

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

Tina Hill, Chairman

Randy Donley	Mary L. Donner
Sue Draffkorn	Marc Munaretto
Donna Kurtz	Ersel Schuster

MINUTES OF THURSDAY, JANUARY 6, 2011

Chairman Hill called the Planning and Development Committee meeting to order at 8:06 a.m. The following members were present: Tina Hill, Chairman; Mary Donner; Sue Draffkorn; Ersel Schuster and Donna Kurtz. Marc Munaretto and Randy Donley were absent. Also in attendance: Kenneth Koehler, County Board Chairman; Peter Austin, County Administrator; Dennis Sandquist and Darrell Moore, Planning and Development; Tom Carroll and Sarah Jansen, State's Attorney's Office; Mary McCann and Jim Heisler, County Board; interested public and press.

MINUTE APPROVAL:

Committee members reviewed the Planning and Development Committee minutes of December 2, 2010 and December 16, 2010. Chairman Hill noted a typographical error on page 2 of the December 16, 2010 minutes that will be corrected. Ms. Draffkorn made a motion, seconded by Ms. Donner, to approve the minutes with the noted correction. The minutes were approved, as amended, with a unanimous voice vote of all ayes.

PUBLIC COMMENT: None.

PRESENTATIONS: None.

SUBDIVISIONS: None.

Chairman Hill requested that Item No. 6.2 be taken out of order.

NEW BUSINESS:

Resolution Authorizing the Reclassification of Position #010-0026-05 (Chief Stormwater Chief Engineer) from Grade 12E to Grade 13E and in the Planning & Development Departmental Roster: Ms. Donner made a motion, seconded by Ms. Kurtz, to recommend the County Board approve the above resolution. Mr. Sandquist joined committee members and mentioned that the Chief Stormwater Engineer position has been vacant since November 30, 2010. He has reviewed the position description and requirements with the Director of Human Resources and the County Administrator and they are requesting that the position be re-graded from a 12E to 13E with a salary not to exceed \$83,000. This salary is roughly equivalent to what the previous engineer was paid. This position is fully funded within the department and the salary will be paid out of their current budget. The duties of the engineer have increased substantially over the past years. The Chief Stormwater Engineer is responsible for the overall management of the stormwater function, the supervision of stormwater staff, prosecution of stormwater violations, certification of communities who enforce the Ordinance themselves, the review and approval of stormwater plans and permits, and the enforcement of the Stormwater Management Ordinance. They have conducted interviews and they have a candidate they would like to make an offer to. Ms. Schuster mentioned that she was prepared to vote against this request but she has changed her mind. The motion carried on a roll call vote of all ayes (Draffkorn, Donner, Schuster, Kurtz and Hill).

OLD BUSINESS:

Resolution Requesting the Waiver of Fees: Ms. Donner made a motion, seconded by Ms. Draffkorn, to recommend the County Board approve the above resolution. Mr. Sandquist mentioned that this committee previously discussed the waiver of penalty fees for James Gigl and this is a request for only the waiver of the building and stormwater penalty fees. Mr. Gigl's contractor reconstruct his seawall without obtaining the necessary permits from the McHenry County Department of Planning and Development. Chairman Hill mentioned that it was Mr. Gigl's responsibility to obtain the permits. There is a process for waivers, but they feel they do not want to waive the fees because it will set a precedence. Chairman Hill stated that she will be voting against this request. The motion failed on a roll call vote of two ayes (Donner and Draffkorn) and three nays (Kurtz, Schuster and Hill).

Reappointment of Nick Chirikos and Steven Greeley to the Historic Preservation Commission: Ms. Schuster made a motion, seconded by Ms. Donner, to recommend the County Board approve the reappointment of Nick Chirikos and Steven Greeley to the Historic Preservation Commission. Ms. Kurtz asked for a brief overview of Messrs. Chirikos and Greeley. Chairman Hill stated that she knows Mr. Greeley. He is an attorney who has a background in, and enthusiasm for, history and historic preservation. Mr. Sandquist mentioned that Mr. Chirikos is an architect who does work in the county restoring historic properties. Chairman Hill mentioned that both positions are reappointments. The motion carried on a roll call vote of all ayes (Draffkorn, Donner, Kurtz, Schuster and Hill).

NEW BUSINESS - Resumed:

UDO – Key Person Group Interviews: Mr. Sandquist mentioned that they are moving forward with the UDO and have been working with the consultants. The first step in the process will be to conduct group interviews with key persons. The interviews are scheduled for February 3, 2011 from 8:00 a.m. to 5:00 p.m. and February 7, 2011 from 1:00 p.m. to 8:00 p.m. The purpose of the key person(s) interviews will be to establish the direction and discuss what is good with the current regulations, what is wrong with the current regulations, and overall objections of the community for the new regulations. Chairman Hill requested that a “dot point list” be created for the committee members to review on a regular basis. Mr. Sandquist mentioned that they will be working on this with the consultants and will provide the committee with such a list. It was suggested that there be another joint meeting concerning the UDO with the zoning board. Mr. Sandquist mentioned that the consulting team will be able to conduct approximately 20 group interviews lasting approximately one hour long, and each group will consist of five to ten participants. He asked committee members to contact him with their input as far as additions or eliminations of groups. Representatives from the ZBA, natural and environmental resources, housing commission, township highway commissioners, farm bureau, water resource experts/advocates, environmental experts/advocates, economic development, fire protection districts, the real estate industry and others will be invited to participate in the interview process. He proposed that the P&D Committee’s interview be at 10:00 a.m. on February 3, 2011 during their regular meeting. The ZBA’s interview will also be scheduled on February 3, 2011 since they will be meeting on that date also. Chairman Hill asked the committee if they felt it would be helpful to meet with the ZBA before their key persons interview, or have a special meeting. Chairman Hill asked Mr. Sandquist to ask the ZBA to come to the next P&D meeting to discuss an overview of the UDO. Ms. Kurtz suggested that people be provided with meeting materials beforehand so they are prepared prior to the meetings. Mr. Sandquist will provide links to websites in his cover letter.

Chairman Hill requested that Item No. 6.5 be taken out of order.

CMAP Grant Application: Mr. Moore and Mr. Sandquist joined committee members and mentioned that this was presented to the committee at the last P&D meeting. Mr. Munaretto had particular interest in taking advantage of the CMAP GOTO 2040 Local Technical Assistance Program wherein they currently have grant money for the Chicagoland metropolitan area to create plans for areas of concern; yet, recognizing that resources were running low in many jurisdictions. This is a technical assistance program which means that no money comes to the County. A staff member or a CMAP representative will work remotely to help them focus time and effort on a project. They have been looking at the areas along waterways in the County. This would be a sub-area plan for waterways and they are looking for a study to identify areas that may need special attention because they do not fit into the County’s current zoning ordinance as far as regulations. They may be smaller lots than what they would create today, and that these lots typically have floodplain and environmental issues. The focus of the planning proposal is the unincorporated subdivisions that line the Fox River, as well as Wonder Lake and Pistakee Lake, which contain non-conforming lots that are much smaller than today’s standard sizes. They feel the 2030 Plan has encouraged development in these areas and they are a part of the County’s history and community character. There may be additional burdens on the homeowners of the small lots because if they want to build on them, sometimes the setbacks make it impossible for them to do so. They may also need a variance to keep the home as it currently exists. Being smaller lots, currently some of the areas mentioned are where some of the more affordable homes are located in unincorporated areas of the County. Areas CMAP is looking to provide assistance to includes revisions to ordinances which could play into the UDO; revisions to the zoning ordinance; activities that help to implement previously-adopted plans; and studies or specific plans related to local issues which would relate to the previously-mentioned unique areas of the County. Ms. Kurtz stated that she was surprised by the size of the small lots that are 25’x100’. She inquired if homes could be built on lots of this size. Mr. Moore mentioned that lots of this size are not common, however, a 45’ lot is very common in these areas and they are lots, under the zoning ordinance, which require a 10’ side yard on one side and 10% of the width on the other side. They can run out of room on these small lots and in some cases it is impossible to build on them once you account for the setbacks. Many times people purchase

multiple lots in order to make it possible to have a house, well and septic system on the property. Ms. Kurtz stated that by maintaining lots that are sub-standard in size, you also maintain a neighborhood environment that may not be a nice neighborhood to have. Concern was voiced regarding the small sizes of some of the lots and the impact to the County. It was mentioned that the lots and houses already exist and this is why the study is important. It was identified through the 2030 Plan that this was an interest of some commissioners and County Board members. Ms. McCann asked if this study will address some of the drainage issues for the small lots and Mr. Moore mentioned that this was included on the application. She also questioned what would be the environmental impact if the standards are changed for the smaller lots. Mr. Moore mentioned that this could open the door to a waterfront greenway that may be open to the public, or preserved by private agencies. All of the lots are on well and septic and they are waterfront properties. It was the consensus of the committee to have the Planning & Development Department submit the application.

Building Code Minimum Fees: Mr. Sandquist mentioned that the committee previously discussed the possibility of administration adjudication and how the committee could set fees and fines and possibly collect more revenues, but also to provide violators with incentives in order to bring them into compliance. Mr. Carroll mentioned they have had discussions with Mr. Sandquist concerning administration adjudication and whether or not such an arrangement would be beneficial to the County. Ms. Jansen currently handles most of the ordinance violation cases. This is a policy issue for this body to consider and it would require judges to impose certain fines if there were violations of codes. Violators have the ability to appeal any fines brought against them. He mentioned that they have received calls from County Board members stating that constituents have contacted them concerning minimum fines for various ordinance violations. He agrees with Mr. Sandquist that it is a great idea to inform violators that if they make the required corrections before their first court date, then the case will be dismissed. This body has always mentioned that the main goal is to have violators come into compliance with regard to the rules and regulations of the County. Ms. Donner mentioned that if they set standards at this time, then there will be something on the books, otherwise they will be where they started at. Ms. Jansen mentioned that judges and other prosecutors may not know there are minimum fines for ordinance violations.

REPORTS TO COMMITTEE:

Chicago Metropolitan Agency for Planning: None.

Community Development Block Grant Commission: None.

Historic Preservation Commission: None.

Housing Commission: None.

MISCELLANEOUS: None.

EXECUTIVE SESSION: None.

ADJOURNMENT:

Noting no further business, Ms. Donner made a motion, seconded by Ms. Draffkorn, to adjourn the meeting at 8:57 a.m. The motion carried with a unanimous voice vote.

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RECOMMENDED FOR BOARD/COMMITTEE ACTION:

Resolution Authorizing the Reclassification of Position #010-0026-05 (Chief Stormwater Chief Engineer) from Grade 12E to Grade 13E and in the Planning & Development Departmental Roster
Reappointment of Nick Chirikos and Steven Greeley to the Historic Preservation Commission

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