



**MINUTES FOR VILLAGE OF GILBERTS  
COMMITTEE OF THE WHOLE MEETING  
Village Hall: 87 Galligan Road, Gilberts, IL 60136  
Meeting Minutes  
Tuesday, June 11, 2019**

**1. CALL TO ORDER / PLEDGE OF ALLEGIANCE**

President Zirk called the meeting to order at 7:00 p.m. He proceeded to lead those present in the Pledge of Allegiance.

**2. ROLL CALL / ESTABLISH QUORUM**

Village Clerk Courtney Baker called the roll. Roll call: Members present: Trustees Kojzarek, Corbett, Allen, Zambetti, Farrell, Hacker, and President Zirk. Others present: Village Administrator Brian Bourdeau and Village Attorney Julie Tappendorf.

**3. PUBLIC COMMENT**

There were no public comments.

**4. ITEMS FOR DISCUSSION**

A. Presentation of a Resolution Authorizing the Transfer of Property from the Village of Gilberts to Community School District 300 – Attorney Tappendorf provided a summary of the proposed resolution. She stated that School District 300 and the Village entered into an Intergovernmental Agreement in 2006 regarding the property on which Gilberts Elementary School is located that provided for the transfer of said property upon certain terms and conditions being met. One of those terms was a reimbursement to the Village, through school impact fees, for the purchase of the property by the Village. The Village has been fully reimbursed and all other conditions have been met. The School District recently passed a Resolution to accept the property pursuant to the Local Government Property Transfer Act and the Intergovernmental Agreement and the Village must now pass a similar Resolution authorizing the execution of transfer documents. With no questions or concerns raised by the Board, President Zirk advised Staff to add this item to the consent agenda for the following meeting.

**5. PUBLIC HEARING ON A PROPOSED THIRD AMENDMENT TO THE ANNEXATION AND DEVELOPMENT AGREEMENT FOR THE CONSERVANCY DEVELOPMENT**

**A Motion was made by Trustee Allen and seconded by Trustee Corbett to open the Public Hearing.** Village Clerk Courtney Baker called the roll. Members present: Trustees Kojzarek,

Corbett, Allen, Zambetti, Farrell, Hacker, and President Zirk. Others present: Village Administrator Brian Bourdeau and Village Attorney Julie Tappendorf.

Administrator Bourdeau advised the Board of the petition that has been submitted by the Developer regarding the Conservancy development. He stated the following items were included in the petition. The first item was to rezone a portion of the Gilberts Development Parcel consisting of 66 acres from the R-3 Residential district to the R-4 Residential district for the purpose of building townhomes. The second item was to amend the site plan for the unplatted areas to increase in the total number of residential lots permitted from 997 to 1,197, allow the development of 134 townhomes in Neighborhood 2, approve deviations from the bulk standards required by the UDO for the R-4 district for the proposed townhomes and deviations to previously approved standards in Neighborhood 6 and 7, approve Development Parcel to change the development site plan. The final item in the petition was to amend the Annexation Agreement consistent with the requested zoning changes.

Administrator Bourdeau stated that the Plan Commission's recommendation was to approve the Developer's requests but with the following conditions: to install a fence along the railroad, to add a minimum of an additional 15 guest parking spaces in the townhome area, to preserve the tree buffer between the townhomes and Neighborhood 2 and enhance it where feasible, to submit landscaping plans for the townhome development at final plat approval; and approval by the Village Board of appropriate amendments to the annexation agreement.

Attorney Tappendorf explained that, if the Board were to change the zoning, there would need to be amendments to the annexation agreement. She advised of the Board of the following amendments that would be needed: add references to the Second Amended PUD Ordinance, replace the Preliminary Site Plan with the Amended Site Plan for the unplatted areas, modify the R-3 deviation chart to reflect the changes to Neighborhoods 6 and 7, add provisions authorizing the development of 134 townhomes and approving the townhome concept plan, modifying the water and sewer connection language to clarify that connection fees will be required for the additional 200 units, modify the building elevation language to add language relating to the townhomes, add language authorizing maintenance free lifestyle homes in Neighborhoods 6 and 7, and require a declaration of covenants for the townhome parcel.

Developer Mertz approached the Board and provided a brief summary of the history of the Conservancy and why he has had to make changes to his site plans. Developer Mertz also reviewed the changes he would like the Board to consider for approval as outlined in his petition. Developer Mertz also stated that Freeman Road improvements have been funded, are currently in review for final approvals, and the contractor has been hired to do the work.

President Zirk asked if anyone from the public would like to make any comments.

Kevin Harynek of 39W69 Freeman Road – Mr. Harynek approached the Board and stated that he lives on a farm that is across from the Conservancy Development. Mr. Harynek stated that he is not opposed of the changes Developer Mertz wants to make but that he has concerns regarding water drainage that may flood his property. Developer Mertz stated that he will check with his engineers to make sure that there will be no issues. Mr. Harynek also asked if it would be possible for him and his neighbors to tap into the utilities, such as cable and internet, that are in the Conservancy. President Zirk explained how this may not be feasible to do because of the cable companies.

Mark Galle of 836 Mario Lane – Mr. Galle approached the Board and stated that he paid a premium for their property. Mr. Galle stated that he is opposed to adding townhomes because he was told that only single family homes would be built in his neighborhood when he purchased the home. Mr.

Galle also expressed some concerns regarding which types of parks would be made in his neighborhood and the locations of those parks.

Sandra Lenox – Ms. Lenox approached the Board and stated that she lives at one of the farm properties off of Freeman Road and that she is also very interested in having the ability to connect to the Conservancy fiber optics. Ms. Lenox also stated that she would like to be notified when changes will be happening in their area. President Zirk stated that the Village frequently posts updates on their website and Facebook pages and that Ms. Lenox may call Village Hall any time for an update.

Dan Pace – Mr. Pace approached the Board and asked when the Developer plans on starting the proposed project. Developer Mertz stated that, subject to approvals, he anticipates the construction of the townhouses to be sometime next Spring or this Fall. Mr. Pace expressed concerns about how he did not feel as though the Developer’s proposal would benefit the Village and its residents. President Zirk clarified several points to Mr. Pace.

President Zirk asked Developer Mertz if it would be possible to provide additional easements to the parcel south of Neighborhood 4 to allow for future access to the main road. Developer Mertz agreed to this suggestion and Attorney Tappendorf stated that she can add a condition at final plat approval of Neighborhood 4 that it is noted on the final plat some sort of easement to the property.

Trustee Farrell advised Developer Mertz that she did not feel as though the townhomes were a necessary addition.

Trustee Allen asked if there would be adequate parking for the park areas. Attorney Tappendorf advised that parking lots could be incorporated into the dedicated park spaces. There was a brief discussion on the locations of the parks.

**A Motion was made by Trustee Allen and seconded by Trustee Zambetti to close the Public Hearing.** Roll call vote: Trustees Allen, Zambetti, Farrell, Hacker, Kojzarek, and Corbett voted Aye. 0-nays, 0-abstained. Motion carried.

## 6. OTHER BUSINESS

There were no items to discuss at this time.

## 7. STAFF REPORTS

### Administrator Bourdeau

- Tomorrow night, the Plan Commission will be holding a public hearing on a request for variation to the previously approved standards for the Gilberts Town Center Duplexes.

## 8. TRUSTEE REPORTS

### Trustee Allen

- Advised that the Community Days online survey has been released to the public and has 75 responses thus far. She will be providing a report based on the surveys in the near future.

## 9. PRESIDENT’S REPORTS

President Zirk had nothing to report at this time.

## 10. EXECUTIVE SESSION\*

An executive session did not take place.

## 11. ADJOURNMENT

There being no further public business to discuss, a **Motion was made by Trustee Allen and seconded by Trustee Zambetti to adjourn from the public meeting at 8:59 p.m.** Voice vote carried unanimously.

Respectfully submitted,



Courtney Baker  
Village Clerk

