

SPECIAL MEETING
MINUTES

AUGUST 18, 1992

The special meeting was called to order at 8:00 p.m. in the fire station. In attendance were President Peterson; Trustees Harney, Roberts, Shields, Tennis, and Williams; and Clerk Olson. Also in attendance were several representatives for the Target store, West Dundee Administrator Joe Cavallaro, and approximately 200 residents.

Mrs. Peterson began by noting the agenda for the meeting and stating the rules for speaking later in the meeting. She then gave a brief overview and background of the Target store situation up to this point in time. She also described the agreement that has been proposed between the two villages--in exchange for the curb cut on Locust, West Dundee will grant us the sewer capacity to service the 16 acres of commercially zoned property on Route 72, west of Locust. We would also hope to have some say over the landscaping, etc. along Locust Road.

Greg Dose, attorney for Target introduced himself and also gave a brief update on the situation, including West Dundee's recent approval of the project.

Forrest Russell, Project Administrator for Target, gave the history and background of Dayton Hudson and Target Stores. They anticipate 10 months from the start of construction until the store opening. They would make sure all adjacent buildings are harmonious in design and appearance, although at this point there are no other tenants. Target is served by regional distribution centers. Mr. Russell estimates 6-8 distribution trucks would make deliveries during a one week period, between the hours of 7 am and 4 pm. There would also be 2-3 semi trucks, and 8-10 private carriers (UPS, etc.) per week. There should be 20-24 trucks per week. The trucks would enter on Locust Drive and exit on Village Quarter Road.

Keith Berg, VP with Spaceco, a site planning and civil engineer company, spoke next. He also represents the firm of Christopher Berke Engineering. He showed the three proposed access points; Route 72, Village Quarter Road, and Locust Road. He explained that IDOT will only allow a right turn in and right turn out at the Route 72 access. The access point on Locust is about 350' south of Route 72. Four lanes are proposed from Route 72 to the access point on Locust with a left turning lane into Target. There will be a 6' bike path installed on the east side of Locust, in addition to a green area 80' in width. From the pavement to the building is 150'. A berm will be 8' tall with plantings of evergreens, shrubs, and trees.

Next was Victor Lane(sp), with Metro Transportation Group, which conducts traffic studies for private developers and communities. A study was conducted in 1989 for traffic patterns around the Target development. A second study was done on Monday, August 17 and found a traffic increase of 3% since 1989. The counting was done during the peak hours of 4:30 pm to 5:30 pm. It was estimated that 38% of the traffic would come from the west, 39% from the east, 10% each from Village Quarter Road and Locust from the Mall, and 1% coming on Village Quarter Road from the South, and 2% coming on Locust from the south. He explained the necessity of 3 access points--circulation and access by emergency vehicles if one or two access points are blocked.

The trustees then asked questions. Trustee Shields questioned the result of a newspaper article where West Dundee's board had requested a way to prevent vehicles from exiting south out of Village Quarter Road. Mr. Cavallaro answered that West Dundee will restrict traffic from going south from the Village Quarter Road access. Mr. Shields also asked if any studies had been conducted to determine the traffic impact on Sleepy Hollow with cut through traffic. The traffic engineer answered that he expected mainly Sleepy Hollow residents to take advantage of cutting through the Village. Trustee Harney asked if the traffic study had taken into account the recent opening of the Bluffs entrance road from Boncosky and cut through traffic from that location. She was told that it was not considered. Trustee Williams explained his reasons why he felt we should at least consider the curb cut. Trustee Tennis asked what the proposed widened widths of both Village Quarter Road and Locust Road would be. Village Quarter would be 36' wide, Locust 42' wide. The traffic engineer added that the entrance on Locust was positioned to coordinate with a possible future entrance to the 16 acres across Locust. Mr. Tennis asked why Village Quarter couldn't be made the wider road, rather than Locust. It was explained that the necessary left turn lanes made that impractical. Mr. Cavallaro was requested to ask his village board if they would be willing to restrict all truck traffic to Village Quarter Road, with none on Locust. Mr. Tennis asked about landscaping plans for the south rear of the building. He was told that the same landscaping along Locust could be continued along the rear of the store.

The residents then made comments and asked questions.

1. Sally Miller, 802 Locust Drive: Objected to curb cut and asked board to help retain their current peaceful surroundings.
2. Ed Zander, 176 Hillcrest Court: Asked trustees to protect its residents from the traffic as West Dundee seems to be doing. Also urged board to have a detailed plan in writing if we allow the curb cut and asked what our benefit is besides the 16 acres. He asked how wide the access entrance would be--30'.
3. Ron Knapit, 1912 Maria Court: Felt 4 lanes would be better than 3 lanes at Locust from a safety standpoint.
4. Tim Morrey, 747 Hillcrest Drive: Felt traffic study is too outdated, would like fences allowed, felt his property value will be reduced. Asked developer if they would agree to keep the berms the same if we do not allow the curb cut. The attorney would not agree in writing. Mr. Cavallaro said West Dundee would recommend there be no changes in the berms.
5. Mary Jeanne Kedzior, 751 Hillcrest Drive: Asked if existing mature vegetation along Locust would remain--no. Asked if there would be any food sold and where waste would be disposed of. There will be a snack area. The waste area is in the dock area, it is internal and nothing would be exposed to the outside.
6. Barbara Ferguson, 1754 Hillcrest Park: Did not care for Target stores, asked about design of building. It was changed from the original plan submitted to West Dundee, but is now acceptable to West Dundee. The entire site (other future buildings) will have to be acceptable to West Dundee. Asked why Route 72 access was only right in, right out. Full access was requested, but IDOT refused.
7. Adam Zundl, 770 Locust Drive: Asked the elevation heights of land along Locust and berms. He was given various elevations heights at different locations, varying from 732 to 757. He was also told they had permission from the Army Corp of Engineers to do the various work in the wetlands areas.

8. Bill Baker, 1909 Maria Court: Works for a trucker that delivers to Target and claimed there would be many more trucks than Target says and they would be coming at all hours.
9. Dick Hertel, 1854 Winmoor Court: Suggested that since West Dundee wants the store, they have the access points on their village property.
10. Mary Savarese, 817 Surrey Lane: Tired of West Dundee and Elgin putting pressure on Sleepy Hollow to do things we don't want to. Wants children to be able to travel roads safely.
11. Erik Lindbeig, 1860 Winmoor Court: Asked if there was any possibility of keeping the existing vegetation along Locust--no.
12. Robert Doporcyk, 853 Hemlock: Fears there will be more access points added in Sleepy Hollow.
13. Mike Fasanella, 739 Hillcrest: What is Phase II--the second half of the development, the second building east of the Target building and the rest of the parking area.
14. Ralph Tileston, 743 Hillcrest Drive: Questions the tax potential of the 16 acres. Wants all traffic to go to West Dundee.
15. Jack Stewart, 1914 Maria Court: Moved from Kansas City two years ago. Does not want Sleepy Hollow to become another Chicago. Said he was told by a Target rep earlier that we would not get the park if we do not allow access. A Target attorney answered that the property would be donated as part of the project and that the park would be for all to use as it would be part of Dundee Township Park District. He also said the berm would stay on Locust and would put it in writing, even without access on Locust. Asked if we can restrict southbound traffic on Locust from the exit--we are considering it. Asked the traffic engineer if the lack of Locust access would affect future development on the 16 acres as far as their access point on Locust. The traffic engineer said he would be in opposition to denying the curb cut from an engineering standpoint. Mr. Stewart also said he would not shop at Target.
16. Adam Zundl, Jr., 920 Willow: Noted two accidents caused by people cutting through the Village who were not residents. Asked about lighting--was told lights will go down at night, but there will be lighting in parking area for safety purposes. The lights are shielded downward.
17. Diana Rage, 1209 Jill Peak Drive: Doesn't understand how we could consider allowing the curb cut. The Board explained they consider all proposals to them. Mr. Cavallaro explained what the two villages had to work through, including the fact that it could go to court if we refuse access. Trustee Roberts then explained what could happen if we deny access, go to court, and lose, including the possible deannexing of the 16 acres to West Dundee.
18. Guy Broadhurst, 1849 Winmoor Court: Felt residents had to be realistic about what is happening around us in terms of development but urged the board to do everything possible to minimize the impact on our village.
19. Jim Podbregar, 750 Sycamore: Asked when the board would vote. Was told some board members wanted time to digest everything and not vote tonight. If this was the case, the vote would be taken at the next board meeting, September 8th.
20. Duane Fleck, 901 Willow: Suggested they go back to IDOT to request full access on Route 72, eliminating the need for access on Locust. Said the store was not needed or wanted. Mr. Cavallaro said the area growth warrants the retail development in the area.
21. George Lemak, 816 Locust Drive: Not there.

22. Wendy Stacey, 918 Acorn Drive: Asked why Mr. Cavallaro could not ask his board to have all access restricted to Village Quarter.

23. Carol Pederson, 918 Willow: Asked about water run off during storms. The Engineer explained the detention storage area. Felt this decision should be voted on by the residents.

24. Ken Quigley, 428 Cavelier Court, West Dundee: Opposes the Target development. Described the proposed West Dundee public works facility, and all the plans for the park area; soccer fields, etc., and the parking lot. Mr. Cavallaro also spoke on this project.

25. Bill Schefelbein, 1508 Laurel Court: Doesn't understand how we can trade a road for sewer. Said access should be on West Dundee property. Said President and Trustee Roberts should not vote on the issue. Concerned there would be flooding during heavy rains from Target.

26. Walt Heffron, 1056 Van Tassel Road: Property will be commercial; need to work to minimize any negative impact on village. The sewer availability for the 16 acres will be a positive for the village.

27. Ron Burstein, 1758 Hillcrest Park: Why do we need the cut on Locust when there are two other access points. What are we getting for this curb cut. Trustee Harney explained her position and feeling that we will get this curb cut through court even if we deny it. Said she would like a second legal opinion on our chances in court. Shields said he feels that a village has a right to determine what it can do within its legal boundaries and is willing to test that in court with an attorney who also feels that way. He also feels the village roads, Locust in particular, will suffer the added traffic. Mr. Cavallaro noted that West Dundee would maintain the road from Route 72 to the access entrance.

28. Matt Mayer, 1014 Beau Brummel: Thanked board for all their work over the years. Felt the decision should be made by public referendum. Asked if Target had ever considered buying ChildWorld.

29. Marc Salvatini, 1300 Acorn Drive: Asked what type of people volume Target expected. Target had no idea, but could get the answer and would send it to the resident. Asked how many vehicles will be accessing the site; between 4:30-5:30 p.m.(peak hour), they would expect about 520 vehicles in the area. Asked if any board members had any economic interest in the 16 acres--the answer was negative from all board members. He had counted 211 residents at the meeting at the beginning. Told West Dundee and Target they were turning the area into another Schaumburg, told the board they needed to protect the residents from this.

30. Max Lanz, 913 Willow Lane: Asked if they had any studies of how traffic would increase in the future in the area. Asked why another access wasn't being used farther south on the property in West Dundee. Asked if we could change the weight limit to eliminate trucks should we lose the case in court. Board answered that the courts could do whatever they wanted, make any stipulations, etc. including changing our weight limits to allow trucks.

31. Jim Schulz, 804 Surrey: Thought the village charter was to never have commercial property. Asked why we could not get any sales tax revenue in exchange--told him we tried, but West Dundee refused. Feels the board did not ask enough for the curb cut.

32. Ann Mayland, Willow: Asked Target people where they lived and how they would feel if this development were going in by their homes. Asked Trustee Harney how she would feel if she still lived on Sycamore. She said she would not and does not like it, and again stated her previous view of the situation. The resident feels the board has already made its decision.

President Peterson read the names of people who sent letters in opposition to the curb cut: Gus and Bess Pappas, 828 Winmoor; Anne Wilson, 757 Sycamore Lane; Jack and Patsy Milligan, 760 Sycamore Lane; Phylliss Rasmussen, 821 Locust Drive; Joe Priola, 865 Winmoor Drive; Donald and Edith Youngen, 1055 Van Tassel; Carl and Eleanor Oppenheim, 112 Thorobred Lane; Jim Cowley, 873 Walnut Drive; Jack and Lorraine Balun, 923 Surrey Lane; Joseph and JoAnne Dowdell, 1862 Winmoor Court. She then read portions of a letter from Dirk Fuqua in favor of the curb cut with restrictions.

Opened to other questions that had not already been asked:

1. Asked if the property owners of the parcels on Route 72 have any legal basis for deannexing from us if we do not allow the curb cut. We responded that they would have a very good chance of legally deannexing if we deny access.
2. A resident felt we were being pessimistic in thinking we could not win in court if challenged. Felt access south of the store on West Dundee property could be utilized. Mr. Cavallaro advised that the southern portion is not owned by Target. He felt the court would see the Locust curb cut as reasonable access and noted that village attorneys for both Sleepy Hollow and West Dundee have advised the same.
3. Don Johnson of Myrna Court asked what cases the Village has taken to court on behalf of the Village and/or its residents. The Board told about the case against Elgin for the property north of the tollway, east of Randall. He then asked what would make the Village go to court. The President told about the current Chateau apartments case and the Lot 31 Pulte case in Saddle Club.
4. A resident asked about the bike path. The proposal is a 6' wide bike path along Locust which would extend through West Dundee.
5. A resident stated we should go to court and fight it.
6. A resident thought we should fight it and used an example of a big guy/little guy court battle she experienced in her previous home.
7. A resident felt a traffic study done 3 years ago is outdated and another one should be conducted. Questioned the term "reasonable access".
8. A resident asked if we could go to referendum. It was noted we could do this only during the two voting times each year.

SHIELDS MOVED WITH A SECOND FROM WILLIAMS THAT THE REQUEST FOR THE CURB CUT BE DENIED.

ROBERTS MOVED WITH A SECOND FROM TENNIS THAT THE MOTION BE TABLED UNTIL WE HAVE ADEQUATE LEGAL ADVICE ON THIS SPECIFIC ISSUE OF ROAD CUTS. MOTION PASSED BY VOICE WITH SHIELDS AND WILLIAMS VOTING NAY.

This refers to getting a second legal opinion as to our chances of winning this type of case in court.

TENNIS MOVED WITH A SECOND FROM HARNEY TO ADJOURN THE MEETING AT 11:00 P.M. MOTION PASSED BY VOICE.

Respectfully submitted,

Norine Olson
Norine Olson

*As part of these minutes I have attached copies of the letters from residents referenced above.