

**APPROVED
NORTHBROOK VILLAGE BOARD
PUBLIC WORKS COMMITTEE MEETING
TERRACE ROOM
1225 CEDAR LANE
MARCH 19, 2019**

Call to Order

The meeting was called to order at 5:35 p.m. On roll call, present were Trustees Israel, Buehler and Han. A quorum was present. Also attending were Kelly Hamill, Public Works Director; Matt Morrison, Assistant Director of Public Works; Mark Cacioppo, Tree Preservation Officer; Erik Jensen, Assistant to the Village Manager; Tom Poupard, Development & Planning Services Director; Applicant Kuntal Rana. Attendees from the audience were Aarti Rana, Kevin Lewis, John Ryan, Robert Hammer, Nate Weiss, Aaron Braun, Venkata Behana, Niraj Desai, Hema Rana, Smitesh Patel and Teak Barton.

Hear from the Audience

There was no public comment.

Tree Removal Permit Request – 3181 and 3183 Highland Road

Trustee Israel asked Assistant Director Morrison to overview the permit request.

Assistant Director Morrison briefly overviewed Mr. Rana's request to remove a 35-inch diameter Red Oak tree located at 3181 and 3183 Highland Road in order to construct a new single-family residence. Assistant Director Morrison noted that this tree is defined as a heritage tree under the Village's Tree Preservation Ordinance and would require Village Board approval to remove. He explained that Mr. Rana is the prospective property owner and is seeking permission for the tree removal prior to closing on the purchase of the two properties, which would be purchased from the Northbrook Community Synagogue.

Trustee Israel asked if the applicant and those in attendance were familiar with the difference between heritage and landmark trees. Mr. Lewis asked if Trustee Israel would clarify. Trustee Israel briefly explained the difference between the two types of trees, that the Village places great value on both and that it is the Village's intent to preserve these trees to the greatest extent possible.

Assistant Director Morrison overviewed the reviews required for each type of tree removal and the approval process required for removing heritage and landmark trees.

Assistant Director Morrison reviewed the Applicant's specific request to remove the Red Oak in order to build on the existing vacant lots and that the Applicant is requesting permission prior to completing the purchase. Assistant Director Morrison explained that the Applicant has submitted two

site plans: (i) a primary plan which would include the removal of the Red Oak and was the preferred plan of the prospective property owner and (ii) an alternate plan which preserves the Red Oak but requires the removal of an 18-inch diameter Norway Spruce tree that would conflict with the proposed driveway. Assistant Director Morrison further explained that the Norway Spruce was defined as a landmark tree by the Village's Tree Preservation Ordinance.

Assistant Director Morrison displayed an aerial map of the vacant lots followed by the primary and alternate site plans to illustrate the location of the trees on the lot and the key differences between the two plans. Assistant Director Morrison also displayed photographs of the individual trees in question.

Trustee Israel asked how old the Red Oak was. Tree Preservation Officer Cacioppo stated it was between 150 and 200-years-old.

Trustee Israel stated that the Red Oak appeared to be in good health. Assistant Director Morrison stated it was rated as a 1.8 by the applicant's arborist and that the Norway Spruce was rated as a 3.

Mr. Weiss asked for clarification on the rating scale. Trustee Israel clarified that the rating scale was between 1 and 5 and that a rating of 1 signified excellent overall health.

Assistant Director Morrison reviewed the Applicant's plans and stated the Applicant prefers the primary plan as it preserves more open space in the rear yard.

Assistant Director Morrison stated that staff has no recommendation on the removal of either tree as there has not been a building permit submitted or any reviews completed. He noted that the Village has typically erred on the side of preserving heritage trees. Assistant Director Morrison noted that if the Committee recommends removal of the Norway Spruce that the approval come with the conditions that a fee of \$150 per diameter base height inch, less the number of inches that are replanted, be assessed for the trees being removed; the wood from the tree be milled for a purpose other than firewood, mulch or wood chips; the permit be issued in conjunction with a building permit; 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.

Trustee Buehler asked what the lot coverage for the proposed residences on both plans was. Tree Preservation Officer Cacioppo stated that the lots together were about 1.1 acres and the site plans said the lot coverage was approximately 42%.

Trustee Buehler asked if a resubdivision would be required in order to build a new residence on these lots. Assistant Director Morrison stated that a lot consolidation would be needed.

Trustee Buehler stated that the Village Board would need approve the lot consolidation prior to approving the tree removal permit. He further noted that consolidations have typically never faced opposition so long as the consolidated lot was comparable to neighboring lots. Mr. Rana stated the lot would be of a comparable size. Director Hamill clarified that the lot consolidation and tree recommendation would both be placed on the same agenda for consideration.

Trustee Buehler noted that certain spruce species may be impacted by blight and asked if the Norway Spruce was blighted. Tree Preservation Officer Cacioppo stated it was not. Trustee Buehler asked if the Red Oak was in good health. Tree Preservation Officer Cacioppo stated that it was.

Trustee Israel asked who each of the individuals present at the meeting are. Mr. Rana introduced each of the parties present.

Trustee Israel asked Mr. Rana if he had any comments. Mr. Rana overviewed the Synagogue's history with the lots and his application. He noted that he was not interested in the alternate plan as he wished to preserve as much of the backyard as possible and expressed concern about being able to construct the property as the site plans due to required setbacks. Mr. Rana explained that he felt a reverence for the Red Oak and would seek to utilize the wood in his home if the application was approved.

Mr. Rana asked about the issuance of the tree removal permit being conditional on the issuance of a building permit and if there would be a guarantee that if his building permit was submitted that it would be approved. Assistant Director Morrison clarified that the tree removal permit would be issued at the time the building permit was issued and explained that this is to avoid having trees cleared and no construction started. Trustee Israel further explained that the consolidation and building permit would first be required and that he is not sure if the Committee can guarantee anything as this point. Mr. Lewis stated that he did not suspect that the tree removal being contingent upon receiving a building permit was an issue.

Trustee Buehler stated that he envisioned that the tree removal permit would only become effective upon the issuance of a building permit. Trustee Buehler further explained the history of the Tree Preservation Ordinance. Trustee Buehler stated he was in favor of making the tree removal permit contingent upon issuance of a building permit. Trustee Israel stated that he agreed.

Mr. Rana also stated that he wished to speak about their commitment to replanting on the site. Mr. Ryan overviewed the landscape plan and a brief conversation followed on the grow-out period for screening on the property and the types of tree to be utilized on the property.

Trustee Israel stated that his biggest concern with the proposed plan was that he had reverence for the tree and acknowledged that Mr. Rana had done a good job in expressing his concern. Mr. Ryan stated that Red Oak trees are highly desirable but difficult to keep alive on a development site. Trustee Israel stated that he did not disagree with Mr. Ryan but that he always hesitates to remove these kinds of trees.

Trustee Han asked if a similar application from a prospective property purchase had ever been received before. Director Hamill explained that this is an unusual situation, but that he felt that it was most appropriate for the Committee to be able to evaluate the application. He further clarified that staff would work with the Committee to craft resolution language to make the permit contingent upon the lot consolidation and issuance of a building permit.

Trustee Buehler stated that he felt this was a case that could be handled differently and complimented Mr. Rana on the thought that went into his application.

Trustee Israel stated he would further like to add the contingency that the final landscape plan be approved prior to the issuance of the tree removal permit. He also complimented Mr. Rana on the level of thought put into this application.

Trustee Han asked if the Committee had the authority to make a recommendation at this point as Mr. Rana is not currently the owner. Director Hamill stated that the Synagogue is still listed as the owner and that the Synagogue was in favor of the request. Trustee Buehler stated that making the tree removal permit contingent upon the issuance of a building permit helps resolve the question as the building permit could only be issued to the property owner. Trustee Buehler suggested language be included in the recommendation and Village Board Resolution that transferred the approval of a tree permit by the Board would transfer with the ownership of the property.

Mr. Rana asked about the sequence of approvals, and Trustee Buehler clarified. Trustee Israel explained that no work could occur without the building permit being issued.

Mr. Barton asked how much variance would be acceptable between the proposed and final landscape plans. Trustee Buehler explained that staff would review the plan and consult with the property owner on any discrepancies or changes.

Trustee Buehler noted that the land has previously been required for overflow parking for the Synagogue and asked if any special clarifications would be needed to complete the sale. Mr. Poupard explained that no special clarifications would be needed.

Trustee Buehler moved that the Committee recommend the authorization of the removal of the Red Oak with the conditions that the full fee of \$250 per diameter base inch, less the number of inches that are replanted, be assessed; that the wood from the tree be used in the construction of the new home and milled for a purpose other than firewood, mulch or wood chips; that the permit be issued only after the issuance of a building permit; that the property owner be required to replant trees on the property in a manner sufficiently similar in quality and quantity as to the landscape plan that was presented to the Public Works Committee; that the tree removal permit approval will transfer from the Synagogue to Mr. Rana upon the sale of the property; and that the builder and homeowner take aggressive measures to preserve all other heritage and landmark trees on the property and adjacent properties.

Trustee Han clarified that the Primary Plan was being recommended as part of Trustee Buehler's motion. Trustee Buehler confirmed that was the case. Trustee Han seconded the motion. On a voice vote, all were in favor.

Adjournment

The meeting was adjourned at 6:24 p.m.

Respectfully submitted,

/s/ Erik Jensen