

**Plan Commission
87 Galligan Road
Gilberts, IL 60136
Meeting Minutes
November 9, 2011**

APPROVED MINUTES

Call to Order

Chairman Hagen called the meeting to order at 7:02 p.m.

Roll Call/Establish Quorum

Roll call: Members present: Commissioners del Vecchio, Borgardt, Sullivan, Zoerhoff, Mills, Vice Chairperson Davidowski, and Chairman Hagen. Also present were Administrator Keller and Attorney Tappendorf. For members of the audience please see the attached list.

Not present were Commissioners Fatigato and McHone and Ex-Officio LeClercq.

Approval of Minutes

A motion was made by Commissioner Zoerhoff and seconded by Commissioner Sullivan to approve the minutes from July 13, 2011. Vote: 7-ayes (Commissioners del Vecchio, Borgardt, Sullivan, Zoerhoff, Mills, Vice Chairperson Davidowski, and Chairman Hagen. 0-nays. 0-abstain. Motion carried.

A motion was made by Commissioner Sullivan and seconded by Commissioner Zoerhoff to approve the minutes from October 26, 2011. Vote: 6-ayes (Commissioners del Vecchio, Sullivan, Zoerhoff, Mills, Vice Chairperson Davidowski, and Chairman Hagen. 0-nays. 1-abstain (Commissioner Borgardt). Motion carried.

New Business

Worksession: Unified Development (Zoning) Ordinance

Attorney Tappendorf informed the Plan Commission members that they would only be discussing Chapter 11 of the Unified Development Ordinance. This was the starting point because Chapter 11 is the procedural backbone for the development process. Attorney Tappendorf met with staff twice to go over changes that were made to Chapter 11.

She went on to explain the memorandum dated November 3, 2011. The Village Administrator would serve as the Zoning Administrator.

Next a discussion continued on the benefits of combining the Plan Commission and the Zoning Board of Appeals. It may be difficult to fill the spots on two separate boards. Attorney Tappendorf added that combining of the boards has been successful in other communities. This would be a Village Board decision, but the Plan Commission members' feedback was wanted. Taking over the ZBA's role would not be a problem for the members. However, they would like some training, which Attorney Tappendorf informed them would be available. Attorney Tappendorf went on to explain how the members would be reduced to seven.

Attorney Tappendorf proceeded to go over Chapter 11 Zoning Administration and Enforcement (Draft 11/3/11).

9-11-1 defines the powers the Zoning Administrator has. She went on to explain the organization of the ZBA as well as the Plan Commission. A discussion ensued regarding "conflicts" on page 5. Next, Attorney Tappendorf continued to explain the jurisdiction and authority of the Plan Commissioners.

9-11-4 was then explained. The Administrative Application Policy references the policy staff will put together. It will not be included in the UDO. All fees will be consolidated into one section.

Attorney Tappendorf went on to explain 9-11-5, Notice. In regards to personal notice, currently the Village requires that when a petition is filed pertaining to a residential matter, a mail notice has to go out to everyone within a 250' radius. Those pertaining to a non-residential matter put up a sign informing of the public notice. Staff recommend that the policy be changed, and all petitioners (residential, commercial, and industrial) send out a mailing. This letter would not have to be certified. Village staff could help with the mailing notice. The Zoning Administrator would let the petitioner know whether a posted sign would be required.

During the discussion of 9-11-6 Chairman Hagen inquired whether an applicant could ask for a continuance. The response was yes. Testimony was discussed next. As decision makers, the Plan Commissioners decide how much weight to put to the testimony they hear.

Next, Part Three, Forms of Relief was explained. A discussion ensued regarding the comprehensive plan. Administrator Keller is looking for grant money, so the Village can update the comprehensive plan.

Commissioner Zoerhoff questioned number 4, Action by Board of Trustees; Protest. Village owned property was discussed.

Only the Village Board can revoke a Special Use Permit. All the relief the Village grants in a special use goes toward the property. In some cases, it may go to a specific user as well. Variances are always given to the building or the land.

9-11-12, Planned Unit Development was changed into a 2-step process. Attorney Tappendorf explained the differences between major and minor changes and what constitutes holding another public hearing.

Attorney Tappendorf went on to explain 9-11-13. A subdivision is dividing property into lots.

9-11-17, General Enforcement Authority was then explained.

Old Business

The public hearing held at the October 26, 2011 Plan Commission meeting was briefly discussed. Another public hearing regarding the matter will be held before the Village Board.

Neumann and Tyler Creek Properties were then discussed. Administrator Keller explained some benefits to the Village in regard to viewing a potential development even if that development wouldn't be built for a while.

Communications

The next Plan Commission meeting will be held on December 7, 2011.

Adjournment

There being no further business to discuss, a motion was made by Commissioner Zoerhoff and seconded by Commissioner Borgardt to adjourn from the meeting at 9:13 p.m. Unanimous Voice Vote: all ayes. Motion carried.

Respectfully submitted,
Karen Danca, Recording Secretary