

PLANNING AND DEVELOPMENT COMMITTEE
McHenry County Government Center – Administration Building
667 Ware Road – Conference Room A
Woodstock, IL 60098

Minutes of Thursday, August 6, 2009

Tina Hill, Chairman	
Randy Donley	Mary L. Donner
Sue Draffkorn	Marc Munaretto
Lyn Orphal	Ersel Schuster

Chairman Hill called the Planning and Development Committee meeting to order at 8:30 am. The following members were present: Tina Hill; Randy Donley; Sue Draffkorn; Lyn Orphal; and Ersel Schuster. Mary Donner and Marc Munaretto were absent. Also in attendance: Planning and Development Department staff members, (Dennis Sandquist, Darrell Moore, Mary Ann Wanaski,); Jim Heisler, County Board Member; Patty Nomm, Health Department; and interested public.

MINUTE APPROVAL

Ms. Orphal made a motion, seconded by Ms. Draffkorn, to approve the regular session minutes of the July 2, 2009 Planning and Development Committee meeting. Ms. Schuster noted two word changes. The minutes approved as changed with a unanimous voice vote.

PUBLIC COMMENT: Mr. Donley reported that some problems with the existing subdivision ordinance were recently brought to his attention by Mr. Feldkamp and Mr. Boyle of Liberty Arbour. Mr. Feldkamp then addressed the committee and presented his concerns. He began by reviewing background information regarding the petition for Liberty Arbour's Subdivision which has been stopped for over two years by Mr. Diamond, Riley Township Road Commissioner, who claims his ordinance gives him the authority to veto the proposed petition. Two hearings were held, one with Riley Township and one with the County's Highway Commission, and both agreed with Mr. Diamond's opinion. The matter was then taken before the Circuit Court and on June 24, 2009 the Judge ruled in favor of Liberty Arbour and "killed" Mr. Diamond's ordinance. Mr. Feldkamp stated that the Road Commissioner's option to deny a petition is in direct violation of the County's Subdivision Ordinance and the County's Ordinance conflicts with statutory law. He asked that the Committee review these concerns and take steps to resolve these problems. In response to questions, it was noted that the proposed roads within the subdivision include culs-de-sac and that said roads will be plowed and mowed by Riley Township. Mr. Sandquist reported that the State's Attorney is currently researching this issue.

PRESENTATIONS: None

SUBDIVISIONS:

Subdivision Extension Requests – Deer Park and Liberty Arbour: Ms. Schuster made a motion, seconded by Ms. Orphal to approve the subdivision extension request for Deer Park. The motion carried with all members present voting aye on a voice vote (Donley, Draffkorn, Orphal, Schuster and Hill).

Mr. Donley made a motion, seconded by Ms. Draffkorn, to approve the subdivision extension request for Liberty Arbour. It was noted that although the petition was filed approximately two years ago, staff has found that the subdivision site has enough woodlands to trigger the Conservation Design Ordinance which was adopted by the County eighteen months ago. There has been no previous extension requests for this subdivision. The Tentative Plat for this subdivision has not yet been approved and the Conservation Design Ordinance would be in effect should the woodlands be significant enough to trigger such design. After discussion a roll call vote was called. The motion carried with all members present voting aye (Donley, Draffkorn, Orphal, Schuster and Hill).

OLD BUSINESS: None

NEW BUSINESS:

Barber Burying Ground – Landmark Nomination: Ms. Schuster made a motion, seconded by Ms. Orphal, to recommend the County Board designate the Barber Burying Ground as a local landmark. Ms. Wanaski reported that this is one of the oldest burying sties in McHenry County and does have public access by a small dirt pathway should anyone wish to visit this site. The motion carried with a unanimous voice vote of all ayes.

Conservation Design Ordinance – Proposed Text Changes Compiled from Public Comment Meeting: Ms. Draffkorn made a motion, seconded by Mr. Donley, to recommend the County Board approve the proposed text changes to the revised Conservation Design Addendum. Ms. Nomm reported that as written the Ordinance excludes water treatment usage in the open space. She stated with simple re-wording such options could be included with minimal disturbance to the natural landscape. She asked if it was the intent to exclude such usage in these areas. After discussion, members agreed that they would like to review the proposed changes prior to having the County Board approve this document. Ms. Draffkorn made a motion, seconded by Mr. Donley, to extent the public review process another thirty days. The motion carried with all members present voting aye. The original motion was tabled at this time. Chairman Hill will request a 30 day extension at the August 18th County Board meeting.

REPORTS TO COMMITTEE, AS APPLICABLE:

Regional Planning Commission: Mr. Sandquist reported that the Commission has completed their review of the public comments on the text for the 2030 plan and will begin their review of the future land use map in September

Chicago Metropolitan Agency for Planning: A recent 2040 workshop was held in Harvard recently. During that event an interactive voting system was implemented which provided quick visual updates to land use in response to questions asked. Chairman Hill noted that perhaps such a process could be used by the County when discussing various land use options. Ms. Schuster stated she did not feel that the process was very helpful as the questions appeared to be skewed to eliminate preservation of open space and did not break out municipal versus rural.

Community Development Block Grant Commission: Forty applications have been received. Allocation meetings will be held later this month.

Historic Preservation Commission (HPC): The Management Services Committee is discussing a proposed Victory Garden for 2010. Work is being conducted on a possible grant to continue research on historical buildings within the County.

MISCELLANOUS: Ms. Draffkorn reported that she has received noise complaints on the newly re-opened Snug Harbor. Mr. Donley stated that noise complaints should be directed to the Sheriff's Department for investigation. Ms. Draffkorn asked if there were options for a well that is tested positive for arsenic. Ms. Nomm responded that such options are available and the caller can contact the Health Department for more information.

Ms. Schuster commended the P&D staff for sending a response letter to the Murphys. Ms. Schuster asked if staff could provide a list of the steps involved in the plat review process. Ms. Wanaski stated such a document will be provided.

EXECUTIVE SESSION: None

ADJOURNMENT

Ms. Orphal made a motion, seconded by Mr. Donley, to adjourn at 9:16 a.m. The motion carried with a unanimous voice vote.

* * * * *

RECOMMENDED FOR BOARD ACTION:

Ordinance designating Barber Burying Ground as a local landmark