

**MINUTES OF THE MEETING OF THE ZONING PLANNING & APPEALS
COMMISSION OF THE VILLAGE OF METTAWA, LAKE COUNTY, ILLINOIS,
HELD AT THE HOUR OF 7:00 P.M. ON TUESDAY, MAY 3, 2016 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 7:00 PM.

II. ROLL CALL

Upon a Call of the Roll, the following persons were:

Present: Commissioners Bohm, Busscher, Meluso, Pickell and Chairman Krusinski

Absent: Commissioners Hirsch and Leonard

Chairman Krusinski declared a quorum present.

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

III. APPROVAL OF MINUTES:

It was moved by Commissioner Bohm, seconded by Commissioner Pickell to approve the minutes from the meeting of March 1, 2016.

Chairman Krusinski asked if the Village Engineer has made any progress in reviewing the impervious surface ratios of recent projects in the Village. Village Administrator Irvin reported that Anderson had reviewed about 15 properties and the information will be available soon to the ZPA members.

Upon a call of the roll the following voted:

Aye: Commissioners Bohm, Busscher, Meluso, Pickell and Chairman Krusinski

Nay: None

Absent: Commissioners Hirsch and Leonard

Chairman Krusinski declared the motion carried and placed the minutes on file.

IV. CALL OF CASES

- A. Consideration of a Request for Waiver of the Forty-Five (45) Day Waiting Period Rule Regarding the Application of Corporate Way, LLC for an Amendment to its Special Use at 14341 Riteway Road, Mettawa, Illinois

Chairman Krusinski reported that we have received a request from Corporate Way for the ZPA to waive its forty-five day waiting period on applications so that their application for an amendment to their recently approved special use could move forward with a proposed meeting on May 18th. Attorney Smith advised that the ZPA's internal rules require applications to be on file for at least 45 days before consideration by the Commission. Since the ZPA created the rule, it is able to waive

it if it so desires. He reported that the application we received is for the temporary use of the existing stable for horses and renovation of part of the stable for residential use for someone to live on site while the horses are present. Chairman Krusinski added that all of the property owners within 1000' feet of the property would be notified of the public hearing for this application. Attorney Smith advised that the notifications have been made as the applicant took the risk that the ZPA would approve the waiver.

It was moved by Commissioner Meluso, seconded by Commissioner Pickell to approve the Waiver of the Forty-Five (45) Day Waiting Period Rule Regarding the Application of Corporate Way, LLC for an Amendment to its Special Use at 14341 Riteway Road, Mettawa, Illinois.

Upon a call of the roll the following voted:

Aye: Commissioners Bohm, Busscher, Meluso, Pickell and Chairman Krusinski

Nay: None

Absent: Commissioners Hirsch and Leonard

Chairman Krusinski declared the motion carried.

B. Public Hearing: Case No. 16-TA-1 – Consideration of an Update to the Village of Mettawa Comprehensive Plan

1. Chairman Krusinski called the Public Hearing to order at 7:12 PM.

Upon a Call of the Roll, the following persons were:

Present: Commissioners Bohm, Busscher, Meluso, Pickell and Chairman Krusinski

Absent: Commissioners Hirsch and Leonard

Chairman Krusinski declared a quorum present.

Chairman Krusinski made opening remarks stating the expectations and functions of the Commission.

Chairman Krusinski stated for the record that notice of the hearing was published in the Daily Herald on April 11, 2016 as required by law. The Secretary has the newspaper certificate of publication, which is admitted as the Commission's Exhibit #1.

Chairman Krusinski asked if there is anyone in the audience who wished to file an appearance as an objector or who wishes to speak on this matter. There were no objectors or persons in the audience.

Chairman Krusinski asked presenters in attendance to stand and raise their right hand and state that they swear to tell the truth in the testimony they are about to give in

this manner. Village Administrator Irvin, Village Attorney Smith and Lee Brown of Teska, Associates agreed.

Village Administrator reported that the ZPA had held a workshop on March 1st to review suggested changes to the Comprehensive Plan, incorporating many aspects of the Village's strategic plan adopted in 2011. Several good changes were suggested by Commission members and they have been incorporated into the updated draft submitted to the Commission for tonight's meeting. The Village Attorney and Lee Brown did a nice job pulling together the various suggestions made at the March meeting.

Village Attorney Smith advised that the Village Board had approved a resolution which authorized the submission of the proposed amendments to the Comprehensive Plan to the ZPA. He requested that we introduce both the red-line changes to the Comprehensive Plan and the clean version document that were distributed to the Commission be admitted as group Exhibit #2. Chairman Krusinski agreed and entered them as Exhibit #2.

Lee Brown of Teska Associates, the Village's consultant on the Comprehensive Plan thanked the Commission for a very helpful workshop on the development of the changes to the Comprehensive Plan. He distributed a land use plan map that had been left out of the draft. He said the land use plan is in concert with the narrative in the document. He advised the changes to the plan are not radical ones, but an update and refreshing of the plan. Attorney Smith advised that the land use map shows the area 1.5 miles outside of the Village limits which reflects our planning area.

Commissioner Bohm asked if there was a legal requirement on how often the Comprehensive Plan was to be reviewed updated. Attorney Smith advised that there is no legal requirement. Mr. Brown advised that it is common for reviews to occur at 5 year intervals. Commissioner Bohm indicated that there were a few unincorporated areas on the land use map that had been annexed into the Village and some areas were now zoned open space. Administrator Irvin said that Teska had produced our most recent zoning map and it could be used for the basis of the land use map. Mr. Brown said they would make the needed corrections. Administrator Irvin also said that Hickory Lane should be added to the list of street names and the JAWA water resolution was extended to January 1, 2018.

Commissioner Bohm said there is a note regarding the existence of a Lake County Regional Greenway Plan. It has likely been replaced with the CMAP Northeast Illinois Greenway and Trail Plan as Lake County is part of the plan. Attorney Smith suggested that we change the reference to the successor plan. Commissioner Meluso mentioned the reference to scenic easements and trails on page 6 and asked if trails were part of scenic easements. Administrator Irvin advised that a separate easement would have to be obtained for a trail to be located in a scenic easement.

Commissioner Meluso suggested that we add opposition to the widening of Riverwoods Road to the list on page 49. After discussion, the consensus was to add

both Riverwoods and Everett Roads to the list.

Commissioner Bohm said on page 47 it refers to private on-site waste water treatment systems and asked if this should be in the document or is it a county function. Mr. Brown recommended that it remain in the document. Administrator Irvin said the Lake County Health Department handles most of the septic system issues, but we still had a permit process. He added that this section could be in the plan as there was a proposal for a piece of property adjacent to the Village several years ago that includes a sanitary spray irrigation system that the Village opposed.

Commissioner Bohm said on page 44 regarding discouraging development in forest preserves, there is no mention about obtaining conservation easements on Village owned property to protect Village property from future development. Chairman Krusinski suggested that we add designated Village owned open space in this section. Commissioner Bohm suggested that stronger language be considered beyond “discourage”. Commissioner Busscher asked if the Board could change their decisions on open lands at any time. Commissioner Bohm said that without conservation easements held by a third party, it could happen. Commissioner Pickell said that the plan is an overview and there is a plan to keep some properties in perpetuity and others that could be sold. Attorney Smith said that with the suggested change in language, if there was a proposed change in use or rezoning for the designated properties, we could point to this language in the plan. Chairman Krusinski agreed that this was a good addition. Commissioner Bohm said it would work for now, but his objective was to keep Whippoorwill, Oasis and 701 Riverwoods Road as open space and that conservation easements be used to protect them.

Commissioner Bohm asked if something should be added on page 48 regarding financial audits being kept current. Commissioner Meluso asked if there was a legal requirement of audits being completed. Attorney Smith stated that they are required and the Village is up to date with its annual audits.

Commissioner Bohm commended the efforts put into the document. Chairman Krusinski agreed and thanked everyone involved.

Chairman Krusinski asked if there were any more comments or testimony to be made in the public hearing on this matter. There were none.

Administrator Irvin stated that in addition to the published legal notice for tonight’s public hearing, a notice was placed in the Village newsletter and the draft Comprehensive Plan has been available on the Village website for about 3 weeks. We received no written comments.

Attorney Smith advised that after tonight’s meeting and the close of the public hearing, we have 30 days to submit a report to the Village Board. He said the

approximate nine changes made at tonight's meeting would be made to the document and sent to the Village Board for its consideration.

At 7:56 PM, Chairman Krusinski closed the public hearing.

C. Deliberation and Recommendation: Case No. 16-TA-1 – Action of Report to the Village President and Board of Trustees regarding an Update to the Village of Mettawa Comprehensive Plan

It was moved by Commissioner Bohm, seconded by Commissioner Pickell to recommend approval of the changes to the Comprehensive Plan as presented in Exhibit 2, as amended by the changes at tonight's meeting, be placed in a report and submitted to the Village Board for approval.

Upon a call of the roll the following voted:

Aye: Commissioners Bohm, Busscher, Meluso, Pickell and Chairman Krusinski

Nay: None

Absent: Commissioners Hirsch and Leonard

Chairman Krusinski declared the motion carried.

It was moved by Commissioner Bohm, seconded by Commissioner Busscher that the Chairman be authorized to draft, sign and forward to the President and Board of Trustees, the report of the Zoning, Planning and Appeals Commission containing findings of fact and our recommendation regarding this case.

Upon a call of the roll the following voted:

Aye: Commissioners Bohm, Busscher, Meluso, Pickell and Chairman Krusinski

Nay: None

Absent: Commissioners Hirsch and Leonard

Chairman Krusinski declared the motion carried.

V. **COMMUNICATIONS:** None

VI. **REVIEW OF REPORTS OF COMMISSION COMMITTEES:** None

VII. **OLD BUSINESS:** None

VIII. **NEW BUSINESS:**

Chairman Krusinski asked if we have received any new applications that will result in cases before the ZPA. Administrator Irvin said that we received an application from Always Faithful Stables a few days ago for an amendment to their special use permit. It includes an additional arena building and some changes in use. They are going to make an informal presentation to the Village Board on May 17th. The July ZPA meeting would be the earliest it could be reviewed by the Commission. Chairman Krusinski suggested that we consider moving the July meeting to the second week,

away from the holiday, if a meeting is needed.

IX. ADJOURNMENT

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

With unanimous consent, Chairman Krusinski declared the motion carried and the meeting adjourned at 8:06 PM.