

Item #1:
Report Of the July 6, 2010 PCZBA Meeting:
1899 Checker Road Subdivision



MEMORANDUM

TO: Village President and Village Board
FROM: James M. Hogue, Village Planner
DATE: July 7, 2010
RE: Board & Commissions Report for 7/19/10

This memo is intended to update the Village Board as to the status of projects and activities of the Long Grove Plan Commission & Zoning Board of Appeals (PCZBA), Conservancy & Scenic Corridor Committee (CSCC) and the Architectural Commission (AC).

PCZBA; 7.6.10 – Note: two action items associated with a request for subdivision.

a. Consideration of a request for variations of the front and side yard setback requirements within the R-2 Zoning District in conjunction with a petition for preliminary plat approval for subdivision of property to be known as the “1899 Checker Road Subdivision” on property commonly known as 1889 Checker Road submitted by Orrin Pickell Designers & Builders.

b. Consideration of a request for preliminary plat approval for the subdivision of property to be known as the “1889 Checker Road Subdivision” within the R-2 Residential District and/or any additional relief necessary and/or appropriate under the village code to allow subdivision of property on property commonly known as 1889 Checker Road submitted by Orrin Pickell Designers & Builders.

The property is located on the north side of Checker Road and also immediately adjacent to Bordeaux Lane to the east. The property contains 15 +/- acres of land area and is presently zoned R-2 Single Family Dwelling District. The property is currently occupied by an uninhabited single family residence and outbuildings formerly used as a kennel.

The two requests consist of a petition for variations of the front & side yard setback requirements within the R-2 Zoning District and preliminary plat approval for a proposed three lot subdivision (one non-buildable outlot included also) and/or any additional relief necessary and/or appropriate under the village code to allow subdivision of property to now be known as the “1889 Checker Road Subdivision”. (Preliminary Plat Attached).

The property is proposed to be served by sanitary sewer (which will require a separate Village Board approval tied to the final plat) and private wells. A shared entrance will be utilized between the proposed subdivision and the existing Bordeaux Lane residents. The existing Bordeaux Lane entrance will be closed off and shifted west to be part of the shared entrance to both developments. As Bordeaux Lane is a private road the petitioner will need to secure easements and other permissions to make this access complete. The reconfiguration is being proposed to make the ingress and egress to Checker Road safer.

Many of the neighbors had concerns with the realignment particularly the residents in the first two residences along Bordeaux Lane (1680 & 1682). The petitioner has worked with the neighbors to rectify any issues. The attached entrance reconfiguration is more or less acceptable as concept but may require some “tweeks” before finally built. A list of neighbor concerns and a response from the petitioner are included with this report.

The property is largely encumbered by an easement granted to the Lake County Forest Preserve District. This as well as topography and tree preservation were cited as reason for the variation request.

After consideration and discussion by the PCZBA it was determined that in order to provide the maximum amount of privacy to the abutting neighbors that the side yard setback on the east lot line of proposed Lot 3 remain at 40’ instead of the 30’ requested in the petition. The petitioner was agreeable to this modification of the request.

A motion was made and seconded to approve the variations as requested with the exception of the side yard setback on the east lot line of proposed Lot 3 which is to remain at 40’. On a voice vote motion carried (4-0).

A motion was made and seconded to approve the preliminary plat for the subdivision of property to be known as the “1889 Checker Road Subdivision” with the condition that the petitioner obtain all necessary easements, agreements or other approvals required for the shared entranceway. On a vote motion carried (4-0).

AC; Next Meeting 7.19.10

CSCC; Next Meeting 7.21.10 (rescheduled)

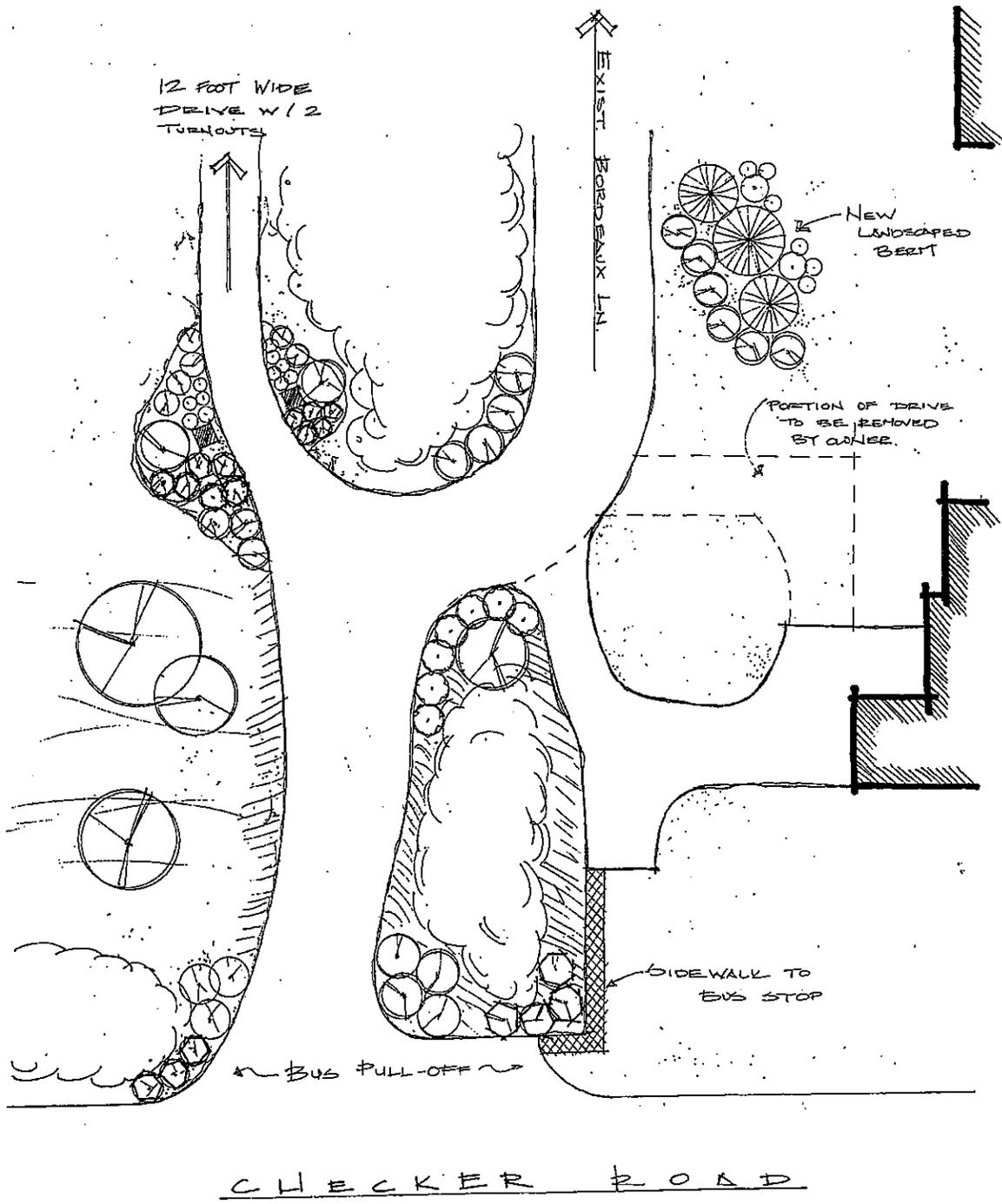
James Hogue

From: JDebaker@pickellbuilders.com
Sent: Tuesday, June 29, 2010 4:06 PM
To: Fredpulsar@aol.com
Cc: OPickell@pickellbuilders.com; jeichhorn@pickellbuilders.com; TWilkins@pickellbuilders.com; James Hogue
Subject: Re: Revised Entrance to Checker Road
Attachments: pic09741.gif; graycol.gif; ecblank.gif

Fred,

Thank you for your collective response to the revised plan. From what I gather, it seems that none of the residents on Bordeaux Lane have any issue with the proposed layout of the revised entrance detail. I did go over the attached comments with Orren and have the following answers:

1. The road to our development will have a new name. That name is yet to be determined.
2. There will be new signage showing both private drives.
3. Keeping Bordeaux as the entrance name is okay.
4. The construction timing is yet to be determined. This timing will be based on village approvals and future construction activity. We will notify the Bordeaux Lane residents well in advance when we know what this timing will be.
5. The Bordeaux Lane revisions as shown on our final village approved plans will be paid by Orren Pickell Designers and Builders.
6. Since there is only conceptual landscaping plans at this point, we will need to determine at a later point what level of landscaping is done on both sides. Our goal will be to maintain a balanced look.
7. Orren Pickell Designers and Builders will be responsible for all legal documents, fees, and entrance use agreements related to the village approved plans.
8. We cannot agree to making this attached document as part of new covenants for future lots on our development. We can agree that final easement language and ownership based on village approved documents will be incorporated into the development covenants.
9. There will be a shared cost between both developments for the main entrance only. Beyond the separate entrances for each development as defined by the boundary survey, maintenance costs will be solely covered by the respective developments. Final language on this can be determined once we have final village approved documents to reference.
10. Tree's will be protected during the construction of the new entrance. Specific language outlining existing tree health at the time of construction and responsibility of tree replacement will have to be determined once we have final village approved documents to reference.
11. Development of the individual sites should have no bearing on tree health as related to Bordeaux Lane homeowners. Any trees that could be damaged by construction traffic would very likely be within our property boundaries. Our goal is to maintain as much of the green buffer between the developments as possible. We value this green buffer as much you do.
12. Our plan as of now is to open cut trench the sanitary line along the easement between lots 35 & 36 up to Bordeaux Lane. We will then be investigating costs to directional bore the length from Bordeaux Lane to our property side and do as little damage as possible to any tree roots in that area. Should we decide to continue open cut trenching, efforts will be made to replace and trees or bushes removed due to this as well as the Bordeaux Lane pavement.
13. We are not aware of the specific details surrounding the drainage issue between Lots #35 & 36. We have asked the owner of Lot #35 if he is aware of this and he does not know of any issues. We will make every effort to repair, replace, and resolve drainage issues within the easement granted to us and within the scope of work we perform. Since the issue could stem from elements outside of our proposed easement rights, we cannot agree to resolving this problem. It sounds like more detail and communication needs to occur between the two owners of these adjacent properties.



SHARED ENTRY CONCEPT

1889 CHECKER RD. DEVELOPMENT
 & BORDEAUX LANE
 © OFDQ, INC.

6.18.10



**MEETING AGENDA OF THE
PLAN COMMISSION & ZONING BOARD OF APPEALS
REGULAR MEETING
Tuesday, July 6, 2010 at 7:00 P.M.**

Village Hall, 3110 OLD MCHENRY ROAD LONG GROVE, ILLINOIS

1. Call to Order.

2. PUBLIC HEARING - CONTINUATION; Consideration of a request for variations of the front and side yard setback requirements within the R-2 Zoning District in conjunction with a petition for preliminary plat approval for subdivision of property to be known as the "1899 Checker Road Subdivision" on property commonly known as 1889 Checker Road submitted by Orrin Pickell Designers & Builders.

b. Consideration of a request for preliminary plat approval for the subdivision of property to be known as the "1899 Checker Road Subdivision" within the R-2 Residential District and/or any additional relief necessary and/or appropriate under the village code to allow subdivision of property on property commonly known as 1889 Checker Road submitted by Orrin Pickell Designers & Builders.

3. Approval of Minutes; June 15, 2010 Re-scheduled Meeting

4. Other Business;

5. Adjournment:

Next Regular Meeting –August 3, 2010.

Village Board Representative; (7/13) Commissioner Kazmer

The Village of Long Grove is subject to the requirements of the Americans with Disabilities Act of 1990. Individuals with disabilities who plan to attend this meeting and who require certain accommodations in order to allow them to observe and/or participate in this meeting, or who have questions regarding the accessibility of the meeting or the facilities, are requested to phone David Lothspeich, Long Grove Village Manager at 847-634-9440 or TDD 847-634-9650 promptly to allow the Village of Long Grove to make reasonable accommodations for those persons.

**MEETING
PROCEDURES**

Plan Commission meeting follow the procedures outlined below. In the spirit of fairness to all parties, any of these procedures may be modified for a particular item at the discretion of the Chair.

1. Introduction of item by the Chair.
2. Village Staff's summary of Petition.
3. Presentation by the Petitioner.
4. Public Testimony and Comment.
5. Cross-Examination.
6. Response by the Petitioner.
7. Questions by the Commission.
8. Commission Discussion and Deliberation.
9. Commission Action.



REVISED STAFF REPORT

TO: LONG GROVE PLAN COMMISSION

FROM: JAMES M. HOGUE, VILLAGE PLANNER

DATE: 6/30/10

RE: PCZBA REQUEST 03-10 Request for variations of the front and side yard setback requirements within the R-2 Zoning District and preliminary plat approval for a proposed three lot subdivision on property commonly known as 1889 Checker Road and Submitted by Orren Pickell Designers & Builders.

Item: PCZBA PETITION 03-10

Status: Complete application submitted 05/07/10. Referral by Village Board not required. Filing fees & Escrow submitted 04/26/10.

History: The property is located on the north side of Checker Road and also immediately adjacent to Bordeaux Lane to the east. The property contains 15 +/- acres of land area and is presently zoned R-2 Single Family Dwelling District. The property is currently occupied by an uninhabited single family residence and outbuildings formerly used as a kennel.

Proposal: Consideration of a petition for variations of the front & side yard setback requirements within the R-2 Zoning District and preliminary plat approval for a proposed three lot subdivision (one non-buildable outlot included also) and/or any additional relief necessary and/or appropriate under the village code to allow subdivision of property to now be known as the "1889 Checker Road Subdivision". **(Revised Plat Attached.)**

Update:

The residents of Bordeaux Lane have listed a number of concerns with regard to the proposal which are attached to this updated report. A response from Mr. Jason DeBaker of Pickell Designers and Builders is also attached.

The entranceway has been modified and is very similar to the entranceway design which was considered as part of the previous proposal on this site. The revised entranceway drawing is also attached.

This modification, as well as the preliminary plat and engineering plans have also been submitted to the Village Engineer for review. Comments back from the Village Engineer have not yet been received.

Preliminary Plat

As proposed the development will comprise a 3 lot subdivision (3 buildable lots; 1 outlot) to now be known as the “1889 Checker Road Subdivision”. The development is proposed to be serviced by private well and sanitary sewer service.

Staff had identified the following issues with regard to the plat which have been resolved as follows ;

- 1) The subdivision is identified as the “1899 Checker Road Subdivision”. Staff questions whether this intentional or a typo given the property address is actually 1889 Checker Road? **The name has been modified to the 1889 Checker Road Subdivision.**
- 2) Do sanitary sewer easements need to be extended into the front yards of the proposed lots? **The easement within the Private Road appears adequate.**
- 3) Are additional easements required for gas, electric & phone lines? **Easement provided in roadway access.**
- 4) A soils map was not included in the submittal and is required. Additionally soils designated as “conservancy soils per the Village Code need to be identified and protected via a “Conservancy Easement” also not identified on the preliminary plat. **Soils Survey submitted & easement placed on Preliminary Plat.**
- 5). Streets: Is a name proposed for the “Private Road” on Outlot “A”? I defer to the Village engineer on street design & construction standards. **See item 1 from Jason DeBaker response of 6.29.19. Comments have not yet been received from the Village Engineer.**

Additional ROW is required along Checker Road measuring 40’ from the centerline of Checker Road. **Included on revised preliminary plat.**

A 100’ Scenic Corridor easement needs to be shown along the Checker Road frontage across the width of the property. **Included on revised preliminary plat.**

6. **The errors regarding setbacks have been corrected. The revised plat now identified a 30’ side yard (variation requested) on the east side of proposed Lot 3 as well as a 40’ rear yard (per R-2 District standards) to the north.**

Variation Requests

As requested the petitioner is seeking variations on both the front and side yard setback requirements for three lots within the proposed subdivision. Variations to the front and side yard setback requirements (75’ & 40’ respectively) are requested down to 50 & 30 feet respectively.

Both variations may be considered as authorized variations under the Long Grove Village Code. The proposed use of the property, as well as the zoning, remains residential. This is consistent with properties within the vicinity of the subject property with the exception of property to south which is open space owned and maintained by the Lake County Forest Preserve District. The property will meet or exceed the underlying R-2 District regulations with respect to lot size. It is anticipated all

addition underlying R-2 District requirements will be met (or additional variations will need to be requested).

While the property contains a substantial amount of land area (15 acres +/-) petitioner is only seeking to place 3 lots on the property. A previous proposal for this site contained 5 buildable lots.

Additionally, the property is substantially constrained by an easement granted to the Forest Preserve District which appears to be on approximately half of the property. The Forest Preserve District has been very reluctant to permit any encroachment in to this easement area. (See attached identifying easement area).

The variation procedure is intended to provide a narrowly circumscribed means by which relief may be granted from unforeseen particular applications of this code that create practical difficulties or particular hardships on a particular property owner. Often these relate to the unique surroundings, configuration, or topography of a piece of property and are distinguished from a mere "inconvenience" should the regulations strictly implemented.

Standards for Variations are found in Section 5-11-15 of the Zoning Code for the Village of Long Grove. Excerpts from these regulation follow;

5-11-15 VARIATIONS

(A) **Authority.** The board of trustees shall have the authority, by Ordinance duly adopted, to grant variations from the provisions of this code, but only in compliance with the procedures set forth in subsection (D) of this section and in those specific instances enumerated in subsection (E) of this section and then only in accordance with each of the standards enumerated in subsection (F) of this section.

(E) **Authorized Variations.**

1. **Permitted Variations.** The board of trustees may vary the provisions of this code only as provided in this paragraph (E) 1. The authority of the board of trustees to vary the provisions of this code is subject to the prohibitions set forth in paragraph (E)2 of this section and proof by the owner of each of the standards set forth in subsection F of this section.

Under no circumstances shall the list of permitted variations in this paragraph (E)1 be construed as an entitlement, right, or claim for any owner.

The board of trustees may vary the provisions of this code in the following cases and in no others:

- (a) To permit a yard less than the yard required by the applicable regulations.
- (b) To permit the use of a lot for a use otherwise prohibited solely because of the insufficient area of the lot, but in no event shall the area of the lot be less than ninety percent (90%) of the required lot area.
- (c) To permit variations from the sign regulations contained in section 5-9-5 of this code for businesses in the B1 and B2 districts.

2. **Prohibited Variations.** Notwithstanding any other provision of this section, no variation shall be granted that:

- (a) Is intended as a temporary measure only; or
- (b) Is greater than the minimum variation necessary to relieve the particular hardship or practical difficulty demonstrated by the owner.

(F) Standards for Variations.

1. **General Standards.** No variation shall be recommended or granted pursuant to this section unless the owner shall establish that carrying out the strict letter of the provisions of this code would create a particular hardship or a practical difficulty. Such a showing shall require proof that the variation being sought satisfies each of the standards set forth in this subsection (F):
 - (a) That the lot in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations governing the district in which it is located;
 - (b) That the plight of the owner is due to unique circumstances; or
 - (c) That the variation, if granted, will not alter the essential character of the locality.
 2. **Supplemental Standards.** For the purpose of supplementing the above standards, the Board of appeals shall also, in making this determination whether there are practical difficulties or particular hardships, take into consideration the extent to which the following facts favorable to the owner have been established by the evidence:
 - (a) That the particular physical surroundings, shape or topographical conditions of the specific lot involved would bring a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulation were to be carried out;
 - (b) That the conditions upon which the petition for variation is based would not be applicable generally to other lots within the same zoning classification;
 - (c) That the purpose of the variation is not based exclusively upon a desire to make more money out of the lot;
 - (d) That the alleged difficulty or hardship has not been created by any person presently having an interest in the lot;
 - (e) That the granting of the variation will not be detrimental to the public welfare or injurious to other lots or improvements in the neighborhood in which the lot is located; or
 - (f) That the proposed variation will not impair an adequate supply of light and air to adjacent lots or substantially increase the danger of fire or otherwise endanger the public safety, or substantially diminish or impair property values within the neighborhood.
 3. **Specific Standards.** When the regulations authorizing a particular variation impose special standards to be met for such variation, a variation shall not be recommended or granted unless the owner shall establish compliance with such special standards.
- (G) **Variation Less Than Requested.** A variation less than or different from that requested may be granted when the record supports the owner's right to some relief but not to the relief requested.

- (H) Conditions on Variations. The zoning board of appeals may recommend and the board of trustees may impose such specific conditions and limitations concerning use, construction, character, location, landscaping, screening, and other matters relating to the purposes and objectives of this code upon the premises benefited by a variation as may be necessary or appropriate to prevent or minimize adverse effects upon other lots and improvements in the vicinity of the subject lot or upon public facilities and services. Such conditions shall be expressly set forth in the Ordinance granting the variation. Violation of any such condition or limitation shall be a violation of this code and shall constitute grounds for revocation of the variation.
- (I) Effect of Grant of Variation. The grant of a variation shall not authorize the establishment or extension of any use nor the development, construction, reconstruction, alteration, or moving of any building or structure, but shall merely authorize the preparation, filing, and processing of applications for any permits and approval that may be required by the codes and ordinances of the village including, but not limited to, a certificate of zoning compliance, a building permit, a certificate of occupancy, and subdivision approval.
- (J) Limitations on Variations. Subject to an extension of time granted by the building superintendent pursuant to section 5-11-1 of this code, no variation from the provisions of this code shall be valid for a period longer than one year unless a building permit is issued and construction is actually begun within that period and is thereafter diligently pursued to completion or unless a certificate of occupancy is issued and a use is commenced within that period.

A variation shall be deemed to authorize only the particular construction or development for which it was issued and shall automatically expire and cease to be of any force or effect if such construction or development shall be removed and not replaced within six months following such removal.

The ZBA should review this petition in accordance with the criteria identified above and make their findings of fact accordingly.

Please note the Public Hearing relates only to the request for Variations. The request for preliminary plat approval does not require a public hearing. Review of the plat request is contained in this report however. The plat approval should be considered as a separate item as indicated on the meeting agenda.

Issues/Conclusions:

Ingress & Egress

The proposed development abuts Bordeaux Lane to the east. The proposed boulevard entrance straddles the lot line between Lot 42 in La Savanne (owned by Les and Maria Powell) and the property in question. The Powell's have expressed concern for their property and the reconfiguration of the entrance as proposed. Petitioner has been working with the property owner to resolve this issue.

Previously staff had suggested that the reconfigured entrance be placed as far west as possible (given the constraints of the Forest Preserve District Easement on the property). This is requested to try to improve the sight lines and access to the property in questions and the Bordeaux Lane properties. This appears to have been done with the revisions to the shared entrance.

A private drive (width not identified) will be located within a 50' right-of-way (easement) beyond the Boulevard entrance. This will run along the eastside of the property parallel to Bordeaux Lane and terminating in a cul-de-sac upon which lots 1, 2 & 3 will abut.

Per the Village Subdivision regulations regarding privates streets;

“Private Streets: Private streets with narrow road widths are preferred within subdivisions. Only where connections are needed between existing public streets for the purpose of providing multiple access to areas with more than one hundred (100) homes should the village consider public streets. (Ord. 93-O-9, 4-13-1993)”

A 66' R.O.W. appears to be required. This standard, a part of the subdivision regulations, may however, be varied by the PCZBA.

Sanitary Sewer Service

A sanitary sewer service connection is proposed from this development across an easement proposed for Lot 35 of the LaSavanne PUD and into an existing 8” sanitary sewer line which runs north and south along the rear property line of the Bordeaux Lane properties.

Per the Village Code the attached requirements must be met in order for a sanitary sewer service connection to be established. This is a determination to be made by the Village Board. Adequate sewer capacity within the existing sanitary sewer for the proposed development should also be verified.

Water Service

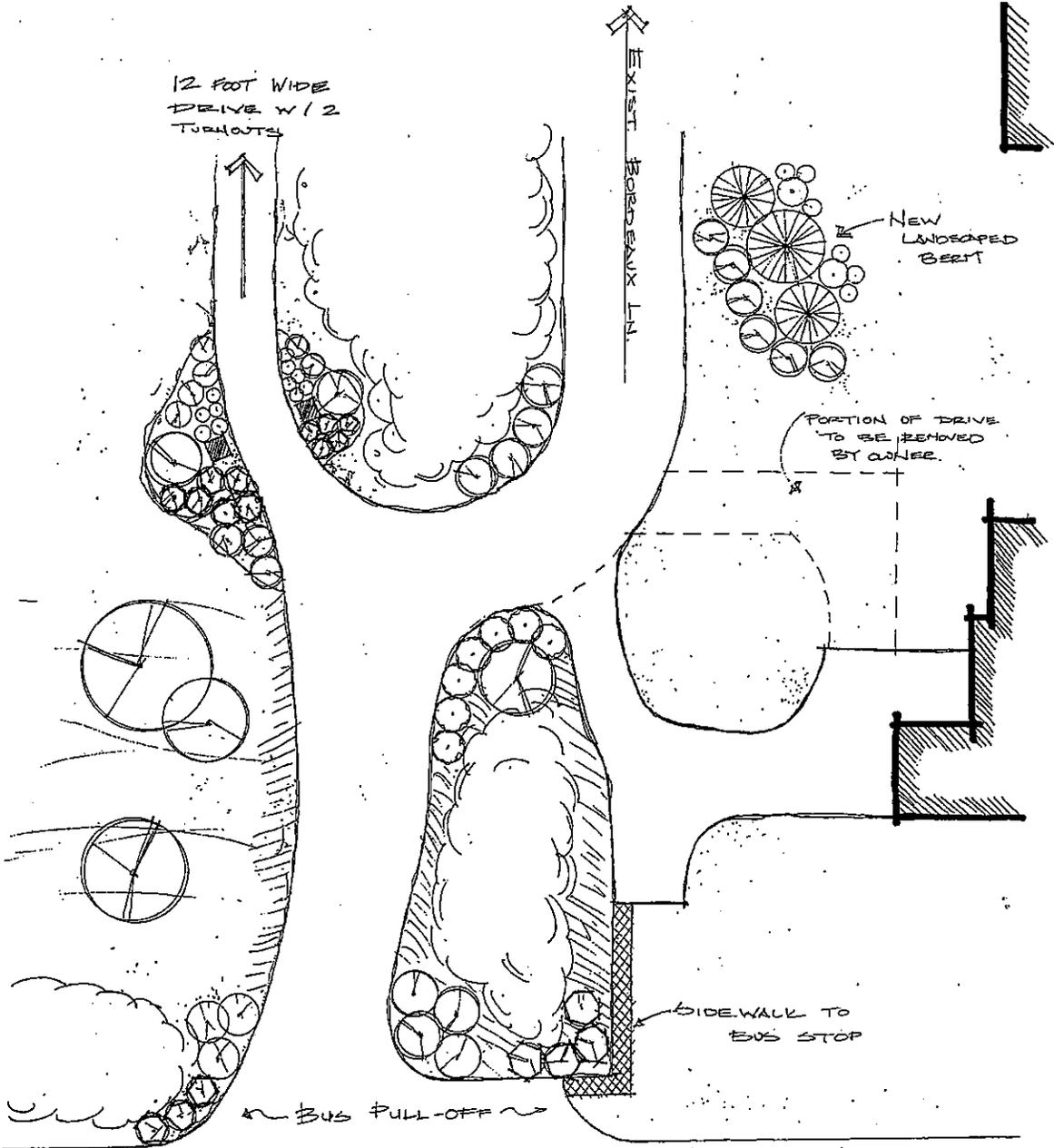
Private wells are proposed for each of the three lots in the development. All private water system improvements must be done in accordance with Lake County Health Department (LCHD) standards at a minimum.

Stormwater Management The Village is certified and standards as established by LCSMC must be met at a minimum.

Respectfully Submitted,

James M. Hogue

**James M. Hogue
Village Planner**



CHECKER ROAD

SHARED ENTRY CONCEPT

1889 CHECKER RD. DEVELOPMENT
 @ BORDEAUX LANE
 © OFDC, INC.

6.18.10

James Hogue

From: les powell [les.powell@oracle.com]
Sent: Wednesday, June 30, 2010 6:37 PM
To: JDebaker@pickellbuilders.com
Cc: Fredpulsar@aol.com; James Hogue
Subject: Re: Revised Entrance to Checker Road

Jason,
Thank you for the correspondence.

Firstly. Good job. The concept is much better than previous version. However.

1. The latest drawing do not clearly show the **berm and tree retentions** we discussed. I.e. that the new road would be west of the present tree line. If this is not possible due to possible root damage or whatever, what is corrective plan. Please clarify: 1. Exact new road location relative to current berm/tree line. 2. Tree retention or replacement plan.

2. **The 'fork'** is still immediately in front of our home. We had discussed moving it slightly north? We can probably easily tweak/ discuss this. As well as the fact that the entrance to our new drive will need slight tweaking. And we need to refine bus stop access.. but not a big deal.

3. **The gates (monuments)** are too close to 'fork', especially if they will be gated. Monuments are ok, but any gate needs to be 3 to 4 cars length away from 'fork'. We do not want trucks waiting for the gate to be opened, while parked in front of our home. This would be a repeat of what the village did to us by allowing the construction on Temple Road, where we now sometimes have bus's and truck's idling and generally making a noise. **I cannot agree to any solution that** does not clearly define an agreement re future gating of the new development.

4. I will unfortunately not be able to attend next weeks meeting as I will be traveling.

Regards, Les Powell (847-323-3817)

On 6/30/2010 3:40 PM, Fredpulsar@aol.com wrote:
Jason,

Thanks for the reply to some of the residents questions. I have distributed them to everyone.

I also want to give you a heads up: Les Powell just called me, he's out of town for business. He won't be back until next week. He still has some major questions on the entrance design. The main question: Preservation of the trees in front of his home, and much more. He will be sending you an email today or tomorrow, along with a copy to Jim Hogue, with as much detail as possible.

Regards, Fred

In a message dated 6/29/2010 4:05:24 P.M. Central Daylight Time, JDebaker@pickellbuilders.com writes:

Fred,
Thank you for your collective response to the revised plan. From what I gather, it seems that none of the residents on Bordeaux Lane have any issue with the proposed layout of the revised entrance detail. I did go over the attached comments with Orren and have the following answers:

Thanks,
Jason DeBaker
Managing Principal
Orren Pickell Design Group, Inc
(847) 572-5200
(847) 457-3128-fax
Fredpulsar@aol.com

Fredpulsar@aol.com

06/28/10 03:45 PM

ToJDebaker@pickellbuilders.com, jhouge@longgrove.net

les.powell@oracle.com, gopikanth@hotmail.com,
wuyan@hotmail.com, ginastarr33@hotmail.com,
cc fred@fredphillips.com, Saymoi01@aol.com,
Tricia813@aol.com

SubjectRe: Revised Entrance to Checker Road

Jason, Jim, and all Bordeaux Lane Homeowners

Attached are the Questions and Concerns that have be brought up PRIOR to everyone receiving the new entrance plan in the mail last week. If anyone has more to add since reviewing the drawing, please contact either Jim Houge at the Long Grove Village office, 847-634-9440, email jhouge@longgrove.net or myself before this THURSDAY. The Next Plan Commission meeting is scheduled for Tuesday July 6th, and with the holiday weekend, there may be people taking the long vacation. I will be out of town from Friday 7/2 through Monday 7/5.

Thanks, Fred

In a message dated 6/28/2010 3:26:30 P.M. Central Daylight Time, JDebaker@pickellbuilders.com writes:

Fred,

I wanted to touch base with you this week prior to our re-submittal of the plans for Checker Road. All of the homeowners on Bordeaux Lane were mailed a drawing showing the revised entrance. Our understanding was that this was previously agreed to by all parties. We asked that anyone who has concerns please call us, but we have not heard back from anyone. Please let me know if you have heard any feedback on this design, as we plan to send in our revised drawings to Long Grove tomorrow.

Thanks,
Jason DeBaker
Managing Principal
Orren Pickell Design Group, Inc
(847) 572-5200
(847) 457-3128-fax=[attachment "Questions and Concerns of Bordeaux Lane Homeowners.doc"
deleted by Jason Debaker/OPB]

Questions and Concerns of Bordeaux Lane Homeowners

- 1. Will the new road have a different name?**
- 2. New signage shall state that both roads are “private lanes”.**
- 3. The entrance street name shall remain Bordeaux Lane.**
- 4. When will the new entrance be completed?**
- 5. All (100%) of the costs of the plan shall be paid by the developer, which includes the work on the Bordeaux Lane side.**
- 6. The landscaping to the West of the entrance should be mirrored to the East of the entrance.**
- 7. The owner of the new subdivision shall be responsible for all legal documents, legal fees and filing of the entrance use agreement.**
- 8. When a new lot is sold, this agreement shall be a covenant to the sale of that lot.**
- 9. Costs for future maintenance of the new entrance shall be divided 50% Bordeaux Lane homeowners and 50% New homeowners. If homes are not constructed, then the land owner shall pay their share.**
- 10. During construction of the new road, every precaution shall be made to protect the existing trees that divide the two properties. In the case of a tree that sustains any damage, the developer shall (at his expense) have an arborist assess that damage and do everything possible to repair the damage. If the developer has sold all the lots, then the new land/homeowner shall be responsible.**
- 11. The same precaution and responsibility above shall be taken during home construction.**
- 12. When the sewer line is connected, any break in the tree line shall be reforested. Any damage to existing landscaping shall be repaired.**
- 13. The drainage problem that exists between Bordeaux Lane lots number 35 and 36, the site of the sewer line connection, shall be repaired so that no standing water shall exist after a rain event.**

James Hogue

From: JDebaker@pickellbuilders.com
Sent: Tuesday, June 29, 2010 4:06 PM
To: Fredpulsar@aol.com
Cc: OPickell@pickellbuilders.com; jeichhorn@pickellbuilders.com; TWilkins@pickellbuilders.com; James Hogue
Subject: Re: Revised Entrancé to Checker Road
Attachments: pic09741.gif

Fred,

Thank you for your collective response to the revised plan. From what I gather, it seems that none of the residents on Bordeaux Lane have any issue with the proposed layout of the revised entrance detail. I did go over the attached comments with Orren and have the following answers:

1. The road to our development will have a new name. That name is yet to be determined.
2. There will be new signage showing both private drives.
3. Keeping Bordeaux as the entrance name is okay.
4. The construction timing is yet to be determined. This timing will be based on village approvals and future construction activity. We will notify the Bordeaux Lane residents well in advance when we know what this timing will be.
5. The Bordeaux Lane revisions as shown on our final village approved plans will be paid by Orren Pickell Designers and Builders.
6. Since there is only conceptual landscaping plans at this point, we will need to determine at a later point what level of landscaping is done on both sides. Our goal will be to maintain a balanced look.
7. Orren Pickell Designers and Builders will be responsible for all legal documents, fees, and entrance use agreements related to the village approved plans.
8. We cannot agree to making this attached document as part of new covenants for future lots on our development. We can agree that final easement language and ownership based on village approved documents will be incorporated into the development covenants.
9. There will be a shared cost between both developments for the main entrance only. Beyond the separate entrances for each development as defined by the boundary survey, maintenance costs will be solely covered by the respective developments. Final language on this can be determined once we have final village approved documents to reference.
10. Tree's will be protected during the construction of the new entrance. Specific language outlining existing tree health at the time of construction and responsibility of tree replacement will have to be determined once we have final village approved documents to reference.
11. Development of the individual sites should have no bearing on tree health as related to Bordeaux Lane homeowners. Any trees that could be damaged by construction traffic would very likely be within our property boundaries. Our goal is to maintain as much of the green buffer between the developments as possible. We value this green buffer as much you do.
12. Our plan as of now is to open cut trench the sanitary line along the easement between lots 35 & 36 up to Bordeaux Lane. We will then be investigating costs to directional bore the length from Bordeaux Lane to our property side and do as little damage as possible to any tree roots in that area. Should we decide to continue open cut trenching, efforts will be made to replace and trees or bushes removed due to this as well as the Bordeaux Lane pavement.
13. We are not aware of the specific details surrounding the drainage issue between Lots #35 & 36. We have asked the owner of Lot #35 if he is aware of this and he does not know of any issues. We will make every effort to repair, replace, and resolve drainage issues within the easement granted to us and within the scope of work we perform. Since the issue could stem from elements outside of our proposed easement rights, we cannot agree to resolving this problem. It sounds like more detail and communication needs to occur between the two owners of these adjacent properties.

1. The road to our development will have a new name. That name is yet to be determined.
2. There will be new signage showing both private drives.
3. Keeping Bordeaux as the entrance name is okay.
4. The construction timing is yet to be determined. This timing will be based on village approvals and future construction activity. We will notify the Bordeaux Lane residents well in advance when we know what this timing will be.
5. The Bordeaux Lane revisions as shown on our final village approved plans will be paid by Orren Pickell Designers and Builders.
6. Since there is only conceptual landscaping plans at this point, we will need to determine at a later point what level of landscaping is done on both sides. Our goal will be to maintain a balanced look.
7. Orren Pickell Designers and Builders will be responsible for all legal documents, fees, and entrance use agreements related to the village approved plans.
8. We cannot agree to making this attached document as part of new covenants for future lots on our development. We can agree that final easement language and ownership based on village approved documents will be incorporated into the development covenants.
9. There will be a shared cost between both developments for the main entrance only. Beyond the separate entrances for each development as defined by the boundary survey, maintenance costs will be solely covered by the respective developments. Final language on this can be determined once we have final village approved documents to reference.
10. Tree's will be protected during the construction of the new entrance. Specific language outlining existing tree health at the time of construction and responsibility of tree replacement will have to be determined once we have final village approved documents to reference.
11. Development of the individual sites should have no bearing on tree health as related to Bordeaux Lane homeowners. Any trees that could be damaged by construction traffic would very likely be within our property boundaries. Our goal is to maintain as much of the green buffer between the developments as possible. We value this green buffer as much you do.
12. Our plan as of now is to open cut trench the sanitary line along the easement between lots 35 & 36 up to Bordeaux Lane. We will then be investigating costs to directional bore the length from Bordeaux Lane to our property side and do as little damage as possible to any tree roots in that area. Should we decide to continue open cut trenching, efforts will be made to replace and trees or bushes removed due to this as well as the Bordeaux Lane pavement.
13. We are not aware of the specific details surrounding the drainage issue between Lots #35 & 36. We have asked the owner of Lot #35 if he is aware of this and he does not know of any issues. We will make every effort to repair, replace, and resolve drainage issues within the easement granted to us and within the scope of work we perform. Since the issue could stem from elements outside of our proposed easement rights, we cannot agree to resolving this problem. It sounds like more detail and communication needs to occur between the two owners of these adjacent properties.

Thanks,
Jason DeBaker
Managing Principal
Orren Pickell Design Group, Inc
(847) 572-5200
(847) 457-3128-fax
Fredpulsar@aol.com

Fredpulsar@aol.com

06/28/10 03:45 PM

ToJDebaker@pickellbuilders.com, jhouge@longgrove.net

ccles.powell@oracle.com, gopikanth@hotmail.com,
wuyan@hotmail.com, ginastar33@hotmail.com,
fred@fredphillips.com, Saymoi01@aol.com,
Tricia813@aol.com

SubjectRe: Revised Entrance to Checker Road

Jason, Jim, and all Bordeaux Lane Homeowners

Map Unit Legend

| Map Unit Symbol | Map Unit Name | Acres in AOI | Percent of AOI |
|-----------------------------------|---|--------------|----------------|
| 630860 | Elliott silt loam, 0 to 2 percent slopes | 2.1 | 1.4% |
| 634382 | Ozaukee silt loam, 6 to 12 percent slopes, eroded | 1.2 | 0.8% |
| 776680 | Martinton silt loam, 2 to 4 percent slopes | 0.4 | 0.2% |
| 777278 | Ashkum silty clay loam, 0 to 2 percent slopes | 2.7 | 1.7% |
| 777636 | Ozaukee silty clay loam, 4 to 6 percent slopes, severely eroded | 1.4 | 0.9% |
| 777717 | Markham silt loam, 2 to 4 percent slopes | 0.6 | 0.4% |
| 777718 | Markham silt loam, 4 to 6 percent slopes, eroded | 30.9 | 20.0% |
| 777743 | Orthents, loamy, undulating | 6.3 | 4.1% |
| 803361 | Varna silt loam, 2 to 4 percent slopes | 6.6 | 4.3% |
| 804207 | Sawmill silty clay loam, 0 to 2 percent slopes, frequently flooded | 4.2 | 2.7% |
| 804227 | Sawmill silty clay loam, undrained, 0 to 2 percent slopes, frequently flooded | 8.1 | 5.2% |
| 809240 | Grays and Markham silt loams, 2 to 4 percent slopes | 19.1 | 12.4% |
| 809247 | Barrington and Varna silt loams, 2 to 4 percent slopes | 42.9 | 27.8% |
| 809248 | Mundelein and Elliott silt loams, 0 to 2 percent slopes | 0.5 | 0.3% |
| 809251 | Mundelein and Elliott silt loams, 2 to 4 percent slopes | 27.2 | 17.6% |
| Totals for Area of Interest (AOI) | | 154.3 | 100.0% |

CONSERVATION
SOIL