

ORIGINAL

VILLAGE OF DEER PARK
BOARD OF TRUSTEES MEETING

TRANSCRIPT OF PROCEEDINGS had in the
above-entitled matter on the 16th day of
January, A.D. 2007, at 7:00 p.m.

A P P E A R A N C E S:

MR. SCOTT GIFFORD, Village President
MR. JIM CONNORS, Village Administrator
MR. PAUL KELLER, Village Attorney
MS. TERRI STADE, Village Treasurer

MS. PAT EKSTROM, Village Trustee
MR. DAVID KIZIOR, Village Trustee
MS. PATRICIA PLAUTZ, Village Trustee
MR. JOEL ROTTER Village Trustee
MR. HOWARD THRUN, Village Trustee

REPORTED BY: DEBORAH R. SANTI,
CSR No. 084-004107

1 PRESIDENT GIFFORD: All right. If
2 I could make sure everyone is signed in,
3 please, and if you're going to make public
4 comments, please sign the public comments
5 sheet. Once again, if the public comment is
6 an issue that is one of our agenda items,
7 please hold off and talk at that time. Still
8 sign up on the public comment sheet, but
9 please note what agenda item you're relating
10 to.

11 Pledge of Allegiance, please.

12 (Pledge of
13 Allegiance.)

14 PRESIDENT GIFFORD: Okay. Jim
15 Connors, our Village Administrator, has also
16 been appointed as the clerk temporarily until
17 we get someone to fill that position.

18 TRUSTEE EKSTROM: Can I just ask a
19 question about that because I have no
20 objection to Jim doing this job, but I thought
21 our ordinance says it has to be a resident of
22 the village to do that.

23 ATTORNEY KELLER: He's only
24 temporary.

1 TRUSTEE EKSTROM: So because it's
2 temporary that's not --

3 TRUSTEE ROTTER: What I read in --
4 I think in our ordinance is that has to be
5 approved.

6 ATTORNEY KELLER: Well, actually
7 what you have in the ordinance is the --
8 probably the code book is probably the old
9 version of the code in which the -- still
10 refers to the clerk as being an elected
11 position.

12 TRUSTEE ROTTER: No, that's not
13 what this says. What this says is the
14 president shall appoint and meet with the
15 advice and consent of the board all officers
16 whose appointment is not otherwise provided by
17 the law, and it goes on with that. My point
18 is: It's just -- I have no objection either
19 as Pat said. I just want to see the procedure
20 is proper so we don't have a problem at a
21 later date.

22 My interpretation of what it
23 says under 31.23, which applies to all
24 officers appointed by the president, is that

1 it requires the advice and consent of the
2 board.

3 ATTORNEY KELLER: Well, temporary
4 appointments don't usually, but there's no
5 harm in asking for the board's approval.

6 TRUSTEE ROTTER: There is no
7 procedure in here for temporary other than the
8 fact that as occurred with our prior village
9 attorney where he was -- he resigned, but he
10 still attends the meetings. The village
11 president has the prerogative to appoint him
12 to attend those meetings until the position is
13 filled. Since we're not using the former
14 village clerk to do that, our ordinances don't
15 cover that procedure for a temporary. They
16 only say that if he appoints he must have the
17 advice and consent of the board.

18 ATTORNEY KELLER: But the state law
19 does cover that.

20 TRUSTEE ROTTER: I understand there
21 might be a state law, but we have an ordinance
22 on the books, 31.23.

23 ATTORNEY KELLER: But as you say
24 the ordinance doesn't deal with temporary

1 appointments.

2 TRUSTEE ROTTER: It just say any.

3 ATTORNEY KELLER: State law does
4 deal with temporary appointments.

5 TRUSTEE ROTTER: All right. I
6 still -- I think that it says all officers
7 whose appointment is not otherwise provided.

8 I understand what you're
9 saying, I just don't want to have a problem at
10 a later date.

11 ATTORNEY KELLER: Well, then I would
12 suggest to make a motion to approve the
13 temporary appointment.

14 TRUSTEE ROTTER: I'm not inclined to
15 do that.

16 ATTORNEY KELLER: Okay.

17 TRUSTEE EKSTROM: We are going to
18 discuss the whole village clerk issue during
19 your segment?

20 PRESIDENT GIFFORD: Pardon?

21 TRUSTEE EKSTROM: We are going to
22 discuss the whole village clerk appointment
23 official during your part of the agenda?

24 PRESIDENT GIFFORD: I'm just going

1 to make a brief announcement.

2 TRUSTEE EKSTROM: Okay.

3 TRUSTEE PLAUTZ: You know what, now
4 I'm confused. Do we have to -- Is Joel saying
5 we have to bring our ordinance up to date in
6 case this happens again?

7 TRUSTEE ROTTER: No. I'm saying
8 that I don't believe the appointment of Jim
9 Connors is complete until the village board
10 takes an action.

11 TRUSTEE PLAUTZ: Tonight?

12 PRESIDENT GIFFORD: And that's
13 Joel's opinion. The opinion of our attorney,
14 our village attorney, he does not believe
15 that.

16 TRUSTEE ROTTER: Is that your stated
17 legal opinion that we don't have to do that?

18 ATTORNEY KELLER: Why don't we just
19 make a motion and get it taken care of.

20 PRESIDENT GIFFORD: Okay.

21 TRUSTEE PLAUTZ: Are we making a
22 motion for a new ordinance?

23 ATTORNEY KELLER: No-no.

24 TRUSTEE PLAUTZ: For tonight?

1 ATTORNEY KELLER: To temporarily
2 appoint Jim Connors.

3 TRUSTEE PLAUTZ: I make a motion to
4 temporarily appoint Jim Connors, village
5 administrator, as a temporary clerk because we
6 have done this in the past.

7 TRUSTEE THRUN: Second.

8 PRESIDENT GIFFORD: Moved and
9 seconded.

10 All in favor?

11 (Chorus of ayes.)

12 PRESIDENT GIFFORD: Opposed?

13 (No response.)

14 PRESIDENT GIFFORD: Is that all
15 ayes?

16 TRUSTEE EKSTROM: I believe so,
17 yeah.

18 PRESIDENT GIFFORD: Okay.

19 Roll call.

20 ADMINISTRATOR CONNORS: Okay.

21 Trustee Thrun?

22 TRUSTEE THRUN: Here.

23 ADMINISTRATOR CONNORS: Trustee
24 Rotter?

1 TRUSTEE ROTTER: Here.

2 ADMINISTRATOR CONNORS: Trustee

3 Kizior?

4 TRUSTEE KIZIOR: Here.

5 ADMINISTRATOR CONNORS: Trustee

6 Plautz?

7 TRUSTEE PLAUTZ: Here.

8 ADMINISTRATOR CONNORS: Trustee

9 Ekstrom?

10 TRUSTEE EKSTROM: Here.

11 ADMINISTRATOR CONNORS: Trustee

12 Dowell?

13 (No response.)

14 ADMINISTRATOR CONNORS: President

15 Gifford?

16 PRESIDENT GIFFORD: Present.

17 Okay. We need a motion to
18 approve consent agenda.

19 TRUSTEE THRUN: So moved.

20 PRESIDENT GIFFORD: Moved. We need
21 a second.

22 TRUSTEE EKSTROM: Second.

23 PRESIDENT GIFFORD: Moved and
24 seconded. Any discussion?

1 Okay. All in favor?

2 (Chorus of ayes.)

3 PRESIDENT GIFFORD: Opposed?

4 (No response.)

5 PRESIDENT GIFFORD: Motion

6 carries.

7 Public comments, sign-up

8 sheets.

9 Just a couple quick

10 announcements here. I'm getting a consensus

11 from the board members who attended our

12 meeting. There was not a vote, but it seemed

13 to be the consensus of all people attending.

14 The public comment portion of the village

15 meeting there's a limited public forum. Any

16 person may address the village board in any

17 manner pertaining to village business, which

18 is not scheduled to be discussed under another

19 agenda item. Disrespectful, insulting,

20 satirical or offensive comments directed at

21 any individual or public official are not

22 permitted. The village president may cutoff

23 public comments deemed to be inappropriate.

24 All public comments or questions shall be

1 directed to the village president. We may
2 refer the matter to another official for
3 response.

4 Also, starting next month or I
5 should say the next board meeting, since we
6 are in the campaign season, comments by, for,
7 or against any candidate for public office
8 during the public comment portion will not be
9 permitted.

10 First one up, Sara Guarisco.
11 Sara, could you please spell your
12 name?

13 MS. GUARISCO: Sure. My name is
14 Sara Guarisco. S-a-r-a, last name is
15 Guarisco, G-u-a-r-i-s-c-o.

16 Really I just would like to
17 limit my public comments today to say thank
18 you to Trustee Kizior for taking the time to
19 meet with me last week on his personal time.
20 We were able to meet and talk about a number
21 of the issues that I've been raising to the
22 board about Deer Park Town Center, about the
23 development of the park lands that we own, and
24 some kind of different ideas or considering

1 different ideas for the Deer Park Town Center
2 park-land area.

3 My understanding is that we're
4 going to continue to work together in the
5 future as far as any parks issues that come
6 up, and he has kind of made it known that I
7 can reach him via email, call him, whatever I
8 need to do. But I think the thing that I felt
9 the best about was really just the fact that
10 the issues that I've been bringing to the
11 board's attention, I feel like he took the
12 time to really listen to them and we've
13 discussed them at length, maybe ad nauseam,
14 but it just really made me feel good. Like I
15 felt like a trustee actually listened, and we
16 were able to have some good dialogue about
17 things. So I really appreciate that.

18 And also, just for the people
19 who are here to know, the two biggest things
20 that Dave and I talked about and kind of were
21 on the table were the fact that the park space
22 over at Deer Park Town Center, that it's
23 planned right now to be developed into
24 baseball fields and soccer fields; and Dave

1 and I had discussed possibly putting out a
2 survey to the residents in the future asking
3 the residents for input on maybe some of the
4 options that we're considering and also for
5 feedback and input as to their ideas so that
6 it could be considered to be a community park
7 space. And the other thing too is just that
8 maybe we can get more community involvement in
9 doing different things in our parks like
10 different plantings and things like that.
11 Maybe we don't always have to go to a
12 maintenance company or landscaping company or
13 whatever, that we can help get the residents a
14 little more involved in doing things like some
15 plantings over at the parks to help improve
16 our parks and get residents out and using them
17 a little bit more.

18 So that's all. I just wanted
19 to say thank you to Dave.

20 PRESIDENT GIFFORD: Thank you.

21 Next, Nancy Shepherdson.

22 MS. SHEPHERDSON: Hello, I'm Nancy
23 Shepherdson, S-h-e-p-h-e-r-d-s-o-n. I'm a
24 resident of Deer Park, and I just wanted to

1 make a comment about the proposal that we have
2 a nonsmoking ordinance in Deer Park.

3 Several nearby communities on
4 January 1st went nonsmoking: Hoffman Estates,
5 Schaumburg, Palatine.

6 My husband and I eat out all
7 of the time, and we used to eat out in Deer
8 Park restaurants, and we don't any more
9 because there is a much more pleasant
10 atmosphere nearby to go to. And I just want
11 to urge you to consider making -- getting on
12 board with nonsmoking .

13 There have been lots of
14 studies that have shown that it does not hurt
15 business. As a matter of fact, in New York
16 they found in New York City when they banned
17 smoking, they found that it helped business.

18 So I would just urge you to do
19 that, and even though the State of Illinois is
20 considering going nonsmoking, I think that
21 Deer Park should get on board and lead the way
22 and go nonsmoking too.

23 Thank you.

24 PRESIDENT GIFFORD: Thank you.

1 Item number six, the Vehe Farm
2 Foundation.

3 Jim?

4 MR. PETERSON: I think you all have
5 a copy of my report, but I think the only --
6 I'm here to answer any questions anybody might
7 have, but I think all of my comments are
8 contained in the report. We do have a
9 contractor pay request to consider, we usually
10 do.

11 But I do want to say that I
12 think that the action that was taken by the
13 board a couple of months ago in terms of
14 reducing the retention really did have some
15 positive effect in terms of moving the
16 contractor along a little faster, and I think
17 the contributions of Dave and Jim in our
18 Thursday morning meetings with the contractors
19 have helped as well. So thank you guys.

20 TRUSTEE KIZIOR: Could I just make a
21 comment?

22 I'm not sure the rest of the
23 board really understands how much work Jim
24 puts into making this farm happen and his

1 attention to detail and his desire to make
2 sure that the contractor runs the straight and
3 narrow, and I really think it has really come
4 to light in the past couple of months. So I
5 just wanted to say thank you for that.

6 MR. PETERSON: Thank you.

7 TRUSTEE PLAUTZ: You know, I also in
8 addition to the thanks to you, Jim, what is
9 our policy and our procedure -- First of all,
10 this has been several years. Whether we
11 should be writing a formal thank you note once
12 a year to the Vehe foundation people,
13 individuals, and to Jim; and the reason I
14 mention it is did we ever write a thank you
15 note to Citizens for Conservation? They
16 donated a lot of seeds and time. So I don't
17 know who would have a file copy.

18 Teri, have you written from
19 the Village of Deer Park?

20 MS. BRIDGE: Yes. We did a joint
21 letter, I believe it was last year, from the
22 village and foundation to the Citizens of
23 Conservation.

24 TRUSTEE PLAUTZ: Okay. Now, if you

1 think another joint letter has to be made,
2 because in November or December you told us
3 about this big amount.

4 MS. BRIDGE: Right.

5 TRUSTEE PLAUTZ: So that's what I'm
6 thinking make a second letter. And basically,
7 I think that we should also write a thank you
8 letter from the board to our very dedicated
9 volunteers.

10 PRESIDENT GIFFORD: So noted.

11 TRUSTEE EKSTROM: I think that's an
12 excellent idea because they do put a lot of
13 volunteer time in.

14 If there's no questions, I can
15 make a motion.

16 PRESIDENT GIFFORD: Yes, please.

17 TRUSTEE EKSTROM: A motion to
18 approve the payment request for R.W. Clarke in
19 the amount of \$19,965.46.

20 TRUSTEE THRUN: Second.

21 PRESIDENT GIFFORD: Moved and
22 seconded.

23 Roll call, please

24 ADMINISTRATOR CONNORS: Trustee

1 Ekstrom?

2 TRUSTEE EKSTROM: Yes.

3 ADMINISTRATOR CONNORS: Trustee

4 Plautz?

5 TRUSTEE PLAUTZ: Yes.

6 ADMINISTRATOR CONNORS: Trustee

7 Kizior?

8 TRUSTEE KIZIOR: Yes.

9 ADMINISTRATOR CONNORS: Trustee

10 Rotter?

11 TRUSTEE ROTTER: Yes.

12 ADMINISTRATOR CONNORS: Trustee

13 Thrun?

14 TRUSTEE THRUN: Yes.

15 PRESIDENT GIFFORD: Motion carries.

16 Anything else to add, Jim?

17 MR. PETERSON: That's my report.

18 Thanks.

19 TRUSTEE ROTTER: Nobody asked,
20 what's our completion date looking at right
21 now.

22 MR. PETERSON: In my report I
23 indicated that I thought we -- I could see
24 visibility of getting it done by the end of

1 March, and I'm hoping that even the March
2 board meeting. That's trying to read into
3 this somewhat because obviously, we're not in
4 control of the contractor. We're doing
5 everything we can to nudge him along and
6 facilitate as much as we can, but if we make
7 the progress that we've been making over the
8 last two months, that would be probable.

9 TRUSTEE ROTTER: I just wanted to
10 get it out in the public.

11 MR. PETERSON: Sure.

12 PRESIDENT GIFFORD: Okay. Thank
13 you, Jim.

14 Item number seven, review of
15 the draft plan commission minutes from the
16 meeting held December 4, 2006.

17 ADMINISTRATOR CONNORS: I just want
18 to comment on that that in the past it was
19 noticeable to me and the village attorneys
20 that the plan commission minutes were approved
21 by the village board, and that's something
22 that should be done by the plan commission.

23 There is a problem, a time
24 lapse between their meeting and

1 recommendations coming to the board. So I
2 think it would be more appropriate that you
3 review their draft minutes and that it's
4 reviewed by the plan commission chairman so at
5 you least get, you know, what the discussion
6 was in order to deliberate on the issues
7 before you.

8 TRUSTEE PLAUTZ: But if you're
9 saying that -- I was always under the
10 impression that the chairman had read the
11 minutes before we even saw them.

12 ADMINISTRATOR CONNORS: Correct,
13 and that's still being done. That's reviewed
14 further by the staff to the present.

15 TRUSTEE PLAUTZ: But it's just a
16 formality.

17 ADMINISTRATOR CONNORS: Well, I
18 believe the plan -- I think it was Mr. Keller
19 and my opinion that the plan commission
20 minutes should be approved by the plan
21 commission because they're the ones that are
22 the body, the recommended body; and then
23 again, the idea was if you had to wait for
24 them to be approved, you could wait maybe up

1 to four months to get them, and then there's
2 pending issues like the ones before you.

3 So at this time it's just --
4 No action is needed. Just that it's
5 officially kind of like a receipt and file on
6 the agenda. No action is needed.

7 PRESIDENT GIFFORD: All right.

8 Item number eight, report and
9 recommendations of plan commission regarding
10 amendments to section 158 of the zoning
11 ordinance.

12 Paul, do you want to go over
13 this, please?

14 ATTORNEY KELLER: This -- There are
15 two items here: One is the plan commission
16 recommendation and modifications to proposed
17 public lands district. You have -- I think
18 you have a copy of the revised proposed
19 ordinance. You're not being asked to act on
20 that tonight, just to review it. If you are
21 in agreement, then you would direct the
22 village attorney to prepare the actual
23 ordinance for adoption at the next board
24 meeting.

1 And the same thing with regard
2 to public notice requirements. You will
3 recall this came out of our discussion that
4 the ordinance requires certain kinds of notice
5 that -- and we talked about whether or not all
6 of those were required or appropriate, and the
7 board then suggested that there should be a
8 modification to the ordinance requiring
9 posting of a sign on the property to be
10 rezoned. The plan commission has reviewed
11 that and is sending it back to you for
12 recommendation.

13 Again, the appropriate action
14 by the board tonight would be a motion to
15 direct preparation of an ordinance.

16 TRUSTEE EKSTROM: Now, 8-A, this
17 issue about public notice, we have nothing in
18 the packet, correct, or am I missing
19 something?

20 TRUSTEE KIZIOR: I think that's the
21 last pages.

22 ADMINISTRATOR CONNORS: What you
23 have is the plan commission minutes reflecting
24 the recommendation. That's the one where

1 currently our ordinance requires people to be
2 notified within 500 feet

3 TRUSTEE EKSTROM: And that's in the
4 planning commission meeting minutes?

5 ADMINISTRATOR CONNORS: Yeah.

6 TRUSTEE EKSTROM: Oh, okay.

7 PRESIDENT GIFFORD: From December
8 4th.

9 ADMINISTRATOR CONNORS: Correct.

10 That's the one where our
11 ordinance required that property owners be
12 notified within 500 feet.

13 TRUSTEE EKSTROM: Okay. I
14 understand.

15 TRUSTEE KIZIOR: If I could make a
16 comment there. There's a lot of places in 8-B
17 Teska documents where there is references to
18 eight foot and the meeting minutes talk about
19 six foot and amendment.

20 ADMINISTRATOR CONNORS: Correct.

21 TRUSTEE KIZIOR: I'm figuring that
22 in the process that will all sort of get
23 sorted out.

24 TRUSTEE EKSTROM: Well, they sent

1 out, and I actually went through because Jim
2 sent us all --

3 TRUSTEE PLAUTZ: An email this
4 afternoon.

5 TRUSTEE EKSTROM: -- an updated
6 version of the 8-A document this afternoon,
7 and I did go through it line by line to find
8 out what the differences were besides the fact
9 that one was dated June and one was dated
10 January. The biggest difference is the whole
11 issue about the fence not being part of this
12 is removed but it says that we allow six foot
13 fences.

14 TRUSTEE KIZIOR: Which is --

15 TRUSTEE EKSTROM: Which is also a
16 violation of our fence. So that was the
17 question that I had. It's either an amendment
18 to the fence or not; but if it's not an
19 amendment to the fence, then it can only be
20 four or three foot, correct?

21 PRESIDENT GIFFORD: Kon?

22 MR. SAVOY: I thought it was six
23 foot.

24 TRUSTEE KIZIOR: I thought it was

1 six feet.

2 TRUSTEE EKSTROM: We've never
3 allowed residents --

4 MR. SAVOY: I believe so.

5 TRUSTEE ROTTER: I believe sideyard
6 and backyard have that and it was required
7 around pools. So I think there's two parts
8 when you're talking about fence. Fences are
9 lower in front.

10 TRUSTEE EKSTROM: Absolutely lower
11 in the front.

12 TRUSTEE ROTTER: But not in the side
13 and backyards.

14 TRUSTEE EKSTROM: I have to go back
15 and look at the ordinance. I could have sworn
16 like in Cary, the people who live along
17 Quentin Road asked for a six-foot fence and
18 they were denied.

19 TRUSTEE KIZIOR: I think they asked
20 for more than six foot.

21 TRUSTEE EKSTROM: I thought it says
22 three foot in the front and four foot on the
23 side and back.

24 TRUSTEE ROTTER: If I recall,

1 comparisons were made to the fence that's at
2 the back of the lot along Lake Cook.

3 PRESIDENT GIFFORD: I think you're
4 talking about our fence ordinance.

5 TRUSTEE EKSTROM: Yes.

6 PRESIDENT GIFFORD: Okay. Kon, do
7 you want to go over the proposed -- the public
8 lands district and where it might differ from
9 residential area, you know, public lands and
10 why we're differentiating, some of the key
11 points to that.

12 MR. SAVOY: I will try. I'll try to
13 summarize that, and Michael Weaver, an
14 associate with our firm, is with me tonight.
15 He's also worked in crafting this and may have
16 a little better recollection of some of the
17 specifics that you've asked for. I'll ask
18 Michael to speak to it.

19 Let me again reintroduce
20 myself to the folks I haven't met. I'm Kon
21 Savoy with Teska Associates. I serve the
22 village as village planner.

23 Tonight before the board is
24 the proposed amendment to the zoning board and

1 it's to create a new zoning district referred
2 to as the public lands district. This issue
3 has been before the board I think twice and to
4 the plan commission twice, the last most
5 recent one in the public hearing we had within
6 the last few months.

7 The principal objectives of
8 the public lands district was to streamline
9 review of public buildings and uses on public
10 property and to establish standards and
11 procedures for that review as well which right
12 now, quite frankly, isn't many.

13 With regard to the specifics
14 in the ordinance, one of the key issues that
15 was addressed in the new district is that we
16 have differentiated or propose to
17 differentiate all public lands from all of the
18 other residential districts, meaning that all
19 public lands currently are zoned residential.
20 And there are a numbers of concerns there 1)
21 The standards for the residential uses aren't
22 really applicable to public lands area; 2)
23 There's no protection for the future of those
24 lands and the buildings on those, and a lot of

1 that focus, of course, on Vehe Farm; and then
2 also addressed the issue of what the standards
3 should be, and one of those is alluded tonight
4 with regard to fences.

5 As was previously discussed,
6 my understanding that the fence heights now
7 are no different than what would be allowed on
8 a residential lot in all of the public lands
9 district except for special circumstances
10 where you have in a park you would have a play
11 field, a ball field, or other things with a
12 backstop, special conditions that would be
13 reviewed by the board. We have to keep in
14 mind that nothing will hand-on happen on a
15 public land. It's not just parks and
16 village-owned property, it includes all
17 governmental -- the property owned by a
18 governmental agency, if you will, that
19 includes schools and fire district and so
20 forth.

21 The standards -- I'm trying to
22 think and Michael, I may keep turning to you,
23 I don't think the plan commission -- There
24 were a couple of provisions in the proposed

1 ordinance that the plan commission received
2 that talked about potentially increasing the
3 height. With Jim here, maybe he can help
4 refresh my memory because I think there was
5 some concern if you go to the top of the
6 cupola in the barn or something it was like
7 two-and-a-half feet higher than would
8 otherwise be allowed in a typical residential
9 district. The plan commission decided no,
10 let's keep it at 35 feet and deal with any
11 variance or -- you know, at that time as I
12 recall.

13 Other than height we have in
14 this district different than our residential I
15 think it's different, and Michael will help
16 me, but we have special FAR standards to
17 regulate the amount of building that can
18 happen on these lots; and I think the one
19 other exception that comes to mind is there
20 was a special provision because the Vehe Farm
21 Foundation wanted the flexibility, and I
22 believe it's still in the ordinance to
23 potentially add a windmill on the property
24 which technically would be or would likely be

1 above that 35-foot height. So there was one,
2 I think, special provision added, and again,
3 different than the residential district.

4 Michael, is there anything
5 else?

6 MR. WEAVER: You hit most of the
7 major things. I think the plan commission
8 chairman said that the heights would fit
9 within the regulations. I don't think there
10 would be a variance required. I believe
11 that's what David said

12 And in terms of any other
13 changes, we just removed any references to the
14 lighting issue in terms of hours of operation
15 or the heights of the light.

16 So I mean, those were the
17 substantive changes. I think also there
18 was -- we added a clause for -- under
19 performance standards for lot coverage. That
20 this would kind of be -- you know, any sort of
21 development within the public lands district
22 exceeded the ratio. That the lack of coverage
23 maximum provided within the performance
24 standards would be the maximum sort of

1 allowance there. But I mean, those were the
2 key issues, and of course I think the fence
3 issue which we've been -- we've discussed.

4 PRESIDENT GIFFORD: And just
5 traditionally, most communities do zone their
6 residential areas different from their park
7 lands. It's -- We're not doing highly unusual
8 here.

9 MR. SAVOY: No. A number of
10 communities do it. I can't say that there is
11 a uniform approach. In fact, a number of
12 communities address this differently, but
13 there are a number of communities that do
14 exactly what we are doing. There are a number
15 of communities that do what Deer Park has
16 currently done over the years is just provided
17 them as special uses in residential districts,
18 and we think that the trend is moving away
19 from that to create special purpose
20 districts. And that was really the directive
21 that was given to the plan commission when we
22 met, and I met with you, as a board, last time
23 to take that approach.

24 TRUSTEE EKSTROM: Can I ask why the