

## **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, May 11, 2016 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, May 11, 2016  
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: April 13, 2016**

#### **IV. Business from the Public**

#### **V. Old Business**

- (a) Commissioner Updates on Q1 Work Plan Items
  - i. Update on Further Coal Tar Ban Research and Recommendation
  - ii. Discussion of Dark Sky Lighting Code Amendments / Plan & Design Commission Public Hearing held April 19, 2019

#### **VI. New Business**

- (a) 2016 Environmental Screening Series
  - i. Bike Fair & Film Screening – May 15, 1:00-4:30pm, Highland Park Library
- (b) *Revitalizing Our Ravines: Community Workshop 2016*
  - i. Ravine Workshop held on June 1, 12:30-7:30 p.m. at the Chicago Botanic Garden
- (c) Steep Slope Variation Review
  - i. 116 Deere Park Ct. – Proposed Deck Expansion Beyond Ravine Setback
- (d) Bird-Friendly Windows – Task Force Update
- (e) Commissioner Updates on Q1/Q2 Work Plan Items
  - i. Education & Outreach for Steep Slope Issues
  - ii. Expansion of Construction & Demolition Debris Recycling
  - iii. Removing Obstacles to Renewable Energy in City Codes
  - iv. Policy Recommendations for Improving Air Quality Community-Wide
  - v. Community Garden Efforts

#### **VII. Other Business**

- (a) Commissioner Comments
- (b) Administrative Items

#### **VIII. Adjournment**

Posted in City Hall on May 6, 2016

**PLEASE RECYCLE**

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

**MEETING DATE:** April 13, 2016

**MEETING LOCATION:** Pre-Session Conference Room – Highland Park City Hall  
1707 St. Johns Avenue, Highland Park, Illinois

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**CALL TO ORDER**

At 6:30 p.m., Chairman Ross called the meeting to order and Eric Olson called the roll.

**ROLL CALL**

Members Present: LaCosse, Nichols, Yates, Wagenius (VC), Ross (C)

Members Absent: Coyle, Pagoria

Chairman Ross declared that there was a quorum of the Commission present.

Staff Present: Eric Olson, Planner

Also Present: John Theodosakis, Student Representative  
Amalia Schwartz, Park District of Highland Park

**MINUTES**

Commissioner LaCosse moved to approve the minutes for the March 9, 2016 meeting of the Natural Resources Commission. Vice Chair Wagenius seconded the motion. On a voice vote, the minutes were approved.

**BUSINESS FROM THE PUBLIC**

There was no business from the public.

**OLD BUSINESS**

None

**NEW BUSINESS**

A. 2016 Environmental Screening Series

Planner Olson discussed the upcoming April 18, 2016 environmental film screening for “Just Eat It” that will be held at the Highland Park Library and then discussed the planning efforts to date for the May 15, 2016 film screening. The screening will consist of several short bike-related films and plans are to hold a small-scale bike fair outside the Library as part of the event.

B. Central District Streetscape Open House – Concept Plan for Downtown Streetscape Amenities and Wayfinding/Gateway Signs

Planner Olson discussed the upcoming open house to be held at City Hall on April 16, 2016 to present conceptual designs for Central District streetscape enhancements and Pedestrian Arcade improvements. Planner Olson noted that the designs have been developed by Ratio Architects and

that feedback provided during the open house will be used to refine the conceptual designs prior to presentation to the Plan & Design Commission and City Council in May 2016.

C. Steep Slope Variation Review – 381 Woodland Road

Planner Olson provided a detailed presentation on a variation request to construct a tree-mounted deck platform within the Steep Slope Zone at the property located at 381 Woodland Road and the issues to be considered by the Natural Resources Commission in connection with the request.

The applicant, Cristina Merlo, then explained her request to the Commission, discussed assessments done by the City's Forestry Division and a consultant from Shabica & Associates, and provided details regarding the deck platform's design, materials, and installation. She also stated that her Certified Arborist was unable to produce a report in time for the NRC meeting, but that one would be available in time for the public hearing at the Zoning Board of Appeals.

The Commission then discussed and deliberated the applicant's request relative to the Basic Technical Standards established in Section 150.1903(C) that apply for Steep Slope Zone variation requests. The Commission evaluated each standard separately and acted on each with separate voice votes.

1. The NRC found unanimously that the proposed development recognizes and fit the natural topography, soils, geology, hydrology and other existing conditions on the proposed sites.
  - a. Vice Chair Wagenius expressed slight concern about erosion that could be caused by the proposed improvement and associated slope clearance.
2. The NRC found unanimously that the development is oriented to keep earth moving, landscaping and other site preparation to a minimum.
  - a. Chairman Ross noted that earth moving typical of construction projects would not occur as the proposed deck platform will be mounted in the trees.
3. The NRC found unanimously that the development preserves and enhances the landscape through minimized disruption of natural terrain and existing vegetation, with the condition that implementation of the seeding of the slope be done with a seed mixture to be approved in advance by the City Forester.
  - a. Vice Chair Wagenius requested further opinion from the City's Forestry Division and suggested the approval condition. Commissioners Yates and LaCosse concurred.
4. The NRC found unanimously that the development minimizes disruption or alteration of natural drainage ways.
  - a. The Commissioners agreed that the proposal is minimal.
5. The NRC found unanimously that the development minimizes the time in which areas are bare and exposed, with the condition that the applicant provide a schedule to the City for the clearing of leaves and subsequent seeding activities.
  - a. Vice Chair Wagenius suggested the approval condition.
6. The NRC found unanimously that the development minimizes the amount of impervious surface to be placed on the tableland adjacent to steep slopes.
  - a. The Commissioners agreed that this standard did not apply to the requested variation as no change in impervious surface on table land was proposed.
7. The NRC found unanimously that the development is designed and located so that structure weight does not jeopardize slope stability.
  - a. The Commissioners noted that the City's Forestry Division did not oppose the construction

Based on the affirmative votes, the Natural Resources Commission issued a positive recommendation to the Zoning Board of Appeals, on the grounds that the requested variation meets the Section 150.1903(C) standards.

D. Highlander Articles – Deadlines & Posting Procedures

Planner Olson provided a brief summary of the deadlines and posting procedures to publish articles in the *Highlander* newsletter, as provided by the City Manager's Office. Chairman Ross noted that the group will want to be aware of the deadlines as the NRC develops content for the *Highlander*.

E. Dark Sky Lighting – Potential Code Amendments

Planner Olson provided an update to the Code amendments under consideration with respect to the dark sky lighting. He stated proposed amendments, developed by staff and the City's sustainability consultant, will be presented to the Plan & Design Commission at a public hearing on April 19, 2016 and invited members of the Natural Resources Commission to attend.

Chairman Ross stated that he and Councilwoman Kim Stone would be attending the public hearing.

F. Discussion of Great Lakes & St. Lawrence Cities Initiative (GLSCI) and potential renewed City membership and participation

Planner Olson discussed a request by the City Manager for the Natural Resources Commission to review the GLSCI's goals and programming and determine whether they would recommend that the City include funds for participation and membership in future budgets. Chairman Ross then provided background information on the City's past involvement with the GLSCI. Commissioner LaCosse stated that he would research the organization and provide a report to the rest of the Commission at a future meeting.

G. Commissioner Updates on Q1/Q2 Work Plan Items

For the "Education & Outreach for Steep Slope Issues" item, Chairman Ross stated he could translate the ravine brochure into Spanish. Commissioner Nichols stated she could have it translated by a native Spanish speaker instead and Chairman Ross said that he would send her ravine brochure materials.

For the "Education & Outreach for Steep Slope Issues" item, there were no updates from the group.

For the "Removing Obstacles to Renewable Energy in City Codes" item, Vice Chair Wagenius noted that there were no substantive updates at the time. He then added that staff provided research into wind energy systems in Highland Park that will be useful moving forward.

For the "Storm Water Management & Addressing Water Pollution" item, Planner Olson stated that the NRC may prepare a more detailed recommendation for City Council. Vice Chair Wagenius stated that he and Commissioner Pagoria will be working on it and that more information will be available at a future meeting.

For "Community Garden Efforts", Commissioner LaCosse stated that he and Commissioner Yates met with the City Forester, Joe O'Neill and Park District staff to discuss the Westridge Park community gardens. Ms. Schwartz stated that she took pictures and noted that the Park District to open to the Natural Resources Commission being involved in community garden efforts. Commissioner LaCosse stated that the Park District wants to gauge public interest before expanding the program, and added that the Park District is not that interested in having a large program.

The "Lighting Code Amendments" item was not discussed further, as it was already discussed earlier in the meeting (*Agenda Item E*)

## **OTHER BUSINESS**

A. Commissioner Comments

- Vice Chair Wagenius – Stated that the Bird-Friendly task force meeting will be held on April 18, 2016 and that he would attend to represent the Natural Resources Commission and present information on the LEED Pilot Credit 55 program. He then stated that June 4, 2016 is World Environment Day and discussed the recycling of plant containers and electronic waste.
- Commissioner LaCosse – Acknowledged the great work done by Commissioner Yates in the community gardens efforts

B. Administrative Items

- Planner Olson reported to the group that he discussed with Corporation Counsel the usage of crowd-sourcing in performing a “light inventory” in the context of the Illinois Open Meetings Act (OMA) and the Freedom of Information Act (FOIA).

Corporation Counsel did not see a problem with using crowdsourcing with respect to OMA, but advised caution and noted that it will be important to make it clear to participants that some identifying information may be subject to FOIA requests.

**ADJOURNMENT**

Vice Chair Wagenius motioned to adjourn the meeting. Commissioner Yates seconded the motion. Chairman Ross adjourned the meeting at 7:55 p.m.

Respectfully Submitted,

**Eric Olson, Planner**

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MINUTES APPROVED BY THE NATURAL RESOURCES COMMISSION ON \_\_\_\_\_

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

## Olson, Eric

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**From:** Stuart Wagenius <stuart.wagenius@gmail.com>  
**Sent:** Monday, May 09, 2016 8:12 AM  
**To:** Olson, Eric  
**Subject:** Re: Draft NRC Agendas for May 11, 2016  
**Attachments:** Winnetka IL Village Code Chapter 9.pdf; fs20163017.pdf; Title IX - Chapter 102 - Landscape and Lawn Care Professionals.pdf; WINNETKA\_PAVEMENT\_SEALANT\_APPLICATORS\_LICENSE\_APPLICATION\_1-2015.pdf; Highland Park Phosphorus fertilizer ban\_2.pdf

Hi Eric,

Would you please include the below info in the agenda packet.

Thanks,  
Stuart

On Nov 10, 2015 the NRC recommended on a 6-0 vote that City Council develop an ordinance prohibiting the sale and application of coal tar sealants within the City.

To facilitate making an ordinance, Phil & I propose a three part plan for coal tar seal products:

1. prohibit use
  - A) on public property
  - B) on private property
2. prohibit sale
3. require license of applicators

We attach five items that will facilitate the City drafting Code.

A. USGS fact sheet published in April 2016, representing the most up-to-date science on coal tar sealants <fs20163017.pdf>.

B. The municipal code from Winnetka, IL that bans coal tar & require a license for applicators <Winnetka IL Village Code Chapter 9.pdf>.

C. The application form for a Winnetka pavement sealer applicator's license <WINNETKA\_PAVEMENT\_SEALANT\_APPLICATORS\_LICENSE\_APPLICATION\_1-2015.pdf>.

D. The parts of Highland Park City Code that bans phosphorous fertilizer, parts of Ch 94, <Highland Park Phosphorus fertilizer ban\_2.pdf>.

E. The Highland Park Chapter that requires licensing of landscape and lawn care professionals <Title IX - Chapter 102 - Landscape and Lawn Care Professionals.pdf>.

**Olson, Eric**

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**From:** Stuart Wagenius <stuart.wagenius@gmail.com>  
**Sent:** Monday, May 09, 2016 8:20 AM  
**To:** Olson, Eric; Philip Pagoria  
**Subject:** one more attachment  
**Attachments:** Winnetka IL Village Code Chapter 5.74.pdf

Hi Eric,

Will you please include one more attachment? It's F. The section of Winnetka's Code about Pavement Sealer Applicators.

Thanks,  
Stuart

<Winnetka IL Village Code Chapter 5.74.pdf>

# Coal-Tar-Based Pavement Sealcoat—Potential Concerns for Human Health and Aquatic Life

*Sealcoat is the black, viscous liquid sprayed or painted on many asphalt parking lots, driveways, and playgrounds to protect and enhance the appearance of the underlying asphalt. Studies by the U.S. Geological Survey (USGS), academic institutions, and State and local agencies have identified coal-tar-based pavement sealcoat as a major source of polycyclic aromatic hydrocarbon (PAH) contamination in urban and suburban areas and a potential concern for human health and aquatic life.<sup>1</sup>*

## Key Findings:

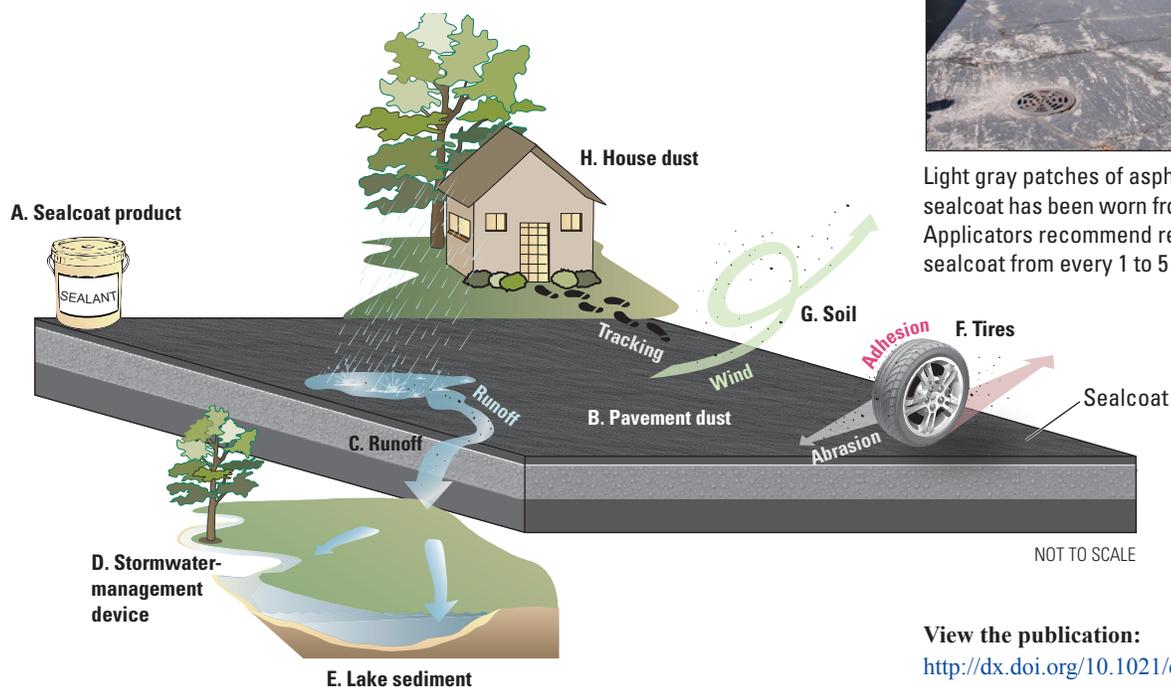
**Human Health Concerns**—As coal-tar-based sealcoat ages, it wears into small particles with high levels of PAHs that can be tracked into homes and incorporated into house dust. For people who live adjacent to coal-tar-sealcoated pavement, ingestion of PAH-contaminated house dust and soil results in an elevated potential cancer risk, particularly for young children. Exposure to PAHs, especially early in childhood, has been linked by health professionals to an increased risk of lung, skin, bladder, and respiratory cancers.<sup>2</sup>

**Aquatic Life Concerns**—Runoff from coal-tar-sealcoated pavement, even runoff collected more than 3 months after sealcoat application, is acutely toxic to fathead minnows and water fleas, two species commonly used to assess toxicity to aquatic life. Exposure to even highly diluted runoff from coal-tar-sealcoated pavement can cause DNA damage and impair DNA repair. These findings demonstrate that coal-tar-sealcoat runoff can remain a risk to aquatic life for months after application.

Coal-tar-sealcoat, which contains elevated levels of PAHs, is commonly applied to parking lots, driveways, and some recreational areas across the central and eastern parts of the United States. Friction from vehicle tires abrades sealcoat into small particles that can be tracked indoors or washed down storm drains and into streams, potentially harming human and aquatic life.



# As Sealcoat Wears Off, Where Does It Go?



Light gray patches of asphalt show where sealcoat has been worn from the pavement. Applicators recommend reapplication of sealcoat from every 1 to 5 years.<sup>1</sup>

View the publication:  
<http://dx.doi.org/10.1021/es203699x>

Worn particles of coal-tar-based sealcoat containing high concentrations of PAHs and related chemicals are transported by rain, wind, tires, and even our feet from pavement to other environmental settings. Sealcoat product (A), after it dries, gradually abrades to a powder and becomes part of the dust on the pavement (B). Pavement dust is transported by rainfall runoff (C) to stormwater-management devices (D) or to receiving streams and lakes (E). Pavement dust also adheres to tires (F) that track it onto unsealed pavement, and wind and runoff transport the dust to nearby soils (G). Sealcoat particles tracked into residences can become incorporated into the house dust (H). Associated PAH concentrations for these settings, from studies by the USGS, other government agencies, and academic institutions, are given below.

Write From Karen, CC BY-NC-ND 2.0



Setting	PAH concentration* (milligrams per kilogram)	
	Coal-tar-sealcoat settings	Non-coal-tar-sealcoat settings
(A) Sealcoat products	66,000	50
(B) Pavement dust	2,200	11
(C) Runoff, particles	3,500	54
Runoff, unfiltered water	62	4
(D) Stormwater-management-device sediment	646	2
(E) Lake sediment	33	0.4
(F) Particles adhered to tires	1,380	3
(G) Soil	105	2
(H) House dust	129	5

\*Concentrations are means or medians. References and additional information are provided in Mahler and others (2012).<sup>1</sup>

# PAH Levels in Asphalt-Based and Coal-Tar-Based Sealcoat

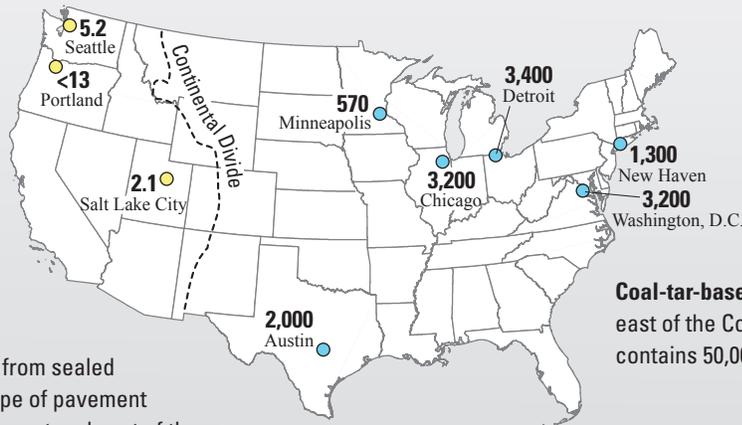
Pavement sealcoat is a commercial product that is applied to many asphalt parking lots, driveways, and playgrounds in North America in an effort to protect and beautify the underlying asphalt. It rarely is used on public roads.

Most sealcoat products are either coal-tar or asphalt emulsion, although some alternative products now are available.<sup>3</sup> Coal tar and coal-tar pitch have extremely high concentrations of PAHs as do coal-tar-based sealcoat products, which typically are 20–35 percent coal tar or coal-tar pitch. Asphalt and asphalt-based sealcoat products have much lower concentrations of PAHs.

For historical and economic reasons, use of asphalt-based sealcoat in the United States is more common west of the Continental Divide and use of coal-tar-based sealcoat is more common east of the Continental Divide, except in States, counties, and municipalities where use of coal-tar-based sealcoat is prohibited.<sup>3</sup>



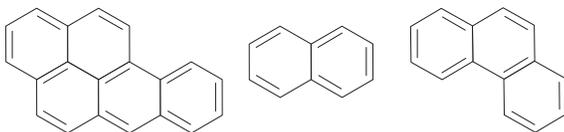
**Asphalt-based sealcoat**, primarily used west of the Continental Divide, typically contains about 50 mg/kg PAHs.<sup>4</sup>



**Coal-tar-based sealcoat**, primarily used east of the Continental Divide, typically contains 50,000 to 100,000 mg/kg PAHs.<sup>4</sup>

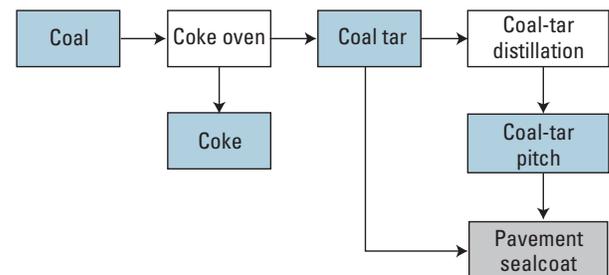
PAH levels in dust swept from sealed parking lots reflect the type of pavement sealcoat commonly used west and east of the Continental Divide.<sup>1</sup> Concentrations, in units of milligrams per kilogram (mg/kg), also referred to as “parts per million” (ppm), shown here are for the sum of the 16 PAHs listed by the U.S. Environmental Protection Agency as Priority Pollutants. Concentrations are for composite samples from multiple parking lots or a median of several individual samples.<sup>5</sup>

**Polycyclic aromatic hydrocarbons (PAHs)** are a group of chemicals created by heating or burning material that contains carbon. The many sources of PAHs to the urban environment span a wide range of PAH concentrations and include asphalt (2–9 mg/kg), tire particles (84 mg/kg), used motor oil (730 mg/kg), and coal-tar-based sealcoat (34,000–202,000 mg/kg).<sup>6</sup> PAHs are an environmental concern because many cause cancer, mutations, birth defects, or death in fish, wildlife, and invertebrates.<sup>7</sup> Exposure to sunlight greatly intensifies the adverse effects of several PAHs. The U.S. Environmental Protection Agency (EPA) has classified seven PAHs as probable human carcinogens (Class B2) and 16 PAHs as Priority Pollutants. Environmental and health effects depend on which PAHs are present and their concentrations.



PAHs are made up of various arrangements of benzene rings. PAHs commonly occur in the environment as mixtures, which typically include at least some of the PAHs that are classified as probable human carcinogens.

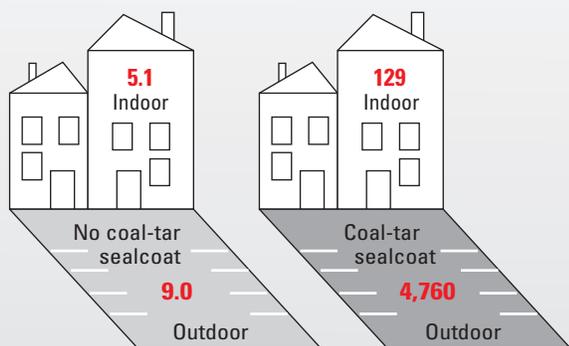
**Coal tar** is a byproduct of the coking, liquefaction, or gasification of coal and is a complex mixture composed primarily of aromatic hydrocarbons. Coal-tar pitch is the residue that remains after the distillation of coal tar; it is a complex mixture of high molecular weight aromatic hydrocarbons and black carbon solids. The primary use of coal-tar pitch is in electrode manufacturing for the aluminum industry.<sup>8</sup> Coal-tar emulsion pavement sealants contain either crude coal tar (Chemical Abstracts Service [CAS] Registry Number 8007–45–2) or coal-tar pitch (CAS Registry Number 65996–93–2). Coal tar and coal-tar pitch are known human carcinogens.<sup>9</sup>



# Potential Risks to Human Health

## PAHs from coal-tar-based sealcoat contaminate house dust<sup>10</sup>

In a study of 23 ground-floor apartments in Austin, Texas, PAH levels in house dust in apartments with parking lots sealed with a coal-tar-based product were 25 times higher than in house dust in apartments with parking lots with other surface types (concrete, unsealed asphalt, and asphalt-based sealcoat). No relation was found between PAHs in house dust and other



PAH-contaminated dust on coal-tar-sealcoated pavement (right) is tracked indoors.<sup>10</sup> Concentrations shown are median values for the sum of the 16 Priority Pollutant PAHs, in units of milligrams per kilogram, in house dust and parking lot dust.

View the publication:

<http://pubs.acs.org/doi/pdf/10.1021/es902533r>

## Living adjacent to coal-tar-sealed pavement increases cancer risk<sup>12</sup>

The USGS partnered with a human-health-risk analyst to estimate the excess lifetime cancer risk associated with the ingestion of house dust and soil for people living adjacent to parking lots with and without coal-tar-based sealcoat. Excess cancer risk is the extra risk of developing cancer caused by exposure to a toxic substance. The excess cancer risk for people living adjacent to coal-tar-sealcoated pavement (1.1 cancer incidences for every 10,000 individuals exposed) was 38 times higher, on average (central tendency), than for people living adjacent to unsealed pavement. The central tendency excess cancer risk estimated for people living adjacent to coal-tar-sealcoated pavement exceeds the threshold generally considered by the EPA as making remediation advisable.

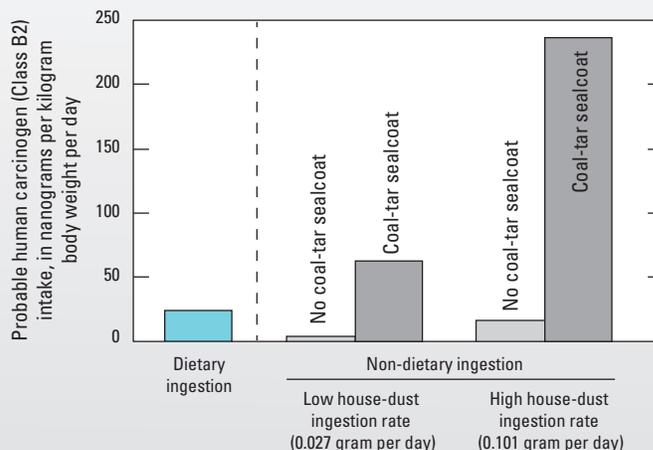
The assessment used measured concentrations of the B2 PAHs in house dust and soils adjacent to coal-tar-sealed pavement (adjusted for relative potency to the PAH benzo[a]pyrene), established house dust and soil ingestion rates, and the EPA-established slope factor to estimate the excess cancer risk. Much of the estimated excess risk comes from exposures to PAHs in early childhood (that is, 0–6 years of age). The study did not consider the excess cancer risk associated with exposure to the sealcoated pavement itself, which has PAH concentrations 10 or more times greater than in adjacent residence house dust or soils.<sup>5, 10</sup>

View the publication:

<http://pubs.acs.org/doi/pdf/10.1021/es303371t>

possible indoor PAH sources such as tobacco smoking and fireplace use.

House dust is an important pathway for human exposure to many contaminants, including PAHs. This is particularly true for small children, who spend time on the floor and put their hands and objects into their mouths.



The preschooler living in a residence adjacent to coal-tar-sealed pavement who has relatively low hand-to-mouth activity consumes about 2.5 times more PAHs from house dust than from their diet.<sup>11</sup> For the more active preschooler, whose hand-to-mouth activity is higher, the PAH intake from house dust is nearly 10 times more than the PAH intake from their diet.



Children ingest house dust and soil when they put their hands or objects into their mouth. Much of the estimated excess cancer risk associated with the ingestion of PAH-contaminated soil and house dust is incurred during early childhood.

## Potential Risks to Aquatic Life

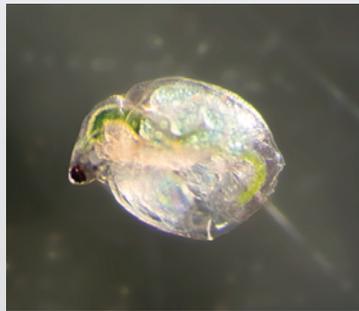
### Runoff from coal-tar-sealcoated pavement is acutely toxic to aquatic biota<sup>13</sup>

Exposure to runoff from coal-tar-sealed pavement collected as much as 42 days after sealcoat application resulted in 100 percent mortality to two commonly tested laboratory organisms: day-old fathead minnows (*Pimephales promelas*) and water fleas (*Ceriodaphnia dubia*). In contrast, minnows and water fleas exposed to runoff from unsealed pavement experienced no more than 10 percent mortality. When the minnows and water fleas were also exposed to simulated sunlight, which intensifies the toxicity of some PAHs, runoff collected 111 days (more than 3 months) after sealcoat application caused 100 percent mortality to both species, and caused 100 percent mortality to water fleas even when diluted to 10 percent of its original strength.

The USGS collected samples of runoff from 5 hours to 111 days following sealcoat application to pavement by a

professional applicator. Total PAH concentrations varied relatively little, as rapid decreases in concentrations of low molecular weight and nitrogen-substituted PAHs were offset by increases in high molecular weight PAHs.<sup>14</sup> These results demonstrate that runoff from coal-tar-sealcoated pavement continues to contain elevated concentrations of PAHs and related compounds long after a 24-hour curing time.

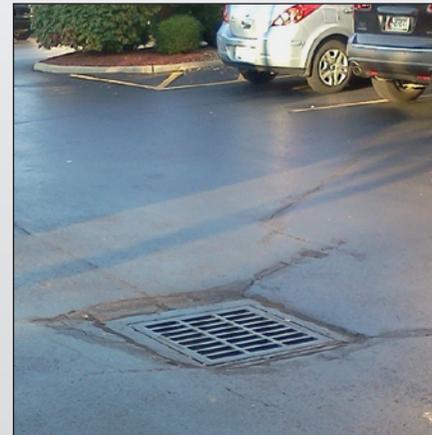
A subsequent study by researchers at the National Oceanic and Atmospheric Administration (NOAA) and the U.S. Fish and Wildlife Service found that coal-tar-sealcoat runoff is acutely lethal to juvenile coho salmon (*Oncorhynchus kisutch*) and causes a wide spectrum of abnormalities to zebrafish (*Danio rerio*) embryos.<sup>15</sup> They also reported that filtration of the runoff through a biorention system substantially reduced toxicity.



Runoff from coal-tar-sealcoated pavement is acutely toxic to fathead minnows (*Pimephales promelas*; left) and water fleas (*Ceriodaphnia dubia*; right).

#### View the publication:

<http://pubs.acs.org/doi/abs/10.1021/acs.est.5b00933>



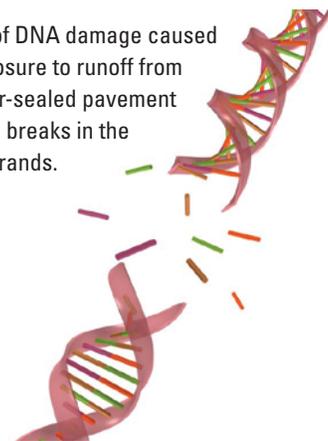
Runoff from coal-tar-sealcoated pavement goes down storm drains to receiving water bodies. The runoff contains high concentrations of PAHs and related chemicals that can harm aquatic life.<sup>16</sup>

### Runoff from coal-tar-sealcoated pavement damages DNA and impairs DNA repair<sup>17</sup>

Simultaneous exposure to runoff from coal-tar-sealed pavement and simulated sunlight damaged DNA in rainbow trout liver cells, even when the runoff was diluted to 1 percent of its initial concentration. The cells were from a cell line developed to assess the effects of PAHs on DNA. The test assessed two types of DNA damage: strand breaks and alkylated bases.

Although cells can repair some DNA damage, a second experiment demonstrated that cells exposed to the coal-tar-sealcoat runoff had an impaired capacity to perform at least one type of DNA repair. The combination of DNA damage and impaired repair capacity intensifies the potential for long-term damage to cell health. DNA damage has many possible consequences, including aging, cell death, and mutations. Mutations can affect the function of genes and can potentially lead to cancer.

Types of DNA damage caused by exposure to runoff from coal-tar-sealed pavement include breaks in the DNA strands.

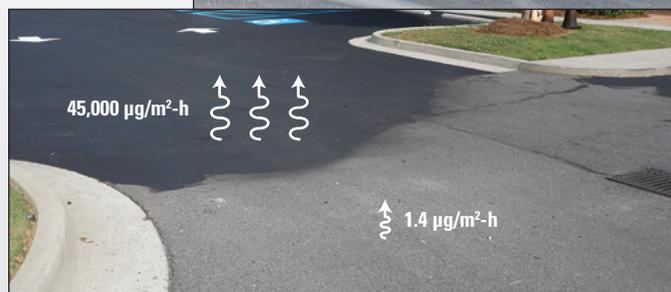


(Image from Genetic Science Learning Center, <http://learn.genetics.utah.edu>.)

## Air-Quality Concerns<sup>18, 19</sup>

Although unseen, releases of PAHs to the atmosphere (volatilization) from freshly coal-tar-sealed pavement are tens of thousands of times higher than from unsealed pavement. Volatilization is a potential human-health concern because inhalation is an important pathway for human exposure to PAHs. Although volatilization decreases rapidly over the weeks following application, it nonetheless continues long after application—PAH releases to the atmosphere from parking lots sealed from 3 to 8 years prior to sampling were on average 60 times higher than PAH releases from unsealed pavement.

Nationwide, the combined PAH releases each year from newly applied coal-tar-based sealcoat are estimated to exceed annual vehicle emissions of PAHs.<sup>18</sup> PAH releases shown here are in units of micrograms per meter squared per hour ( $\mu\text{g}/\text{m}^2\text{-h}$ ).



### References Cited

1. Mahler, B.J., Van Metre, P.C., Crane, J.L., Watts, A.W., Scoggins, M., and Williams, E.S., 2012, Coal-tar-based pavement sealcoat and PAHs—Implications for the environment, human health, and stormwater management: *Environmental Science and Technology*, v. 56, p. 3039–3045.
2. Agency for Toxic Substances and Disease Registry, 1995, Toxicological profile for polycyclic aromatic hydrocarbons: Atlanta, Ga., U.S. Department of Health and Human Services, Public Health Service, accessed November 16, 2015, at <http://www.atsdr.cdc.gov/toxprofiles/tp.asp?id=122&tid=25>.
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#### For more information

Access publications and learn more about PAHs and coal-tar-based pavement sealcoat at <http://tx.usgs.gov/sealcoat.html>.

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Chapter 9.16 Nuisances

Sections:

- 9.16.010 Public nuisances prohibited.
- 9.16.020 Public nuisances defined.
- 9.16.030 Abatement of public nuisances.
- 9.16.040 Cost of abatement.
- 9.16.050 Penalties.

BookmarkSection 9.16.010 Public nuisances prohibited.

No person shall erect, contrive, cause, continue, maintain or permit to exist any public nuisance within the Village or within the police jurisdiction of the Village.

(Prior code § 12.01)

BookmarkSection 9.16.020 Public nuisances defined.

A. General. A public nuisance is a thing, act, occupation, condition or use of property which shall continue for such length of time as to:

1. Substantially annoy, injure or endanger the comfort, health, repose or safety of the public; or
2. In any way render the public insecure in life or in the use of property; or
3. Greatly offend the public morals or decency; or
4. Unlawfully and substantially interfere with, obstruct or tend to obstruct or render dangerous for passage any street, alley, highway, navigable body of water or other public way.

B. Public Nuisances Affecting Health. The following acts, omissions, places, conditions and things are specifically declared to be public health nuisances, but shall not be construed to exclude other health nuisances coming within the definition of subsection A of this section:

1. All decayed, harmfully adulterated or unwholesome food or drink sold or offered for sale to the public;
2. Carcasses of animals not buried or otherwise disposed of in a sanitary manner within twenty-four (24) hours after death;

17. The application after August 19, 2014, being the effective date of this paragraph, of pavement or pavement sealing products that contain coal tar, coal tar derivatives, or coal tar mixtures ("coal tar products") to any public or private property within the Village. Abatement of this nuisance shall consist, at a minimum, of sealing over the coal tar products with an asphalt-based product free of coal tar. (MC-7-2014, § 3, Added ¶17, 08/19/14; MC-6-2007, Added ¶¶14,15,16, 05/01/07)

C. Public Nuisances Offending Morals and Decency. The following acts, omissions, places, conditions  
D. Public Nuisances Affecting Peace and Safety. The following acts, omissions, places, conditions and  
E. Penalties. Any person found in violation of section 9.16.020 of this chapter shall be subject to a fine of not less than one hundred dollars (\$100.00).

(Ord. MC-1-2014, Subparagraph E added, 2/18/2014; Ord. MC-13-2004 § 2, Subparagraph D amended, 2004; Ord. MC-204-98 § 2, 1998; prior code § 12.02)

BookmarkSection 9.16.030 Abatement of public nuisances.

A. Inspection of Premises. Whenever complaint is made to the Village Manager that a public nuisance exists, or has existed, with the Village, the Village Manager or the Village Manager's representative shall promptly notify the Chief of Police, or some other Village official, who shall promptly inspect or cause to be inspected the premises and shall make a written report of the findings to the Manager. Whenever practicable, the inspecting officer shall cause photographs to be made of the premises and shall file the same in the office of the Village Clerk.

B. Summary Abatement.

1. Notice to Owner. If the inspecting officer shall determine that a public nuisance exists on private property and that there is great and immediate danger to the public health, safety, peace, morals or decency, the Village Manager may direct the Chief of Police, or a deputy sheriff, to serve a notice on the owner, or, if the owner cannot be found, on the occupant or person causing, permitting or maintaining such nuisance and to post a copy of the notice on the premises. Such notice shall direct the owner, occupant or person causing, permitting or maintaining such nuisance to abate or remove such nuisance within twenty-four (24) hours or such time as is reasonable, and shall state that unless such nuisance is so abated, the Village will cause the same to be abated and will charge the cost of abatement to the owner, occupant or person causing, permitting or maintaining the same, as the case may be.

2. Abatement by Village. If the nuisance exists on the public right-of-way or on public property, or if the nuisance is not abated within the time provided, or if the owner, occupant or person causing the nuisance cannot be found, the Director of Public Works, or some other Village official whom the Manager shall designate, shall cause the abatement or removal of such public nuisance.

3. Abatement of Nuisance Trees and Woods. To the extent Chapter 8.20 of this code establishes procedures for the abatement of nuisances arising from the condition of elm trees, elm woods, ash trees, ash woods, or other plants, as provided in that chapter, the provisions of Chapter 8.20 shall supersede the procedures established by this subsection.

(MC-6-2007, Added ¶13, 05/01/07)

C. Abatement by Court Action. If the inspecting officer shall determine that a public nuisance exists on private premises but that the nature of such nuisance is not such as to threaten great and immediate danger to the public health, safety, peace, morals or decency, he or she shall file a written report of his

or her findings with the Manager, who shall cause an action to abate such nuisance to be commenced in the name of the Village.

(Prior code § 12.03)

BookmarkSection 9.16.040 Cost of abatement.

In addition to any other penalty imposed by this chapter for the erection, contrivance, creation, continuance or maintenance of a public nuisance, the cost of abating a public nuisance by the Village shall be collected as a debt from the owner, occupant or person causing, permitting or maintaining the nuisance, and if notice to abate the nuisance has been given to the owner, such cost shall be assessed against the real estate as other special taxes.

(Prior code § 12.04)

BookmarkSection 9.16.050 Penalties.

A. Fines for Violations. Except as provided in subsection B of this section, any person who violates a provision of this chapter shall be subject to a fine of not less than one hundred dollars (\$100.00) nor more than seven hundred fifty dollars (\$750.00) and the cost of prosecution. Each act of violation and each day upon which a violation occurs shall constitute a separate offense. The Village Attorney or, at the direction of the Village Manager, the Village Prosecutor, may file a civil action to recover any penalty or fine against any such person; provided, however, that the filing of such civil action shall preclude incarceration or imprisonment.

B. Pre-Court Payment of Certain Violations. Any person charged with a violation of subsection (D)(20) of Section 9.16.020 of this chapter may pay directly to the Village, at the Village Hall, the minimum fine established in subsection A of this section; provided, such payment is made no later than five days before the date of a court hearing set for such violation at the request of the person receiving the citation alleging the violation. A receipt shall be issued for any pre-court payment so made and any violation for which such a pre-court payment has been made shall not be subject to further prosecution. No pre-court payments will be accepted less than five days before the scheduled court hearing date. If more than two violations are issued to the same person in any thirty (30) day period, only the first two such violations may be subject to a pre-court payment pursuant to this subsection.

(Ord. MC-182-97 § 5, 1997: prior code § 12.05)

## Chapter 5.74

### PAVEMENT SEALANT APPLICATORS

#### Section 5.74.010 License.

No person shall apply pavement or pavement sealing products ("sealant") to any public or private property within the Village without a license ("pavement sealant license"), which license shall be renewed annually. A pavement sealant license shall not be required for a property owner applying sealant to pavement on a single-family lot owned by the property owner. Application for a pavement sealant license shall be on a form provided by the Village and shall, at a minimum, state the name, address, and contact information of the person applying for the license and the person or persons who will be applying the sealant, and such other information as may be required by the Village Manager. (MC-7-2014 § 2, 08/19/2014)

#### Section 5.74.020 Certification; previous services.

All persons applying for a pavement sealant license shall (i) sign a certification on a form provided by the Village, certifying, at a minimum, that neither the licensee nor any person acting under the license will apply products that contain coal tar, coal tar derivatives, or coal tar mixtures ("coal tar products") to any public or private property within the Village, and (ii) upon the Village's request, provide a written list of locations where the licensee or any person acting under the licensee has applied sealant to any public or private property within the Village within the preceding 365 days. (MC-7-2014 § 2, 08/19/2014)

#### Section 5.74.030 Fee.

All applications for a pavement sealant license shall be accompanied by the annual license fee, which shall be set from time to time by resolution of the Village Council. (MC-7-2014 § 2, 08/19/2014)

#### Section 5.74.040 Review and approval.

The Director of Public Works shall review all applications for pavement sealant licenses and shall make a recommendation to the Village Manager for each application. The Village Manager shall grant a pavement sealant license if the application complies with all applicable provisions of this chapter and the Village Code. (MC-7-2014 § 2, 08/19/2014)

**VILLAGE OF WINNETKA  
APPLICATION FOR PAVEMENT SEALANT LICENSE**

**Description of Application and Licensing:** This application is made pursuant to the provisions of Chapter 5.74.010 of the Winnetka Village Code ("Pavement Sealant Applicators - License"), which regulates the application of pavement sealing products to public or private property within the Village. **Registration fee is \$250.00.**

**Applicant Information**

Name/Business: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

E-mail: \_\_\_\_\_

FAX: \_\_\_\_\_

Emergency Contact Phone: \_\_\_\_\_

Person(s) Applying Sealant (*list all*): \_\_\_\_\_

\_\_\_\_\_

***Please list all locations where your company has applied sealant in Winnetka within the past year:***

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

*By signing below I hereby indicate that I will not, nor will any person acting under my license, apply products that contain coal tar, coal tar derivatives, or coal tar mixtures ("Coal Tar Products") to any public or private property within the Village of Winnetka in accordance with VOW – MC-7-2014.*

Name and title (*Please Print*): \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**For Village Use**

**Approved:** \_\_\_\_\_  
(Public Works Director)

**Approved:** \_\_\_\_\_  
(Village Manager)

**Fee Paid:** Y / N

**Date:** \_\_\_\_\_

*License is valid until December 31, 2015*

*Submit applications to the Village of Winnetka Public Works Department at 1390 Willow Rd, Winnetka, IL 60093 or by Fax to (847) 716-3599. For assistance, please call (847) 716-3550.*

# Highland Park City Code

## Title IX - Chapter 94 - Trees and Shrubs

circumstances unique to the property, and that are not generally applicable to other property within the same zoning district; and/or (Ord. 71-09, J. 35, p. 255-279, passed 12/14/09)

(d) The particular physical surroundings or topographical condition of the property (including, without limitation, the presence of an existing use, structure, or sign, whether conforming or legally non-conforming; irregular or substandard shape or size; exceptional topographical features; or other extraordinary physical conditions) results in a particular hardship upon the owner, as distinguished from a mere inconvenience, if the Heritage Tree were not removed. (Ord. 71-09, J. 35, p. 255-279, passed 12/14/09)

(C) Tree Replacement. The applicant for a Tree Removal Permit approved pursuant to this Section 94.407 shall provide all replacement trees required pursuant to Section 94.403(C) of this Chapter. (Ord. 71-09, J. 35, p. 255-279, passed 12/14/09)

### Sec. 94.408 Reserved.

(Ord. 11-00, J. 26, p. 087-098, passed 2/28/00; Ord. 56-03, J. 29, p. 203-209, passed 9-22-03; Repealed and Reserved by Ord. 71-09, J. 35, p. 255-279, passed 12/14/09)

### Sec. 94.501 Fertilizers Containing Phosphorus. [Effective June 1, 2010]

(A) Definitions. Wherever the following words or phrases are used, they shall, for purposes of this Section 94.501, have the meanings ascribed to them in this Section 94.501(A), except when the context otherwise indicates.

"Fertilizer" shall mean a substance containing nitrogen, phosphorus, potash or any other recognized plant nutrient element or compound which is used primarily for its plant nutrient content. "Fertilizer" shall not include the following natural products: agricultural limestone, sea solids, or unprocessed manure that have not been chemically manipulated, altered, or changed; burnt or hydrated lime; sewage sludge produced by any sanitary treatment facility; or pesticides that are used pursuant to the Illinois Pesticide Act of 1974 or the Standard Pest Control Act, as may be amended. (Ord. 72-09, J. 35, p. 280-283, passed 12/14/09)

"Fertilizer containing phosphorus" shall mean any fertilizer, whether liquid, granular, or solid, which contains any amount of inorganic phosphorus or other compound containing inorganic phosphorus, including, without limitation, phosphate. (Ord. 72-09, J. 35, p. 280-283, passed 12/14/09)

(B) Use Prohibited. No person shall apply to any area within the City any fertilizer containing phosphorus, except in the following circumstances:

(1) Fertilizer containing phosphorus may be applied to turf and lawn areas in which the ambient phosphorus content is below median phosphorus levels for typical area soils, pursuant to the following:

(a) No fertilizer containing phosphorus shall be applied pursuant to this Section 94.501(B)(1) except upon the prior written approval by the

City Forester of a soil test, submitted by the applicant at its sole cost and expense, confirming the ambient phosphorus content of the turf or lawn area to which the applicant proposes to apply fertilizer containing phosphorus. (Ord. 72-09, J. 35, p. 280-283, passed 12/14/09)

(b) Fertilizer containing phosphorus shall only be applied pursuant to this Section 94.501(B)(1) at a volume or concentration of phosphorus necessary to permit the turf or lawn area to contain phosphorus levels equal to the median phosphorus levels for typical area soils. (Ord. 72-09, J. 35, p. 280-283, passed 12/14/09)

(c) Fertilizer containing phosphorus applied pursuant to this Section 94.501(B)(1) shall be integrated into the soil so that it is immobilized and generally protected from loss by stormwater runoff. (Ord. 72-09, J. 35, p. 280-283, passed 12/14/09)

(d) Fertilizer containing phosphorus shall only be applied pursuant to this Section 94.501(B)(1) in accordance with any and all conditions imposed by the City Forester in his or her sole and absolute discretion. (Ord. 72-09, J. 35, p. 280-283, passed 12/14/09)

(2) Fertilizer containing phosphorus may be applied for agricultural uses, vegetable and flower gardens, trees and shrubs, and indoor plants. (Ord. 72-09, J. 35, p. 280-283, passed 12/14/09)

(3) Fertilizer containing phosphorus may be applied to newly established turf or lawn areas during their first growing season. (Ord. 72-09, J. 35, p. 280-283, passed 12/14/09)

(4) Naturally occurring phosphorus in unadulterated natural or organic fertilizing products, such as yard waste compost, biosolids or other similar materials that are organic in nature, may be applied at any location within the City. (Ord. 72-09, J. 35, p. 280-283, passed 12/14/09)

(C) Required Posting of Signs. Any person, firm, or corporation who sells any fertilizer at retail shall be required to post a sign or signs at the point of sale or display for fertilizer, which sign shall (1) be clearly readable, (2) be conspicuously posted within each aisle containing fertilizer for sale at retail, and (3) contain the following text: "SECTION 94.501 OF THE HIGHLAND PARK CITY CODE RESTRICTS THE APPLICATION OF FERTILIZER CONTAINING INORGANIC PHOSPHORUS TO LAWN OR TURF AREAS IN THE CITY. (Ord. 72-09, J. 35, p. 280-283, passed 12/14/09)

(D) Penalty. Any person who violates any provision of this Section 94.501 shall be fined in an amount no less than \$200.00 and no more than \$500.00 per

offense. Each day on or during which any person violates any of the provisions of this Section 94.501 shall constitute a separate and distinct offense. (Ord. 72-09, J. 35, p. 280-283, passed 12/14/09)

(Section 94.501 added by Ord. 72-09, J. 35, p. 280-283, passed 12/14/09)

#### REPEALER AND PENALTY

##### Sec. 94.998 Repeal of conflicting ordinances

All ordinances or parts of ordinances in conflict with the provisions of Sections 94.001 through 94.045 are hereby expressly repealed. The provisions hereof shall be deemed to supersede and repeal the provisions of an ordinance entitled "An Ordinance Prohibiting the Planting, Setting Out or Maintenance of Trees, Shrubs or Other Plants in the Public Streets and Parkways in the City of Highland Park", passed April 21, 1947 and recorded April 22, 1947. (Ord. 23-65, J. 6, p. 86, passed 7/12/65).

##### Sec. 94.999 Penalty.

(A) Whoever violates any of the provisions of Sections 94.001 through 94.045 shall be fined in the amount set forth in the Annual Fee Resolution. (Ord. 23-65, J. 6, p. 86, passed 7/12/65; Ord. 71-09, J. 35, p. 255-279, passed 12/14/09) **(Ord. 33-14, J.40, p. 99-102)**

(B) Whoever violates any of the provisions of Sections 94.100 to 94.140 shall be fined in the amount set forth in the Annual Fee Resolution. Each day during which a violation of such Sections continues or is permitted shall be construed a separate and distinct offense. Imposition of any penalty for a violation shall not be construed as a waiver of the right of the City to collect the costs of removal of such nuisances in accordance with the provisions of such Sections, when the City has removed such nuisances in accordance with provisions of Sections 94.100 to 94.140. (Ord. 1016, J. 4, p. 1016, passed 9/23/57; Ord. 14-69, J. 7, p. 314, passed 3/10/69; Ord. 71-09, J. 35, p. 255-279, passed 12/14/09) **(Ord. 33-14, J.40, p. 99-102)**

(C) Whoever violates any of the provisions of Sections 94.320 or 94.330, or who shall interfere with the execution or enforcement thereof, shall be fined in the amount set forth in the Annual Fee Resolution for each shrub or tree not provided as therein required. ((Ord. 23-73, J. 10, p. 707, passed 5/29/73; Ord. 71-09, J. 35, p. 255-279, passed 12/14/09) **(Ord. 33-14, J.40, p. 99-102)**

(D) Whoever violates any of the provisions of Sections 94.403 through 94.406 shall be punished by a fine of in the amount set forth in the Annual Fee Resolution for each such violation. A separate and distinct violation shall be deemed to have occurred for: (1) each Protected, Key or Heritage Tree unlawfully Removed, unlawfully Damaged, and/or not replaced in violation of Sections 94.403 through 94.406; and (2) each day that such violation exists. (Ord. 11-00, J. 26, p. 087-098, passed 2/28/00; Ord. 56-03, J. 29, p. 203-209, passed 9-22-03; (Ord. 71-09, J. 35, p. 255-279, passed 12/14/09) **(Ord. 33-14, J.40, p. 99-102)**

(E) Whoever violates any of the provisions of Section 94.407 shall be punished by a fine in the amount set forth in the Annual Fee Resolution for each such violation.

CHAPTER 102: LANDSCAPE AND LAWN CARE PROFESSIONALS

SECTION

102.001	Required Licensing of Landscape and Lawn Care Professionals
102.002	Denial, Suspension, or Revocation of Landscape and Lawn Care Professional's License
102.003	Misdemeanors
102.004	Definitions
102.005	Penalty

Sec. 102.001 Required Licensing of Landscape and Lawn Care Professionals.

No Landscape and Lawn Care Professional shall engage in the business of the care of lawns, shrubs, trees and any other occupation pertaining to landscape maintenance without first securing a license from the City. (Ord. 33-02, J. 28, p. 265, passed 5/28/02)

(A) Application for the license shall be made to the City Manager on forms provided by the City and shall contain the following information:

(1) Name and address of the applicant; if the applicant is a partnership, the application shall show for each partner his name and address and interest, and all information required by paragraph (2) and (7) of this Subsection (A). If the applicant is a corporation, the application shall show the name and address of the registered agent, and with respect to each director, and each shareholder owning 5% or more of the corporation's shares (i) his name and address, together with (ii) the information required by paragraph (2) of this Subsection (A).

(2) The criminal record, if any, of the applicant.

(3) The number and kind of vehicles owned and controlled by the applicant.

(4) The location of the applicant's office and garage.

(5) The color scheme, insignia, trade name, and telephone number located upon and used to designate the vehicles of the applicant.

(6) A complete description of each vehicle including the year, make, model and motor or factory number ("VIN") of the vehicle.

(7) A statement that the applicant has received copies of, reviewed and understands the applicable ordinances of the City and will promulgate same and educate his employees thereof.

(8) Such other information as the City Council of the City may require from time to time.

(B) The fee for the license shall be non-refundable, at the rates set forth in the

Annual Fee Resolution per calendar year and shall accompany the application therefore. (Ord. 35-03, J. 29, p. 134, passed 5/27/03; Ord. 65-06, J. 32, p. 322-323, passed 10/23/06)

(C) Insurance. Evidence that the applicant is covered by a policy of comprehensive general liability insurance, including bodily injury and property damage. The applicant shall also submit proof to the City that it carries adequate workers' compensation and vehicle insurance; provided, however, that the City Manager, or his or her designee, may waive this requirement if the Landscape and Lawn Care Professional employs no more than two employees, including the Landscape and Lawn Care Professional, and the City is otherwise satisfied with the application. Proof of insurance will be periodically reviewed by the City staff. (Ord. 33-02, J. 28, p. 265, passed 5/28/02)

(D) Vehicle Identification. Each vehicle operated by the licensee shall at all times display:

- (1) The information required by Section 102.001(A)(5); and
- (2) The landscape and lawn care professionals' vehicle sticker issued by the City at the time a license is granted pursuant to this Chapter 102, which vehicle sticker shall be placed in the front driver's side window of the vehicle. (Ord. 72-00, J. 26, p. 335-336, passed 10/23/00)

(E) Each license shall expire on December 31 of the calendar year for which it is issued unless sooner revoked as hereinafter provided.

Sec. 102.002 Denial, Suspension, or Revocation of Landscape and Lawn Care Professional's License.

(A) The City Manager may refuse to issue or renew, may suspend or revoke a Landscape and Lawn Care Professional's License or fine a licensee for any one or more of the following reasons, including but not limited to:

(1) Engaging in the business of the care of lawns, shrubs, trees and any other occupation pertaining to landscape maintenance without first securing a Landscape and Lawn Care Professional's License from the City of Highland Park;

(2) Violation of other City Ordinances by the Licensee, including, without limitation, ordinances concerning:

(a) Unauthorized dumping of debris;

(b) Use of any leaf blower type of machine other than one that is electrically powered between May 15 and October 1 of each year, except that this restriction shall not apply to golf course maintenance operations; and/or **(Ord. 06-07, J. 33, p. 030-032, passed 1/22/07)**

(c) The performance of landscape maintenance work other than between the hours of 7:00 a.m. and 7:00 p.m. on Mondays through Fridays or between the hours of 9:00 a.m. and 5:00 p.m. on Saturdays; provided, however that this restriction shall

not apply to morning golf course maintenance operations; (**Ord. 06-07, J. 33, p. 030-032, passed 1/22/07**)

(3) Inaccurate, false or misleading statements having been made by the Licensee in any application for any such license;

(4) The Licensee having made substantial misrepresentation or false promise of a character likely to influence or induce another in connection with the business of landscaping; and/or

(5) Pursuit by the Licensee of a continued course of making false promises through advertising, salesmen, and/or agents or making other misrepresentations in connection with the business of landscaping.

(B) In the event the City Manager suspends, revokes or fines any such Licensee, such Licensee shall also forfeit his bond. The City Manager shall not assess a fine in excess of \$500.00. No person whose license has been revoked may apply for reissuance of such license for a period of one (1) year following the date of such revocation.

Sec. 102.003 Misdemeanors.

It shall be unlawful for any person, firm or corporation to

(A) Engage in the business of the care of lawns, shrubs, trees and any other occupation pertaining to landscape maintenance without first securing a Landscape and Lawn Care Professional's License from the City of Highland Park

(B) Violate other City ordinances by the Licensee, including, without limitation, ordinances concerning:

(1) Unauthorized dumping of debris;

(2) Use of any leaf blower type of machine other than one that is electrically powered between May 15 and October 1 of each year; provided, however, that this restriction shall not apply to (a) golf course maintenance operations, or (b) backpack-mounted or hand-held machines used during roof gutter and downspout cleaning operations between May 15 and June 15; and/or (**Ord. 06-07, J. 33, p. 030-032, passed 1/22/07**)

(3) The performance of landscape maintenance work other than between the hours of 7:00 a.m. and 7:00 p.m. on Mondays through Fridays or between the hours of 9:00 a.m. and 5:00 p.m. on Saturdays; provided, however, that this restriction shall not apply to morning golf course maintenance operations; (**Ord. 06-07, J. 33, p. 030-032, passed 1/22/07**)

(C) Make inaccurate, false or misleading statements in any application for any such license;

(D) Make substantial misrepresentation or false promise of a character likely to

influence or induce another in connection with the business of landscaping; and/or

(E) Pursue a continued course of misrepresentations or making false promises through advertising, salesman, agents or otherwise in connection with the business of landscaping.

Sec. 102.004 Definitions.

(A) The language in the text of this Chapter shall be interpreted in accordance with the following rules of construction:

- (1) The singular number includes the plural number, and the plural the singular;
- (2) The word "shall" is mandatory; the word "may" is permissive; and
- (3) The masculine gender includes the feminine and neuter.

(B) Whenever hereafter in this Chapter the following word or phrase is used, it shall, for the purposes of this Chapter, have the meaning respectively ascribed to **b** in this Subsection, except when the context otherwise indicates.

- (1) "City". The City of Highland Park, Lake County, Illinois.
- (2) "City Manager". The City Manager of the City.
- (3) "Landscape Maintenance". The improvement and/or maintenance of the appearance of an area of land by planting and/or maintaining trees, shrubs, grass, or other plants and lawn ornaments; or by altering the contour of the ground.
- (4) "Leaf Blower". A machine that blows air supplying forced drafts, supercharging the air in order to move non-growing fallen leaves, foliage, and/or debris.
- (5) "Licensee". A holder of a Landscape and Lawn Care Professional's license issued by the City of Highland Park. In the operation of Landscape Maintenance the term "Licensee" shall include agents and employees of a licensee.
- (6) "Person": Any individual, partnership, firm, or corporation. (Ord. 33-02, J. 28, p. 265, passed 5/28/02)
- (7) "Landscape and Lawn Care Professional". Any Person that employs one or more individuals for the purpose of providing Landscape Maintenance for clients, including, without limitation, the cultivating or beautifying of gardens; the trimming of hedges, plants, or grass; or the raking or sweeping of debris and leaves. (Ord. 33-02, J. 28, p. 265, passed 5/28/02)
- (8) "Vehicle". Any motor-driven vehicle used by the licensee to transport a work crew, equipment, and/or debris.

Sec. 102.005 Penalty.

(A) Any person found guilty of violating any terms of this Chapter shall be found guilty of a misdemeanor and shall, upon conviction thereof, be fined in an amount not less than \$50.00 nor more than \$1,000.00 for each offense. Every day that a violation exists constitutes a separate offense. **(Ord. 06-07, J. 33, p. 030-032, passed 1/22/07)**

(B) Any owner or occupant of property who permits a violation of Section 102.003(B)(2) of this Chapter to exist or continue upon the property shall be fined not less than \$200.00 nor more than \$500.00 for each offense. Each and every day that such violation is permitted to exist, or is maintained by the owner or occupant, shall be considered a separate offense under this Section 102.005(B). **(Ord. 06-07, J. 33, p. 030-032, passed 1/22/07)**

(Chapter 102 added by Ord. No. 50-99, J. 25, pp. 129-133, passed 5/10/99)

[Print](#)

Winnetka, IL Village Code

## **Chapter 5.74**

### **PAVEMENT SEALANT APPLICATORS**

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Sections:

- 5.74.010 License.
- 5.74.020 Certification; previous services.
- 5.74.030 Fee.
- 5.74.040 Review and approval.

#### **Section 5.74.010** License.

No person shall apply pavement or pavement sealing products ("sealant") to any public or private property within the Village without a license ("pavement sealant license"), which license shall be renewed annually. A pavement sealant license shall not be required for a property owner applying sealant to pavement on a single-family lot owned by the property owner. Application for a pavement sealant license shall be on a form provided by the Village and shall, at a minimum, state the name, address, and contact information of the person applying for the license and the person or persons who will be applying the sealant, and such other information as may be required by the Village Manager. (MC-7-2014 § 2, 08/19/2014)

#### **Section 5.74.020** Certification; previous services.

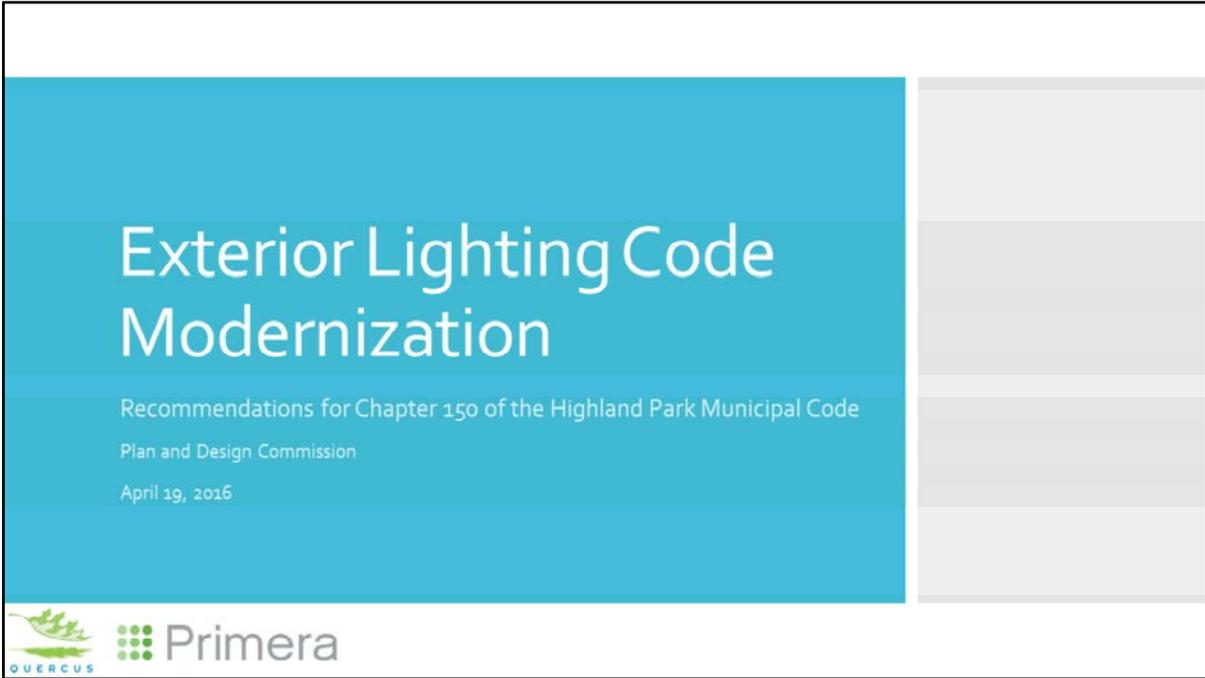
All persons applying for a pavement sealant license shall (i) sign a certification on a form provided by the Village, certifying, at a minimum, that neither the licensee nor any person acting under the license will apply products that contain coal tar, coal tar derivatives, or coal tar mixtures ("coal tar products") to any public or private property within the Village, and (ii) upon the Village's request, provide a written list of locations where the licensee or any person acting under the licensee has applied sealant to any public or private property within the Village within the preceding 365 days. (MC-7-2014 § 2, 08/19/2014)

#### **Section 5.74.030** Fee.

All applications for a pavement sealant license shall be accompanied by the annual license fee, which shall be set from time to time by resolution of the Village Council. (MC-7-2014 § 2, 08/19/2014)

#### **Section 5.74.040** Review and approval.

The Director of Public Works shall review all applications for pavement sealant licenses and shall make a recommendation to the Village Manager for each application. The Village Manager shall grant a pavement sealant license if the application complies with all applicable provisions of this chapter and the Village Code. (MC-7-2014 § 2, 08/19/2014)

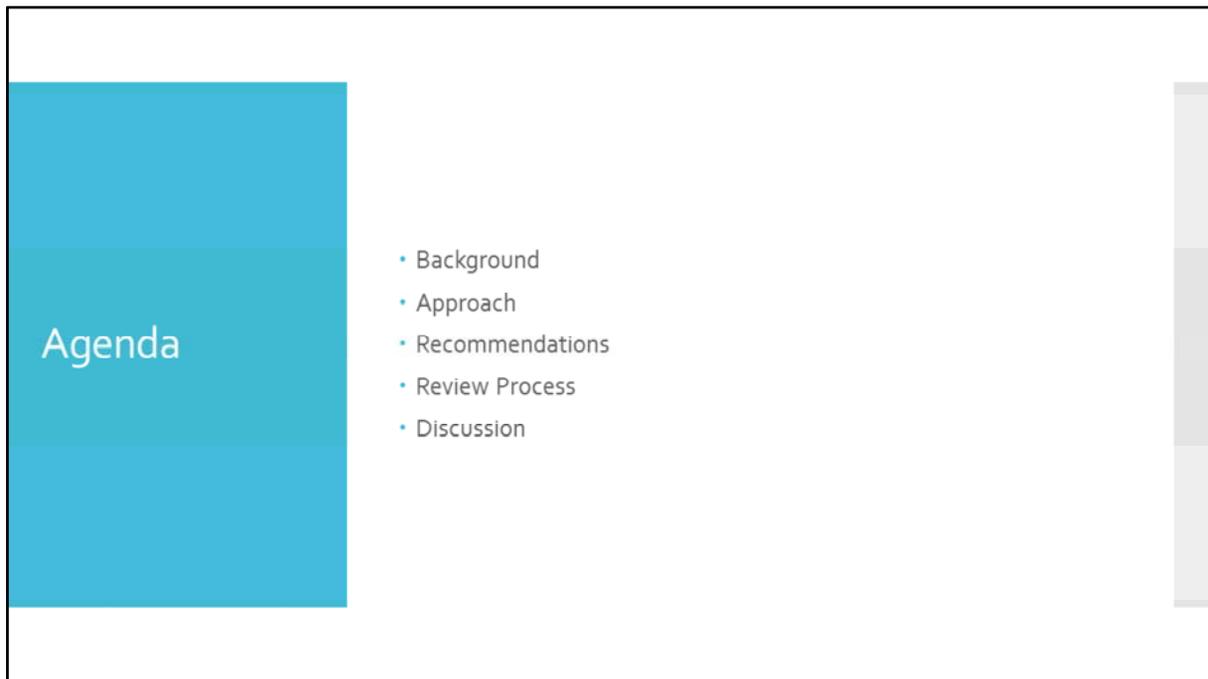
The slide features a blue background on the left and a grey background on the right. The title "Exterior Lighting Code Modernization" is centered in white text. Below the title, the subtitle "Recommendations for Chapter 150 of the Highland Park Municipal Code" is displayed, followed by "Plan and Design Commission" and the date "April 19, 2016". At the bottom left, the logos for "QUERCUS" (a green leaf) and "Primera" (a green grid) are visible.

# Exterior Lighting Code Modernization

Recommendations for Chapter 150 of the Highland Park Municipal Code  
Plan and Design Commission  
April 19, 2016

  Primera

Thank you for inviting me to present our recommendations to Code 150. Grace regrets that she could not join us this evening.



I will briefly review the background of how this project came to be and what prompted us to seek changes to the code. I will review some technical detail, and spend the majority of our time presenting and explaining the recommendations. Lastly I will review our understanding of the process and make sure it matches yours, then we will discuss your initial thoughts and questions.



## Issue 1: Natural areas and wildlife



Map of Southern Migration Routes for  
North American Birds

Chicago Department of Environment

[http://archives.microbeworld.org/news/west\\_nile/news\\_west\\_nile\\_04.aspx](http://archives.microbeworld.org/news/west_nile/news_west_nile_04.aspx)



Exterior light dims from Chicago  
through the north shore

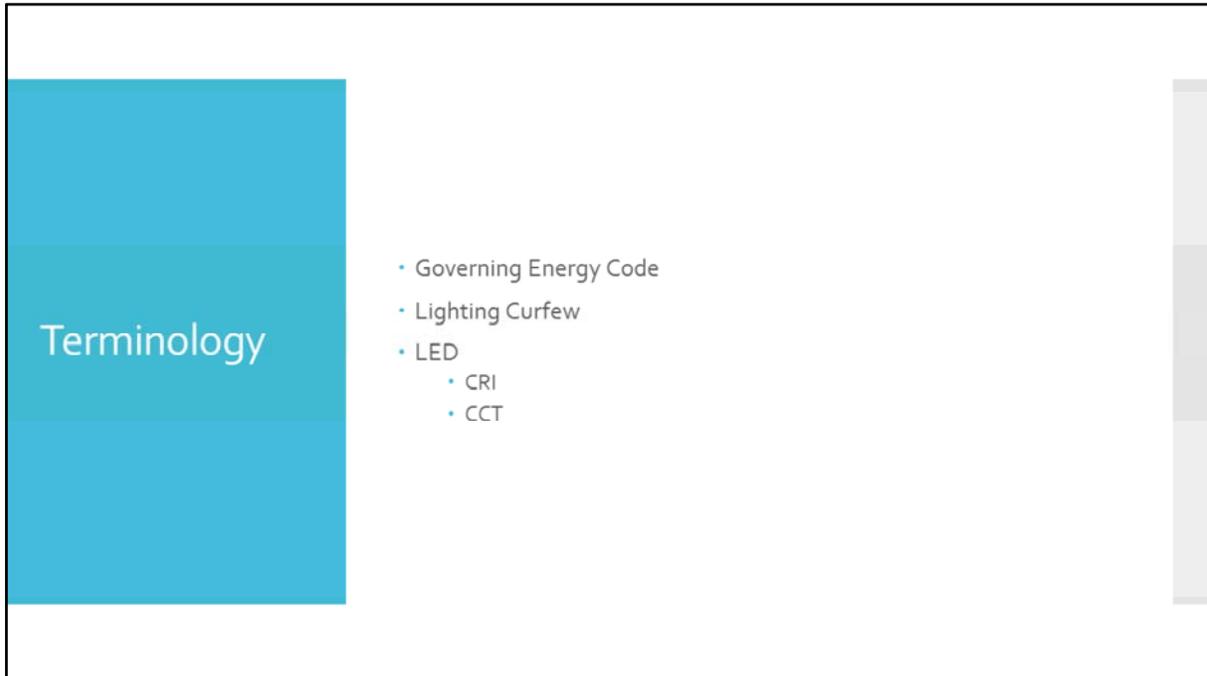
This project began as a request from the Natural Resources Commission. Knowing that our region is a major section of the annual bird migration route, and knowing that excess light at night can disrupt not only this migration but also the routine activities of nocturnal animals, the NRC asked us to review Code 150 and Code 93 which both address exterior lighting. Tonight we will only be addressing Chapter 150.

## Issue 2: Technology advances

- Code using obsolete terms
- LED quickly becoming standard
  - How is it addressed in the code?
- Additional methods for measuring light quality and quantity

In the initial phase of our examination we found three compelling reasons for updating the code, in addition to the NRC's desire to achieve a darker night sky. We found...

1. That the current code requires fixtures which are no longer manufactured. (Deb, expand as needed)
2. LEDs are quickly becoming the standard for exterior light, and that technology is best utilized when additional factors are considered which the code did not include.
3. Namely, this third element, which is that designers in my industry now measure light in terms of color and lumens, whereas conventional measurements of fixtures focus only on the kilowatts required to power the light.



I wanted to briefly address two terms that can cause confusion. (Deb, this is for you to write)

When an engineer speaks of the energy code, what they mean is the International Energy Conservation Code, 2015 edition. The code restricts how much energy (measured in Watts) that can be used for exterior lighting. Different exterior lighting applications (lighting an entrance vs a parking lot vs a sidewalk, for example) get different energy allowances. Those allowances vary based on the Lighting Zone, which I will explain further in a few minutes. The code requires exterior lighting to be controlled. The control must be coordinated with available daylight, and time schedule functions. The control must turn off or reduce lighting power during non-business hours. There are exceptions for safety and security at building entrances and exits. Everyone must follow the energy code, but home rule allows Highland Park to add to it where it sees fit, the City simply cannot reduce requirements below those of the governing energy code.

A curfew, in the context of lighting, means to set a time of day at which all exterior lights must be turned off with the exception of life safety lighting.



Our approach to the project was based on the desire to protect natural areas and elevate the code to address advances in technology.

Lighting Goals:

- Update the Ordinance to match current industry terms
- Update the Ordinance to accommodate new technologies
- Update the Ordinance to be bird-friendly
- Update the Ordinance to be dark-sky friendly
- Still allow Highland Park neighborhoods to maintain their distinct characters

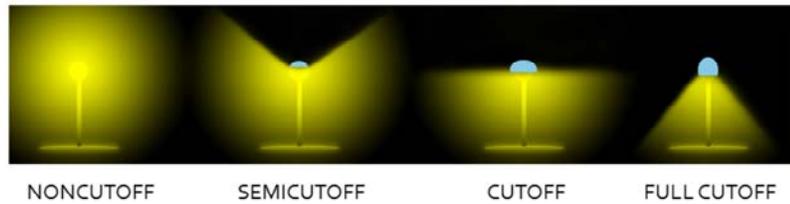
We understand that exterior lighting has two primary functions: first, it provides a safe environment for human activity. But also, lighting defines the character of a location. If you're on Michigan Avenue in the winter with all of the light displays and tree lights, you know you are in a special place that invites you to stroll and enjoy the view. If you are at a campsite at night armed only with your headlamp, it would be very out of place to suddenly walk upon a brightly lit sports venue.

This image illustrates the basic types of light fixtures, from globe lights with 360 degree illumination, to fixtures that are shielded to direct light only where humans would be using it at ground level. The question for this code is to establish the optimal style and degree of lighting that will facilitate safety while communicating the neighborhood character of Highland Park.



Now you have the background and some of the technical information, I will present our key recommendations.

## Update Industry Terms – (Old) Fixture Description

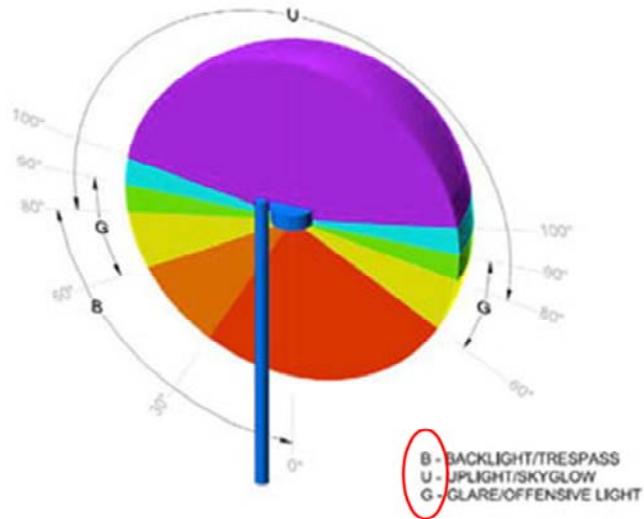


[http://www.delmarfans.com/images/content/educate/Light\\_Pollution\\_Article/Cutoff\\_Lights-Large.jpg](http://www.delmarfans.com/images/content/educate/Light_Pollution_Article/Cutoff_Lights-Large.jpg)

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## Update Industry Terms – (New) Fixture Description



[http://safety.fhwa.dot.gov/roadway\\_dept/night\\_visiblflighting\\_handbook/](http://safety.fhwa.dot.gov/roadway_dept/night_visiblflighting_handbook/)

In the past fixtures have been measured only by the kilowatts required to power lights. Now designers compare fixtures using measurements of backlight, uplight, and glare, which combined are referred to a BUG ratings. We will use this term a lot.

Sample cut sheet

### LED Module Details

LED = Philips LUXEON R. CRI= 70 Min, 75 Typical. CCT = ANSI 4000K (3985K +/- 275K)  
 System (LED + driver) rated life = 100,000 hrs<sup>1</sup>

Lamp	Typical delivered lumens	Typical lamp wattage (W)	Typical system wattage (W) <sup>2</sup>	typical system current (A) @					LED current (mA)	HPS <sup>3</sup> equivalent	Luminaire Efficacy Rating (lm/W)	BUG rating
				120V	240V	277V	347V	480V				
30W16LED4K-R-LE2	3075	30	35	0.29	0.17	0.12	0.1	0.07	700	70W	87	B1 U0 G1
30W16LED4K-R-LE3	3295	30	35	0.29	0.17	0.12	0.1	0.07	700	70W	92	B1 U0 G1
30W16LED4K-R-LE5	3145	30	35	0.29	0.17	0.12	0.1	0.07	700	70W	88	B2 U0 G1
60W32LED4K-R-LE2	6619	60	70	0.57	0.33	0.25	0.2	0.14	700	100W	94	B2 U0 G1
60W32LED4K-R-LE3	6924	60	70	0.57	0.33	0.25	0.2	0.14	700	100W	97	B2 U0 G2
60W32LED4K-R-LE5	6280	60	70	0.57	0.33	0.25	0.2	0.14	700	100W	89	B3 U0 G1
90W48LED4K-R-LE2	9854	90	105	0.86	0.5	0.43	0.3	0.22	700	150W	95	B2 U0 G2
90W48LED4K-R-LE3	10113	90	105	0.86	0.5	0.43	0.3	0.22	700	150W	98	B2 U0 G2
90W48LED4K-R-LE5	9868	90	105	0.86	0.5	0.43	0.3	0.22	700	150W	95	B4 U0 G4
90W48LED4K-R-LE2+H <sup>4</sup>	7793	90	105	0.86	0.5	0.43	0.3	0.22	700	150W	75	B1 U0 G2
90W48LED4K-R-LE3+H <sup>4</sup>	7866	90	105	0.86	0.5	0.43	0.3	0.22	700	150W	76	B1 U0 G2

Source: Philips Streetview Light Fixture brochure

This is an example of what BUG ratings look like on a cut sheet for a specific type of fixture. This one happens to be the fixtures used in the new high school parking lot.

## Update For New Technology: LED's

### Traditional Exterior Sources

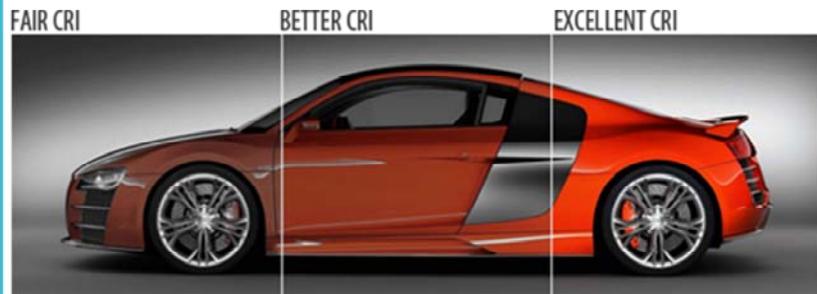
- Traditional sources were static in CRI and CCT
- Incandescent: 100% CRI, 2750K
- High Pressure Sodium: 22% CRI, 2100K
- Metal Halide: 65% CRI, 4100K

(these are typical statistics)

### New Technology Sources: LED

- CRI and CCT can vary widely within this technology range
- Recommend creating limitations to prevent glare and poor-character lighting installations
  - Range of 2700-4100K CCT
  - Minimum of 70% CRI

Measuring  
light quality:  
CRI



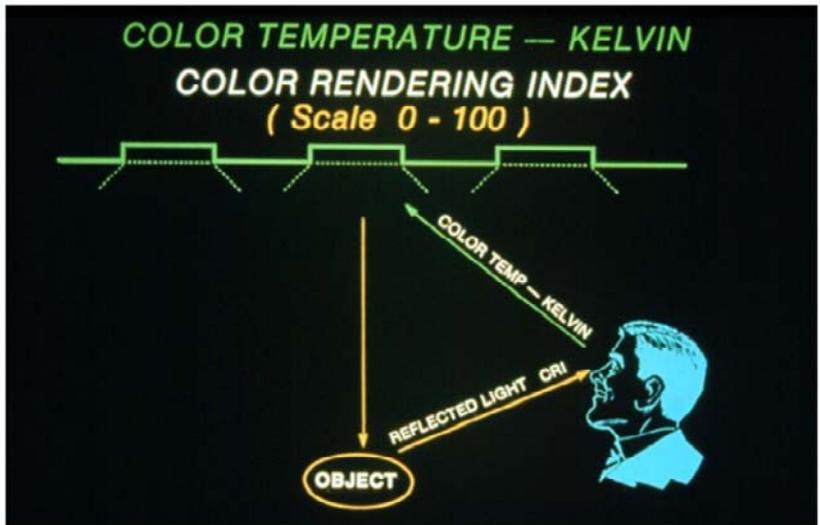
<http://www.feslighting.com/lighting/auto-dealership-division>

Measuring  
light quality:  
CCT



Deborah Steimel-Clair, photo from Sternberg Showroom

Measuring  
light quality:  
CCT vs CRI



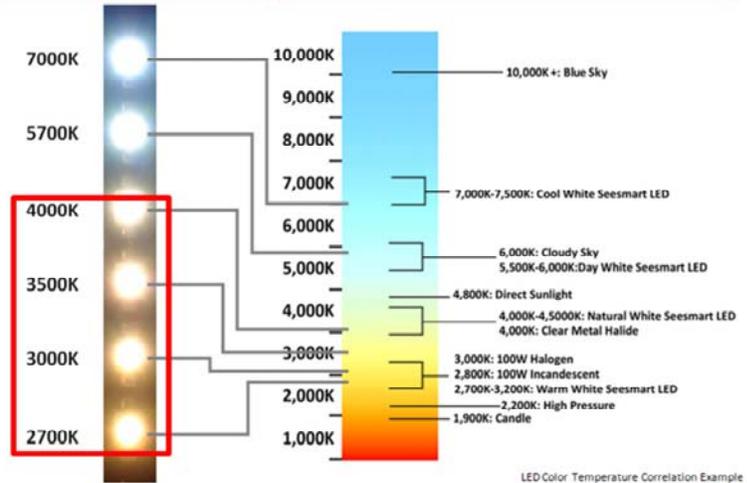
CRI = Color Rendering Index    CCT = Color Correlated Temperature

Deb, this one is all you! But the next slide will help. Cut this one if the other will suffice, just keep the CRI/CCT acronym spell-outs.

Suggested color range

Basic LED Reference Example

Kelvin Color Temperature Scale Chart



LED Color Temperature Correlation Example

## Slide 17

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**GR1** Deb, can you add a red circle around the color range you are recommending on the LED reference example?

Grace Rink, 4/15/2016

## Update for New Technology: Lighting Curfews

- IECC 2015 already has requirements for lowering light levels after business hours
- The new ordinance language allows for the city to set lighting curfews as a holistic element
- The ordinance already has a lighting curfew for recreational lighting

Update to be  
bird friendly  
and dark-sky  
friendly:  
Restrict light  
spillage

- Define illumination character for each zoning district
- Establish illumination levels per facility type within zoning districts
- Restrict uplight based on lighting zones and BUG requirements
- Measure vertical max foot-candle levels at property line

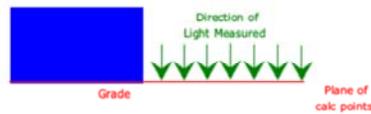
The overall objective of these recommendations is to restrict light spillage from the subject property to its neighbors, and from the subject property to the sky. We suggest aligning the building zones with lighting zones, and then establishing illumination limits appropriate for each. We suggest measuring light vertically in addition to the horizontal calculation which is already required. We are also recommending a standard color range for fixtures because although LEDs are becoming standard, they still offer a wide range of colors and we believe that Highland Park would be better able to maintain its appearance by limiting those choices.

Lighting zones	Lighting Zone	Definition	Description
	LZ 0	No ambient lighting	Areas where the natural environment will be seriously and adversely affected by lighting, ex: forests
	LZ 1	Low ambient lighting	Areas where lighting might adversely affect flora and fauna or disturb the character of the area
	LZ 2	Moderate ambient lighting	Areas of human activity where the vision of human residents and users is adapted to moderate light levels
	LZ 3	Moderately high ambient lighting	Areas of human activity where the vision of human residents and users is adapted to moderately high light levels
	LZ 4	High ambient lighting	Areas of human activity where the vision of human residents and users is adapted to high light levels, ex: urban entertainment district

<http://darksky.org/lighting/model-lighting-law-policy/recommended-lighting-zones/>

This table describes the type of activity one would find in each lighting zone. We are recommending that all of the city’s building zones would fall into the lighting zones 1 through 3.

## Measuring light quantity



Elevation  
Horizontal Calc Detail

- Measuring light on the horizontal plane is already required by the ordinance



Elevation  
Vertical Calc Detail

- Measuring along the vertical plane will determine whether or not there is light spillage...
  - onto adjacent properties and/or
  - higher than the tallest structure on the subject property.
- It can catch light spillage not seen by a horizontal calculation.

These graphics attempt to illustrate what is meant by measuring light on the vertical plane.

Deb, expand as needed.

Update to be  
bird friendly  
and dark-sky  
friendly:  
Residential

- Restrict uplight based on lighting zones
- Insert **Table R** to assist in residential fixture selection
- Applies to NEW buildings and Renovation Permits ONLY

Lighting Application	Table R - Residential Site Lumen Limits**			
	L20	L21	L22	L23
Row 1: maximum allowed luminaire lumens* for unshielded luminaires at one entry only	not allowed	420 lumens	630 lumens	630 lumens
Row 2: maximum allowed luminaire lumens for each fully shielded luminaire	630 lumens	1260 lumens	1260 lumens	1260 lumens
Row 3: maximum allowed luminaire lumens for each unshielded luminaire excluding main entry (row 1)	not allowed	315 lumens	315 lumens	315 lumens
Row 4: maximum allowed luminaire lumens for each landscape lighting luminaire	not allowed	not allowed	2100 lumens	2100 lumens
Row 5: maximum allowed luminaire lumens for each shielded directional flood light luminaire	not allowed	not allowed	2100 lumens	2100 lumens
Row 6: maximum allowed luminaire lumens for each low voltage landscape lighting luminaire	not allowed	not allowed	525 lumens	525 lumens

\*Luminaire lumens equals the initial lamp lumens for a lamp, multiplied by the number of lamps per luminaire

\*\*All fixtures for this zone must be a Row 2 style fixture, except for the following:

a - 1 main entry fixture per residence may be calculated under Row 1

b - other entry fixtures may be calculated under Row 3

c - landscape lighting aimed away from all adjacent properties may be calculated under Row 4 or 6\*

d - fully shielded directional flood lighting in compliance with property line trespass values may be calculated under Row 5\*

\*All vertical and horizontal maximum trespass values must be met

The overall objective of these recommendations is to restrict light spillage from the subject property to its neighbors, and from the subject property to the sky. We suggest aligning the building zones with lighting zones, and then establishing illumination limits appropriate for each. We suggest measuring light vertically in addition to the horizontal calculation which is already required. We are also recommending a standard color range for fixtures because although LEDs are becoming standard, they still offer a wide range of colors and we believe that Highland Park would be better able to maintain its appearance by limiting those choices.



That concludes the key recommendations, I will summarize and address a few known concerns then we can launch into discussion.

Summary

- Changes to Article VI, Section 150 – apply to permitted sites only
  - private property
  - parking lots
  - Commercial buildings and sites
  - NOT Streets or Roadways
- Applies to NEW construction, or Renovation Permits ONLY
  - Not retroactive
  - Not applicable to spot replacement

To summarize, we are recommending illumination limits for private property, such as parking lots.

The recommendations place each building zone into a lighting zone appropriate for the types of buildings and activities, i.e., residential or commercial.

Using BUG ratings to compare fixtures will allow designers to easily select the appropriate lamps, and staff to easily determine whether or not the lamps meet the code.

Measuring vertical light in addition to horizontal light will allow staff to determine whether or not the proposed design will spill onto adjacent properties.

The color requirements will ensure that the City isn't dotted with a wide variety of light colors, maintaining the uniform nature of the community.

## Summary

- Define Lighting Zones, and link to existing building zones
  - This correlates with the energy code, and allows local control over maximum illumination limits
- Set BUG levels per facility type within lighting zones
- Add Table R
- Add vertical max foot-candle levels at property line
- Limit uplighting
  - which will reduce skyglow
- Add CRI and CCT requirements for LED fixtures

To summarize, we are recommending illumination limits for private property, such as parking lots.

The recommendations place each building zone into a lighting zone appropriate for the types of buildings and activities, i.e., residential or commercial.

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Measuring vertical light in addition to horizontal light will allow staff to determine whether or not the proposed design will spill onto adjacent properties.

The color requirements will ensure that the City isn't dotted with a wide variety of light colors, maintaining the uniform nature of the community.

Known concerns

- Will this impact cost to homeowners or developers?
- Chicago is so bright, why bother?
- Who enforces a light curfew?

I don't know all of your questions in advance, but these have come up enough times in discussion with staff that I thought we could start here.

We do not expect these changes to add to the cost for homeowners or developers. All existing light fixtures are grandfathered in, so if a homeowner wants to change their porch light fixture this won't affect them. As a lighting designer, I can speak to the developer's side, and it is standard procedure for me to produce the measurements that we are asking for here, and to design to these specifications.

It's true, Chicago is bright, but if you recall that image from the beginning of the presentation, there is a big difference the farther you get from the City, and this code will continue to promote that reduction. Additionally, you won't be alone. The Illinois Tollway already requires BUG ratings for its light fixtures, and limits upright. Homer Glen has similar requirements in its code, and they have been helpful in discussing their experience with staff. Others are sure to follow.

Enforcement in the case of light trespass is not unlike other nuisance issues: it will be enforced by the City when someone complains. However, we would not expect this to be a significant issue because, again, current lights are not required to change, and any new installations will conform to the code.

Known concerns

- Will this impact cost to homeowners or developers?
- Chicago is so bright, why bother?
- Who enforces a light curfew?



Exterior light dims from Chicago through the north shore

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## Process and Discussion

- Recommendations presented this evening
- Some concerns addressed, questions discussed
- Commission reviews, additional inquiries for staff and consultants
- Revise recommendations accordingly, return for final presentation

Our understanding of this process is that tonight we are here to present our recommendations and receive your initial feedback and questions. After tonight we will work with staff to incorporate any comments from this evening and any further thoughts or questions you send our way. We will then come back again to give you our final recommendations, at a timeline set by the commission.

Thanks for your attention this evening, I am ready for your questions.

## Contacts

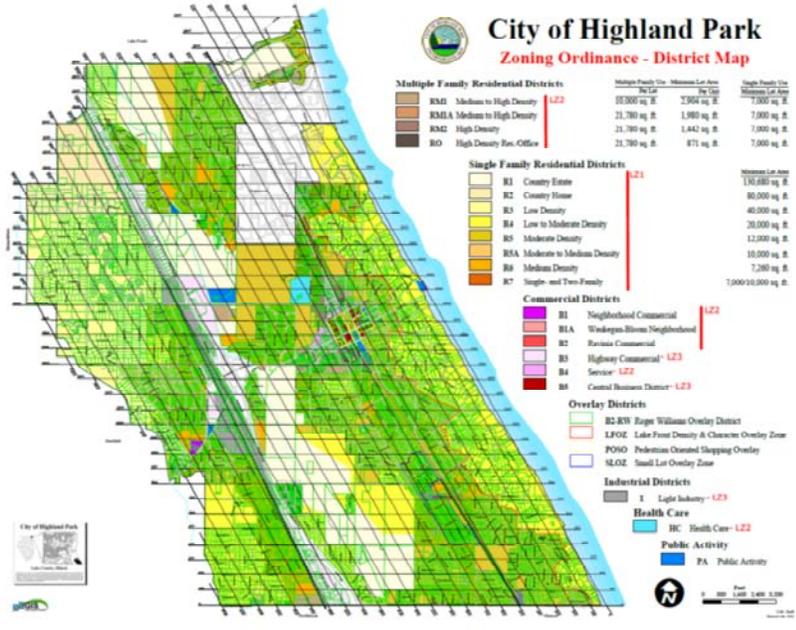


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Supplemental



## Supplemental

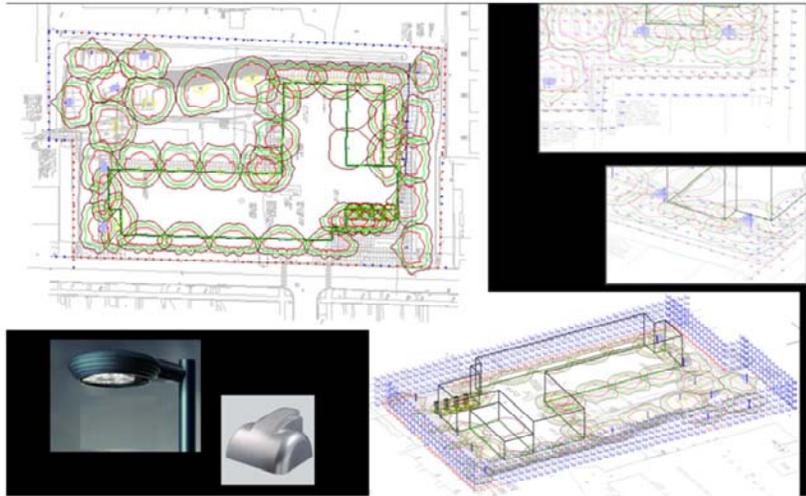
### MLO Lighting Zone Recommendations

- LZ-0: areas where permanent lighting is unexpected
- LZ-1: areas of low ambient lighting, and areas with limited nighttime activity
- LZ-2: areas of moderate ambient lighting, and areas of moderate nighttime activity
- LZ-3: areas of moderately high ambient lighting, and frequent nighttime activity
- LZ-4: areas of very high ambient lighting, should be used for special cases and is not appropriate for most cities

### MLO Lighting Zone Examples

- LZ-0: wilderness parks, preserves, undeveloped rural
- LZ-1: single or two-family residential areas, rural business centers, commercial areas with limited nighttime activity
- LZ-2: high-density residential, schools, churches, business areas embedded in residential areas, recreation facilities, mixed use zoning
- LZ-3: town centers, commercial corridors, car dealerships, major business districts
- LZ-4: NYC's Time Square

Supplemental





Join us in celebrating the City's Bike Safety Week, the Mayor's Bicycle Safety Challenge, and National Bike Month at the second annual Highland Park Bike/Walk Fair!

There will be a variety of bike/walk-related programming, including:

- Bike Safety with the Highland Park Police Department
- Used bike drive by Working Bikes ([Consider donating your unused bicycles!](#))
- Bicycle-related short films sponsored by the Highland Park Natural Resources Commission,
- Bike demonstrations and information from other local organizations, and more!



- PARTICIPATING ORGANIZATIONS**
- Highland Park Natural Resources Commission
  - Highland Park Police Department
  - Highland Park Transportation Commission
  - Highland Park Library
  - Working Bikes
  - Trek Bicycle Store of Highland Park
  - Mom's Clean Air Force

**DATE:** Sunday, May 15, 2016  
**TIME:** 1:00 – 4:30 p.m. (Outdoors until 3:00, Films until 4:30)  
**FILMS:** Two Screenings (2:00–3:00pm and 3:15–4:15pm)  
**LOCATION:** Highland Park Library, 494 Laurel Ave.



# Memorandum



To: Members of the Natural Resources Commission  
From: Eric Olson, Planner II  
Date: April 11, 2014  
Re: **116 Deere Park Court– Steep Slope Variation Request**

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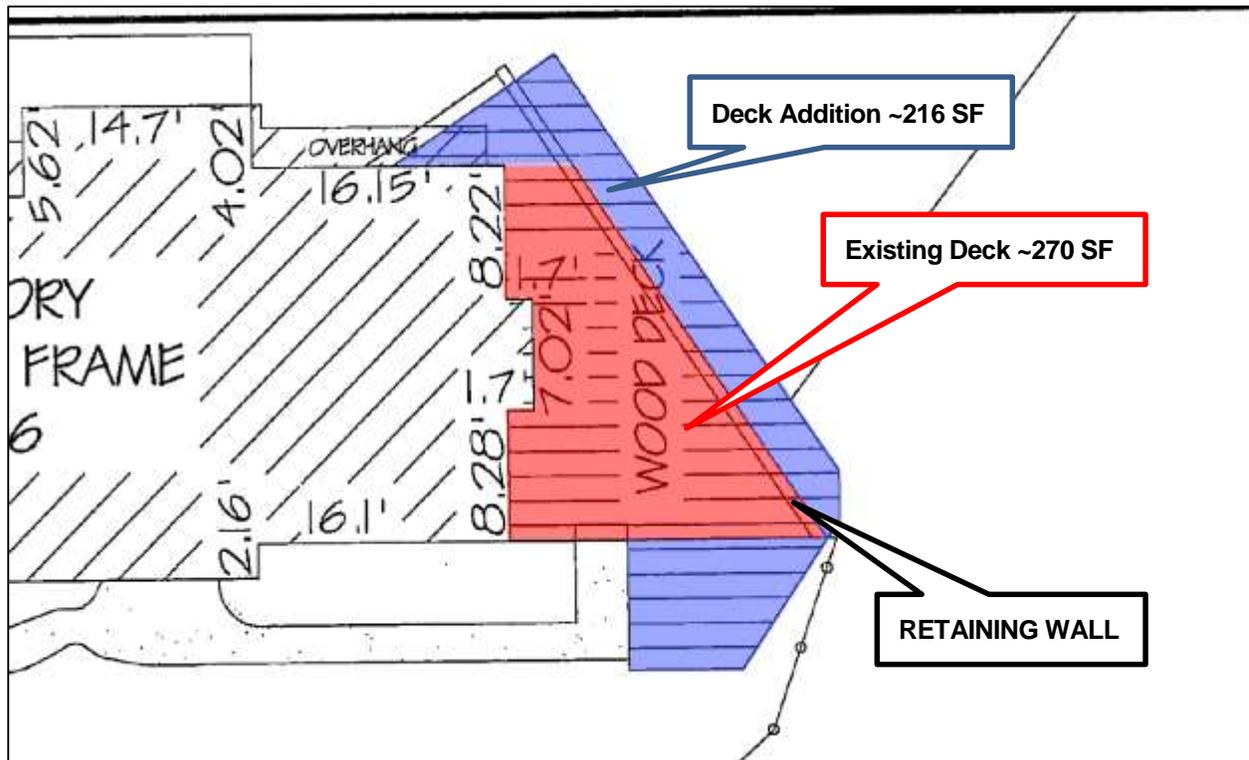
The existing home at on the property located at 116 Deere Park Couty (*shown below*) was constructed in 1937. A large portion of the property is located within what is currently regulated by the City as the ravine Steep Slope Zone (SSZ) and a retaining wall demarcates the ravine slope from the tableland upon which the existing non-conforming home is located.



The applicant's existing ~270 square foot deck is on the east side of the home, and a portion of the both the deck and the home are within the 10' ravine setback. The applicant wishes to reconstruct and expand his deck within the 10' ravine setback, over the retaining wall, and into the ravine slope. However, the proposed deck is proposed to be cantilevered over the ravine slope and supported by the existing retaining wall structure. The total size of the proposed deck is 486 square feet.

Section 150.1903(A) of the Zoning Code prohibits the construction of structures within a Steep Slope Zone, except as exempted in Section 150.1906. Decks and patios having a total ground cover area not exceeding 150 square feet may be located within the Steep Slope Zone between the top edge and the ten foot Steep Slope Zone setback line for ravines. For this property, the existing deck generally complies with Code and is considered an Exempt structure in that it is less than 300 square feet total, though it is unknown when the deck was constructed. No single deck may be constructed within the 10' ravine setback today that is larger than 150 square feet. The proposed construction will

expand the size of the deck beyond the permissible 300 square foot limit and will extend into the ravine beyond the 10' ravine setback.



**Steep Slope Variation Process, Policy & Standards:**

The proposed construction will need the following variations to provisions of the Zoning Code:

1. Section 150.1903(A) – To permit construction of a structure within a Steep Slope Zone
2. Section 150.1606(F) – To permit a deck having a total ground cover in excess of 300 square feet within the Steep Slope Zone
3. Section 150.703 – To encroach 9.6 feet into the minimum side yard of 12 feet on the north side of the property (*Note: This third variation is not under consideration by the Natural Resources Commission*)

Per Section 150.1912, the Natural Resources Commission is being asked to consider the variation application and vote to direct staff to draft Findings of Fact for Zoning Board of Appeals consideration. The Basic Technical Standards by which the Natural Resource Commission must review this request are established in Section 150.1903(C).

- (1) The proposed development recognizes and fits the natural topography, soils, geology, hydrology and other existing conditions on the proposed sites.
- (2) The proposed development will be oriented so that earth moving, landscaping and other site preparation is kept to an absolute minimum.
- (3) The landscape will be preserved and enhanced and natural terrain and existing vegetation will be minimally disrupted.
- (4) Disruption or alteration of natural drainage ways will be minimal.
- (5) The time in which areas are bare and exposed will be minimized.
- (6) The amount of impervious surface to be placed on the tableland adjacent to steep slopes has been minimized.
- (7) Structures have been designed and properly located so that structure weight does not jeopardize slope stability.

The applicant's public hearing at the Zoning Board of Appeals is currently scheduled for the evening of June 2, 2016. If the Natural Resources Commission so chooses, staff may be directed to prepare Findings of Fact for that meeting without further consideration. If the Natural Resources Commission determines that further information is required before making a recommendation, the public hearing at the Zoning Board will be continued accordingly.

**Attachments:**

- Application Materials & Plans
- Letter of Situation and Hardship

APPLICATION FOR ZONING VARIATION REQUEST



CITY OF HIGHLAND PARK
1150 Half Day Road
Highland Park, IL 60035
phone: 847/432-0867 fax: 847/432-0964
www.cityhpil.com

OFFICE USE ONLY
VAR No.: #16-06-VAR-019
Submitted: 04/15/2016 Fee Paid: \$825.00
Hearing Date: 06/02/2016 Planner: CRO

Address: 116 DEERE PARK CT Zoning District:
Present Use of Property: RESIDENTIAL

Petitioner Name(s): DAVID C. DEMAREST
Address (City, State, ZIP): 116 DEERE PARK CT HIGHLAND PARK IL
Daytime Phone: 224 212 2891 Alternate Phone/Cell: 312 863 9271 Fax:
Email: dcdemarest@msn.com

Title Holders Name(s): DAVID C. DEMAREST / DORJEN P.Y. THO
Address (City, State, ZIP): 116 DEERE PARK CT HIGHLAND PARK IL
Phone: 224 212 2891 312 863 9271 Fax:
Email: dcdemarest@msn.com

Attorney Name:
Address (City, State, ZIP):
Phone: Fax:
Email:

Architect/Builder: PRO PLAN ARCHITECTS
Address (City, State, ZIP): 108 ALIASEK CT STREAMWOOD IL 6007
Phone: 224 208 0024 Fax: Same as phone
Email: andy@proplanarchitects.com

AFFIDAVIT

I HEREBY DEPOSE AND SAY THAT I HAVE READ THE REQUIREMENTS AND PROCEDURES OUTLINED IN ARTICLE XII OF THE 1997 HIGHLAND PARK ZONING ORDINANCE, AS AMENDED, AND ALL OF THE ABOVE STATEMENTS AND THE STATEMENTS CONTAINED IN MY APPLICATION PACKET ARE TRUE.

David C. Demarest
Property Owner(s)



Sworn to before me this 15th day of April, 2014. Sworn to before me this \_\_\_ day of \_\_\_, 20\_\_.

Vicki J. Smestad
Notary

Property Address: ZBA Application 2

**SUMMARY SHEET**

**DESCRIPTION OF PROJECT:**

REPAIR & EXTENSION OF EXISTING DECK. DECK EXTENSION WOULD SIMPLY EXTEND APPROX 3' OVER EDGE OF RETAINING WALL

**1. COMPLETE THE FOLLOWING: (regardless of requested variance)**

**A) Height Calculations: (see also: 'Useful Definitions')**

- Maximum Allowable Height per Zoning District: \_\_\_\_\_ feet **NA COMPLY**
- Maximum Height of Proposed Structure \_\_\_\_\_ feet **NA COMPLY**

**B) Floor Area Ratio (F.A.R.) Calculations (see 'Useful Definitions' sheet) NA**

- Area of Lot: \_\_\_\_\_ square feet

$\text{F.A.R.} = \frac{\text{Floor Area}}{\text{Lot Size}}$
---

**\*\*NOTE\*\* Properties requesting a Variation are NOT eligible for Bonus F.A.R.**

- Allowable Floor Area: \_\_\_\_\_ square feet      Allowable F.A.R.: \_\_\_\_\_ %
- Total Existing Floor Area: \_\_\_\_\_ square feet      Existing F.A.R.: \_\_\_\_\_ %
- Area of Addition: \_\_\_\_\_ square feet
- Total Proposed Floor Area: \_\_\_\_\_ square feet      Proposed F.A.R.: \_\_\_\_\_ %

**2. INDICATE ALL REQUESTED VARIANCES:**

**Front Yard Encroachment:** (note as many as apply - corner lots have two front yards, one on each street frontage)

**NA** Structure will encroach \_\_\_\_\_ feet into the *minimum front yard* of \_\_\_\_\_ feet on the (north / south / east / west) side of the property for a distance of \_\_\_\_\_ feet.

Structure will encroach \_\_\_\_\_ feet into the *established building setback* of \_\_\_\_\_ feet on the (north / south / east / west) side of the property for a distance of \_\_\_\_\_ feet.

Structure will encroach \_\_\_\_\_ feet into the *minimum front yard* of \_\_\_\_\_ feet on the (north / south / east / west) side of the property for a distance of \_\_\_\_\_ feet.

Structure will encroach \_\_\_\_\_ feet into the *established building setback* of \_\_\_\_\_ feet on the (north / south / east / west) side of the property for a distance of \_\_\_\_\_ feet.

**Side Yard Encroachment:** (note as many as apply)

**NA** Structure will encroach \_\_\_\_\_ feet into the *minimum side yard* of \_\_\_\_\_ feet on the (north / south / east / west) side of the property for a distance of \_\_\_\_\_ feet.

Structure will encroach \_\_\_\_\_ feet into the *minimum side yard* of \_\_\_\_\_ feet on the (north / south / east / west) side of the property for a distance of \_\_\_\_\_ feet.

Structure will encroach \_\_\_\_\_ feet into the *total combined side yard* of \_\_\_\_\_ feet on the (north / south / east / west) side of the property for a total distance of \_\_\_\_\_ feet.

Property Address: \_\_\_\_\_

ZBA Application 3

**SUMMARY SHEET**

**Rear Yard Encroachment:**

NA Structure will encroach \_\_\_\_\_ feet into the *minimum rear yard* of \_\_\_\_\_ feet for a distance of \_\_\_\_\_ feet.

NA  **F.A.R.: (For existing structures only)**

Structure will exceed the *maximum permitted F.A.R.* of \_\_\_\_\_% [or \_\_\_\_\_ sq. ft.] by \_\_\_\_\_% [or \_\_\_\_\_ sq. ft.] for a total F.A.R. of \_\_\_\_\_% [or \_\_\_\_\_ sq. ft.].

NA  **Fence:**

Structure will exceed the maximum permitted fence height of \_\_\_\_\_ feet in the minimum \_\_\_\_\_ yard by \_\_\_\_\_ feet for a distance of \_\_\_\_\_ feet.

NA  **Lot Coverage:**

Structure will exceed the *maximum permitted lot coverage* of \_\_\_\_\_% [or \_\_\_\_\_ sq. ft.] by \_\_\_\_\_% [or \_\_\_\_\_ sq. ft.] for a total lot coverage of \_\_\_\_\_% [or \_\_\_\_\_ sq. ft.].

**Other: (please specify):** \_\_\_\_\_  
\_\_\_\_\_

**\*\*The following requests include additional information or review beyond the Zoning Board of Appeals\*\***

**Subdivision Setback Encroachment: (Neighbor approval required – Section 150.1202 (D))**

(Also known as a Building Line)

Structure will encroach 3 feet into the *subdivision setback* of 10 feet on the (north) south / east/ west) side of the property for a distance of 32 feet.

**Steep Slope Encroachment: (requires review by the Lakefront Commission and additional submission materials)**

Structure will encroach 3 feet into the *10' / 40' / Special Steep Slope setback* for a distance of 32 feet.

**Height: (Requires Compere Referral)**

NA Structure will exceed the *maximum permitted height* of \_\_\_\_\_ feet by \_\_\_\_\_ feet for a height of \_\_\_\_\_ feet.

<b>COMPERE REFERRAL TO CITY COUNCIL: YES / NO</b>	<b>OFFICE USE ONLY</b>
City Council Date: _____	Describe Referral: _____
ZBA Final Disposition: YES / NO	ZBA Recommendation to City Council on: _____

Property Address:

ZBA Application 4

## STATEMENT IN SUPPORT OF PETITION FOR VARIANCE

**Description:** With my wife, Doreen Tho, we are the owners of a property at 116 Deere Park Court, Highland Park located in the southern portion of Highland Park in the vicinity of Lake Cook Road and Sheridan Road. We have an outdoor, uncovered deck that currently follows the contour of an existing heavy timber retaining wall on the edge a slope on our property that forms part of Highland Park Ravine #1. The retaining wall was built on the upper area of the ravine slope with the eastern-most edge of the wall being some 24 feet out from the northeast corner of the house; the wall cuts to the west at an inward angle so that the western-most edge of the retaining wall is only some 3+ feet from the northwest corner of the house. The deck thus assumes the shape of a slice of pizza with a sharp point on the western edge. According to the records that we have, the deck was built up to the edge of the retaining wall circa 1980 when the retaining wall was installed in accordance with a City of Highland Park approval. (See Engineering Drawing titled "Landslide Correction"). In addition to the deck being in serious need of repairs due to general age of 35 years, there is increasing erosion at the narrow portion of western edge of the deck and retaining wall due to poor drainage and run-off from rain and snow pack that accumulates on the deck during the winter. Previously installed timber steps from that side of the deck down to the ravines slope have deteriorated and are eroding the slope

**Project:** To repair and extend the existing deck over the retaining wall at the western edge. This would be done by running 4 doubled and reinforced deck joists out perpendicular from the northern end of the house over the edge of retaining wall. These supporting joists would be secured by affixing the ends to the house foundation on the one end, would rest on new concure footings installed under the existing deck area and would be also attached by robust brackets attached to the top of the timber retaining wall. The overhang would be supported by the cantilever effect of the deck joists on the retaining wall. The concure foundations and posts would be at a minimum to code – at least 42 inches down and with reinforced steel mesh or rebar. The main deck joists would be pressure treated timber 2x10; lateral deck joists would be pressure treated 2x8; fixment hardware would be galvanized steel. All of the under-structure of the deck would be raised above the soil to promote free circulation of air and percolating water run-off. All deck joists would be run on 16" centers. Decking material would be 5/4 cedar decking or composite material. For information, much of the current deck structure is in contact with the soil and has deteriorated and is run on 24" centers.

In addition, we propose to extend the western-most edge of the deck around the unsupported far edge of the retaining wall to include a set of steps down to the fairly flat area where the now deteriorating 4x4 soil timber steps are located. At this area, we would also install a drainage catchment and run-off that would connect to existing "elephant trunk" tubing to resolve the on-going erosion.

**Code:** Because the deck would extend some 3' out into the ravine steep slope area, we must apply for a variance of the provisions of the Highland Park Steep Slope Ordinance (Article XIX of Chapter 150, Highland Park Zoning Code). Although the regulations do not impose any outright prohibition of improvements or other use within the steep slope area, to get a variance for such use, one must prove both that the improvement

would not have any negative affect on the current location and that current conditions would possibly be improved.

Compliance: Relevant provisions of the Ordinance provide for the reasonable use of steep slope areas and related lands while protecting the public health, safety, and welfare. All plans must:

- (1) Require analysis to determine whether certain types of soil conditions exist (such as loose or easily eroded or rocky soils) and ensuring the utilization of appropriate engineering technology to result in stable slopes during and subsequent to development; (Ord. 26-08, J. 34, p. 050-068, passed 4/14/08);
- (2) Reduce storm water runoff, soil erosion, and mud slides by minimizing grading, encouraging the preservation of Trees and other vegetation and, where necessary, requiring re-vegetation ; (Ord. 38-01, J.27, p. 146-167, passed 6/25/01)
- (3) Permit intensity of development compatible with the natural characteristics of steep slope terrain, such as degree of sloping, soil suitability and existing natural and man-made drainage patterns;
- (4) Preserve the scenic quality of the ravine and bluff environment through the retention of dominant steep slopes and ridges in their natural state;
- (5) Reduce the physical impact of top of slope and bluff development by encouraging innovative site and architectural design, minimizing grading and requiring restoration of graded areas; and
- (6) Discourage development in steeply sloped terrain. (Ord. 26-08, J. 34, p. 050-068, passed 4/14/08).

We believe that we fully comply with all of the above provisions. Our proposed encroachment into the steep slope area is minimal and has no negative impact on the current steep slope. There is no need for any construction to take place on the slope itself, with the exception of at the narrow end of the deck area. The overhang would actually increase protection of the steep slope by sheltering the exposure of the existing retaining wall. Although it is still in good condition, there is some deterioration of the vertically placed tie-back timbers that have had their butt-ends exposed to the elements. The overhang would also shield the wall itself and particularly the bottom of the wall from soil erosion due to rain and snow-pack melt.

More specifically, the improvements made to the narrow edge of the wall by means of the deck wrap-around would address the current water erosion problems through the installation of a drainage system (French drain) and would shield the unprotected and unsupported end of the wall from deterioration. The steps down from the deck here would be supported by an additional concure foundation that would stabilize the current and on-going erosion.

The Ordinance also sets forth Basic Technical Standards to be followed. All land use and development controlled by this Article shall be judged by the application of the following basic standards of landscape planning, soil mechanics engineering, hydrology, geology, environmental design and architecture.

- (1) Planning development to recognize and fit the natural topography, soils, geology, hydrology and other existing conditions on the proposed sites;
- (2) Orienting development so that earth moving, landscaping and other site preparation is kept to an absolute minimum;
- (3) Preserving and enhancing the landscape through minimized disruption of natural terrain and existing vegetation;
- (4) Minimizing disruption or alteration of natural drainage ways;
- (5) Minimizing the time in which areas are bare and exposed;
- (6) Minimizing the amount of impervious surface to be placed on the tableland adjacent to steep slopes;
- (7) Designing and properly locating structures so that structure weight does not jeopardize slope stability. (Ord. 26-08, J. 34, p. 050-068, passed 4/14/08)

We also believe that we fully comply with all of the above technical standards. Our plan would show a minimal impingement and impact onto the steep slope area. There would be no actual construction or other disturbance on the physical steep slope area. As noted, the extension of the deck would actually serve to protect the existing timber retaining wall from further weathering and would reduce water erosion on the slope itself. Most of what we are requesting is to preserve what we have and not change anything there.

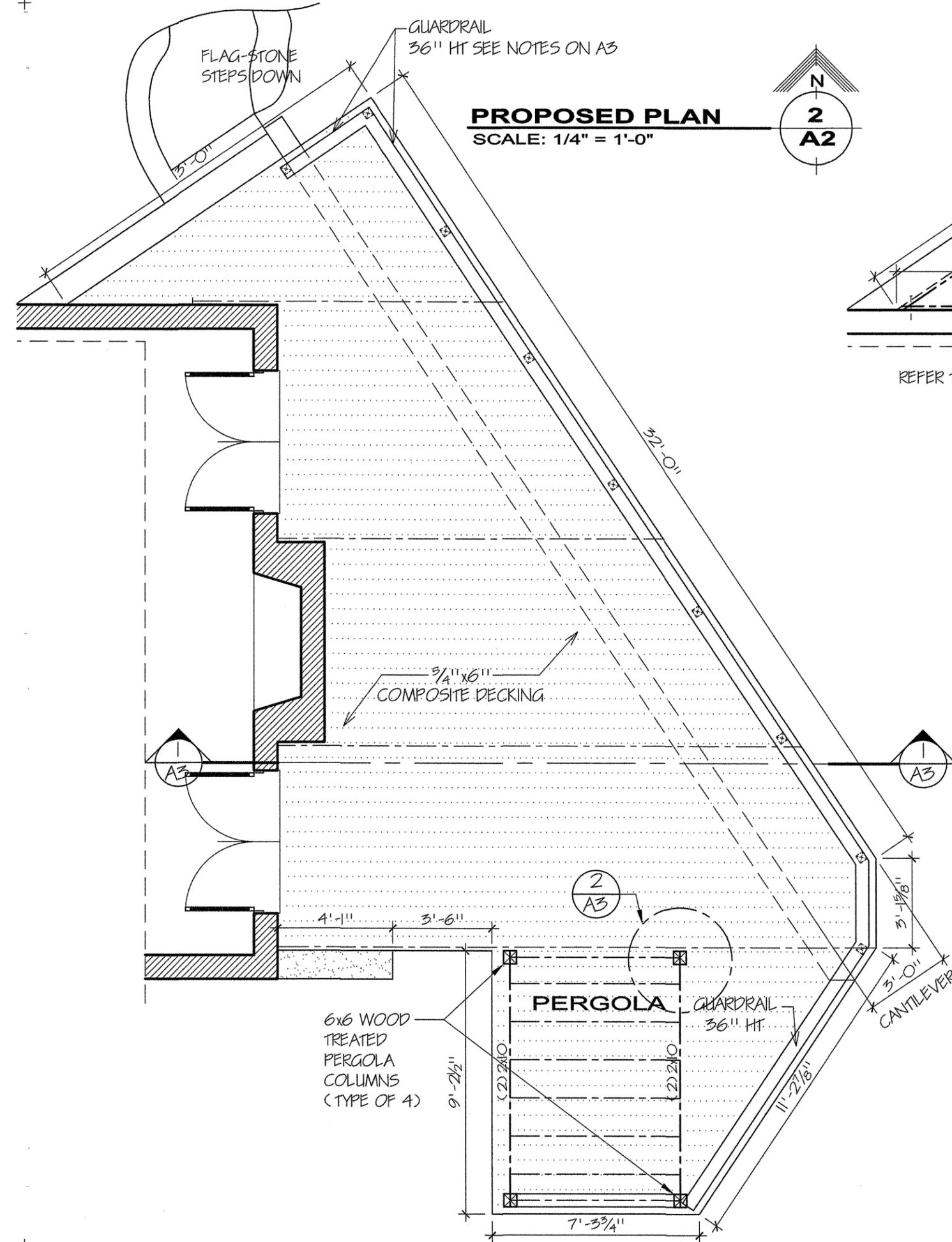
Request: Suitable engineering drawings showing details of the vertical and horizontal elevations of the project, as attached.

Respectfully submitted.

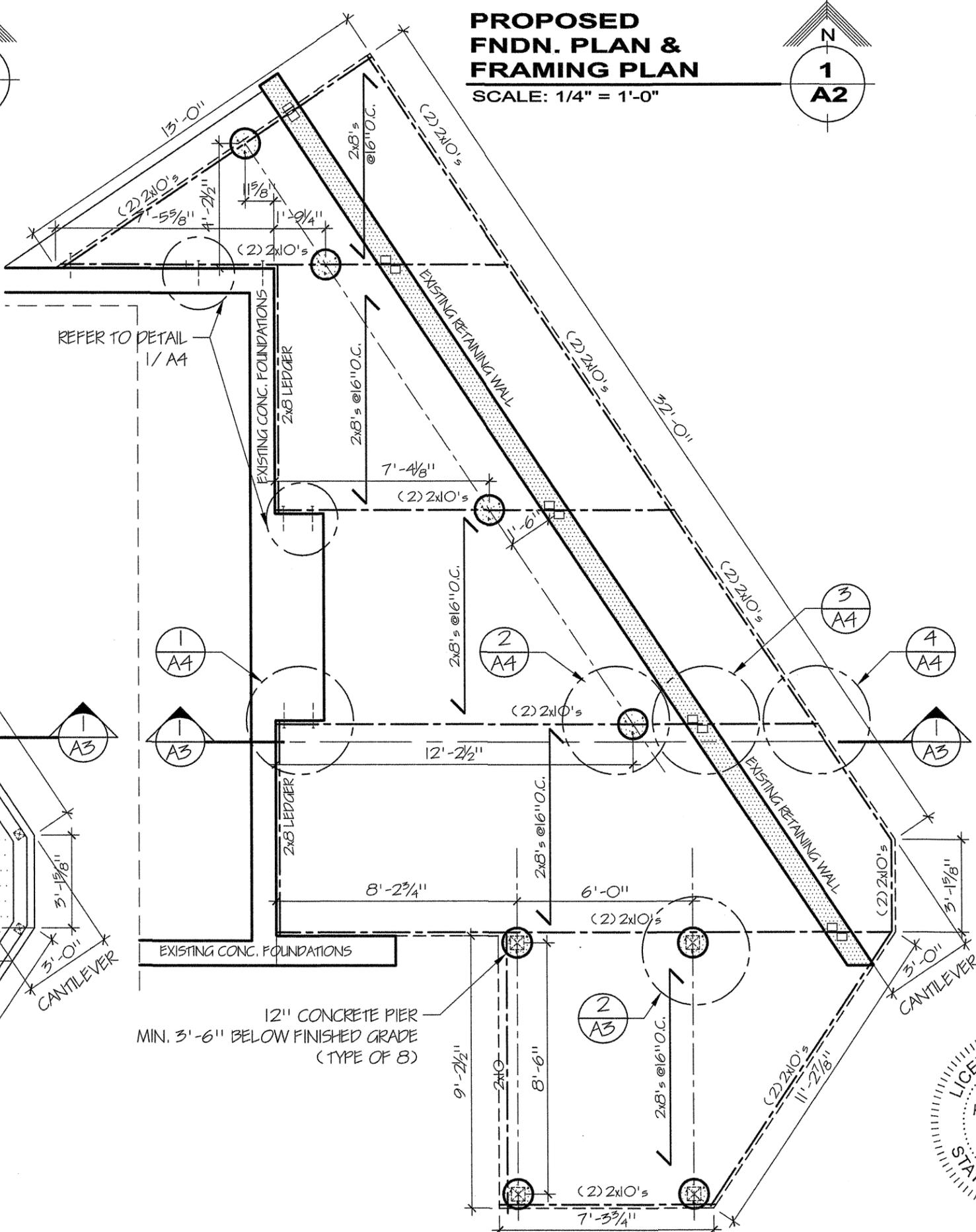
A handwritten signature in black ink, appearing to read "David J. C. DeWitt". The signature is written in a cursive, flowing style with a horizontal line extending from the end.



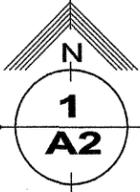




**PROPOSED PLAN**  
SCALE: 1/4" = 1'-0"



**PROPOSED FNDN. PLAN & FRAMING PLAN**  
SCALE: 1/4" = 1'-0"



ISSUE DATES	
DATE	DESCRIPTION
04.11.2016	PERMIT ISSUE


**PRO-PLAN ARCHITECTS, PC**  
 andy kacprzyński  
 architect  
 108 ellis ave streamwood 60107  
 tel/fax 630 228 7082  
 WWW.PROPLANARCHITECTS.COM

JOB NO	1617
DRAWN BY:	ANDY KACPRZYNSKI

DRAWING LIST  
FOUNDATION & FRAMING PLAN

**EXISTING WOOD DECK REPLACEMENT**  
**116 DEERE PARK CT HIGHLAND PARK, IL**

SHEET NO  
**A2**



**NOTES- MATERIALS:**

- WOOD:**  
SOUTHERN YELLOW PINE, PRESSURE TREATED USING ACQ-C, ACQ-D, CBA-A, OR CA-B PRESERVATIVE. GRADE No.1 OR BETTER SHALL BE USED FOR COLUMNS, AND GRADE No.2 OR BETTER SHALL BE USED FOR ALL OTHER MEMBERS.
- FASTENERS:**  
NAILS- STAINLESS STEEL OR HOT-DIPPED GALVANIZED, SIZED AS SPECIFIED IN DETAILS.  
DECK SCREWS- 2 1/2" TO 3 1/2" LONG, #8 SIZE MIN., STAINLESS STEEL OR HOT-DIPPED GALVANIZED.  
LAG BOLTS- STAINLESS STEEL OR HOT-DIPPED GALVANIZED, SIZED AS SPECIFIED IN DETAILS. MATERIAL SHALL BE SAE GRADE 2.  
HEX BOLTS- STAINLESS STEEL OR HOT-DIPPED GALVANIZED, SIZED AS SPECIFIED IN DETAILS. MATERIAL SHALL BE ASTM A307.
- CONCRETE:**  
CONCRETE, WHETHER PREPACKAGED OR REDI-MIX, SHALL HAVE A COMPRESSIVE STRENGTH OF 3,500 POUNDS PER SQUARE INCH 28 DAYS AFTER PLACEMENT, AND SHALL HAVE 5% - 8% AIR ENTRAINMENT.
- REINFORCEMENT BARS:**  
REINFORCEMENT BARS SHALL BE ASTM A615, GRADE 60 STEEL.
- MASONRY:**  
MASONRY UNITS SHALL COMPLY WITH APPLICABLE ASTM STANDARDS, AND MORTAR SHALL BE TYPE M OR S, WITH  $f_m=1,150$  PSI.
- METAL CONSTRUCTION CONNECTORS:**  
THESE SHALL BE STAINLESS STEEL, HOT-DIPPED GALVANIZED OR TRIPLE ZINC GALVANIZED (G-185), SIMPSON STRONG TIE, UNITED STEEL PRODUCTS OR EQUAL, TO BE USED FOR JOIST HANGER, COLUMN BASE, METAL STRAP, AND METAL ANGLE CONNECTIONS.
- FLASHING AND SEALANTS:**  
FLASHING SHALL BE 28 GA. STAINLESS STEEL (0.15" MIN. THICKNESS ASTM A167, TYPE 304) OR 16-oz COLD ROLLED COPPER (0.021" MIN. THICKNESS, ASTM B 370), CARLISE COATINGS' CCW-705 SELF-ADHERING VAPOR/ AIR BARRIER SYSTEM OR EQUAL SHALL BE USED FOR THE VAPOR BARRIER AT THE LEDGER BEAM CONNECTIONS. SEALANT SHALL BE 100% SILICONE RUBBER SEALANT WITH A 50 YEAR DURABILITY GUARANTEE.
- STRUCTURAL STEEL:**  
ALL STRUCTURAL STEEL SHALL BE ASTM A-36, COATED WITH A RUST PROHIBITED PRIMER WITH A MIN. DRY THICKNESS OF 3 MILS.

**WOOD DECK NOTES:**

- ALL WOOD TO BE USED HAS TO BE PRESSURE TREATED AGAINST WEATHER AND DECAY.
- MIN. 12" Ø CONCRETE PIERS MUST BE USED AND EXTEND 42" BELOW FINISHED GRADE AND MIN. 1" ABOVE GRADE.
- THE WOOD POSTS THAT SUPPORT THE GIRDER MAY NOT BE IMBEDDED IN THE CONCRETE. A POST ANCHOR IS TO BE UTILIZED.
- THE GROUND UNDER THE DECK MUST BE COVERED WITH A VAPOR BARRIER (MIN6-MIL) AND STONE BALLAST (PEA GRAVEL).
- USE ONLY GALVANIZED FASTENERS.
- OVERHEAD ELECTRICAL SERVICES MUST BE A MINIMUM OF 10'-0" ABOVE DECK SURFACE.

**FOUNDATION NOTES:**

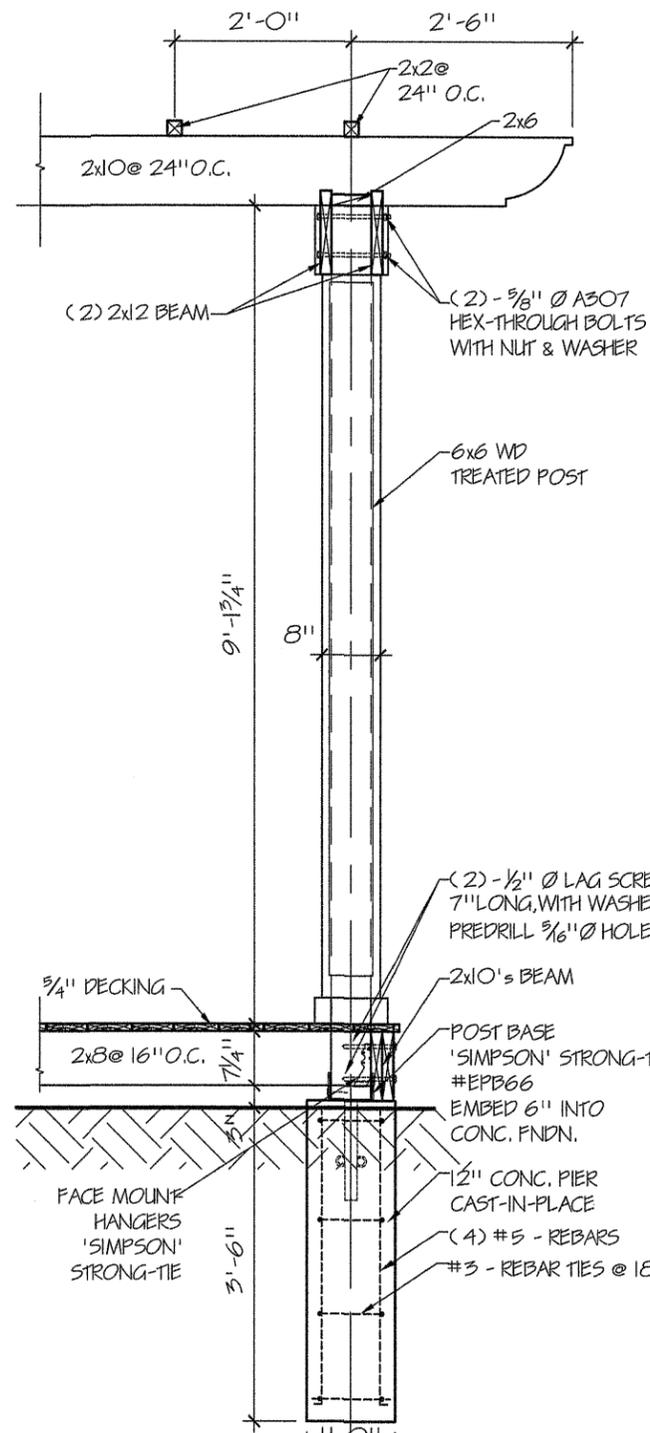
- CONTRACTOR TO LOCATE UTILITIES PRIOR TO EXCAVATING FOR FOUNDATION.
- CONTRACTOR TO NOTIFY DIGGER (1-312-744-7000) 48 HOURS MINIMUM PRIOR TO EXCAVATION.
- REINFORCEMENT TO BE ASTM A-6-15, GR-60, EPOXY COATED. MINIMUM SPLICE LENGTH IS 30 BAR DIAMETERS.
- CONCRETE TO HAVE  $f_c=3500$  PSI W/ 5-8% AIR ENTRAINMENT.

**STAIR NOTES:**

- MAXIMUM RISER HEIGHT SHALL BE 7 3/4" AND THE MINIMUM TREAD DEPTH SHALL BE 10".
- NOSING SHALL NOT BE LESS THAN 3/4" AND NOT MORE THAN 1 1/4". THE GREATEST RISER HEIGHT WITHIN ANY FLIGHT OF STAIRS SHALL NOT EXCEED THE SMALLEST BY MORE THAN 3/8".
- STAIRWAYS SHALL NOT BE LESS THAN THREE FEET IN CLEAR WIDTH, AND THE MINIMUM HEADROOM SHALL BE 6'-8". HANDRAILS MAY PROJECT FROM EACH SIDE OF STAIRWAY A DISTANCE OF 4 1/2" INTO THE REQUIRED WIDTH.

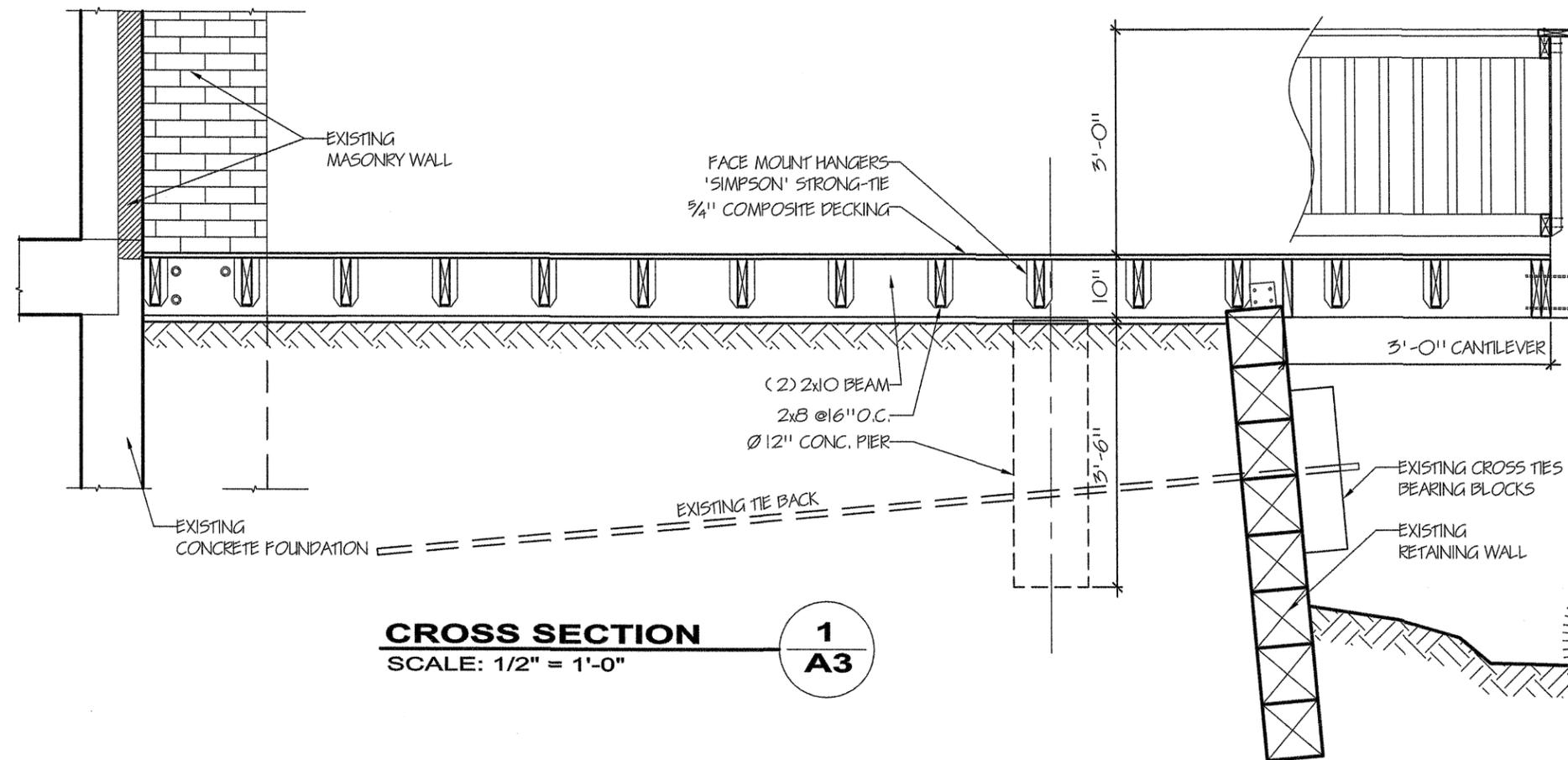
**GUARDRAIL NOTES:**

- PORCHES, BALCONIES OR RAISED FLOOR SURFACES LOCATED MORE THAN 30" ABOVE THE FLOOR OR GRADE BELOW SHALL HAVE GUARDRAILS NOT LESS THAN 36" IN HEIGHT.
- OPEN SIDES OF STAIRWAYS, RAISED FLOOR AREAS, BALCONIES AND PORCHES SHALL HAVE INTERMEDIATE RAILS OR ORNAMENTAL CLOSURES WHICH WILL NOT ALLOW OF PASSAGE OF AN OBJECT 4" OR MORE IN DIAMETER.



**PERGOLA DETAIL**  
SCALE: 1/2" = 1'-0"

2  
A3



**CROSS SECTION**  
SCALE: 1/2" = 1'-0"

1  
A3

ISSUE DATES	
DATE	DESCRIPTION
04.11.2016	PERMIT ISSUE

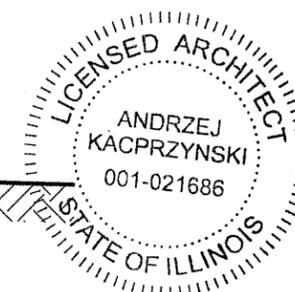
PRO-PLAN ARCHITECTS, P.C.  
and r c h i t e c t  
a n d y k a c p r z y n s k i  
108 ellisak ct streamwood 60107  
tel/fax 630 228 7082  
WWW.PRO-PLANARCHITECTS.COM

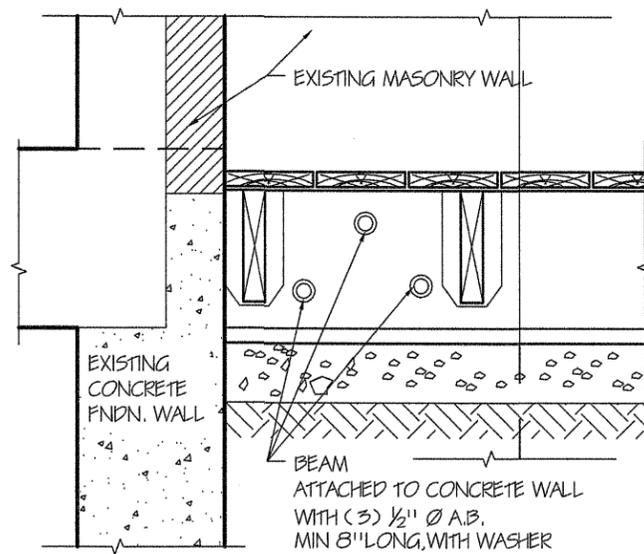
JOB NO	1617
DRAWN BY:	ANDY KACPRZYNSKI

DRAWING LIST  
CROSS SECTION & DECK NOTES  
PERGOLA DETAILS

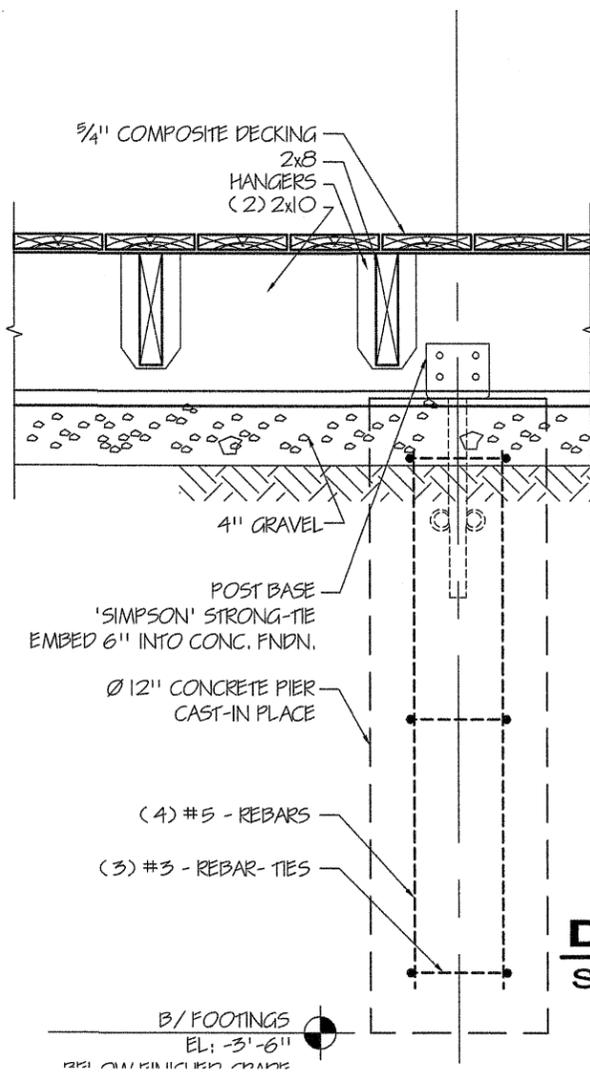
EXISTING WOOD DECK REPLACEMENT  
116 DEERE PARK CT HIGHLAND PARK, IL

SHEET NO  
**A3**

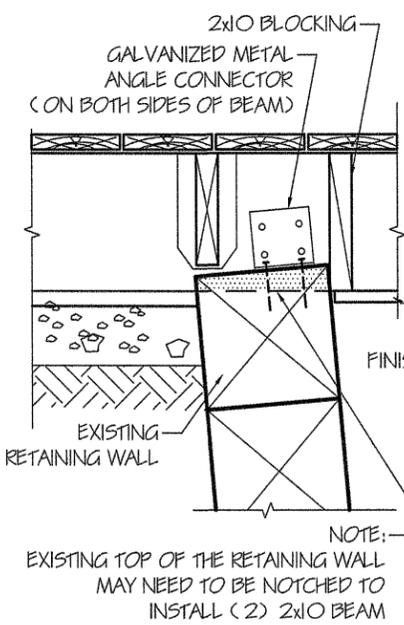




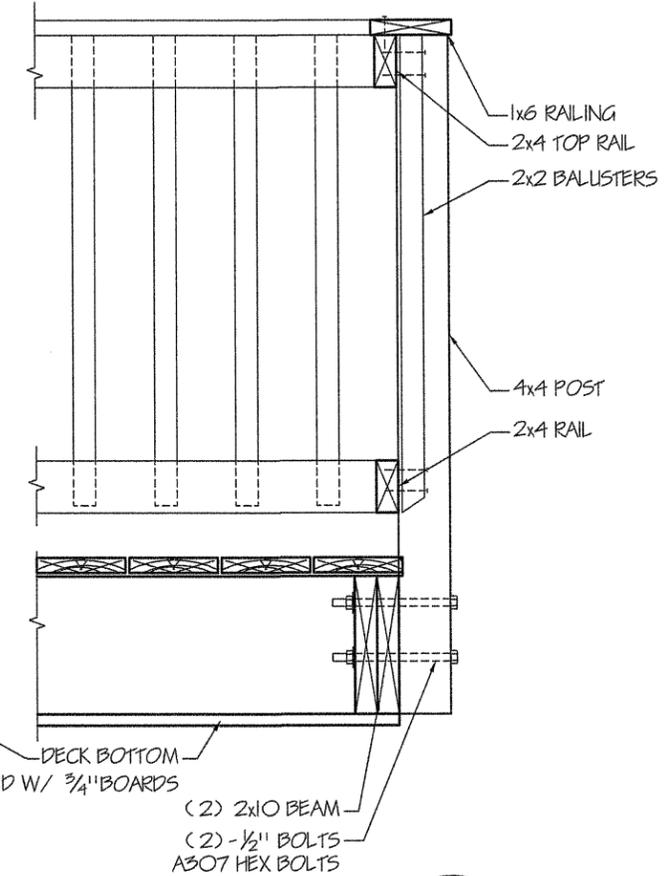
**DETAIL 1**  
SCALE: 1" = 1'-0"  
**A4**



**DETAIL 2**  
SCALE: 1" = 1'-0"  
**A4**



**DETAIL 3**  
SCALE: 1" = 1'-0"  
**A4**



**DETAIL 4**  
SCALE: 1" = 1'-0"  
**A4**

ISSUE DATES	
DATE	DESCRIPTION
04.11.2016	PERMIT ISSUE


**PRO-PLAN ARCHITECTS, PC**  
 andy kacprzyński  
 architect  
 108 ellisak ct streamwood 60107  
 tel/fax 630 228 7082  
 WWW.PROPLANARCHITECTS.COM

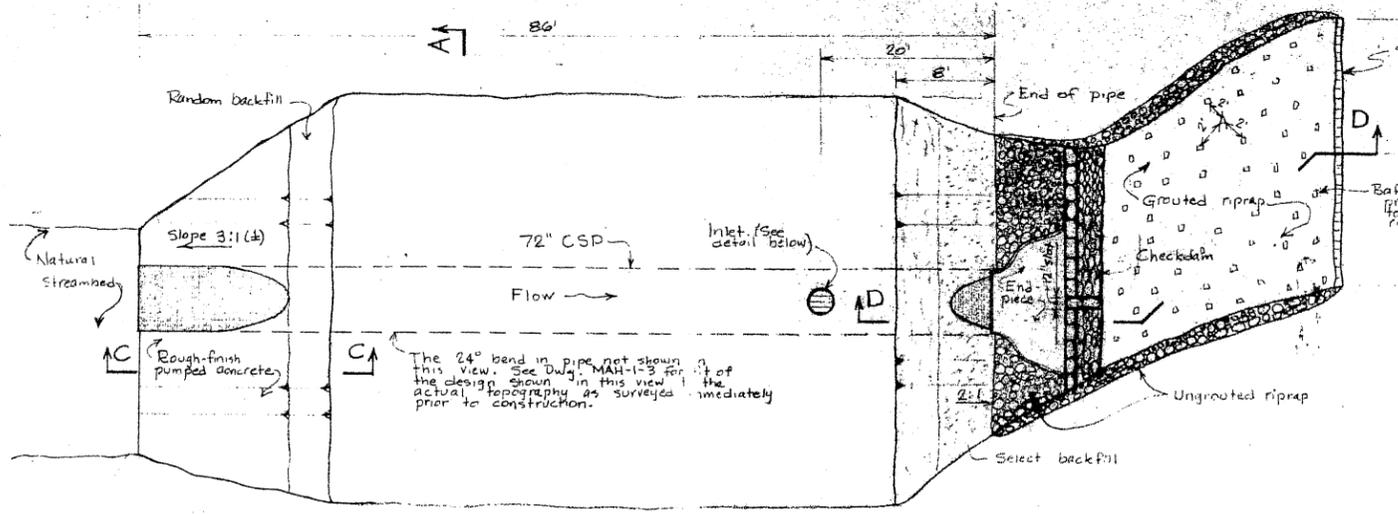
JOB NO	1617
DRAWN BY:	ANDY KACPRZYNSKI

DRAWING LIST  
DECK DETAILS

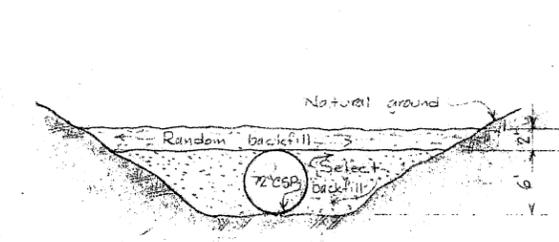
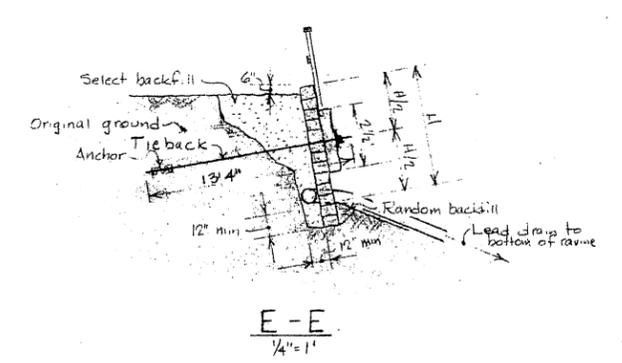
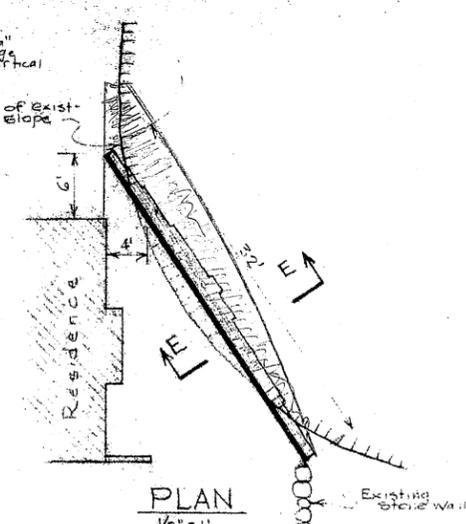
**EXISTING WOOD DECK REPLACEMENT**  
**116 DEERE PARK CT HIGHLAND PARK, IL**

SHEET NO  
**A4**

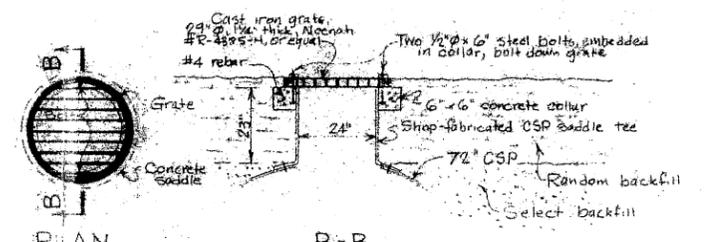




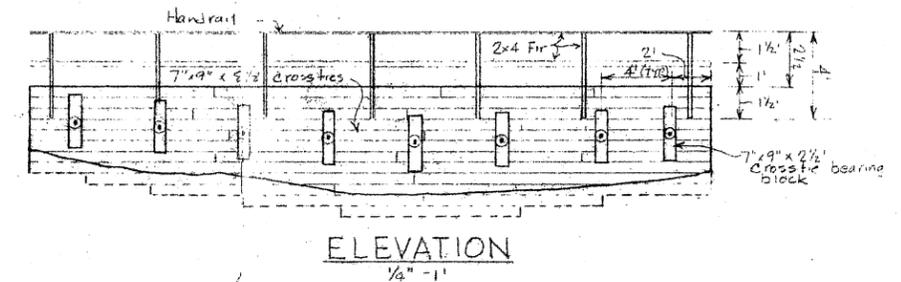
PLAN  
1/8" = 1'



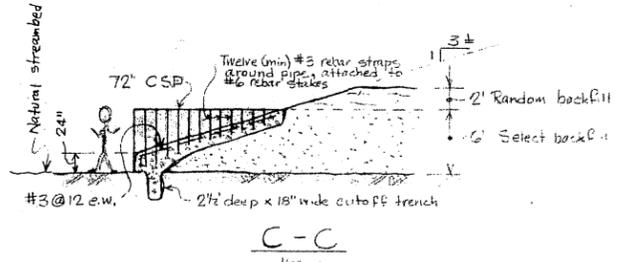
A-A  
(TYPICAL SECTION)  
1/8" = 1'



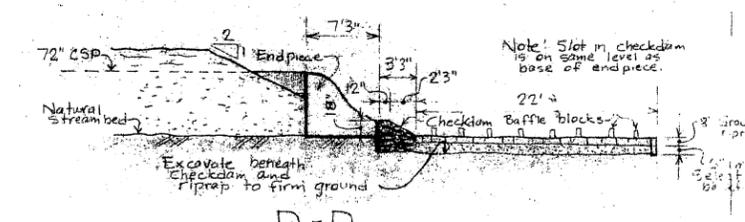
INLET DETAIL  
1/8" = 1'



RETAINING WALL  
1/4" = 1'



C-C  
1/8" = 1'



PIPE SEWER  
D-D  
1/8" = 1'

**MATERIALS**

- Crossties**  
Crossties shall be new railroad crossties, 7"x8"x8" minimum dimensions, creosote impregnated, hardwood, with end-irons, as sold by Webster Lumber Company, Bangor, Wisconsin, as "7" Industrial Crossties, TA or TD.
- Spikes**  
Spikes for connecting crossties shall be of steel, 12 inches long by 3/8 inches in diameter.
- Select and Random Backfill**  
Select and Random Backfill shall be as specified for the Pipe Sewer.
- Tiebacks**  
The Tiebacks shall be as shown on the Drawing, with bearing plate, washer, and nut, made up according to the sample available for inspection at the Site. As a convenience to the Contractor, these Tiebacks may be purchased from the Engineer at a cost of \$100 (one hundred dollars) each.
- Handrail**  
The Handrail shall be constructed of nominal 2"x4" fir, construction grade. Connections shall be made to the crosstie wall with two 1/8"x4"-long lag screws for each handrail post; and between the top and intermediate rails and the posts with 10d cement-coated wire nails.
- Drains**  
Drains shall consist of black PVC plastic "elephant's trunk", available from Hines Lumber Company. Pipe shall be not less than 6 inches in diameter. The pipe running behind and parallel to the wall shall be perforated, and that draining to the outside of the wall and down the slope shall be unperforated. T-connections shall be of the style manufactured for use with this pipe.
- Crosstie Wall**  
The initial course of crossties shall be laid in the excavated trench which has been carefully trimmed to conform to the base of the crossties. Select backfill may be used to fill areas that have been over-excavated. Crossties shall be laid in "running bond", i.e., with joints in one course not closer than three feet to the joints in the adjoining courses. A one-half inch drainage space shall be provided between ends of adjoining crossties. Four spikes shall be driven in each crosstie -- two on each side of the joint -- into the crossties in the course below.
- Tiebacks**  
Tiebacks shall be installed and partially or fully screwed into the natural soil as the crossties are installed. Six inches of projection shall be provided outside the crosstie bearing block, to provide for the bearing plate, washer, and nut. The rod shall be positioned in a 7/8 inch saw into the top side of the crosstie in which fills the theoretical location of the tieback. With the bearing plate and hardened washer in place, the nut shall be greased and tightened -- AFTER THE SELECT BACKFILL HAS BEEN PLACED AND COMPACTED -- to a torque of approximately 700 foot-pounds (equal to a 180-pound man hanging at the end of a 4-foot cheater bar).
- Select Backfill**  
The Select Backfill shall be placed in 6-inch thick layers, and compacted by simultaneously thoroughly wetting the material from a garden hose and tamping with a 12-foot long Fir 2x4 falling from a height of two feet, there being not less than five such impacts per square foot of surface of backfill to be compacted. Alternative compaction, as approved by the Engineer, may be substituted.
- Drains**  
The perforated drain laid behind the wall shall be provided with not less than three inches of Select Backfill between the pipe and the natural soil. One outlet pipe shall be provided for each linear foot of wall. The outlet pipes shall be run through gaps equal to the diameter of the pipe, between the ends of crossties; any openings larger than one-half inch between the pipe and the edges of the crossties shall be plugged with stones.

**CONSTRUCTION**

- General**  
All construction shall be done in accordance with the Drawings and to high commercial standards.

**REVISIONS**

No.	DATE	SUBJECT
1	9/3/79	Enlarged riprapped area. Added riprap spec. to write about gate.
2	7/19/80	AS BUILT

Work this drawing with Dwg MAH-1-1

Scale: 1/8" = 1'

**RECEIVED**  
JUL 21 1980

CITY OF HIGHLAND PARK  
ENGINEERING DEPT.

Residence of  
MARTIN A. HOLTZMAN

LANDSLIDE CORRECTION  
Sheet 2 of 2

DESIGN BY:  
**FRANK T. WHEEY, LTD.**  
CHICAGO AVENUE • EVANSTON, ILLINOIS 60201

7/11/79

DWG MAH-1-2R2

**MATERIALS**

- Corrugated Steel Pipe (CSP)**  
The CSP shall be standard 10 gage galvanized nestable pipe with an epoxy-bonded, bituminous coating, Armco brand or equal. Metal, galvanizing and corrugations shall conform to AASRO M-16.
- End Piece**  
The end piece shall be a standard galvanized 10 gage end piece, without toe plate, Armco brand or equal.
- Special Fittings**  
Special fittings such as saddle tees shall be shop-fabricated by the manufacturer of the CSP, and shall be of the sizes, gages, and details as shown on the Drawing.
- Select Backfill and Riprap Bedding**  
Select Backfill and Riprap Bedding shall be pit-run or crushed and graded, free-draining, durable stone, conforming to the following gradation distribution:

Sieve Size	Percent Passing (by Weight)	
	Select Backfill	Riprap Bedding
3 inch	100	100
1 inch	100-94	100-86
1/2 inch	75-45	16-0
No. 4	45-15	6-0
No. 16	20-0	
No. 200	12-0	

- Random Backfill**  
Random backfill shall be loamy earth that is free of all stones, wood, and debris. A portion of the random backfill as may be designated by the Engineer at the time of construction may be taken from the upper slopes of the ravine.
- Riprap**  
Riprap shall be pieces of durable concrete rubble or stone, each piece weighing not less than 75 pounds, and not more than 3 times greater in length than thickness.
- Checkdam**  
The checkdam shall be constructed of dry-mix concrete in burlap bags. The dry-mix concrete shall be "Sakrete" brand concrete mix, or equal. Cement for impregnation of burlap fabric shall be standard Type 1 Portland cement.
- Other**  
Other materials shall be as designated on the drawing, or if no designation is given, to usual commercial standards.

**CONSTRUCTION**

- General**  
All pipe construction and installation shall be done in accordance with the recommended procedures (furnished by the Engineer) of the National Corrugated Steel Pipe Association or the American Iron and Steel Institute, except that select and random backfill materials need not be compacted. The checkdam shall be constructed by hand-placing the dampened concrete-filled bags, after first dipping the filled bags in dry cement to serve as a bonding agent. Riprap shall be hand-placed and tightly chocked.

**SPECIFICATIONS FOR PIPE SEWER**

## **PUBLIC NOTICE OF MEETING**

In accordance with the Statutes of the State of Illinois and the Ordinances of the City of Highland Park, the Meeting of the Bird-Friendly Task Force is scheduled to be held at the hour of 3:30 P.M. on May 4, 2016 at the Highland Park City Hall, 1707 St. Johns Ave. Highland Park, Illinois, during which it is anticipated that there will be a discussion of the following:

City of Highland Park  
Bird-Friendly Task Force  
Highland Park City Hall, 1707 St. Johns Avenue  
Wednesday, May 4, 2016

### **MEETING AGENDA**

- I. Call to Order
- II. Introductions
- III. Approval of the Minutes of the April 18, 2016 Meeting
- IV. Review of Prior Meeting
- V. LEED Pilot Credit 55 Review
- VI. Research & Samples of Bird-Friendly Glass
- VII. Comparison of Costs
- VIII. USF & WS State of the Birds report
- IX. Discussion of Recommendations for Residential, Multi-Family, Non-Retail Commercial, and Industrial
- X. Public Comment
- XI. Other Business
- XII. Future Meeting Date(s)
- XIII. Adjournment

# **MINUTES OF A REGULAR MEETING OF THE BIRD FRIENDLY BUILDING REGULATIONS TASK FORCE OF THE CITY OF HIGHLAND PARK, ILLINOIS**

**MEETING DATE** Monday, April 18, 2016

**MEETING LOCATION** Pre-Session Conference Room, City Hall 1707 St. Johns Avenue, Highland Park, IL

**CALL TO ORDER** At 8 a.m., Chair Donnie Dann called the meeting to order.

## **ROLL CALL**

Members Present: Chair Donnie Dann, Task Force Members Charles Adler, Kevin Cullather, Dino Dimitriou, Andrew Dribin, Jill Goldman, Nate Kipnis, Stuart Koch

Members Absent: Task Force Member Janice Goldblatt

Others Present: Council Liaison Michelle Holleman, Councilwoman Kim Stone, NRC Liaison Stuart Wagenius, Deputy City Manager Rudy Espiritu

Chair Dann declared that a quorum was present.

## **INTRODUCTIONS**

Members of the Task Force made introductions and gave background on themselves.

## **BACKGROUND AND HISTORY ON BIRD-FRIENDLY CONSTRUCTION**

Chair Dann brought the issue of bird-friendly building regulations to the City Council about six years ago. Since then, the City passed an ordinance requiring all municipal buildings be built bird-friendly. Presently, the Bird-Friendly Building Regulations Task Force was created to suggest citywide bird-friendly legislation for new construction and not looking for residents to retrofit their homes.

## **RESEARCH FROM THE NATURAL RESOURCES COMMISSION**

NRC Liaison Wagenius gave some background on his research that helped shape the current bird-friendly ordinance. He discussed how the early legislation ultimately converged and produced the US Green Building Council's Leadership in Energy and Environmental Design (LEED) Pilot Credit 55 program as the national standard. The NRC recommended LEED standards be required for new commercial buildings because it was clear and well developed. Residential properties were omitted because those guidelines were not as complete.

NRC Liaison Wagenius presented the LEED design standards via PowerPoint.

Councilman Holleman mentioned that the standards have been updated and she suggested reviewing it line by line at a future meeting.

Mr. Adler mentioned the threat that wild cats pose to the bird population and asked if the Task Force would be addressing the issue as well.

Chair Dann acknowledged his point as a valid concern but clarified that the Task Force would not be addressing cats at this time.

### **AMERICAN BIRD CONSERVANCY POWERPOINT PRESENTATION**

Chair Dann presented information about bird-friendly design from the American Bird Conservancy (ABC) via PowerPoint.

### **CONSIDERATIONS**

#### **USF&WS STATE OF THE BIRDS REPORTS**

Chair Dann read a paragraph from the 2014 State of the Birds Report about the sharp decline in bird populations over the past 40 years.

#### **WHY HIGHLAND PARK**

Chair Dann explained that Highland Park has 5-7 million birds migrate through the area each year because they use the lakefront as a guide. Plus, Highland Park is a leader on the North Shore and, as such, it should lead the way in bird-friendly policy.

#### **DESIGNING NEW CONSTRUCTION**

#### **CRITERION FOR DETERMINING “BIRD-FRIENDLY”; LEED PILOT CREDIT 55**

#### **IMPACT ON DEVELOPMENT – COMMERCIAL, INDUSTRIAL, MULTI-FAMILY**

Mr. Kipnis asked how many commercial, industrial, and multi-family developments were built in Highland Park last year. Staff would research this and get back to the Task Force.

Chair Dann commented that quite a few multi-family developments are planned for the near future to keep up with rising demand.

Councilman Holleman added that the downtown was recently re-zoned to allow for taller buildings which will help accommodate multi-family dwellings and more reforms are being planned.

#### **COSTS, IF ANY, AND BENEFITS**

Chair Dann informed that when Rep. Quigley was a Cook County Commissioner, he proposed and passed an ordinance for bird-friendly buildings. When he got to Congress, he proposed that all future buildings by the General Services Administration be bird-friendly. The bill was sent to the Congressional Budget Office where it was determined that the changes would be cost-neutral.

Chair Dann continued that a large architecture firm in New York completed 5 major projects with explicit bird-friendly design ended up winning multiple design awards. They released a statement declaring that there is no conflict between good design and bird safety, many features also help reduce electric costs, and does not necessarily incur additional cost.

Commissioner Kipnis asked how much the glass at Rosemont Beach cost.

Chair Dann replied that it was more expensive but it also helps with energy costs and will eventually pay off over the life of the building.

Councilman Holleman added that the structure at Rosemont would not meet the LEED bird-friendly requirements; it is a 25 not a 15. Even though the structure is obviously bird-friendly, it exemplifies that the LEED regulations are extremely strict. The Task Force needs to be clear on the LEED requirements before moving forward.

Mr. Kipnis added that UV glass doesn't translate to more insulation. He added that modern design keeps trending towards using more and more glass but the LEED significantly restricts the amount of glass that can be used per wall.

Mr. Cullather added that energy-efficient design also wants more windows to increase daylight to help save on overhead lighting costs.

Councilman Holleman added that the Council recently amended the downtown zoning code to require 75% transparent glass windows on first floor compared to LEED's restriction of 15% which is a significant difference.

Mr. Dimitriou added that bird-friendly design might work for apartment and office buildings but will be more difficult for retail space.

Mr. Kipnis suggested researching examples of bird-friendly retail spaces.

Mr. Dribin asked if low flying birds are a problem in retail areas.

Chair Dann responded that it is a problem because the birds fly very low, near street level. The Task Force needs to recommend regulations that will accommodate retailers, safety, and the birds possibly by modifying LEED guidelines.

Councilman Holleman reminded that the group needs to be able to justify their decisions to the public because right now it is not on their radar yet we will be asking them to pay for enforcement.

Education regarding bird-friendly design should be added as a goal of the Task Force in addition to ordinance recommendations. They should consider distributing information on the City's website, the Highlander, and pamphlets for contractors.

Mr. Dribin asked why there have been increased concerns on the topic.

Chair Dann responded the current levels of decline in bird populations has sparked the need for more attention to the issue.

Mr. Adler suggested that there will be limited new construction in downtown Highland Park and, thus, discussing types of retrofitting might be more impactful. Incentives for residents should also be considered.

Chair Dann replied that he wants this Task Force to limit its focus to building regulations because it is such a wide-ranging topic on its own. He suggested Deputy City Manager Espiritu contact bird expert Christine Sheppard at the American Bird Conservancy to get her opinion on balancing aesthetic demands with bird-friendly regulations for retail.

Mr. Kipnis noted that adding requirements means adding costs.

Councilman Holleman suggested bringing in material samples as a visual aide for the Task Force. They need to make sure it is aesthetically pleasing. She also restated her desire to review the complete LEED requirements as a group.

Task Force members agreed to schedule LEED review for next meeting.

Deputy City Manager Espiritu reminded their goal is to make a recommendation to the City Council for adding specific bird-friendly building regulations. Currently, the code merely references the LEED recommendations.

#### **PUBLIC COMMENT**

No members of the public were present for comment.

#### **OTHER BUSINESS**

#### **FUTURE MEETING DATE(S)**

The Task Force agreed that future meetings should be held at the end of the day, from 3:30-5:00 p.m. The next meeting should take place beginning of May.

#### **ADJOURNMENT**

Meeting adjourned at 9:30 a.m.

**NATURAL RESOURCES COMMISSION ACTION PLAN 2016**

Action #	ACTION ITEM	TASK	RESPONSIBLE PARTY	First Quarter 2016	Second Quarter 2016	Third Quarter 2016	Fourth Quarter 2016
<b>2016 WORK PLAN PROPOSED FOR CITY COUNCIL CONSIDERATION</b>							
1	Education & Outreach regarding 2014 Steep Slope Landscape Best Practices Brochure	Provide Public Outreach on Steep Slope BMP	Ross, Park District & City Staff	√		√	
2	Make Policy Recommendations to Improve Recycling Output Community-Wide	Monitor & Review Recycling & Composting Services as part of the City's Waste Hauling Agreement	Coyle, Yates & Staff				√
		Expand Construction and Demolition Debris Recycling by Updating City's Current Mandate	Coyle, Yates & Staff	√	√		
		Evaluate the Feasibility of Initiating a Shoe Recycling Program and Off-Season Compost Site in Partnership with SWALCO	Coyle, Yates & Staff			√	
3	Make Policy Recommendations to Improve Energy Efficiency Community - Wide	Evaluate & Make Recommendations to Remove Obstacles to Renewable Energy in the City's Building & Zoning Codes	Wagenius, Kalter & Staff	√	√		
4	Improving Stormwater Management and Address Water Pollution	Provide Recommendations on Stormwater Best Management Practices, Rain Garden Incentives, Downspout Disconnection and Permeable Paving	Wagenius, Pagoria, and Staff	√	√		
		Evaluate the Feasibility of a Coal Tar & Other Pollutants Ban Community-Wide	Wagenius, Pagoria, and Staff	√			
5	Make Policy Recommendations to Improve the Air Quality Community-Wide	Provide a Recommendation on a City Anti-Idling Policy	Ross & Nichols			√	√
		Evaluate and Provide a Recommendation on Licensing/Registering of Private Mosquito and Insect Spraying Companies	Ross & Nichols		√	√	
6	Develop and Maintain Community Garden	Work with Community Partners and Leaders to Reinvigorate a Community Garden	Ross, Yates, LaCosse, Dotson and Stone	√	√		
7	Follow-up on Lighting Code Amendments for All Zoning Districts	Continue discussions with ComEd and downtown lighting district, Provide Public Outreach As Necessary	Ross	√	√	√	√
8	Grant Award for Meritorious Service to the Highland Park Environment	Accept & Consider Nominations and Grant Award	Entire Commission & Staff			√	√
9	Organize & Host Environmental Movie Series	Contact Library & Park District to Establish Event Dates	Staff	ONGOING BASIS			
		Acquire License to Screen Film	Staff	ONGOING BASIS			
		Promote Film Screenings	Staff	ONGOING BASIS			
10	Assist in the Accomplishment of Sustainability Plan Initiatives	Establish Implementation Plan	Entire Commission & Staff	ONGOING BASIS			
11	Review & Recommend on Variations and Beach Structure Permit Applications	Forward Findings of Fact to ZBA & City Council	Entire Commission & Staff	ONGOING BASIS			
		Conduct Refresher on Steep Slope & Beach Permits	Entire Commission & Staff	√			
		Conduct Educational Workshop on Coastal Management As Needed	Entire Commission & Staff	AS NEEDED			

Pink Highlighted Cell = Task Accomplished

**FOR 2017:**

**Consider Business Recycling Program**