

UNOFFICIAL COPY 00103068

CERTIFICATE OF VILLAGE CLERK
OF THE VILLAGE OF INVERNESS,
COOK COUNTY, ILLINOIS

2974/0002 39 005 Page 1 of 19
2000-02-10 10:25:49
Cook County Recorder 57.50



I HEREBY CERTIFY that I am the Village Clerk of the Village of Inverness, in the County of Cook and the State of Illinois, am the keeper of the official records and corporate seal of said Village, and I do hereby certify that the copy of the Resolution attached hereto and made a part hereof is a true and correct copy of the original Resolution hereinafter described which copy was taken from and carefully compared with the original Resolution entitled:

A RESOLUTION APPROVING

“AN AMENDED AND RESTATED
INTERGOVERNMENTAL JURISDICTIONAL
BOUNDARY AND LAND USE
AGREEMENT BETWEEN
THE VILLAGE OF INVERNESS AND
THE VILLAGE OF SOUTH BARRINGTON
DATED APRIL 9, 1981”

**COOK COUNTY
RECORDER
EUGENE "GENE" MOORE
ROLLING MEADOWS**

which was passed by the Board of Trustees of said Village at a duly called regular or special meeting held in the Village of Inverness on the 8th day of FEBRUARY, 2000 and deposited and filed in the Office of the Clerk of said Village on said date and duly approved by the President and recorded by me in the Record of Resolutions of said Village as Resolution No. 2000-470.

I further certify that a quorum was present at said meeting and said Resolution was passed on a roll call vote taken by yeas and nays and entered into the records as required by law.

I further certify that the original of said Resolution is in the records of said Village on file in my office for safekeeping and that said Resolution has not been amended or repealed.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed the seal of said Village this 9th day of FEBRUARY, 2000.

Patricia Ledvina
Village Clerk, Village of Inverness

(Seal)

After recording, please return to:

Mr. James P. Bateman
Law Offices of James P. Bateman, Ltd.
5051 Shoreline Road
Barrington, IL 60010
Telephone (847) 381-7840



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A RESOLUTION APPROVING

“AN AMENDED AND RESTATED
INTERGOVERNMENTAL JURISDICTIONAL BOUNDARY
AND LAND USE AGREEMENT BETWEEN THE
VILLAGE OF INVERNESS AND THE VILLAGE OF SOUTH BARRINGTON
DATED APRIL 9, 1981”

WHEREAS, Article VII, Section 10, of the 1970 Constitution of the State of Illinois and 5 ILCS 220/1, et seq., authorize and encourage intergovernmental cooperation; and

WHEREAS, units of local government are authorized by Article VII, Section 10 of the Constitution of Illinois to enter into agreements among themselves to:

“. . .obtain or share services and to exercise, combine, or transfer any power or function, in any manner not prohibited by law or ordinance . . . participating units of government may use their credit revenues, and any other resources to pay costs and to service debt related to intergovernmental activities.”

; and

WHEREAS, there exists an Intergovernmental Jurisdictional Boundary and Land Use Agreement between the Village of Inverness and the Village of South Barrington dated April 9, 1981; and

WHEREAS, jurisdictional boundary agreements are authorized by Section 11-12-9 of the Illinois Municipal Code (5 ILCS 5/11-12-9); and

WHEREAS, it is in the best interests of the Village of Inverness and its citizens that said Intergovernmental Agreement be amended and restated as hereinafter provided and that the proposed “Amended and Restated Intergovernmental Jurisdictional Boundary and Land Use Agreement Between the Village of Inverness and the Village of South Barrington Dated April 9, 1981” as hereinafter described be ratified, approved, executed, and in effect:

NOW THEREFORE, BE IT RESOLVED by the President and Board of Trustees of the Village of Inverness, Cook County, Illinois, that the execution by the Village President and Village

Clerk of said "Amended and Restated Intergovernmental Jurisdictional Boundary and Land Use Agreement Between the Village of Inverness and the Village of South Barrington Dated April 9, 1981" in the form attached hereto as Exhibit A is authorized, ratified and approved.

This Resolution shall take effect from and after its passage and approval as provided by law.

Presented, read and passed by the President and Board of Trustees of the Village of Inverness, Cook County, Illinois, on a roll call vote at a duly called regular or special meeting of the Board of Trustees on the 8 day of February, 2000, and deposited and filed in the Office of the Clerk of said Village on said date.

ROLL CALL VOTE:

YEAS: *Fleming, Neal, Post, Gallagher, Ryan, Polk*

NAYS: *NONE*

ABSENT: *NONE*

ABSTAIN: *NONE*

APPROVED by the President of the Village of Inverness, Illinois, this 8 day of February, 2000

[Signature]
Village President,
Village of Inverness

ATTEST:

[Signature]
Village Clerk,
Village of Inverness

Recorded in the Record of Resolution of the Village as Resolution No. 2000-_____

[Signature]
Village Clerk,
Village of Inverness

**AN AMENDED AND RESTATED
INTERGOVERNMENTAL JURISDICTIONAL BOUNDARY
AND LAND USE AGREEMENT BETWEEN THE
VILLAGE OF INVERNESS AND THE VILLAGE OF SOUTH BARRINGTON
DATED APRIL 9, 1981**

WHEREAS, Article VII, Section 10, of the 1970 Constitution of the State of Illinois and 5 ILCS 220/1, et seq., authorize and encourage intergovernmental cooperation; and

WHEREAS, units of local government are authorized by Article VII, Section 10 of the Constitution of Illinois to enter into agreements among themselves to:

" . . . obtain or share services and to exercise, combine, or transfer any power or function, in any manner not prohibited by law or ordinance . . . participating units of government may use their credit, revenues, and any other resources to pay costs and to service debt related to intergovernmental activities. ";

and

WHEREAS, there exists an Intergovernmental Jurisdictional Boundary and Land Use Agreement between the Village of Inverness and the Village of South Barrington dated April 9, 1981;

and

WHEREAS, jurisdictional boundary agreements are authorized by Section 11-12-9 of the Illinois Municipal Code (5 ILCS 5/11-12-9); and

WHEREAS, Inverness has requested that South Barrington amend the Intergovernmental Jurisdictional Boundary and Land Use Agreement dated April 9, 1981, as a good faith means of facilitating the annexation by Inverness of the "Jung Property".

NOW, THEREFORE, in consideration of the mutual promises contained herein and upon the further consideration of the recitals hereinabove set forth, it is hereby agreed between the Village of South Barrington (hereinafter "South Barrington") and the Village of Inverness (hereinafter "Inverness") that the certain "Intergovernmental Jurisdictional Boundary and Land Use Agreement Between the Village of Inverness and the Village of South Barrington dated April 9, 1981" be and is hereby amended and restated as follows:

1. Jurisdictional Boundary Line. The boundary line between South Barrington and Inverness for the purpose of establishing their respective jurisdictions for land use planning, subdivision control and annexation of unincorporated territory, all as hereinafter provided, shall be as follows:

Beginning on the South right-of-way of Palatine Road at its intersection with the East line of Township 42 North, Range 9, East of the Third Principal Meridian (Barrington Township); thence West on said South right-of-way line to its intersection with the West right-of-way line of Barrington Road, thence North on the West right-of-way line of Barrington Road to its intersection with the South right-of-way line of Dundee Road (Route 68); also South on said East line of Township 42 North, Range 9, East of the Third Principal Meridian from its intersection with Palatine Road to its intersection with the North right-of-way line of Algonquin Road (Route 62); thence southeasterly on said North right-of-way line to its intersection with Roselle Road.

That portion of the subject territory subject to the jurisdiction of Inverness for the purposes set forth by this Agreement, is hereinafter referred to as the "Inverness jurisdictional area". That portion of the subject territory subject to the jurisdiction of South Barrington, for the purposes set forth by this Agreement, is hereinafter referred to as the "South Barrington jurisdictional area". That part of the "subject territory" lying North and East of said line shall be within the Inverness jurisdictional area, and that part of the "subject territory" lying South and West of said line shall be within the South

Barrington jurisdictional area. However, notwithstanding anything contained in this Amended and Restated Agreement (hereinafter "this Agreement") to the contrary:

A. The following territory shall be part of the Inverness jurisdictional area:

PARCEL 1:

THE SOUTH HALF OF THE NORTHWEST QUARTER (EXCEPT THE EAST 10 ACRES THEREOF) AND THE NORTH 20 ACRES OF THE SOUTHWEST QUARTER OF SECTION 24, TOWNSHIP 42 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN (EXCEPT THAT PART THEREOF, IF ANY, FALLING WITHIN THE SOUTH 60 ACRES OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 24), IN COOK COUNTY, ILLINOIS.

PARCEL 2:

THE NORTH HALF OF THE NORTHWEST QUARTER OF SECTION 24, TOWNSHIP 42 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, EXCEPT THEREFROM THE FOLLOWING:

EXCEPTION PORTION:

THE EAST 331.40 FEET (AS MEASURED ON THE NORTH AND SOUTHLINES THEREOF) OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 24.

PARCEL 3:

ALL THOSE PORTIONS OF PALATINE ROAD AND BARRINGTON ROAD WHICH ARE ADJACENT TO THE PARCELS 1 AND 2 ABOVE AND NOT WITHIN ANY MUNICIPALITY.

(hereinafter referred to as "the Jung Property").

01-24-100-003
01-24-100-007
01-24-100-011
01-24-100-013
01-24-101-001

B. Notwithstanding anything contained in this Amended and Restated Agreement to the contrary, the following described portion of the Jung Property located within the corporate limits of South Barrington located in the Northwest Quarter of Section 24, Township 42 North, Range 9 East of the Third Principal Meridian, being unoccupied territory, shall be disconnected from South Barrington and annexed to Inverness pursuant to the provisions of

Section 7-1-25 of the Illinois Municipal Code (65 ILCS 5/71-25), within thirty (30) days from the date hereof:

THAT PART OF THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 24, TOWNSHIP 42 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF THE SAID NORTHWEST QUARTER OF SECTION 24; THENCE SOUTH 00 DEGREES 06 MINUTES 43 SECONDS EAST, ALONG THE EAST LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 150.0 FEET; THENCE SOUTH 58 DEGREES 58 MINUTES 40 SECONDS WEST, MORE OR LESS, A DISTANCE OF 757.3 FEET, MORE OR LESS; THENCE NORTH 00 DEGREES 06 MINUTES 36 SECONDS WEST, MORE OR LESS, A DISTANCE OF 520.0 FEET TO THE NORTH LINE OF SAID NORTHWEST QUARTER OF SECTION 24; THENCE NORTH 88 DEGREES 12 MINUTES 41 SECONDS EAST, ALONG SAID NORTHLINE, A DISTANCE OF 650.0 FEET TO THE POINT OF BEGINNING, CONTAINING 5.00 ACRES, MORE OR LESS, AND LYING IN COOK COUNTY, ILLINOIS.

2. Agreements for Development of Specific Territory.

- A. Inverness agrees that that portion of the property within the Inverness jurisdictional area North of Palatine Road, East of Barrington Road, South of Bradwell Road and West of the Palatine-Barrington Township line, shall be developed as one or more of the following uses:
- (1) Open space; or
 - (2) As single family residential planned unit developments with an overall density of not in excess of .5 units per acre for each separate development.
- B. Notwithstanding anything contained in this Agreement to the contrary, the Jung Property as legally described above may be developed with a condominium development, which development shall not exceed two hundred seventeen (217) single-family detached homes in a condominium development, which development shall be serviced by a public water and sanitary sewer service, which development shall have minimum setbacks for structures and

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buildings as follows: (1) a minimum setback of not less than one hundred feet (100') as measured from the North property line of the Subject Property, exclusive of rights-of-way to be dedicated or anticipated to be dedicated as part of the development; (2) a minimum setback of not less than one hundred feet (100') as measured from the East property line of the Subject Property; and (3) a minimum setback of not less than three hundred feet (300') as measured from the South property line of the Subject Property.

C. All those portions of the property described above located within the flood plain and wetlands as designated by Inverness shall be retained, to the greatest extent reasonably possible, in a natural condition, as open space, subject to appropriate natural resource management practices, within the limits of the reasonable authority of Inverness, provided, however, that Inverness shall not be required to exercise its power of eminent domain for such purpose. Inverness will require the developer to comply with sound and prudent storm water management practices consistent with all federal, state and local laws. Inverness acknowledges the receipt of the following reports and correspondence attached hereto as Exhibits "A", "B", "C" and "D" with respect to stormwater wetlands and endangered species.

D. In connection with the development of the Jung Property, Inverness acknowledges and consents, at the developers' cost, to the extension of the sanitary sewer line, serving the Jung Property, to the southern boundary of the Property in order to provide sewer service to the adjacent South Barrington communities of Willowmere and Farmington Subdivisions. No fees or costs shall be charged by Inverness to South Barrington users of this sanitary sewer line.

3. Barrington Road Setback. Each village shall use all reasonable efforts to require and/or to secure a permanent minimum setback for structures and buildings by their respective zoning ordinances, by deed, dedication, or by scenic easement, of one hundred feet (100') as measured from the center line of Barrington Road south from its intersection with Bradwell Road, with respect to properties lying within their respective jurisdictional areas and adjoining said road. However, neither village shall be required to exercise its power of eminent domain for such purpose. It is understood that the establishment of such setback usually occurs at the time such property is developed.

4. Comprehensive Plans. South Barrington shall give thirty (30) days' written notice to Inverness prior to approval of any amendment to the South Barrington zoning ordinance, approval of any annexation agreement, or approval of any amendment to the South Barrington Official Comprehensive Plan with respect to territory within the South Barrington jurisdictional area or approval of such other action which commits South Barrington to a land use within the South Barrington jurisdictional area which substantially deviates from the South Barrington Official Comprehensive Plan adopted on January 9, 1975, and the provisions of this Agreement.

Inverness shall give thirty (30) days' written notice to South Barrington prior to approval of any amendment to the Inverness zoning ordinance, approval of any annexation agreement, or approval of any amendment to the Inverness Official Comprehensive Plan with respect to territory within the Inverness jurisdictional area, or approval of such other action which commits Inverness to a land use within the Inverness jurisdictional area which substantially deviates from the Inverness Official Comprehensive Plan adopted on March 10, 1981, and the provisions of this Agreement.

Upon request of the village so notified, that village shall be given the opportunity to review any such proposal and be heard on any such proposal prior to any final action thereon. Within fifteen (15) days after such opportunity to review and be heard on such proposal, the reviewing village may file a written objection to such proposed substantial deviation from the other village's official comprehensive plan as herein accepted. While such objection remains in effect, the other village shall not take any action inconsistent therewith. However, the objecting village shall reimburse the other village for one-half (½) of all expenses incurred in defending or prosecuting any litigation involving third parties arising out of or resulting from such objection.

5. Transfer of Authority. Neither village will act to annex or exercise any zoning authority or subdivision control authority within the jurisdictional area of the other village, except as specified herein or upon a subsequent joint written agreement, duly authorized by the corporate authorities of both villages.

6. Statutory Zoning Objections Unaffected. This Agreement shall not be construed so as to limit or adversely affect the right of either municipality to file a statutory objection to proposed rezoning of unincorporated territory or to exercise other statutory land use authority, other than annexation and subdivision control as herein specified, within one and one-half (1 ½) miles of its corporate limits or within any unincorporated area as may from time to time be provided by statute.

7. Annexations. Neither village will annex any territory within the jurisdictional area of the other village and both will actively oppose any attempt to effectuate an involuntary annexation to its respective municipality which involves territory within the jurisdictional area of the other village.

8. Subdivision Control. In the event that either village's subdivision control authority cannot be exercised in its jurisdictional area as established by this Agreement because that village is not located within one and one-half (1 ½) miles of a proposed subdivision, and if the other village is located within one and one-half (1 ½) miles of said subdivision, then, in those events, each village hereby transfers its subdivision control authority to the other village pursuant to Section 10, Article VII, of the Constitution of Illinois of 1970, in order that this subdivision control can be effected within the jurisdictional area of the appropriate village as defined herein. In the event that any court of law shall find that the transfer of subdivision control power between units of local government is prohibited by law, then, if either village cannot exercise its subdivision control within its jurisdictional area because it is not located within one and one-half (1 ½) miles of a proposed subdivision, and if the other village is located within one and one-half (1 ½) miles of said subdivision, then the latter village shall exercise subdivision control notwithstanding the boundaries established by this Agreement.

9. Amendment. Neither South Barrington nor Inverness shall, directly or indirectly, seek any modification of this Agreement through court action and this Agreement shall remain in full force and effect until amended or changed by the mutual agreement of both respective corporate authorities.

10. Partial Invalidity. If any provision of this Agreement shall be declared invalid for any reason, such invalidation shall not affect other provisions of this Agreement which can be given effect without the invalid provision and to this end the provisions of this Agreement are to be severable.

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11. Illinois Law. This Agreement shall be construed in accordance with the laws of the State of Illinois and shall be published by the respective villages and recorded or filed with appropriate County Recorders, County Clerks, and others as their interest may appear.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals this 8 day of February, 2000.

VILLAGE OF INVERNESS

By: [Signature]
Its Village President

ATTEST:

[Signature]
Village Clerk

VILLAGE OF SOUTH BARRINGTON

By: [Signature]
Its Village President

ATTEST:

[Signature]
Village Clerk - DEPUTY



Illinois
Department of
Natural Resources

524 South Second Street • Springfield, Illinois 62701-1787

<http://dnr.state.il.us>

George H. Ryan, Governor • Brent Manning, Director

December 30, 1999

James Bateman
Village Attorney
Village of Inverness
5051 Shoreline Road
Barrington, Illinois 60010

Re: Endangered Species Consultation #9903929
The Glens of Inverness (Jung Property)--Cook County

Dear Mr. Bateman:

Thank you for sending the above project to this office for the required Endangered Species Consultation Process. As you may already know, any local municipality performing, funding, or approving an environmentally altering action must first complete IDNR's consultation process. During this process, the Department identifies to the local unit of government any known occurrences of endangered and threatened species and Illinois Natural Areas Inventory (INAI) sites that may be impacted by the proposal. If such resources are identified, the Department provides recommendations as to how the potential impacts can be avoided or minimized. The governing entity with authority over the project then takes this information into consideration before final action is taken. I have enclosed an executive summary and administrative rules to explain the details of the consultation process.

The Jung property which is being considered for annexation into the Village of Inverness lies in the immediate vicinity of two INAI sites and known breeding habitat for numerous listed bird species. In addition, the Department has received an unconfirmed report of nesting sandhill cranes on the site in question. The report shows that the cranes were present during the spring and late summer, but not necessarily nesting on site. Because the sandhill crane records have not been confirmed nesting by a Department biologist, we will focus our attention during the consultation process on the confirmed records nearby.

Palatine Road Marsh INAI site is north of Palatine Road and upstream of the proposed development. The black tern and yellow-headed blackbird (both state-endangered species) have been known to nest at this INAI site. Crabtree Nature Center, which is west and downstream of the site, is the another Natural Areas Inventory site that provides habitat for state listed bird species. The black tern, pied-billed grebe, yellow-headed blackbird, common moorhen, and black-crowned night heron nest within its boundaries. These bird species (particularly the black tern, and black-crowned night heron) nesting in both INAI sites require foraging and loafing habitat in the immediate vicinity of their nest sites.

The two main issues of the Department regarding the development of this parcel are the amount of buffer to the wetlands on site and the stormwater treatment plans. The hydrology of Palatine Road Marsh is not likely to be impacted (because it lies upstream of the site), but the development of this parcel may reduce the amount of suitable foraging and loafing habitat required by the listed bird species and affect the hydrology of the downstream Crabtree Nature Center.

The amount of buffer on the southern portion of the site is more than adequate; however the remaining wetlands should have at least 100 feet of buffer from the lot lines. A sizeable buffer will not only create visual space for the foraging birds, but will also help prevent water quality degradation. A buffer with native vegetation will promote surface water infiltration and act as a filter.

Below are recommendations to minimize the impacts to on-site and downstream hydrology. Some of the comments are very general because no details have been provided for the stormwater treatment plans.

- Minimize mass grading to the fullest extent possible. Because of the high density and varying topography, it appears that nearly the entire site will be regraded. Mass grading results in the compaction of soils, and renders them almost impermeable. Impermeability creates excessive surface runoff and severely alters the hydrology of nearby wetlands. Grading should be avoided altogether where practical, and minimized where possible.
- Route roof runoff onto the lawns, rather than onto driveways or streets. This will also reduce the amount of surface runoff.
- The shoreline slopes of the basins should be very gradual (5:1 or flatter). This will allow wetland vegetation to become established and prevent excessive erosion. Steep slopes and turf grass have few benefits in stormwater treatment and promote sloughing of banks.
- The larger storm ponds should have settling basins just below the inlet to capture sediment. The settling basins will allow for easier maintenance and minimize downstream sedimentation.
- Avoid "short-circuiting" the storm ponds. All the detention basins, with the exception of Basin #1, have been short circuited (the outlets are too close to the inlets). The outlet and inlet structures should be placed as far apart from one another as possible to maximize stormwater's period of time in the pond.
- Incorporate stormwater swales into the design, rather than relying solely on storm sewers. Swales lined with vegetation and properly placed rip-rap promotes infiltration of stormwater. Storm sewers act as a chute and result in highly fluctuating water levels downstream. In addition, storm sewers cannot biologically treat dirty stormwater runoff as vegetated swales can.

Page 3

December 30, 1999

- Design the stormwater basins to have restrictive release rates. According to the Northeastern Illinois Planning Commission, release rates should be no more than 0.04 cubic feet per second per tributary acre for the 2-year runoff event, and no more than 0.15 cfs/acre for the 100-year event. The recommended 2-year runoff event release rate will minimize downstream erosion control, highly fluctuating water levels, and provide adequate detention time for pollutant removal.
- Incorporate native vegetation into the design of the swales, stormwater ponds, and buffer areas. The wetland consultant of the developer should be able to create a species list and plan for suitable native vegetation in these areas. The preliminary plan shows many native species included in the design; the vegetation should be planted and seeded to maximize the effectiveness of the buffers and stormwater treatment.

Please share this letter with Village staff and officials responsible for plat approval. This information needs to be taken into consideration before approval occurs. According to the Administrative Rules for the Endangered Species Consultation Process, the Village of Inverness needs to respond in writing to the Department regarding the recommendations provided by this office. Final Village approval cannot lawfully occur until the Endangered Species Consultation Process has been terminated.

We look forward to your response. Please do not hesitate to contact Keith Shank or me if you have any questions or would like to discuss our recommendations. Mr. Shank and I can be reached at (217) 785-5500.

Sincerely,



Kim M. Roman
Project Manager
Endangered Species Consultation Program

cc: Kevin Hammann, Hey and Associates, Inc.
H. James Fox, Holleb & Coff
Dan Kirk, IDNR
Maggie Cole, IDNR
Michele Moss, Sierra Club
Tom Morris, South Barrington

RECEIVED

DEC 31 1999

Dept. of Natural Resources



ILLINOIS DEPARTMENT OF NATURAL RESOURCES

524 South Second Street, Springfield 62701-1787

George H. Ryan, Governor • Brent Manning, Director

ENDANGERED SPECIES CONSULTATION PROGRAM AGENCY ACTION REPORT

PROJCODE: 9903929 Date Due: 12-31-99 For Office Use Only

Date Submitted: November 29, 1999

Is this a Resubmittal? (Yes) (No) Please circle one

If 'Yes', enter PROJCODE: _____

Agency Name: Village of Inverness

Contact Person: James Bateman, Esq., Village Attorney (847) 381-7340

Agency Address: Village of Inverness Phone: (847) 358-7740

1400 Baldwin Rd., Palatine, IL 60067 E-mail: _____

DESCRIBE PRECISE LOCATION OF PROPOSED ACTION

Project Name: The Glens of Inverness

County(ies): Cook

City/Town: Unincorporated Cook County

Township/Range/Section: T42N, R9E, Section 24

U.S.G.S. Quad Map Name(s): Streamwood

Brief Description of the Proposed Action: Annexation to the Village of Inverness, zoning and preliminary site plan approval, sewer and water

James P. Bateman

Please enclose a map delineating the location of the proposed action, and return to Dr. Deanna Glosser at the SPRINGFIELD address above.

FOR NATURAL RESOURCE REVIEW & COORDINATION USE ONLY

JH

QUADCODES: _____

Are there threatened/endangered species or Natural Areas known to be located within the vicinity of the project? (Yes) (No)

Is the proposed project likely to adversely affect the threatened/endangered species or INAI sites? [Yes] [No]

The consultation process is terminated? [Yes] (No)

If 'No', complete the enclosed Detailed Agency Action Report to continue the consultation process.

Comments: See attached letter

Evaluation Approved by:

Kim M. Renner

12/30/99

Date

Deanna Glosser, Ph.D. Chief, Div. of Natural Resource Review & Coordination

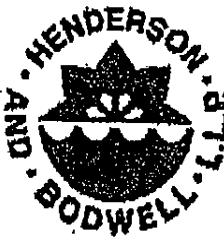
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Exhibit

"B"

124 WEST DIVERSEY
ELMHURST, ILLINOIS 60128-1102
830-834-9408 • FAX 830-834-0328

CONSULTING ENGINEERS



PARTNERS

Russell B. Bodwell
James R. DeLand, Jr.
Paul H. Ulatowski
Brian McMorro

SENIOR ASSOCIATE
Elyan L. Gurel

ASSOCIATES

William H. Bodwell
Charles R. Eckert, P.L.A., C.I.A.
Virginia K. Pachay, P.L.A.
Stephen B. Pennington, P.E.
Richard A. Young, A.I.C.P.
Thomas J. Karachuk
Richard K. Evans

January 6, 2000

Gary L. Kolbe, P.L.S.
Kurt K. Ager, P.L.S.
Mark Engelen

Mr. Curt Carver
Village of Inverness
1400 Baldwin Road
Inverness, IL 60067

Dear Curt:

I am in receipt of the December 30, 1999, letter from the Illinois Department of Natural Resources ("IDNR") addressed to the Village of Inverness relative to the endangered species consultation on the Glens of Inverness property. We have reviewed with our client, Barrington Road and Palatine Road, LLC, the IDNR recommendations for this site, and by this letter, on behalf of our clients we advise you that our client intends to comply with, and that the plan as currently presented to the Village does comply with all of the recommendations on pages two and three of IDNR's letter, with one exception. We will not be able and do not intend to provide a 100 foot buffer from all wetlands areas. We have proposed a variable setback from the wetlands with the minimum setback of 50 feet and in many locations the setbacks are greatly in excess of 100 feet.

Thus, we believe that the Glens of Inverness can be built in accordance with the requests of the Illinois Department of Natural Resources and the U.S. Army Corps of Engineers for this property. We have been and will continue to maximize the buffer from the wetland in all locations. Please note, however, that due to the fact the creeks themselves were defined as wetlands, we are not proposing to provide the 100 foot along the creek.

Please feel free to deliver this letter to IDNR as a response to their letter. If you or IDNR have any further questions or require any other information from me, please do not hesitate to call.

Yours truly,

Paul H. Ulatowski, P.E.
Partner

PHU/omi
(p/om/om,phu)

cc: H. James Fox, Esq.
Dennis Cortesi

Plainville, New York
818-833-8870 • FAX 818-836-8780

Mason, Ohio
513-888-1728 • FAX 513-888-8811

Barnesville, New Jersey
732-853-8880 • FAX 732-853-1109

Orlando, Florida
407-351-1727 • FAX 407-351-4075

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Village of Inverness

Exhibit
"C"

1400 Baldwin Road • Inverness, Illinois 60067
847/358-7740 • Fax 847/358-8858

January 7, 2000

VIA FAX: (217) 557-0728

Ms. Kim M. Roman, Project Manager
Endangered Species Conservation Program
Department of Conservation
524 South Second Street
Springfield, IL 62701-1787

PRESIDENT
John A. Tatroles

BOARD OF TRUSTEES
Linda L. Fleming
Richard C. Gallagher
Fred A. Neal
Micheline Polk
Linda L. Post
Daniel P. Ryan

CLERK
Patricia D. Ledvina

DEPUTY CLERK
Mary Bawler

RE: Endangered Species Consultation - 9903929
The Glens of Inverness/Development of Jung Property

Dear Ms. Roman:

The Village of Inverness has received your letter and attachments dated December 30, 1999 pursuant to the Village's Endangered Species Consultation Program Agency Action Report dated November 29, 1999. We thank you for your response, which has been provided to both the developer and to the Village officials and staff responsible for plat approval.

The developer has responded through its consulting engineer to your letter and a copy of that response is attached. We invite you to speak directly with their representative if necessary, as his letter indicates.

On January 11, 2000 the Village of Inverness Village Board will consider the developer's pending request to approve an annexation agreement for the subject property. If the Village Board does approve the proposed annexation agreement, I can assure you that the Village staff, Plan Commission, and Village Board will take into consideration both your letter and the developer's written commitment as the development moves forward to secure the necessary Village approvals of their special use permit, final plat and engineering.

Sincerely,

Curt Carver
Village Administrator

Enclosure

cc: Village President
Village Attorney

Illinois
Department of
Natural Resources

524 South Second Street • Springfield, Illinois 62701-1787

George H. Ryan, Governor • Brent Manning, Director

<http://dnr.state.il.us>

January 13, 2000

Curt Carver
Village Administrator
Village of Inverness
1400 Baldwin Road
Inverness, Illinois 60067

Re: Endangered Species Consultation #9903929
The Glens of Inverness (Jung Property)

Dear Mr. Carver:

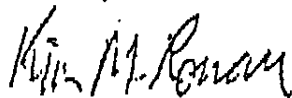
Thank you for your January 7 response to IDNR's recommendations regarding the development of the Jung property. While we regret that the developer did not agree to a minimum buffer of 100 feet, we are pleased that all of our other recommendations will be incorporated into the final plans. We still encourage the Village to consider additional buffer to the wetlands to provide the maximum amount of distance possible.

Once the detailed plans which show that all of our recommendations (as already agreed upon) have been received, the Endangered Species Consultation Process will be terminated, and final plat approval can lawfully occur. Below is a list of items we will need to review:

- Final plat showing topography, direction of stormwater, and swales.
- Detailed stormwater management plans, including the sloping, vegetation plans, detention time, release rates, inlet/outlet structures, and settling/catch basins of each detention basin.
- Landscaping plans for the buffer areas showing the detailed species list and management plans.

Please direct your future correspondence to Mr. Keith Shank, Program Manager of the Endangered Species Consultation Program. Mr. Shank can be reached at (217) 785-5500 if you have any questions or need additional information.

Sincerely,



Kim M. Roman
Project Manager
Endangered Species Consultation Program

