

PLAN

REPORT OF THE PROCEEDINGS OF A MEETING
BEFORE THE VILLAGE OF NORTHFIELD
PLAN AND ZONING COMMISSION

COMMISSION

REPORT OF PROCEEDINGS had before the Village of
Northfield Plan and Zoning Commission taken at the Northfield
Village Hall, Board Room, Northfield, Illinois on the 2nd
day of January, 2019, at the hour of 7:00 p.m.

MEMBERS PRESENT:

BILL VASELOPULOS, Chairman
KATHY ESTABROOKE
E. LEONARD RUBIN
STEVEN HIRSCH
CONNIE BERMAN
DAN deLOYS
THOMAS BOLLING

MEMBERS ABSENT:

TODD BERLINGHOF
TRACEY MENDREK

ALSO PRESENT:

STEVE GUTIERREZ, Community Development Director

1 CHAIRMAN VASELOPULOS: Good evening. Welcome
 2 to the meeting of the Plan and Zoning Commission. My
 3 name is Bill Vaselopulos, I'm the Chairman of the
 4 Commission. At this time, I'd like the Commissioners to
 5 introduce themselves, starting with Connie.
 6 COMMISSIONER BERMAN: Connie Berman.
 7 COMMISSIONER HIRSCH: Steven Hirsch.
 8 COMMISSIONER RUBIN: Lenny Rubin.
 9 COMMISSIONER ESTABROOKE: Kathy Estabrooke.
 10 COMMISSIONER DELOYS: Dan deLoys.
 11 COMMISSIONER BOLLING: Tom Bolling.

12 CHAIRMAN VASELOPULOS: Thank you. The purpose
 13 of tonight's meeting is to conduct a public hearing:

- 14 • To consider and discuss a request for approval of a
 15 special use permit located at 465 Central Avenue,
 16 Petitioner's name is Core Health and Wellness,
 17 Inc.; and
- 18 • To consider two text amendments, the first being to
 19 the Zoning Code, Nuisance Chapter and Offenses
 20 Chapter in order to clarify and consolidate the
 21 noise regulations into the Zoning Code; and the
 22 second text amendment is to Articles XIII, IV, and
 23 XIX of the Zoning Code intended to establish a
 24 definition of short-term rental and to clarify that
 25 this use is prohibited in all zoning districts.

26 The public hearing format will provide an
 27 overview of these proposals and a forum for public
 28 comment and input. This Commission is a recommending
 29 body only and we will forward our recommendations to the
 30 Village President and Board of Trustees for final
 31 determination on whether or not to grant these items
 32 before us today. The Board will then consider these
 33 items that are being discussed this evening at the next
 34 Board meeting which is scheduled for Tuesday, January
 35 15th, 2019, at 7:00 p.m., right here in this boardroom.

36 Commission meetings require that all
 37 persons wishing to be heard and to enter testimony must
 38 be sworn in. This includes all petitioners, individuals
 39 with the petitioners, and any interested parties or
 40 other property owners. Following the petitioner's
 41 presentation and after the Commission has had an
 42 opportunity to ask questions and discuss amongst
 43 ourselves, then all other interested parties will be
 44 given an opportunity to speak.

45 Prior to speaking, we request that all
 46 parties step forward to the microphone and be sworn in,
 47 provide their name, address, and interest in this matter
 48 for the record. These proceedings are being recorded,
 49 and that is why we request that you speak only at the
 50 podium where the microphone is located.

51 Our first order of business is to pass
 52 the minutes from our last meeting of November 5th, 2018.

1 Is there a motion?
2 COMMISSIONER BOLLING: I'll make a motion that
3 we pass the minutes from our last meeting.
4 COMMISSIONER DELOYS: Second.
5 CHAIRMAN VASELOPULOS: All those in favor?
6 (Chorus of ayes.)
7 CHAIRMAN VASELOPULOS: All opposed?
8 (No response.)
9 CHAIRMAN VASELOPULOS: Motion carries. Before
10 the first, before the Petitioner for the special use
11 comes to the microphone, Steve, do you have any
12 introductory comments?
13 MR. GUTIERREZ: Thank you, Chairman. The
14 Petitioners are Falcon Realty Group who is the landlord
15 and Core Health and Wellness which is the prospective
16 tenant. The Petitioners are seeking a special use in
17 order to allow for a physical and occupational therapy,
18 chiropractic medicine, and one-on-one personal training
19 services operation. They would occupy 1,871 square-foot
20 tenant space at the two-story office building at 465
21 Central.
22 They would, this operation would have up
23 to five staff members at any given time and anticipates
24 seeing four patients per hour just to give you a sense
25 of the intensity of the use. Their hours of operation
26 would be 7:00 a.m. to 7:00 p.m. daily, and they would
27 expect the peak hours to be weekday mornings and early
28 evenings. Their use is considered a medical office use
29 and this requires a special use permit in the office
30 administration facility district in which this is
31 located.
32 There's really nothing extraordinary
33 about any issues. There is no parking variation
34 required. They have adequate parking per the code
35 requirement, and none of the departments had any
36 concerns or questions about the proposed use.
37 With that, the Petitioner is here ready
38 for a brief presentation if you'd like and certainly to
39 answer any questions that you might have.
40 CHAIRMAN VASELOPULOS: Okay, thank you. Would
41 the Petitioners like to step to the microphone please
42 and state your name and be sworn in by Steve?
43 MR. GUTIERREZ: Please raise your right hand.
44 (Witnesses sworn.)
45 MR. GUTIERREZ: Thank you.
46 CHAIRMAN VASELOPULOS: If you could both state
47 your name?
48 MR. RUBEL: Nick Rubel with Core Health and
49 Wellness.
50 MR. PICK: Charlie Pick, Falcon Realty Group,
51 landlord.
52 CHAIRMAN VASELOPULOS: Do you have a

1 presentation or any introductory comments you want to
2 make at all?

3 MR. PICK: I don't have a formal presentation
4 prepared. I've owned the office building at 465 Central
5 for about seven years now. We had a vacancy in the
6 space and Core Health and Wellness approached us about
7 taking over a portion of the vacancy to do their
8 occupational physical therapy, kind of a higher end one-
9 on-one training which we think is a very nice compatible
10 use with the tenants of the building. So, we understood
11 that we're required to seek a special use permit because
12 it's considered to be a medical use, and we're here
13 tonight to ask for your blessing to move forward.

14 CHAIRMAN VASELOPULOS: Great, thank you. Does
15 anyone from the Commission have any questions for the
16 Petitioners?

17 COMMISSIONER BOLLING: Is there another --
18 would you like to speak?

19 CHAIRMAN VASELOPULOS: Oh, I'm sorry, do you
20 have any other comments you wanted to share? I'm sorry.

21 MR. RUBEL: I wasn't really going to add too
22 much other than what Steve had already said. I sent him
23 a brief summary, just to highlight the fact that
24 everything that we do is one on one. We don't do any
25 groups or classes or anything like that, so it's all by
26 appointment and one on one only.

27 CHAIRMAN VASELOPULOS: Okay.

28 COMMISSIONER ESTABROOKE: I have something.

29 CHAIRMAN VASELOPULOS: Go ahead.

30 COMMISSIONER ESTABROOKE: Just out of
31 curiosity, what type of chiropractic method will you be
32 using?

33 MR. RUBEL: I don't actually have a
34 chiropractor on staff yet. So, to be determined.

35 COMMISSIONER ESTABROOKE: Okay.

36 COMMISSIONER RUBIN: I confess to a little
37 confusion regarding the floor plan because, and please
38 forgive me if I'm just speaking out of ignorance, I do
39 that a lot, but Suite 204 as I'm looking at the floor
40 plan does not include any part of Suite 200, which means
41 that if any of the patrons in Suite 204 want to use a
42 men's room or a ladies' room, they have to go in to
43 Suite 200?

44 MR. PICK: No.

45 COMMISSIONER RUBIN: I'm wrong.

46 MR. PICK: So, the way this building is laid
47 out, the restrooms on each floor, and there are a set of
48 ADA his and hers restrooms on each floor, they're in the
49 common areas. So, everybody in the building has to step
50 out of those suites in order to use the facilities with
51 the exception of the first floor which had a custom
52 build-out in their suite.

1 COMMISSIONER RUBIN: Ah, I see the solid line
2 now, I didn't see it before. Okay, that answers my
3 question.
4 CHAIRMAN VASELOPULOS: And that's a hallway
5 there, that's the, the hallway connects the two suite
6 entrances and access to the backs, right?
7 COMMISSIONER RUBIN: Right.
8 MR. PICK: Yes, the hallway has the
9 stairwells, the elevators, the restrooms, janitorial, et
10 cetera.
11 COMMISSIONER RUBIN: Okay, so I warned you
12 that I might be speaking out of ignorance. I was right.
13 COMMISSIONER HIRSCH: And I thought you were
14 going to pick up my topic, same one, just an
15 understanding of the delineation of the two units. I do
16 note the light line showing the division between 204 and
17 200. Is there in fact a demising wall going up? Are
18 you making use of only the 1,800 square feet?
19 MR. PICK: Yes, so the suite originally was
20 just Suite 200 which is about 3,200 square feet.
21 COMMISSIONER HIRSCH: Right.
22 MR. PICK: So, we decided to demise the space
23 according to the way the building was actually
24 originally designed underneath an I-beam. So, the
25 demising has already been done. We pulled a permit with
26 the Village and got that completed and inspected over
27 the last couple of months in anticipation of this lease
28 and then filling up the smaller space as well.
29 COMMISSIONER HIRSCH: Great.
30 MR. PICK: So, demising is done by code. The
31 Fire Marshal came in. We added the annunciators that
32 were required, we put insulation in the wall, so
33 everything is done by the book.
34 COMMISSIONER HIRSCH: Okay, so with that comes
35 anticipated build-out or are you operating out of an
36 open common area as shown on the floor plan?
37 MR. PICK: So, the build-out for this side of
38 the space, the 204 space, some of the rough has been
39 done and we're cautiously optimistic about the process
40 tonight. But the full demolition of some walls, paint,
41 the carpet, and some of the final touches have not been
42 done until we have the formal approval.
43 COMMISSIONER HIRSCH: And my reason for
44 asking, medical typically, as you know, Charlie, with
45 suites can involve water and other disciplines that come
46 with that.
47 MR. PICK: Yes, this is, we are doing, the
48 only water works in this suite if you will are going to,
49 we added some laundry facilities in the kitchen area.
50 We took the opportunity as well to run that water into
51 the smaller new suite, the Suite 200, to add a break
52 room.

1 COMMISSIONER HIRSCH: Right. Nice.
2 MR. PICK: So, that's already been done.
3 COMMISSIONER HIRSCH: Good.
4 COMMISSIONER BOLLING: Has the work been done
5 on the emergency lights and notification systems in
6 that, what is it, the treatment room and office?
7 MR. PICK: Yes, the Fire Marshal has already
8 gone through, so we put in the strobes that were
9 required. If we make the small room that you see in
10 your plan and Suite 204 into a treatment room, we put
11 treatment because that was an idea, this could be a
12 treatment room, it could be a broom closet. We called
13 it treatment, the Fire Marshal said if you do treatment
14 you have to put an annunciator in there, which we will
15 do. Right now, we're not sure exactly how that one is
16 going to be used, but we've done the fire upgrades to
17 the suites as required up to this point.
18 COMMISSIONER BOLLING: So, according to our
19 Fire Department, you're up to snuff.
20 MR. PICK: Yes. Before we can get a
21 certificate of occupancy, however, on Suite 204, we have
22 to finish the build-out and they have to come back
23 through it again and look at everything to make sure
24 we're by the book.
25 COMMISSIONER BOLLING: Okay.
26 COMMISSIONER HIRSCH: Is the physical therapy
27 mostly resistance training and other things? Or is it
28 mechanical, machine, electric?
29 MR. RUBEL: It's mainly going to be resistance
30 training, yes.
31 CHAIRMAN VASELOPULOS: Does anyone else have
32 any other questions or comments? Does anyone from the
33 audience have any questions or comments they'd like to
34 make at this time? If not, does someone want to make
35 a motion?
36 COMMISSIONER BOLLING: Yes, I'd like to make a
37 recommendation, or a **motion to recommend to the Village**
38 **Board approval of the special use for the physical and**
39 **occupational therapy, chiropractic medicine, personal**
40 **training operation at 465 Central Avenue in accordance**
41 **with the Petitioner's application and supporting**
42 **materials, date stamped December 4, 2018, subject to the**
43 **following conditions one through eight.**
44 CHAIRMAN VASELOPULOS: Is there a second?
45 COMMISSIONER ESTABROOKE: I'll second.
46 CHAIRMAN VASELOPULOS: All those in favor?
47 (Chorus of ayes.)
48 CHAIRMAN VASELOPULOS: All those opposed?
49 (No response.)
50 CHAIRMAN VASELOPULOS: Motion carries.
51 Congratulations and good luck to you.
52 MR. PICK: Thank you.

1 MR. RUBEL: Appreciate it, thank you.
2 CHAIRMAN VASELOPULOS: The next item before us
3 is to consider a text amendment to the Zoning Code,
4 Nuisance Chapter and Offenses Chapter, in order to
5 clarify and consolidate the noise regulations into the
6 Zoning Code. Steve, do you have any introductory
7 comments?

8 MR. GUTIERREZ: Thank you, Mr. Chairman. I
9 just want to give you a bit of history to provide some
10 context to the model ordinance that you were sent with a
11 number of text amendments to the Zoning Code.

12 CHAIRMAN VASELOPULOS: And Steve, I'm sorry to
13 interrupt, if you could also, that history, if you
14 could, because we're contemplating exempting the Park
15 District and school facilities, if you can tell us how
16 it relates to those in particular?

17 MR. GUTIERREZ: Sure, absolutely.

18 CHAIRMAN VASELOPULOS: Thanks.

19 MR. GUTIERREZ: Absolutely. So, in recent
20 years, we've received a couple of different noise
21 complaints. One related to the New Trier High School's
22 football field down on Happ Road. One neighbor who was
23 complaining about the noise coming from the stadium had
24 pointed to the code language in Section 14.1 of our
25 Village Code, which he interpreted as saying that if he
26 as one individual, there weren't any other neighbors
27 complaining, was disturbed by any noise, that by default
28 that should constitute a violation of our noise
29 ordinance requirements. Ultimately, New Trier made some
30 tweaks to how they were running the PA system and
31 practices and things like that.

32 This past summer, the Park District had a
33 series of concerts on Wednesday evenings throughout the
34 summer. A property owner who lives adjacent to Clarkson
35 Park, expressed concern about the level of noise during
36 those events, particularly with the music. He had some
37 other complaints that really weren't related to zoning
38 issues or the noise regulations but other nuisance
39 issues which the Village has addressed separately.

40 Again, in the process though of
41 contemplating these complaints, the Village attorney and
42 Staff found that the regulations were scattered across
43 our nuisance chapter, our offenses chapter and in our
44 Zoning Code. Unfortunately, they're not always, as it
45 exists right now, they're not always consistent with
46 each other and they could stand some clarification as
47 well.

48 So, solely to stimulate discussion about
49 our noise regulations, the Village attorney drafted a
50 model ordinance which you've all received which does a
51 number of things. Again, they're not necessarily the
52 Village attorney's recommendations or Staff's

1 recommendations or even the Village Board's
2 recommendations. They're really a starting point for
3 discussion.

4 With that said, what the draft model
5 ordinance would consolidate all of the regulations into
6 the Zoning Code. Then it also clarifies that a single
7 individual wouldn't really dictate our enforcement
8 efforts. It eliminates the 'any person' referenced in
9 part of the existing regulations. That is, if any
10 person feels that a noise is a nuisance to them, it's a
11 defacto violation.

12 The model ordinance would also eliminate
13 inconsistency in how we deal with nighttime noise
14 standards. When I reference nighttime, the code defines
15 that as from 7:00 p.m. until 7:00 a.m. The proposed
16 model ordinance would broaden the applicability of the
17 restrictions on nighttime noise to all types of noise,
18 not just noise made by musical instruments and
19 loudspeakers which is how the current noise regulations
20 read. It would apply to just about anything that would
21 be audible at night. That's just by human ear, we're
22 not talking about decibel levels, just audible from a
23 distance of 100 feet from the noise source.

24 So, if I were playing my radio too loud
25 in my backyard, if a police officer were called at 12:00
26 o'clock at night and he could hear it from a distance of
27 100 feet, then it's a prima facie violation. He doesn't
28 have to measure anything, he does have to approximate
29 the distance.

30 Under the current regulations, if you can
31 hear music, loudspeakers at night at a distance of 50
32 feet, that's a prima facie violation. The Village
33 attorney felt that the 100 feet may be a more reasonable
34 distance than the current 50 feet.

35 The model ordinance also would exempt the
36 Park District and School District athletic events, again
37 taking care of the stadium noise, the soccer tournament,
38 things like that, and it would exempt up to 10 non-
39 athletic Park District special events per year. I'd
40 like to point out that the 10-event limitation mentioned
41 in the Village Attorney's memo was inadvertently left
42 out from the draft ordinance that we sent you.

43 COMMISSIONER DELOYS: Is that the Wednesdays
44 only? Or does that include private --

45 MR. GUTIERREZ: That was something the Park
46 District was suggesting, I'll let them speak to that.

47 COMMISSIONER DELOYS: Well, what about the
48 private events when they lease out the facility?

49 MR. GUTIERREZ: That's a good question for the
50 the Park District, which we really couldn't answer.

51 COMMISSIONER DELOYS: Yes, being someone who
52 lives there, we encounter it a lot.

1 MR. GUTIERREZ: So, that's part of the
2 discussion I think that needs to be had is should there
3 be a limit on the number of events.

4 COMMISSIONER RUBIN: Yes, I was going to ask
5 how they came up with 10. Arbitrarily?

6 MR. GUTIERREZ: Just to start a discussion.

7 COMMISSIONER RUBIN: Totally arbitrary.

8 MR. GUTIERREZ: I think there might have been
9 10 of the summer events, I think that's how it started.

10 But then subsequently, in conversation with Park
11 District, they said they have other things such as
12 rentals if the facilities sometimes. The point being
13 the 10 event limit wasn't a hard and fast recommendation
14 - it was just some place to start that conversation.

15 Even the Village Board acknowledged that
16 if we're going to go down this road with the noise
17 ordinance, that we should be engaging the Park District
18 to understand what's a reasonable limit is.

19 COMMISSIONER RUBIN: And engage the
20 neighborhood then, too.

21 MR. GUTIERREZ: We'll get to that as well.
22 So, in any event, again those were the things that the
23 model ordinance would change as a starting point of
24 discussion.

25 Regarding the notice, when we have a
26 zoning text amendment, we're required to publish a
27 notice of this meeting and what we're contemplating
28 amending in the paper 15 to 30 days prior to the
29 hearing. That is a statutory requirement and our code
30 requires us to do that. We also post it. However, for
31 zoning text amendments such as this one and the other
32 one we're hearing tonight, we don't mail notices out.

33 Text amendments are universally
34 applicable to everywhere in the Village and we don't
35 send a mailing to every mailing address in the Village.
36 The amendments aren't specific to one property such as a
37 special use or a planned development where we do send
38 notices out to everyone within 250 feet of a particular
39 property.

40
41 CHAIRMAN VASELOPULOS: So, to the issue of
42 actually excluding this location, well, not location but
43 the Park District from this, what was the thinking
44 behind it? Was there any thought about whose
45 jurisdiction this really falls under because we have
46 different --

47 COMMISSIONER BOLLING: Got three different.

48 CHAIRMAN VASELOPULOS: We have three different
49 governmental bodies involved.

50 MR. GUTIERREZ: I think part of the discussion
51 was should we rely on those government bodies to act
52 responsibly as they see, deem fit, and as their

1 constituency ultimately deems fit, versus regulating
2 them as if they were a commercial entity or private
3 entity. I think again that's the starting point of
4 discussion.

5 COMMISSIONER BERMAN: I think, as far as the
6 noise level, I rented out the Park District for a party
7 10 years ago, and they were very responsible with the
8 times that we had to stop, and the start and stop time.
9 I had a band with loud music. I didn't get any
10 complaints, and I think it's really a good place that
11 we, for the community.

12 COMMISSIONER DELOYS: I think people who live
13 in the neighborhood didn't know they could complain. We
14 just got to shelter down. I can't go to my backyard
15 most nights when there's an event, unless I like the
16 band and then it's okay. If I don't like the band, I
17 have to go inside. When there's fireworks, it's even
18 worse.

19 COMMISSIONER BERMAN: And those bands, some
20 people were coming to the party that weren't invited.
21 But I respect your view, I do, but personally, I think
22 it's a really good thing for Northfield.

23 COMMISSIONER DELOYS: It's just, you know
24 what, if it's Friday or Saturday night, it's probably
25 one thing.

26 COMMISSIONER BERMAN: Right.

27 COMMISSIONER DELOYS: But it's every Wednesday
28 night in the summertime. It can get annoying when you
29 live there and you just want to go out and barbecue and
30 you can't do it, or whatever you want to do outside.

31 CHAIRMAN VASELOPULOS: Just to remind
32 everyone, I think we have representatives here from the
33 Park District that we can ask them questions. I assume
34 they will be open to questions from us.

35 COMMISSIONER BOLLING: Yes, what is the
36 process for that?

37 CHAIRMAN VASELOPULOS: Steve, do you want to
38 add anything more? Then I was going to address Tom's
39 question about the process.

40 COMMISSIONER BOLLING: What is the process of
41 what we're doing here? Are we going to have a
42 communication with the Park District? Or are you done?
43 I'm sorry, Bill.

44 MR. GUTIERREZ: Yes, just to again finally
45 note, if you want more done, you're not obligated to
46 vote on this evening. You can continue it if you want
47 more information, you want more time, for whatever
48 reason if you wish to continue this to your February 4th
49 meeting, that would be fine with us. But if at the end
50 of the evening you feel you have enough information to
51 submit a recommendation to the Board, you can also
52 obviously take a vote if you feel that you're in a

1 position to do that.

2 So, with that, that's all we, the Staff,
3 have for you at this point. I'd be happy to answer
4 questions. The Park District is here this evening to
5 present their view on it.

6 CHAIRMAN VASELOPULOS: Okay, do we have any
7 questions right now for Steve? Obviously he's going to
8 be available. If representatives from the Park District
9 could come to the microphone, be sworn in and introduce
10 themselves please?

11 MR. GUTIERREZ: Please raise your right hand.
12 (Witnesses sworn.)

13 MR. GUTIERREZ: Thank you.

14 MR. ALEXOFF: Hi, I'm George Alexoff, I'm the
15 executive director of the Northfield Park District. I
16 think I know almost everyone here.

17 CHAIRMAN VASELOPULOS: Good evening.

18 MR. ALEXOFF: Good evening.

19 CHAIRMAN VASELOPULOS: Do you have any
20 thoughts or comments, George, you want to share with us?
21 You've heard some of our discussion. Did you have any
22 introductory thoughts?

23 MR. ALEXOFF: Sure. I just want to let
24 everyone know that we as the district were present at
25 the initial meeting when the Village had a chance to
26 look at the model ordinance. With that, we also had a
27 few questions. Talking to Staff, they asked if we had
28 some thoughts and some comments, and I think we did
29 submit a letter. Did they receive that, Steve?

30 MR. GUTIERREZ: Yes.

31 MR. ALEXOFF: Okay. So, one of the things
32 that we did was we kind of looked at it and said, you
33 know, where did the 10 event limit come from as well.
34 The first thing that came to our mind was we do have
35 several other functions that take place within the Park
36 District. We weren't solely looking at Clarkson Park,
37 but if we want to say Clarkson is one location, we do
38 have rentals there all the time, and we have school
39 functions. So, there's a lot of things that happen
40 there and not just the concerts, but the concerts were
41 the first things that happened.

42 This year was the first year that we
43 really received any complaints. Of course that's I'm
44 sure due to something new, and like the concert series,
45 it did make a lot of noise. So, the question is where
46 do we go from here?

47 One of the things we talked about was
48 maybe putting some times on there that would give us the
49 ability to still function as an organization and a
50 district. Also, as Steve mentioned, one of the things
51 we would like to see is that we do have elected
52 officials that also serve the district, as with anything

1 else we do if people have concerns, they can come to us,
2 and hopefully we can do some self managing. That
3 doesn't mean it's going to be to everyone's liking all
4 the time, but there is a place for individuals to go if
5 they have concerns on certain things, and if noise is
6 one of them.

7 Right now, since Clarkson is the majority
8 of the usage where this would take place, but we also
9 have Fox Meadow which is another location, and Willow
10 Park. We do have several events at Willow throughout
11 the year, Fourth of July being a prime example. Based
12 on the current ordinance, anything we do, just people
13 talking sometimes can get passed if we are going to stay
14 with the decibel level scenario. We've operated for
15 many years, things have gone well, but this is the first
16 year it was really brought to our attention.

17 So, with that, we're trying to address it
18 and trying to do it in a proactive manner that works for
19 the Village and works within our mission.

20 COMMISSIONER BOLLING: And what was really
21 brought to your attention?

22 MR. ALEXOFF: We had one individual, as Steve
23 mentioned, who had a concern with the level of noise.

24 COMMISSIONER BOLLING: Was parking raised at
25 all?

26 MR. ALEXOFF: It was not. The issues with
27 parking was more about some street parking at the
28 corners to where potentially a car couldn't get through.

29 But we did work with the Village in making sure we did
30 what we could. We're proactive in terms of putting up
31 signage on the evening prior to the event and took it
32 down the next day to try to do similar to what we've
33 been doing for several years with the Police at Rib
34 Fest, to where we basically decided on some additional
35 streets that seemed to be where most overflow parking
36 took place. So, we did put No Parking on one side of
37 the street so that emergency vehicles can get through.

38 COMMISSIONER DELOYS: Hopefully, you can look
39 at tickets getting moving forward on that. We'd greatly
40 appreciate it.

41 MR. ALEXOFF: I mean, we were more than
42 willing to work with the Village on whatever made sense
43 and, you know, at that point, we did monitor it. There
44 were a few nights during the Wednesday concerts that we
45 did see the streets get full, but for the most part not
46 every night did. Really what we saw is that probably the
47 biggest timeframe was probably between 6:30 and probably
48 8:00 o'clock, 7:30, is where we saw the biggest kind of
49 pinch point if you want to call it that.

50 COMMISSIONER BOLLING: So, first of all, in
51 terms of the big picture of the jurisdiction of if
52 there's complaints, it should go through the Park

1 District Board, that's where it should go first.
2 MR. ALEXOFF: We would agree with that.
3 COMMISSIONER BOLLING: All right, and then
4 it's also important that, I think if I understand this
5 correctly, what we have before us applies to all of
6 Northfield parks, not just Clarkson. This is not a
7 referendum on Clarkson Park, it's the entire, all the
8 parks, and actually any of the governing like the School
9 District.
10 MR. GUTIERREZ: Schools and parks.
11 MR. ALEXOFF: Correct.
12 COMMISSIONER BOLLING: The schools. So, what
13 we're talking about tonight really involves all of those
14 entities, right?
15 COMMISSIONER DELOYS: At Fox Meadow, do you
16 have, is there loud speakers?
17 MR. ALEXOFF: We usually do for special events
18 when we have camps going on soccer --
19 COMMISSIONER DELOYS: As well as like daytime?
20 MR. ALEXOFF: Well, currently.
21 COMMISSIONER DELOYS: Right, before dusk or
22 whatever.
23 MR. ALEXOFF: But you never know, you know,
24 until different uses take place.
25 COMMISSIONER DELOYS: Like July it's different
26 I get.
27 COMMISSIONER BOLLING: So, I'm a little
28 concerned, just real quick, I'm really concerned that
29 despite what Steve was talking about in terms of
30 notifications to the public on this, we're talking about
31 a pretty significant, well, it's an ordinance change,
32 it's pretty significant. We have communicated according
33 to our policies on what we'd like to do, but I'm looking
34 at the audience right now and I see maybe three folks.
35 I wonder whether or not all of the folks involved in all
36 of the parks and all of the affected areas truly know
37 that this hearing is going on right now.
38 So, I remember being involved in a couple
39 of last year's PUD scenarios where people were very
40 concerned about that they didn't know what was going on.
41 Despite our best efforts, that's what they felt. So,
42 here we go again.
43 I'm a little concerned that what's being
44 covered right now on this and actually the next matter
45 on the agenda, whether or not the public is truly
46 informed about whether or not this has been truly
47 communicated and that we're getting the input, because I
48 think as I understand the process is that we are
49 supposed to be hearing the, this is a hearing of the
50 public. So, I'm sorry to pontificate here but have you
51 had some sort of feedback or an ability to talk to --
52 MR. ALEXOFF: We had. We did put a notice in

1 our park brochures asking for feedback on the event
2 itself to let us know if they had any concerns.

3 COMMISSIONER BOLLING: And when was that?

4 MR. ALEXOFF: Now, that one would have been
5 sent out I think in our fall brochure and also our past
6 winter, I think we had some questions on there. But no
7 one responded as well. You know, the majority of our
8 feedback has been very positive, but once again, we're
9 not pinpointing asking do you have a concern on the
10 level of sound. So, it's really hard to --

11 COMMISSIONER DELOYS: Realistically, the major
12 sticking point will be the concerts. I mean, that's the
13 loudest noise likely. So, I think, you know, if you've
14 got you're announcing at games, obviously I think that
15 is understandable. I mean, if someone is raising the
16 thing about the football field at New Trier, I think
17 that's a little farfetched.

18 MR. ALEXOFF: From the Park District's
19 perspective, you know, a concert series in the summer is
20 something most districts do. So, I would have never
21 thought we would have an issue with the sound level.

22 COMMISSIONER DELOYS: -- of last year. It
23 wasn't done previously.

24 MR. ALEXOFF: Yes, it was the first time.
25 Well, we have done periodic concerts but not on a season
26 long.

27 COMMISSIONER BOLLING: And the issue of where
28 you hold them, okay. I mean, parks and Clarkson, you
29 know, is the neighborhood park that a lot of people can
30 walk to and it's very quaint. Willow Park, and I think
31 this was addressed in Steve Bidford's letter if I'm not
32 mistaken, you know, I mean, has the space, is better in
33 terms of being farther away from residents, but doesn't
34 have the quaintness. The whole playground issue, you
35 know, it's a little farther detached, and young parents
36 of young children like the closeness of all that with
37 the playground, keeping an eye on kids.

38 So, can you comment to that?

39 MR. ALEXOFF: From the Board and the Staff's
40 point of view, you're correct. It's really, it's not
41 the sense of community when you see something at Willow
42 Park which is so expansive, you know. But once again,
43 you can look at it and say, well, if we're going to have
44 this over at Willow Park, we're still creating noise.
45 Noise is noise, and I would --

46 COMMISSIONER BOLLING: But it does solve some
47 issues about, you know, the proximity to residential
48 properties, parking.

49 MR. ALEXOFF: Absolutely.

50 COMMISSIONER BOLLING: And just the greater
51 amount of space. But I'm sorry --

52 MR. ALEXOFF: I can just, you know -- go

1 ahead, I'm sorry.
2 COMMISSIONER ESTABROOKE: Well, I'm just
3 saying that, you know, I attended some of those
4 Wednesday night sessions, and in my opinion, and of
5 course I'm, you know, older, the music was way louder
6 than it needed to be, I think. I mean, there's, it's
7 not that big of a space, so if people really want to
8 hear the band better or whatever, they can move to the
9 location where the band is. We don't have to hear it at
10 the playground.

11 So, I think it's more of controlling the
12 sound and understanding that, you know, you don't have
13 to have the music blaring. You know, it just needs to
14 be almost like an ambience.

15 COMMISSIONER BERMAN: And I respectfully
16 disagree, because I feel that, my kids grew up in
17 Winnetka and we used to go to the Hubbards Woods Park
18 every Wednesday and listen to bands every Wednesday,
19 from Kindergarten until they graduated eighth grade.
20 There's something about being in that small community
21 with family and people around, and I went to the
22 Wednesday nights as well, and I didn't find it
23 obnoxiously loud.

24 COMMISSIONER DELOYS: But the Hubbard Woods
25 Park is in a retail environment.

26 COMMISSIONER BOLLING: Commercial.

27 COMMISSIONER ESTABROOKE: Yes.

28 COMMISSIONER BERMAN: But there's houses all
29 around it. There's houses, I used to live there.

30 CHAIRMAN VASELOPULOS: Well, not across the
31 street.

32 COMMISSIONER DELOYS: You've got railroad
33 tracks and then you've got --

34 COMMISSIONER BERMAN: No, I'm talking the
35 west. I lived three doors west of Hubbard Woods Park,
36 my house, and I couldn't hear any, I'm just saying, I
37 find it to be really nice that Northfield is doing this.

38 COMMISSIONER ESTABROOKE: I do, too. I'm not
39 saying that.

40 COMMISSIONER BERMAN: I felt there we're a lot
41 of young families finally coming out. People are moving
42 here, younger families like this type of thing. I saw
43 kids dancing, and parents and kids dancing together.
44 Personally, I thought it was great.

45 COMMISSIONER DELOYS: So, I'm raising a lot of
46 noise questions. But just so you know, I like the
47 events, so don't get me wrong.

48 COMMISSIONER ESTABROOKE: I do, too.

49 COMMISSIONER DELOYS: I just don't like that
50 we're giving a blank check. I think there's got to be
51 some sort of limitation because there's a lot of private
52 events also. If you get the seven or eight concerts in

1 the summer, Rib Fest and all the private events, maybe
2 you're looking at 20 concerts over the year in the
3 summer.

4 COMMISSIONER BOLLING: Well, that brings up a
5 huge question here. We stated the number 10, are we
6 talking about 10 at Clarkson or are we talking about 10
7 across every venue?

8 COMMISSIONER DELOYS: I guess that was the
9 number in the draft --

10 COMMISSIONER BOLLING: Which would include
11 Fourth of July.

12 COMMISSIONER DELOYS: -- as well.

13 COMMISSIONER BOLLING: Which would include
14 Fox, which would include Willow Park, which would
15 include, I don't know, what would it include? What does
16 10 mean?

17 COMMISSIONER RUBIN: Well, that's another
18 subject.

19 COMMISSIONER BOLLING: Sorry.

20 COMMISSIONER RUBIN: No, no, I am concerned
21 about this as well. It's a valid question.

22 COMMISSIONER BOLLING: Should it be 15?
23 Should it be 20? Should it be limited to the venue?

24 COMMISSIONER DELOYS: George, how many private
25 events did you have at Clarkson last year?

26 COMMISSIONER BOLLING: How do you enforce
27 that? How do you possibly enforce it?

28 MR. ALEXOFF: Probably --

29 COMMISSIONER BOLLING: How do you possibly
30 enforce it? So, I mean, let's pretend I'm a cop.

31 COMMISSIONER DELOYS: So, how many, I mean, we
32 know how many like during the summer concerts, you had
33 eight roughly, seven-eight, something like that. So,
34 how many private events did you have like, you know --

35 CHAIRMAN VASELOPULOS: That included noise.

36 COMMISSIONER DELOYS: Yes.

37 MR. ALEXOFF: If you looked over the last five
38 years, our average is probably four or five a year, but
39 you just never know, you know. We talked internally,
40 you know, at our board level and what do we do if we are
41 restricted to a number of dates for our organization,
42 for our park boundaries. We're going to need to
43 prioritize, what do we do? Would that mean that for any
44 of our rentals we are going to no longer allow outside
45 group to have amplified sound at Clarkson Park? That
46 just doesn't include parks' events that's a, maybe a
47 resident group that wants to do a rental, that includes
48 let's call it the School District PTO who wants to do a
49 fund raiser or a local charity group who wants to use
50 Clarkson Park.

51 I mean, so we have to prioritize what
52 goes in there. You know, these questions you're asking

1 tonight are questions we have asked ourselves as well.
2 So, what is the appropriate number?
3 COMMISSIONER BOLLING: The issue is amplified
4 sound at those events, to be clear.
5 MR. ALEXOFF: That's really what we came to
6 that makes sense, you know, before with no distinction,
7 it was on a decibel level and that's what we're dealing
8 with, you know. So, if you throw amplified sound as
9 maybe a criteria, I mean, that is a suggestion.
10 COMMISSIONER BOLLING: Willow Park and the
11 Lodge provide amplified sound as a service. You can
12 connect up your iPhone to their amplification system and
13 bingo.
14 MR. ALEXOFF: If somebody at a rental turns
15 the wrong switch, it goes outside and it's too loud, you
16 know. So, those things do happen, you know. We need to
17 be cognizant about it, you know. That's why if we start
18 putting, as you said, limits on it, what is that number?
19 What's an appropriate number, and then at what point we
20 as a district need to police that and figure out what
21 makes the best sense for our community. Our special
22 events and our rental opportunity, all of that then has
23 to be taken a look at, you know. So, one leads to
24 another.
25 COMMISSIONER ESTABROOKE: And we're also
26 focusing on the School District and the Park District.
27 But I mean, like what if the Senior Center decides to do
28 something?
29 COMMISSIONER BOLLING: Correct.
30 COMMISSIONER ESTABROOKE: I mean --
31 MR. GUTIERREZ: They're not explicitly
32 exempted, at least in the model ordinance. Again, but
33 should you --
34 COMMISSIONER ESTABROOKE: Well, that's what
35 I'm saying. So, I mean, yes.
36 COMMISSIONER BERMAN: I think it would be
37 great if the Senior Center did something.
38 COMMISSIONER ESTABROOKE: Oh, I do, too. But
39 I'm just saying we're --
40 COMMISSIONER BOLLING: So, I --
41 COMMISSIONER BERMAN: I think --
42 COMMISSIONER BOLLING: Go ahead.
43 COMMISSIONER BERMAN: Well, I was going to say
44 going back to the notification, you know, maybe there
45 are more people that were not pleased with it and maybe
46 we should be able to put something out to let them know
47 we're having a hearing and put this on in February so
48 those that were not happy, we might not have heard
49 through your, because not everybody likes to take
50 surveys.
51 MR. ALEXOFF: Yes.
52 COMMISSIONER BERMAN: But the closer

1 neighbors.
2 CHAIRMAN VASELOPULOS: Yes, there needs to be
3 a public forum.
4 COMMISSIONER DELOYS: And I think there's --
5 COMMISSIONER BERMAN: Right.
6 COMMISSIONER BOLLING: Yes, there needs to be
7 a public forum for this. So, I live on Churchill Street
8 which is right in front of what we're talking about
9 right now. I mean, it's right there. I don't hang out
10 in my front yard since it's not that big, but knowing
11 that, it's annoying but being part of this community, to
12 see the young families and to see the engagement of a
13 community which I think is totally unique I think is
14 really, really huge. I have a tendency to yield on the
15 Park District's side, but I have to respect, especially
16 Fred Gougler who has served this community for decades
17 and I need to, you know, try to balance, there's this
18 weird balance that's going on right now that we have to
19 figure out what is the best public good for this sort of
20 a thing. Then we also have to understand that it's not
21 just Clarkson Park, it's everywhere. It's all of the
22 locations.
23 So, I don't know, I'm really torn on
24 this. Given the, again the audience that we have
25 tonight, I'm not leaning towards favoring any sort of a
26 vote until I think the public is given an adequate
27 ability to weigh in on this particular issue.
28 COMMISSIONER DELOYS: Steve, have we heard
29 from any, are we aware of any other villages in the area
30 that have looked into a question like this? Anybody in
31 the area, Glenview, Northbrook, Winnetka, anybody?
32 MR. GUTIERREZ: We really haven't dug that
33 deep into those things. So, we can do that.
34 COMMISSIONER DELOYS: Might be good to
35 research that.
36 MR. GUTIERREZ: Sure, absolutely.
37 COMMISSIONER RUBIN: A curiosity question. As
38 long as we're talking about noise, decibel level,
39 Clarkson Park has Willow Road on one side. Does it make
40 any sense to direct the amplification toward Willow Road
41 so it doesn't disturb the houses that live on the sides
42 of Clarkson Park?
43 MR. ALEXOFF: We did that a couple of days.
44 We did do the amplification.
45 COMMISSIONER RUBIN: Did it make any sense?
46 MR. ALEXOFF: It still was over the limits
47 that are currently existing within the code.
48 COMMISSIONER RUBIN: So, it doesn't make any
49 sense to build something like that into an ordinance.
50 MR. ALEXOFF: It would be very tough to do so.
51 CHAIRMAN VASELOPULOS: George, didn't I read
52 that the sound behind the stage was louder than the

1 sound in front of the stage?
2 MR. ALEXOFF: Correct, within probably the
3 first 25 to 30 feet though, that would be safe to say.
4 COMMISSIONER BOLLING: Yes, there was one
5 instance as I understand that a measurement was taken.
6 I know a little bit about sound decibel levels, and it's
7 a really difficult issue. When we say 70 decibels
8 versus 60 versus 100 versus the frequency, so in other
9 words think of somebody breaking a glass of wine with a
10 high voice versus, it's a very, very complicated issue.
11 It's logarithmic --
12 CHAIRMAN VASELOPULOS: And 60 versus 70 is
13 like twice as loud, right?
14 MR. ALEXOFF: Correct.
15 COMMISSIONER BOLLING: Yes, exactly. So, we
16 have to be careful. When we say that the noise was
17 being emitted from the back of the stage at that
18 particular, what kind of a device was it? How was it
19 measured? Was it the A-weighted version of DB
20 measurement? Was it, what kind of a device did they
21 have? I mean, who knows? It gets weird.
22 CHAIRMAN VASELOPULOS: And you moved your
23 stage around, correct?
24 MR. ALEXOFF: Yes, we did.
25 CHAIRMAN VASELOPULOS: During this past
26 summer, during the Wednesday night concerts?
27 MR. ALEXOFF: Correct.
28 COMMISSIONER BOLLING: Definitely.
29 CHAIRMAN VASELOPULOS: And what did you find,
30 if you can share that?
31 MR. ALEXOFF: Well, I think when we were in
32 the front, the south side neighbors definitely had less.
33 CHAIRMAN VASELOPULOS: Describe that in more
34 detail. On the front, what do you mean?
35 MR. ALEXOFF: In front of Clarkson lot.
36 CHAIRMAN VASELOPULOS: So, you're facing out?
37 MR. ALEXOFF: So, facing Willow Road.
38 CHAIRMAN VASELOPULOS: Willow Road, okay.
39 MR. ALEXOFF: Okay, so of course the decibel
40 levels on the south side of the homeowners was less.
41 But yet you still had the same on the two sides.
42 CHAIRMAN VASELOPULOS: Okay.
43 MR. ALEXOFF: But a little bit farther, I
44 think, Tom, you're at kind of the corner? Yours was
45 probably a little bit less then at that point? Because
46 we kind of, we did kind of a tally that we shared with
47 the Village of our decibel readings for probably four or
48 five concerts. We basically followed the perimeter of
49 the park and took readings at different times.
50 Typically, during the children's
51 concerts, we were always within the range. When we got
52 into the evening concerts, it depended on the band, as

1 you said, you know. Some are a little higher pitched
2 than others, so sometimes you got a little bit more on
3 one side than the other.

4 But, you know, what we're really looking
5 at, if you go with the decibel range no matter where we
6 put it in the park, it's going to be over.

7 COMMISSIONER DELOYS: Who supplies the amps
8 and things like that? Does it come through the Park
9 District or vendors?

10 MR. ALEXOFF: We hire a company to do that.
11 We'd hire a sound engineer, and they regulate all of the
12 bands who would come in.

13 COMMISSIONER BOLLING: I think the decibel
14 level thing is an imperfect metric. I think it's
15 important, we have to have it. But I think that it has
16 to be governed more by, I don't know if it's common
17 sense or it's the timing, what is reasonable. It's not
18 just the decibel level because I think it's just going
19 to be nutty, too nutty if you try to, whose decibel
20 level?

21 COMMISSIONER DELOYS: If you say 80 is the
22 limit, someone is going to be out there with something
23 measuring it, you know what I'm, something --

24 COMMISSIONER BOLLING: Right. I talked to
25 Fred Gougler about this and I got an app on my phone
26 because he went I bought a good one, and I checked it.
27 But I think it's really bigger than just the decibel
28 level. It's what is it, what do we want, what is the
29 balance between, what is our purpose here in terms of
30 the division of --

31 COMMISSIONER DELOYS: In trying to parse this.

32 COMMISSIONER BOLLING: Yes, versus what's the
33 best good. That's what, you know --

34 CHAIRMAN VASELOPULOS: And Tom, I have a
35 question directly since you're the neighbor there. What
36 do you think of having that in the neighborhood versus
37 across the street at Willow Park?

38 COMMISSIONER BOLLING: Well, certainly it
39 would be nicer if it would be over at Wilson. For me,
40 if I want to be totally selfish, I would prefer not to
41 have the commotion. However, I'm an active member in
42 this community, and when I see my friends and families
43 going over there, I see generations like it's said in
44 our minutes, when I see the generations of folks there
45 and I see that, oh, well, what's the greater good, I
46 say, well, no, I think I'm going to turn my head like
47 Fred did once a year, I'll turn it 10 times a year and
48 I'll say I'll put up with the --

49 COMMISSIONER DELOYS: What about, what if it's
50 20?

51 COMMISSIONER BOLLING: Yes, so --

52 COMMISSIONER DELOYS: What if it's 20? Where

1 is it where it gets too much?
2 COMMISSIONER BOLLING: That's the issue at
3 hand.
4 COMMISSIONER DELOYS: Right.
5 COMMISSIONER BOLLING: So, I will lean toward,
6 I want the engagement there because I see the benefit to
7 this community and the value, the unique value to
8 Northfield. So, that's the dilemma that we're faced
9 with here.
10 COMMISSIONER ESTABROOKE: I think, to Dan's
11 point, to me, and I don't live there, so you know, I'm
12 speaking in general terms, I would think that the noise
13 level would be easier for me to accept than the parking
14 nuisances. I think if we, I don't know if we can make
15 that part of this or not, but if we could make it so
16 they can only park on one side of the street all around
17 that area --
18 COMMISSIONER BOLLING: Well, they do that.
19 COMMISSIONER DELOYS: No, they don't.
20 COMMISSIONER ESTABROOKE: No, they don't.
21 They double park around ours.
22 CHAIRMAN VASELOPULOS: Let's be clear.
23 COMMISSIONER BOLLING: On Churchill they do.
24 They don't park in front, yes.
25 CHAIRMAN VASELOPULOS: Right, I'm sure. But
26 one block away I think is what these two are addressing.
27 COMMISSIONER DELOYS: Right.
28 CHAIRMAN VASELOPULOS: And there's no parking
29 restrictions --
30 COMMISSIONER ESTABROOKE: Right.
31 COMMISSIONER BOLLING: But aren't we getting
32 off on a tangent here though?
33 COMMISSIONER DELOYS: Well, it's in the
34 nuisance thing. Isn't this parking a nuisance?
35 COMMISSIONER ESTABROOKE: Yes.
36 COMMISSIONER BOLLING: No, right now this is
37 about a sound thing.
38 COMMISSIONER DELOYS: I think it's about
39 nuisance in there.
40 COMMISSIONER BOLLING: No.
41 COMMISSIONER DELOYS: Yes.
42 COMMISSIONER BOLLING: No, what we've got in
43 front is strictly a sound issue here.
44 COMMISSIONER DELOYS: I thought this was a
45 nuisance.
46 MR. GUTIERREZ: The nuisance language is in a
47 different part of the code which is not subject to Plan
48 and Zoning Commission review. The reason that we
49 included the nuisance section in the model ordinance is
50 because we're going to take the noise related
51 regulations out of there and put them in the zoning
52 code. We can take it under advisement and I'll

1 certainly follow-up with the Police Chief and have some
2 more conversation with the Park District about the
3 parking.

4 COMMISSIONER DELOYS: And it could be a good
5 neighbor thing where you --

6 COMMISSIONER ESTABROOKE: Right.

7 COMMISSIONER DELOYS: Because I know the
8 complaints have gone to the police in past years about
9 that.

10 MR. GUTIERREZ: Right.

11 COMMISSIONER DELOYS: Sometimes we didn't stop
12 because we don't get any action and we've been
13 frustrated.

14 MR. GUTIERREZ: When we report back to the
15 Village Board, we can include the comment regarding
16 parking.

17 CHAIRMAN VASELOPULOS: I mean, there's a
18 variety of things we can do here. I think we have --

19 COMMISSIONER BOLLING: But what are we talking
20 about right now?

21 CHAIRMAN VASELOPULOS: We have a lot of things
22 that we've discussed, noise in particular. We've also
23 discussed notification. We have the option to ask the
24 Park District to do some more work and bring us more
25 information if we want. We have the option to ask Steve
26 to do some more work and bring it back to us and
27 continue this to the next meeting. We can maybe attempt
28 to notify more people and engage the community a little
29 bit more if we so choose.

30 We can do all those things, and then we
31 can focus on just a recommendation to the Board what we
32 think we want. We can talk specifically about the
33 noise. We can also discuss some other parking issues.
34 I would suggest that, and Steve, correct me if you think
35 differently, we could raise some of these other issues
36 asking the Board to consider them in some way or another
37 as part of our recommendation to the Board.

38 COMMISSIONER ESTABROOKE: I am concerned though
39 because I hate to see this not happen.

40 CHAIRMAN VASELOPULOS: What do you mean by
41 that, to be clear?

42 COMMISSIONER ESTABROOKE: I hate to see us
43 stop having events at that quaint location.

44 COMMISSIONER DELOYS: And I'll be honest --

45 CHAIRMAN VASELOPULOS: I think a lot of us
46 kind of agree, but go ahead, Dan.

47 COMMISSIONER DELOYS: I'm very skeptical or
48 nervous about putting a number in there, or time as a
49 number, because I think that's too limiting to the Park
50 District and other groups that might come up. So, I
51 don't know if it's 15 or 20. I don't know, but I don't
52 think 10 is enough. I think you're going to be like

1 Wriggly Field where they want to have concerts and not
2 games and they can't do it because they have a limit.
3 CHAIRMAN VASELOPULOS: By venue, which venue
4 are you talking about?
5 COMMISSIONER DELOYS: 10, this thing says 10,
6 so I don't, that's what --
7 CHAIRMAN VASELOPULOS: It needs clarification.
8 COMMISSIONER BOLLING: Well, then that's
9 another issue, that's another question you're raising.
10 Do we limit some of these things to particular venues?
11 Could we?
12 COMMISSIONER ESTABROOKE: Do we have to have a
13 number?
14 COMMISSIONER DELOYS: But there's actually
15 carte blanche to have, everybody to have numerous
16 things, three to four nights a week. That's a problem,
17 too.
18 COMMISSIONER DELOYS: The traffic is already
19 bad on Wednesdays. Now, these things are at 5:00
20 o'clock where you already have traffic going through,
21 when you run all the, you know, event parking --
22 COMMISSIONER ESTABROOKE: Right, and it
23 doesn't help that Willow Road is the way it's configured
24 either.
25 MR. GUTIERREZ: You might also consider the
26 enforceability aspect as well. In the evenings, there's
27 a couple of different ways things happen. One, if it's
28 an ongoing series of events, there's a little bit of
29 time where I can get the call on Monday morning and we
30 can deal with things throughout the week or for the next
31 event. But on the 'shut it down now' basis, a police
32 officer may not know how many events they've had at
33 Clarkson versus Willow versus Fox Meadow, you know. So,
34 that's somewhat difficult, those types of restrictions.
35 CHAIRMAN VASELOPULOS: Well, that goes to my
36 question about can it be location specific?
37 MR. GUTIERREZ: Yes. So, on the spot, it
38 would be difficult to enforce that because the police
39 officer just would not know.
40 CHAIRMAN VASELOPULOS: On the spot, but the
41 guidelines to the Park District.
42 COMMISSIONER DELOYS: Or not giving a license
43 or writing it out based on certain criteria.
44 MR. GUTIERREZ: Well, that's a better question
45 really for the Park District.
46 COMMISSIONER DELOYS: Right.
47 MR. ALEXOFF: Well, if you look at past usage,
48 you know, we didn't know that, let's say the decibel
49 level really existed. So, we even operated for a number
50 of years on the premise that any rentals, any events
51 that we do, it's really going to be either 10:00 or
52 11:00 o'clock in the evening when there's typically

1 noise. That's kind of what we followed for years and
2 really didn't hear anything. So, up until last summer
3 when we did the consistent concert series, it's the
4 first time we really heard consistent questions.

5 So, that just leads to, you know, how do
6 we police it internally as well.

7 MR. ALEXOFF: I mean, that's very important
8 for us because we want to be respectful.

9 COMMISSIONER BOLLING: There was a shock.
10 There was a shock because it was only Rib Fest and the
11 Fourth of July at Clarkson Park and that was about it.

12 MR. ALEXOFF: Correct.

13 COMMISSIONER BOLLING: Then boom, now all of a
14 sudden there were concerts on Wednesday.

15 MR. ALEXOFF: Yes. We tested one concert the
16 year before and they went well, no one had any concerns.
17 So, then we started our planning of eight full fledge
18 concert series in the summer.

19 COMMISSIONER BOLLING: Dialed it up and --

20 CHAIRMAN VASELOPULOS: And we have to
21 recognize in a way that they are their own elected body.

22 MR. ALEXOFF: So, is there parameters that can
23 be given to us that we can work within knowing that this
24 board and the Village Board can always change that again
25 at some point? If it becomes an issue and there is no
26 trust and we're not upholding our end of the bargain,
27 you know. As Steve mentioned, enforcement, I mean, we'd
28 love to have something that is easily enforced as well.

29 CHAIRMAN VASELOPULOS: Before we continue at
30 all, because this is a very interactive kind of
31 conversation, does anyone from the audience have any
32 other questions or comments that they want to share with
33 us? Then if you do, come on up to the microphone and be
34 sworn in.

35 The reason I'm asking this now, we're not
36 done deliberating, and normally I ask for the audience
37 to participate after we're done deliberating, but I want
38 to hear any thoughts or comments. If you'd be sworn in
39 please?

40 (Witness sworn.)

41 MR. MCINTYRE: My name is Mike McIntyre. I
42 really wasn't planning on saying anything, but in
43 listening to the discussion, I was at the Park Board as
44 vice president when we initiated and started the Rib
45 Fest and the whole Clarkson Park was built up with, you
46 know, all the different things they already have. But
47 you know, the thing that I've noticed over the years,
48 when we had the Fourth of July at Clarkson Park, it was
49 a more intimate setting. People were closer together.
50 It just seemed like it was more of a community event,
51 and this is just a personal opinion. When it went over
52 to Willow Park, it got completely spread out. It's not

1 bad, but you don't have that intimacy that you have at
2 Clarkson Park.

3 I hear, I live over on Thackeray and I
4 hear noise, but it's like, okay, it's Wednesday night
5 and it's going to go away at, what time does it end?
6 9:00 o'clock?

7 CHAIRMAN VASELOPULOS: 8:30.

8 MR. MCINTYRE: 8:30, okay. I hear more noise
9 along Willow Road that bothers me more than the music at
10 Clarkson. It seems to me the issue would be those who
11 live right around Clarkson Park. To legislate or to try
12 to restrict a noise level and have decibels or whatever
13 and hearing or however that comes, it's noise from a
14 concert. It ends at 8:30.

15 I think that a meeting with the Park
16 Board and those who live within two or three-block area
17 can hash out if it's dates, number of dates or whatever.
18 But I would hate to see that intimacy of Clarkson Park
19 go over to the other side of the street thinking that
20 the noise is going to somehow dissipate at Willow Road,
21 because it won't. I mean, you hear it, and like I said,
22 at Clarkson Park, I hear it over on Thackeray.

23 COMMISSIONER DELOYS: I think your point is
24 well taken, and that's where the number comes in.

25 MR. MCINTYRE: Well, you give notice but it's,
26 yes, and how many weeks of the year is it?

27 COMMISSIONER DELOYS: People don't know about
28 this.

29 MR. ALEXOFF: Three months. So, a total, we
30 had nine concerts last year.

31 MR. MCINTYRE: Okay, nine concerts for, and
32 that concert starts at what time?

33 MR. ALEXOFF: We start the music, children's
34 at 5:30 and the main one was at 7:00 o'clock.

35 MR. MCINTYRE: Well, maybe you can get a
36 little more folk music in here without any --

37 COMMISSIONER ESTABROOKE: And then I'm also
38 thinking if they do move it to Willow Park, then we've
39 lost the soccer fields, we've lost the baseball fields.
40 We've lost, I mean, so that's a whole community thing as
41 well.

42 COMMISSIONER BOLLING: There's a lot of space
43 over there. You can probably do a lot of things
44 creatively, you know.

45 MR. MCINTYRE: Those parks are pretty busy in
46 itself.

47 COMMISSIONER ESTABROOKE: Yes. Every field is
48 full.

49 CHAIRMAN VASELOPULOS: George, what do you
50 think about that?

51 MR. ALEXOFF: We feel strongly that the
52 quaintness and good aspect the concert series is because

1 of the location at Clarkson Park. If we were to move it
2 to Willow Park, yes, it could function. Yes, I think we
3 would change where the noise is coming from. But I
4 don't know if it would be as well received, and that's
5 just our opinion. Once again, without doing it, we
6 would not know, but I think our numbers would probably
7 drop personally.

8 COMMISSIONER HIRSCH: George, can you tell me
9 something about the typical setup for the concerts? Do
10 you provide the stage? Is it directed the same way each
11 time? Can you kind of detail that?

12 MR. ALEXOFF: We started out directing it the
13 same way. Yes, we provide the stage, we set it up on a
14 weekly basis. Our goal at some point is to develop
15 something, we are going for a grant right now, so we're
16 looking at potential amenities in that park. But right
17 now, we do put a stage up.

18 COMMISSIONER HIRSCH: Okay, facing the same
19 way each time?

20 MR. ALEXOFF: Right now, the back of it was on
21 Churchill but it faced towards Bristol. Then we tested
22 in the front probably the last two to three concerts.
23 So, there was probably six or seven in the middle, and
24 then after that.

25 CHAIRMAN VASELOPULOS: What additional
26 amenities are you considering?

27 MR. ALEXOFF: We're looking at the park itself
28 where we've applied for a grant for a wet play area
29 adjacent to the playground. We'd like to replace the
30 existing shelter with a new shelter. We've talked about
31 the idea of an amphitheater so we can have a constant
32 place where if we are going to continue on with any type
33 of entertainment, whether it be concerts, children's
34 events, plays, we started a play program this year for
35 the first time that we did within the schools. So, you
36 know, we're looking long term into the future what makes
37 the most sense. So, we talked about that as well.

38 COMMISSIONER RUBIN: Let me just say the devil
39 here is not in the basic idea, the devil is in the
40 details. We're not going to solve any of those details
41 tonight. What I really would like to see us do is
42 narrow this down to some kind of a message to the Board
43 because they're expecting one from us, right?

44 CHAIRMAN VASELOPULOS: Not necessarily.

45 MR. GUTIERREZ: Not necessarily tonight.

46 COMMISSIONER RUBIN: Oh, really?

47 CHAIRMAN VASELOPULOS: No, we can continue
48 this to our next meeting if we choose to do more fact-
49 finding to contemplate this more if we're not
50 comfortable with what we've discussed so far.

51 COMMISSIONER RUBIN: Well, that so far is all
52 I'm hearing, we're not comfortable with --

1 CHAIRMAN VASELOPULOS: So, we can continue
2 this.
3 COMMISSIONER RUBIN: Yes.
4 CHAIRMAN VASELOPULOS: And we could ask a
5 variety of things to be maybe researched in the
6 meantime. That's what we want to discuss right now.
7 COMMISSIONER RUBIN: Yes, that's what I think
8 we should do. Instead of attempting to find out whether
9 there is a reasonable decibel level, or whether the
10 difference between 60 and 70 decibels is too
11 significant. I think we'd have more profit in our time
12 by simply saying okay, it's issue number one, two,
13 three, and let's postpone until next month until further
14 consideration of them, try to reach some kind of a
15 consensus or a result. That's my suggestion.
16 COMMISSIONER BOLLING: I would agree with
17 that. So, what is that?
18 CHAIRMAN VASELOPULOS: So, what are those
19 issues.
20 COMMISSIONER BOLLING: What are those issues?
21 CHAIRMAN VASELOPULOS: The one, two, three,
22 four, if people start throwing them out --
23 COMMISSIONER DELOYS: Notice.
24 COMMISSIONER HIRSCH: I can enumerate a
25 couple. I would say a better definition to the limit of
26 10 events needs to take place, either by location or
27 other.
28 COMMISSIONER RUBIN: Agreed.
29 COMMISSIONER HIRSCH: That there is the issue
30 of making Clarkson exempt in the current language even
31 as it's been rewritten.
32 COMMISSIONER DELOYS: Is that research or is
33 that just the questions?
34 COMMISSIONER HIRSCH: This is to be discussed
35 or better defined.
36 COMMISSIONER DELOYS: Because I think the
37 research is the notice.
38 MR. GUTIERREZ: Is this list yet to be
39 determined?
40 COMMISSIONER HIRSCH: Yet to be determined or
41 to be hashed out further kind of list.
42 COMMISSIONER DELOYS: Because I think the
43 research stuff is important.
44 COMMISSIONER HIRSCH: Yes, exactly.
45 MR. GUTIERREZ: Right, this is a to do list
46 that --
47 COMMISSIONER DELOYS: That's what I'm talking,
48 to do, I thought we were looking at in between meetings.
49 COMMISSIONER HIRSCH: Well, as you go --
50 CHAIRMAN VASELOPULOS: This is both, and
51 you're raising good things. There's a to do list, and I
52 think notification is maybe --

1 COMMISSIONER HIRSCH: Public notification is
2 another thing.

3 CHAIRMAN VASELOPULOS: And then I don't know
4 how we define that necessarily, Steve.

5 MR. GUTIERREZ: Yes, we need to discuss that a
6 little bit more. I need more direction.

7 CHAIRMAN VASELOPULOS: Right, I mean --

8 MR. GUTIERREZ: Is it everyone around every
9 park? Because I mean, there's a possibility that events
10 would go --

11 COMMISSIONER BOLLING: Yes, we can't send a
12 letter to everybody in the Village, that's silly.

13 MR. GUTIERREZ: Let's assume we're not going
14 to do that. If you want us to, anything is possible. I
15 think you should consider --

16 CHAIRMAN VASELOPULOS: How many parks do you
17 have? Five?

18 MR. ALEXOFF: Three.

19 COMMISSIONER ESTABROOKE: Three.

20 COMMISSIONER RUBIN: Clarkson, Willow and --

21 MR. ALEXOFF: Clarkson, Willow and Fox Meadow.

22 CHAIRMAN VASELOPULOS: The one east though is
23 not in your jurisdiction?

24 MR. ALEXOFF: Winnetka Park District.

25 CHAIRMAN VASELOPULOS: It's Winnetka Park
26 District.

27 MR. GUTIERREZ: This would apply to all parks?

28 CHAIRMAN VASELOPULOS: If we want it to apply
29 to the names that we've discussed as --

30 COMMISSIONER DELOYS: Or do you exclude
31 athletic events and make this to only non-athletic
32 events?

33 MR. GUTIERREZ: Well, the model ordinance
34 exempts athletic events for the schools and parks.

35 COMMISSIONER DELOYS: Then soccer and baseball
36 and all that, that's all excluded.

37 MR. GUTIERREZ: Right.

38 COMMISSIONER DELOYS: So, we don't have to
39 discuss that. So, that probably eliminates Fox Meadow.

40 CHAIRMAN VASELOPULOS: Well, not necessarily.

41 COMMISSIONER ESTABROOKE: You can have a party
42 there as well.

43 MR. ALEXOFF: We may choose to do something
44 over there at some point.

45 COMMISSIONER DELOYS: So, you may rent that
46 out to people if they want to?

47 CHAIRMAN VASELOPULOS: They could.

48 COMMISSIONER DELOYS: You do, okay. I didn't
49 know that.

50 MR. ALEXOFF: We could. There are certain
51 regulations that we can do. I mean, we have a little
52 bit more limitations because of lights.

1 COMMISSIONER HIRSCH: So, to continue, I would
2 say a public hearing of some sort, a forum or something
3 to gather --
4 MR. GUTIERREZ: Well, that's what this, I
5 think the issue is notifying people.
6 COMMISSIONER HIRSCH: Notifying.
7 CHAIRMAN VASELOPULOS: The forum is our next
8 meeting I think. There wouldn't be a separate forum, it
9 would be our next meeting.
10 COMMISSIONER HIRSCH: And some way of engaging
11 the public.
12 COMMISSIONER DELOYS: What about if we were to
13 do signage in front of the Park District?
14 COMMISSIONER BOLLING: Yes, the way we do for
15 a hearing.
16 COMMISSIONER DELOYS: Right, at least people
17 would be aware that something is coming up.
18 COMMISSIONER BOLLING: The sandwich board. We
19 could put a sandwich board in front of all the parks.
20 COMMISSIONER DELOYS: Seems smart.
21 COMMISSIONER ESTABROOKE: But I have an issue
22 with that as well, because the sandwich board goes up
23 but there's never a date on.
24 CHAIRMAN VASELOPULOS: Yes, there is.
25 COMMISSIONER DELOYS: Yes, there is.
26 COMMISSIONER ESTABROOKE: Not anymore. Not
27 anymore.
28 CHAIRMAN VASELOPULOS: Wait, wait. Steve, I
29 mean --
30 MR. GUTIERREZ: That's correct. Currently,
31 we're not putting dates on them.
32 CHAIRMAN VASELOPULOS: You aren't? I didn't
33 know that.
34 COMMISSIONER DELOYS: Why is that?
35 MR. GUTIERREZ: It's just what we've been
36 advised to do.
37 CHAIRMAN VASELOPULOS: Well, I didn't know
38 that.
39 COMMISSIONER DELOYS: I didn't either.
40 MR. GUTIERREZ: We could do whatever you want
41 us to do on, including a notice with a date --
42 COMMISSIONER BOLLING: Yes, put a date on it.
43 MR. GUTIERREZ: We can put as much or as
44 little information as you'd like on there. But if we
45 use a sandwich board, there's only so much room to put
46 this information on.
47 CHAIRMAN VASELOPULOS: Why was the date
48 removed then?
49 MR. GUTIERREZ: What we've chosen to do is
50 they go to our website.
51 COMMISSIONER DELOYS: Do you have a specific
52 like villageofnorthfield/whatever so that they know

1 where to go? Because a website is not easy to find
2 things on sometimes.

3 MR. GUTIERREZ: We can make it relatively
4 easy, just scroll down to the bottom of the homepage.
5 Like tonight's text amendments we have on our homepage
6 in the What's New section.

7 COMMISSIONER BOLLING: It does direct to the
8 website?

9 MR. GUTIERREZ: Yes, it does.

10 COMMISSIONER BOLLING: Okay, well, that's what
11 we got.

12 MR. GUTIERREZ: We can put a date on there.
13 I'm just saying that's not what we normally do.
14 Whatever you want us to do to maximize recognition.

15 COMMISSIONER ESTABROOKE: I think it needs a
16 date.

17 COMMISSIONER DELOYS: Put the web address on
18 there so people at least can copy the web address.
19 Everybody's got a phone to start with.

20 COMMISSIONER ESTABROOKE: I don't think it
21 needs to say Plan and Zoning, but I do think it needs to
22 say February 4th.

23 COMMISSIONER DELOYS: No, the sandwich board
24 is the sandwich board.

25 CHAIRMAN VASELOPULOS: It's the same board.

26 COMMISSIONER ESTABROOKE: Pardon me?

27 COMMISSIONER BOLLING: It's already printed.

28 CHAIRMAN VASELOPULOS: Yes, it's a pre-printed
29 board.

30 MR. GUTIERREZ: Do you want them to
31 reference --

32 COMMISSIONER ESTABROOKE: Yes, but he's acting
33 like he was going to add more on to the sign.

34 CHAIRMAN VASELOPULOS: It says Plan and
35 Zoning.

36 MR. GUTIERREZ: Do you want to reference noise
37 regulations, hearing on noise regulations? I mean,
38 because frankly, honestly, people are going to look at
39 that board, it's not really going to do much.

40 COMMISSIONER DELOYS: I think the date is the
41 thing that you need to have on there. Just say there'll
42 be a meeting on April 3rd, let them know that they have
43 to be here, it's going to raise their interest and
44 they'll look into it. I think the date is the point.

45 COMMISSIONER RUBIN: Yes.

46 MR. GUTIERREZ: Okay, I don't know that if
47 it's just a general meeting with the parks, I mean, as
48 neighbors, would that would get your attention and say I
49 better go to the website and look?

50 COMMISSIONER DELOYS: Oh, no, if I see the
51 sandwich boards, it piques my interest. I saw the -- a
52 couple of weeks ago, I was like why is that back up?

1 So, I didn't know, but I was going to.
2 MR. GUTIERREZ: What we could also do is ramp
3 up the information pushed out on social media, send a
4 press release that this is being considered. Again,
5 these are all extraordinary things we don't normally do,
6 but with your direction we will.
7 But back to the notice, do you want just
8 to rely on the sandwich boards on all sides of the
9 parks?
10 COMMISSIONER BOLLING: Do the best effort.
11 MR. GUTIERREZ: All the parks?
12 CHAIRMAN VASELOPULOS: We can give him
13 directions. So, sandwich --
14 COMMISSIONER BOLLING: Sandwich boards, do
15 your best effort, let's give it 30 days.
16 CHAIRMAN VASELOPULOS: I believe it's two
17 weeks, right?
18 MR. GUTIERREZ: Well, it will probably take us
19 a couple of weeks to get that. So, 15 days is the
20 typical --
21 COMMISSIONER DELOYS: Then use social media,
22 use Facebook or whatever.
23 MR. GUTIERREZ: We can get that going right
24 away.
25 CHAIRMAN VASELOPULOS: Right, right.
26 MR. GUTIERREZ: The signage, you know, I don't
27 know that we can have all that done very quickly.
28 COMMISSIONER RUBIN: So, let's do that.
29 COMMISSIONER HIRSCH: I don't think you'd need
30 that at Fox Meadow though. I would say just Willow and
31 Clarkson.
32 COMMISSIONER DELOYS: Then people at Fox
33 Meadow are going to be excited --
34 COMMISSIONER BERMAN: You're either going to
35 do it or you're not going to do it.
36 COMMISSIONER HIRSCH: All the parks? All
37 right.
38 CHAIRMAN VASELOPULOS: Hit the microphone.
39 When you speak, again you need to speak at the
40 microphone, George.
41 MR. ALEXOFF: I'm sorry. I was just saying
42 Fox Meadow, I would include it. It's a very vocal
43 neighborhood.
44 COMMISSIONER HIRSCH: Yes, okay. All right.
45 Then the only other thing I would add then --
46 MR. GUTIERREZ: So, I'm sorry. So, all the
47 parks?
48 COMMISSIONER HIRSCH: Yes.
49 CHAIRMAN VASELOPULOS: Yes.
50 MR. GUTIERREZ: Sandwich boards on each street
51 on all the parks, all the sides of the park.
52 COMMISSIONER HIRSCH: Right, and then the only

1 other thing I have really on my list was what do the
2 other villages do? We need to research that.

3 MR. GUTIERREZ: What other villages are doing,
4 how are they regulating noise and specifically events,
5 all the Park District and School District events.

6 COMMISSIONER HIRSCH: Right, with similar
7 layouts where the park ends and the residential begins,
8 where it's plopped in the middle of residential.

9 MR. GUTIERREZ: Yes, every village is going to
10 have a park like that.

11 COMMISSIONER HIRSCH: Exactly. Exactly. What
12 do they do with those specific parks.

13 MR. GUTIERREZ: Okay, we'll put that down.
14 The notice and the sandwich boards.

15 CHAIRMAN VASELOPULOS: Anything regarding
16 noise studies or anything like that? Something more
17 official than what, beyond what the Park District
18 already has reported actually to the Village Board is
19 what the Park District did?

20 COMMISSIONER BOLLING: I believe from what
21 I've read in the minutes and from what, you know, has
22 been submitted is they've done their best effort to deal
23 with that.

24 CHAIRMAN VASELOPULOS: Okay.

25 MR. GUTIERREZ: I don't think you're going to
26 get a concert that's going to be measure below the
27 allowed decibel levels.

28 COMMISSIONER RUBIN: We'll also get
29 information on that from other communities as well.
30 That will probably be included in the information you
31 get.

32 MR. GUTIERREZ: Sure. Okay, we'll see what
33 others are doing and how they're doing it. Sandwich
34 boards on all parks. Anything else?

35 COMMISSIONER HIRSCH: You know, specific to
36 sound itself, what could be done. The reason I asked
37 which way it faces, you know, sound baffling and
38 reflection. I mean, it's a science, but it's a pretty
39 easy to understand one. Concert venues do it all the
40 time. You look up, you understand, you know, the
41 baffling and the direction of sound can be changed.

42 COMMISSIONER BOLLING: Well, the Park District
43 employed an acoustic engineer last year.

44 COMMISSIONER DELOYS: Right.

45 COMMISSIONER ESTABROOKE: Right.

46 COMMISSIONER BOLLING: To do that.

47 COMMISSIONER HIRSCH: But what I'm saying is
48 that additions to, you know, a stage or something might
49 be simply done. It can be expensive, I don't know, but
50 you know, certainly a design like an amphitheater is
51 going to mitigate a lot of the sound. But maybe
52 something temporary can be looked into, I don't know

1 what.
2 CHAIRMAN VASELOPULOS: Mike, did you want to
3 flesh that out somewhat?
4 MR. MCINTYRE: Yes, I was just going to make a
5 comment.
6 CHAIRMAN VASELOPULOS: If you could state your
7 name again please?
8 MR. MCINTYRE: Mike McIntyre. You know, when
9 you talk about noise, whatever subject matter you're
10 going to use, people are going to think about noise
11 levels of trucks or whatever driving down Willow. Is
12 the issue really the concerts in the park in terms of
13 noise?
14 COMMISSIONER DELOYS: For the neighborhood, it
15 is. In the neighborhood it is.
16 MR. MCINTYRE: Yes, I know, that's what I
17 mean. I mean, is there any other noise levels that
18 we're concerned about?
19 COMMISSIONER BOLLING: And that's what's
20 before us.
21 COMMISSIONER HIRSCH: Well, there's other
22 things.
23 MR. MCINTYRE: Yes, I'm just thinking like if
24 you want to get people involved and understand what's
25 going on, maybe you just have a discussion on concerts
26 as opposed to noise level because people will understand
27 the issue and they'll have an opinion. But if you talk
28 about noise, I don't know what description you're going
29 to use, but just a conversation about the concerts would
30 be I think more of an attention getter.
31 COMMISSIONER BOLLING: The Park District has
32 gone out and that's how you came up with the idea to
33 have concerts in the first place.
34 MR. ALEXOFF: Correct. Through our strategic
35 plan that we came out with in 2014, one of the comments
36 from the community surveys was to do more special
37 events. We also had a public hearing on some concerns
38 with Clarkson Park at one point, and a group of people
39 who showed up said they'd like to see more community
40 family events at the site. So, that's what we did.
41 CHAIRMAN VASELOPULOS: I think in general
42 that's our opinion and feeling here. We want to make
43 sure, as Len said, the devil is in the detail, make sure
44 we do it right.
45 Any other comments or questions from the
46 audience? If you could state your name and be sworn in?
47 MR. ORTH: Hi, Charles Orth, 1655 Orchard Lane
48 in Northfield. I think the concerts have been --
49 CHAIRMAN VASELOPULOS: One moment. Steve, if
50 you could swear him in please?
51 MR. GUTIERREZ: Yes. Please raise your right
52 hand.

1 (Witness sworn.)

2 MR. GUTIERREZ: Thank you.

3 MR. ORTH: I think the concerts have been
4 excellent. As a person who's lived in Northfield almost
5 my entire life, I have children and grandchildren that
6 attend these events. I agree with Ms. Berman that these
7 have been great events as well as everyone here.

8 I think one of the things that we need to
9 look at a little bit that's probably also happened
10 that's increased your concern with the traffic and the
11 parking is that the farmer's market is no longer over at
12 New Trier. So, we've lost the farmer's market being at
13 New Trier on Saturdays, and now they have incorporated
14 that into the concert and also into this event. So, now
15 you have a farmer's market where people come for that,
16 then they stay or they leave or they come back and they
17 go for this event as well. So, I think that increases
18 the parking, you know, in your neighborhood as well.

19 COMMISSIONER DELOYS: Well, plus a lot of
20 people miss the farmer's market because they used to be
21 on Saturdays.

22 MR. ORTH: Right.

23 COMMISSIONER DELOYS: Some people can't get
24 there between 3:00 and 5:00 or whatever it is.

25 MR. ORTH: Right. So, I mean that's, you
26 know, where they come later or, I noticed, too, at some
27 of the farmer's market events that the booths and the
28 tents have stayed longer and into the actual concerts.
29 So, you've got both going on, so that's where you're
30 getting some increased traffic and issues with parking
31 which, you know, it's always a concern, you know, which
32 can be worked on, you know, through the system that
33 you're working on.

34 My second question or concern was, in
35 relation to the noise ordinance, was has any
36 consideration been given to, when you talked about the
37 police officers responding to a noise complaint about
38 backup or emergency generators, because more and more
39 people are getting backup generators or emergency
40 generators. That distance you're talking about, I mean,
41 when the power goes out, it's pretty quiet in the
42 neighborhood because the transformers, all noise kind of
43 seems to go down. But then when generators kick on, I
44 think that's the sound that you're going to hear
45 farther.

46 So, that's something that needs to be
47 looked at because, you know, whether it's a business or
48 personal property that has a generator within the
49 guidelines of where they were told to put these
50 generators, that's something you have to look at as well
51 as far as if someone complains, hey, I hear a generator,
52 are the police going to come over and tell somebody that

1 they have to turn off their emergency generator? If
2 they're not home, you know, so that's something you have
3 to look at with this noise ordinance as well I think is
4 backup generators.

5 MR. GUTIERREZ: Yes, I think that's been an
6 ongoing, long time issue. That's an issue, something
7 that arises for the Police Department to have to deal
8 with. I don't know if it's a policy or not, but they
9 don't tell people to turn their generators off.

10 The building code requires certain
11 distances from the property line as well as sound rating
12 requirements for new generators. That's what's been our
13 focus on power generators for single-family homes.

14 MR. ORTH: So, you're also talking about
15 decreasing or increasing the distance in that ordinance,
16 correct?

17 MR. GUTIERREZ: We have to rely on our police
18 officers to make judgment calls on a lot of things in
19 our code. I'll definitely double check with our Police
20 Chief to confirm my assumptions here, but I'm pretty
21 certain generators are not an enforcement issue for us.

22 COMMISSIONER BOLLING: The same as barking
23 dogs.

24 MR. ORTH: Right, I think it has to be a
25 common sense approach. I think it can't be cut in stone
26 when you say certain distance, certain times. I mean,
27 like you're talking about exceptions with different
28 ordinances and things, you might have to look at it and
29 say, you know, a generator might fall under an exemption
30 especially if it's existing. I can see where, you know,
31 if something new was to be put in with your distances,
32 you might have to say okay, and with the generator, the
33 way they're designed and they're making them now,
34 they're getting quieter and quieter.

35 MR. GUTIERREZ: Mr. Orth, I'll actually look
36 through this.

37 MR. ORTH: Okay.

38 CHAIRMAN VASELOPULOS: Maybe, Steve, you can
39 address that.

40 MR. GUTIERREZ: Yes, I'll address that.

41 CHAIRMAN VASELOPULOS: If we continue it.

42 MR. ORTH: Like I said, the park thing is
43 great and I see where we've added additional things to
44 that at the park. You know, those are beautiful events.
45 They do draw the neighborhood together. I think, you
46 know, when you start looking at putting it over on the
47 other side, at the Willow Park side, they would be
48 probably too spread apart and you're going to have
49 similar parking issues and safety issues with people
50 parking, you know, on the south side of Willow Road and
51 crossing over hopefully, you get the four lanes of
52 traffic and using that stop sign or the stop light, you

1 know, with the cross walk. So, again, thank you for
2 your time.

3 COMMISSIONER BOLLING: I think the ordinance
4 starts with steam engines.

5 MR. ORTH: Well, we don't have the trains
6 going through town anymore, so we've cut that noise way
7 down, too.

8 CHAIRMAN VASELOPULOS: Thank you for your
9 comment. Does anyone else in the audience have any
10 other questions or comments? Commissioners, do we have
11 any other final comments? Have we given Steve the
12 directives that we feel are necessary before we make a
13 motion to continue this?

14 COMMISSIONER BOLLING: Do we want the Park
15 District to do any work in this part, perhaps with
16 regards to -- or should we throw it to them to do any
17 analysis? Does anybody think about, you know --

18 COMMISSIONER ESTABROOKE: I can't --

19 COMMISSIONER BOLLING: Or is just really, are
20 we just asking for the checklist that Steve's got?

21 COMMISSIONER RUBIN: I think that will do it.

22 COMMISSIONER ESTABROOKE: Yes, I think they've
23 done what they can do except now.

24 CHAIRMAN VASELOPULOS: And to be available for
25 us at our next meeting to continue to answer our
26 questions. Would someone like to make a motion to
27 continue?

28 COMMISSIONER RUBIN: **I move that we continue**
29 **this question of Zoning Code text amendment regarding**
30 **noise regulation and the other matters considered**
31 **tonight, continue them and the instructions and**
32 **recommendations given to Mr. Gutierrez until our next**
33 **meeting in February.**

34 MR. GUTIERREZ: February 4th.

35 COMMISSIONER RUBIN: **February 4th.**

36 COMMISSIONER DELOYS: Second.

37 CHAIRMAN VASELOPULOS: All those in favor?

38 (Chorus of ayes.)

39 CHAIRMAN VASELOPULOS: All opposed?

40 (No response.)

41 CHAIRMAN VASELOPULOS: Motion carries. Thank
42 you for those that participated in this previous one.

43 The final consideration before us for
44 text amendment is to Articles XIII, XIV and XIX of the
45 Zoning Code intended to establish a definition of short-
46 term rental and to clarify that this use is prohibitive
47 in all zoning districts.

48 If you can note that Dan deLoys,
49 Commissioner deLoys had to leave for this final, not
50 that he's excusing himself because there's a conflict of
51 interest, he just has a time commitment that he has to
52 meet.

1 Steve, do you have any introductory
2 comments on this?

3 MR. GUTIERREZ: On occasion, we have had
4 property owners offering their homes for short-term
5 accommodation rentals on sites such as Airbnb which you
6 may be familiar with. Our Zoning Code lists land uses
7 and categorizes them as permitted uses or as a special
8 use, which requires as you know a hearing process and
9 specific approval by the Village in each zoning
10 district.

11 If a use is not listed in our Zoning
12 Code, we consider it a prohibited use. Short-term
13 rentals are not contemplated in the code. It's not
14 defined; it's not listed and as such is a prohibited
15 use.

16 So, we have enforced that reading of the
17 code on these particular properties in the past. Most
18 of them have acceded saying, okay, that's fine, we'll
19 take our posting down. Some have been more stubborn
20 than others. We had an attorney that actually owned one
21 of these properties and they contacted us and said, hey,
22 we've read your code, it doesn't define a short-term
23 rental, and their use is therefore a single-family use.
24 We had that discussion with them and they ultimately
25 acceded to take their posting down.

26 The Village attorney has suggested that
27 we strengthen the language, we establish the following
28 definition of short-term rental: "A single room,
29 dwelling, or a portion of the dwelling offered or
30 advertised for rent or other consideration for a period
31 of less than 60 consecutive days." The proposed text
32 amendment would also more explicitly state that a use
33 not listed in the Zoning Code as a permitted or a
34 special use is a de facto prohibited use. Then,
35 finally, to explicitly prohibit short-term rentals in
36 all zoning districts. So, it's clarifying and really
37 making more explicit what we're already doing.

38 As far as the 60 days is concerned, we
39 discussed it and 30 days just seemed too short a time
40 period, 60 days seemed a little bit more reasonable. It
41 is just what we thought was a reasonable place to start
42 the discussion. Feel free to recommend whatever you feel
43 is appropriate, the 60 days isn't set in stone.

44 Periodically, we'll monitor the rental
45 sites to see if there's any Northfield listings. It's
46 been fairly rare but we did find four Northfield
47 listings last week.

48 Now, in other places that have discussed
49 this, there are people who would like to be able to list
50 their homes on Airbnb. I think the concerns that we
51 have had with these groups is the amount of traffic a
52 particular rental might generate in a residential block

1 and its impact on the residential character of the
2 neighborhood. The complaints have about cars, people
3 coming and going and noise.

4 The proposed text amendment was discussed
5 with the Village Board, and their consensus was that
6 this was something they'd like to prohibit. But again,
7 they're putting it to the Plan and Zoning Commission to
8 hold this hearing, to provide your input and to make a
9 recommendation.

10 CHAIRMAN VASELOPULOS: It went before the
11 Board in March of last year. Is there a reason it has
12 taken a little while to come before us?

13 MR. GUTIERREZ: This was backburnered while we
14 got caught up on the Comprehensive Plan and some large
15 projects that have gone through.

16 CHAIRMAN VASELOPULOS: Okay. Commissioners,
17 any comments of Steve?

18 COMMISSIONER RUBIN: Yes. Well, my comment is
19 if we are going to prohibit Airbnb, I know all about
20 Airbnb, and if we're going to prohibit them, then we
21 need the ordinance because the supposition that if our
22 code is silent about something, we can, therefore,
23 prohibit it is to me legal nonsense. Just legal
24 nonsense. So, if it's not presently prohibited as it is
25 now, and we do want to prohibit it which is the next
26 question that I have, then we need this type of
27 ordinance. That's number one.

28 Number two, some of the reasons don't
29 make a lot of sense to me. People coming and going late
30 at night, I come and go late at night and I'm not doing
31 Airbnb, I mean, at my house. That seems to me to be a
32 ridiculous reason for prohibiting Airbnb.

33 Noise levels, well, the renters who take
34 an Airbnb place would be subject to the same noise
35 restrictions that I am as a resident. I find it a
36 little bit difficult to think of a good reason for
37 prohibiting this.

38 It's not that I'm in favor of it. I'm
39 not ready to rent my house out to Airbnb. That's on the
40 one hand. On the other hand, I'm scratching my head to
41 say why would we want to prohibit this? That's my
42 feeling right now.

43 CHAIRMAN VASELOPULOS: Okay, in the minutes
44 from March, the Village Board March meeting, some of the
45 issues were raised as to why they would want to prohibit
46 it. What are your thoughts about some of those other
47 issues? It was more than just noise. There were some
48 other issues that were being raised in here.

49 COMMISSIONER RUBIN: Well, let's see. One of
50 the issues, neighbors complain, that's important. I'm
51 not sure why neighbors complain, but --

52 CHAIRMAN VASELOPULOS: Parking was an issue

1 that was raised.

2 COMMISSIONER RUBIN: I don't understand that
3 because usually Airbnb, well, first of all, for those
4 who don't know what Airbnb does, they vet the possible
5 renter in order to make certain that the owner gets
6 paid. So, there is some control that's exercised right
7 off the bat.

8 But as far as parking is concerned,
9 normally Airbnb renters are not a whole bunch of people
10 with a whole bunch of cars. I think that present
11 ordinances relating to Village parking late at night on
12 a Village street would take care of some of that. I
13 can't park my car on Sunset Drive overnight without
14 letting the Village know and telling the Village that,
15 you know, my driveway is being resurfaced or something
16 like that.

17 MR. GUTIERREZ: Well, we gave some examples of
18 issues we had with a particular property, and I can't
19 say that that happens with everybody, it hasn't. But
20 there also were operator/customer issues, that resulted
21 in the Police Department having to get involved.

22 CHAIRMAN VASELOPULOS: They were issues
23 between, about the accommodations, about getting back
24 into the property once they left because they forgot
25 things.

26 MR. GUTIERREZ: Right. It's another level of
27 issues that were interjected into a residential
28 neighborhood.

29 COMMISSIONER RUBIN: Well, I don't want to
30 make light of that.

31 MR. GUTIERREZ: Anecdotally, as I talked to
32 other Village's about their experiences, the number one
33 complaint is where the renters host parties.

34 One of the homes that we identified
35 appeared to be an investment home that the owner did not
36 resided in and home was more of a travel accommodation
37 than a single-family home.

38 CHAIRMAN VASELOPULOS: Yes. Also, part of the
39 issue is that for better or for worse, once someone who
40 is into a home and is living there, not only Airbnb, I
41 mean, just regular residential living, you get used to
42 that person or that family and their rhythms and
43 everything. But when you have constant turnover or
44 frequent turnover, suddenly you've got a whole different
45 element that's occurring every week, every month. You
46 have different types of people doing different types of
47 things, age groups, all different types of things. It's
48 just, it can be disruptive to, you know, to a neighbor.
49 I think that's the point. So, that's another element to
50 consider, that's what I would say.

51 COMMISSIONER RUBIN: And it is, it is
52 something to consider. I wonder whether, again really

1 I'm not speaking in favor of Airbnb or opposed to it,
2 but I wonder whether if we decided to allow the Airbnb
3 type of rental, there could be restrictions on it so
4 that nobody buys a house simply to make it available
5 full-time to Airbnb customers. That would be more like
6 a hotel, motel, something like that. I'm just curious,
7 I mean, I just want to know.

8 CHAIRMAN VASELOPULOS: Yes, it's an idea.
9 COMMISSIONER BOLLING: Yes, that's the biggest
10 issue, it would probably be that. You know, we can
11 think of examples of, I don't know, house sitters, I
12 want to give my cousin Larry a room but I want to teach
13 him a lesson as he gets back on his feet, I'm going to
14 rent him a room. This is about a definition of what is
15 short-term rental.

16 COMMISSIONER RUBIN: Right.
17 COMMISSIONER BOLLING: So, what we have to do
18 is really think more about what is short-term rental. I
19 think the biggest question that we have is whether or
20 not, is it 30 days, 60 days, 90 days? I think that's
21 probably where the biggest issue comes in is how do we
22 define what a short-term rental is.

23 Oh, by the way, since I brought it up on
24 the last one, I'm concerned about the audience here and
25 the fact that we're talking about Airbnb or short-term
26 rentals, and how is the public notified? Is this not
27 another case where perhaps we need to debate this or is
28 this, I mean, if we're going to be consistent --

29 CHAIRMAN VASELOPULOS: Right, if we're
30 consistent. But I think there is a difference that
31 we're striking between this being, you know, just like
32 any other amendment we're making to the Zoning Code that
33 impacts the entire Village versus something that may be
34 a little bit more targeted in the previous noise Park
35 District issue.

36 COMMISSIONER BOLLING: I disagree with you
37 though.

38 CHAIRMAN VASELOPULOS: Simply because if we, I
39 mean, the Village has a policy about, I mean, what
40 you're raising is every single Zoning Code should be,
41 notice should be given to every resident for every
42 single Zoning Code really.

43 COMMISSIONER BOLLING: Correct.

44 CHAIRMAN VASELOPULOS: Is what you're kind of
45 asking or suggesting.

46 COMMISSIONER BOLLING: Yes, to be consistent
47 with what I believe is the other one which I really
48 applied to the entire Village, so does this. The last
49 one was not just Clarkson Park. The last one --

50 CHAIRMAN VASELOPULOS: But the exemption of
51 certain activities within the Park District I think was
52 the biggest focus of --

1 COMMISSIONER BOLLING: But it applied --
2 CHAIRMAN VASELOPULOS: I agree with you. I'm
3 not disagreeing about the noise aspect of it, you're
4 right.
5 COMMISSIONER BOLLING: The noise aspect
6 applied over the entire Village, not just any portion of
7 it.
8 CHAIRMAN VASELOPULOS: That's correct, yes.
9 COMMISSIONER BOLLING: So, it is, I don't
10 know, I'm sorry but, you know --
11 MR. GUTIERREZ: Well, other than mailing a
12 notice out to everyone, the only other practical way of
13 doing that again is with, you know, social media and
14 just leaving it out there for people to notice.
15 COMMISSIONER BOLLING: Yes, right. No,
16 there's no sandwich boards for this one.
17 COMMISSIONER BERMAN: I think that we have to
18 really think about this because I just went online to
19 look, and it's not just renting a whole house. Some of
20 these, well, I only know one that I recognized in
21 Northfield, it's just renting a room.
22 CHAIRMAN VASELOPULOS: And that's contemplated
23 in this language.
24 MR. GUTIERREZ: Yes.
25 COMMISSIONER BERMAN: So, personally, I don't
26 want to see people coming in and merely renting out
27 homes, that's just --
28 CHAIRMAN VASELOPULOS: That's contemplated.
29 If it's a single room, dwelling or a portion of the
30 dwelling, offered or advertised for the rental or other
31 consideration for a period of less than 60 days.
32 COMMISSIONER BOLLING: Yes, so if I go to
33 Florida for two months and somebody says I'd like to
34 rent your house because we're having a wedding or a
35 major anniversary, or the bride and groom say they want
36 to rent your house for a weekend and we're going to
37 party for five nights, that would be very disturbing to
38 the Lakes and the Andersons on Churchill Street. That's
39 just one scenario that I throw out.
40 COMMISSIONER BERMAN: Right, and I agree that,
41 I kind of think that neighbors don't notice this even
42 going on. Informing people --
43 COMMISSIONER BOLLING: That may be true. That
44 may be true.
45 MR. GUTIERREZ: We've only had a handful of
46 rentals and complaint thus far.
47 COMMISSIONER ESTABROOKE: How do people who
48 are snowbirds and they want someone to live in their
49 house while they're in Florida, where does that fit in
50 here?
51 COMMISSIONER BOLLING: Right. Where are the
52 rights of the owner?

1 CHAIRMAN VASELOPULOS: Well, are you charging
2 them rent to do that?
3 COMMISSIONER BOLLING: Yes.
4 COMMISSIONER ESTABROOKE: You could be. I
5 mean, right?
6 COMMISSIONER BERMAN: You mean privately,
7 yourself, not with an Airbnb --
8 CHAIRMAN VASELOPULOS: Because this is a
9 rental we're talking about.
10 COMMISSIONER ESTABROOKE: No, but I'm
11 saying --
12 CHAIRMAN VASELOPULOS: It's not people just
13 staying there rent free. This is a rental.
14 CHAIRMAN VASELOPULOS: And it's beyond 60
15 days, that's okay. This is strictly within 60 days.
16 COMMISSIONER ESTABROOKE: That's true, good
17 point. Well, maybe people only go for 60 days or 30
18 days, and they don't want their condo at Meadowlake to
19 be by itself.
20 MR. GUTIERREZ: And if those people were
21 partying it up and their neighbors complained and we
22 look into it, and if it was less than 60 days and they
23 were paying rent, we consider that a short-term rental.
24 COMMISSIONER BERMAN: But I mean, how do
25 you --
26 MR. GUTIERREZ: We check the posting online --
27 COMMISSIONER ESTABROOKE: No, right, I get it.
28 CHAIRMAN VASELOPULOS: So, one of the things
29 before us is what is presented here. Are we feeling
30 comfortable to vote for it yes or no? Or do we want to
31 have more research done on it? That's something that we
32 need to consider.
33 COMMISSIONER DELOYS: I wonder, Steve, could
34 you find out what other, what neighboring communities
35 are doing about this?
36 MR. GUTIERREZ: It appears that most of them
37 are prohibiting it.
38 COMMISSIONER DELOYS: Really?
39 MR. GUTIERREZ: I don't recall which,
40 precisely which ones --
41 COMMISSIONER BERMAN: Well, like Wilmette is
42 in here --
43 COMMISSIONER ESTABROOKE: I was just thinking
44 that.
45 MR. GUTIERREZ: I know they're in there. I'm
46 just saying there's a lot of codes there.
47 COMMISSIONER BERMAN: They're in here.
48 CHAIRMAN VASELOPULOS: Oh, they are.
49 COMMISSIONER BOLLING: Well, that doesn't mean
50 that they're --
51 COMMISSIONER BERMAN: I'm just saying there's
52 houses, there's huge houses on the lake and there's

1 small little one-room places.

2 MR. GUTIERREZ: Last year there was
3 legislation pending in Springfield that would preempt
4 our ability to a degree to regulate short-term rentals.
5 My understanding is that it's been buried in a committee
6 and may not be revived. The point being that this is an
7 issue being raised by the industry and the homeowners
8 who wish to do this.

9 COMMISSIONER BOLLING: But Lake Bluff has got
10 an issue, right?

11 MR. GUTIERREZ: Lake Bluff, apparently this
12 was debated there. If you like, I could get more
13 specific reporting back to you on that, but that's --

14 COMMISSIONER RUBIN: So, what do we do?

15 CHAIRMAN VASELOPULOS: How are we covering
16 that? First, anyone here have any more questions or
17 comments? The audience, it looks like a couple of
18 people have some questions or comments. So, if you
19 could state your name again? You've already been sworn
20 in.

21 MR. MCINTYRE: Mike McIntyre. I was just
22 going to say with Airbnb, it's a big issue in real
23 estate. Obviously, condominium associations are putting
24 in new regulations in their bylaws and things like that.
25 But I just want to point out one incident that came up
26 about Airbnb where they had a rental and they rented it
27 to Person A, the owner was transferred to California and
28 he was figuring that Person A would be there for the
29 duration of that contract. Unbeknownst to the owner and
30 not followed up by Airbnb because they don't follow-up
31 on secondary rentals, so in a sublet situation, the
32 person who was living there, unbeknownst to the owner,
33 that's their problem, but the point is that Airbnb had
34 no responsibility for that secondary rental. I mean,
35 it's one isolated incident but -- all they do is make
36 that connection and you really don't have any control
37 once that takes place.

38 CHAIRMAN VASELOPULOS: Okay, thank you.
39 Please step to the microphone, state your name and
40 please be sworn in by Steve.

41 MS. LAYERLA: Marilyn Layerla.

42 (Witness sworn.)

43 MS. LAYERLA: I want to say first, I don't
44 have any particular concerns about Airbnb. I think that
45 regulations can be drafted that would address any
46 concerns. But when I received an e-mail today from the
47 Village with the Village newsletter for January and
48 February and I saw that this text amendment was going to
49 be considered tonight, I immediately thought of another
50 issue. That is once you define what a short-term rental
51 is, you're also defining what a long-term rental is.

52 The PUD that was just approved for 1725

1 Winnetka Road for the townhouses is for long-term
2 rentals. So, if you're considering an ordinance that
3 defines a short-term rental as 60 days, then that would
4 I think open the door to rentals at 1725 Winnetka for 61
5 days. I don't think that that's consistent with the
6 spirit of the PUD as it was presented and approved. I
7 think that the neighbors deserve notice of that and
8 consideration.

9 I don't think that that would be what most of
10 the neighbors would consider appropriate for that.

11 CHAIRMAN VASELOPULOS: Well, I see your point,
12 but currently, what prohibits someone from renting it
13 for 60 days?

14 MS. LAYERLA: Currently, nothing. The only
15 thing is that this was a planned unit development which
16 was approved as a long-term rental.

17 CHAIRMAN VASELOPULOS: I agree. But since
18 there was no definition of long-term rental, that could,
19 currently if this doesn't pass, they could rent that out
20 for 30 days or 60 days if they so choose.

21 MR. GUTIERREZ: You're concerned that they not
22 be allowed to rent for less than a year?

23 MS. LAYERLA: Well, ideally I would like to
24 see a year. I'm not sure that that would be what would
25 be approved.

26 MR. GUTIERREZ: I see.

27 MS. LAYERLA: I think typically the long-term
28 rental is more than six months at least.

29 CHAIRMAN VASELOPULOS: Well, we haven't
30 defined it at all which is my point.

31 MS. LAYERLA: Right, and how has it been
32 defined?

33 CHAIRMAN VASELOPULOS: You're raising an
34 issue --

35 MS. LAYERLA: I'm raising an issue that by
36 defining a short-term rental, you are also defining
37 long-term rental.

38 CHAIRMAN VASELOPULOS: That's true. Thank
39 you.

40 COMMISSIONER BOLLING: And by the way, you
41 brought up the idea that you went out on the website and
42 you were informed about this meeting.

43 MS. LAYERLA: This afternoon. Well, I got the
44 newsletter.

45 COMMISSIONER BOLLING: The newsletter went out
46 for those who subscribe.

47 CHAIRMAN VASELOPULOS: That's right.

48 MS. LAYERLA: This afternoon.

49 COMMISSIONER BOLLING: And you read it which
50 is great. That's my only point.

51 MS. LAYERLA: I didn't see the text of the
52 amendment, I didn't know it was 60 days which is why I

1 came tonight.
2 CHAIRMAN VASELOPULOS: Yes.
3 COMMISSIONER BOLLING: Yes, we need like 400
4 more people like you.
5 MR. GUTIERREZ: Thank you for reading it.
6 COMMISSIONER BOLLING: Right, thank you for
7 reading it.
8 CHAIRMAN VASELOPULOS: Right, thank you. Any
9 more thoughts or comments?
10 COMMISSIONER RUBIN: Well, my comment is I
11 don't think we can approve this as it presently sits. I
12 think that we may need to hear from more people. Was
13 that your point, Tom?
14 COMMISSIONER BOLLING: I don't know of a
15 solution here because there's no --
16 CHAIRMAN VASELOPULOS: I mean, we have two
17 options. We can I guess continue it in the attempt of,
18 the only issue to continue is to make sure people are
19 notified of this issue. Is that what we're suggesting?
20 COMMISSIONER BOLLING: Yes. The only issue
21 seems to be the duration. Is 60 okay or not? I don't
22 know that we have any, we haven't heard anything about
23 60 versus 90 versus 30.
24 CHAIRMAN VASELOPULOS: Well, it was addressed
25 a little bit in the March Village Board meeting.
26 COMMISSIONER BOLLING: Right.
27 CHAIRMAN VASELOPULOS: Personally, I'm
28 comfortable with voting yes or no now and passing it
29 along to the Board, but --
30 COMMISSIONER RUBIN: We can do that. I think
31 we can do that.
32 COMMISSIONER ESTABROOKE: I'm comfortable
33 doing that.
34 CHAIRMAN VASELOPULOS: But that's just my
35 personal opinion. So, if someone wants to make a motion
36 to continue, if they feel strongly about it, we can
37 entertain that motion, too. I'd like to know though to
38 what, what are our purposes of doing that? Because as
39 Steve has kind of illustrated, we're not sending out,
40 you know, thousands of letters to everyone about the
41 zoning thing. So, what do we do?
42 COMMISSIONER RUBIN: Well, I think the motion,
43 either a motion to approve or to disapprove is in order.
44 CHAIRMAN VASELOPULOS: Because our concerns
45 and thoughts, through the vote and our comments, are
46 passed along to the Board and then they rule
47 accordingly. You know, we really have no say ultimately
48 what the Board is going to do. It's just our
49 recommendation.
50 COMMISSIONER RUBIN: Exactly.
51 COMMISSIONER BOLLING: Yes, I think that's
52 appropriate. We should make a motion. I'm inclined to

1 vote against just on the basis of notification. But
2 that should not influence the rest of the Commission.
3 COMMISSIONER RUBIN: No, right.
4 CHAIRMAN VASELOPULOS: Okay, but that's good
5 that you put that on the record.
6 COMMISSIONER BERMAN: Notification to the
7 community?
8 COMMISSIONER BOLLING: Pardon?
9 COMMISSIONER BERMAN: Notification to the
10 community, correct?
11 COMMISSIONER BOLLING: Correct. Yes, I'm
12 sorry.
13 MR. GUTIERREZ: I'm sorry, can I ask,
14 Commissioner Bolling, if this issue were continued, what
15 type of notification would you want us to make?
16 COMMISSIONER BOLLING: I really don't have an
17 answer to that, and I'm afraid that the only answer
18 would be duration, it would be to give people more time
19 to become aware of this discussion by word of mouth, in
20 some publication, minutes, website or newsletters.
21 MR. GUTIERREZ: More time essentially.
22 COMMISSIONER BOLLING: Yes.
23 COMMISSIONER HIRSCH: And again, what other
24 villages are doing perhaps.
25 COMMISSIONER BOLLING: Yes, right.
26 COMMISSIONER HIRSCH: I mean, with regard to
27 short-term rentals.
28 CHAIRMAN VASELOPULOS: So, do we want to
29 continue this or do we want to vote on it? I need a
30 motion, one or the other. So, who would like to make
31 the motion on whatever topic they want.
32 If we make a motion to continue and that
33 fails, then we have to vote on the matter. If the
34 continuing motion passes, then we continue this and we
35 will hear it at our next meeting.
36 COMMISSIONER HIRSCH: I'll make a motion that
37 we continue the discussion of short-term rental for the
38 February meeting.
39 CHAIRMAN VASELOPULOS: All those in favor?
40 (Chorus of ayes.)
41 CHAIRMAN VASELOPULOS: All those against?
42 (Chorus of nays.)
43 CHAIRMAN VASELOPULOS: So, unfortunately, we
44 have a three-three tie, which means the motion doesn't
45 pass and we don't continue it. Did the reporter record
46 who voted yes and who voted no?
47 COURT REPORTER: No.
48 CHAIRMAN VASELOPULOS: Would you like the roll
49 call vote? Steve, could you provide a roll call vote?
50 MR. GUTIERREZ: Ms. Berman.
51 COMMISSIONER BERMAN: No.
52 MR. GUTIERREZ: Mr. Hirsch.

1 COMMISSIONER HIRSCH: Yes.
2 MR. GUTIERREZ: Mr. Rubin.
3 COMMISSIONER RUBIN: I'm sorry?
4 MR. GUTIERREZ: This is on the motion to
5 continue.
6 COMMISSIONER RUBIN: Yes.
7 MR. GUTIERREZ: Ms. Estabrooke.
8 COMMISSIONER ESTABROOKE: No.
9 MR. GUTIERREZ: Mr. Bolling.
10 COMMISSIONER BOLLING: Yes.
11 CHAIRMAN VASELOPULOS: I have a vote.
12 MR. GUTIERREZ: Okay, Mr. Vaselopulos.
13 CHAIRMAN VASELOPULOS: No.
14 CHAIRMAN VASELOPULOS: So, three-three, the
15 motion fails.
16 COMMISSIONER HIRSCH: Which means we vote on
17 it now.
18 CHAIRMAN VASELOPULOS: Which means, yes,
19 correct.
20 COMMISSIONER HIRSCH: Okay, let me have a
21 better understanding of the 60-day rental, because you
22 can put together several 60-day contracts and in fact
23 have a year rental for a property. Are we talking about
24 length of term by one contract? Or are we talking about
25 the calendar year of 60 days only? I mean, are we
26 putting limits on what a vacation rental should be?
27 MR. GUTIERREZ: So, if somebody has a
28 complaint or we see something listed on a website that
29 offers less than a 60 day rental, we'll investigate and
30 if the owner provides us evidence that they are renting
31 for 60 days or more they would not be in violation.
32 COMMISSIONER HIRSCH: Then it would be
33 approved? If it's 60 days or more, we are opening the
34 door to investment properties that are in fact hotel-
35 like and that are unoccupied.
36 CHAIRMAN VASELOPULOS: But that currently
37 exists. Anybody could take their home and rent it out
38 absolutely for any amount of time currently.
39 COMMISSIONER HIRSCH: Right.
40 CHAIRMAN VASELOPULOS: I don't think we're
41 opening the door to anything that doesn't already
42 currently exist.
43 COMMISSIONER HIRSCH: That doesn't already
44 exist. So, how do we police this? How do you say --
45 MR. GUTIERREZ: We'd call them and find out.
46 We ask them for evidence, such as a signed lease.
47 COMMISSIONER HIRSCH: Right, okay.
48 MR. GUTIERREZ: That would be enough.
49 CHAIRMAN VASELOPULOS: Any other comments on
50 this topic? Anyone from the audience have any other
51 comments or questions? Would someone like to make a
52 motion?

1 COMMISSIONER ESTABROOKE: Sure. I'd like to
2 **make a motion to recommend to the Village Board approval**
3 **of the short-term rental regulations as presented.**
4 CHAIRMAN VASELOPULOS: Is there a second?
5 COMMISSIONER HIRSCH: I'll second it.
6 CHAIRMAN VASELOPULOS: Steve, can you do a
7 roll call vote please?
8 MR. GUTIERREZ: Okay, Ms. Berman.
9 COMMISSIONER BERMAN: Yes.
10 MR. GUTIERREZ: Mr. Hirsch.
11 COMMISSIONER HIRSCH: Yes.
12 MR. GUTIERREZ: Mr. Rubin.
13 COMMISSIONER RUBIN: No.
14 MR. GUTIERREZ: Ms. Estabrooke.
15 COMMISSIONER ESTABROOKE: Yes.
16 MR. GUTIERREZ: Mr. Bolling.
17 COMMISSIONER BOLLING: No.
18 MR. GUTIERREZ: Chairman Vaselopulos.
19 CHAIRMAN VASELOPULOS: Yes.
20 MR. GUTIERREZ: The motion carries.
21 CHAIRMAN VASELOPULOS: There we go. Thank you
22 very much. Appreciate everyone's deliberations this
23 evening. Is there a motion to adjourn?
24 COMMISSIONER RUBIN: So moved.
25 COMMISSIONER BOLLING: Second.
26 CHAIRMAN VASELOPULOS: All those in favor?
27 (Chorus of ayes.)
28 CHAIRMAN VASELOPULOS: All those opposed?
29 (No response.)
30 CHAIRMAN VASELOPULOS: Motion carries. Thank
31 you, good night.
32 (Whereupon, at 9:12 p.m., the above
33 meeting was concluded.)
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36 APPROVED 2/4/19
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