

MINUTES
WILL COUNTY LAND USE AND DEVELOPMENT COMMITTEE
January 26, 2010

Pledge of Allegiance

Chairman Tom Weigel led the pledge of allegiance.

Call to Order:

Chairman Weigel called the meeting to order at 10:33 a.m.

Members Present at Roll Call:

Tom Weigel, Brian Smith, Katrina Deutsche, Sharon May, Kathleen Konicki, Debbie Rozak, and Michael Wisniewski.

Members Absent:

None.

Staff Present:

David Dubois, Thomas Carroll, Derek O'Sullivan, Curt Paddock and Pat Cline.

State's Attorney Present:

Melanie Manning.

Others Present:

Marvin Pickering and Tom Joseph. (See sign in sheet).

Tom Carroll described the process of merging the Countywide Stormwater Ordinance and the separate County Water Resources Ordinances. The draft document reflects commonly accepted design practices and incorporates the more restrictive of both.

Site Runoff Storage Facility Design Requirements

Standards were added about naturalized detention with better definitions. The section also addresses conservation design as adopted in the subdivision ordinance. This is a completely new section and references infiltration credits.

Wetlands

Wetland elements were completely overhauled with revised applicability and exemptions. New text addresses delineations, buffer standards, permitted activities, and mitigation. The format resembles Lake County, Illinois. If the USCOE has jurisdiction and a USCOE permit is issued, it is deemed compliant with Section 407.

Wetland Submittal requirements

Section 502.6 codifies what is needed when wetlands are part of the development, including mapping resources, reporting, etc.

Section 504 was another section completely added to the document. It identifies required record drawings (as-built). When a project is complete the Department can be sure the items were constructed in compliance with the approved site development permits. This requirement is extended to any kind of development. Whether it's subdivisions, industrial or commercial, single-family lots.

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Section 900 for variances is new to the ordinance. The sections will be removed and placed in the new draft. Variances will still advance to the County Board.

Mr. Carroll stated, right now, the variance process is spelled out in the zoning ordinance. He's not really sure why that is; perhaps to allow for enforcement of the variance process. What they are looking at doing is to make things simpler for everybody and pull that process out of the zoning ordinance and put it in the water resource ordinance where it belongs. It would eliminate that cross-referencing between documents and any potential for confusion. With the variance process they will be following the zoning procedure and the countywide procedure where they will be required to notify adjacent property owners, certified communities within the watershed, also properties within a 250 foot radius of the subject property. It will go through the same procedures as our current zoning; go through County Board, Planning & Zoning for public hearing, and back to County Board for final approval.

Chairman Wiegel asked if the draft document is currently available on the County website for viewing and Derek O'Sullivan responded that our webmaster should have it up and running in a day or so; most likely it will be in a PDF format.

Mr. Carroll stated the major change concerns the Administrative Variance Section. This was new to the ordinance and allows some flexibility to be able to handle some of these variances internally. They are looking at items such as culverts in the floodplain, maybe some ponds that are below grade, public work projects that are in the floodplain or wetland; things that can be handled internally and not have to go through the appeal process or the variance process; through the Planning & Zoning and the County Board. Section 908 for administrative variances is new to the ordinance and allows some variances to be addressed internally. Examples include culverts, ponds below grade, or public utility work.

Tom Carroll opened the draft up for discussion.

Debbie Rozak said, on page 25, letter b, it says "RESERVED." What's it reserved for.

Derek O'Sullivan said a section was removed and left blank for any future addition instead of having to renumber.

Kathleen Konicki said so the purpose is to merge the two documents and maintain the more restrictive code. Ms. Konicki asked, on page 25, under either ordinance, is detention required for a limestone bike trail?

Derek O'Sullivan, responded probably yes. Mr. O'Sullivan said that it depends upon the circumstances, and that it is possible. What they run into is trying to provide detention for a mile and a half long trail; which is next to impossible. The problem Kathleen has is that page 25, is a blanket exemption provided to any and all trails, esp. if the intent is to maintain the stricter of the requirements. She referenced "f" on page 25. Ms. Konicki referenced Fiddymont creek. Ms. Konicki said this is too broad of an exemption; that we need to narrow it or it may come back to hurt us in the future.

Debbie Rozak, said so right now, if the park district or the forest preserve wants to do this, they're not exempt. It that what you're saying? Ms. Konicki, said, yes. They're not exempt. We'd at least look at it and if it were possible to do a detention on it; we'd do it.

Derek O'Sullivan referenced the text that refers to parks, etc. that typically use BMPs.

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Michael Wisniewski. On the 3rd page of the PowerPoint, bottom, line item number 4 referencing banks. Derek O'Sullivan explained Army Corp of Engineers banking system.

Public Comments

Marvin Pickering expressed concerns over exemptions and he had handed out a copy of a proposal. Mr. Pickering referenced the Homer Glen engineer's determination that detention is not required for trails. He continued to discuss the Fiddymont Creek trail project and the mileage of trail, and the topographical design. The location of the Forest Preserve District trail has not been identified. He referenced a FPD study as indicating there is excess water. He is asking for consistency for the protection of people downstream. Kathleen Konicki asked Mr. Pickering where on page 28 is his concern. Pickering indicated the reference to Section 203.

Derek O'Sullivan explained the exemptions.

Adjournment

Michael Wisniewski made a motion to adjourn. Brian Smith seconded the motion.

ALL IN FAVOR

MOTION CARRIED (7-0)

Meeting adjourned 11:04 a.m.