

Lake County Illinois

*Lake County Courthouse and Administrative Complex
18 N. County Street
Waukegan, IL 60085-4351*



Minutes Report

Tuesday, September 1, 2009

8:30 AM

Assembly Room

Planning, Building and Zoning Committee

1.0 Call to Order

The meeting was called to order by Chairman Mountsier at 8:36 a.m. Roll call was taken with Members Carlson, Gravenhorst, Hewitt, Lawlor, Mountsier, O'Rourke, and Wilke present constituting a quorum.

Staff Present: Brittany Albrecht, Steve Crivello, Brad Denz, Bill Hunt, David Husemoller, Megan Krueger, Mike Kuhar, Philip Rovang, Pat Tierney, Eric Waggoner, Sheel Yajnik

Others: Barry Burton - County Administrator, Amy McEwan - County Administrator's Office, Todd Daniels - Sexton Wind Power, LLC, Scott Hendricks, Sexton Wind Power, LLC, Pat Carey - County Board Member, Frank Picchietti - Property Owner

Present 7 - Member Carlson, Member Hewitt, Member Wilke, Vice Chair Lawlor, Member O'Rourke, Chair Mountsier and Member Gravenhorst

2.0 Pledge of Allegiance

The group recited the Pledge of Allegiance.

3.0 Minutes

3.1 09-1852

Minutes from the August 4, 2009 PB&Z Committee Meeting

- Approval of the minutes from the August 4, 2009 PB&Z Committee Meeting.

Motion to approve the minutes from the August 4, 2009 PB&Z Committee Meeting as amended by Member Carlson, seconded by Member Gravenhorst. Motion passed.

approved

Aye: 6 - Member Carlson, Member Hewitt, Member Wilke, Member O'Rourke, Chair Mountsier and Member Gravenhorst

Not Present: 1 - Vice Chair Lawlor

4.0 Added to Agenda Items

There were no items to be added to the agenda.

5.0 Public Comments - Items not on the Agenda

There were no items for public comment.

6.0 Chair's Remarks

There were no comments from Chairman Mountsier.

6.1 Members' Remarks

There were no remarks from the others members of the Planning, Building and Zoning Committee.

7.0 Old Business

There was no old business to conduct.

8.0 Public Informational Meetings

There were no public informational meetings to be held.

9.0 Stormwater Management Commission

There were no items from the Stormwater Management Commission.

10.0 Unified Development Ordinance

10.1 Subdivisions

10.1.1 09-1869

Picchietti Subdivision

Variations from Article 10 of the Unified Development Ordinance

Regarding Street Standards

Shields Township - District 13

- The applicant has proposed a 2-lot subdivision located on an existing private access, utility and drainage easement. The easement currently serves more than three lots (maximum lots permitted to be serviced by a private access easement).
- Given the ownership complexities associated with the easement, the location of the Picchietti property and the character of the existing roadway system, certain variances are needed from the Unified Development Ordinance (UDO) to allow the subdivision of the petitioner's property.
- Staff is opposed to granting the variance that would permit additional lots to be created on an existing easement, but supports the variances of the street standards.
- While the Committee has granted variations in the past, Quassey Avenue remains in private ownership and no formal maintenance agreement exists. Staff believes a variance would only make the access issue worse.

The Picchietti Variation request was presented at 9:39 am; the request was reviewed out of the agenda order because the petitioner was not able to attend the meeting prior to this time.

Mr. Brad Denz presented the staff report on the variation requests.

Mr. Frank Picchietti, Lake Bluff, IL., petitioner for the variation, stated that he intends to sell his current home and move into the new home. Mr. Picchietti stated that he is currently maintaining the road and he was the individual that extended the water main that now serves four homes.

Member Gravenhorst stated that the Picchietti variation request is in her district. She stated that it is difficult for the residents to create a public roadway because all of the residents have to agree to the proposal and the residents are not usually in favor of this. She went on to say that Mr. Picchietti's properties are well maintained and remain private which the residents prefer.

Motion to allow the existing private access easement to service more than three lots

by Member Hewitt seconded by Member Carlson . Motion passed.

approved

Aye: 7 - Member Carlson, Member Hewitt, Member Wilke, Vice Chair Lawlor,
Member O'Rourke, Chair Mountsier and Member Gravenhorst

*Motion to approve the variation to remove the curb and gutter requirements for
Quassey Avenue by Member Gravenhorst, seconded by Member Wilke. Motion
Passed.*

approved

Aye: 7 - Member Carlson, Member Hewitt, Member Wilke, Vice Chair Lawlor,
Member O'Rourke, Chair Mountsier and Member Gravenhorst

*Motion to approve the variation request to remove the sidewalk requirements for
Quassey Avenue by Member Hewitt, seconded by Member Gravenhorst. Motion
passed.*

approved

Aye: 7 - Member Carlson, Member Hewitt, Member Wilke, Vice Chair Lawlor,
Member O'Rourke, Chair Mountsier and Member Gravenhorst

10.2 Zoning

There were no items under zoning.

11.0 Permits and Enforcement

There were no items under permits and enforcement.

12.0 Planning

12.1 09-1871

Commercial Wind Energy Ordinance and Intergovernmental Agreement

- Authorization from the Committee for staff to work with the Villages of Wadsworth, Old Mill Creek and Antioch on an Intergovernmental Agreement for a proposed Commercial Wind Energy System (i.e. Wind Farm) in Newport Township.
- Authorize staff to develop an ordinance for Commercial Wind Energy Systems, including such considerations as: setbacks from residential and non-residential properties, height, noise, shadow flicker, safety measures, wildlife studies and impacts of construction on roadways
- Commercial Wind Energy Ordinance for Lake County will require a Conditional Use Permit from the County Board

Mr. David Husemoller presented the staff report on the request for authorization from the Committee to work in conjunction with the Villages of Wadsworth, Old Mill Creek and Antioch on an Intergovernmental Agreement for a proposed Commercial Wind Energy System in Newport Township. Staff is requesting authorization to develop an ordinance for Commercial Wind Energy Systems (Large Windmills), including such considerations as: setbacks from residential and non-residential properties, height, noise, shadow flicker, safety measures, wildlife studies and impacts of construction on roadways.

Mr. Todd Daniels, 4415 W. Harrison Street, #535, Hillside, IL., Director of Operations for Sexton Wind Power, LLC, stated that the property has been owned

by Sexton for over 30 years. The corporation owns other alternative energy generation facilities and the Board was searching for other uses for the property. The corporation is still in the information gathering stage; their hope is to build a broader based corporation that involves multiple technologies of renewable power. The surrounding land would be retained for farming.

Mr. Scott Hendricks, 4415 W. Harrison Street, #535, Hillside, IL., representing Sexton Wind Power, LLC, stated that they have been conducting wind studies and recording the wind generation data since January of 2009, and the studies is approximately 50% complete. If the wind resources are found to be acceptable, the project will move forward.

completed

12.1 Joint Ordinance Regulating Wind Mills Between Lake County, Old Mill Creek, Wadsworth, and Antioch

Motion to authorize the development of an ordinance and an Intergovernmental Agreement for Commercial Wind Energy Systems in conjunction with the Villages of Wadsworth, Old Mill Creek and Antioch by Member Gravenhorst, seconded by Vice-Chairman Lawlor. Motion passed.

approved

Aye: 7 - Member Carlson, Member Hewitt, Member Wilke, Vice Chair Lawlor, Member O'Rourke, Chair Mountsier and Member Gravenhorst

13.0 Other Business

Legislation

13.1.1 09-1853

Discussion of proposed initiatives for 2010 State and Federal Legislative Programs

- On an annual basis, the Revenue, Records, and Legislative Committee invites the Board committees to discuss and propose legislative items for consideration by the RR&L Committee.
- Committee members are encouraged to present legislative items at the September 1, 2009 PB&Z Committee meeting.
- The PB&D Department will also propose a series of legislative recommendations. They are listed below. If the Committee agrees, these proposals will be forwarded on with member recommendations to RR&L.
 - Wind Farms Statute Clarification;
 - Authority to Expedite Lot Consolidations; and
 - Increased Authority over Cell Tower Siting

Mr. Eric Waggoner presented the staff report on the 2009 Legislative packet for approval by the PB&Z Committee for further consideration by the County Board.

completed

13.1.1 Discussion of proposed initiatives for 2010 State and Federal Legislative Programs

Motion to forward all of the 2009 legislative proposal to the RR&L Committee for final decision on legislative recommendations by Member Carlson, seconded by Member Wilke. Motion passed.

approved

Aye: 7 - Member Carlson, Member Hewitt, Member Wilke, Vice Chair Lawlor,
Member O'Rourke, Chair Mountsier and Member Gravenhorst

13.2 County Administrator's Report

Ms. Amy McEwan explained that the County is taking a new approach to their Legislative agenda in an effort to be more successful with passage of their initiatives.

13.3 Director's Report

Mr. Rovang explained that CMAP has presented several "Invest in the Future Meetings" in and around Lake County to promote their Go To 2040 plan. He suggested that the PB&Z Committee might be interested in having CMAP provide their presentation at a future PB&Z Committee Meeting.

Mr. Rovang went on to explain that PB&D staff has been working with the Liberty Prairie Conservancy on a proposal to identify all permanent open space within Lake County.

Mr. Rovang explained that it has been determined that the place-holder for the proposed text amendment to the UDO regarding the sale of drug paraphernalia is not necessary because it has been determined that an outright ban on this type of sale would be the most appropriate action. The ZBA would not have to approve this type of ban because it would not be within the ordinance; it would be approved by the PB&Z and then forwarded to the Full Board for final approval. Although this ban would only affect the unincorporated areas of Lake County, the municipalities of Fox Lake, Round Lake, Mundelein, and Hainesville have already approved an outright ban on these sales.

The next meeting will be held on September 22, 2009 which is a special joint meeting with the PB&Z and F&A Committees to review the budgets for PB&Z and Stormwater Management Commission.

The next regular PB&Z Committee meetings are scheduled for September 29, 2009, and October 6, 2009.

Present 7 - Member Carlson, Member Hewitt, Member Wilke, Vice Chair Lawlor,
Member O'Rourke, Chair Mountsier and Member Gravenhorst

14.0 Adjournment of the PB&Z Committee Meeting

Motion to adjourn this session of the Planning, Building and Zoning Committee by Member Carlson, seconded by Member Hewitt. There being no further business to conduct, the motion passed unanimously.

The meeting adjourned at 10:37 a.m.

Aye Nay

Chairman

Vice-Chairman

Recording Secretary
Planning, Building & Zoning Committee
adjourn

Aye: 7 - Member Carlson, Member Hewitt, Member Wilke, Vice Chair Lawlor,
Member O'Rourke, Chair Mountsier and Member Gravenhorst