

**APPROVED**  
**NORTHBROOK VILLAGE BOARD**  
**PUBLIC WORKS COMMITTEE MEETING**  
**TERRACE ROOM**  
**1225 CEDAR LANE**  
**JANUARY 29, 2019**

**Call to Order:**

The meeting was called to order at 5:43 p.m. On roll call, present were Trustees Israel and Buehler. A quorum was present. Also attending were Matt Morrison, Assistant Director of Public Works; Mark Cacioppo, Tree Preservation officer; Erik Jensen, Assistant to the Village Manager; owner's agent Jean Yang; and Heather Ross, Member of the Public.

**Hear from the Audience**

There was no public comment.

**Tree Removal Permit Appeal – 1227 Eastwood Lane**

Assistant Director Morrison provided a brief presentation on the applicant's request to remove a 31-inch diameter Black Walnut and a 25-inch diameter Sugar Maple located at 1227 Eastwood Lane. Assistant Director Morrison discussed the fact that both trees are defined as landmark trees under the Village's Tree Preservation Ordinance and would require Village Board approval to remove. Assistant Director Morrison detailed the applicant's arborist's findings and noted that the Black Walnut tree was rated a 2.8 and the Sugar Maple was rated a 4.2.

Trustee Israel asked for the estimated ages of both trees. Tree Preservation Officer Cacioppo stated the Black Walnut was roughly 100-years-old and the Sugar Maple was roughly 75-years-old.

Assistant Director Morrison displayed and discussed aerial photographs of the property, site plans for the proposed residence and photographs of the individual trees to illustrate the location of the trees on the property.

Trustee Buehler asked what the lot coverage of the proposed residence and driveway would be if constructed. Tree Preservation Cacioppo stated it was less than 50%. Ms. Yang stated it was 40%.

Assistant Director Morrison displayed photographs of the tree in August and October 2018 and discussed the rapid decline of the tree. He overviewed staff's assessment and stated that the Village does not disagree with the arborist ratings and explained the conflicts the trees have with the proposed residence. He further stated that the property owner has proposed planting 12 trees on the property.

Assistant Director Morrison detailed staff's assessment of the request and stated that both the applicant's arborist and staff had found holes drilled or bored into both trees and noted that these same holes were present on the Burr Oak previously approved for removal on this property. Assistant Director Morrison stated the holes had a pungent smell and weeping residue and stated staff was not aware of any insects that attack all three species of tree and produce holes of the size that were observed.

Trustee Buehler asked to see photographs of the holes, and Assistant Director Morrison displayed them.

Assistant Director Morrison stated that staff recommended authorizing removal of the trees with the conditions that a fee of \$150 per diameter base height for the trees be assessed for the 56 inches of trees being removed; the fee for these tree not be eligible for reduction by replanting of trees on the property; the wood from the tree be milled for a purpose other than firewood, mulch or wood; the builder and homeowner take aggressive measures to preserve all other heritage and landmark trees on the property and adjacent properties; and the property owner be subject to any conditions associated with the tree permits for the removal of additional trees. Assistant Director Morrison explained that staff does not believe the holes were a natural occurrence and stated that replanting should not be allowed to reduce the fees as had been done for previous properties.

Trustee Buehler stated he was deeply bothered by the holes and that the condition related to replanting should remain. He asked Assistant Director Morrison if it was possible to discover evidence of tampering or damage after the trees are felled. Assistant Director Morrison stated that staining may be found in the trees.

Trustee Buehler asked if the tree would be hollow. Tree Preservation Officer Cacioppo stated it would not be.

Trustee Israel stated that the damage done to the trees was a deliberate act and that he was also bothered by it. He stated that the trees had significant longevity and that this action was particularly disappointing after the Village Board had authorized the earlier removal of the Burr Oak on the property. Trustee Israel stated that if the Village had the ability to take any punitive actions, he would like to pursue that. He further stated that the Village Board may want to revisit the issue of how to handle purposeful damage to trees and how to protect the trees in question.

Trustee Israel stated that the Committee may want to go along with the staff recommendation unless it is otherwise found that the damage was not purposefully done.

Trustee Buehler moved and Trustee Israel seconded a motion recommending the authorization of the removal of the trees with the conditions that the full fee of \$8,400 (\$150 per diameter base inch) be assessed for the 56 inches of trees being removed and the fee not be eligible for reduction by replanting on the property; that the wood from the tree be milled for a purpose other than firewood, mulch or wood chips; and that the builder and homeowner take aggressive measures to preserve all other heritage and landmark trees on the property and adjacent properties. On a voice vote, all were in favor.

Ms. Yang asked what milling would entail. Tree Preservation Officer Cacioppo clarified. Ms. Yang also asked if the milling requirement was the same as the requirement that had been previously placed on the Burr Oak following the approval of its removal. Tree Preservation Officer Cacioppo stated it was.

Ms. Yang asked if instructions would be sent for what would be required for the removal. Tree Preservation Officer Cacioppo stated instructions would be included as part of the tree removal agreement she would receive. Trustee Israel clarified that the Village Board would still need to approve the request.

Ms. Yang asked which Village Board meeting agenda this would be placed on. Assistant Director Morrison stated this would be placed on the Tuesday, February 12 Village Board agenda. Trustee Israel stated that this item would likely be placed on the consent agenda for the meeting.

Trustee Israel asked Ms. Yang if she had any further questions. Ms. Yang asked how Eastwood Lane could be dedicated to the Village. Assistant Director Morrison stated that the Village does not accept private roads unless they are brought up to the Village's standards for width, storm drainage, curb and gutter, etc.

Trustee Israel asked if a homeowner's association was needed. Ms. Yang stated that there was no homeowner's association. Trustee Buehler stated that there may not be a homeowner's association given the age of the subdivision. He further stated that he had never seen a private street be accepted by the Village.

A brief conversation occurred on the steps to bring the street up to current Village standards before the Village would be able to consider accepting it.

#### **Adjournment**

The meeting was adjourned at 6:04 p.m.

Respectfully submitted,

/s/ Erik Jensen