

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

Minutes of Thursday, September 3, 2009

Tina Hill, Chairman

Randy Donley  
Sue Draffkorn  
Lyn Orphal

Mary L. Donner  
Marc Munaretto  
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; Mary Donner; Sue Draffkorn; Marc Munaretto; Lyn Orphal; and Ersel Schuster. Also in attendance: Planning and Development Department staff members; Jim Heisler, County Board member; Patti Nomm and Pat McNulty, Health Department; members of the Zoning Board of Appeals (ZBA); and press.

MINUTE APPROVAL

Mr. Munaretto made a motion, seconded by Ms. Donner, to approve the regular session minutes of the August 20, 2009 Planning and Development Committee meeting. The minutes approved as submitted with a unanimous voice vote.

PUBLIC COMMENT: None

PRESENTATIONS: None

SUBDIVISIONS: None

OLD BUSINESS:

*Conservation Design Ordinance amendments:* Ms. Draffkorn made a motion, seconded by Ms. Donner, to recommend the County Board approve the Conservation Design Ordinance Amendments as submitted. Ms. Nomm provided a presentation regarding additional modifications to the Conservation Design Ordinance, which is on a 30 day review by the County Board. Specific revisions included re-wording to Section 1114.3.1 to “installation of water wells” and “excluding treatment and associated wastewater storage facilities” and “onsite wastewater treatment systems, excluding septic tanks or other pre-treatment devices and lift stations.” After discussion, a voice vote on the motion was called. The motion carried with all members present voting aye.

NEW BUSINESS:

*Comparative Fee Analysis:* Mr. Sandquist reported that there had been no comprehensive fee study done for many years and to address this issue P&D staff had recently conducted a comprehensive comparative analysis of the fees assessed by surrounding counties. He presented the results of that study and noted that many services are carried out by the department without a charge imposed. Members discussed the findings and suggested fee increases for McHenry County. Mr. Munaretto stated that the costs to deliver the service should be the underpinning to any fees charged. He noted he was not interested in what was being charged by other counties and any fee increase should correspond to the expense value. Mr. Donley stated that County is not in business to show a profit and questioned why fee adjustments were being considered noting that any fee should be based on costs involved. Mr. Munaretto stated he would not support all of the proposed fee increases and that all fees should relate to our own cost expenses. Mr. Sandquist stated that staff would conduct an analysis of costs relating to staff services and prepare a document of suggested fees for consideration at a future meeting. Mr. Donley asked how large of a deficit does the P&D department have that would relate to this issue. In response, Mr. Sandquist stated exact figures were unknown. Mr. Sandquist asked if the Committee would also like to consider collecting an application fee up front that would be non-refundable. After discussion, members suggested that a cancellation fee could be imposed. Stormwater fees were reviewed and again suggested that an analysis of the costs for services should be conducted to relate fees to these expenses. Members also reviewed a comparison of

Approved: 9/17/09

Zoning fees. They questioned why the fees for 100 lots on a 100-acre tract were so much higher than other fees. In response, it was noted that hearings for these requests take longer than one day and hearings costs are higher. Mr. Sandquist asked if the Committee would be interested in imposing a penalty fee for an after the fact petition, a fee for a temporary use permit and a zoning letter fee. Mr. Munaretto stated he would oppose a fee for zoning letters since residents pay property taxes to cover such services. He added that a fee to professionals should be considered but not to residents. Members felt a penalty fee should be considered for after the fact petitions. Mr. Sandquist stated staff will continue to work on these recommendations.

*ZBA Member Introductions:* ZBA Members Holly Kohley, Robin Perry, Elizabeth Scherer, Ervin Staveteig and Mark Elmore joined the Committee. Chairman Hill stated that she had asked the ZBA members to attend today's meeting to have an opportunity to get to know each other better and understand the role of the committees and how they work together. She reported that Holly Kohley's term had expired on 9/1/09, but she has applied for re-appointment. The first concern to discuss was unannounced absences and the effect they can have on hearings and voting on petitions. It was noted that when a ZBA member is absent without prior notification it can be difficult to contact an alternate member to attend that meeting. It was also suggested that voting should not be allowed at a hearing meeting without properly noticing that the meeting is a hearing and voting meeting. Members discussed if there were any problems with the current notification of meetings. Ms. Schuster raised her objections to voting during a hearing meeting without including the vote on the agenda. She stated that without such a notice it is unfair to vote on the issue the same day as the hearing. She pointed out that there is a ZBA voting meeting scheduled once a month to cover such issues. After discussion, the majority of the members indicated there were no problems with current system of notification. Chairman Hill asked if ZBA members had any concerns with the Conservation Design Ordinance. ZBA Members commented that the Ordinance is not considered a zoning change and noted that they look at land use. Chairman Hill thanked the ZBA members for attending today's meeting and noted that the Committee will be reviewing the Zoning Ordinance and asked that members jot down any thoughts or concerns that they may want to be addressed. She also invited members to contact the committee should they have any suggestions of concerns. Mr. Sandquist also thanked the ZBA members for attending the meeting.

Ms. Donner left the meeting at 10am.

REPORTS TO COMMITTEE, AS APPLICABLE:  
No reports were presented at today's meeting.

MISCELLANEOUS: Mr. Sandquist reported that the concerns raised by Mr. Feldkamp during public comment at the August 6, 2009 meeting were reviewed with the State's Attorney, it was determined that there was no need to revisit this issue. Mr. Sandquist stated a response letter will be sent to Mr. Feldkamp.

EXECUTIVE SESSION: None

ADJOURNMENT

Ms. Orphal made a motion, seconded by Ms. Schuster, to adjourn at 10:06 a.m. The motion carried with a unanimous voice vote.

\* \* \* \* \*

**RECOMMENDED FOR BOARD ACTION:**

Approval of Conservation Design Ordinance Amendments

:bjt