

**Planning and Development Committee
Meeting Minutes for September 3, 2020**

Members Present:

Philip Chapman
Dalton Gray
David Michael
Nick Petrillo, arrived late
Robert Pollard
Ray Wesley, Chairman Pro Tem

Members Absent:

Mick Madison, Chairman
Larry Trucano

Others Present:

Noelle Maxey	Jody Maxfield	Garrett Gerdes	Rusty Lingafelter
Chris Doucleff	Kaye Maxfield	Laura Gerdes	Norman Crane
Rob Henke	Anne Mongiovi	Nannette Morgan	Diane Bower

Call of Meeting to Order and Roll Call:

Chairman Pro Tem Wesley called the regular meeting of the Planning and Development Committee to order at 4:30 p.m. and conducted roll call.

Approval of Minutes:

Chairman Pro Tem Wesley asked the committee if everyone reviewed the minutes from the August 6, 2020 meeting. Chairman Pro Tem Wesley approved the minutes.

Zoning Petitions and Subdivision Overview:

Noelle Maxey, Assistant Planner, gave the overview of the five zoning petitions and two subdivisions on the agenda.

Ms. Maxey introduced Resolution Z19-0058, petition of Shadow Wood Development, LLC, owner of record, requesting a zoning map amendment to rezone 27.68 acres from "R-2" Single-Family Residential District to "R-7" Planned Residential District in order to create a 70 lot subdivision. Ms. Maxey stated that earlier today the applicants had requested a postponement indefinitely as they consider changing their plan in response to all the opposition from nearby property owners. Chairman Pro Tem Wesley stated to the members of the public that they will still be able to speak on this petition.

Ms. Maxey introduced Resolution Z20-0032, petition of Garrett and Laura Gerdes, owners of record, requesting a variance in order to construct an accessory structure that will be 8 feet from the south and west property lines instead of the required 15 feet. Ms. Maxey stated the applicants noted they are limited on building area due to the location of private sewage system laterals on the property. Ms. Maxey stated there are no outstanding violations on the property, but two adjacent property owners spoke in opposition at the Zoning Board of Appeals (ZBA) meeting. Ms. Maxey stated the ZBA recommended approval of the request 4-1.

Ms. Maxey introduced Resolution Z20-0034, petition of Network Real Estate, LLC, applicant on behalf of AT&T and James E. Dempsey Trust, owner of record, requesting a variance in order to install a 6 foot composite stone fence instead of the required landscape buffer. Ms. Maxey stated there are no outstanding violations on the property, no opposition has been expressed at this time, and the ZBA recommended approval of the request 4-1.

Ms. Maxey introduced Resolution Z20-0036, petition of Laura and Richard Lynch, applicants on behalf of the Estate of Elmer E. Prante, owner of record, requesting a Special Use Permit in order to place a double-wide mobile home on site for the occupancy of Laura and Richard Lynch and family for a period not to exceed 5 years. Ms. Maxey stated the applicants are in the process of purchasing the property from an executor. Ms. Maxey stated there was an SUP granted to a Mr. and Mrs. Eilers in 1966 for a mobile home on the property for their lifetimes, but it is unclear whether that mobile home was removed when they passed, as there was an old, rundown mobile home on the property that was removed shortly before the applicants went under contract for the property. Ms. Maxey stated there are no outstanding violations on the property, no opposition had been expressed at this time, and the ZBA unanimously recommended approval with the listed conditions.

Ms. Maxey introduced Resolution Z20-0038, petition of Andrew and Lisa Schmitt, applicants on behalf of Jerry Don and Mary Smith, owner of record, requesting a zoning map amendment to rezone a 0.9 acre tract of land from "A" Agricultural District to "B-5" Planned Business District in order to operate a garage door business on site. Ms. Maxey stated that the 0.9 acres would be split off from the rest of the property if the rezoning is approved. Ms. Maxey stated there is an existing pole barn on the property, which the applicants are planning to add-on to, to be used for their business and an existing mobile home on the property that will be used as a watchman trailer. Ms. Maxey stated there are no outstanding violations on the property, no opposition had been expressed at this time, and the ZBA unanimously recommended approval with the conditions in Appendix "A".

Ms. Maxey introduced Bambi Estates – Minor Plat. Ms. Maxey stated the property, which is zoned "A" Agricultural District, is located along Bambi Drive, a private roadway, 0.93 miles from the intersection of Springvalley Road and West Kirsch Road, in Jarvis Township. Ms. Maxey stated this is a 2 lot minor subdivision, with Lot 1 being 2 acres and Lot 2, the remnant, being 11.79 acres. Ms. Maxey stated the City of Troy reviewed and approved the proposed subdivision on July 20, 2020. Ms. Maxey stated new development would likely include a new single-family dwelling on Lot 1, and Lot 2 will remain to be used for row cropping. Ms. Maxey stated there is no access easement being proposed, as both lots have a minimum of 40 feet of access to Bambi Drive. Ms. Maxey stated there is no floodplain on the property, and the proposed lot configuration satisfies all zoning and subdivision requirements.

Ms. Maxey introduced the R subdivision of Lot 5 of Straeter Business Park – Minor Plat. Ms. Maxey stated the property, which is zoned "M-2" General Manufacturing District, is located along George Street, approximately 0.4 miles from the intersection of George Street and US Highway 40, in Saline Township. Ms. Maxey stated the property is within the City of Highland's growth boundary, but they opted out of the option to review the proposal. Ms. Maxey stated the proposal would resubdivide Lot 5 of Straeter Business Park into 3 lots: Lot 1 being 1.02 acres, Lot 2 being 3.01 acres, and Lot 3 being 3.78 acres. Ms. Maxey stated there is an existing business office on Lot 1 that will continue to be used in this manner and meets all setback requirements with the new property lines. Ms. Maxey stated there is no new development being proposed on any of the 3 lots at this time. Ms. Maxey stated Lots 1 and 3 will have direct access to George Street, and Lot 2 will be accessed via a new 40 foot wide private roadway easement through the property. Ms. Maxey stated there is no floodplain on the property, and the proposed lot configuration satisfies all zoning and subdivision requirements.

Ms. Maxey stated that Z18-0052, petition of Pro Excavating and Grading, LLC, under "Unfinished Business", was supposed to be considered at this meeting, but they have requesting another 60 day extension.

Pre-Application Presentation:

None.

Citizens Wishing to Address the Committee:

Chairman Pro Tem Wesley asked if there are any members of the public wishing to address the Committee.

Anne Mongiovi, adjacent property owner, spoke in opposition to Z19-0058, petition of Shadow Wood Development, LLC. Ms. Mongiovi stated that all types of people who live in the area are opposed to this request. Ms. Mongiovi stated they are concerned for public safety, future development in the area, and land, plant, and wildlife preservation. Ms. Mongiovi stated that all these people, Committee members' constituents, matter, so please deny this request.

Rusty Lingafelter addressed the Committee for consideration of adding the type of business he is wanting to start out of his home to the Special Uses in Agricultural Districts. Mr. Lingafelter stated he is wanting to start a mobility van business that would provide rental vans to individuals to transport persons who utilize wheelchairs. Mr. Lingafelter stated his father lived in a care facility, and they used to be able to pick him up to take him places, but as he aged, they were no longer able to get him inside a vehicle. After being unable to take him to a family function, they found a rental van that they were able to use easily to transport him. Mr. Lingafelter stated that there are no services like this in the Metro East area, so he is wanting to start this business at his home. Mr. Lingafelter stated this wouldn't have any negative effects on the area.

Nannette Morgan, adjacent property owner to the west, spoke in opposition to Z20-0032, petition of Garrett and Laura Gerdes, stating she is concerned about runoff from the structure and erosion and fire safety. Ms. Morgan stated that she is fine with the 15 feet setback requirement, but they would have to build a smaller shed to meet that, and Ms. Morgan stated that Mr. Gerdes agreed that he could make the shed smaller at the ZBA meeting. Ms. Morgan stated that the building would obstruct views from her window.

Kaye Maxfield, adjacent property owner, spoke in opposition to Z19-0058, petition of Shadow Wood Development, LLC. Mrs. Maxfield stated they are concerned that if the "R-7" is granted, the developer will start making changes to the plat since it is still in the preliminary phase. Mrs. Maxfield stated they are concerned with the density of the proposal since their original plan was 58 single-family lots, and now they are proposing 81 total housing units. Mrs. Maxfield stated the "R-7" zoning is very broad for a small farming field. Mrs. Maxfield stated there have been no improvements to the roadways or flooding issues since their last request. Mrs. Maxfield stated they are concerned about traffic safety and drainage and flooding issues. Mrs. Maxfield stated "R-7" is inappropriate for this area with unimproved roads, limited access, and no nearby amenities and is inconsistent with neighboring properties which are zoned for single-family and agricultural uses.

Jody Maxfield, adjacent property owner, spoke in opposition to Z19-0058, petition of Shadow Wood Development, LLC. Mr. Maxfield stated he has seen developers before that have asked for postponement when they see they have opposition, then try to slide it through on a different date without those in opposition knowing. Mr. Maxfield asked Mr. Doucleff what kind of notification they will get if the developer decides to try something else, to which Mr. Doucleff responded that everyone would be made aware, and we currently don't know what their plans will be. Mr. Doucleff stated that it seems like the developer might go in a different direction, and if they change their proposal, the process will have to start over.

Norman Crane, adjacent property owner to the south, spoke in opposition to Z20-0032, petition of Garrett and Laura Gerdes. Mr. Crane stated his biggest concern is the water runoff onto his property. Mr. Crane stated if they stayed with the 15 foot requirement, the water would have more time to percolate into the ground before it reached his property.

Garrett Gerdes, applicant of petition Z20-0032, stated that they had not mentioned in their original plans that they intend to install rain barrels to the gutters of the proposed new structure to use in a garden. Mr. Gerdes stated the shed that's currently on the property and will be removed has no gutters, sits on the property line, and has grass growing all around it.

Diane Bower, nearby property owner, spoke in opposition to petition Z19-0058, petition of Shadow Wood Development, LLC. Ms. Bower stated that there is already excessive traffic through one of the adjoining subdivisions, with some vehicles driving through at high speeds, sometimes very early in the morning. Ms. Bower stated there has been a lot of water erosion and flooding along Country Lane. Ms. Bower stated she has spoken to a lot of residents in the area, and they do not want the "R-7" zoning. Ms. Bower provided a petition of 95 signatures in opposition to the request.

Unfinished Business:

Chairman Pro Tem Wesley asked for a motion to postpone Resolution Z18-0052, petition of Pro Excavating and Grading, LLC, for an additional 60 days. Mr. Petrillo arrived to the meeting prior to this vote, at approximately 4:50pm. Mr. Michael made a motion to postpone. Seconded by Mr. Chapman. Roll-call vote. All ayes. Motion passes.

New Business:

Chairman Pro Tem Wesley asked how long Shadow Wood Development, LLC, are asking to postpone Z19-0058, to which Ms. Maxey stated they are currently asking to postpone indefinitely. Mr. Chapman stated he doesn't see why they don't just vote on the resolution at this meeting, since there has been so much opposition. Chairman Pro Tem Wesley stated they should give the same respect to both parties, and the applicants have requested to postpone, but it's up to the Committee. Mr. Petrillo asked if postponements have to include a specific number of days, to which Chairman Pro Tem Wesley stated he believes that if they vote to postpone indefinitely, they would not be able to put it back on the agenda. Chairman Pro Tem Wesley stated that the applicants just asked to postpone, so the Committee can put a specific number of days on it. Chairman Pro Tem Wesley asked for a motion for Resolution Z19-0058. Mr. Chapman made a motion to approve the ZBA's recommendation of denial. Seconded by Mr. Michael. Mr. Michael asked if they vote to deny, will the applicants have to repay fees if they come back with a different plan, to which Mr. Doucleff stated they would have to start from scratch. Ms. Maxey also noted that if the applicants decide to still move forward and are denied by County Board, they would have to wait a full year to make another request on the property. Roll-call vote. All ayes. Motion passes, petition denied.

Chairman Pro Tem Wesley asked if anyone would object to separate out Resolution Z20-0032, since there was public opposition. Chairman Pro Tem Wesley brought in Resolution Z20-0034, Resolution Z20-0036, and Resolution Z20-0038 to be voted on together. Mr. Michael made a motion to approve with listed conditions. Seconded by Mr. Chapman. Roll-call vote. All ayes. Motion passes.

Chairman Pro Tem Wesley asked for a motion for Resolution Z20-0032, petition of Garrett and Laura Gerdes. Mr. Gray made a motion to approve. Seconded by Mr. Michael. A discussion ensued regarding this request and the opposition. Mr. Michael stated that he is fine with the variance to the south property line, but to the west property line is more of an issue since it abuts another residence, and suggested the proposed shed be moved more to the east. Chairman Pro Tem Wesley suggested postponing this to the next meeting to see if the applicants and neighbors can compromise. Mr. Gray and Mr. Michael withdrew their motions. Mr. Gray made a motion to postpone to the next meeting. Seconded by Mr. Michael. A discussion ensued regarding the schedule of upcoming meetings and the potential of holding a special meeting so this petition doesn't get pushed back another month. Mr. Michael suggested having a special meeting on Wednesday, September 16th, at 4:30pm before the County Board meeting. Mr. Gray changed his motion to postpone until the special meeting September 16th at 4:30pm. Seconded by Mr. Chapman. Roll-call vote. All ayes. Motion passes.

Chairman Pro Tem Wesley brought in Bambi Estates – Minor Plat and Resubdivision of Lot 5 of Straeter Business Park – Minor Plat to be voted on together. Mr. Chapman made a motion to approve. Seconded by Mr. Petrillo. Roll-call vote. All ayes. Motion passes.

Chairman Pro Tem Wesley asked for a motion for Resolution Authorizing the Demolition of Unsafe Buildings and Structures – 3114 Yale Avenue, Collinsville; 4728 Vincent Avenue, Granite City. Mr. Petrillo made a motion to approve. Seconded by Mr. Michael. Roll-call vote. All ayes. Motion passes.

Chairman Pro Tem Wesley asked if everyone had a change to look over the Purchase Order Report and asked for a motion. Mr. Michael made a motion to approve. Seconded by Mr. Chapman. Roll-call vote. All ayes. Motion passes.

Administrator's Report:

Mr. Doucleff stated that the permanent household hazardous waste site is delayed as we wait for final approval from the state, so the Department will be holding a one-time collection event at SIU-Edwardsville on October 31. Chairman Pro Tem Wesley asked if electronics will be accepted, to which Mr. Doucleff stated not at this event, but the Department has two more electronics collection events scheduled before the end of the year.

Adjournment:

Mr. Michael made a motion to adjourn the meeting. Seconded by Mr. Gray. Voice-vote. All ayes. Motion approved.

Meeting adjourned.

The following emails were provided to Planning & Development staff prior to this meeting in opposition to Z19-0058, petition of Shadow Wood Development, LLC:

Board Members,

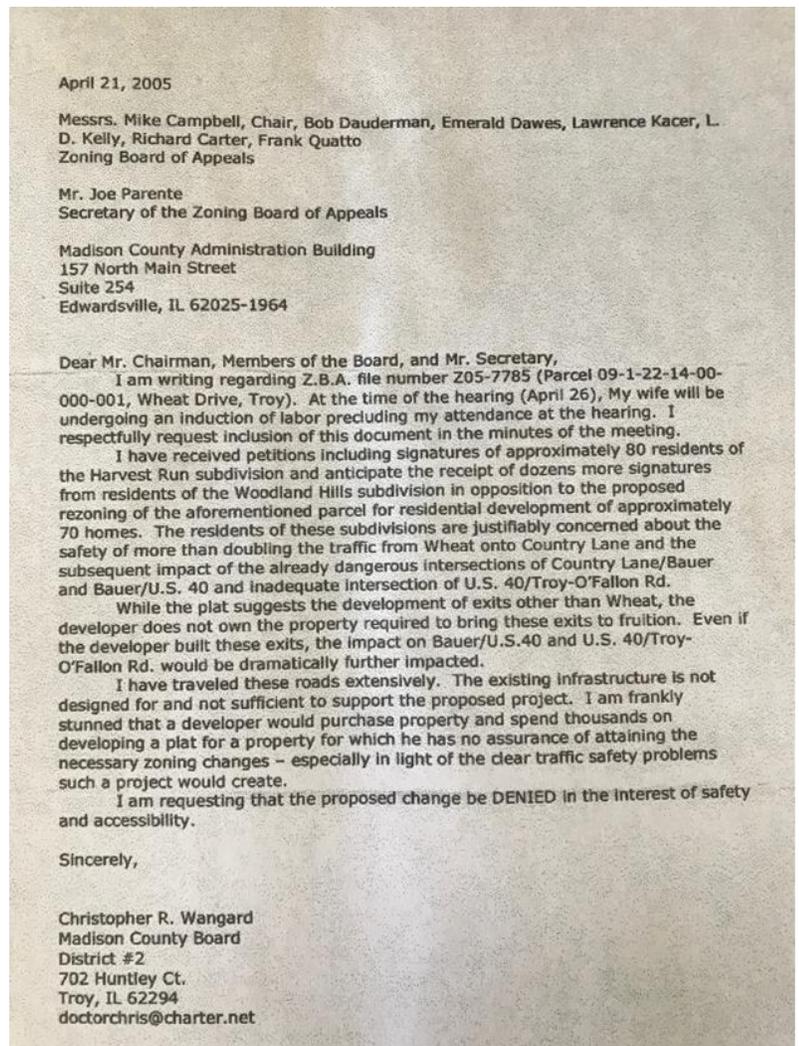
Reference the request to rezone the property known as Shadow Woods Phase III please consider the following in making your decision.

We have attached a letter written to the Madison County Zoning Board in 2005 by our then County Board Representative Chris Wangard regarding concerns which he had that HAVE NOT CHANGED for the better in the 15 years since the original opposition to the Shadow Woods subdivision. If anything, traffic conditions have worsened, and are continuing to do so, with the resumed development of the 200+ lots in the Hampton Glen subdivision (which empties out on Country Lane). One very noticeable result is the increased flooding of Country Lane with runoff due to the regrading of the Hampton Glen subdivision.

In 2005, after viewing the area and meeting with residents of Woodland Court, Woodland Hills, the original Wheat Drive, and Barley Drive, the County Zoning Commission authorized the builder to put only 58 houses on the 27 acre field and to leave as many trees as possible. The current plat being considered by the Troy City Council has over 70 lots, many of which appear to be quite small compared to the surrounding lots, and those already built. It also appears the few, if any, of the existing trees on the property are being left standing.

We also understand that the rezoning would allow multi-family structures, of which there are none in any of the surrounding neighborhoods to our knowledge. How many more family units provided is not clear, but obviously the more residents, the greater the impact.

Our personal concern, as is that of several other Woodland Court residents, is the affect this will have on our non-sewer storm drainage. We (Gene and Anne) are the most concerned, and most affected, as the entire Woodland Court, and much of the large farm field to our south, drains through our property. We have had many folks from Madison County, City of Troy, Jarvis Township, the Army COE, ILEPA and the Silver Creek Wetlands Conservancy look at the issue. Our neighbors are doing their best to help, but the erosion to the east side of our property is becoming more and more severe. That which started out as a small ditch is now 12'-15' deep, and more than 20' wide in spots. Several trees have fallen as the root systems are undermined by the rushing water during rainstorms, the frequency of which seems to be increasing. Please look at the pictures (also



attached). It only takes a few minutes for the water to get quite deep, and it moves quite rapidly. If we make it to the Board meeting, we have videos.

Is there anything the County Zoning Commission can do to limit the houses in this development to the number of houses approved in the 2004-2005 timeframe? And to save the trees?

Please reconsider any decision to approve the new phase of the Shadow Woods subdivision for more than the original number of lots agreed to in 2005. And please consider remedying traffic issues PRIOR to more subdivision development. The contractor for Hampton Glen, who is very actively continuing development there, did nothing more than provide stone "parking areas" on Country Lane in the last 14 years. In meetings for that subdivision there was talk of turn lanes, and other methods to improve traffic going towards the Troy-O'Fallon Road.

Sincerely,
Anne Mongiovi
Gene Franklin
625 Woodland Ct
Troy, IL 62294
H 618-667-7188

Hello,

My name is Kaye Maxfield, I live on Woodland Hills Road, Troy IL and my property abuts the property slated to be developed as Shadow Wood phase 3.

Over the years, since the subject property was purchased for development, we have had meetings, many meetings. We have met with the developer, various city officials, various county officials, officials from engineering firms....We have also sent and received many emails on this topic. Just when things seem like they are sort of worked out -- time elapses -- then there is a new plan, and a whole new list of people to communicate with. Some of the residents of the area have changed; the developer remains the same.

On Saturday, 7/25/2020 we received notification that there was to be a rezoning hearing on this property on Tuesday 7/28/2020. Not much notice. After speaking with neighbors in Woodland Hills and Harvest Run, they received their letters at the same time I did, so it was not just mine that may have been delivered late.

The developer is asking for a zoning change from R-2 to R-7. If this property is designated R-7, there is a lot of latitude on what can be done on this parcel. This is a 27.68 acre farm field, woodland area, and part of a pond that is impacted. The development has gone from 58 single family homes in the R-2 plan to a development with 70 homes 29 single family, 30 detached villas, and 11 attached villas in the R-7 plot. What is to keep him from changing the plat to something else allowed in the R-7?

I hope that the county officials can do everything within their power to discourage the R-7 zoning designation.

I ask everyone who has a say in this matter to drive out to this area if you have not already. Drive down both ends of Wheat Drive (Harvest Run and Shadow Wood) to see what the current neighborhoods are like, then imagine these streets with the increased traffic that even the R-2 zoning will bring, much less the R-7 -- anticipating at least 2 cars per parcel, more if multi-family dwellings are built with the ability to do so with the R-7 zoning latitude. I drove it today -- lots of small kids out playing, riding their bikes, enjoying their neighborhood. Also imagine the added traffic to Country Lane and Bauer Road. We had originally hoped for even larger lot sizes, but I guess that ship has sailed.

Ever since this subdivision was proposed the same issues remain:

1) Safety. Increased traffic flow through the very dangerous Country Lane/Bauer Road intersection. Increased traffic through existing neighborhoods. Bauer Road and Country Lane road improvement will be necessary to carry the increased daily traffic flow. This additional traffic also increases the traffic at the intersection of Route 40 and Bauer Road. On weekday mornings when school is in session, this intersection backs up to 10+ cars deep with people trying to get to Triad high school, Triad middle school, and others trying to make their morning commute.

2) Density. The subdivisions that this property abut have relatively large lot sizes 5 acres for Woodland Hills, 2 acres for Woodland Court, Harvest Run, which I believe is zoned R-2.

3) Drainage. If the lots are larger, more natural drainage, less runoff from structures and driveways. The cul-de-sac on Woodland Court has severely flooded in the past. Residents fear future development will exacerbate the problem. What is in the plans to address this concern. There used to be a designation of detention ponds on the plat map, now I only see "common area" designations on two corners of the map.

4) Ecological Impact. There are currently raptors nesting very close to the property line. Back in 2011 Kaskaskia Engineering Group suggested additional oversight for disturbance of wetlands (some of the lots are platted to actually be in the pond at their northern line), detention pond construction, endangered species impact, and preservation of mature trees. Who will provide this oversight and be held accountable? Will it be Madison County or the city of Troy? We are concerned about woodland and wetland destruction. Has an impact investigation been opened with the Illinois Department of Natural Resources?

5) Tree Buffer. The original Madison County Zoning Board of Appeals agreement, reference Z05-7837 dated 1 September 2005, stated "that a tree buffer be established". No such buffer appears on the plats. How do we keep this in the plans?

6) Plot Changes if R-7. Present plot indicates perimeter lots 41-69 will be single family. Is this guaranteed? What is to prevent the developer from doing something different than what is currently platted? Will another zoning hearing be required to change perimeter lots to multi-family as would be allowed in R-7.

7) Notification Issue. All abutting landowners on the west side of the property and at least one on the south side (5 residents impacted that we had the opportunity to speak with) did not receive letters announcing this meeting until July 25th, 2020, for the July 28th meeting. Since the 10 day notification period wasn't satisfied per the Madison County website "All adjoining property owners of the subject property must be notified by mail at least ten (10) days before the hearing.", shouldn't this hearing be postponed? If not postponed, is this hearing legal? We were notified 3 days in advance.

Please consider recommending that the zoning stay at R-2 so that the developer has a set of standard guidelines to follow rather than R-7.

If there are others who have an impact on this decision that I have not included on this email, please forward as necessary, or let me know who else should be included.

Thank you for your attention.

Sincerely,

Kaye Maxfield

Please accept this letter as a neighboring resident to the proposed property rezoning of Shadow Wood.

We would like to formally state our objection to this rezoning for the following reasons.

1. Woodland and wetland preservation. Our property is currently inundated with water runoff from every large storm. This runoff continues directly to the proposed property. We feel the current forestry and ponds should be preserved as much as possible. More development will surely lead to more storm water back-up.
2. There are no other multi family developments in this vicinity. The level of housing density should be maintained To coincide with the residences around it.
3. Safety of residents on rural roadways. Country Lane and Bauer Road are rural lanes with residential and farm traffic. The addition of 70+ residences will lead to an extreme increase in vehicle traffic. This presents a safety issue to both residents and farmers. Additionally, there is only limited access to main roadways from this development causing traffic congestion.
4. What assurance do we have that the proposed plots will not be even further changed to whatever is convenient for the developer once the land is rezoned?
5. What precedence does this set for future land development? Some rural forestry and wetlands, as well as the wildlife that live here need to be preserved for future generations.

Thank you
Michael and Susan Thacker
621Woodland Court
Troy, Il, 62294

Ms. Maxey,

I write this email in reference to the rezoning application Z19-0058.

After receiving the notice this past Saturday for the rezoning application of Parcel 09-1-22-14-00-000-001 from R2 to R7 I would, as an adjacent landowner, like to strongly voice my opposition to this rezoning application. This area and the adjacent homes have been somewhat rural by nature which is why we live here.

While I understand that cities expand over time and things do change, I completely disagree with the R7 zoning as this allows the builder to place nearly any type of single or multiple residential structure in this location per the county's own zoning definition, referencing page 62 of the Madison County Zoning Ordinance. This is not an area that I feel is appropriate to give a builder this much latitude or freedom to build apartments, condo's, rental facilities, etc. As a nearly life-long member of this community, a taxpayer and as afore mentioned, an adjacent landowner I feel that this rezoning will only serve to reduce the value of my home and degrade the area as such rezoning has done in area's north of Troy.

I would strongly prefer and respectfully ask that the zoning remain R2 as it is better fit for the area and the citizens that live here as opposed to allowing the developer to "maximize" profits at the expense of your long-term citizens. In all candor, I see this as providing no value to anyone other than the developer, a city that already struggles with development and the local realtors.

Again, I am respectfully asking that this rezoning application be declined, and the future zoning remain R2 to better coincide with the area as currently developed. We have worked our entire lives to build the homes we have as opposed to builders and developers that want to maximize profits and leave the surrounding homes or community to deal with the traffic, the noise, the ill thought through water runoff issues that already plague this area and the overall degradation of the area for their own betterment. I would ask that the zoning commission think like and place themselves in the shoes of the adjacent landowners. That is to say, would you want to live here after the R7 zoning was approved and live with the ensuing aftermath of traffic, water runoff and all the safety issues of overcrowded rural roads?

Should you have questions regarding my email or my position on the subject please do not hesitate to call or email at your convenience.

I thank you for the opportunity to voice my concerns, objections and naturally hope that this rezoning is denied for the sake of the residents whom already call this area home.

Respectfully,
Ron and Susan Smith
624 Woodland Ct
Troy, IL 62294
rsmith@wisperhome.com
618-781-5454

I would like to clearly state I am opposed to the rezoning request being made. These developers have absolutely no regard for the residents in the area or the issues they will cause. The traffic in this area is already more congested due to the subdivision expansion off of Troy OFallon Road and Country Lane and numerous other developments in the area. Now if this rezoning request to R7 is allowed, it will allow this developer to change the planned development at their discretion from single family homes to homes on much smaller lots, apartments, condos, and/or businesses, This will result in even more traffic and congestion in the area, damage to the roads, overcrowded schools, affect the safety of our families and homes, ruin the tranquility and beauty of the area, and could cause possible drainage or damage for the homes in our subdivision that back up to the area in question. Allowing this rezoning will set a bad precedent for any future developments in our area. It is sad

enough that these developers were allowed an R2 zoning that allowed them to cram in close situated homes to begin with, but now they want an R7 so they can bring in even more homes, apartments, condos, or whatever they choose. It saddens me to think about how this area is already ruined by overdevelopment. Please do not allow them to contribute to it even more.

I am requesting that you deny this developer's request for rezoning to R7.

-Cynthia Colombara

Ms. Maxey,

In reference to rezoning application Z19-0058 of Parcel 09-1-22-14-00-000-001 from R2 to R7, I as landowner of close proximity (600') of noted Parcel, voice my strong objection to this rezoning application.

This is not the proper location for R7 zoning as this area is R2 and the landowners interest should be protected. This rezoning to R7 is broad in scope according to the Madison County Zoning Ordinance and would only serve to maximize the developers interest without regard to the surrounding community. There are several examples of this kind of change that did not benefit anyone but the developer. There are proper ways to zone as our community grows, this is not the way to progress for the whole community.

Respectfully, I also feel, such late notice and quick push to get this changed does not practice full transparency, disclosure or even a chance for the community to understand what's about to happen in our own backyard. Why would this not wait for a proper public hearing? Our county is going to start in person meetings soon, right?

We respectfully urge this request / application to rezone be denied.

We also appreciate the opportunity to voice our objections and if there are any questions, feel free to reply to this e-mail or call the number noted below.

*Respectfully
Louis and Patti Dieu
622 Woodland Ct.
Troy, IL 62294*

To whom it may concern,

I would like to take a minute of your time to voice my strong objection to Z.B.A file number Z19-0058.

As a resident that lives on the border of the property in question, we have enough congestion on the roads and enough water/drainage issues as is without adding 70 more lots on a small 27.68 acres. That space should NOT be rezoned.

We are located in an area that is all single residence family housing, and we chose this space for that reason. Not to mention, we like our green space around here, and I highly doubt there would be "green space" if 70 lots go on 27.68 acres.

We are not a subdivision - we are a neighborhood. Many of the residents around us have been here since their houses were built including us. We enjoy our strong sense of community, and are concerned that a rezoning would lead to a parade of people moving in and out in the lots right next to us, at which point, the reason we chose to live here would be null and void.

Please consider leaving the acreage zoned as is.

Thank you for your time and consideration.

Sincerely,
Laura Smith

I live on the adjoining property to the proposed expansion. I am opposed to the increase in the number of lots & the addition of Villas/Duplexes to the new plat. Based on the lack of construction oversight & enforcement of the existing "Restrictions for Shadow Wood Subdivision", I have zero confidence that any verbal or written promises will be kept by Shadow Wood Development, LLC & it's current 'Managers'! My main concern is the sheer number of lots going in, 70 properties would be a drastic change to our current residential street. I suggest doing more studies before approving this request.

Thank you,
Chelsea Stout

Hello. My name is Tina Goldstein. I own the house and property at 1441 Bauer Road, Troy IL 62294. I am writing this email to ask that you deny the rezoning request for the above-referenced zoning request.

Thank you for your consideration.

Regarding SHADOW Wood Phase 3 File #Z19-0058, I am asking that the Zoning Board deny this rezoning request. KEEP IT ZONED R-2

Rita Nimmo
8801 Country Ln
Troy, IL 62294

We ask that the Zoning Board deny this rezoning request.

Ronald R. & Margaret A. Range
30 Wheat Dr
Troy, IL. 62294

August 21, 2020

Members of the Madison County Zoning Board:

Please consider the following in making your decision on whether to approve the developer's request:

In addition to any previous comments we have made by letter, email, or in person to the Madison County Zoning Board, we have the following concerns regarding the Z19-0058 request for rezoning:

1. At the July 28, 2020 zoning meeting Mr. Kevin Jones stated that there were only two plats for this subdivision. He was contradicted by Mr. Ron Smith at the meeting. We have seen several iterations of Mr. Jones' proposed plats, including:
 - a. 70 lots with one exit through the Wheat Drive existing in 2005.
 - b. 70 lots with an "additional" outlet leading nowhere in the SW corner of the land parcel.
 - c. 70 lots with an additional outlet through what has since been developed as Shadow Wood Phase 1.
 - d. 58 lots with outlets to Wheat Drive existing in 2005, and through the Phase 1 development.
 - e. 70 lots, possibly now 81 housing units, with outlets through Phase 1 Shadow Wood, & Wheat Drive.

2. Issues with the developer, Mr. Kevin Jones, which lead us not to believe any "promises" he makes:
 - a. A web search of Kevin Jones brings up several companies he has been associated with, including Premier Homes, Premier RE, Prime Development, Premier Development or Developers, Shadow Wood Development, LLC etc.
 - b. The multiple company name changes over several years, are associated with a consistent "bad record" based on comments found online:
 - (1) subdivisions left with partially completed homes that are not "secured"
 - (2) children playing in "abandoned" homes
 - (3) unpaid lenders and subcontractors
 - (4) expired building permits
 - (5) subsidence under structures after "completion"
 - (6) lack of maintenance while plats are undeveloped
 - (7) lack of maintenance of retention ponds during and after development
 - c. Lack of knowledge on Mr. Jones part as to what happens to storm water that does not go into the sewers, but drains off the back sides of the residential lots toward adjoining lower properties.
 - d. Lack of knowledge of Mr. Jones that "slowing down" the drainage is what causes the flooding on Woodland Court, as the water has nowhere to go but to back up when this happens.
 - e. Mr. Jones claims that the new attached residences will be marketed to "childless" young professionals or retired couples, limiting the number of cars. This subdivision is directly south of the Triad High School, making it inviting for folks with teens and preteens. Many "childless" couples are not going to be interested in buying where they will have the noises associated with high school activities, e.g. 5:00 am band practice, nighttime football games, etc.

3. With the complaints about Mr. Jones' lack of maintenance on previous ponds, we have no confidence that the one on the SW corner of Shadow Wood Phase 3 will be constructed or maintained any better. The erosion on our property, while not caused by the land parcel under review, may have a direct effect on this pond. "Undermining" of the retention pond by existing drainage could possibly be a nightmare for not only us, but several of our Woodland Court neighbors. We have all made attempts to alleviate the issue, none of which have been more than partially successful.

4. Our own property erosion issues aside, there is no evidence that Mr. Jones has contacted, or is even aware of the concerns of the Silver Creek Watershed Conservancy. The Silver Creek drainage area is less than a mile from this development. Any water draining from this plat into the "ditch" to the south will eventually make its way to the Silver Creek watershed. We have been in touch with the Conservancy people about the Woodland Court issues, although we do not qualify for the federal funding.

5. When we looked at the current Madison County Zoning map, we saw no R-7 areas, nor was there even a "key symbol" indicated for R-7. We are very concerned about the types of residences and structures allowed with an R-7 designation. The City of Troy zoning contacts have indicated they are currently only concerned with the plat meeting the civil engineering of streets, setbacks, sewers, etc. They have NOT approved the housing unit count or type, but kicked that issue to the county. In fact, the City of Troy denied "attached units" aka "duplexes" on both Bargraves Boulevard and Formosa Road, located in areas not even near existing homes or subdivisions. New subdivisions that they indicated did have attached units are not even within five miles of Shadow Wood. Mr. Jones has played the "who's on base (on the Co. Zoning Board) game" for years. Even if "restrictions" are put on the designation now, he need only wait until he can apply again to new faces to get other structures that are not single family or "attached" units.

6. Since our property also abuts the 84 +/- acres between Woodland Court and Country Lane, we have deep concerns about what approval of R-7 zoning for Shadow Wood might bode for future development in this area.

7. Last, but not least, in 2005 we were made aware that the endangered Indiana bat breeds in the Silvercreek watershed and surrounding properties. This is still the case. Destruction/removal of existing trees can have a negative effect on the breeding process, further endangering the species. (We can produce news articles if necessary.)

We are sincerely asking that you deny this request for R-7 zoning based on the above issues and the negative effects now and in the future that it will have on people, wildlife, and property already existing in the area.

Respectfully,
Anne Mongiovi & Gene Franklin
625 Woodland Court
Troy, IL 62294

I live just off Bauer Road, Troy IL. Our property is flooded nearly every time it rains. By flooded, I mean we are unable to get out to a main road if an emergency should arise. It is, of course, inconvenient. But, more than that...it is a hazard. I am writing to voice my concern and ask you to deny rezoning request Z19-0058 Shadow Wood Phase 3. This would only intensify the existing problem for us and all of our neighbors.

Thank you,
Jessica Grieshaber

My husband and I do not want this area rezoned to R-7. We do not want duplex type housing, , Multiple-Family Dwelling and Mobile Home Parks. Please keep it zoned to R-2.

Please hear our request.
Thank you,

David & Anastasia Valentin

Good Morning All,

My name is Ron Smith and I live adjacent to the proposed Shadow Wood development. I attended last month's ZBA meeting in reference to Z19-0058 that held up the approval of the new proposed Shadow Wood zoning to R7.

However, in full transparency I wanted to address what we live with today in our county due to development, lack of planning or maybe even greed and what seems to be a steadfast desire to drive a private and rural community out for the sake of haphazard development.

Let me start by showing you pictures of the most recent rains and I will follow this with why there is so much concern about water runoff with a real-world example of what really happens.

First, the pictures below are taken at the end of Woodland Court where water from nearly a ½ mile of road and several acres converge.

This is the flow of water that will be going into the next phase of Shadow Wood at the southeast corner. The concern we have over the development is the use of a catch basin which could potentially impede the water flow thus only serving to back this flow up even further into Woodland Hills. The idea of a catch basin is to resist the water flow and allow gravity to remove the excess water over a longer period of time but in this case, it could serve as a downstream damn and the result could potentially be higher water in this area.

As you can see the water in this area is already quite high and hence the concern. In the first picture the water is 14 inches deep over the driveway AND running thru a 24-inch culvert under the driveway as well. All the subsequent pictures in this block show the surrounding area where water is flowing through 24-inch culverts as well.





This last picture shows the water flow into what will be the Shadow Woods catch basin in the southeast corner. This flow is doubled at the point of convergence about 50 yards to the south.



Needless to say, any change in this flow has the potential to erode driveways, get into garages, etc. all of which seems to be of no concern unless you are the homeowner. Then that “once a year rain” becomes 6 or 7 months of work, calls to the insurance company, loss of time, loss of funds due to insurance not covering all the losses and the loss of whatever is stored or needs to be replaced.

Now, you might ask why I am taking this tact or making this argument. Well, here is a real-world example of Hampton Glenn development where water from that area ultimately flows toward Woodland Hills but let’s look at the Hampton Glen development impact on surrounding area first. As the Hampton Glenn developer has started the preparation of their new phases just north of Country Ln, they elevated the proposed road in the subdivision. As a result, here is some of the water runoff that now plaques homes in and around Pebblebrook Ln. area.

Below is a picture of the water running off Country Ln and into the Pebblebrook subdivision. As you can see the water is filled with silt from the Hampton Glen development area and has flooded that area.



Here is picture of Country LN were the water is 8 inches deep crossing the road. The next and most recently approved phase of Hampton Glen is to the left in this picture.



Here is a picture of my daughter's front yard. As in my previous pictures you can see the "mud" as runoff from the field as opposed to clear water from the neighborhood. Note that the SWECI transformer is nearly a third of the way under water. Additionally, water is now running into and under the fence across the street which has never happened in the past.

Here is a picture of the outlet area after the water has passed under Pebblebrook Ln behind the gray house above that is really turning into a safety and erosion issue for the neighbors.



Here is the driveway / transformer 1 hour later. Still showing mud from the field across Country Ln but as I indicated this water runoff has a lingering impact. The oak tree in the above picture was partially unearthed due to erosion? Fences in the same area are washing out. Who will ultimately need to pay for the removal of the tree and replacement of the fence, the homeowner and why? Because the developer has no regard for the community or the homeowners they were impacting by this development.



This is the corner turning into Woodland Hills at the end of Country Ln near Woodland Ct. Here again the water on the left side of the road is about 10 inches deep.



Now with all this said a few questions for all;

1. Why are developers allowed to do this? In the case of Hampton Glen, just as Mr. Jones said, the builder is responsible but who is responsible before the builder when this damage occurs during development?
 - a. The developer?
 - b. The city?
 - c. The county?
 - d. The township?
 - e. No, the homeowner which is just wrong if this was not a problem before.
2. Who polices the developers?
 - a. Before, during and after the development process to insure they follow what they submitted to the city, the county, the residents?
 - b. In the case of Hampton Glen did the developer just decide to elevate the road for no reason, I think not. Further, I have found that the developers and the builders all seem to have very little community integrity saying or doing whatever is needed to get approval, pass the buck and beg for forgiveness if caught as that seems to be a much easier path than just doing what is right and engineering a well thought and properly designed development that betters the surrounding community.
3. In the case of Shadow Wood:
 - a. New home buyers in phase 1 were told that this would be a single-family subdivision only to find out that Remington Properties are telling new buyers that “if town houses are allowed” they may build a pool for the area.
 - b. What about the promises made to those that bought homes first and were told that this was a single-family development only?
 - c. What about the renters in the subdivision that the developer seems to know nothing about? Once again, I call the developers, realtors and builder’s integrity into question let alone the cities. After all, Troy does have a realtor on the planning commission. Seems to be a conflict of interest to me but I digress.
4. Why R7?
 - a. It’s not needed, there are so few R7 zones in the county they aren’t even tracked. But once that Genie is out of the bottle you have impacted this area, I call home, forever! Not just during this development for this particular developer, but forever and God only knows what could come next given that R7 opens the door to anything under the sun when it comes to residential development.
 - b. What will this zoning let other developers or builders do? We’ve already heard that developers just develop, and builders just build but it’s what they build or could build in the future that is so concerning and with an R7 zoning we’ve lost all ability to control that.

- c. In the last meeting the board would not approve a “mobile” home for a rural area but with R7 in this area, from what I understand, you are doing just that. I see no reason for R7 and would respectfully ask that you only approve R2 single family dwellings as we were all once told and agreed upon. R7 is reckless.
5. If you look at Pontoon beach there are retaining ponds around the entire business district to prevent flooding. Why can’t we ask the developers to do the same here? I realize this is the loss of a lot, another home, etc. But honestly all of this impacts the area long after the developer has left just as recklessly rezoning the area to R7 does.

In closing, our homes are our largest investment and we have faithfully paid our taxes to the state, county and city for many years and in return all we are asking the city, county and township to do is help us protect them, help us retain the value we have in them. This is not rocket science, hold the developers and builders accountable, retain the zoning that we have for the sake of the people who live here and call this home. From what I have witnessed over the years in this area, The developers and builders will move on leaving us, you included, with problems they have no intent to address.

Thank you for your time and I look forward to a favorable community conclusion.

Sincerely,
Ron Smith
624 Woodland Ct.

Our family currently resides in Shadow Woods subdivision. We are against the rezoning of phase 3 to R-7. We moved into this subdivision because it offered single family residence. Even in our HOA, it had a rule against renting houses out. A rule that has since disappeared from the current HOA rules online.

The developer has not enforced their own rules. Often changing them to suit their own needs. First, they do not maintain the empty lots. Often cutting them maybe every two weeks if not longer. The common grounds are overgrown with weeds and small trees. The construction companies have little regard for the residence. Leaving trash out in front of houses being built. There are multiple piles of debris left on empty lots. One has been there for 3 years. When it rains the drainage system becomes overwhelmed flooding into residence yards. I do not have faith that the developer will follow through with their promises to the board. Leaving the residence to deal with these issues. We are NOT in favor of the rezoning. Thank you for your time.

Louise McDill

I’m writing in regards to the subject file number and the future development of Shadow Wood neighborhood. I would like my comments taken into consideration at the next Zoning Board hearing.

Mr. Jones, the developer, claims that he will market Phase 3 duplexes to empty nesters and young families under the auspices that they typically only have one car and thus will not greatly increase the amount of traffic in the neighborhood. In my experience, including the senior couple and young families already living in the neighborhood, they have 2 vehicles. Additionally, there is no guarantee that the units will be sold to empty nesters or young families because the developer does not sell the properties - a realtor does, and he/she does not care what type of family is buying the property.

Another consideration: Mr. Jones has been less than forthcoming in the past in his conversations with occupants. For example, the families in Phase 1 were told Phase 2 would be bigger lots and larger homes to increase property values. This did not happen. Then, he told Phase 2 families that Phase 3 would be bigger lots and larger homes where now he is trying to add villas and duplexes which will decrease property value and

increase the amount of traffic.

We request you deny this petition to rezone Phase 3 of Shadow Wood to R-7 and leave it as currently planned, R-2.

Thank you,
Andrea Taylor
8914 Wheat Drive
Shadow Wood
Troy, IL
618-980-9997

It has come to my attention that the currently undeveloped acreage behind my house on 36 Autumn Circle, in the Harvest Run subdivision, is going to be developed, and a petition to rezone the currently R-2 single family residential to R-7 planned residential development has been submitted. This decision concerns me as the surrounding neighborhoods/developments are currently zoned R-2 and R-3 and those zonings enforce a certain standard of construction. Zoning the area R-7, according to the Madison County zoning ordinance, allows any structure to be constructed as if it were zoned R-1 through R-6, making it inconsistent with the surrounding developments and possibly allowing for lower value homes to be built which could negatively affect the property values for the surrounding area.

I have been told that the developer intends to have duplexes constructed as well as a higher density neighborhood, and that he intends to "market" these homes to empty nesters and young professionals and forbid rentals. These claims are not a guarantee and appear to be specious. The developer cannot in any way guarantee the type of tenants purchasing these properties, or even necessarily guarantee the type of home that will be built. Additionally, if the proposed development is of a higher density than the surrounding neighborhoods then the feeder roads will see more traffic than desired. Does it make sense to have a road go through a less dense neighborhood to get to a higher density neighborhood without adding street capacity? I would argue that the added flow of traffic would do no good for the existing neighborhoods.

Finally, the adjacent lots on Autumn Circle slope away from the acreage in question, and as a homeowner this is concerning as the construction of such a dense neighborhood could cause drainage issues. Can anyone guarantee that this will not happen?

As a tax paying homeowners who would be directly affected by this development I respectfully ask that the county deny the petition to change the zoning from R-2 to R-7.

Regards,

Kevin and Erin Miller
36 Autumn Cir. Troy IL.

I am writing to you in opposition of this rezoning application Z19-0058.

My position is unique as I am currently in the process of building a house in a subdivision adjoining parcel 09-1-22-14-00-000-001 and am concerned as a future resident that approval of rezoning this land a negatively

affect my homes value before I even get a chance to move into it. We specifically chose this area because it was rural but still offered the amenities of city living.

I understand the community is growing and changing, but this type of change could have negative impacts on me, my family, my future neighbors, and the large investment I am making to this community.

Please vote no to rezoning this to R7.

Respectfully,

Adam Feldewerth

Madison County Representatives,

Please stop Kevin Jones of Shadow Wood LLC from rezoning essentially 28 acres adjoining Harvest Run and Shadow Wood from R-2 to R-7.

The area of Country Lane Troy, IL) cannot support the traffic and/or the flooding water issues. Moreover, it would devalue our fine area if apartments were allowed to be built.

Frederick Patterson
127 Pebblebrook Lane
Troy, IL 62294

I am a resident of the Woodland Hills neighborhood and I am strongly urging you to vote no on rezoning Shadow Wood Phase 3 from R2 to R7. There are many reasons why I feel strongly against this, here are a few:

1. Problems with flooding and water backing up on our property
2. Flooding on roads needed to get in and out of our neighborhood that were impassable and that is without a 100yr event
3. Increased traffic on roads that are still just chip sealed no other improvements done in 20 years
4. increase in light and noise pollution (have already seen increase with phase 1)
- 5.. possible decrease in property values due to large number of smaller lots and homes but no decrease in property taxes
6. Questionable reputation of developer Kevin Jones based on records of past dealings.

We are strongly urging you to please vote NO to rezoning this area that will affect the people living here, our wildlife and our properties already existing.

Sincerely

Deborah Mueller
623 Woodland Court
Troy, IL 62294

Reference: Shadow Wood Phase 3 File Number Z19-0058.

Deny this zoning request.

Richard L. McAfee
1317 Bridlespur Lane
Troy, IL 62294-2536

As a resident of the area I am completely AGAINST the rezoning of the area in question. We are a quiet Residential area that should remain such. We have limited, small roads accessing the tract in question and the rural feel of our homes would be lost. The runoff would affect the creek that runs in the back of our property causing erosion impacting the tree line and the birds and creatures who live there.

Marian Crosby
1304 Bridlespur Ln

Madison County Zoning Division Representatives,

It has been brought to my attention KEVIN JONES of Shadow Wood LLC has petitioned your office to change essentially 28 acres of land, adjoining Harvest Run and Shadow Run subdivisions, from the current R-2 zoning to a variation of an R-7 zoning which must be STOPPED immediately.

I reside in the adjacent Steelcrest subdivision area at [127 Pebblebrook Lane, Troy, Illinois](#), which is located South of the proposed R-7 development. By way of background, our subdivision area was developed in the early 1990s. The lots were supposed to be two acres each (similar to the nearby Woodland Hills subdivision) subsequently Madison County and Jarvis Township officials granted the developer permission to use the rock and chip roadway in lieu of any concrete roads with sidewalks and storm drains. Thereafter, your office allowed the developer to subdivide the proposed two acre plots on Pebblebrook Lane to form approximately half acre lots maximizing the homesites for development and sale.

Madison County officials mandated the homes on Pebblebrook Lane have an independent sewer system and/or sump pump system(s) with the discharge into the ditches that were engineered for the storm water run-off anticipated by the two acres lots in concert with the adjacent farmer's fields.

To reiterate, the engineering analysis for the drainage (e.g., the culverts under the rock and chip roadway) were factored for the two acres lots and not ever meant for the added homes on Pebblebrook Lane with independent sewer systems water discharge and/or sump pump water discharge that runs off into the underdeveloped drainage ditches. Moreover, the drainage ditches and culverts on Pebblebrook Lane were never designed to incur the volume of stormwater run-off from the newly developed Harvest Run subdivision and/or Shadow Wood subdivision.

Consequently, the said drainage culverts on Pebblebrook Lane and the underdeveloped storm ditches thereof have exceeded their maximum capacity causing a host of water drainage issues and concerns for my neighborhood. We cannot sustain further run-off water onto Pebblebrook Lane without catastrophic consequences.

Similarly, Country Lane the rock and chip roadway that Harvest Run and Shadow Run subdivisions use for their entrance and exit. This specific road was engineered for vehicle traffic meant for the undeveloped rural area. It was never designed to accommodate the vehicle traffic for the several developed subdivisions in the area. It most certainly cannot accommodate any variation or type of R-7 zoned development.

In addition, R-7 zoned areas have a history of depreciating the property value of nearby residential homes. Therefore placing an unnecessary financial burden on the homeowners at no fault of their own.

In conclusion, please formally DISALLOW any and all proposed R-7 zoning development in Jarvis Township, adjacent and/or within the proximity of Pebblebrook Lane, for the following three very important reasons:

1. The inadequate drainage ditches and low-grade roadway at Pebblebrook Lane that were engineered in the 1990s cannot sustain any further storm water and/or run-off water. If so, there will be catastrophic flooding to the homes and property of which is totally unacceptable.
2. The Country Lane roadway cannot adequately sustain the vehicle traffic from the Shadow Run subdivision in concert with Harvest Run subdivision (in addition to the other nearby developed subdivisions) and most certainly cannot sustain additional vehicle traffic from any type of R-7 zoned development.
3. The property value for the homes on Pebblebrook Lane would decrease should the Madison County grant any R-7 zoned property which would be inherently below the building standards as established in our subdivision bylaws. In other words, the value of our homes would decrease under these circumstances causing an unnecessary financial burden that is most certainly not welcomed.

Please accept this correspondence as a formal request to your office to DISALLOW and/or STOP Kevin of Shadow Wood LLC from changing any land near Pebblebrook Lane (Troy, Illinois) into any variation of an R-7 zoning.

Please acknowledge this correspondence.

Sincerely,
Frederick Patterson

I would like to strongly request the Planning and Development committee to DENY the request by Shadow Wood Development LLC to rezone the acreage in Jarvis Township west of Bauer Road from R-2 to R-7. As you know, should the committee allow this to be rezoned to R-7, this would allow the developer to put in

densely packed lots with additional residential units or even with mobile homes or multi-family housing. The area around this proposed development is not suited for this increase in population. Bauer Road is a small road off of US 40. It is very similar to how Spring Valley Road was set up prior to the build up of residential housing off of it. The increase in traffic resulted in many accidents there at US 40 and Spring Valley Road, finally remedied at great expense to the taxpayers by the installation of a traffic light. If you approve this rezoning request, the increase in traffic along Bauer Road would make this a very dangerous intersection and risk the safety of all the local residents and many people who commute along US 40.

In summary, I am asking the Committee to DENY the request to rezone this acreage from R-2 to R-7.

Thank you for your time.

Robert Barisch

9031 E. Kirsch Road

Troy, IL 62294

I am opposed to the zoning request change for Shadow Wood Phase 3 to R-7. There are still 4 unsold lots in Phase 1 and 4 lots unsold in Phase 1. There has been no construction oversight - 2 lots were finally cleaned up this past week that have had construction debris for 2 years. The creek the bisects phase 1 & 2 needs to be cleared for continued flow underneath. The last 2 heavy rains have brought down several trees and debris is building up on the west side of the bridge – if it gets clogged, the water will be in our basement. The creek is in the subdivision’s green space - not part of our property. There is a house at the entrance to the subdivision that has multiple HOA restrictions not being adhered to - and has not changed in over 2 years. Since the developer still has control over the HOA, we have no idea what has been tried to get the homeowner in compliance. I don’t see the need for adding more density to Phase 3 – there are several subdivisions in Troy that are not close to being built out right now!

Kim Brayton

Ms. Maxey,

I would like to express my utmost concerns over the rezoning request by Shadow Wood Development, LLC concerning the property located in Jarvis Township west of Bauer Road and to vehemently request that the Planning and Development Committee deny their request.

As a longtime and current resident within this community on and around Bauer Road I want to express how much we currently enjoy our community and the charm of our locale. The current proposal as it stands, however, does not address already pertinent and serious traffic issues facing the community. The proposal also fails to solidly identify mitigation to negative property value effects and safety hazards that accompany the rezoning to higher density population areas.

Stressors on road conditions are a primary concern:

1. Current conditions are narrow and hilly physical roads that often lead to traffic congestion at current rates
2. Unmonitored traffic combined with unposted speed limitations already create hazardous driving conditions
3. In the 13 years living here there already is a steady traffic increase due to increased rural property

development between Bauer, Blackjack, and Troy O’Fallon often

resulting in Bauer being used as a bypass route between Troy O’Fallon and HWY 40.

4. Propensity of locals to use the roads for bicycling, motorcycle riding, walking, and off-road vehicles / ATVs for enjoyment combined with the proposed increase in traffic flows is a safety concern unaddressed in the proposal
5. Flooding- at current rates Bauer Road washes out as is without additional runoff from urban development

Additionally and of equal value and concern is the effect this proposal will have on surrounding properties. The threatened loss of community charm and rural landscape by this proposal will adversely effect current property value. This has yet to be addressed by Shadow Wood Development, LLC. Furthermore, in the past thirteen years of living here we have had three horrific accidents resulting in loss of life, countless accidents resulting in injury, and an increased inability to access from major roadways due to increased traffic patterns. These safety hazards will not just affect residents though. Current boundaries put most of this community at the resources of the county- including safety, fire protection, and other necessary resources that will be necessary with higher density urban planning. The proposal fails to address how these resources will be affected and if they are adequate to meet such demands.

While this list is non-exclusive it is my hope that all aspects and considerations are heavily reviewed leading to a denial of this proposal.

Sincerely,

Nick and Kim Dochwat
Jarvis Township Residents

Good afternoon. I just saw in the Troy paper an article on this meeting. My husband and I wish to let you know that we are **very much** against this zoning change. We just built a home on a 2 acre lot and are **against** apartments being built nearby. My name is Debbie Britton and my husband is Mark Britton and we live on Bauer Road. We are unable to attend the meeting. You may contact me at 618-830-5906 if necessary.

Thank you.
Debbie Britton

I ask that this be included in the package for the Shadow Wood Phase 3 File Number Z19-0058.

Madison County Zoning Board Members:

I am asking that you deny Kevin Jones of Shadow Wood L.L.C. the petition to have 28 +/- acres adjoining Harvest Run and Shadow Wood rezoned from R-2 to R-7. This would further create flooding issues that are already out of hand and directly impact my property. It would also create a higher density of traffic flow that roads are not equipped to handle and impact safety for both drivers and pedestrians.

I have included just a few pictures of the current flooding impact to my neighborhood and my personal property.

I implore you, as a citizen and property owner of Madison County that is currently negatively impacted by flooding issues and will be further negatively impacted, to DENY the rezoning efforts.

Sincerely,
Brandon Hout
118 Pebblebrook Ln, Troy IL 62294

