

PUBLIC NOTICE

In accordance with the Statutes of the State of Illinois and the Ordinances of the City of Highland Park, the next meeting of the Natural Resources Commission of the City of Highland Park is scheduled to be held at the hour of 6:30 p.m. on Wednesday, July 8, 2015 at the City of Highland Park City Hall, 1707 St. Johns Avenue, Highland Park, Illinois, during which it is anticipated there will be a discussion of the following:

CITY OF HIGHLAND PARK  
NATURAL RESOURCES COMMISSION  
WEDNESDAY, JULY 8, 2015  
HIGHLAND PARK CITY HALL  
1707 ST. JOHNS AVENUE  
HIGHLAND PARK, ILLINOIS  
6:30 P.M.

**MEETING AGENDA**

**I. Call to Order**

**II. Roll Call**

**III. Approval of Minutes:** May 13, 2015 and June 10, 2015

**IV. Business from the Public**

**V. New Business**

- A. Approval of Staff-Drafted Findings of Fact Recommending City Council Approval of a Beach Structure Permit for Regulated Activities in the Lake Michigan Protection Zone at 55 S. Deere Park Drive
- B. Approval of Staff-Drafted Findings of Fact Recommending City Council Approval of a Beach Structure Permit for Regulated Activities in the Lake Michigan Protection Zone at 57 S. Deere Park Drive
- C. Consideration of 2016 Commission Work Plan and Budget

**VI. Old Business**

- A. Status Update on 333 Woodland Road Steep Slope Zone Application
- B. Consideration of Commission Participation in Great Lakes Display at Highland Park Public Library

**VII. Other Business**

- A. Commissioner Comments
- B. Administrative Items

**VIII. Adjournment**



# Memorandum

To: Members of the Natural Resources Commission

From: Karen Berardi, Assistant to the City Manager

Date: July 4, 2015

Re: Agenda Items for the July 8th Meeting of the Natural Resources Commission

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## NEW BUSINESS:

**A. Approval of Staff-Drafted Findings of Fact Recommending City Council Approval of a Beach Structure Permit for Regulated Activities in the Lake Michigan Protection Zone at 55 S. Deere Park Drive**

The applicants, Jerry Senser and Mark Gerstein, are requesting a Beach Structure Permit for regulated activities within the City's designated "Lake Michigan Protection Zone" at 55-57 S. Deere Park Drive. A diagram illustrating this zone designation follows on the next page.

The proposed activities on 55 S. Deere Park Drive consist of the construction of a 30' long quarystone breakwater spur and sandfill. The proposed activities on 57 S. Deere Park Drive consist of the construction of a 60' long quarystone breakwater spur, quarystone breakwater toe protection, short breakwater spur near the north property line, cross section for a revetment and sandfill. This proposed improvement will augment the existing breakwater previously permitted and constructed in 2009.

At the June 10, 2015 meeting, the Commission considered this request and voted (6-0) to direct Findings of Fact recommending approval of the Beach Structure Permit. **The draft Findings are attached for consideration and the Commission is being asked to vote to approve and forward them to the City Council for final determination. This item is tentatively scheduled for City Council consideration on August 3, 2015.**

**B. Approval of Staff-Drafted Findings of Fact Recommending City Council Approval of a Beach Structure Permit for Regulated Activities in the Lake Michigan Protection Zone at 57 S. Deere Park Drive**

The applicants, Jerry Senser and Mark Gerstein, are requesting a Beach Structure Permit for regulated activities within the City’s designated “Lake Michigan Protection Zone” at 55-57 S. Deere Park Drive. A diagram illustrating this zone designation follows on the next page.

The proposed activities on 55 S. Deere Park Drive consist of the construction of a 30’ long quarystone breakwater spur and sandfill. The proposed activities on 57 S. Deere Park Drive consist of the construction of a 60’ long quarystone breakwater spur, quarystone breakwater toe protection, short breakwater spur near the north property line, cross section for a revetment and sandfill. This proposed improvement will augment the existing breakwater previously permitted and constructed in 2009.

At the June 10, 2015 meeting, the Commission considered this request and voted (6-0) to direct Findings of Fact recommending approval of the Beach Structure Permit. **The draft Findings are attached for consideration and the Commission is being asked to vote to approve and forward them to the City Council for final determination. This item is tentatively scheduled for City Council consideration on August 3, 2015.**

**C. Consideration of 2016 Commission Work Plan and Budget**

Chairwoman Coyle will lead a discussion on the proposed 2016 work plan.

This year, the City has advised that budget requests are maintained with a zero growth from the previous year. The Commission’s yearly work plan is tied to the budget request, and it gives the City Council and staff an understanding of the year’s deliverables and work load. In past years, the Commission has used an excel spreadsheet to assign specific tasks to commissioners in addition to the budget-required work plan. **The Commission will only discuss the 2016 work plan. The excel spreadsheet which provides more detail on Commission tasks as part of the work plan will be discussed at the Commission’s regular meeting in September 2015.**

In an effort to align the Natural Resources Commission with the City’s sustainability initiatives, many of the action plan items stem from the Sustainability Master Plan regarding policy changes. Other items are part of the Commission’s primary role and responsibilities.

Attached is the approved 2015 work plan as well as proposed 2016 work plan. The proposed budget for 2016 is below:

<b>Service/Action</b>	<b>CY15 Request</b>	<b>Proposed CY15 Request</b>
Education – Environmental Education Events Including: Arbor Day, 4 <sup>th</sup> of July, Earth Day, beach and river cleanups, and Movie Screenings	\$1,500	\$1,500
Business Expense – Commission Dinners	\$1,500	\$1,500

Additionally, at its June 10, 2015 meeting, the Commission expressed an interest in proposing an addition to the City's annual fee resolution in order to procure services from a coastal engineer prior to commission review of beach structure permit applications in the Lake Michigan Protection Zone. The fee, as proposed by members of the Commission, would be an additional fee to beach structure permit applicants.

It is recommended that the commission consider recommending that staff include an addition to the fee resolution in order to procure services from a coastal engineer. It is recommended that the fee description be: "Design Review Application Fee for Coastal Structures." Please note that consulting agencies to the City report to City staff and staff will then report back to commissions regarding projects and permit applications.

## **OLD BUSINESS:**

### **A. Status Report on 333 Woodland Road Steep Slope Application**

The applicants, David and Morgan Rosenberg, wish to build a new attached garage and an addition to their existing residence located at 333 Woodland Road, but in order to do so, they will require the following zoning variances:

- a. to encroach 4.6 feet into the minimum front yard of 40 feet for a distance of 22 feet,
- b. to encroach 14.76 feet into the established front setback of 50.16 feet for a distance of 22 feet,
- c. to encroach 1.8 feet into the minimum side yard of 9 feet on the east side of the property for a distance of 32 feet,
- d. to encroach 10 feet into the 10' ravine Steep Slope Zone setback, and**
- e. to remove a 36-inch Heritage tree from the property, in order to build a new attached garage and an addition to an existing residence.

In order to obtain a variance to the City's Steep Slope Ordinance (Article XIX [19] of the Zoning Code) to for the setback encroachment shown above as **(D)**, the applicants must appear before the Natural Resources Commission. The Commission considered this request at its June 10, 2015 meeting and requested additional plans and documentation from the applicant.

On June 22, 2015, the applicant provided the plans and documentation requested by the Commission. These documents were submitted to the City's Engineering and Forestry Divisions for additional review. The memo attached, dated July 2, 2015, was submitted by the City's Engineering and Forestry Divisions who found that the newly submitted plans and documents do not adequately address their concerns regarding the project. For reference, the Engineering and Forestry review from June 2, 2015 is also attached.

### **B. Consideration of Commission Participation in Great Lakes Display at Highland Park Public Library**

The Highland Park Public Library will soon be promoting a Great Lakes Display this coming fall. The commission is being asked to consider participating in the promotion and public education of the display.

**ATTACHMENTS:**

- Staff-Drafted Findings of Fact for 55 S. Deere Park Drive
- Staff-Drafted Findings of Fact for 57 S. Deere Park Drive
- 2015 Approved Work Plan
- 2016 Proposed Work Plan
- Engineering & Forestry Review on 333 Woodland Road, dated July 2, 2015
- Engineering & Forestry Review on 333 Woodland Road, dated June 2, 2015

**MINUTES OF A REGULAR MEETING OF  
THE NATURAL RESOURCES COMMISSION OF THE CITY OF HIGHLAND  
PARK, ILLINOIS**

**MEETING DATE:** May 13, 2015

**MEETING LOCATION:** Presession Conference Room, Highland Park City Hall, 1707 St. Johns Avenue, Highland Park, Illinois

**CALL TO ORDER**

At 6:36 p.m., Chairwoman Coyle called the meeting to order and the Staff Liaison called the roll.

**ROLL CALL**

**Members Present:** Coyle, Hannick, Wagenius, Matthews (6:49 p.m.), Stone, Dotson, and Theodosakis

**Members Absent:** Rheinstrom, Pagoria, Ross, Lewittes and Gardocki

The Chairwoman declared that there was a quorum of the Commission present.

**Staff Present:** Staff Liaison Karen Berardi

**MINUTES**

**A. Regular Meeting of the Natural Resources Commission—March 11, 2015 & April 8, 2015**

Commissioner Wagenius abstained from the vote on the March 11, 2015 Regular Meeting minutes due to his absence at the March 11, 2015 meeting. Commissioner Matthews abstained from the vote on the April 8, 2015 Regular Meeting minutes due to his absence at the April 8, 2015 meeting. Due to lack of quorum for both meeting minutes, Chair Coyle tabled the approval of the regular meeting minutes for both March 11, 2015 and April 8, 2015 to the June 10, 2015 regular agenda.

**BUSINESS FROM THE PUBLIC**

Jon Shabica with Shabica and Associates spoke on current lake levels and erosion as witnessed on 25 Lakeview Terrace. Shabica met with Mayor Nancy Rotering on May 11, 2015 to show the level of erosion on the beach. Shabica passed out a document illustrating the erosion on this property. Shabica noted the importance of working with the City and property neighbors to establish shore protection.

Chair Coyle rearranged agenda items as follows: Item D under New Business, Item A under Old Business, Item B under New Business, Item C under New Business, Item A under New Business and finally, Item B under Old Business.

## NEW BUSINESS

### D. Recognition of Active Transportation Family Bikeways Partnership

Council liaison Stone presented on the City's partnership with Active Transportation to implement family friendly bikeways in Highland Park. The initiative will allow bikeways to be connected throughout Highland Park but also the entire region.

## OLD BUSINESS

### A. Discussion on Participation in the Beach Clean-up September Event

Chair Coyle asked for commission feedback on the commission's participation in the Beach Clean-up event in September.

Commissioner Matthews arrived at 6:49 p.m.

The group agreed that the commission will not participate in the event this year, but that local boy scout troops will be encouraged to participate.

## NEW BUSINESS

### B. Consideration of a Code Amendment to Chapter 150, Article VII of the City Code Amending Section 703.1(E)(5) "Procedure and Notice" for Beach Structure Permit Applications

Staff Liaison Berardi presented on proposed amendments to Chapter 150, Article VII pertaining to beach structure permit applications. At the April regular meeting, the commission expressed interest in moving the pre-application meeting to before applicants submit permit applications to federal and state regulators.

Commissioner Hannick commented that the pre-application meeting before federal and state permit applications are submitted should be mandatory. Commissioner Matthews recommended flexibility to allow the applicant the option to come to the commission earlier, but not to make it mandatory. Commissioner Wagenius and Chair Coyle agreed that it should be mandatory.

Commissioner Hannick added that insurance and bonding should also be included in a future amendment of the code for the commission to consider.

Commissioner Wagenius moved to approve the proposed code amendment to Chapter 150, Article VII, that the pre-application meeting shall take place prior to submission of any and all permits required by state and federal regulators. Commissioner Hannick seconded. On a voice vote, Chair Coyle declared the motion passed (4-0).

Mr. David Meek, legal representation for Mr. Michael Krasny, 41 S. Deere Park, suggested that the pre-application meeting is publicly noticed and that the commission add this to the code amendment.

Commissioner Hannick motioned to add additional language that the pre-application meeting be publicly noticed. Commissioner Wagenius second. On a voice vote, Chair Coyle declared the motion passed (4-0).

C. Consideration of Amending the Leaf Blower Ban Dates

Staff Liaison Berardi presented on the consideration to amend the leaf blower ban dates. Currently, the ban dates are from May 15 to October 1. Berardi sought commission direction on amending those dates from June 15 to October 1 due to potential seasonal plant trends changing.

Commissioner Hannick commented that there is no substantiated evidence that plant trend seasons are changing and therefore, is not in favor of amending the dates. Commissioner Matthews also noted that the ban is not enforced throughout the City.

Commissioner Wagenius moved to deny the consideration to amend the leaf blower ban dates. Commissioner Matthews seconded. On a voice vote, Chair Coyle declared the motion passed (4-0).

Commissioner Hannick moved to affirm the ban dates from May 15 to October 1. Commissioner Matthews seconded. On a voice vote, Chair Coyle declared the motion failed (3-1). The commission tabled the item to the June 10, 2015 regular meeting.

A. 55-57 Deere Park Drive – Consideration of a Beach Structure Permit for Regulated Activities in the Lake Michigan Protection Zone

Commissioner Hannick recused herself from the discussion due to a conflict of interest.

Shabica Associate Stefanie Nagelbach presented on the joint beach structure project and provided an overview of the modifications since the pre-application meeting. Nagelbach noted that a 53 foot revetment to 57 S. Deere Park was added to the project due to increased erosion to the beach on the property.

Commissioner Matthews inquired on how the revetment will affect pedestrians. Nagelbach noted that the project should improve pedestrian access.

David Meek, representing Mr. Michael Krasny at 41 S. Deere Park, spoke on behalf of Mr. Krasny and wishes to understand what impact this project may have on his adjacent property. Mr. Meek noted that the notice was not sent out 15 days in advance, but was sent 13 days in advance of the meeting and therefore, did not fulfill the public notice requirements. Mr. Meek asked that the commission request that Shabica specifically address the standards in regards to impacts on adjacent properties for standards 3(e), 3(f) and 3(h). Mr. Meek additionally requested that the covenant have a condition that would require the petitioner to address the effect on adjacent properties with a monitoring plan.

Commissioner Matthews inquired whether residents had received public notice provided through the state and federal regulators. Mr. Meek noted that Mr. Krasny did receive public notice through state and federal regulators.

Commissioner Wagenius left the meeting at 7:32 p.m.

Mr. Krasny, 41 S. Deere Park Drive, affirmed that he only wishes to ensure that the project has no effect on his adjacent property.

Shabica offered to address the three standards noted by Mr. Meek for its presentation at the commission's June 10, 2015 regular meeting.

Andy Hochberg, 77 S. Deere Park Drive, would like some clarification or assurance that this will not affect his property.

Chair Coyle asked if Shabica could address the standards as they pertain to all properties that have been publicly noticed. Shabica affirmed they will respond to the three standards as it pertains to all properties noticed.

The item will be tabled to the June 10, 2015 regular NRC meeting.

## **OLD BUSINESS**

### **B. Status Report on Sustainability Code Review**

Staff Liaison Berardi presented an update on the sustainability code review, specifically in regards to light pollution and bird friendly designs. Berardi noted that staff was supportive of light pollution code amendments and that the amendments would be presented at the June NRC meeting. Berardi also noted that staff discussed bird friendly window regulations which could add an additional cost burden on developers and could be addressed during plan review. Berardi noted that staff is prepared to update Council with the NRC recommendation and present on additional information pertaining to bird friendly window regulations.

The commission agreed they were interested in learning more about the economic impact of bird friendly window regulations before the matter is presented to the City Council. The item will be added to the June 10, 2015 regular meeting.

## **OTHER BUSINESS**

### **A. Commissioner Comments**

Staff Liaison Berardi provided an update on the Recycling Center and noted that the number of residents served has remained the same but with less days open to the public since the schedule change.

Commissioner Hannick commented that the ComEd letters regarding electricity aggregation sent out to residents in early May were confusing. Staff Liaison Berardi noted that the City has been pushing information through all its communication channels in order to educate residents on the electricity aggregation program and

have been responding to hundreds of calls from residents.

Commissioner Matthews suggested that the City provide the hauler stickers for Spring Clean-Up that can be placed on electronics educating about the electronics drop-off site.

Councilwoman Stone reported on the Go Green Highland Park recycling event on May 2, 2015 in conjunction with the City's open Recycling Center hours. Staff Liaison Berardi noted that she will work with Go Green Highland Park on their next collection event.

Chair Coyle recognized the City and Park District for their outstanding efforts in public education and community events in celebration of Earth Day.

**B. Administrative Items**

There were no administrative items this evening.

**ADJOURNMENT**

Commissioner Matthews motioned to adjourn the meeting. Commissioner Hannick seconded the motion. Chairwoman Coyle adjourned the meeting at 8:34 p.m.

Respectfully Submitted,

Karen Berardi, Assistant to the City Manager

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MINUTES APPROVED BY THE NATURAL RESOURCES COMMISSION ON

- \_\_\_\_\_
- WITH NO CORRECTIONS \_\_\_\_\_
  - WITH CORRECTIONS \_\_\_\_\_  
(SEE MINUTES OF [ \_\_\_\_\_ ] MEETING FOR CORRECTIONS)

**MINUTES OF A REGULAR MEETING OF  
THE NATURAL RESOURCES COMMISSION OF THE CITY OF HIGHLAND  
PARK, ILLINOIS**

**MEETING DATE:** June 10, 2015

**MEETING LOCATION:** Presession Conference Room, Highland Park City Hall, 1707 St. Johns Avenue, Highland Park, Illinois

**CALL TO ORDER**

At 6:31 p.m., Chairwoman Coyle called the meeting to order and the Staff Liaison called the roll.

**ROLL CALL**

Members Present: Coyle, Ross, Hannick, Wagenius, Pagoria, Rheinstrom, Stone, Gardocki

Members Absent: Matthews, Lewittes, Dotson and Theodosakis

The Chairwoman declared that there was a quorum of the Commission present.

Staff Present: Staff Liaison Karen Berardi and City Planner Eric Olson

**MINUTES**

**A. Regular Meeting of the Natural Resources Commission—March 11, 2015, April 8, 2015 & May 13, 2015**

Commissioner Hannick moved to approve the minutes of a regular meeting held on March 11, 2015. Vice Chair Ross seconded the motion. Commissioner Rheinstrom abstained due to their absence. On a voice vote, Chair Coyle declared that the motion passed unanimously (5-0).

Commissioner Wagenius moved to approve the minutes of a regular meeting held on April 8, 2015. Commissioner Rheinstrom seconded the motion. Commissioner Pagoria abstained due to his absence. On a voice vote, Chair Coyle declared that the motion passed unanimously (5-0).

Due to lack of quorum for minutes of a regular meeting held on May 13, 2015, Chair Coyle tabled the approval of the regular meeting minutes to the July 8, 2015 regular agenda.

**BUSINESS FROM THE PUBLIC**

There was no business from the public.

**NEW BUSINESS**

- A. 333 Woodland Road – Consideration of a Steep Slope Variation Application for Excavation and Earth Moving to an Existing Single-Family Residential Structure  
City Planner Eric Olson presented on the application submitted for 333 Woodland Road and provided an overview of the commission's role and responsibility in making a recommendation to the Zoning Board of Appeals. Olson noted that the Engineering and Forestry Divisions asked for additional documentation that has not yet been received by the applicants.

Attorney Elliot Wiczer, representing the applicants at 333 Woodland Road, presented on the project and its scope. Wiczer noted that a tree presentation plan would be provided for the Zoning Board of Appeals. Additionally, Wiczer noted that the project scope does not encroach further into the steep slope zone than it is currently. Architect Bob Ruggles stated that a soil boring test was not conducted, but assured that the soil would be replaced with the same soil dug up.

Commissioner Hannick stated that construction access will have an effect on the trees that remain. Ruggles noted that contractors will tear down the garage in order to access the area needed for construction.

Commissioner Rheinstrom expressed concern for the trees on the property and stated that tree preservation had not been addressed well by the applicants. Chair Coyle noted that there was no landscape restoration plan submitted as part of the application and would like to see one.

The commission agreed to request the applicant to submit additional items for review by staff before the commission would discuss the steep slope zone standards. These items include a vegetation plan which would include site restoration, landscape and tree preservation; a drainage and grading plan; information on the backyard terraces and how they may impact the steep slope; a narrative hardship letter that addresses the standards; and staff review of all.

Commissioner Rheinstrom moved to table the item to the July 8, 2015 regular meeting. Vice Chair Ross seconded. On a voice vote, Chair Coyle declared the item tabled to the commission's next regular meeting (6-0).

- B. Presentation of Lake Michigan Coastal Standards  
Coastal Engineer and Vice President at AECOM Bill Weaver provided an educational workshop to the commission regarding Lake Michigan coastal standards.
- C. 55-57 S. Deere Park Drive – Consideration of a Beach Structure Permit for Regulated Activities in the Lake Michigan Protection Zone  
Staff Liaison Berardi provided an update to the commission on documents and permits received by the applicants at 55 and 57 S. Deere Park. Shabica Associate Stefanie Nagelbach provided an overview on the modifications to the project at 57 S. Deere Park.

The commission discussed the standards as it pertains to the properties at each location. Commissioner Wagenius moved to direct staff to draft findings of fact approving the beach structure permit application for 55 and 57 S. Deere Park. Vice Chair Ross seconded. On a voice vote, Chair Coyle declared the motion passed (6-0) and staff will draft findings of fact for the commission's regular meeting scheduled July 8, 2015.

D. Consideration of Bird Friendly Building Design and Light Pollution Code Amendments

City Sustainability Consultants Grace Rink and Deborah Steimel provided an overview on the light pollution code amendments and bird friendly building design. Staff Liaison Berardi noted that staff is seeking commission feedback on the proposed amendments to Chapter 93 and Chapter 150 regarding light pollution, as well as confirmation of the commission's recommendation regarding bird friendly building design.

Vice Chair Ross stated he was satisfied with the lighting proposed amendments as presented. He suggested that the City share the proposed amendments with ComEd to ensure compliance. Ross moved to recommend that City Council adopt the proposed amendments as presented. Commissioner Wagenius seconded the motion. On a voice vote, Chair Coyle declared the motion passed (6-0).

Staff Liaison Berardi noted that the commission had recommended in December 2014 that the City Council approve bird friendly building regulations for commercial, industrial and multi-family buildings based on standards set forth by LEED Pilot Credit 55. Commissioner Rheinstrom moved to affirm the commission's recommendation on bird friendly building regulations made in December 2014. Vice Chair Ross seconded. On a voice vote, Chair Coyle declared the motion passed (6-0).

**OLD BUSINESS**

A. Consideration of Amending the Leaf Blower Ban Dates

Staff Liaison Berardi provided an overview of the City's Leaf Blower Ban including background and analysis of neighboring community ordinances.

Resident Patty Pell, 655 Linden Avenue, stated that the ordinance dates do not coincide with the changes in season seen over the past few years. Pell requested that the commission consider shifting the dates two weeks later to a June 1 start date.

Vice Chair Ross stated that there's no evidence that the seasons are changing. Councilwoman Stone noted that the ban was enacted originally due to noise complaints. Chair Coyle added that the gas leaf blowers also pollute the air. Commissioner Pagoria noted that the City does not ban gas lawn mowers.

Commissioner Hannick stated that temperatures change from each side of the town due to the lake and dates can vary year to year.

Vice Chair Ross moved to change the start date of the ban to June 1. The motion failed due to lack of a second and the leaf blower ban dates will remain May 15 – October 1.

B. Consideration of Commission Participation on Great Lakes Display at Highland Park Public Library

The commission tabled this item to the July 8, 2015 meeting.

**OTHER BUSINESS**

A. Commissioner Comments

Commissioner Hannick stated that applicants should have all required materials before they come to the commission for a recommendation. The commission agreed that applications should be complete before coming forward for consideration. Staff Liaison Berardi noted she will ensure applications are complete, including permits, before an item is scheduled on an agenda.

Vice Chair Ross suggested that a similar recommendation be made for steep slope zone applications that mandates a pre-application meeting. He also noted that the commission should propose an addition to the annual fee resolution to retain a coastal engineer for beach structure permits. Both items will be added to a future agenda for consideration.

Commissioner Pagoria requested that a discussion on community gardens be scheduled for a future meeting.

Councilwoman Stone suggested the commission review the 2015 work plan at its next meeting. Staff Liaison Berardi noted that the commission should also discuss the 2016 work plan at the next meeting due to potential lack of quorum in August.

B. Administrative Items

There were no administrative items this evening.

**ADJOURNMENT**

Commissioner Wagenius motioned to adjourn the meeting. Commissioner Hannick seconded the motion. Chairwoman Coyle adjourned the meeting at 10:10 p.m.

Respectfully Submitted,

Karen Berardi, Assistant to the City Manager

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MINUTES APPROVED BY THE NATURAL RESOURCES COMMISSION ON

- WITH NO CORRECTIONS \_\_\_\_\_
- WITH CORRECTIONS \_\_\_\_\_  
(SEE MINUTES OF [ \_\_\_\_\_ ] MEETING FOR CORRECTIONS)

DRAFT

**MINUTES OF A SPECIAL MEETING OF  
THE NATURAL RESOURCES COMMISSION OF THE CITY OF HIGHLAND  
PARK, ILLINOIS**

**MEETING DATE:** June 10, 2015

**MEETING LOCATION:** 333 Woodland Road, Highland Park, Illinois

**CALL TO ORDER**

At 5:00 p.m., Chairman Coyle called the meeting to order and the Staff Liaison called the roll.

**ROLL CALL**

Members Present: Coyle, Hannick, Pagoria

Members Absent: Ross, Wagenius, Matthews, Rheinstrom, Gardocki, Dotson,  
Theodosakis, Stone and Lewittes

The Staff Liaison declared that there was not a quorum of the Commission present.

Staff Present: Staff Liaison Karen Berardi and City Planner Eric Olson

**NEW BUSINESS**

- A. Informational Tour of the Private Single-Family Residence at 333 Woodland Road in Preparation for the Commission's Consideration of a Steep Slope Variation Application for Excavation and Earth Moving to an Existing Single-Family Residential Structure

Commissioners walked the site in the vicinity of the proposed construction and City Planner Eric Olson provided an overview of the project.

**ADJOURNMENT**

Chairman Coyle adjourned the meeting at 5:36 p.m.

Respectfully Submitted,

Karen Berardi, Secretary

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MINUTES APPROVED BY THE NATURAL RESOURCES COMMISSION ON

- \_\_\_\_\_
- WITH NO CORRECTIONS \_\_\_\_\_

- WITH CORRECTIONS \_\_\_\_\_  
(SEE MINUTES OF [ \_\_\_\_\_ ] MEETING FOR CORRECTIONS)

## FINDINGS OF FACT

For the Natural Resources Commission on July 8, 2015

### Findings of Fact in Support of City Council Approval of a Beach Structure Permit for Regulated Activities in the Lake Michigan Protection Zone at 55 S. Deere Park Drive

#### Sec. 150.703.1(E)(3) Standards .

No permit for a Regulated Activity in the Lake Michigan Protection Zone shall be approved unless all of the following standards have been met or satisfied:

**(a) The proposed Regulated Activity and/or Structure shall not unreasonably impede access to or pedestrian movement along the beach or to Lake Michigan;**

The Natural Resources Commission finds that the proposed Regulated Activities, consisting of the construction of a 30' long quarrystone breakwater spur and the deposition of sand fill on-site as required by the Illinois Department of Natural Resources, will not impede access to pedestrian movement along the beach or to Lake Michigan. The Commission notes that sand fill will improve the erosion along the spur that currently does impede pedestrian movement. The north spur will be placed in a manner to allow travel around the new structures.

**(b) The proposed Regulated Activity and/or Structure shall not unnecessarily impede navigability within Lake Michigan;**

The Natural Resources Commission finds that the proposed improvements will not unnecessarily impede navigability within Lake Michigan. Within the applicant's Beach Structure Permit, it has been verified that the proposed plans are the same which were reviewed and approved by the required agencies.

**(c) The proposed Regulated Activity and/or Structure shall not unreasonably impact the Subject Property or the Adjacent Properties;**

The Natural Resources Commission finds that the proposed Regulated Activities will not unreasonably impact the Subject Property or Adjacent Properties because the proposed improvements are designed to protect from shoreline erosion and improve the long-term stability of the site. The Commission noted that construction should be done within the City's regulated construction hours so as not to adversely impact the neighbors.

**(d) The Applicant has proposed appropriate long-term maintenance requirements and plans, as necessary, for the proposed Regulated Activity and/or Structure;**

The Natural Resources Commission finds that the proposed structures are intended to have a long life-span, and the applicant has noted that the Illinois Department of Natural Resources Commission will require periodic checks at the subject property to ensure that sand fill levels remain appropriate for the site.

**(e) The proposed means and methods of undertaking the Regulated Activity and/or**

**Structure are consistent with appropriate design and aesthetics principles;**

The Natural Resources Commission finds that proposed means and methods of undertaking the proposed improvements are consistent with appropriate design and aesthetics principles. The Commission notes that there is a similar structure already present on the south side of the property.

**(f) The proposed Regulated Activity and/or Structure shall not create new nor amplify existing erosion problems on the Subject Property and on Adjacent Properties;**

The Natural Resources Commission finds that the proposed project will not create new nor amplify existing erosion problems on the subject property or adjacent properties because the proposed Regulated Activities have been designed to prevent future erosion, stabilize the toe of the bluff and nourish the site with necessary sand fill. The Commission noted that work will be conducted via barge on Lake Michigan and therefore, the bluff will not be disturbed.

**(g) The proposed Regulated Activity and/or Structure shall be for the purposes of erosion control, water gathering, and/or public access only;**

The Natural Resources Commission finds that the proposed Regulated Activities are intended to reduce and prevent future sand loss and erosion on the property as well as allow access from the tableland.

**(h) There will not be an unnecessary adverse environmental or ecological impact on the Subject Property or on any of the Adjacent Properties as a result of the proposed Structure and/or the Regulated Activity;**

The Natural Resources Commission finds that the proposed Regulated Activities are intended to control erosion and protect the beach system. The Commission noted that the means of construction will be done via barge on Lake Michigan thereby protecting the steep slope and vegetation. The project will not have any adverse environmental or ecological impacts on the subject property or adjacent properties.

**(i) The proposed Structure and/or the Regulated Activity is the least environmentally and ecologically intrusive means of achieving the stated purpose of the Structure; and**

The Natural Resources Commission, based on their knowledge and expertise, finds that proposed improvements are the least environmentally and ecologically intrusive means to address wave action and prevent future beach and bluff deterioration. The proposed improvements have been designed to reduce erosion, protect the bluff toe and improve the long-term stability of the site.

**(j) The Applicant has properly obtained any and all permits required by the federal, state, and county governments for the Regulated Activity and/or the Structure.**

The Natural Resources Commission finds that the applicant has submitted the appropriate documentation from the U.S. Army Corps of Engineers, the Illinois Environmental Protection Agency, the Illinois Historic Preservation Agency and the Lake County Stormwater Management

Commission, as required by the Beach Structure Application regulations.

**CONCLUSION**

Based on the forgoing, the Natural Resources Commission concludes that the Beach Structure Permit Application submitted for proposed improvements in the Lake Michigan Protection Zone at 55 S. Deere Park Drive is consistent with the Beach Structure Ordinance standards and recommends City Council approval of the Permit Application.

DRAFT

## FINDINGS OF FACT

For the Natural Resources Commission on July 8, 2015

### Findings of Fact in Support of City Council Approval of a Beach Structure Permit for Regulated Activities in the Lake Michigan Protection Zone at 57 S. Deere Park Drive

#### Sec. 150.703.1(E)(3) Standards .

No permit for a Regulated Activity in the Lake Michigan Protection Zone shall be approved unless all of the following standards have been met or satisfied:

**(a) The proposed Regulated Activity and/or Structure shall not unreasonably impede access to or pedestrian movement along the beach or to Lake Michigan;**

The Natural Resources Commission finds that the proposed Regulated Activities, consisting of the construction of a shore disconnected quarrystone breakwater, quarrystone toe protection for the lakeward end of the existing steel groin, a short quarrystone spur adjacent to the north property line, cross section for a revetment, and the deposition of sand fill on-site as required by the Illinois Department of Natural Resources, will not impede access to pedestrian movement along the beach or to Lake Michigan. The Commission notes that sand fill will improve the erosion along the spur that currently does impede pedestrian movement.

**(b) The proposed Regulated Activity and/or Structure shall not unnecessarily impede navigability within Lake Michigan;**

The Natural Resources Commission finds that the proposed improvements will not unnecessarily impede navigability within Lake Michigan. Within the applicant's Beach Structure Permit, it has been verified that the proposed plans are the same which were reviewed and approved by the required agencies.

**(c) The proposed Regulated Activity and/or Structure shall not unreasonably impact the Subject Property or the Adjacent Properties;**

The Natural Resources Commission finds that the proposed Regulated Activities will not unreasonably impact the Subject Property or Adjacent Properties because the proposed improvements are designed to protect from shoreline erosion and improve the long-term stability of the site. The Commission noted that construction should be done within the City's regulated construction hours so as not to adversely impact the neighbors.

**(d) The Applicant has proposed appropriate long-term maintenance requirements and plans, as necessary, for the proposed Regulated Activity and/or Structure;**

The Natural Resources Commission finds that the proposed structures are intended to have a long life-span, and the applicant has noted that the Illinois Department of Natural Resources Commission will require periodic checks at the subject property to ensure that sand fill levels remain appropriate for the site.

**(e) The proposed means and methods of undertaking the Regulated Activity and/or Structure are consistent with appropriate design and aesthetics principles;**

The Natural Resources Commission finds that proposed means and methods of undertaking the proposed improvements are consistent with appropriate design and aesthetics principles. The Commission notes that there is a similar structure already present on the south side of the property.

**(f) The proposed Regulated Activity and/or Structure shall not create new nor amplify existing erosion problems on the Subject Property and on Adjacent Properties;**

The Natural Resources Commission finds that the proposed project will not create new nor amplify existing erosion problems on the subject property or adjacent properties because the proposed Regulated Activities have been designed to prevent future erosion, stabilize the toe of the bluff and nourish the site with necessary sand fill. The Commission noted that work will be conducted via barge on Lake Michigan and therefore, the bluff will not be disturbed.

**(g) The proposed Regulated Activity and/or Structure shall be for the purposes of erosion control, water gathering, and/or public access only;**

The Natural Resources Commission finds that the proposed Regulated Activities are intended to reduce and prevent future sand loss and erosion on the property as well as allow access to the beach from the tableland.

**(h) There will not be an unnecessary adverse environmental or ecological impact on the Subject Property or on any of the Adjacent Properties as a result of the proposed Structure and/or the Regulated Activity;**

The Natural Resources Commission finds that the proposed Regulated Activities are intended to control erosion and protect the beach system. The Commission noted that the means of construction will be done via barge on Lake Michigan thereby protecting the steep slope and vegetation. The project will not have any adverse environmental or ecological impacts on the subject property or adjacent properties.

**(i) The proposed Structure and/or the Regulated Activity is the least environmentally and ecologically intrusive means of achieving the stated purpose of the Structure; and**

The Natural Resources Commission, based on their knowledge and expertise, finds that proposed improvements are the least environmentally and ecologically intrusive means to address wave action and prevent future beach and bluff deterioration. The proposed improvements have been designed to reduce erosion, protect the bluff toe and improve the long-term stability of the site.

**(j) The Applicant has properly obtained any and all permits required by the federal, state, and county governments for the Regulated Activity and/or the Structure.**

The Natural Resources Commission finds that the applicant has submitted the appropriate documentation from the U.S. Army Corps of Engineers, the Illinois Environmental Protection

Agency, the Illinois Historic Preservation Agency and the Lake County Stormwater Management Commission, as required by the Beach Structure Application regulations.

**CONCLUSION**

Based on the forgoing, the Natural Resources Commission concludes that the Beach Structure Permit Application submitted for proposed improvements in the Lake Michigan Protection Zone at 57 S. Deere Park Drive is consistent with the Beach Structure Ordinance standards and recommends City Council approval of the Permit Application.

DRAFT

**COMMISSION: Natural Resources Commission**



**CY2015 COMMISSION WORKPLAN SUBMITTAL**

**Jurisdiction and Purpose:**

The mission of the Natural Resources Commission is to preserve, enhance, manage and protect the City's environment and natural resources; provide recommendations on environmental and natural resource policies, regulations, ordinances, plans and variation requests; and, engage the public on these matters.

<b><u>CY2015 Objectives</u></b>	<b><u>Associated Funding Request</u></b>
Provide education and outreach to the public regarding 2014 Steep Slope Landscape Best Practices brochure and code amendments	\$0
Make policy recommendations to improve recycling output community-wide	\$0
Make policy recommendations to improve energy efficiency community-wide	\$0
Improve stormwater management and address water pollution	\$0
Co-sponsor Environmental Movie Series with Park District and Library	\$1,000
Assist in the Accomplishment of Sustainability Plan Initiatives	\$0
Review & Recommend on Steep Slope Variations and Beach Structure Permit Applications	\$0
Grant Award for Meritorious Service to the Highland Park environment	\$0

<b><u>Commission Operating Expense Requests</u></b>	<b><u>Amount</u></b>
Meeting Dinners	\$1,500

**CY2015 TOTAL REQUEST:**                     \$2,500  
**CY2014 BUDGET:**                     \$3,500

<b><u>CY2014 Workplan Objectives</u></b>	<b><u>Status</u></b>
Prepare kiosk displays and participate in environmental education events including: Taste of Highland Park , Earth Day, beach and river cleanups and movie screenings	Complete; 1 more movie screening in November
Evaluate exterior lighting standards for all Zoning Districts and determine if regulations should be implemented	In Progress
Help publicize the ravine rapid assessment protocol standards established by the Alliance for the Great Lakes and determine if any amendments to the Steep Slope regulations should be implemented to achieve the recommended practices	Complete
Continue to review and provide recommendations on Steep Slope variation	Ongoing

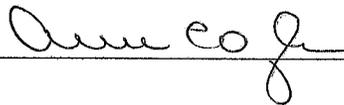
requests and Beach Structure Permit Applications	
Conduct outreach on polystyrene, Central Business District and plastic bag/film recycling programs and requirements	Ongoing

**CY2014 Additional Accomplishments**

Recommended City Council consideration of an Award for Meritorious Service
Evaluated and provided input on the Steep Slope Best Practices Brochure and tree regulation/removal fee
Made recommendations on the City's 2014 Sustainability Work Plan and monitored the success of sustainability initiatives

I certify that the Commission approved this workplan request by a vote of 6-0 on the date of September 10, 2014 for CY2015:

Commission Chair  
Signature:



Date: 9/23/14







# PUBLIC WORKS MEMORANDUM



To: The City of Highland Park Natural Resources Commission  
From: Ben Miller, Assistant City Forester  
Date: July 2, 2015  
Re: 333 Woodland Road-Revision

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The Forestry Department has been asked to review the revised request for variances to construct an addition to the residence at 333 Woodland Road. My response to this request is exclusive to tree preservation, and serves the sole purpose of providing the Natural Resources Commission with information regarding the impact this variance will have upon protected trees (as per Section 94 and Chapter 150 Article 19 of City Code)

In the original submission to the Forestry Department, the proposed construction required the removal of two *Protected* trees, three *Key* trees, and one *Heritage* tree. The three *Key* trees are 20" and 21" diameter Red Oak trees and a 15" White Oak tree. The *Heritage* tree is a 36" diameter Red Oak and resides in the backyard of the existing residence. The trees are in good condition and are protected under City Code. There were no changes from the original submission, in the revision to the variance request.

In addition to the variance request for the removal of the *Heritage* Oak, the original proposal also requested for the excavation and redevelopment in the Steep Slope Zone as defined by City Code (Section 150 of City Code). The new excavation included in the proposed construction has the potential to negatively impact adjacent trees in the ravine. This includes two *Protected* trees (an Austrian Pine and Linden) and two *Key* trees (two White Oaks). Because the trees are growing along the face of the ravine, it is likely that their root systems extend toward the residence. It is therefore likely that excavation of a new basement for the residence will damage the root system these trees. This could cause health problems for the trees in the future or compromise their structural integrity. It is therefore the Forestry Department's opinion that the granting of these variances will result in construction that will negatively impact the *Heritage* tree and other *Key* trees in the Steep Slope zone.

As the revision does not eliminate or reduce the negative impact on *Protected*, *Key*, or *Heritage* trees; **I cannot support the variances as request.**

In the event the variance is approved, the Tree Preservation Action Plan put forth by Pat Etherington, in the application packet, should be mandated should be required. It should be required that the applicants enact all Tree Preservation measures, to mitigate any further damage to other trees on the property. This includes root pruning, mulching, fertilizing, application of growth regulators, and installation of Tree Protection fencing. These steps are listed on page 44 and 45 of the Application Packet

The applicant will also be responsible for all fees and tree replacement, for any removals in conjunction with the construction. These fees and replacement requirements are laid out in Section 94 of City Code and are summarized on pg. 46 of the Application Packet.



# PUBLIC WORKS MEMORANDUM



To: Eric Olson, Community Development – Planning  
From: Manny Gomez, City Engineer  
Date: June 1, 2015  
Re: Zoning Board Variance Request - #15-06-VAR-014, SSZ, 333 Woodland Road

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We completed our review of the above captioned item and offer the following comments.

## **Engineering Department**

1. The City Building Code IBC 1808.7.2 requires that foundation setback (clearances) from the slope shall be at least the smaller of  $H/3$  and 40 feet. “H” is the height from the base slope to the top of slope. The proposed structure in the steep slope does not meet this criteria.
2. For the structure being built in the steep slope zone, Zoning Code Article XIX Steep Slope Zones Section 150.1907 (B) requires a report on Soil Sub-Surface Investigations along with a slope stability analysis to accompany building permit applications. This was not submitted and is required.
3. Signed and sealed calculations must be submitted by a Professional Civil Engineer or Structural Engineer to show factor of safety requirements are met for the new dead and live loads due to the proposed structure.
4. Based on the recent retaining wall built in the City’s steep slope zone, Factor of safety of 1.5 to 2.0 is may not be enough to ensure stability. We note this as the slope and wall failed. Please consider a higher factor of safety to ensure long term stability.
5. The permit applicant should submit plans and reports noted in Sec. 150.1907 of the Highland Park Code.

## **Forestry Department**

The Forestry Department has been asked to review the request for variances to construct an addition to the residence at 333 Woodland Road. Their response to this request is exclusive to tree preservation, and serves the sole purpose of providing the Zoning Board of Appeals with information regarding the impact this variance will have upon protected trees (as per Section 94 and Chapter 150 Article 19 of City Code)

1. The proposed construction will require the removal of three Protected trees, two Key trees, and one Heritage tree. The two Key trees are 20” and 21” diameter Red Oak trees. The Heritage tree is a

36" diameter Red Oak and resides in the backyard of the existing residence. The trees are in good condition and are protected under City Code.

2. In addition to the variance request for the removal of the Heritage Oak, the proposal also requests for the excavation and redevelopment in the Steep Slope Zone as defined by City Code (Section 150 of City Code). The new excavation included in the proposed construction has the potential to negatively impact adjacent trees in the ravine. This includes two Protected trees (an Austrian Pine and Linden) and two Key trees (two White Oaks). Because the trees are growing along the face of the ravine, it is likely that their root systems extend toward the residence. It is therefore likely that excavation of a new basement for the residence will damage the root system these trees. This could cause health problems for the trees in the future or compromise their structural integrity. It is therefore the Forestry Department's opinion that the granting of these variances will result in construction that will negatively impact the Heritage tree and other Key trees in the Steep Slope zone.
3. In the event the variance is approved or considered for approval, it is recommended that the applicant retains the services of a Certified Arborist to provide a detailed review of the trees. The Arborist could assess the potential damage and offer a Tree Preservation Action Plan to mitigate potential damage caused by the trees close proximity to construction. This mitigation action plan could include, but is not limited to, root pruning, application of arboricultural growth inhibitors, and/or fertilization regimen (based on recommendations of the Arborist consultant). If the variance is granted, a Tree Preservation Action Plan should be required. The applicant will also be responsible for all fees and tree replacement, for any removals in conjunction with the construction. These fees and replacement requirements are laid out in Section 94 of City Code.
4. Given the above comments, the Forestry Department cannot support the variances as requested.

c: Ramesh Kanapareddy, Director of Public Works  
Ron Bannon, Deputy Director of Public Works  
Joel Fontane, Director of Community Development  
Linda Sloan, Planning Division Manager  
John Tilton, Building Department Manager