOBAITO: Trustee Morgan.

22 TRUSTEE MORGAN: Yes.

23 MS. LOBAITO: Trustee Wright.

24 TRUSTEE WRIGHT: Yes.

1 MS. LOBAITO: Trustee Weick.

2 TRUSTEE WEICK: Yes.

3 MS. LOBAITO: Trustee Corrigan.

4 TRUSTEE CORRIGAN: Yes.

5 MAYOR MANCINO: That motion carries.

6 TRUSTEE PONZIO: I would like to propose a  
7 second motion for voluntary annexation under 7/1/8.

8 MAYOR MANCINO: Do we have second?

9 TRUSTEE WEICK: Second.

10 MAYOR MANCINO: Any discussion on this  
11 annexation.

12 (No response.)

13 MAYOR MANCINO: Ms. Lobaito, can you please  
14 take the roll.

15 MS. LOBAITO: Trustee Ponzio.

16 TRUSTEE PONZIO: Yes.

17 MS. LOBAITO: Trustee Riess.

18 TRUSTEE RIESS: Yes.

19 MS. LOBAITO: Trustee Morgan.

20 TRUSTEE MORGAN: Yes.

21 MS. LOBAITO: Trustee Wright.

22 TRUSTEE WRIGHT: Yes.

23 MS. LOBAITO: Trustee Weick.

24 TRUSTEE WEICK: Yes.

1 MS. LOBAITO: Trustee Corrigan.

2 TRUSTEE CORRIGAN: Yes.

3 MAYOR MANCINO: That motion carries.

4 Item C is an ordinance annexing property to the  
5 Village of Hawthorn Woods pursuant to 65 Illinois  
6 CSI/7/1/13 for certain property located generally west  
7 of Quentin Road and north and south of Illinois  
8 Route 22 and east of Telser Road. Do we have a motion  
9 to approve?

10 TRUSTEE WEICK: So moved.

11 MAYOR MANCINO: Do we have a second?

12 TRUSTEE RIESS: I'll second.

13 MAYOR MANCINO: Discussion on this motion?

14 (No response.)

15 MAYOR MANCINO: Ms. Lobaito, can you please  
16 take the roll.

17 MS. LOBAITO: Trustee Ponzio.

18 TRUSTEE PONZIO: Yes.

19 MS. LOBAITO: Trustee Riess.

20 TRUSTEE RIESS: Yes.

21 MS. LOBAITO: Trustee Morgan.

22 TRUSTEE MORGAN: Yes.

23 MS. LOBAITO: Trustee Wright.

24 TRUSTEE WRIGHT: Yes.

1 MS. LOBAITO: Trustee Weick.

2 TRUSTEE WEICK: Yes.

3 MS. LOBAITO: Trustee Corrigan.

4 TRUSTEE CORRIGAN: Yes.

5 MAYOR MANCINO: That motion carries.

6 Item D is a motion approving an ordinance  
7 adopting an amendment to the comprehensive plan in and  
8 for the Village of Hawthorn Woods. Do we have a motion?

9 TRUSTEE RIESS: So moved.

10 MAYOR MANCINO: And a second?

11 TRUSTEE CORRIGAN: Second.

12 MAYOR MANCINO: Any discussion on Item D in  
13 this motion?

14 TRUSTEE RIESS: I would like to state that Item  
15 D, as in David.

16 MAYOR MANCINO: I believe that's what I said

17 TRUSTEE RIESS: I I'm sorry. I misunderstood  
18 you.

19 MAYOR MANCINO: Any other discussion?

20 (No response.)

21 MAYOR MANCINO: Ms. Lobaito, can you please  
22 take the roll.

23 MS. LOBAITO: Trustee Ponzio.

24 TRUSTEE PONZIO: Yes.

1 MS. LOBAITO: Trustee Riess.

2 TRUSTEE RIESS: Yes.

3 MS. LOBAITO: Trustee Morgan.

4 TRUSTEE MORGAN: Yes.

5 MS. LOBAITO: Trustee Wright.

6 TRUSTEE WRIGHT: Yes.

7 MS. LOBAITO: Trustee Weick.

8 TRUSTEE WEICK: Yes.

9 MS. LOBAITO: Trustee Corrigan.

10 TRUSTEE CORRIGAN: Yes.

11 MAYOR MANCINO: That motion carries.

12 Item E is seeking a motion for the adoption of  
13 the Plan Commission's findings of fact in Hawthorn  
14 Woods. Do we have a motion to approve?

15 TRUSTEE MORGAN: So moved.

16 TRUSTEE CORRIGAN: Second.

17 MAYOR MANCINO: Discussion?

18 TRUSTEE RIESS: I would like to commend the  
19 Planning Commission in their fine work and all the hours  
20 they put into the effort on Monday night. Thank you,  
21 guys.

22 MAYOR MANCINO: Ms. Lobaito, would you please  
23 take the roll.

24 MS. LOBAITO: Trustee Ponzio.

1 TRUSTEE PONZIO: Yes.

2 MS. LOBAITO: Trustee Riess.

3 TRUSTEE RIESS: Yes.

4 MS. LOBAITO: Trustee Morgan.

5 TRUSTEE MORGAN: Yes.

6 MS. LOBAITO: Trustee Wright.

7 TRUSTEE WRIGHT: Yes.

8 MS. LOBAITO: Trustee Weick.

9 TRUSTEE WEICK: Yes.

10 MS. LOBAITO: Trustee Corrigan.

11 TRUSTEE CORRIGAN: Yes.

12 MAYOR MANCINO: That motion carries.

13 Item E --

14 TRUSTEE RIESS: F.

15 MAYOR MANCINO: F, excuse me. Adoption of the

16 Plan Commission's findings of fact, Cypress

17 Grove I, LLC, and Kildeer Two, LLC. Do we have a motion

18 to approve that?

19 TRUSTEE WEICK: So moved.

20 TRUSTEE CORRIGAN: Second.

21 MAYOR MANCINO: Any discussion on Item F?

22 (No response.)

23 MAYOR MANCINO: Ms. Lobaito, can you please

24 take the roll.

1 MS. LOBAITO: Trustee Ponzio.

2 TRUSTEE PONZIO: Yes.

3 MS. LOBAITO: Trustee Riess.

4 TRUSTEE RIESS: Yes.

5 MS. LOBAITO: Trustee Morgan.

6 TRUSTEE MORGAN: Yes.

7 MS. LOBAITO: Trustee Wright.

8 TRUSTEE WRIGHT: Yes.

9 MS. LOBAITO: Trustee Weick.

10 TRUSTEE WEICK: Yes.

11 MS. LOBAITO: Trustee Corrigan.

12 TRUSTEE CORRIGAN: Yes.

13 MAYOR MANCINO: That motion carries.

14 Item G is an ordinance zoning land newly  
15 annexed to the Village of Hawthorn Woods granting  
16 certain other relief, approximately 15.82 acres located  
17 generally at the northeast corner of the intersection of  
18 Quentin Road and Illinois Route 22.

19 TRUSTEE WEICK: 15.82.

20 MAYOR MANCINO: 15.82.

21 TRUSTEE WEICK: So moved.

22 MAYOR MANCINO: Do we have a second?

23 TRUSTEE PONZIO: Second.

24 MAYOR MANCINO: Discussion?

1           15.82. We were talking about 15.7 in all the  
2 written documents. It says plus or minus, so we're  
3 talking about a hundred square feet. I just wanted to  
4 clarify that.

5           Any other discussion?

6                           (No response.)

7           MAYOR MANCINO: Ms. Lobaito, can you please  
8 take the roll.

9           MS. LOBAITO: Trustee Ponzio.

10          TRUSTEE PONZIO: Yes.

11          MS. LOBAITO: Trustee Riess.

12          TRUSTEE RIESS: Yes.

13          MS. LOBAITO: Trustee Morgan.

14          TRUSTEE MORGAN: Yes.

15          MS. LOBAITO: Trustee Wright.

16          TRUSTEE WRIGHT: Yes.

17          MS. LOBAITO: Trustee Weick.

18          TRUSTEE WEICK: Yes.

19          MS. LOBAITO: Trustee Corrigan.

20          TRUSTEE CORRIGAN: Yes.

21          MAYOR MANCINO: That motion carries.

22                Item H is an ordinance zoning land newly  
23 annexed to the Village of Hawthorn Woods granting  
24 certain other relief of approximately 75 acres located

1 generally at the northeast and southeast corner of the  
2 intersections of Quentin Road and South Road. Do we  
3 have a motion to approve?

4 TRUSTEE CORRIGAN: So moved.

5 MAYOR MANCINO: Is there a second?

6 TRUSTEE PONZIO: Second.

7 MAYOR MANCINO: Any discussion?

8 (No response.)

9 MAYOR MANCINO: Ms. Lobaito, can you please  
10 take the roll.

11 MS. LOBAITO: Trustee Ponzio.

12 TRUSTEE PONZIO: Yes.

13 MS. LOBAITO: Trustee Riess.

14 TRUSTEE RIESS: Yes.

15 MS. LOBAITO: Trustee Morgan.

16 TRUSTEE MORGAN: Yes.

17 MS. LOBAITO: Trustee Wright.

18 TRUSTEE WRIGHT: Yes.

19 MS. LOBAITO: Trustee Weick.

20 TRUSTEE WEICK: Yes.

21 MS. LOBAITO: Trustee Corrigan.

22 TRUSTEE CORRIGAN: Yes.

23 MAYOR MANCINO: That motion carries.

24 Item I is an ordinance approving an economic

1 incentive agreement for property consisting of  
2 approximately 15.75 acres located at the northeast  
3 corner of Quentin Road and Route 22. Is there a motion?  
4

5 TRUSTEE CORRIGAN: So moved.

6 MAYOR MANCINO: Is there a second?

7 TRUSTEE WEICK: Second.

8 MAYOR MANCINO: Any discussion on this motion?

9 TRUSTEE PONZIO: I have a question. Since we  
10 don't have a site plan approved and we don't have a  
11 developer for this commercial portion, do we have the  
12 ability to offer economic incentives?

13 MR. SHAPIRO: What this ordinance does is  
14 allows you to make certain findings regarding the need  
15 for economic incentives in the event that one day after  
16 site plan approval is given, whenever that is, if that  
17 happens, and the property is zoned B, and the property  
18 generates tax revenue. You're making that finding,  
19 generating tax revenue.

20 What you need to find in the future when a  
21 development comes before the Board is that that  
22 developer has financial wherewithal.

23 So you are you're making certain findings now,  
24 and when that occurs, you're authorizing by way of this

1 ordinance the adoption under those conditions of an  
2 economic incentive agreement.

3 MAYOR MANCINO: Does that make sense?

4 TRUSTEE PONZIO: Yes. Thank you for the  
5 clarification.

6 MAYOR MANCINO: Any further discussion on this  
7 item?

8 MAYOR MANCINO: Ms. Lobaito, can you please  
9 take the roll.

10 (No response.)

11 MAYOR MANCINO: Ms. Lobaito, can you please  
12 take the roll.

13 MS. LOBAITO: Trustee Ponzio.

14 TRUSTEE PONZIO: Yes.

15 MS. LOBAITO: Trustee Riess.

16 TRUSTEE RIESS: No.

17 MS. LOBAITO: Trustee Morgan.

18 TRUSTEE MORGAN: Yes.

19 MS. LOBAITO: Trustee Wright.

20 TRUSTEE WRIGHT: Yes.

21 MS. LOBAITO: Trustee Weick.

22 TRUSTEE WEICK: Yes.

23 MS. LOBAITO: Trustee Corrigan.

24 TRUSTEE CORRIGAN: Yes.



1           MAYOR MANCINO: That motion carries.

2           Thank you very much. I can't use my  
3 microphone, so I hope you can all hear me. I just want  
4 to thank all of you for your passionate comments this  
5 evening. I really appreciate it. I know a lot of them  
6 were also made at the Plan Commission, and I truly  
7 appreciate all the comments made here.

8           I just wanted to remind everybody that the  
9 zoning on this property that seems to be the concern of  
10 most of the folks in the audience here is not happening  
11 now. It won't happen until there's site approval. It  
12 won't happen without the owners noticing all the  
13 neighbors in the areas, and all can see what is being  
14 considered. It won't happen unless we notice the  
15 adjoining neighbors.

16           This entire process has been very open and  
17 transparent. We've held public meetings, dealt directly  
18 with some of the homeowners and told them precisely what  
19 we were looking to do and looking to achieve.

20           And I just want to let everybody know that this  
21 Board and this staff has been working transparently  
22 through this process the entire time.

23           And the concerns over this B zoning, this  
24 property is not B zoned. Hawthorn Woods, as you all

1 know, has a reputation for maintaining a very high  
2 quality standard for buildings, for development, our  
3 schools, our roads. Pretty much everything that this  
4 Village does, we have a reputation for maintaining very  
5 high quality of standards in everything we do.

6 And that is precisely what we intend to do with  
7 this development. We've worked with the developer.  
8 They've been approved.

9 Some of the requirements that the County  
10 approved them, the County would let them have fences,  
11 we're not allowing them to have fences. The County  
12 would let them have unattached sheds in their yards.  
13 We're not allowing them to do that.

14 No above ground swimming pools. We're  
15 requiring they plant higher quality trees and row them  
16 so they don't look monotonous through the development.

17 So I think that some of the fears that have  
18 been expressed, while definitely they are understood,  
19 they will not come to fruition.

20 This Village, again, has a reputation for doing  
21 things in a high quality way, and should this property  
22 go to a B zoning in the southern part, that standard  
23 will be maintained. And even more so, it will be a  
24 transparent process in which everybody can have a hand

1 in seeing through.

2 So I just wanted to mention that, and I  
3 appreciate, again, many of you out there, my colleagues,  
4 my friends, and I appreciate you coming here and respect  
5 you making your comments. I want you to know we  
6 appreciate those comments, and we have considered those  
7 comments. And thank you very much, again, for  
8 attending.

9 Next item on our agenda is adjournment. Do we  
10 have a motion to adjourn this meeting?

11 TRUSTEE RIESS: So moved.

12 TRUSTEE CORRIGAN: Second.

13 MAYOR MANCINO: All in favor?

14 (The ayes were heard.)

15 MAYOR MANCINO: Thank you very much.

16 (The meeting was adjourned at

17 8:51 p.m.)

18

19

20

21

22

23

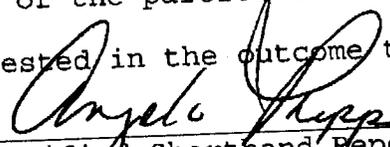
24

1 STATE OF ILLINOIS )  
2 ) SS.  
3 COUNTY OF W I L L )

4 I, Angela Adesso-Phipps, Certified Shorthand  
5 Reporter No. 084-003506, CSR and a Notary Public in and  
6 for the County of Will, State of Illinois, do hereby  
7 certify that the foregoing proceedings taken by me and  
8 were reduced to writing by means of shorthand and  
9 thereafter transcribed into typewritten form; and that  
10 the foregoing is a true, correct, and complete  
11 transcript of my shorthand notes so taken as aforesaid.

12 I further certify that there were present at  
13 the taking of the said deposition the persons and  
14 parties as indicated on the appearance page made a part  
15 of this deposition.

16 I further certify that I am not counsel for nor  
17 in any way related to any of the parties to this suit,  
18 nor am I in any way interested in the outcome thereof.

19   
20 Certified Shorthand Reporter  
21 Registered Professional Reporter  
22  
23  
24