

Village of Riverwoods
Board of Trustees Meeting
April 18, 2023
Approved

Present:

Kris Ford, Mayor
Liliya Dikin
Andrew Eastmond
Michael Haber
Henry Hollander

Absent:

Michael Clayton
Rick Jamerson

Also Present:

Bruce Dayno, Police Chief
Bruce Huvad, Village Attorney
Carissa Smith, Village Engineer
Katie Bowne, Deputy Village Clerk
Steve Zimmerman, Village Ecologist
Tom Krueger, LRPD Chief

The meeting was called to order at 7:30 pm

Document Approval

Trustee Haber moved to approve the minutes of the April 11, 2023 Board of Trustees meeting. Trustee Hollander seconded the motion. The motion passed unanimously on a voice vote with Trustee Dikin abstaining.

Treasurer and Finance Committee Report

Approval of Bills

Trustee Haber moved to approve the bills. Trustee Hollander seconded the motion. The motion passed by the following vote:

AYES: Dikin, Eastmond, Haber, Hollander, (4)

NAYS: None (0)

Visitors Wishing to Address the Board

Mayor Ford asked the Village Attorney to provide some background on the Baxter property's potential sale. Mr. Huvad explained the parcel is in unincorporated Lake County and the owner, Baxter, is selling

the property to Bridge Industrial. Bridge Industrial has petitioned to annex to the Village of Deerfield. The option for the property be annexed into Riverwoods is not an option unless the new owner wants to be in Riverwoods.

Mr. Huvad spoke with the planning department in the Village of Deerfield who shared the proposal. On 4/27/23, the Deerfield Plan Commission will hold a Public Hearing to consider zoning to classify the property to the I2 District. The property is currently zoned as light industrial in Lake County. Deerfield Park District is also considering leasing one of the buildings for an indoor sports complex. Deerfield is the jurisdiction that has control over what happens on the property. Mr. Huvad noted the Deerfield Plan Commission will make a recommendation to the Village Board who would then also consider annexing the property. Although Riverwoods can make suggestions, the ability of one municipality to challenge another municipality's zoning is very limited. The ability of private owners to challenge zoning happens frequently. The Village is paying attention and wants to have as much input as possible. The Village has already asked for a change in the traffic flow entering and exiting the Baxter property.

Mayor Ford explained Trustee Hollander will chair a special committee and would like to work with the Thorngate HOA to discuss things in more detail.

Barbara Raff, HOA President, asked for the Village's support. Thorngate has a quarter of the Riverwoods population and Ms. Raff wants it to remain a desirable place to live. She is concerned about having 600 trucks daily across from Thorngate. Thorngate residents are looking at a multi-prong approach and have retained legal counsel. Ms. Rath asked what a no-use restriction is. Mr. Huvad explained the agreement states that Riverwoods would not exercise planning jurisdiction on the east side of Saunders Road and Deerfield would not exercise planning jurisdiction on the west side of Saunders Road. When a property is unincorporated, a Village has the ability to include some plans within a mile and a half of their boundaries in their Comprehensive Plans. Since there is a petition to annex the property into Deerfield, that ability goes away.

Thorngate resident Jeremy Baker asked if the boundary agreement contemplated a non-industrial use. Mr. Huvad explained that Lake County currently has the property zoned as industrial. He explained the agreement is an old agreement. Mr. Baker asked if the boundary agreement would have to be amended and agreed upon by Riverwoods. Mr. Huvad cautioned against discussing possible litigation strategy in a public meeting. Mr. Baker asked if Riverwoods has a say over what happens on Saunders Road. Mr. Huvad explained that Lake County has jurisdiction on that portion of Saunders Road.

Thorngate resident Jojo Yap believes the main access could be constructed by the southern boundary of the property. He believes the truck traffic will hurt Thorngate's property values. Mr. Yap questioned whether the Village has a fiduciary responsibility to help preserve property values. He asked if the Village has conveyed that this project is detrimental and would not have any benefit to the Village of Riverwoods or its residents. Mr. Yap asked if Riverwoods could restrict the use of the west side of Saunders Road. Mr. Huvad explained the County owns the road.

Thorngate resident Brad Mendel noted the 53-foot trailers would require a curb cut, entrance and left turn lane coming from the north. As residential property owners, he believes they can object to the

widening of the road. He believes the widening would cause safety and woodland issues. Mr. Mendel further believes the loss of tax revenue would be detrimental to the Village and the schools.

Trustee Haber noted the Village stands with the residents. These comments are great, but should be saved for the Deerfield Public Hearing and subsequent Deerfield meetings. Trustee Haber suggested talking to Deerfield residents and asking them to stand with their Riverwoods friends.

Thorngate resident Rachel Yaffe asked if the Village would present a formal opposition to this proposal at the upcoming Deerfield hearing. Mayor Ford does not believe the Village should discuss a challenge strategy in a public meeting prior to doing research.

Trustee Hollander noted the site is already zoned as industrial. He believes the major point of contention is the truck traffic. He asked if a reasonable compromise would be to move the exit and entry point of the truck traffic. The residents said no.

Thorngate resident Andy Roth believes there may be other impactful issues such as light and sound pollution. He asked if the Trustees would commit financial assets to assist the Thorngate residents in their fight against this development.

Thorngate resident Youssef Yomtoob wants a commitment from the Board. Mr. Huvard has mentioned what cannot be done. Mr. Yomtoob asked what can be done. Mayor Ford believes the committee will come up with the strategy.

Thorngate resident Marc Boorstein believes this should be a collective “we” rather than “you”. This is a threat to Thorngate. Going to Deerfield does not help the residents. The petitioner must get a rezoning. The residents do not want the new development and want to stop it anyway possible. The Thorngate residents want support from the Village as this is a threat to Riverwoods, not just Thorngate.

Thorngate resident Randi Mayer noted there are nine days before the Deerfield Public Hearing and stressed that time is of an essence and this must be addressed immediately. She asked if anyone contacted Lake County as the Lake County roads will be adversely affected. Ms. Mayer asked if the Board has done an environmental impact study. Trustee Eastmond explained there is a rich body of case law on noise and impacts to homeowners and remedies that flow from that. Ms. Mayer explained it is not just noise, but pollution from 600 trucks per day. Ms. Mayer explained if this is approved for 24-hour use, the lights will impact both Riverwoods and Deerfield residents. The proposed development is monstrous.

Thorngate resident Tim Guare asked if 600 trucks are a peak or a mean. He noted the County has zoned the site as industrial; however, the term industrial is very broad. Mr. Huvard noted a permitted use is a warehouse, but questioned what that means. He noted this is a speculative development which does not have an actual end user. Until you know the actual user, you do not know how many trucks would enter and exit per day.

Thorngate resident Greg Mintzias asked if anyone has spoken to the Deerfield Board. He believes that the Village should be playing offense not defense. Mr. Mintzias asked if that property could be zoned

residential. The communities are decreasing in size and the land for residential use is very expensive. Mr. Mintzias believes nice homes in that area would bring in a lot of property tax revenue for Deerfield.

Thorngate resident Bonnie Marcus asked why the property would be rezoned if it is already zoned as industrial. Mr. Huvad explained it is currently zoned for Lake County and would be rezoned for Deerfield. Ms. Marcus explained Deerfield's Zoning Ordinance requires all properties annexed into the Village to be zoned R-1 Single Family. Mr. Huvad explained Villages typically state if they do not specify the zoning in an annexation agreement, the zoning would be the lowest density which is R-1. This property would not be subject to this as it would be specified in the annexation agreement. Ms. Marcus asked if the Village of Riverwoods petitioned for a residential use when the property went up for sale. She suggested Lake County would have to sign off on the plat of survey. Ms. Marcus asked if a residential development has been across the street from other massive developments.

Thorngate resident Jason Goodman asked if the LCDOT would be asked to redo their traffic study due to this property. Trustee Hollander does not believe their study went this far, but could ask them. Mr. Goodman explained the trucks from this development would have to get to the tollway. He believes the entire corridor project needs to be revisited. Trustee Hollander will address it.

Jeremy Baker asked if a Riverwoods representative could go to the Deerfield Plan Commission meeting and ask for a continuance because the Village has not had ample time to review the traffic studies. Trustee Hollander will be at the meeting, but acknowledged that Deerfield has their own interests. He does not believe the Village has the right to ask for a continuance because they are unprepared. Trustee Hollander suggested he could state that the Village and residents have serious concerns and would like additional time to put together a presentation for their Plan Commission.

Thorngate resident Dan Croft requested the entire Village Board attend the Deerfield Plan Commission meeting. He would also like Chief Dayno to attend to discuss potential safety issues on Saunders. Mr. Croft noted if the transaction has not yet closed, he would like to launch a PR campaign asking Baxter to not close the transaction. Mr. Croft asked residents to use their social media accounts to pressure Baxter.

Jojo Yap noted that a traffic study computes the number of vehicles that can go through a road but does not comment on the effect on residential land values. Truck traffic will have a detrimental effect on residential land values. Mr. Yap noted the hottest property type in Chicago is high truck distribution. A typical developer will construct a building that is most marketable. The proposed building is designed for a high distribution warehouse. The use that will pay the highest price is a high distribution warehouse which is the highest growth use. California is trying to control the negative impact by restricting the type of use. The problem with this potential development is the use.

Thorngate resident Lily Emalfarb discussed the environmental impact. If the proposed warehouse development is approved, she believes our ecosystem will be negatively affected. Residents need to do their part to stop this project before the trees and wildlife are impacted.

Mayor Ford noted the Board has heard the residents. She suggested residents attend the Deerfield meetings.

Engineer's Report

Status Leak Detection Report

Ms. Smith reported the leak detection system was set up so half of the Village was inspected one fiscal year and the other half the following fiscal year. Three leaks were detected and will be fixed. Ms. Smith noted the water main extension will begin on Thursday. She hopes everything will be complete before the next Board of Trustees meeting.

Ecologist Report

Open Lands Discussion

Mr. Zimmerman explained the Village had a request from Open Lands to have a table at the Plant Sale on May 13, 2023. He questioned whether the Village wants them at the plant sale. Mr. Zimmerman explained they meet and consult with residents but do not provide a report. Trustee Hollander believes it may confuse residents if Open Lands has a table. Mayor Ford noted in order to participate in the cost share program with the Village, they would have to meet with our Village Ecologist. Trustee Hollander does not want to tell residents not to use a free program, however. He also does not believe it is up to the Village to regulate who has a table at the RPC plant sale.

Plan Commission Report

Ch. Breitkopf reported the Plan Commission will meet on April 20, 2023 to discuss the Lexington development on the Federal Life property.

ZBA Report

The ZBA has not met.

Police Report

The police activity is attached to the end of the minutes. Chief Dayno noted the accomplice has been arrested in the February check theft arrest.

Fire District Report

Chief Krueger noted the Baxter property is part of the Deerfield-Bannockburn Fire Protection District.

Information Items from the President

Reminder to Complete the Statement of Economic Interest by May 1, 2023.

Mayor Ford reminded the Trustees and Commissioners to complete the statement.

RRA Wine and Cheese Event is coming up on April 26, 2023.

New Business

a. Approval of Road Program

Ms. Smith noted at the last Board meeting, she discussed the current bidding environment. A lot of contractors are not bidding. She has not seen any guarantees on getting the project completed on time or for less money. Ms. Smith recommended accepting the only bid that was received.

Trustee Haber moved to accept the bid for the 2023 road program from Chicagoland Paving Contractors, Inc. in the bid amount of \$125,000. Trustee Hollander seconded the motion. The motion passed by the following vote:

AYES: Dikin, Eastmond, Haber, Hollander, (4)

NAYS: None (0)

b. Approval of Valve Replacement (Chicory)

Ms. Smith explained there was a valve that was not closing properly so it needs to be replaced. The adjacent valve vault and fire hydrant will require maintenance. She recommends approving the change order for the Chicory Lane valve replacement in the amount of \$23,800.

Trustee Haber moved to approve the change order for the Chicory Lane valve replacement in the amount of \$23,800. Trustee Hollander seconded the motion. The motion passed by the following vote:

AYES: Dikin, Eastmond, Haber, Hollander, (4)

NAYS: None (0)

Old Business

There was no Old Business.

Adjournment

There being no further business to discuss, Trustee Eastmond moved to adjourn the meeting. Trustee Haber seconded the motion. The motion passed unanimously on a voice vote.

The meeting was adjourned at 8:59 pm

The next regular meeting of the Board of Trustees will take place on May 2, 2023 at 7:30 pm.

Respectfully submitted,

Katie Bowne
Deputy Village Clerk