

MR. KNOUFF: Are you testifying as an expert here?

MR. BAUGHMAN: Yes, sir. I would admit that.

MR. KNOUFF: Would you mind stating in a preliminary fashion just so the Board is able to judge as to your expertness a little bit of your background?

MR. BAUGHMAN: I have served 130 municipalities, I worked on more than 50 zoning ordinances for municipalities. I have served in the Rott case in behalf of property owners in this area, one of your associations.

I have served Middlebury, the Village of Barrington, the Township Association, the Villages of Schaumburg, Arlington Heights, Rolling Meadows, Buffalo Grove, Elmhurst, and several other cities in the Chicago area.

I served nine years as Planning Director of St. Louis County, Missouri, with 493 square miles and 96 municipalities. The experiences which I have had in these areas are very much parallel in several areas, you probably are familiar with Ladoo, Missouri, which has a character similar to Barrington Hills. Your area of 40 square miles is two-thirds the area of the City of St. Louis. You could have a million people living in this area if you don't take proper steps to form a wall around your city to keep the encroachment away.

Now, Judge LaBuy needs this municipality, I think, more than you need him. I would admit that. Because I believe he is in danger of the lack of certain ordinances for his protection in Cook County. As you know, Cook County does not have a building code as elaborate as the type of building code that can be adopted by Barrington Hills. It takes a combination of subdivision regulations, the zoning ordinance, a building code, and many other types of ordinances as companion measures to give proper protection.

The statements I would make here tonight are based upon not this area becoming a part of Cook County under Cook County's standards and as the ordinance is known, but under possible annexation by the Village of Barrington Hills.

The judge has authorized me to support this under certain conditions. And some of the questions I asked previously does make it possible for me to state that this is a practical and realistic approach to preventing encroachment by small tract subdividers.

Now, all of the owners in the area around Schaumberg and around South Barrington, and especially in suburbs to the east, have waited too long for this type of approach. I have been engaged by Arlington

Heights to make the same type of study and to make a declaration of the village's policy regarding land which they propose to annex. Now, they have done this for the entire fringe of Arlington Heights; and any man who wants to come to the Village of Arlington Heights can be assured that if he comes in the municipality that he would have that classification, they would hold a pre-annexation hearing and classify it before--agree upon it, since the order of annexation, and then, in turn, sign the zoning ordinance classifying his land. If the plans as proposed here, with one exception, are agreed upon, that exception is 900 feet right in this north area, which is approximately 1,500 feet south of Dundee Road, this strip of 900 feet--we would object to that being in its two acre classification. Otherwise, it would be agreeable to have the fringe in accordance with the proposal. Now, the judge has prepared plans which are consistent with the standards that you have outlined tonight, he has reserved land for lake development and he is willing to have the dimensions of these properties so that you have your square shaped properties, so that you would have properly proportioned lots so that would

not entertain any motions by private speculators to come into the area.

Now, in support of Judge LaBuy, previously we know that he has owned this land for 38 years and he spent a considerable amount of time planting trees on this property and reserving it for proper development. Now, this can be the proper transition to prevent the encroachment. The City of Des Plaines and Mt. Prospect right now are being deluged by apartment requests. The judge's thought on this is rather than sell this for 10,000 or 20,000 square foot development, that this should be in one acre. He is not asking for anything less than an acre, and his property is zoned one acre in this portion. So that the breaking point in speculative development is any lot below one acre.

When you get below one acre, then you go from your 150 foot width to 20,000 square feet, and then you have a 100 foot width and a 200 foot depth. Then you end up with septic tanks out of place on the properties. The judge has had experts study this area, and because of his policy there has been less erosion of top soil in this area than in many of the areas in Cook County.

And the adaptability on acre lots that will meet these septic tank standards. If you go below acre lots, you will have to have sewers, treatment plants, you are going to have to have that, and you will have damage to the surrounding property. Another factor, when he worked for the Village of Barrington, we had a paper subdivision right south of the Village which has been a threat because of lack of streets and improvements. Unless there is a redevelopment program of some type, there could be damage to property values by that paper subdivision area. In the same fashion, the traffic on Barrington Road is such that it is not the same in character as many of the rural type roads that are in Barrington Hills proper. Now, the designs that have been considered by Judge LaBuy relate all of the traffic from the interior to Barrington Road; and rather than have a number of driveways leading to Barrington Road, as would be possible if he were to usurp the availability of this highway, rather than have 20 driveways, he is agreeable to have the design fit the topography of interior lakes, and to have cul de sac streets leading to parallel

frontage roads, or marginal access streets.

So that he is willing to bear the costs of extra street parallel with Barrington Road which actually duplicates a road which he already has. So that that will cut down any hazard on this road.

So I submit tonight that he is willing to sacrifice in several ways in order to become a part of the Village, with the exception of this one little area right here.

MR. KNOUFF: We have already run overtime. In case any individuals wish to ask questions of Mr. Baughman in connection with his testimony, can you return one week from tonight?

MR. BAUGHMAN: I will be in Cincinnati that night but I will be glad to come at any time you set a meeting.

MR. KNOUFF: You can not come one week from tonight, next Thursday?

MR. BAUGHMAN: No, I am working for Cincinnati then.

MR. KNOUFF: I will hold this a little while longer for any questions that you wish to ask Mr. Baughman, although it is our practice to adjourn at 10:00 o'clock.

MR. JOHNSON: It is fine for Judge LaBuy to come into the Village of Barrington Hills, and I am sure that the Village would be pleased to have him in, but why

bring this buffer idea into the Village of Barrington Hills? Why not buffer right on the west side of Barrington Road and start your two acres there next to your one acre, and then graduate three acres from that time on on the judge's property? Why put it all on our property? If the judge wants to come into Barrington Hills and he wants the protection of our Village ordinances, and our zoning, it seems to me that he should do the bending and not us.

MR. BAUGHMAN: I don't live on Barrington Road. Do you?

MR. JOHNSON: I live within a half mile of it, and that street that you are talking about flows right through open property, and I will be damned if I want an open sewer running down through there.

MR. KNOUFF: Please keep the language clean.

Are there any other questions?

MR. KERBER: Did I understand you correctly that he wishes to plot this property in square lots? Did I understand that right or did I misunderstand?

MR. BAUGHMAN: That would be much nearer a square than a lot out of proportion. I use the word "the proper proportion". An acre is 200, and an eight foot

square is better than that.

MR. KERBER: Planned in a rectilinear layout, is that what you mean?

MR. BAUGHMAN: That is very much more expensive, is that what you mean?

MR. KERBER: I can not conceive of rectilinear lots in this type of property.

MR. BAUGHMAN: Well, the standard is 150 feet or more.

MR. KNOUFF: Are you referring to contour versus four-squared lots?

MR. KERBER: That is what I am speaking of.

MR. KNOUFF: What is the plan, Mr. Baughman, with respect to contour planning versus four city blocks like Chicago's layout?

MR. BAUGHMAN: If the gentleman is trying to confuse me by talking about grid system planning, we do not propose that, it is very much obsolete. The road design fits the topography of curvilinear design but the lots themselves, because of this 150 foot minimum frontage, will be between 150 and 250 foot in frontage, and they will be more near like square lots than they would be a simple rectangle.

MR. KNOUFF: But for the purpose of laymen, we call

that contour planning, is that correct?

MR. BAUGHMAN: That is very good, contour planning, right.

JUDGE DIERINGER: I would like to ask the gentleman a question: It is recognized that property west of Barrington Road in that little spot there is five acres and it is not in the Village. The sum and substance of what you are saying is that the judge would like to join at his price, and if we will give him what he wants he will accommodate us by becoming a part of this Village of one acre.

Will you please tell us why we should do anything like this and why we shouldn't stand pat? Tell me what the judge can give us that we have not got and why we would be better off taking him. Keep in mind what Mr. Johnson said, that you would have to wall off that property and take the present property owner's property and reduce it to two acres, and nobody cares about them, they haven't been consulted on it.

MR. KNOUFF: Do you care to respond to that?

MR. BAUGHMAN: Only that in 40 some square miles there should be some people with the right to live on one acre as well as five. You have the largest area that I know of with these high acreage developments, and

this man has his property on Barton Road, the heaviest traffic area.

Now, if this were Barrington Road, if it had the same character as the country roads in the same area as the five acre development, I think he could do this gradually. He does not intend to sell 400 acres of land in one day. He intends to market, and I am only speaking of 235 of his 400 acres west of this road. So that I think that you would feel that the fact that he has held us off the markets all these years and the fact that he is not selling to speculators and he is not developing this all at once to overload schools, that should be given some consideration.

A VOICE: How do we know that he isn't going to do this?

MR. BAUGHMAN: He does not need money very badly.

MR. O'LAUGHLIN: You would never guess it.

MRS. ARNOLD: It is my understanding that at one time--what is this organization at one time that the judge was contemplating, is that the Mount Clair Savings & Loan out of the picture, then, if he does not plan on selling it to a developer?

MR. BAUGHMAN: I don't understand your question. I don't represent Mount Clair Savings & Loan.

MRS. ARNOLD: Well, it was my understanding at one time that the judge came back from Europe because of the thought of selling this property to Mount Clair Savings & Loan over in Elmwood Park or some place. And now you say that he does not plan on selling it to a developer.

MR. BAUGHMAN: I said he is not going to sell all his land at one time.

MRS. ARNOLD: So that we get into this element of talking about what Judge LaBuy will do to develop it, when actually it was my understanding that formerly--this was some months ago, he may have changed his plans--that he was going to sell it to this organization.

MR. KNOUFF: Since Mr. Baughman can not be present next week, I would like for the Board to have a chance to ask him some questions for its enlightenment. Do you have any questions?

MR. DAUBENSPECK: Mr. Baughman, is it my understanding that some tests have been made as to the nature of the soil, that considering the size of the lots that are envisioned, that it would not be necessary to have a village sanitation or sewage disposal plant, but that this could be handled by septic systems?

MR. BAUGHMAN: Yes, sir. I have the engineers' reports on this, made June 29, 1962, and basically, the

reports say:

"The area under study comprises 237.5 acres, including the lake, thus the number of test holes represent one hole per every four acres."

This was made in a grid pattern. We have a map showing those, and this was made by Torgney J. Westerberg, who is a specialist in these studies, and present at these tests was Mr. Robert DeJogne, Chief Sanitary Engineer of the Cook County Department of Health.

And Judge LaBuy also contacted the Village and had their representative present to witness these tests in the event he would ever come into the Village.

MR. DAUBENSPECK: I would personally feel remiss in my duties as a member of this Board if I did not have an opportunity to examine that report in detail and have the benefit of the comments of some other experts in this particular field.

As a lawyer, I happen to know that sometimes experts who are qualified differ in their opinions. So with that in mind, would you or the gentleman you represent be willing to submit a copy of that report to this Board to put into the record?

MR. BAUGHMAN: I think so, yes.

MR. DAUBENSPECK: And possibly ask the man who prepared it to appear before this Board and answer questions put to him concerning it?

MR. BAUGHMAN: I will be glad to do that.

JUDGE DIERINGER: Mr. Chairman, on that point, may I respond to Mr. Baughman? I too checked into that today with some of the officials of the county. Now, you can get an expert opinion on anything any time. If you take a porosity test in a dry year--and we had a very dry year--out in the middle of a field, you can get a good result. But if you happen to take it when it is a little bit damp or after there are three or four septic tanks in action--and we know the soil out here, we have all had holes dug in our back yards, and it is as solid as a rock. And after you have your septic tank in for a year or two, you are going to put an extension on. I did. Tom did. And I suppose most of you did. So all you have to do is talk to the boys who laid the sewers out here in the septic fields and they will tell you more about it than all the experts, and all the engineers who will come out here and drill a hole for you. Because the condition has to be over a continued period of time.

Now, Mr. Daubenspeck's statement was well

taken. Flint Crick is the headquarters of the crick that flows past Tom's house and mine and into Holly Lake and through the chain of lakes and through the Village and out through the country club, and we know that if that raw sewage ever finds its way into the crick at its lowest point you will have contact with the sewer all the way, and after the engineers make the mistake we will pay the bill.

So this is just a matter of common sense by the people who live here, by those who have had the experiences, and I say you can bring me 100 experts and I still don't believe them because I still had to build another septic tank.

MR. KNOUFF: Thank you, that is your experience.

I think that at the next meeting anyone who has any testimony, expert or otherwise, with respect to the drainage question, the septic or sewage question, should be prepared to present that to this Board, either in written form or by experts who are prepared to testify in that regard.

I now declare this meeting adjourned until one week from tonight at 8:00 o'clock, P.M., at the same place without further notice.

(WHEREUPON THE HEARING WAS ADJOURNED  
AT 10:20 O'CLOCK, P.M., FEBRUARY 21,  
1963, UNTIL 8:00 O'CLOCK, P.M.,  
FEBRUARY 28, 1963, AT THE SAME  
LOCATION)