

**VILLAGE OF LAKE BLUFF  
BOARD OF TRUSTEES  
REGULAR MEETING  
MARCH 13, 2017**

**APPROVED MINUTES**

**1. CALL TO ORDER AND ROLL CALL**

Village President O'Hara called the meeting to order at 7:00 p.m. in the Lake Bluff Village Hall Board Room, and Village Clerk Aaron Towle called the roll.

The following were present:

Village President: Kathleen O'Hara

Trustees: Barbara Ankenman  
Steve Christensen  
Mark Dewart  
Eric Grenier  
John Josephitis  
William Meyer

Also Present: Aaron Towle, Village Clerk  
Drew Irvin, Village Administrator  
Peter Friedman, Village Attorney  
Susan Griffin, Finance Director  
Jeff Hansen, Village Engineer  
Michael Croak, Building Codes Supervisor  
David Belmonte, Police Chief  
Janet Nelson, Chair of the Historic Preservation Commission  
Glen Cole, Assistant to the Village Administrator

**2. PLEDGE OF ALLEGIANCE**

President O'Hara led the Pledge of Allegiance.

**3. CONSIDERATION OF THE MINUTES**

Trustee Christensen moved to approve the February 27, 2017 Board of Trustees Regular Meeting Minutes as presented. Trustee Grenier seconded the motion. The motion passed on a unanimous voice vote.

**4. NON-AGENDA ITEMS AND VISITORS**

President O'Hara stated the Village President and Board of Trustees allocate fifteen minutes for those individuals who would like the opportunity to address the Village Board on any matter not listed on the agenda. Each person addressing the Village Board of Trustees is asked to limit their comments to a maximum of five (5) minutes.

There were no requests to address the Board.

**5. VILLAGE BOARD SETS THE ORDER OF THE MEETING**

At the request of those present, Trustee Meyer moved to take Agenda Item #14 then return to the regular order of the meeting. Trustee Josephitis seconded the motion. The motion passed on a unanimous voice vote.

**6. ITEM #14 – A RESOLUTION GRANTING AN EXTENSION OF ADVISORY REVIEW FOR THE DEMOLITION OF THE LANDMARK HOME LOCATED AT 512 SUNRISE AVENUE**

President O’Hara reported on December 2, 2016 the Village of Lake Bluff received a building permit application for the complete demolition of the landmark designated house located at 512 Sunrise Avenue (Property) in order to “provide more lawn space and open space for the owners.” Prior to issuance of a permit, the Municipal Code requires that the Historic Preservation Commission (HPC) review such a request when the subject property is landmarked. The Commission found that the permit application was inconsistent with the purpose and goals of the Historic Preservation Code at their January 17, 2017 meeting and opened an advisory review.

President O’Hara reported the advisory review process delays the issuance of a demolition permit for up to 120 days to allow the Applicant and the Commission to reach a mutually satisfactory resolution of the Commission’s concerns. The advisory review process for the Property has continued through the Commission’s regular January, February, and March meetings; however, the Commission has yet to reach a mutually satisfactory resolution with the Applicant.

In addition, President O’Hara reported March 8<sup>th</sup> was the last regularly scheduled meeting of the Commission that the Applicant is required to participate in Advisory Review. As of April 1<sup>st</sup>, the Applicant may notify the Village in writing that they no longer intend to participate, and the Village will effectively be required to allow demolition to proceed subject to the Village’s ordinary building code requirements. The only exception is that the Board of Trustees may extend the review period for an additional 30 days if “the board determines that the commission's efforts to preserve a landmark will promote the public welfare without causing undue hardship on the permit applicant.” She further reported at its March 8, 2017 meeting, the HPC unanimously voted to request that the Board extend the review period for an additional 30 days.

President O’Hara stated every so often in our community, just like many other communities, preservation and maintaining the historic preservation of the Village butt heads with the rights of property owners to determine the disposition of their property. Like many other communities the Village has not quite yet found the balance between the two viewpoints. Lately the rhetoric have seem to become somewhat heated on both sides which does not help reasonable discussion. In order to facilitate the question of does the Village desire to better maintain its historic character, the HPC will be directed to study and present ways to strengthen the Historic Preservation Ordinance. President O’Hara asked that input from the HPC be presented to the Board no later than six month from the present date. At that time the Board will hold discussions, seek community dialogue, and encourage all residents view points on this issue and any proposed changes to the existing Historic Preservation Ordinance.

President O’Hara opened the floor for public comments.

HPC Chair Janet Nelson stated the HPC recommend the Board to consider extending the demolition delay for 512 Sunrise Avenue an additional 30 days, in the very slim hope, that the owner of the property will

change his mind regarding the demolition. She stated the property owner expressed his desire to demolish the house at 512 Sunrise Avenue and use this property, which adjoins his home to the south, as a side yard for a children's play area, garden, and outside recreation. HPC Chair Nelson stated the 2006 Village Board members officially designated the home at 512 Sunrise as a Lake Bluff historic landmark. Now, nine years later in 2017, the Commission's only options were to allow the demolition, or delay the demolition in hopes that the owner would have a change of mind, according to HPC Chair Nelson.

HPC Chair Nelson stated the HPC chose the prescribed delays which end on April 1<sup>st</sup> and this is the "last stand." Pursuant to the Historic Preservation Ordinance, the Board has the ability to extend a delay for an additional 30 days until May 1<sup>st</sup> which is not a long time. She stated it seemed fitting to involve the Village Board, as it was the governing body that created and approved the original Historic Preservation Ordinance and designated the home as an historic landmark. HPC Chair Nelson stated Sunrise Avenue is a special street in Lake Bluff and unique on the north shore. The street extends approximately five blocks and it's bordered on the west by friendly family size homes in a variety of styles. The homes face Sunrise Park and have a close up view of Lake Michigan and the beach which are maintained by the Lake Bluff Park District. Village residents get to enjoy the streetscape as they walk or drive by this area which is certainly worth preserving.

HPC Chair Nelson stated this is not the first time that demolition in Lake Bluff has caused bad feelings and Preservation concerns. The HPC wants to take this opportunity to review the current ordinance and compare it to other areas and communities to determine how it could become a better preservation tool for Lake Bluff. She expressed her belief that the residents of Lake Bluff want to preserve our built history. Preferably doing so in a friendly and open manner rather than a war of words, delays, and insults. HPC Chair Nelson stated hopefully the Board will consider the 30 day delay and the HPC will report to the Board in about 6 months with its suggestions to reach realistic and mutually acceptable goals.

President O'Hara stated regardless of the outcome of the meeting, the HPC will be directed to look at best practices and make its recommendation to the Village Board in six months.

Ms. Kate Briand (resident) expressed her agreement with President O'Hara's comments. She encouraged the Board to approve the 30 day delay to allow the property owner additional time to consider the demolition. Ms. Briand stated the list of homes in the HPC Landmark homes brochure continues to grow and she is worried the only place residents will be able to see structural Lake Bluff history is in a brochure. She stated that the Village and property owners should meet and discuss how to put more teeth into the Historic Preservation Ordinance so as to enhance the value of Lake Bluff.

In response to a question from Trustee Grenier, Ms. Briand provided information regarding conversation associated with surrounding communities' bench marking examples of recently enacted ordinance and how they could apply to Lake Bluff. Ms. Briand stated it is worth noting the property owner knew the home was landmarked when it was purchased and she asked that residents be educated on the restrictions associated with Historic Districts should the process move forward.

Trustee Ankenman asked if the delay would cause the applicant any undue hardship. Mr. Dan Horvat with Horvat Design Group spoke on behalf of the owners (Brian and Julie Schmucker) and stated Mr. Schmucker expressed his desire to proceed with the demolition and complete the project before school recesses. He also stated the property owners would not experience any hardship should the additional 30 day delay be approved.

Trustee Ankenman defined public welfare as the ability for people to have more of an opportunity to speak their mind which is important. The 30 day delay will allow additional conversation, which may or may not, change the outcome but will provide an opportunity for people to comment.

Trustee Meyer expressed his agreement with Trustee Ankenman and stated it is apparent there is no assertion of hardship and given the replicability of tearing it down the additional 30 days does not seem much of a wait on anyone's property rights.

Trustee Dewart expressed his concern about the long term impact on the Village streetscape as Lake Bluff is a community that values its character. The Village needs to exhaust all measures in an attempt to preserve such an important contributor to the Village and structures that have been identified as historic landmarks.

Trustee Grenier read comments expressed regarding the existing Historic Preservation Ordinance and noted the surrounding communities which have more restrictive ordinances allows a longer delay period but ultimately property owners are allowed to demolish the home. He said he is daunted and hopes as the Village reviews the matter something meaningful may be found that will help thread the needle and create a better preservation tool for Lake Bluff.

In response to a question from Trustee Meyer, HPC Chair Nelson stated this particular request is for an additional 30 days, in addition to the other delays allowed in the Historic Preservation Ordinance. Although, the Historic Preservation Ordinance has changed over the years to allow more delays, it does not prevent property owners from demolishing the building, and the HPC would like to create an ordinance that may allow more protection.

Trustee Christensen stated it appears the property owner do not desire to listen to any alternatives regarding the matter. He was advised an affirmative vote was not required, should the Board determine the commissions efforts to preserve the landmark would promote public welfare, without causing undue hardship application.

Trustee Christensen expressed his concern regarding the potential demolition of 506 Sunrise Avenue and the possibility of a larger structure being built on the two lots. HPC Chair Nelson stated Sunrise Avenue is an open lake front area with single-family homes but should the two lots combine it will create a larger buildable lot. A covenant was discussed but the document would not apply to the property; therefore, a future owner could build a larger home.

Trustee Grenier asked if the requirements for the proposed demolition could be modeled similar to previous demolitions and expressed his preference for a covenant that will apply to the structure. Village Administrator Drew Irvin stated pursuant to the Zoning Code, that if a property is acquired by a contiguous property owner and that property which is acquired is substandard in area, it automatically becomes a larger zoning lot, and the buildability of the substandard lot as a standalone residential lot is immediately erased.

In response to a comment from President O'Hara, Village Attorney Peter Friedman stated covenants are not transferrable the document must be recorded to run with the land.

Trustee Grenier stated the challenge to putting more teeth in the Historic Preservation Ordinance is the transition period and commented on how property owners could be impacted.

Trustee Josephitis stated the HPC does recognize property owners rights, although, the discussions seems to be leading toward strengthening the Historic Preservation Ordinance authority.

President O'Hara stated nothing has been predetermined because there is a balance that needs to be reached when trying to achieve a goal.

Mr. Gary Doyle (resident) stated he got involved in historic preservation following the demolition of 210 East Center Avenue and expressed his opinion the Village caught a break because the new owners decided to build a replica of the home; however, this is not the fate of this property. Mr. Doyle stated this is personal because the unique character of Lake Bluff is the reason he moved to the Village, and he previously resided at 512 Sunrise Avenue. The home should be preserved because it is an example of the type of modest cottage style homes, which are rapidly disappearing, that use to distinguish Lake Bluff. This is an officially designated landmarked home by the Village, which makes it all the more frustrating that the Village offers precious little protection against its teardown, 4 months to be exact same as any other home no matter how significant. Mr. Doyle stated according to Landmarks Illinois, Lake Bluff has the weakest historic preservation regulations on the north shore and the ramifications are evident throughout the Village. As a consequence housing values are stagnant and he feels like the Village is asleep at the switch. He stated demolition maybe lawful but it is not right and definitely not Lake Bluff. Mr. Doyle thanked the Board for their service and stated he hopes the action taken this evening is the beginning of a stronger more cohesive effort to save the character of Lake Bluff.

As there were no further comments from the Board, Trustee Meyer moved to adopt the resolution. Trustee Ankenman seconded the motion. The motion passed on the following roll call vote:

Ayes: (6) Ankenman, Christensen, Dewart, Grenier, Josephitis and Meyer  
Nays: (0)  
Absent: (0)

Following a suggestion from President O'Hara, Trustee Dewart moved that the order of the meeting be amended to take agenda item #12 in advance of agenda item #6a. Trustee Meyer seconded the motion. The motion passed on a unanimous voice vote.

**7. ITEM #12 – SECOND READING OF AN ORDINANCE GRANTING AN AMENDMENT TO A SPECIAL USE PERMIT FOR A BREWPUB LOCATED AT 16 EAST SCRANTON AVENUE (Lake Bluff Brewing Company)**

President O'Hara reported on January 27, 2017 the Village received a zoning petition from Lake Effect Holdings, LLC (Petitioner), owner of the Village Commons building, seeking to amend the existing special use permit (SUP) to operate a brewery/brewpub at 16 East Scranton Avenue. She further reported currently, the Lake Bluff Brewing Company operates at this location with a SUP authorized pursuant to Ordinance #2015-15; however, the applicant wishes to renovate the interior of the tenant space to increase the amount of patron seating. Section 4(A) of the existing SUP requires that the Brewpub must be maintained in substantial accordance with the application that was submitted at that time. That application included a floorplan showing seating for a total of 22 patrons and the text of the application indicated that the space would accommodate approximately 25 customers.

President O'Hara reported the current submittal proposes to move the walk in cooler to the basement and eliminate the current pantry on the main floor. This would allow for an additional 182 square feet of space

for patrons. The proposed floor plan would accommodate approximately 45 seated patrons. The increase of 182 square feet dedicated to patrons raises the maximum occupancy of the space for seating and standing from 56 to 61. She further reported on February 15<sup>th</sup>, the PCZBA conducted a public hearing to consider the zoning petition and recommended the Village Board approve the Petitioner's request subject to the following conditions:

- The business owner obtains one (1) additional downtown employee parking permit (for parking at the Train Station) to increase the availability of parking for downtown visitors and customers. In total, the owner will hold five (5) downtown employee parking permits.

President O'Hara reported the Village Board approved first reading of the ordinance at its meeting on February 27, 2017.

In response to a comment from the Board, Mr. Michael Dorneker, owner of Lake Bluff Brewing Company, stated the establishment will be closed for approximately 3 days for construction.

As there were no further comments from the Board, Trustee Josephitis moved to approve the ordinance. Trustee Grenier seconded the motion. The motion passed on the following roll call vote:

Ayes: (6) Christensen, Dewart, Grenier, Josephitis, Meyer and Ankenman  
Nays: (0)  
Absent: (0)

**8. ITEM #6A – WARRANT REPORT FOR MARCH 1-16, 2017 AND FEBRUARY 2017 PAYROLL EXPENDITURE REPORTS**

President O'Hara reported expenditure of Village funds for payment of invoices in the amount of \$159,307.58 for March 1-15, 2017 and for payroll in the amount of \$255,150.23 for February 2017.

As such, the total expenditures for this period is in the amount of \$414,457.81.

As there were no questions from the Board, Trustee Dewart moved to approve the Warrant Reports. Trustee Meyer seconded the motion. The motion passed on the following roll call vote:

Ayes: (6) Dewart, Grenier, Josephitis, Meyer, Ankenman and Christensen  
Nays: (0)  
Absent: (0)

**9. ITEM #6B – FEBRUARY 2017 FINANCE REPORT**

At President O'Hara's request, Finance Director Susan Griffin provided a brief summary of the February 2017 Finance Report highlighting major revenue sources and expenditures for the period. She advised the report reflect the combine gross revenue for the sales tax and home rule sales tax.

- Sales tax revenue for May-November 2016 of \$1.89 million is \$231,000 or 14% greater than the same period in 2015;
- Home rule sales tax of \$603,000 for May-November 2016 is \$149,000 or 33% greater than the same period in 2015;

- Income tax revenue of \$453,000 for May 2016-February 2017 is \$64,000 or 13% lower than the same period in 2015-16;
- Building permit revenue of \$517,000 is up 24% from the prior year and the budget projection has been modified from \$510,000 to \$530,000; and
- Expenditures are consistent with the budget.

Finance Director Griffin stated Staff continues to closely monitor the actions in Springfield and assess the implications to the Village of potential changes in State-shared revenue allocations, property tax limitation changes, or pension reform law.

Finance Director Griffin responded to a typographical error, noted by Trustee Ankenman, on pages 3 and 4 of the report. The sales tax charts presented reflected the correct statistics but the legends have been corrected. In addition, she stated there is no longer a deficit cash position in the Redevelopment Fund because the Village received approximately \$183,000 from the State for the Route 41/176 project grant.

A discussion ensued regarding actions in Springfield related to the budget and property taxes.

President O'Hara provided information on her meeting with State Representative Drury and noted he does not anticipate any action being taken until after the 2018 elections. President O'Hara stated the Village is fortunate to have an AAA credit rating as well as good reserve funds and with the ongoing stalemate in Springfield the Village will continue to be judicially cautious regarding Village expenditures.

Trustee Christensen moved to accept the Finance Report. Trustee Ankenman seconded the motion. The motion passed on the following roll call vote:

Ayes: (6) Grenier, Josephitis, Meyer, Ankenman, Christensen and Dewart  
Nays: (0)  
Absent: (0)

**10. ITEM #7A – VILLAGE ADMINISTRATOR'S REPORT: GFOA DISTINGUISHED BUDGET PRESENTATION AWARD FOR THE FY17-18 BIENNIAL BUDGET**

**AND**

**11. ITEM #7B – VILLAGE ADMINISTRATOR'S REPORT: GFOA CERTIFICATE OF ACHIEVEMENT IN FINANCIAL REPORT FOR FY16 CAFR**

Village Administrator Irvin reported the Village received the highest form of recognition that can be obtained in Governmental Accounting and Finance Reporting for the Comprehensive Annual Finance Report and Biennial Budget. The Finance Department worked hard to prepare these reports in a manner that represent the financial excellence that the Village has operate under for decades and will continue that tradition. Village Administrator Irvin thanked the Finance Department then informed the Board that Finance Director Griffin announced she will be retiring on September 30, 2017.

**12. ITEM #8 – VILLAGE ATTORNEY'S REPORT**

Village Attorney Peter Friedman had no report.

**13. ITEM #9 – VILLAGE PRESIDENT’S REPORT**

President O’Hara had no report.

**14. ITEM #10 – ACCEPTANCE OF THE CORRESPONDENCE**

President O’Hara introduced the correspondence from the Informational Reports on February 24 and March 3, 2017.

Trustee Josephitis moved to accept the correspondence as submitted. Trustee Grenier seconded the motion. The motion passed on a unanimous voice vote.

**15. ITEM #11 – A RESOLUTION ESTABLISHING THE REGULAR MEETING DATES AND COMMITTEE-OF-THE-WHOLE MEETING DATES FOR THE BOARD OF TRUSTEES FOR FISCAL YEAR 2017-2018**

President O’Hara reported Illinois Statutes require the Village Board to provide notice of the regular schedule of meetings. In keeping with past practice, the proposed schedule establishes the Regular meeting of the Village Board for 7:00 p.m. on the second and fourth Monday of each month. Please note there is only one meeting scheduled for October (Columbus Day holiday) and December (last meeting cancelled due to proximity of the holiday season). She further reported the proposed schedule also includes COW meeting dates for the same night as the Regular meetings of the Village Board. The scheduled start time for the COW meetings is established for 6:00 p.m. President O’Hara stated that Staff will (i) continue to hold “significant” COW meetings in the Public Safety Building Community room and (ii) provide cancellation notices (in the event that there is a lack of business for upcoming meetings).

As there were no comments from the Board, Trustee Dewart moved to adopt the resolution. Trustee Christensen seconded the motion. The motion passed on a unanimous voice vote.

**16. ITEM #13 – SECOND READING OF AN ORDINANCE GRANTING VARIATIONS FROM THE VILLAGE’S FRONT YARD IMPERVIOUS SURFACE REGULATIONS (701 Park Place)**

President O’Hara reported on November 2016 the Village received a zoning application from Victoria Lidstrom of Leggy Bird Designs on behalf of Jacopo and Leslie Leonardi (Petitioner), property owner of 701 Park Place, seeking zoning relief from the Village’s Front Yard Setback, Corner Side Yard Setback, Floor Area Ratio, Impervious Surface Coverage, and Building Coverage regulations to allow for the construction additions to the existing structure. She further reported at its meeting on January 4<sup>th</sup> the PCZBA conducted a public hearing to consider the Petitioner’s request. The PCZBA continued the public hearing to allow the Petitioner additional time to finalize the construction drawings and solicit additional letters of support from neighboring property owners. On February 15<sup>th</sup> the Petitioner presented the final drawings and following deliberations and a vote of 5-1, the PCZBA:

- recommended the Village Board approve a 51.50% variation from the maximum front yard impervious surface regulations to allow a total of 1,009 square feet of impervious surface within the front yard setback; and
- approved, contingent on the Village Board’s approval of the front yard impervious surface zoning relief, a 69.85% variation from the minimum front yard setback to allow a setback of 6.03 ft, a 44.56% variation from the minimum corner side yard setback to allow a setback of 8.02 ft, a

22.31% variation from the maximum floor area regulations to allow a total of 4,407 square feet of floor area, and a 41.8% variation from the maximum building coverage regulations to allow for a total of 3,835 square feet of building coverage. The PCZBA included in their approval the conditions that 1) construction parking be restricted to one side of the street for both Park Place and Simpson Street and 2) that the applicant submit a full engineering plan showing the drainage on the property and that the improvements will conform with the Village's storm water and drainage regulations.

As there were no comments from the Board, Trustee Grenier moved to approve the ordinance. Trustee Dewart seconded the motion. The motion passed on the following roll call vote:

Ayes: (6) Josephitis, Meyer, Ankenman, Christensen, Dewart and Grenier  
Nays: (0)  
Absent: (0)

**17. ITEM #14 – TRUSTEE’S REPORT**

There was no Trustee’s report.

**18. ITEM #15 – EXECUTIVE SESSION**

At 7:53 p.m. Trustee Christensen moved to enter into Executive Session for the purpose of discussing Personnel (5 ILCS 120/2(c)(2)). Trustee Meyer seconded the motion. The motion passed on a unanimous voice vote.

There being no further business to discuss, Trustee Grenier moved to adjourn out of executive session. Trustee Meyer seconded the motion and the motion passed on a unanimous voice vote at 8:20 p.m.

**19. ITEM #16 – ADJOURNMENT**

Trustee Josephitis moved to adjourn the regular meeting. Trustee Ankenman seconded the motion and the motion passed on a unanimous voice vote. The meeting adjourned at 8:21 p.m.

Respectfully Submitted,

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R. Drew Irvin  
Village Administrator

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Aaron Towle  
Village Clerk