

## Land Use Committee Meeting #8 – Meeting Minutes

**November 5, 2015**

**2:30 – 4:30 p.m.**

**College of Lake County, 1200 University Center Dr., Grayslake, IL**

**Committee Members Present:** Lake County Board Chairman Aaron Lawlor, Committee Co-Chair; George Ranney, Committee Co-Chair, Trustee Jeffrey Berman, representing Village of Buffalo Grove; Michael Ellis, representing Village of Grayslake; Trustee Stephen Park, representing Village of Gurnee; Mayor Linda Soto, representing Village of Hainesville; Mayor Joseph Mancino, representing Village of Hawthorn Woods; Michael Talbett, representing Village of Kildeer; Matthew Dabrowski, representing Lakemoor; Heather Rowe, representing Village of Libertyville; President Angie Underwood, representing Long Grove; Trustee Dawn Abernathy, representing Mundelein; Steve Shields, representing Village of Round Lake; Al Maiden, representing Village of Round Lake Park; Village Manager John Kalmar, representing Village of Vernon Hills; President Steve Henley, representing Village of Volo; Russ Tomlin, representing City of Waukegan; Pat Carey, representing Lake County Board; Brad Leibov, representing Liberty Prairie Foundation; Mike Stevens, representing Lake County Partners; Mike Sands, representing Liberty Prairie Foundation; and Stacey Meyers, representing Openlands (22 attendees)

**Committee Members Not Present** President Tom Poyton, representing Village of Lake Zurich; and Mayor Frank Bart, representing Village of Wauconda

Kristi DeLaurentiis (Metro Strategies) took roll call – see attendance list above.

### **1. Welcome and Introductions**– *Committee Co-Chair Aaron Lawlor*

Meeting minutes from the September 24, 2015 Land Use Committee were approved. Committee member Stevens moved and committee member Abernathy seconded.

### **2. Public Comment**

- Chris Geiselhart, President, Lake County Audubon Society, made the attached statement and urged the vote be postponed until the missing design details and implementation strategy are included.
- Peter Bacher, resident of Long Grove, Indicated that the approach did not examine other alternatives and assumed the facility is built – which he regarded as a flawed study. Stated his opposition to the extension of Route 53.
- Jim Bland, Sierra Club and Adjunct Professor at the University of Wisconsin, stated his concern about the environmental impact within the Corridor, the lack of information about impervious cover and that the study did not assess impacts outside of the Corridor.
- Anthony Dean, former President of Long Grove, former director of IDNR, reviewed the history of the alignment, stating that the road should never have been planned for that location. The collateral impact of the road will be enormous, the tax impact high. He forecasts that the environmental design standards will be ignored.
- Vanessa Griffin, Hawthorn Woods resident, noted that she had substantial comments on the draft report that were submitted and she indicated should be responded to individually. Commented that the process is

not as transparent as claimed, that there were broken links on the website preventing access to older information. Also indicated that she sees the report as a development plan, which should not be the focus.

- Alan Wilson of Long Grove stated that the road would destroy property values in Deerwood Estates. Condemnation has occurred and would continue. He was concerned about the impact on septic systems and water quality as well.
- Wendy Hakken, a Lake County resident, stated that she was in favor of the roadway extension, that it would encourage economic development because construction expenditures would support businesses that are struggling. She was concerned about the safety of the existing roadway, and felt that commuters thirsted for this roadway extension.
- Rick Barrie of Hawthorn Woods voiced concern that the report did not reflect that the roadway would go through wetlands near his house, and that future commuters would exceed the 45 mph speed limit.
- Kim Starke stated that previous statements have indicated the roadway is elevated 16 feet or more above ground throughout Hawthorn Woods. Indicated concerns for uncertainty of design. If it is elevated, how will run-off, salt spray and noise be managed. If it is not elevated, it will destroy wetlands. Indicated the uncertainty and ongoing discussion of the road is reducing nearby home values.
- Peter Ponzio, Trustee at the Village of Hawthorn Woods, stated that he saw the report as commendable, but that it failed to meet the BRAC Guiding Principle concerning funding. Indicated the survey results of 2009 referendum are not a mandate, and should not be mentioned in the document as support to proceed. The sustainable funding plan will have an imbalanced impact on Hawthorn Woods, which would see too little economic growth in exchange for too much cost. Also, the report did not address issues such as noise and the impact on school funding. He commended the work of the committee but said more needs to be done.
- Susan Zingle of Wadsworth stated that the villages of Long Grove and Hawthorn Woods held public local meetings, but that other municipalities did not. She stated that there should be no vote on the report until the other municipalities did so. She was also concerned about the impact of 25,000 more dwelling units on schools, other institutions and local roads. Asked why the Forest Preserve District is not at the table.
- Barbara Klipp, resident of Prairie Crossing and a member of the Sierra Club stated that the Sierra Club opposes the roadway because it does not meet BRAC requirements. The Environmental Stewardship Fund should not have been separated from the funding. The plan is not enforceable unless an IGA is formed.
- Mary Mathews stated that the land use study should have covered the entire county, objected that it has no teeth or funding, and felt that the real goal of the report is economic development. She indicated it is being pushed forward by certain communities, but will hurt others – Mundelein, Long Grove and Kildeer, and encourage sprawl. She opposed adoption of the report but urged that many of the recommendations of the land use study be adopted
- Mike Sarlitto, Trustee of Long Grove, stated that Long Grove supports road improvements to ease congestion, but opposes the Route 53 road extension because it will add traffic, encourage sprawl, and cause damage to the environment, the rural character and the quality of life. He read a resolution passed by the Long Grove Village Board the prior week stating that Long Grove strenuously objects to the extension and will take all lawful steps to prevent its construction.
- Connie Hanninan of Grayslake stated that she was disappointed that Grayslake did not hold a local town hall meeting on this issue.
- Judy Gaika of Grayslake stated that the mayor did not speak for her community. She stated she opposed the road extension and urged other alternatives to the roadway such as mass transit.
- Tim Perry, former mayor of Grayslake spoke in support of the roadway extension, saying there had been dozens of town hall meetings on this subject over the years, that he is one of the vast majority of Grayslake residents who support the roadway. Population growth has come over the years and will continue to come, regardless of the road. This road will help grow non-residential tax base and help the corridor compete with Kenosha. He stated that the alternatives to Route 53 such as widening local roadways would be extremely difficult and disruptive. He commended the BRAC and the committee.
- Bonnie Thompson Carter stated she was a member of the County Board but was speaking as a resident of western Lake County. As Chair of the Transportation Committee the last time Route 53 was looked at, she

learned that the alternatives to Route 53 included widening other local roads, which would take out businesses and be very expensive. She feels that residents without close access to 94 have no reasonable route to take, and that her constituents want this road. She urged the report be adopted to permit the next step, which is doing an EIS. This will give us the information we need to know how to mitigate the environmental impact.

- Bobbie O'Reilly of Long Grove asked why municipalities would give up their authority over local zoning issues.
- Tim Marabella of the Lake County Contractors Association stated that he lives in Antioch, but has family in Grayslake and knows traffic is terrible, which is hard on families. He urged moving forward so we can get the EIS and make a decision based on the results of the study.
- Diane Stark of Grayslake stated that she lived across from Prairie Crossing and sees a 4-lane intersection coming that will add traffic and noise and cause a decline in property values.

### **3. Review of Executive Summary- Daniel Grove, Lakota**

The Committee had no comments on the executive summary.

### **4. Public Review Comment Report - Daniel Grove, Lakota**

Daniel Grove reviewed the public comments received from the two open houses, comment cards, emails and the website. Most comments were about the facility itself, and those have been forwarded to the Tollway. Some comments concerned the process. Those comments concerning the content of the report would be considered as revisions to the final draft of the report.

### **5. Consideration to Finalize the Report**

Stacy Meyers, staff attorney for Openlands, read the attached statement, describing the participation of Openlands in this process and its appreciation of the benefits on the process including data generated, but concluding as follows: "Since the draft report falls short of the regional land use planning condition of the Blue Ribbon Advisory Committee, Openlands cannot support its adoption, and sees it as premature to move forward with the Environmental Impact Statement process."

Some Committee members noted that the Committee is working to augment the BRAC recommendations, not making the decision whether the roadway should be built. The report also does not aspire to create a land use plan that will be binding on the municipalities in the Corridor. Rather, it is a method of encouraging cooperation among municipalities. Additional information is needed, which can only be discovered by doing an EIS.

One Committee member questioned how the boundaries of the Corridor were established and was reminded that the two mile boundary arose from the BRAC, and that adjustments were made to reflect municipal boundaries, land features, etc. and direction was given on the boundary by the Land Use Committee at one of the first meetings. Stated that while the work of the Committee was terrific and will be useful, it is based on the BRAC, which was flawed because its membership did not properly represent municipalities most affected, and may not have complied with the statute requiring a local advisory committee.

Many Committee members praised the work of CMAP and the consultant team, saying that there is excellent information stated that they believe this land use strategy is excellent, and could be a model for other communities.

There was more discussion about whether the report should be binding on municipalities and the county. Some committee members objected that this was not a land use plan but simply a strategy. Others said it was unrealistic to expect more now. Some expressed hope that the report's recommendations would gradually be adopted into individual municipal comprehensive plans.

There was extensive discussion about whether the report was complete enough to approve. Some Committee members objected to the lack of detail concerning design, environmental impact and means of implementation. Others urged support of the report so that the additional work of the EIS and IGA can be done. The communities would not want to be locked into anything prematurely, before the details are finalized.

One Committee member pointed out that there will be a lot more public comment to come during that process. Another stated that the Route 53/120 facility is before the Tollway, and he would rather have it proceed through review with this report than without it.

Co-Chair Lawlor stated that he believed the report provides the framework or path to move forward incrementally, to achieve the goals described on page 67 of the report.

Co-Chair Ranney stated that this has been a useful discussion, that he is proud of the BRAC and the progress that has been made on this issue over the last 20 years. He would suggest establishing a date of November 1, 2016, to look back and evaluate the efforts of the municipalities to work together. With that caveat, he would vote to support the report, to move forward with an EIS, and to move forward under this framework.

Co-Chair Lawlor circulated and read a motion, which is attached. Several Committee members suggested adding the November 1, 2016 date to Item 8 as a way to ensure all the good work about cooperation is followed and tracked.

One Committee member said it would be inappropriate to vote on a motion which had not been previously circulated or specifically listed on the agenda. He also questioned whether the agenda was posted on the door of the building 48 hours in advance. Other Committee members stated they fully expected to vote on the report at the meeting. Another committee member felt there was insufficient clarity in the motion.

Committee member Henley made a motion to approve the Route 53/120 Land Use Committee Motion, amended to add "by November 1, 2016" at the end of Item 8. The motion was seconded by Committee member Abernathy.

After extensive discussion, the Committee decided to do a roll call vote and if there is a technical problem, to subsequently do a corrective action.

The roll was called and the vote was as follows:

Ayes - 14: Talbett (Kildeer), Abernathy (Mundelein), Park (Gurnee), Rowe (Libertyville), Carey (Lake County), Soto (Hainesville), Ellis (Grayslake), Shields (Round Lake), Dabrowski (Lakemoor), Stevens (Lake County Partners), Henley (Volo), Kalmar (Vernon Hills), Co-Chair Lawlor, Co-Chair Ranney

Nays - 5: Mancino (Hawthorn Woods), Underwood (Long Grove), Sands (Liberty Prairie Foundation), Leibov (Liberty Prairie Foundation), Meyers (Openlands)

Abstained - 1: Tomlin (Waukegan)

Co-Chairman Lawlor reminded the Committee that if the posting of the meeting was in error, the Committee would need to reconvene.

Motion to adjourn by Committee member Abernathy, seconded by Committee member Park, approved by unanimous consent, meeting adjourned.

**Attachment 1**  
**Statement of Chris Geiselhart, President, Lake County Audubon Society**

As a member of the Illinois State Toll Highway Authority's Rte 53/120 Blue Ribbon Advisory Council, I want to tell you that we spent hours of thoughtful work creating the June 7, 2012 Resolution and Summary Report. QUOTE FROM PROJECT OVERVIEW: "The BRAC outlined its work and findings in the June 7, 2012 Resolution and Summary Report, which concluded that there is consensus for the Tollway to move forward with the project and provided the scope, configuration and design elements of the new roadway...The BRAC defined a set of guiding principles to ensure the outcomes are clearly defined and the project fulfills its goals. The most important of these principles is to use innovative and environmentally beneficial design solutions to strike a balance between improving mobility and access while minimizing negative environmental and long-term developmental impacts. "

Although not invited to serve for the next phase of work, as a member of the environmental community, I felt it was vital to attend as many of the committee meetings as possible—for one thing, to make sure that the environmentally friendly features that we incorporated into the BRAC report wouldn't be sacrificed for any reason...including that of funding issues. I brought up this concern at a number of meetings and was assured that would not happen.

In evaluating the original intent, does this current Corridor Land Use Plan meet those recommendations made by the BRAC in its Resolution presented with its final report? CITATION FROM DRAFT RESOLUTION PAGE: (2) "Our approval and continued support for constructing a road in the 53/120 corridor is, however, conditioned upon the Illinois State Toll Highway Authority adhering to the design principles, alignments, and environmental commitments outlined in the report. (3) We recommend that the principles and conclusions agreed to by the Advisory Council be adopted by resolution of the Illinois General Assembly and approved by the Governor. (5) We respectfully request that the Illinois State Toll Highway Authority routinely report to the Advisory Council on its progress in realizing the recommended project, and to use the advice of the Advisory Council as it proceeds."

I acknowledge that a huge amount of work went into developing the plan, that it contains good data and valuable information, confirming the importance and value of the natural areas of Lake County that we love. But I can't consider it COMPLETE. It provides guidance only, but there is missing an implementation strategy that would result in coordinated land use planning. There must be a detailed design concept that reflects the Council's roadway design and key features, including all of the performance requirements

outlined in the BRAC report. There are communities that need to have new alignment considerations. Where is the strategy in place to develop an IGA to serve as the basis for establishment of the Corridor Planning Council?

The plan at this point is not satisfactory and disregards the BRAC recommendations that stress a clear plan and implementation strategy. It doesn't show preferred land uses, livability, and use of open space. There is no real regular land use plan, no strategy to make the plan happen, no way to encourage commitment to make it happen. Missing are sample Intergovernmental agreements to help with buy-in from the communities. Compared to the amount of concern that exists about impacts on the environment, including the wetlands that line the corridor, more members of the environmental community should have been included every step of the way.

Until this document can **really** meet the standards set, I urge you to postpone the vote until the missing items are added. Not voting today is not a failure.

Submitted by Chris Geiselhart, President, Lake County Audubon Society

11/5/15

**Attachment 2**  
**Openlands Position Regarding the Illinois Route 53/120 Corridor Land Use Strategy**

**Attachment 3**  
**Route 53/120 Land Use Committee Motion, as amended**