

**MINUTES OF THE SPECIAL MEETING OF THE ZONING PLANNING & APPEALS
COMMISSION OF THE VILLAGE OF METTAWA, LAKE COUNTY, ILLINOIS,**

**HELD AT THE HOUR OF 7:00P.M. ON TUESDAY MAY 6, 2014
IN THE COTTONWOOD ROOM OF THE HILTON GARDEN INN,
26225 N. RIVERWOODS BOULEVARD, METTAWA, ILLINOIS**

I. CALL TO ORDER

Chairman Krusinski called the meeting to order at 7:05 P.M.

II. ROLL CALL

Upon a call of the roll, the following persons were:

Present: Commissioners Busscher, Hirsch, Leonard, Meluso, Miller, and Chairman
Krusinski
Absent: Commissioner Pickell

Chairman Krusinski declared a quorum present.

Also present: Commission secretary, Cathy Nelson, Village Administrator Bob Irvin and
Village Attorney Gregory T. Smith of Klein, Thorpe & Jenkins, Ltd.

III. APPROVAL OF MINUTES

Minutes of the regular meeting of February 4, 2014 and April 1, 2014

It was moved by Commissioner Busscher seconded by Commissioner Miller to approve
the minutes from February 4, 2014

Upon a call of the roll, the following voted

Aye: Commissioners Busscher, Hirsch, Leonard, Meluso, Miller and Chairman
Krusinski

Nay: None

Commissioner Krusinski declared the motion carried.

It was then moved by Commissioner Leonard, seconded by Commissioner Hirsch to
approve the minutes of April 1, 2014

Upon a call of the roll, the following voted:

Aye: Commissioners Busscher, Hirsch, Leonard, Meluso, Miller and Chairman
Krusinski

Nay: None

Commissioner Krusinski declared the motion carried.

Chairman Krusinski gave opening remarks regarding the purpose and work of the
Zoning, Planning and Appeal Commission.

IV: CALL OF CASES:

PUBLIC HEARING: CASE NO. 14-TA-1 Mettawa Zoning Ordinance Text Amendments Regarding Proposal To Create A New Zoning District For Open Space, And To Create Permitted Uses, Special Uses, Lot And Bulk Regulations, Fence And Sign Regulations, Parking And Loading Regulations, Height Regulations, And Other Regulations Related Thereto.

Chairman Krusinski called the Public Hearing to order at 7:10 PM

Upon a Call of the Roll, the following were:

Present: Commissioners Busscher, Hirsch, Leonard, Meluso, Miller, and Chairman Krusinski

Absent: Commissioner Pickell

Chairman Krusinski declared a quorum present.

Verbatim minutes of the Public Hearing have been taken by Susan Pillar of Cynthia A. Pavesich & Associates, certified court reporters of Chicago, Illinois, a transcription of which shall be placed on file in the Village Clerk's office

Chairman Krusinski made opening remarks stating that the Case arises from an application filed by the Village President and Board of Trustees of the Village of Mettawa and seeks findings of fact and recommendation on text amendments related to Creating a New Zoning District for Open Space and regulations related thereto..

Chairman Krusinski stated for the record that notice of the hearing on Case No. 14-TA-1 was published in the Daily Herald on April 18, 2014, in the manner required by law. The Secretary has the newspaper's certificate of publication which is admitted as the Commission's Exhibit No. 1

No one in the audience filed as an objector and no one wished to testify.

Applicants Gregory T. Smith and Bob Irvin were sworn in as testifiers on behalf of the applicant, the Village of Mettawa.

Chairman Krusinski then asked Attorney Smith and Village Administrator Irvin to present their case on behalf of the Applicant.

Attorney Smith presented background on the application and Village Administrator Irvin presented the need an Open Space District and entered the Open Space Map into the record as Exhibit No. II.

Upon completion of the presentation, the applicants were questioned by the Commissioners regarding who determines which properties go in to the Open Space District. Chairman Krusinski stated that the Board will make recommendations to the

ZPA on specific Open Space properties to be included. Commissioners questioned at what point changes in elevation need to come before the ZPA for approval, adding language that all requested changes will be in conformance with the Village Comprehensive Plan.

At 7:25 pm, with no further questions to be asked by the Commissioners or public, Chairman Krusinski declared the Public Hearing closed and the Court Reporter was excused.

V. DELIBERATION AND RECOMMENDATION:

Deliberation began recommendation of additions to the prepared ordinance began and addressed the following:

Buildings in Open Space that are not related to permitted uses.

Chairman Krusinski stated that the intent of what is in the ordinance is that any building associated or not to Open Space must come before the ZPA.

Attorney Smith felt that if you want to establish a building pursuant to a special use in an open space district, you would have to have an underlying permitted use associated with it. After discussion on wording it was agreed that Section 15.1903B will read “ A special use for buildings and structures incidental to a permitted use including accessory buildings and structures related thereto.”

Discussion continued regarding structures that may already exist in open space... signs, etc. would they be grandfathered in. Attorney Smith stated that there is no more sunset clause under the Villages' current ordinance, so any structures would be grandfathered.

Discussion was held on the Powers of the Forest Preserve. Attorney Smith explained that the Forest Preserve in the Village are subject to its' zoning regulations, but we cannot frustrate their purpose and say no.

Chairman Krusinski requested that Item 13 on page 3 be expanded to be more forceful. After some discussion, he directed Attorney Smith to revise this section per the discussion.

Commissioner Miller asked for clarification of the approval process, fearing it may be too restrictive and Attorney Smith took the Commissioners thru the recommended application and approval process.

Commissioner Pickell questioned what would happen if the Federal Government wants to put a structure in open space and Attorney Smith explained that the Federal Government will prevail.

After brief deliberation, it was moved by Commissioner Leonard, seconded by Commissioner Meluso to approve a recommendation of an Open Space ordinance to the Village Board subject to the revisions agreed upon this evening.

Upon a call of the Roll, the following voted:

Aye: Commissioners Busscher, Hirsch, Leonard, Meluso, Miller, Pickell and Chairman Krusinski

Nay: None

Chairman Krusinski declared the motion carried.

It was then moved by Commissioner Leonard, seconded by Commissioner Hirsch to authorize the Chair to draft, sign and forward to the President and Board of Trustees a Report of the Zoning, Planning and Appeals Commission containing Findings of Fact and their Recommendation regarding Case No. 14-TA-1

Upon a call of the roll, the following voted:

Aye: Commissioners Busscher, Hirsch, Leonard, Meluso, Miller, Pickell and Chairman Krusinski

Nay: None

Chairman Krusinski declared the motion carried

- VI. COMMUNICATIONS: The Commissioners were informed that there will be a regular meeting on June 3, 2014 and Public Hearing regarding an application from Always Faithful Stables for a special use permit. Other upcoming applications were noted.
- VII. REVIEW OF REPORTS OF COMMISSION COMMITTEES: None Presented
- VIII. OLD BUSINESS: There is no old business to be discussed

With no further business to discuss, it was moved by Commissioner Hirsch, seconded by Commissioner Busscher that the meeting be adjourned.

With unanimous consent, Chairman Krusinski declared the motion carried and the meeting adjourned at 7:58 pm.

Cathy Nelson, Secretary