

**The City of Lake Forest**  
**Zoning Board of Appeals**  
**Proceedings of the September 24, 2018 Meeting**

A regular meeting of the Lake Forest Zoning Board of Appeals was held on Monday, September 24, 2018 at 6:30 p.m., in the Council Chambers at City Hall, 220 E. Deerpath, Lake Forest, Illinois.

Zoning Board of Appeals members present: Chairman Mark Pasquesi and Board members James Moorhead, Michael Sieman, Richard Plonsker, Nancy Novit, Kevin Lewis and Lisa Nehring

Zoning Board of Appeals members absent: None

Staff present: Michelle Friedrich, Planning Technician and Catherine Czerniak, Director of Community Development

**1. Introduction of Board members and staff, overview of meeting procedures.**

Chairman Pasquesi reviewed the role of the Zoning Board of Appeals and asked members of the Board and staff to introduce themselves.

**2. Consideration of the minutes from the August 27, 2018 meeting.**

The minutes of the August 27, 2018 meeting was approved as submitted.

**3. Consideration of a request for approval of side yard setback variance for a new three car garage and a link between the garage and the house. Modifications are also proposed to the existing garage which is located within the side yard setback located at 395 Woodland Road.**

**Owner: Gregory Zeeman**

**Representative: John Krasnodebski, architect**

Chairman Pasquesi introduced the agenda item and asked the Board for any Ex Parte contacts or conflicts of interest. Hearing none, he invited a presentation from the petitioner and swore in all those intending to speak.

Mr. Krasnodebski described the property and surrounding area noting the curving street, wooded character and the older homes on the street. He pointed out the mature trees and evergreen trees that will remain on the property in the area between the proposed garage and the street. He stated that the existing vegetation will screen views of the proposed garage from the street. He reviewed the siting of the proposed garage and described the landscaped courtyard. He pointed out that some of the

existing hardscape on the site will be removed and replaced with vegetation. He stated that the garage is proposed in an area that is already paved and used as a parking court. He reviewed the proposed setback for the garage and the requested variance. He noted that on the property to the east, the driveway and garage of the neighboring home, rather than the living area, are located adjacent to the area where the new garage is proposed. He pointed out the existing seven foot fence located on the east property line between the two properties and confirmed that it will remain. He stated that the Zeeman's house was built prior to the current setback requirements and prior to the square footage limitations resulting in the need for a variance. He explained that the existing garage is a one and a half car garage and is difficult to access due to a later addition to the home which was constructed in front of the garage. He stated that a house of this size and prominence requires a functional garage adding that a three car garage is not unusual for the neighborhood. He reviewed the proposed low courtyard wall and reiterated the intent to protect and preserve the existing arborvitaes as well as the lower landscaping near the existing motor court. He reviewed the proposed garage noting that the height of the wall of the garage is only eight and a half feet adding that the roofline steps back from the plane of the wall. He reviewed the architectural details of the proposed garage noting that they will match the residence. He noted that the overall height of the proposed garage, at the tallest roof peak, is 19 feet. He stated that a dark shingle is proposed on the roof to allow the garage to fade into the vegetation. He stated that the topography will remain the same and no regrading of the site is necessary for the garage as proposed. He explained that after reviewing design options, the siting of the garage as presented was determined to be the most workable. He pointed out that the garage as proposed is sited to avoid disrupting the front façade of the historic home. He commented on other options that were studied and explained the reasons they were rejected. He concluded noting that the plan presented updates the home in a sensitive way.

Ms. Friedrich explained that a side yard setback variance is requested to allow construction of a three car garage, a breezeway between the new garage and the residence, and modifications to the existing attached garage. She noted that the existing garage is non-conforming with respect to the setbacks. She stated that the Historic Preservation Commission will consider the design aspects of the project and a request for a variance from the allowable square footage at an upcoming meeting. She noted that the residence is designated as a Contributing Structure to the East Lake Forest Historic District. She stated that the garage is sited to preserve the prominent front façade of the historic home. She noted that the property was created through a subdivision in 1894 and the home, built in 1923 remains largely unchanged from the time of original construction. She noted that the existing attached garage is undersized for today's vehicles and difficult to access due to an awkwardly sited shed. She reviewed the proposed location of the garage, on existing driveway pavement. She noted that the garage, as proposed is 3'9" from the east property line at the point

of furthest encroachment and the breezeway is 6'1" from the east property line. She noted that two letters were received and were provided to the Board.

In response to questions from Board member Nehring, Mr. Krasnodebski stated that no change is proposed in the drainage pattern he noted however that any improvements required by the City Engineer relating to drainage will be incorporated into the project. He confirmed that the arborvitae will be protected during construction and will remain on the site. He stated that no windows are proposed on the east side of the garage and only one window is proposed on the east side of the breezeway to minimize off site light impacts.

In response to questions from Board member Lewis, Mr. Krasnodebski stated that the garage is designed at the minimum workable depth in an effort to allow it to fit in the limited area available and avoid blocking the front façade of the house.

In response to questions Board member Moorhead, Mr. Krasnodebski confirmed that the breezeway is proposed for functional reasons, to provide a covered connection from the garage to the house. He added that the breezeway also preserves the original architecture of the house. He confirmed that the breezeway will be heated.

In response to questions from Board member Lewis, Mr. Krasnodebski confirmed that the maple tree near the existing fence will be removed. He explained that plantings are not proposed between the garage and the fence due to limited space and light exposure. He stated that low maintenance ground cover will be planted in that area.

In response to questions from Board member Nehring, Mr. Krasnodebski stated that most of the existing landscaping will remain. He stated that landscaping will be added in the front courtyard.

In response to questions from Board member Lewis, Ms. Friedrich confirmed that the City Arborist approved the removal of the maple tree.

Hearing no further questions from the Board, Chairman Pasquesi invited public testimony.

Ms. Lopat, 410 Woodland Road, stated that she lives across the street from the property. She noted that in general, she supports the petition. She agreed that the existing garage is odd and difficult to access. She stated concern about impacts on the historic Woodland Road streetscape. She stated that the existing arborvitae will be very close to the proposed garage. She asked that special care be taken to protect the trees during construction and if they are damaged, that they be replaced. She also noted concern about drainage noting that during recent heavy storms, the neighborhood experienced drainage on to Woodland Road. She stated that if there is a way to slow down the run off of water from the property, it would benefit the neighborhood.

Hearing no further public testimony, Chairman Pasquesi returned the discussion to the Board.

Board member Lewis stated that the proposed project is reasonable and meets the standards for a variance. He noted that stormwater is not in the Board's purview and pointed out that this single project cannot be expected to solve a larger neighborhood issue. He stated that the project as proposed does not change the character of the home or the surrounding neighborhood.

Chairman Pasquesi stated agreement with Board member Lewis' comments and pointed out that the project as proposed will reduce the amount of impervious surface on the site by 300 square feet.

Board member Sieman agreed with the previously stated comments. He stated that initially, he was concerned about the square footage overage but noted that with the reduction in impervious surface, the project as proposed appears to be a reasonable way to make the home more functional.

Board member Novit agreed with the comments of the other Board members.

Board member Nehring stated support for the project. She added that drainage should be reviewed carefully as part of the plan review process and asked that steps be taken to protect the arborvitae.

Board member Plonsker commended the property owners' efforts to maintain and upgrade the historic home.

Board member Lewis applauded Mr. Krasnodebski and the property owners for looking at alternatives and sharing them with the Board. He stated that seeing alternatives is helpful in reviewing the project.

Hearing no further comments from the Board, Chairman Pasquesi invited a motion.

Board member Lewis made a motion to recommend approval of a variance from the side yard setback to allow an attached garage and breezeway to be constructed as reflected on the plans presented to the Board and at the closest point, no closer than 3'9" to the east side yard property line. He stated that the motion is based on the findings detailed in the staff report and noted that the Board's discussion is also incorporated into the findings. He stated that the motion includes the following conditions of approval.

1. Measures shall be taken to protect and preserve the existing arborvitae during construction.

2. A landscape plan shall be submitted and will be subject to review and approval by the City's Certified Arborist. The landscape plan shall detail plantings as needed in the areas adjacent to the garage and around the courtyard. If, due to the time of year, planting is not possible prior to the issuance of a Certificate of Occupancy, a bond shall be posted with the City in the amount of 110% of the cost of materials and labor to assure plantings within 30 days of the start of the next planting season.

The motion was seconded by Board member Novit and was approved by a vote of 7 to 0.

4. **Continued consideration of updates to the Elawa Farm Master Plan and Special Use Permit. Elawa Farm is located at 1401 Middlefork Drive.  
Owner: The City of Lake Forest  
Representatives: City Staff and Elawa Farm Tenants**

Chairman Pasquesi introduced the agenda item noting that the Board is continuing its discussion on this petition from several previous meetings. He asked the Board for any Ex Parte contacts or conflicts of interest. Hearing none, he invited a presentation from City staff and swore in all those intending to speak on this matter.

Ms. Czerniak reviewed the Board's discussions to date and noted that the draft Master Plan and Special Use Permit conditions now presented represent continuing attempts to find the proper balance of the various interested parties based on the Board's discussions and direction to date. She noted that the Board received blackline and clean copies of the Master Plan and the conditions of approval reflecting changes made since the last meeting. She noted that the updates to the Master Plan include: more clearly identifying the various use areas including the primary event spaces and the common area. She reviewed that two overlays of the use areas are proposed, one for the Wildlife Discovery Center and one in the Garden. She stated that farm animals are currently not authorized however, the Elawa Foundation has requested the opportunity to have farm animals on the site on a limited basis. She stated that the Middlefork Farm Homeowners' Association has stated opposition to allowing farm animals on the site. She stated that the language offered by staff proposes a middle ground by allowing animals at Elawa Farm up to five days a year for a petting zoo or demonstrations. She stated that farm animals would only be permitted in the Garden overlay area and would not be permitted on the site overnight. She noted that no permanent structures to house farm animals are permitted under the proposed language. She noted that an exception is provided for an "egg to chicken" demonstration exhibit, as requested by the Elawa Foundation, which would be housed in the farm buildings. She noted that "Daily Use Activities" are defined in the current draft to provide clarity and noted that they include classes, demonstrations, workshops, field trips, public drop in activities, daily programming, gardening and the preparation of food from the garden. She added that the Market is also recognized

as a daily activity. She clarified that tenant sponsored day time activities are considered "Daily Use Activities" consistent with the purpose of Elawa Farm. She stated that as proposed, programs or classes sponsored by Elawa Farm tenants must end by 9:30 p.m. which is consistent with the current regulations for the site. She noted that "Events" are defined as those activities that differ than "Daily Use Activities". She stated that currently, there is not limit on the total number of evening events that may occur. She reviewed proposed language relating to the number of events based on the number of attendees which is offered for the Board's consideration. She reviewed the proposal noting that a maximum of 10 Events (day or evening) with 126 to 200 attendees would be permitted with two of those reserved for Elawa Farm tenants, one for each. She continued noting that a maximum of 10 *evening* Events with 51 to 125 attendees would be permitted, with two reserved for Elawa Farm tenants, one for each, with no limit on the number of events of this size held during the day. She noted that the final category would be a maximum of up to 10 *evening* Events with up to 50 attendees would be permitted, two of which are reserved for the tenants, one for each. She stated that there would be no limit on the number of daytime Events of this size. She noted that this is a significant change since currently, there are no limits on the number of events that can be held at Elawa Farm, only a limit on the number of amplified events that can be held. She noted that the current proposal would reduce the number of amplified events from 12 to eight. She noted that a definition of "amplified" is added to include any music or voice that is enhanced through electronic means. She noted that an exception is proposed for events that are fully enclosed in the hay barn but acknowledged that monitoring whether the doors are kept closed could be a problem. She noted that currently, events must end by 11 p.m. and the service of alcohol must end one hour earlier than the end of the event. She stated that the current proposal would require events to end at 10:30 p.m. and alcohol service to end 30 minutes prior to the end of the event. She noted that, as proposed, shuttle service would be required for events with 85 people or more and shuttle service would be required to end by 11:15 p.m., or 45 minutes after the end of an event. She stated that currently, shuttles are required for events with over 75 people. She noted that the current prohibition on valet parking remains and a prohibition on ride sharing services such as Lyft or Uber is proposed for the purpose of limiting the number of vehicle trips into the area. She reviewed the primary and limited event areas as proposed. She noted that a provision is made for a canopy in the area west of the Garden once a year for the Elawa Foundation fundraising event. She noted that the New Structures section was updated to reflect work that has been completed on the site since the original approval of the Master Plan, expansion of the parking lot and construction of the greenhouse. She noted that opportunities are identified in the current draft for up to two sheds in the Garden Overlay area and a new structure west of the farm buildings for the Wildlife Discovery Center in the event that program space in the farm buildings is no longer available. She noted that more flexibility is proposed for the Market hours.

She noted that apart from the specific language of the Master Plan and Special Use Permit conditions, the Board has heard other concerns that are beyond the Board's purview. She offered that the Board could forward additional recommendations to the City Council pertaining to enforcement, schedule coordination and budgetary issues. She concluded inviting Board questions and adding that if the Board is prepared to do so, a recommendation on this matter could be forwarded to the Council after a vote by the Board.

In response to questions from Board member Lewis and Sieman, Ms. Czerniak noted that there are about 80 parking spaces in the Common Area at Elawa Farm. She stated that the shuttle service requirement was linked to the availability of parking spaces with some allowance for staff and the fact that often more than one person may arrive in a single car. She acknowledged that the categories for number of attendees is arbitrary but noted that the breakdown is an effort to recognize that events with less than 50 people do not see to be the ones creating negative impacts on the neighborhood. She acknowledged that restricting Lyft and Uber services would be problematic.

In response to questions from Board member Plonsker, Ms. Czerniak clarified that the lease agreement for the Wildlife Discovery Center is currently with the Foundation as site manager. She confirmed however that the City owns Elawa Farm and the Wildlife Discovery Center is a City program.

In response to questions from Board member Novit, Ms. Czerniak stated that there is no prohibition on attendees parking in a friend's driveways to attend an event at Elawa Farm. She explained that the new parking area is a gravel lot, rather than paved, to avoid the addition of impervious surface in the area and requirements for drainage infrastructure.

In response to questions from Board member Nehring, Ms. Czerniak acknowledged that the conditions that are ultimately approved will not be perfect but ideally, will provide more guidance for use of the site than exist today. She stated that in the future specific conditions or areas of the Master Plan can be revisited and modified.

Chairman Pasquesi reminded the Board that enforcement of the conditions that are ultimately approved will occur as directed by the City Council noting however that the Board can raise the issue of assuring enforcement as a concern in its recommendations to the City Council.

In response to questions from Board member Novit, Ms. Czerniak explained that the Elawa Farm Foundation requested the ability to have adult chickens at Elawa Farm during the summer months. She noted that request is not accommodated in the current proposal. She confirmed the Council has the ability to remand the petition back to the Board for reconsideration of one or more aspects if they see fit to do so.

In response to questions from Board member Sieman, Ms. Czerniak confirmed that the Operating Agreement and budget issues are under the Council's purview.

In response to questions from Board member Novit, Ms. Czerniak stated that weddings are not permitted at City parks or at the beach. She stated however that some private use of City parks is permitted.

In response to questions from Board member Plonsker, Ms. Czerniak reviewed other City properties that host large events with amplified sound: the parking lot north of City Hall, the beach, Deerpath Park and West Park. She confirmed that the Board can modify the conditions of approval that are currently being considered.

In response to questions from Board member Lewis, Ms. Czerniak explained that most field trips to the Wildlife Discovery Center occur in April, May, September and October. She noted that highlighting the peak times for field trips is intended to clarify when Elawa Farm may be available for day time rentals.

In response to questions from the Board, Chuck Myers, Superintendent of Parks and Forestry, confirmed that weddings are not permitted in City parks or at the beach. He noted that other types of events in City parks are permitted until 10 p.m. adding that on occasion, exceptions have been granted to allow events to continue until midnight.

In response to questions from Board member Nehring, Mr. Myers confirmed that alcohol is permitted at the beach and allowed by permit in City parks. He noted that typically amplified events are not permitted in parks.

In response to questions from Board member Sieman, Mr. Myers confirmed that there are restrictions on the use of pavilions and parks that apply to private events.

In response to questions from Board member Plonsker, Mr. Myers stated that there have not been requests for amplified music in the parks or music past 10 p.m. so no regulations exist to address the issue.

In response to questions from Board member Lewis, Mr. Myers confirmed that the Park and Recreation Foundation obtains a Special Event Permit for the 4<sup>th</sup> of July celebration held at Deerpath Park.

In response to questions from Board member Novit, Mr. Myers stated that some special events are hosted by the City and others by private organizations.

In response to questions from the Board, Ms. Miller explained that through an Operating Agreement with the City, the Elawa Foundation was granted permission to manage and maintain the facility. She stated that the Elawa Foundation leases the



cottage to the Wildlife Discovery Center and receives rent for the cottage which supports the maintenance of the facility.

In response to questions from Board member Nehring, Ms. Miller stated that in her experience, field trips occur year round and as a result, the ability to rent spaces for other daytime uses is limited.

In response to questions from the Board, Ms. Miller stated that categorizing and restricting events by size will be difficult to manage because it is hard to predict how many people will attend a wedding in advance of the event. She suggested simply limiting the total number of private rental events that are permitted in the evenings. She pointed out however that smaller events can generate more car trips on Middlefork Drive because the larger events are required to use a shuttle service. She agreed that it will be difficult to restrict Lyft or Uber services.

In response to questions from Chairman Pasquesi, Ms. Miller stated that on average, 35 evening events are held in a calendar year, both on the weekdays and weekends. She noted that two evening events were hosted by the Elawa Farm Foundation and the rest were private rental events of varying sizes. She stated that the Wildlife Discovery Center has not held evening events in the past. She stated that on average, 10 amplified events are held annually. She expressed concern about limiting amplified events to eight per year and the proposed 10:30 p.m. ending time. She stated that with those limitations, the venue will no longer be inviting for weddings. She stated that the Foundation provides an event attendant on the site during private events. She stated that any attendant turns on the lights at the end time for events, asks that the music stop, and manages the parking lot.

In response to questions from Board member Novit, Ms. Miller stated that the caterers park at the west end of the parking lot to save the spaces closer to the building for the event guests.

In response to questions from Board member Plonsker, Ms. Miller clarified that outside caterers handle all aspects of the food preparation and service.

In response to questions from Board member Plonsker, Ms. Miller acknowledged that it is difficult for the Foundation to manage the large private events. She stated however that the Foundation is required to fund the maintenance of the grounds and farm buildings. She noted that the rentals provide the revenue needed for the up keep of the facility adding that weddings generate significant revenue. She stated that \$150,000 is needed to maintain the buildings and grounds annually.

In response to questions from Board member Novit, Ms. Miller confirmed that interested parties are turned away due to the limits placed on private rental events. She stated that 12-14 weddings of varying sizes are currently booked for 2019.

In response to questions from Board member Lewis, Ms. Miller stated that the Foundation supports portions of the current proposal. She reiterated categorizing events by size would be difficult to manage. She stated that limiting evening events to a specific number would be simpler. She stated that the Foundation would like to have chickens on the site during the summer in a temporary chicken coop in the Garden Overlay area. She stated that the Foundation would also like the ability to have other farm animals brought to the site on a limited basis in keeping with the recommended five day limit. She stated that for the Elawa Foundation event, the ability to have a tent, as opposed to just a canopy, in the area west of the Garden would be helpful in the event of bad weather.

In response to questions from the Board, Mr. Carmichael affirmed that school field trips occur primarily in September, October, April and May. He noted at times there is spillover into early November. He stated that field trips are typically one school per day, from about 10 a.m. until noon. He noted that corporate events are held in the hay barn which can be partitioned off to allow both activities to happen concurrently if necessary. He stated that in an effort to reduce the impact on Elawa Farm, he is willing to explore opportunities to have birthday parties and Croctoberfest at other locations. He stated that the activity generated by the open public drop-in hours is minimal.

In response to questions from Board member Lewis, Mr. Carmichael confirmed that field trips occur during four to five months of the year, up to two days a week. He stated support for the staff recommendations related to the Master Plan and Special Use Permit. He stated that Elawa Farm is a community resource. He explained that during the summer, day camps are held Mondays through Thursdays, half of days, with 12 to 15 attendees. He stated that in the past, one camp has been held in August, for five days and 20 children or attendees.

In response to questions from Board member Lewis, Ms. Duffy stated that the Middlefork Homeowners' Association's position is detailed in the letter submitted to the Board. She stated that 85 attendees is too large a number people to be used as a trigger for the requirement for a shuttle service. She stated that 75 attendees is more reasonable given the number of support staff that are often used at the various events which bring the total number of people on the site, even for an event with 75 attendees, closer to 100. She stated that the homeowners have tried to be reasonable and civil in this discussion but noted that activity levels continue to increase and stated that it is important to put some clear parameters and limitations in place as part of this process. She stated that she was concerned hearing tonight that farm animals would be considered outside for any length of time.

In response to questions from the Board, Mr. Walsh stated objection to allowing farm animals on the site. He described a recent weekend at Elawa Farm noting that a tent was set up on Friday morning, catering trucks arrived at 8 a.m. Saturday, the event

continued late into Saturday evening and set up for a race began before 7 a.m. the following Sunday morning. He stated that the burden on the neighborhood is from all of the events cumulatively that occur in the area. He suggested that all types of large events in the immediate vicinity of Elawa Farm should be limited to one per quarter. He noted that the Wildlife Discovery Center is not a burden to the neighborhood on its own. He asked that the City Council consider operating issues and the financial aspects of the operations.

Board member Plonsker stated that in his opinion, the neighbors are being good sports about Elawa Farm. He stated that the activity level is clearly a strain on the neighborhood.

Chairman Pasquesi invited additional public testimony.

Marilyn Rozeypal, 1027 Aynsley Avenue, stated that she has lived in Middlefork Subdivision for 13 years. She stated that Elawa Farm is open to the public for the purpose of learning about an historic gentleman's farm. She questioned how evening events further that purpose. She stated that the amplified events and constant traffic are destroying a beautiful area. She questioned why weddings are held at the site and why events are permitted to last until 11 p.m. She stated that farm animals should not be kept on the site overnight and chicken coops are not welcome. She reiterated the concerns about continuous activity at the site as voiced by Mr. Walsh. She stated that 30 events a year are too many, adding that most of the events occur on weekends, every weekend. She noted that shuttle buses are disruptive late into the evening. She also referenced the recent race noting that set up started early and amplified music was playing by 9 a.m. She stated that photographers regularly use the site for shoots.

Rommy Lopat, 410 Woodland Road, stated that she lives near the high school and traffic is bad at times at that location. She stated that the community needs a place to have parties. She said that she has owned a farm for many years and agreed that roosters should be prohibited. She stated that hens are quiet noting that she has owned 10 hens for 30 years and they have never been attacked by other animals. She stated that hens do not result in odors or carry disease. She stated that field trips to the Wildlife Discovery Center should not be restricted. She stated that Elawa is an educational farm and should function as such during the day. She suggested that revenues can be generated by day time activities related to the farm.

Chairman Pasquesi asked for further public comment, hearing none, he closed the public hearing and returned the discussion to the Board.

*The Board took a brief recess at 8:50 p.m. The meeting resumed at 9:00 p.m.*

Chairman Pasquesi called the meeting back to order noting that the Board is working diligently to balance the interests of the various interested parties. He invited further Board discussion on the petition.

Board member Sieman stated that he remembers the early discussions about the development of the Middlefork Farm subdivision. He stated that in his opinion, Elawa Farm should first and foremost be operated in a manner that evokes its history as a gentleman's farm. He stated support for farm-like activities at the site and for limiting rental events at the site. He stated that hawks and owls are the most aggressive predators for chickens.

Board member Plonsker agreed with Board member Sieman and referred back to the vision statement for Elawa Farm which speaks to it being a representation of a gentleman's farm. He stated that Elawa Farm was never intended to be a wedding venue or a venue with amplified events. He stated support for finding an alternative solution that will negate the need for the Foundation to offer the site for loud events.

Chairman Pasquesi disagreed with Board members Sieman and Plonsker stating that in his opinion, some number of events should continue to be allowed at Elawa Farm. He stated that Elawa Farm is a unique asset to the community, one that makes Lake Forest different from other communities from the perspective of the real estate market. He stated that the nearby residents seem to have two primary concerns: farm animals and the number, size and type of events. He stated that the conditions related to events broken down by the number of attendees do not seem to be workable.

Board member Plonsker clarified that he is not suggesting that no events be permitted but suggested that consideration be given to not allowing events after 6 p.m.

Board member Lewis expressed frustration that the charge of the Board is limited to making recommendations about the proper use of the property without thinking about revenue. He stated that there is a market for outdoor weddings and noted that Elawa Farm responds to that demand. He noted however that the attraction of the venue is the Garden setting and views of the farm buildings and natural area beyond which are only available during daylight hours. He stated that the problems on the site appear to occur mostly with after-hours events. He said that the question needs to be asked, do weddings or other amplified events fit into the vision for the property. He stated appreciation for the neighbors' concerns about odors from farm animals adding however that some limited opportunity to have farm animals on the site is reasonable.

Board member Nehring stated that some opportunity for evening events should be provided. She acknowledged that the Foundation needs some opportunity to generate revenue. She noted however that Elawa Farm is a public place and noted that weddings are not permitted in other public places like parks or the beach. She

suggested that weddings may need a higher level of security than is provided currently. She stated support for allowing farm animals on the site for up to five days a year.

Board member Novit stated agreement with Board member Nehring's comments noting however that she could support allowing chickens at Elawa Farm during the summer months. She stated that although she supports the idea of returning Elawa Farm to a gentleman's farm, it is not realistic because having Elawa Farm available as an event venue is a benefit to the community. She empathized with the neighbors noting that she lives near Lake Forest College and is impacted by students who live off campus.

Board member Sieman suggested that the City Council may need to open up other public spaces for weddings to spread the impact around. He stated that given the size of the site, farm animals should be allowed by right.

In response to questions from Board members Plonsker and Sieman, Ms. Czerniak confirmed that the City Council could remand this matter back to the Board if the Council determines that further consideration is needed. She confirmed that the Council could also make changes to the funding or operational aspects of Elawa Farm in response to recommendations from the Board related to the use of the site. She confirmed that the City Council will have the benefit of the Board's length discussion noting that every Board packet, all correspondence received by the Board and the minutes from the Board's meetings are made available to the City Council.

Board member Lewis stated that although the discussion is hard without considering the budget numbers, he understands that the Board's charge is to consider what is the best use of the property. He offered options with respect to the number of weddings or rental events that should be permitted each month. He reiterated that, in his opinion, farm animals should be permitted on the site in some form.

Board member Novit noted that she has observed that parking at Elawa Farm is tight on some Saturday mornings adding that park and trail users in addition to those visiting Elawa Farm fill the lot at times.

Chairman Pasquesi asked for final Board comments on whether or not farm animals should be permitted at Elawa Farm and if so, with what limitations.

Board member Novit suggested that chickens, hens only, be permitted during the summer months for one year, on a trial basis. She stated support for allowing other types of farm animals to be brought on to the site for up to five days a year for a daytime event.

Board member Sieman stated that based on zoning and size of the property, farm animals should be permitted.

Chairman Pasquesi summarized that there appears to be support for allowing chickens at Elawa Farm during one summer as a trial. He suggested that 10 chickens be permitted at Elawa Farm for no more than 90 days during 2019 using a temporary structure to house them.

Board members stated support for the Chairman's proposal.

Chairman Pasquesi asked for Board comments on evening events at Elawa Farm and on the conditions drafted by staff pertaining to events.

Board member Sieman stated support for day time events and clear limitations on evening events. He stated that Elawa Farm should capitalize on events held during daylight hours.

Chairman Pasquesi again questioned whether categorizing events by size is workable.

Board member Lewis questioned how restrictions on the use of Lyft, Uber or taxis by event attendees could be enforced.

Board member Plonsker stated support for wedding ceremonies but stated that parties and receptions with music are not an appropriate use of the site. He suggested that wedding receptions could be held at other locations after the wedding ceremony is held at Elawa Farm. He stated that wedding ceremonies should end by 6:00 p.m.

Chairman Pasquesi stated that in his opinion, there should be some limited opportunity for amplified events at Elawa Farm.

In response to questions from the Board, Ms. Czerniak stated that the current Special Use Permit allows 12 amplified events with no more than two over the course of any 30 day period. She added that currently, amplified events cannot be on consecutive days. She stated that in the draft currently before the Board, the number of amplified events is reduced to eight. She confirmed that currently, there is no limit on the total number of events that do not have amplified sound.

Board member Nehring stated that the Foundation needs to be able to generate revenue to maintain the farm and keep it available for public use.

Board member Sieman stated that he does not believe it is appropriate to allow amplified events at Elawa Farm but acknowledged that the letter from the Middlefork Homeowners' Association states that six amplified events could be acceptable.

Board member Lewis stated that it is his understanding that the Homeowners' Association offered six amplified events in the spirit of compromise, but prefer none.

Board member Plonsker stated opposition to amplified, evening events.

Chairman Pasquesi stated that consistent with the compromise that the Homeowners' Association offered, eight amplified events could be permitted in 2019 with a reduction to six beginning in 2020. He suggested that aside from the capacity limit at the site of 200 people, no further break down of events by the number of attendees should be applied recognizing the difficulty in monitoring the number of attendees.

Board members Novit and Nehring noted that such an approach may cause problems with contracts that are already in place with the Foundation for private rentals next year.

Board member Nehring suggested if amplified events are limited to six a year, the end time should remain at 11 p.m. She stated that the reduction is significant, half of what is now permitted.

Board member Novit stated agreement with Board member Nehring. She stated that the Foundation can determine which six events will likely produce the most revenue. She noted however that events held inside the farm buildings are not impactful on the neighbors from a noise perspective.

Board member Lewis questioned whether it is a reasonable use of the property to have events 30 weekends in a row whether they are amplified or not.

Board member Plonsker acknowledged that gatherings of 50 people or less, without amplified sound, tents or catering, may be workable on a more frequent basis because the impact on the neighborhood would be limited.

Board member Lewis commented that it is not reasonable to expect the Elawa Foundation to be able to control events with 100 people that show up in 50 cars, with 30 event staff. He stated that traffic control, parking and shuttles all need to be monitored.

Chairman Pasquesi stated that the City Council will need to pay attention to how any regulations that are established get enforced.

Board member Novit suggested that a maximum of 30 evening events be allowed, eight with amplified sound in 2019 and six with amplified sound in 2020 and beyond.

Board member Lewis suggested that events with 50 or fewer people could be unlimited. He stated that larger events generate the problems.

Chairman Pasquesi summarized that 35 evening, rental events were held at Elawa Farm in the past year, 10 of them with amplified sound. He suggested limiting the total number of rental, evening events to 24 with up to six of those with amplified sound. He added that amplified events should not occur on consecutive weekends.

Board member Nehring noted that in addition to noise, neighbors have raised concerns about the impact of the set up and take down for large events.

Chairman Pasquesi offered an option of a maximum of 12 non-amplified for events with more than 75 attendees and a maximum of six amplified events of any size over the course of a year. He noted however that 12 non-amplified events may not be enough.

In response to questions from the Board, Ms. Czerniak confirmed that based on prior agreements, the parking lot is intended to serve not only Elawa Farm, but also users of Elawa Park and the Lake County Forest Preserve. She suggested that based on the Board's discussion and direction, the Board could direct staff to draft revised conditions pertaining to farm animals and evening events for final review and action at the next meeting. She cautioned against trying to wordsmith conditions at this point in the meeting particularly due to the extensive discussion that has occurred.

Board members Sieman and Plonsker stated that they cannot support the option offered by the Chairman.

Board members Novit and Nehring stated support for the option offered by the Chairman.

Board member Lewis suggested that the Board could consider the number of past events and compare that information with the various proposals for the number and size of events. He noted however that the Board seems close to finding a workable option and offered the following option: a maximum of 12 evening events with no more than six of those with amplified sound, no more than two within any 30 day period and up to 200 attendees would be permitted at all 12 events. He suggested that for the 12 events, the ending time remain at 11 p.m.

Board member Nehring stated that given the extensive discussion, her preference is not to rush a decision on the specific parameters for evening events. She suggested that the matter be continued to allow staff to draft language to reflect the Board's discussion and allow time for final Board review of the language before action at the next meeting.

Chairman Pasquesi agreed with the approach suggested by Board member Nehring.



Ms. Czerniak stated that if the Board continues the petition, the Board could direct staff to draft revised conditions pertaining to farm animals and evening events based on the Board's discussion. She suggested that the Board continue the matter to a date certain.

After a brief discussion, the Board determined that all members are available for a meeting on Tuesday, October 23, 2018.

In response to questions from Board member Lewis, Ms. Czerniak confirmed that it would be appropriate for the Board to forward a recommendation to the City Council, as part of the Board's final action on this matter, that a clear enforcement mechanism be established to assure that use of Elawa Farm is consistent with the conditions of the Special Use Permit and provisions of the Master Plan.

Chairman Pasquesi acknowledged that it is clear from the testimony presented to the Board that the conditions of the current Special Use Permit are not being fully followed or enforced and that is part of the problem.

Board member Sieman made a motion to continue the Board's consideration of the Elawa Farm petition to Tuesday, October 23, 2018. He noted that the Board's deliberations remain open only on two items: farm animals and evening events. He noted that incorporated into the motion is direction to staff to draft language based on the Board's discussion, relating to the two open items for Board review and further deliberation as may be appropriate.

The motion was seconded by Board member Nehring and was approved by a vote of 7 to 0.

#### **5. Public testimony on non-agenda items.**

No public testimony was presented to the Board on non-agenda items.

#### **6. Additional information from staff.**

There was no additional information testimony presented by staff.

The meeting was adjourned at 10:49 p.m.

Respectfully submitted,

Michelle E. Friedrich  
Planning Technician