

**WINNETKA ZONING BOARD OF APPEALS MEETING MINUTES
NOVEMBER 11, 2024**

Zoning Board Members Present: Matt Bradley, Chairman
Mark Haller
Lynn Hanley
Kathryn Leister
Kate Casale MacNally
Mike Nielsen
Todd Vender

Zoning Board Members Absent: None

Village Staff: David Schoon, Director of Community Development
Ann Klaassen, Assistant Director of Community Development

Village Attorney: Peter Friedman

Call to Order & Roll Call:

Chairman Bradley called the meeting to order at 7:02 p.m. Roll call was taken of the Board Members present.

Approval of Meeting Minutes.

Chairman Bradley asked for a motion to approve the October 14, 2024, meeting minutes. A motion was made by Mr. Nielsen to approve the October 14, 2024, meeting minutes. Ms. Casale MacNally seconded the motion. A vote was taken and the motion unanimously passed, 7 to 0:

AYES: Bradley, Haller, Hanley, Leister, Casale MacNally, Nielsen, Vender

NAYS: None

Community Development Report.

Mr. Schoon stated there is no Community Development Report.

Continued Cases:

a. **Case No. 24-08-SU: 225 Sheridan Road - Centennial Park & Beach:** An application seeking approval of (i) a Special Use Permit to allow construction of improvements to the existing park and beach; (ii) a zoning variation to allow fences and walls to exceed the maximum permitted wall and fence heights allowed in a front yard setback; and (iii) steep slope exceptions to allow walkways, retaining walls, steps, and seating areas within the steep slope zone. The Village Council has final jurisdiction on this request. This item was continued from the October 14, 2024, Zoning Board of Appeals meeting.

Chairman Bradley explained how the meeting would proceed. Ms. Klaassen provided a summary of the application and relief being requested in connection with the proposed improvements. She also outlined the Board's role in considering the application. Mr. Schoon provided a summary of structures which are allowed in a required front yard and provided a detailed explanation of how the ordinance applied to the wall and fence elements of the boardwalk and pier and referred to several illustrations. He also provided a detailed explanation of the proposed boardwalk improvements and referred to view illustrations from several vantage points. Mr. Schoon stated the Village Attorney, Peter Friedman, will address questions

1 relating to the walking path between the Park District steel groin which will have the dog fencing, the 205
2 Sheridan stone groin and its stairs.

3
4 Peter Friedman referred to the question raised as to whether the public would have to walk on private
5 property in order to access the beach. He referred to the Public Trust Doctrine and exceptions which he
6 summarized. Mr. Friedman referred to an area in the illustration on the south side of the property
7 between the Park District and 205 Sheridan Road properties where the public would walk from the dog
8 beach to the stairs on the 205 Sheridan stone groin to go south and the area which remained private
9 property. He stated the Board can condition any approval recommendation with conditions with the issue
10 being resolved relating to walking on private property to access the beach.

11
12 Chairman Bradley asked for the applicant's presentation to be followed by public comment. He swore in
13 those speaking to this matter.

14
15 Christina Codo, Winnetka Park District Board of Commissioners President, first described the Park
16 District's role. She explained how natural tensions can arise when public spaces are located in residential
17 areas with effort being made on their part to design the park to minimize conflicts with the surrounding
18 community while addressing specific public needs such as ADA accessibility, safety, etc. Ms. Codo then
19 described the current shoreline erosion and the negative impact and consideration by several
20 governmental entities in terms of protections. She also described how the proposal would not negatively
21 impact the surrounding areas and asked for the Board to provide a positive recommendation to the Village
22 Council. Ms. Codo stated they would then provide a PowerPoint presentation which outlined their
23 responses to the various exceptions and addressed the standards and regulations.

24
25 Costa Kutulus, Park District Director of Parks and Maintenance, introduced himself, Scott Freres, The
26 Lakota Group, Adam Simon, Park District legal counsel, Bill Loftus, Spaceco Engineering and Shannon
27 Nazzal, Park District Executive Director and stated he would summarize the Park District's answers to the
28 questions and concerns raised at the previous meeting. Mr. Kutulus briefly summarized the project's
29 background and their timeline in terms of the Board's review and permitting processes. He also
30 summarized various elements of the proposed plan, including the access path, the elevated boardwalk
31 and the items and areas which required exceptions and variations. Mr. Kutulus explained various areas in
32 detail including the timber sea wall, the existing and proposed sheet piling areas and grade change areas
33 with sand nourishment. He also identified a steep slope area which would be regraded to address erosion
34 issues.

35
36 Mr. Kutulus explained the proposed boardwalk area and fencing requiring a variation and described the
37 grade level change. He also identified the existing areas and proposed sea wall improvements in detail
38 and proposed grade changes with sand nourishment. Mr. Kutulus described the off-leash dog park
39 elements in detail as well as a portion of the pier and proposed elevations. He then identified the three
40 steep slope exceptions and referred to an illustration of those areas. Mr. Kutulus described the proposed
41 ADA accessibility walkway to the beach noting the project was taken into consideration in terms of public
42 access and use as opposed to residential use. He also described the outcropping stone steps with a
43 proposed 6-foot width as well as the reconfigured walkway. Mr. Kutulus noted all of the site
44 improvements would be built in the bluff and would not be visible from Sheridan Road. He then referred
45 to their response to the six special use standards and asked if there were any questions.

46
47 Chairman Bradley then asked for public comment and provided instructions to the audience.
48

1 Katie Stevens provided the Board with background to the Elder pier with regard to storm water pipe repair
2 and maintenance. She described how the steel revetment has upheld for 80 years and described the area
3 of rocks for the pier and commented on the excessive cost. Ms. Stevens described the proposal as
4 egregious, costly and dangerous which would significantly change the neighborhood. She also stated there
5 is not a need for another public access to the beach.

6
7 Charles Dowding, 968 Elm Street, stated the proposed dog beach fencing improvements for Centennial
8 Park are not consistent with the granting of SUP's because they do not conform to Winnetka Ordinances
9 (ZBA decision category 1.f on page 17 of 11 November Data pack): 1) 17.04.030 and 12.04.04 which
10 instruct that it is unlawful to construct a fence across a public way (street) and the lake is considered a
11 street by ordinance. The animal control fence crosses into the lake and thus blocks movement along the
12 lake, and access to adjacent public land; 2) 15.78.080 E, which instructs that safe passageway to adjacent
13 public land must be provided. No safe passageway is provided within the property bounds of Centennial
14 Park as shown by 1) Figures in my 7 October email to the ZBA. Winnetka Park District response to
15 questions 10 and 11 asked by the ZBA on 14 October concerning access to adjacent public land by walking
16 around the SW corner of the dog beach fence is incorrect. The photograph from the letter to IDNR from
17 AECOM engineer, William Weaver, 30 September 2022 (and Google Earth photographs) show that sand
18 existed in Winnetka Park District's asserted accretion zone before 205 Sheridan's stone groin was built.
19 Thus, the asserted safe public passageway across this zone is not public because it was not accreted as
20 asserted by the Winnetka Park District. The AECOM letter is an attachment to my 7 October email letter
21 to the ZBA.

22
23 Mary Garrison referred to the health, comfort, safety and welfare in the neighborhood with the proposal
24 increasing the amount of traffic in the park. She conceded while the park needed maintenance, she stated
25 the Park District is not protecting natural resources. Ms. Garrison stated the park should be minimally
26 renovated and referred to the sand quality. She also referred to the cost of the project and asked the
27 Board to consider the neighborhood and the Park District's mission statement.

28
29 Tom Borders, 112 Old Green Bay Road, stated he is a strong park proponent and provided a story with
30 regard to keeping public parks as natural as possible. He stated the proposal moved away from natural
31 elements at a substantial cost and suggested common ground be created between the Park District and
32 the public where there is currently a lot of discord with a lawsuit pending. Mr. Border asked for the matter
33 to be tabled for 6 months with consideration given to find a natural way to use the park.

34
35 Wendy Dury stated she lives three beaches north and would be impacted and asked for Elder Beach to be
36 opened. She referred to the existing dog beach and commented it is criminal in terms of the way Elder
37 Beach has been left. Ms. Dury asked for the matter to be put on hold and for Elder Beach to be opened.

38
39 Alexandra Nichols, a 44 year resident, stated she moved to Winnetka because of the beaches with
40 Centennial Beach being the most beautiful. She asked the Board to consider keeping the beach as the
41 most tranquil beach in the Village with the dog beach moved to Tower Park which has the appropriate
42 accommodations.

43
44 Claudia McLawn described her daughter's special needs and mobility issues as well their experiences at
45 the beach and the difficulties in terms of access. She also referred to the amount of communication
46 relating to the project and described the proposal as a gorgeous and smart design with increased ADA
47 accessibility which would benefit everyone. Ms. McLawn asked for the Board to recommend approval of
48 the project.

1 Craig Culp, Northern Suburban Recreation Association Executive Director, stated they are an extension of
2 the Park District for those with special needs. He stated he supported the proposed plan with the ADA
3 accessibility components which would assist his association in providing accessibility. Mr. Culp described
4 the request as a tremendous challenge which would be an investment in the future for all residents.

5
6 Susie Schreiber, a past Park District Commissioner, stated she is in support of the statements made in
7 moderation. She agreed everyone wanted Elder Beach and Centennial Beach opened and commented on
8 the debris conditions at Tower Beach. She suggested remedies to make it safe for everyone and asked for
9 the specifics relating to the handrails, the slope, and boardwalk in that it is addressed with regard to ADA
10 standards.

11
12 Phil Sheridan stated as a pulmonary and critical care doctor, he referred to the proposed construction of
13 the largest pier in a public park and described it as a significant hazard. He described it as an unnecessary
14 potential hazard for park users. Mr. Sheridan also referred to recent fatalities and other pier related
15 injuries. He asked the Board to consider the necessity of the proposed pier and described the possible
16 injuries that could result.

17
18 Kate Whitchurch, a former Winnetka resident on Fuller Lane, described her experience growing up in the
19 Village's parks and beaches. She described Centennial Beach as a pure beach and described the proposed
20 pier as dangerous for children and young adults. Ms. Whitchurch asked for the beach to be left as is and
21 for the dangerous pier to not be installed.

22
23 Mickey Archambault read a letter from Warren James into the record. The letter included comments
24 regarding park uses being a special use in residential districts, improvements at other Park District
25 beaches, the features of the Centennial beach bluff making it suitable for an ADA path from Sheridan Road
26 to the lake, the proposed Centennial design providing lake views from mid-bluff, boardwalk, and pier as
27 well as ADA, maintenance vehicle, and emergency vehicles access to beach, and the Village's
28 comprehensive plan identifying that the Village should collaborate with Park District and others to making
29 public spaces accessible. Mr. Archambault then entered his own comments into the record. He referred
30 to the caucus process, survey, and numerous meetings with the underlying request being to open the
31 beaches. Mr. Archambault described the proposal as a good plan which has been well engineered and
32 would result in an ADA accessible path that would benefit everyone.

33
34 Melissa Meizel referred to views and the horizon view visible from a 5 foot 10 inch perspective. She stated
35 views would not be improved but would be substituted. She stated there would be no view benefit for
36 beachgoers.

37
38 David Seaman, a former Park District Commissioner, described the challenge as applying an ordinance for
39 private property to a public entity which would be making improvements for the public benefit. He stated
40 the proposal would protect the lakefront, improve access, and allow for ADA accessibility as well as
41 provide for increased maintenance and safety access. Mr. Seaman referred to shoreline protections at
42 other beaches and the lack of bluff protection at the Elder and Centennial beaches. He asked the Board
43 to separate facts from fury and recommend approval of the project.

44
45 Brad Serot stated he lives on Sunset Street with four daughters, one of whom has cerebral palsy and uses
46 a wheelchair. He stated the beach currently did not offer her and others with mobility challenges access
47 to experience the beach. Mr. Sierrot stated the proposal would help make the community inclusive for

1 those with physical limitations to enjoy the lakefront. He stated a more welcome and equitable space
2 would result and thanked the applicant for making the proposed modifications.

3
4 Phil Enquist stated while he appreciated the process and comments made on this important project, the
5 ambitious goals must come with good, thoughtful, and careful design and that nature and ecology have
6 not been addressed. He referred to the proposed ADA accessible path and grading and stated the design
7 team can come up with a better solution. Mr. Enquist agreed there is a need for an ADA path which could
8 be designed to be less destructive. He also referred to the proposed pier's length and commented on the
9 beach's resiliency. Mr. Enquist suggested a design be explored with no retaining walls, a reduced walkway
10 width, minimized topography and vegetation impact and to eliminate the stone break wall completely.

11
12 Rachel Schulenburg stated she is the parent of an autistic child and described his experiences. She referred
13 to the comments made that creating ADA accessible public spaces are unnecessary expenses rather than
14 essential investments. Ms. Schulenburg stated ADA accessibility applied to everyone and read statements
15 from the ADA into the record. She asked the Board to consider the wider community and those who would
16 benefit with greater beach accessibility.

17
18 Bob Logue, a nine year resident, commented he loved the beach and the renovation done at Lloyd Beach
19 and Tower Beach. He referred to the Park District changing their plans to accommodate the Board and
20 neighbors and stated he is very supportive of the proposal moving forward as presented.

21
22 John Root stated the Park District Elder beach special use permit is currently being reviewed by staff and
23 would be impacted by the Centennial Beach special use permit. He described the front yard setback
24 encroachment proposed at Elder Beach and commented describing the massive structures as walls is
25 ridiculous. Mr. Root stated the Park District only applied for a variation for the pier's rails and not the pier
26 itself and commented on its length. He asked how the 230-foot pier structure is considered a wall.

27
28 Ted Wynnynchenko referred to the Park District's prior comments relating to the 3-sided dog fence
29 enclosure being permitted by the Department of Animal and Rabies Control. He stated they never
30 provided authorization for such an enclosure. He referred to the private area to the south of the dog fence
31 enclosure and accretions and disagreed as to whether the area is private. Mr. Wynnynchenko then referred
32 to comments made with regard to the ability to walk the waterline and the Park District does not have
33 the ability to establish rules for areas not under its jurisdiction. He referred to the section of the park code
34 the Park District referenced which does not apply giving them authority to construct a fence over the
35 public right-of-way. Mr. Wynnynchenko then asked Mr. Friedman to provide the Board direction in that
36 regard.

37
38 Kim Marsh, 360 Forest, stated her comments related to the restrictive covenant between the Park District
39 and the south property owner. She stated it is not included in the document link and provided the Board
40 copies for their review, a portion of which she read into the record. Ms. Marsh commented the lack of
41 transparency is troubling and asked for it to be included with the minutes. She then stated with regard to
42 the dog beach, it did not have to be located in a particular place and suggested having a dedicated
43 entrance would be safer to accommodate the dogs.

44
45 Matt McCarren referred to the 79-foot x 240-foot pier proposed to keep swimmers and dogs apart where
46 a fence would be sufficient and described it as only being a new way in which to view the lake. He
47 commented on the amount of money being spent on a pier that would not protect the shore from erosion.

1 Mr. McCaren also referred to the 50-year covenant and reiterated a public fence could solve the viewing
2 problem as opposed to constructing a pier which he described as a monument to overthinking.

3
4 Steve Juliusson, 1436 Asbury, described the proposed pier as massive, imposing, brutalist architecture
5 which would take away from nature. He also commented it presented a hazard from drowning with regard
6 to the rocks. Mr. Juliusson stated there would need to be year to year replenishing of sand in terms of
7 where it is placed.

8
9 Amy Franzen, 232 Sheridan, stated she represented several of her neighbors and read a letter into the
10 record. She stated they want parks to be maintained and accessible and they chose to live in this
11 neighborhood. Ms. Franzen stated a proposal of this magnitude is too much. She referred to the Park
12 District's claim that intensity would not increase and questioned why so much money is being invested.
13 Ms. Franzen stated the proposal would turn the beach into a driving destination and referred to current
14 safety issues. She also stated the proposal did not meet the special use standards and would substantially
15 increase congestion. Ms. Franzen stated their concerns were repeatedly raised with the Park District and
16 the latest revisions with the investment of millions of dollars does not take into account increased use.

17
18 Irene Smith, a 38 year resident, described the proposal as being derived by several former and current
19 Park District Commissioners and representatives of the Orchard 2020 Trust written for the benefit of Mr.
20 Ishbia. She referred to the Elder Beach outside intrusions in that proposal and stated both beaches should
21 be left as is. Ms. Smith stated the breakwaters would make it impossible to traverse the water line and
22 would increase danger. She described the Park District's ADA accessibility proposal as enormous and
23 noted there are no bathroom plans for Centennial Beach and described alternative options. Ms. Smith
24 asked for the proposal to be tabled until the litigation is settled and commented the expense is ridiculous.

25
26 John Dutchen agreed with comments made relating to improving beach access for everyone. He described
27 the pier as excessive, hazardous, and unpleasant. He also stated the proposal is not in the community's
28 best interest with the existing pier presenting safety issues. Mr. Dutchen stated the pier is not hygienically
29 maintained and referred to the comment relating to the 50 year commitment binding taxpayers and its
30 expense. He urged the Board to reconsider.

31
32 Brad McClane, 830 Sheridan, stated he is a former DRB and Park District member and referred to the
33 Lakefront Master Plan which resulted in a lot of items moving forward. He described the proposed
34 variances as reasonable with a plan that has been thoroughly discussed. Mr. McClane implored the Board
35 to move the request forward.

36
37 Chairman Bradley closed the public comment portion of the meeting and asked the applicant if they would
38 like to respond.

39
40 Adam Simon, the Park District Attorney, addressed the comment relating to the Cook County response to
41 the 3-sided fenced dog beach that concluded having the fourth side of the enclosure open on the lake
42 would not be in violation of the Cook County ordinance. He then asked if there were any questions.

43
44 Chairman Bradley identified the three areas the Board is to consider and stated they would first discuss
45 the zoning variations. Ms. Casale MacNally stated with regard to the fence and wall height, the additional
46 sand added from the existing natural grade, the actual maximum fence height, she asked for clarification
47 or additional information. Mr. Kutulus explained how different areas have different volumes of sand to
48 be included and with regard to sand accretion and steel groins. Ms. Casale MacNally stated if the pier was

1 eliminated, she questioned the amount of sand needed to raise the base level. Mr. Kutulus responded
2 additional sand would be required regardless. Ms. Casale MacNally then asked if the handrail would be
3 uniform. Mr. Kutulus referred to illustrations and provided a detailed explanation of how it would be used
4 as a handrail and fence in several areas.

5
6 Mr. Haller asked for the fence height for dog control. Mr. Kutulus referred to a cross section and provided
7 an explanation to the Board for the varying fence heights. He stated in Area G, on the PowerPoint slide he
8 referred to, the height is 4 feet above the nourished grade. Mr. Kutulus noted a variance is not needed in
9 this area. Mr. Haller then stated in an attempt to minimize the variation, he referred to the stone wall and
10 whether it is necessary. Mr. Kutulus stated the stone groin that lies to the south is not associated with
11 Park District property and described how the fence height tapered. Mr. Haller then referred to Area B, on
12 the PowerPoint slide. Mr. Kutulus explained a fence is needed there to keep the dogs contained which he
13 explained in detail and which would be similar to that used at other beaches. Mr. Haller asked if Cook
14 County required restrictions in terms of limiting dogs from accessing private property that had to be
15 accomplished by the use of a fence in the water. Ms. Nazzal responded it is determined on a case-by-case
16 basis with the fence in this area used to keep off-leash animals away from pedestrians in terms of security.

17
18 Ms. Casale MacNally asked if they considered a less elevated boardwalk. Mr. Kutulus responded they
19 considered different varieties and the proposed boardwalk was suggested by the coastal agencies. Mr.
20 Simon added the boardwalk served two purposes in that it also enhanced bluff erosion resistance. Ms.
21 Casale MacNally asked if the same shore protection could be achieved with the 6.5 foot restriction without
22 the boardwalk element. Mr. Kutulus referred the Board to an illustration and explained the reasoning
23 including the need for fall protection, providing ADA accessibility, and maintenance as well as access to
24 the beach and the dog park. He added civil engineering was consulted for the project and that the State
25 of Illinois did not recognize coastal engineers as far as permitting and licensing. No additional questions
26 were raised at this time relating to the zoning variation.

27
28 Chairman Bradley asked the Board Members for questions relating to the steep slope exceptions. Ms.
29 Casale MacNally referred to the reconfigured mid-bluff paver walkway and asked if the reconfiguration is
30 an expansion. Mr. Kutulus referred to an illustration of current and existing conditions and provided an
31 explanation for the walkway reconfiguration, which is the amount minimally required. Mr. Haller referred
32 to the steep slope ordinance's purpose and asked if there was no other way to put less stress, change,
33 and natural material removal other than this plan. Mr. Kutulus explained how the proposal was based on
34 the land's topography and provided a further explanation of the path's configuration and need for the
35 additional width for maintenance access. Mr. Haller asked if equipment pathway existed at Elder Beach.
36 Mr. Kutulus responded Centennial Beach is the only beach that is not equipment accessible.

37
38 Chairman Bradley questioned the need for 6-foot outcropping stone steps. Mr. Kutulus explained the need
39 for width in terms of traversing the public vs. private setting. Chairman Bradley asked how wide the stairs
40 are at Tower Beach and Lloyd Beach. Mr. Kutulus responded 5 feet at Tower Beach and 6 feet at Lloyd.
41 Chairman Bradley referred to proposed ramp and asked if it is ADA compliant. Mr. Kutulus responded it
42 would be ADA compliant and be a multi-use path and that would also be the most direct path to the
43 beach. He further explained how emergency personnel would traverse the area. Mr. Freres referred to an
44 illustration and provided a further explanation regarding the three dimensional access path which would
45 have the least amount of impact to the significant naturally landscaped area.

46
47 Ms. Leister referred to an option of providing elevator access which would be less invasive and asked why
48 that option was ruled out. Mr. Kutulus responded it was ruled out in terms of size, scale, function,

1 maintenance, etc. Chairman Bradley asked if there were any other steep slope exception questions. No
2 additional questions were raised at this time.

3
4 Chairman Bradley asked the Board Members for questions relating to the special use. He referred to the
5 first standard specifically related to the pier and the dog park's coexistence with increased beach use and
6 asked the applicant to speak to endangerment in response to the audience's comments. Mr. Kutulus
7 explained how the pier's design and construction method was designed for what it is and the pier's lining
8 with the armored stone greatly reducing rip current risk, which he explained in detail. He stated the width
9 and length is no greater than that at Maple Beach which is 235 feet in length. Mr. Kutulus stated the
10 design and proposed elevations together with the fencing, handrails, and integrated concrete benches all
11 work in the favor of protecting and creating a safe pier for that element. He also explained the reasoning
12 for a fence not being installed to the north on the pier to prevent jumping when questioned by Chairman
13 Bradley. Mr. Simon stated there is an expectation for people to follow the rules and they have the right
14 to propose a design for the facilities to protect people and enhance safety. Mr. Kutulus further explained
15 the pier's design in terms of the safety elements as well as the use of certified lifeguards and signage.

16
17 Mr. Haller asked if there are swimming beach rules limiting swim zones. Mr. Kutulus confirmed swim zone
18 limits would be identified. Ms. Casale MacNally referred to the ADA requirement discussion and asked if
19 it would be within ADA compliance to not have bathroom facilities. Mr. Kutulus responded there are
20 numerous beaches that do not have bathrooms and referred to a previous plan, from years ago, to install
21 bathrooms at Centennial Beach that the public was against. He then referred to the objective to combine
22 both beaches and there are less desirable options such as installing porta-potties.

23
24 Ms. Hanley referred to the dog fence and public access and asked if it is possible to move the fence further
25 north to allow public access on the property's south side. Mr. Kutulus responded that location was chosen
26 in order to use the existing steel groin infrastructure or use an area he identified with easement
27 implementation.

28
29 Mr. Haller stated the 2030 Master Plan identified several locations for dog beaches and asked why they
30 did not consider those options as an alternative location. Mr. Kutulus stated the Park District directed staff
31 to investigate an off-leash dog park in the community in 2018 and three sites were identified as being
32 considered in the 2030 Master Plan. He stated it was determined from community input that none of
33 those locations would work and dog beach locations were then considered such as Tower Beach which
34 would have produced the same concerns. Mr. Kutulus also explained the concerns with regard to their
35 consideration of Elder Beach.

36
37 Chairman Bradley referred to the parking concerns raised although Elder Beach is planned to be used for
38 overflow. He referred to the amount of parking spaces for the intended use and the enhanced beach and
39 asked if it would not result in more of a parking demand in the community. Mr. Kutulus explained how
40 many of the beach amenities are community walking destinations. He agreed Centennial Beach would
41 have the only dog beach and would include parking restrictions for non-Winnetka residents. Mr. Kutulus
42 stated they have not done a parking study for the proposed plan.

43
44 Mr. Simon stated they were not required to submit for a parking variance for this use. Chairman Bradley
45 agreed while a parking variation is not required, he referred to how it applied to the special use. He asked
46 the applicant to respond as to whether people would not park in the neighborhood to come to the beach.
47 Mr. Kutulus stated the parking lot is not currently full but would increase with the use. He stated
48 supplemental parking in addition to parking at Centennial Beach would be adequate to meet community

1 requirements. Mr. Kutulus added there is one ADA parking space and after considering enlarging parking,
2 the community did not want to lose green space for parking.

3
4 Ms. Leister asked if they are estimating fewer users of the dog beach as it related to parking and
5 questioned if that's a fair assessment of the parking need. Mr. Kutulus responded based on internal
6 discussions and community comments, they estimate a reduction in dog beach use. Mr. Haller referred to
7 the comments with regard to combining Elder Beach and Centennial Beach. Mr. Kutulus agreed it was a
8 Tier 3 goal to combine both sites along with the proposed plan being an iteration of that original plan. No
9 additional questions were raised at this time relating to the special use.

10
11 Chairman Bradley then called the matter in for discussion and identified the items the Board Members
12 are to consider.

13
14 Ms. Hanley stated with regard to the special use, she had issues with the pier relating to standard no. 1
15 and with regard to public access to the lake, she suggested the southern dog fence be moved north with
16 the special use being conditioned on it. She also identified parking as an issue with regard to standard no.
17 5 and street parking. Ms. Hanley stated with regard to the zoning variations, she had no concerns relating
18 to the fence and wall height. She stated with regard to the steep slope exceptions, she had no issue with
19 the access ramp at 10 feet in terms of ADA accessibility. Ms. Hanley stated no justification was made for
20 the outcropping stone steps to be 6 feet instead of 5 feet. She also stated she had no problem with the
21 mid-bluff paver walkway.

22
23 Mr. Vender stated after the years of planning and iterations, it should move forward in some fashion. He
24 stated the fence height is not problematic and described the outcropping stone steps as more of a design
25 issue. Mr. Vender referred to the special use and parking concerns with the issue being the pier and the
26 intention of combining both beaches. He stated the main concern related to the big change to the
27 shoreline and he is concerned with regard to the length of the pier and safety. Mr. Vender noted the Board
28 is a recommending body to the Village Council and beach improvement with ADA accessibility is
29 necessary.

30
31 Mr. Haller referred to the comments made relating to the pier's safety issues for which they should be
32 concerned. He also stated there are safety issues for everyone using the same pathway when there is not
33 that concern now since the dog beach is separate. Mr. Haller also referred to safety concerns with more
34 people coming to the beach, parking across the street, and then crossing Sheridan, etc. He then stated
35 with regard to the special use, he agreed with the comments made relating to the facilities as well as the
36 increased amount of parking in the community and diminution of property value for others with an
37 increased amount of vehicles on the street. Mr. Haller stated the applicant should be required to provide
38 a parking study as would be required for any other special use requests by schools, etc. and he would not
39 be in favor of the request without requiring those studies be done. He referred to the 2030 Master Plan
40 and the conversation with regard to acquiring the middle property and indicated it is difficult to agree to
41 this proposal when it may be different in the future. Mr. Haller stated if the boardwalk is determined to
42 be truly necessary, it should have a railing for safety reasons. He referred to his concerns relating to the
43 fence going across the waterway and the impediment it would create. Mr. Haller also stated he is
44 concerned with precedent setting with regard to fencing down the side yard.

45
46 Mr. Nielsen commented he loved the plan and hated the pier, which is the underlying sentiment of most
47 people. He stated parking is an issue and referred to the lack of parking at other beaches. Mr. Nielsen
48 stated with regard to the fence and wall height, he agreed with Mr. Haller's and Ms. Hanley's comments.

1 He agreed with the boardwalk and other fencing proposed and stated he had no issues with the steep
2 slope exceptions.

3
4 Ms. Casale MacNally stated in connection with the special use request, she outlined her concerns relating
5 to standard nos. 1, 4 and 5. She stated with regard to the zoning variation, she did not have an issue with
6 the 10.5 feet fence height since it would be a see-through fence. Ms. Casale MacNally then stated a
7 proposed pier requiring a larger amount of sand at the bottom would reduce the fence height appearance.
8 She then stated in connection with the steep slope exceptions, she agreed with the need for ADA
9 accessibility although she is concerned with the amount of traffic using the walkway. Ms. Casale MacNally
10 also stated the 6-foot width for the outcropping stone steps should be 5 feet and since there would be a
11 reduction in the amount of impermeability, she would concede on the mid-bluff walkway.

12
13 Ms. Leister stated she is also concerned with regard to standard nos. 1, 4 and 5. She stated with regard to
14 the zoning variations, the minimally invasive test has not been achieved on any of the matters and
15 suggested the fence height be lowered although it is see-through. Ms. Leister then stated with regard to
16 the steep slope exceptions, she would prefer to see an elevator as opposed to the ramp with ADA
17 accessibility being accomplished in another manner. She stated with regard to the outcropping stone
18 steps and mid-bluff paver walkway, it should be 5 feet instead of 6 feet.

19
20 Chairman Bradley stated with regard to the special use permit, he referred to the concerns raised relating
21 to the design which attributed to nicety as opposed to necessity and moving forward with design elements
22 that impact the health, safety and comfort of residents. He agreed with Mr. Haller's comments relating to
23 the pier being an attractive nuisance which would also become precedent setting in terms of its size.
24 Chairman Bradley agreed with the comments made relating to standard nos. 1, 4 and 5. He then stated
25 with regard to the dog beach, this is the first instance where the public and dogs would co-exist which
26 would increase the amount of risk combining these entities. Chairman Bradley described its dimension as
27 arbitrary and he suggested bringing the dog beach fence in a minimum of 10-12 feet from the south. He
28 stated he had no issues with regard to the zoning relief being requested. Chairman Bradley stated with
29 regard to the steep slope exceptions, he referred to the concerns raised and referred to the applicant's
30 testimony in that it is a public use being considered for a residential area.

31
32 Chairman Bradley then summarized the Board's positions on all three matters and their options. Based
33 upon Board members' comments, it appears Board members generally do not have concerns regarding
34 the variations and exceptions; however, they have concerns regarding aspects of the special use request.
35 The Board Members then discussed their options at length and took a straw poll. Chairman Bradley asked
36 Board members if they would prefer (a) to forward a recommendation against approval and stating why
37 or (b) to forward a recommendation of approval with conditions. Four members were in favor of
38 recommending approval with conditions and three members were in favor of recommending against
39 approval.

40
41 Chairman Bradley then asked the Park District representatives regarding how they wished to proceed.
42 Mr. Simon stated in hearing the Board's comments, they would like the opportunity to respond to the
43 safety issues, the fence location, the impact on pedestrian and traffic congestion as they relate to the
44 special use. He stated regarding the zoning variations and steep slope exceptions, he asked for the Board
45 to vote on those matters at this time. The Board then discussed continuing all items to a future meeting
46 to provide the Village Attorney and staff time to prepare the findings and recommendations regarding the
47 variations and exceptions and to allow the Park District an opportunity to respond to the special use
48 permit concerns.

Chairman Bradley stated the application would be continued to a date certain to address the special use concerns. Ms. Klaassen asked for a quorum check for the December 9, 2024 meeting. The Board Members discussed their availability. Chairman Bradley then asked for a motion to continue the application to the December 9, 2024, meeting and the public hearing in general for purposes of the special use permit review. A motion as stated by Chairman Bradley was made by Ms. Hanley and seconded by Mr. Nielsen. A vote was taken and the motion unanimously passed, 7 to 0:

AYES: Bradley, Haller, Hanley, Leister, Casale MacNally, Nielsen, Vender

NAYS: None

Chairman Bradley then asked for a motion to direct the Village staff and the Village Attorney to prepare written findings and recommendations to the Village Council that the requested variations and exceptions be granted subject to any conditions as identified in the staff report and the Board Members to be specifically set forth in the Board's written decision for consideration at their next regular meeting. A motion as stated by Chairman Bradley was made by Ms. Hanley and seconded by Mr. Nielsen. A vote was taken and the motion passed, 5 to 2:

AYES: Bradley, Hanley, Leister, Casale MacNally, Nielsen

NAYS: Haller, Leister

New Business:

a. November 18, 2024, Special Meeting - Quorum Check.

The Board Members discussed their availability.

b. December 9, 2024, Regular Meeting - Quorum Check.

The Board Members previously discussed their availability.

Public Comment:

No comments were made at this time.

Adjournment:

Chairman Bradley asked for a motion to adjourn. A motion to adjourn was made by Ms. Hanley and seconded by Mr. Haller. A vote was taken and the motion unanimously passed, 7 to 0:

AYES: Bradley, Haller, Hanley, Leister, Casale MacNally, Nielsen, Vender

NAYS: None

The meeting adjourned at 11:13 p.m.

Respectfully submitted,

Antionette Johnson

Recording Secretary