

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

Minutes of Thursday, September 21, 2006

Ann Gilman, Chairman

Marie Chmiel

Jim Heisler

Peter Merkel

Marc Munaretto

Virginia Peschke

Barbara Wheeler

Chairman Gilman called the Planning and Development Committee meeting to order at 8:21 a.m. The following members were present: Ann Gilman; Marie Chmiel; James Heisler; Virginia Peschke; Barbara Wheeler; and Pete Merkel. Marc Munaretto was absent. Also in attendance: Planning and Development Department staff members; and, interested public.

MINUTE APPROVAL

Ms. Chmiel made a motion, seconded by Mr. Heisler, to approve the regular session minutes of the Planning and Development Committee meeting of September 14, 2006. The minutes were approved as submitted with a unanimous voice vote.

PUBLIC PARTICIPATION

Ms. Mary McCann raised concerns with soccer events on Kishwaukee Valley Road and horse racing on Dunham Road. She also stated that she believes that Laura Gentili lives in District 4 not District 6 and this should be taken into consideration during the Plan Commission interviews.

Ms. Jane Collins of Woodstock addressed the Committee and asked when the zoning and planning training sessions would be scheduled. Members responded that the County Board Committee of the Whole will meet on October 19, 2006 at 8:30 a.m. for the initial training seminar. Ms. Collins requested equal treatment for all individuals who apply to a board or commission and asked the Committee to reconsider interviewing all candidates to keep the process fair and objective.

Ms. Ersel Schuster, Seneca Township Supervisor, addressed the Committee and presented her concerns that weekend soccer events held on Kishwaukee Valley have been reported to various County Departments, but the situation has not been resolved. She stated that it appears that other issues are getting priority and felt there has been some discrimination by County Departments. She stated that letters were sent to various departments and those departments claim not to have received the letter nor could they close down this operation. She noted she felt something was wrong and wanted a written response to her concerns.

Ms. Ehardt commented that Ms. Schuster's statement was not an accurate assessment. Ms. Ehardt stated she had recently met with the neighbors and this situation is currently being monitored by P & D. She pointed out that without valid evidence a zoning violation cannot be issued, noting that the department is doing what they can to address the situation.

PRESENTATIONS: None.

SUBDIVISIONS

*Hunter's Woods – Preliminary Tentative Plat:* Ms. Ehardt provided a summary to the plan development process, noting that the process allows for some negotiations and it is a little "mixed-up" since the plat goes for review before going to the ZBA. A determination is made as to if the technical aspects are feasible. The County Board then approves the zoning and the Plat goes back to staff for a review and appropriate signatures after which the normal process proceeds. The Committee then reviewed the proposed preliminary tentative plat for Hunter's Woods (previously named Coral Woods) located in Coral Township. This is a proposed planned development on 63.70 acres. It was noted that Lot 30 was removed pursuant to a request by the ZBA, with the removal of this lot; the

Approved: 10/5/06

proposal consist of 40 lots. The property has a dense variety of trees including mature oaks and some invasive species. The developers plan to implement tree preservation measures to protect as many trees as possible. There will be a common septic system, with each unit having a septic tank with an aeration process that then pumps into the larger common collection system. The home owners association will be responsible for the professional operation and maintenance of the common septic system. The proposed road system was redesigned to replace cul-de-sacs with hammerheads to comply with the Coral Township Road Commissioner's request. The representatives asked if they could relocate Lot #30 to the entrance which would make the total number of lots 41 rather than 40. A traffic study was conducted at the intersection of Church and Rt. 20 during peak hours in the morning and late afternoon / early evening hours. A signal will be installed at this intersection. After discussing and reviewing the preliminary tentative plat for Hunter's Woods, Mr. Merkel made a motion, seconded by Ms. Wheeler, to approve the Preliminary Tentative Plat for Hunter's Woods with 40 units. The motion carried with all members present voting aye on a voice vote.

*Trent Subdivision – Final Plat:* Ms. Ehardt provided a summary to the Final Plat of EndHaven Subdivision (previously named Trent Subdivision) located in Nunda Township. The proposed development will consist of 4 lots on 4 acres with "R-I" Residential zoning. All platting requirements have been met and the Nunda Township Road Commissioner has reviewed and accepted the Final Plat and signed said plat. Ms. Wheeler made a motion, seconded by Ms. Peschke, to accept the Final Plat for Endhaven Subdivision authorizing the Chairman and Code Enforcement Officer to sign the Final Plat and moving it forward to the County Board for their consideration. The motion carried with all members present voting aye on a voice vote.

*Fox River Bluff – Final Plat:* Ms. Ehardt reviewed the Final Plat for Fox River Bluff located in Algonquin Township. The proposed development will divide approximately 5.61 acres into 7 lots with "R-1" zoning. The proposed road will end in a "T" turnaround. The Algonquin Township Road Commissioner agrees with this Final Plat and has affixed his signature. All platting requirements have been met. Ms. Wheeler made a motion, seconded by Ms. Chmiel, to accept the Final Plat for Fox River Bluff authorizing the Chairman and Code Enforcement Officer to sign the Final Plat and moving it forward to the County Board on September 19, 2006 for their consideration. The motion carried with all members present voting aye on a voice vote.

OLD BUSINESS: None

NEW BUSINESS: None

REPORTS TO COMMITTEE, AS APPLICABLE

*Stormwater* – Nothing to Report

*NIPC* – Nothing to Report

*MCCD* – A meeting is scheduled for this evening

*Planning Commission* – Nothing to report

*Imagine McHenry County* – Nothing to report

MISCELLANEOUS:

Ms. Peschke asked for a review of the process for a map correction. Ms. Ehardt stated that a map correction first goes to the ZBA for a hearing and then to the County Board for final determination. She pointed out that some legal descriptions are unavailable and that old record books may show conflicting points. She stated that the Zoning Ordinance provides specific information under Article 3 on zoning lines and the determination to correct a point is regulated by Ordinance which requires legal notices, notification of surrounding property owners and a posted notice. It was noted that a satellite view of any area of the country is available by computer at Google earth for Mr. Heisler's information.

Chairman Gilman stated that the meeting tonight will begin at 6 p.m. Members will be contacted regarding scheduled interviews.

Ms. Wheeler requested that the Committee discuss the comments raised during public participation. She noted that the Committee had discussed interviewing all candidates, but had agreed to review the applications and make a determination as to those to be interviewed. Chairman Gilman noted that 42 applications had been received and each applicant was asked to complete a supplemental form of specific questions. She stated that the application process followed a "hiring process" where all applicants are not always interviewed. Ms. Peschke stated that perhaps previous Planning Commission Members should not have been dismissed. Ms. Wheeler noted that Mr. Heisler, Ms. Peschke and she had wanted to interview all candidates. Ms. Chmiel stated that perhaps previous members could be invited to sit-in on the planning commission meetings to provide input on the previous process. She also noted that if Ms. Gentili is from District 4, not 6, then all candidates from District 4 should be interviewed. Mr. Merkel supported the selection process which the Committee had agreed to and stated he had a problem with those that question the process and prescreening of candidates. Ms. Chmiel agreed with Mr. Merkel noting that the Committee went through the list of candidates and accepted a list of candidates to be interviewed. She pointed out that the Planning Commission is an advisory board and the County Board must take a more active approach in providing specific goals and objectives for the plan. Chairman Gilman stated that the Committee could further discuss these issues after all scheduled interviews had been completed. She also noted that John Jung will serve as the Board's liaison to the Planning Commission, noting that as Vice-Chairman of the County Board Mr. Jung would report to the full County Board.

Ms. Wheeler asked for further discussion of the horse racing and soccer events. Ms. Ehardt stated residents are concerned that the soccer events that are being held on the weekends at a property on Kishwaukee Road have increased to be soccer leagues. She stated that there is a combination of issues part of which could be zoning issues along with health issues (porta-potties). Regarding the horse racing events, Ms. Ehardt reported that her department was originally approached for a temporary use permit for an outside event. The applicant stated they would be bringing in horses for potentially selling the horse after running the horse. This event has since turned into a family day with music and games. She stated that the owner has stated he was taking donations to help offset costs, but it appears that they are actually charging admission and the event has apparently become a business. She stated there has been alleged gambling and selling of alcohol, but there is no proof at this point. No additional temporary use permits will be granted for the horse racing events at this time. She reminded the Committee that the horse racing events do border on ag usage. She stated that the Planning and Development Department is not ignoring the complaints. Both events are being investigated further and monitored. There has been no discrimination against residents. She stated that it is necessary to gather actual proof of a violation. She pointed out that if photos or videos are taken by a resident that person then becomes part of the legal process. She noted that if the Sheriff is called and a report is written for a zoning violation, her department can then move forward and take any necessary action. She stated the all issues must be viewed separately and not all would be zoning violations. She noted that when there is mixture and variety of issues they can be the hardest to "catch" and process. She stated that all temporary use permits are forwarded to the Sheriff and Health Department to make sure they are aware of the event. She noted that the Health Department would address health concerns such as food handling and sanitation. Chairman Gilman reported she had recently attended one of the horse racing events and it was very exciting, but perhaps went a little too far. She stated that with the right venue, such events should be encouraged. Mr. Merkel added such events could be part of ag-tourism. Ms. Ehardt reported that currently there is no limit to the number of temporary use permits that can be granted and cautioned the Committee against taking a "knee jerk" reaction to the current issues. She stated that if temporary use permits were limited it would impact other events, many of which are held at the fairgrounds.

Ms. McCann stated that the soccer events have escalated over the past two years and have become two day events every weekend. There are traffic problems, health issues and sometimes a rock concert.

Ms. Ehardt stated that she is continuing to work on these issues, noting that they must be able to provide proof of a zoning violation, such as if she can prove they are running a business, by charging fees. Mr. Merkel noted that there is a shortage of soccer fields in the county and many groups are looking at private areas for their events, he pointed out that most of these events do charge league fees. Ms. Ehardt stated that an owner could rent his

land, but the owner is then responsible for events taking place on that property. She added that the Department does not have the ability to go on someone's property without permission.

Ms. Schuster stated that Seneca Township is working on the soccer issue and has sent letters asking for an investigation. She stated that the 10 acre parcel where the event takes place has no ag use. She noted that it is a frustrating situation that has gone on too long. She pointed out that once the "sting operation" was announced, the event changed, she asked that action be taken to stop these events.

Chairman Gilman stated that the Law and Justice Committee should also be made aware of these concerns.

EXECUTIVE SESSION: None.

ADJOURNMENT

Ms. Wheeler made a motion, seconded by Ms. Peschke, to adjourn at 10:42 p.m. The motion carried with a unanimous voice vote.

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**RECOMMENDED FOR BOARD ACTION:**  
Hunter's Woods – Preliminary Tentative Plat  
Endhaven Subdivision – Final Plat  
Fox River Bluff – Final Plat