

The regular meeting of the Sleepy Hollow Corporate Authorities was called to order at 7:30 p.m. In attendance were President Pickett, Trustees Ander, Finney, Getz, Grom, Wind, and Ziemba, Police Corp. Wilson, Finance Director Volkening, Village Attorney Schuster, Village Engineer Heinz, and Clerk Olson.

President Pickett explained the rules for speaking under the public comments section of the meeting.

MINUTES:

1. ANDER MOVED WITH A SECOND FROM WIND TO APPROVE THE REGULAR MEETING MINUTES OF MARCH 21, 2005. MOTION PASSED.

PRESIDENT:

1. The cable consortium has selected two members to meet with Comcast to prepare a draft agreement. They would like to have a draft agreement to all municipal members in late June.
2. The District 300 Leadership Council said the work release project is still under consideration and they will keep us advised.

CLERK:

1. Two residents have responded to the recording secretary position. A memo to the board will follow.

PLAN COMMISSION:

No report.

ZONING COMMISSION:

No report.

ZBA:

1. Chairman Kedzior presented File #250, 829 Surrey Lane, a variance request to the set back requirements. The homeowners wish to add a roof to their front stoop. This will not be a closed structure. The ZBA unanimously recommended approval of the request. WIND MOVED WITH A SECOND FROM GROM TO ACCEPT THE RECOMMENDATION OF THE ZBA TO APPROVE THE VARIANCE REQUEST ON FILE #250. MOTION PASSED.
2. Chairman Kedzior next presented File #252, vacant lot on Joy Lane (just west of Stevens Court), a variance request to minimum lot size. The lot size is just under 15,000 sq. ft. The house is a two-story of about 2,200 sq. ft. The Board had lengthy discussion about this variance request. (Trustee Ziemba arrived at 7:48 p.m.) Trustee Grom expressed concerns about the small lot size, the placement of the house on the lot, and the lack of hardship and had many questions for the builder, who was present. This lot is unbuildable without the variance. The Board questioned when this lot was platted and what the size requirements were at that time. The lot appears to be similar in size to the surrounding lots. The ZBA recommended approval by a vote of 4:1, contingent on four restrictions. Trustee Ander suggested we change our lot size requirements to reflect the new septic systems that require less space and can be used on small lots. WIND MOVED WITH A SECOND FROM GETZ TO ACCEPT THE RECOMMENDATION OF THE ZBA TO APPROVE THE VARIANCE REQUEST ON FILE #252. MOTION PASSED WITH ANDER AND GROM VOTING NAY.
3. The ZBA approved a new application form which more clearly explains the requirements to the petitioner. The Board should direct any questions to Chair John Kedzior. The application will be on the agenda for approval at the next meeting.

4. The ZBA also reviewed a proposed list of board procedures submitted by the ZBA secretary. This will be reviewed further at the ZBA meeting on April 21<sup>st</sup> and was submitted tonight for the Board's comments. The ZBA recommendation form will also be reviewed for possible changes at the ZBA meeting on the 21<sup>st</sup>.
5. Chairman Kedzior submitted a letter to the Village Board concerning issues with the ZBA secretary. A response was received by the Village Board today from the ZBA Secretary, Linda Nuneman, requesting a formal hearing on this matter before the Village Board. The Board discussed their options if the ZBA became a non-functioning board due to resignations. ZIEMBA MOVED WITH A SECOND FROM GETZ TO REMOVE LINDA NUNEMAN FROM THE ZBA. There are allegations of violations of ordinances and ZBA procedures and some trustees preferred a hearing on the matter. Others felt we had precedent in the previous removal of a member from the Finance Committee under similar circumstances. The motion will be tabled until the next board meeting when this matter will be heard later in the meeting, when the Village Attorney can be present. Both the ZBA Chairman and Secretary can present their positions at that time and should send this information to the Village Attorney in advance of the meeting.

#### ATTORNEY:

1. Mr. Schuster reviewed the final changes to the PUD ordinance. WIND MOVED WITH A SECOND FROM GETZ TO APPROVE ORDINANCE NO. 2005-7 ENTITLED "AN ORDINANCE ESTABLISHING CERTAIN REGULATIONS GOVERNING PLANNED UNIT DEVELOPMENTS IN THE VILLAGE." AYE: WIND, GETZ, ANDER, FINNEY, GROM, ZIEMBA. MOTION PASSED.
2. A complaint has been drafted to vacate the roadway dedication of the Whitney Road stub and change it to a general public purpose dedication. The homeowners have requested this change in the road stub in order to allow construction of an addition to their house. In exchange, the homeowners are to pay all attorney's fees in this matter.
3. The Dundee Township attorney has communicated several conditions under which the Township would consider annexation of a portion of Township property to the Village in order to connect to the Bright property. Mr. Schuster will prepare an agreement incorporating this information for the Board's approval at the next meeting. The agreement will then be sent to Dundee Township for their approval so that we may proceed on this annexation.
4. Mr. Schuster informed the Board that transition fees cannot be assessed against individual lots. Per the clerk, it appears that impact fees can be assessed against individual lots, based on a 2003 impact fee ordinance. The attorney should confirm this.

#### ENGINEER:

1. Sanitary sewer televising project. There are no easements recorded at the county so they must be obtained from the property owners to continue the review of the sewer pipes, which will require digging at the location where there is a blockage. The entire pipeline should probably also be televised to determine if there are any unauthorized connections to the pipe.
2. There was a pre-construction meeting for Springhill Meadows and work will begin when weather permits. IDOT has stated certain requirements before the Route 72 entrance receives final approval, mainly concerning pipe size and culverts. Mr. Heinz assured the Board that they will closely monitor the development to ensure that erosion control measures are in place. The engineer also described the water connections for the development.

#### DIRECTOR OF FINANCE:

1. ZIEMBA MOVED WITH A SECOND FROM GETZ TO APPROVE THE ACCOUNTS PAYABLE

OF APRIL 4, 2005 IN THE AMOUNT OF 49,885.17. AYE: ZIEMBA, GETZ, ANDER, FINNEY, GROM, WIND. MOTION PASSED.

COMMENTS FROM THE PUBLIC:

1. Greg Lichthardt of Elgin asked if he could take an old farm tractor disk that is partially buried on the property just north of the Headless Horseman Stables. It is unknown how long it has been there but the stable owners are willing to help pull the disk from the ground. The Board approved his taking this piece of equipment as long as he crosses over the bridge, and not the creek, with the disk. He would then load it on a truck. He should also repair any damage to the ground or road during the removal and should advise the police on the day he removes it.

PARKS, ROADS & STREETS:

1. WIND MOVED WITH A SECOND FROM GROM TO LIFT THE ROAD WEIGHT RESTRICTIONS IMMEDIATELY. MOTION PASSED.

2. The engineers were instructed to immediately start work on the 2005 road improvement program, to be followed by preparation of the 5 year road plan. Suggested roads for this year's project should be given to Trustee Wind. The cost of the 5 year plan should be put in next year's MFT budget.

3. The tree replacement program must be done by the end of the fiscal year. There is \$5,000 budgeted for trees along the west side of Sleepy Hollow by the bridge. Flowering trees were suggested. The engineer will show Trustee Wind and Public Works the property line in that area for planting purposes. Trustee Wind will contact nurseries and ComEd for tree pricing/programs.

FINANCE:

1. The new budget was approved at the recent meeting of the Board and Finance Committee.

WATER & SEWER:

1. A resident has a failing septic system. He will first dig up his distribution box to check for any blockage. No permit is required for this work. If that is not the problem, he would like to connect to the sewer system, but he is not in the sewer district. The Board said the resident's attorney should then contact President Pickett and Mr. Schuster to discuss this matter.

POLICE & PUBLIC SAFETY:

No report.

PUBLIC BUILDINGS & ENVIRONMENTAL:

1. There are garbage trucks using Sleepy Hollow Road to reach customers outside Sleepy Hollow. Trustee Ander prefers to let them use the road as the customers are just north and south of the village limits, to avoid the environmental impact of more driving. Trustee Grom requested that the trash hauler be asked if he can rearrange his route to avoid Sleepy Hollow Road.

2. Trustee Ander commented on the large amount of recently trees cut down on the Dundee Township wetland mitigation bank property.

BUILDING & ZONING ENFORCEMENT:

1. Outside agency permits have been received for the property on Rainbow Drive. FINNEY MOVED WITH A SECOND FROM WIND TO ISSUE A VILLAGE PERMIT PENDING APPROVAL BY BOTH

THE VILLAGE CODE ENFORCEMENT OFFICER AND A STRUCTURAL ENGINEER AND PENDING COMPLETION OF THE PAPERWORK ON THE VARIANCE REQUIREMENTS. Mr. Heinz noted that this property requires variance approval by the Village on the 10 year flood plan, although FEMA has already approved the 100 year flood plan. The paperwork on this variance issue will be reviewed by Mr. Schuster.  
MOTION PASSED.

OLD BUSINESS:

1. A letter from Kane County on the Jelkes/Sleepy Creek watershed project was read, noting that the flood plain maps have been revised for both creeks and the project will proceed if funds are received from the municipalities. President Pickett will ask Kane County if the Pulte development and the wetland mitigation bank are included in the data results, which could affect those results.
2. The City of Elgin has requested that the 30 day notice to each party of any annexations or comprehensive plan changes be removed from the proposed boundary agreement/tax sharing agreement. If those items are removed, the agreement will be submitted to the city council for approval. The Board and Mr. Schuster discussed the boundaries to the east, along Boncosky Road, where Elgin and West Dundee had previously discussed a boundary agreement. The Board agreed to Elgin's requested changes to the agreement.

NEW BUSINESS:

1. The Village received a request from a resident to ask Dundee Township to hold a meeting to answer questions and discuss any future tree cutting on their wetland mitigation property. The resident letter will be forwarded to the Township.
2. There will be a "spring clean up" in the Village on May 21<sup>st</sup>. The Village is looking for volunteers to help clean up the parks and open space areas.
3. Trustee Grom attended the meeting on the gypsy moth spraying in June. These moths can destroy trees.
4. The first blood drive is April 21<sup>st</sup> at the Village Hall from 2 to 7 p.m. Appointments can be made, but walk-ins are also welcome.

ANDER MOVED WITH A SECOND FROM ZIEMBA TO ADJOURN THE MEETING AT 10:13 P.M.  
MOTION PASSED.

Respectfully submitted,

*Norine Olson*

Norine Olson  
Village Clerk