

Minutes
Lake County Board of Vacations – PTRL 000911-2023
Public Hearings Conducted on December 4, 2023 and December 19, 2023

December 4, 2023

1. Call to Order: Mr. Denz called the hearing to order at 3:00 p.m. for Case No. #000911-2023.
2. Roll Call
Board of Vacations representatives:
Planning, Building and Development: Eric Steffen, Operations Manager
Planning, Building and Development: Krista Braun, Interim Deputy Director
Vacation Officer*: Brad Denz, Senior Planner/Project Manager
State's Attorney's Office*: Dan Brown, Principal Assistant Attorney
* Non-voting members

Brad Denz stated Board of Vacations member, Betsy Duckert, was not in attendance. The applicant's attorney, Scott Berndtson, agreed to continue the meeting to a date when a full board is present. A motion was made by Member Braun to continue the meeting to Tuesday, December 19, 2023, 3:00 PM at the Lake County Central Permit Facility, Libertyville, Illinois, seconded by Member Steffen. Unanimously approved.

Continued Hearing – December 19, 2023

1. Call to Order: Mr. Denz opened the hearing at 3:00 p.m. The pledge was recited.
2. Roll Call
Board of Vacations representatives:
Planning, Building and Development: Eric Steffen, Operations Manager (remote attendance)
Planning, Building and Development: Krista Braun, Interim Deputy Director
Division of Transportation: Betsy Duckert, Manager of Permitting
Vacation Officer*: Brad Denz, Senior Planner/Project Manager
State's Attorney's Office*: Lisle Stalter, Chief, Child Support Division
* Non-voting members
3. Added to the Agenda (none)
4. Deferred Matters (none)
5. Other Business: Continued hearing on the request for case PTRL 000911-2023; vacation of an unimproved right-of-way located east of Drexel Boulevard.

After the pledge was recited, Mr. Denz reviewed the request of street vacation PTRL 000911-023 with those in attendance. Mr. Denz indicated the petition was legally advertised in the Daily Herald on November 16, 2023.

For the record, Lisle Stalter stated that Member Steffen was requesting to participate remotely, the Lake County Board has adopted rules to allow for remote participation in meetings. Member Braun moved to allow Member Steffen to participate remotely, which was seconded by Member Duckert. Motion approved unanimously.

Petitioner's Testimony

The applicant's attorney, Scott Berndtson, stated to the Board the applicants' intention is to remove invasive tree species from the proposed area of the vacation and replant native tree species. The applicants are in receipt of the comments from the Building & Engineering Division and have no objection to abiding by all staff comments. The two adjacent properties are owned by corporate entities, and both are in good standing with the State of Illinois.

Board Comments/Questions

Member Duckert asked if the applicants proposed any land disturbance of the proposed area of vacation. Mr. Berndtson stated no land disturbance is proposed. Moreover, the right-of-way area has been a dump site for years and the applicant had three dumpsters of junk and debris (including weed trees) removed from the site, with an approximate cost to the applicants of \$30,000.00. Member Duckert asked if a permit is required to improve drainage. Joel Krause, of the Lake County Building & Engineering Division, stated if the applicant were to propose improvements, a permit would be required, and the area of standing water shall be open for drainage and could not be filled in. Member Braun asked if each applicant would acquire an equal share of the vacated land area. Mr. Berndtson stated each adjacent property owner would acquire an equal share of the land area. Member Braun asked if the utility easement requested by Commonwealth Edison would be located on the Lot 41 side of the vacation area. Mr. Berndtson stated the utility easement would be located adjacent to Lot 41, which was verified and approved with Commonwealth Edison. Member Bruan asked if there were any objections from Antioch Township or any other agencies. Mr. Denz stated no objections were received. Member Steffen stated on a site inspection, he noticed a buried pipe, which appeared to originate from the structures located on Lot 40 and 41. Mr. Berndtson stated that was legitimate drainage from the applicant's house, however the drainage pumps/tubes have been removed. Mr. Berndtson stated the pictures of the pumps/tubes which were recently taken by staff were existing and were not installed by his clients, and altering the drainage pattern is not proposed. Member Steffen wanted to ensure that the buried pipe system would be located only on one property if the vacation was approved. Mr. Berndtson stated it would be located within one lot. Member Steffen stated, as reflected in the staff memo to the Board of Vacations, this area is a drainageway and is likely wetland area and floodplain area and the applicants should consult with the Planning, Building and Development Department if any improvements are proposed.

Public Questions - Statements

None - No members of the public were in attendance.

Closing Statement

In closing, Mr. Berndtson stated at the initial meeting held December 4, 2023, Mr. Byron Gremley of 38381 N. Drexel Boulevard, Antioch, Illinois was in attendance and supported the street vacation application request. He also stated that approval of the application would be a "win-win" for all parties involved.

Close of Testimony/Action

A motion to close testimony was made by Member Duckert and seconded by Member Braun. The motion passed unanimously.

Member Braun moved to approve street vacation application PTRL 000911-2023 based on the following findings and conditions:

1. There is no current or future public need for the platted right-of-way evident;
2. No objection was received from the Antioch Township Highway Commissioner, adjacent property owners, or utility service companies;
3. The vacation will be a benefit to the adjacent property owners and the neighborhood;
4. The applicant agreed to record a 10 foot utility easement as requested by Commonwealth Edison.

The motion was seconded by Member Duckert. The motion passed 3-0.

Adjournment

Member Steffen moved to adjourn the meeting, seconded by Member Braun, which passed unanimously. The meeting adjourned at 3:37 p.m.

Street Vacation - PTRL #000911-2023

Antioch Township


MEMBER BRAUN


MEMBER STEFFEN


MEMBER DUCKERT

Dated this 16th day of January 2024

