



McHenry County
Planning, Environment & Development - Public
Meeting
MINUTES

April 1, 2025, 9:30 AM
County Board Conference Room
Administration Building, 667 Ware Rd., Woodstock, IL 60098

Members Present: Larry Smith, Carolyn Campbell, Joseph Gottemoller, Carl Kamienski, Jim Kearns, Deena Krieger, Paul Thomas

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1. **CALL TO ORDER**

Meeting called to order at: 8:30 A.M.

Also present: Peter Austin, County Administrator; Scott Hartman, Deputy County Administrator; Adam Wallen, Director of Planning and Development; Renee Hanlon, Deputy Director of Planning and Development; Stoyan Kolev, Water Resources Manager; Alicia Schueller, Director of Public Affairs; Alex Wall, County Admin Intern; Norman Vinton, Chief, Civil Division/State's Attorney; Laura Scarry, Assistant State's Attorney; Patrick Sullivan, County Board Member; Mike Von Bergen.

Mover: Gottemoller

Second: Kamienski

To allow the remote attendance of Jim Kearns.

Aye (6): Smith, Campbell, Gottemoller, Kamienski, Krieger, and Thomas

Abstain (1): Kearns

Recommended (6 to 0)

2. **MINUTES APPROVAL**

Mover: Campbell

Second: Gottemoller

Approve previous minutes from the March 4, 2025 meeting.

Aye (7): Smith, Campbell, Gottemoller, Kamienski, Kearns, Krieger, and Thomas

2.1 Planning, Environment & Development - Public Meeting - Mar 4, 2025 8:30 A.M.

3. PUBLIC COMMENT

Mike VonBergen, regarding the Drainage District.

4. MEMBERS' COMMENTS

Chair Larry Smith mentioned he wasn't feeling well but was doing his best to get through it. He added that he's never had a job where calling in sick was an option, so he chose to proceed with the meeting.

5. NEW BUSINESS

5.1 8:30 - David Brzica - Greenwood Drainage District

5.2 8:40 - Christopher Leone - Greenwood Drainage District

After the interview of Mr. Leone, Chair Smith moved forward to item 6.1.

5.3 Deliberation and Selection for the Greenwood Drainage District

After the Deliberation and Selection for the Greenwood Drainage District, Chair Smith moved forward to item 7.1.

Mover: Gottemoller

Second: Campbell

To recommend the appointment of David Brzica to the County Board Chairman for the Greenwood Drainage District with a term to expire September 1, 2025.

Aye (7): Smith, Campbell, Gottemoller, Kamienski, Kearns, Krieger, and Thomas

Recommended (7 to 0)

6. PRESENTATION

6.1 Film Permit Framework

Alex Wall, County Administration Intern, joined the committee for the presentation.

Mr. Wall presented a proposed three-tiered framework for film permitting. Level One would apply to productions taking place exclusively on private property. These permits would require no fees, anticipate minimal disruption, and be issued for documentation purposes only. Level Two would involve the use of County property and may result in some traffic or location disruptions. A fee of \$300 per day, per location would apply. Level Three would cover productions expected to cause major disruptions to the surrounding area, with a fee of \$500 per day, per location. This level could also require approval from the County Board, depending on the scope of impact.

General restrictions under the proposed framework include allowable filming hours of 7:00 AM to 10:00 PM, Monday through Saturday, and 7:00 AM to 5:00 PM on Sundays. Time extensions may be granted with prior approval. Insurance coverage would be mandatory for all productions, and permit applications would be required to include a special requirements checklist.

During discussion, members raised concerns regarding potential noise disruptions and noted the importance of flexibility for film production lighting. There was interest in allowing extended hours when

supported by a majority of nearby residents. The County Administrator would have discretion in reviewing and approving permit applications.

Next steps include collaborating with the State's Attorney's Office, meeting with a recent film production company to obtain feedback, and refining the permit language—particularly with regard to time restrictions. The committee expressed general support for the proposed framework and recommended that the time restrictions be made more flexible to better accommodate film production needs.

6.2 Zoning 101

Norman Vinton, Chief, Civil Division/State's Attorney, and Member Gottemoller, joined the committee for the presentation.

Mr. Gottemoller and Mr. Vinton provided an overview of key zoning components to equip board members with the tools needed to make informed zoning decisions. They began by reviewing the LaSalle Factors, which are the standards used to evaluate zoning change requests. These include the extent to which property values may be affected, the promotion of public health, safety, and welfare, the gain to the public compared to the hardship imposed on the applicant, and the compatibility of the request with existing zoning and surrounding properties.

The presenters outlined the types of zoning requests, which include map amendments, text amendments, conditional uses, and variations. They emphasized that staff always includes applicable standards in petition documents, and that zoning board members or hearing officers are responsible for making recommendations based on a clear understanding of the specific request.

A brief background on County zoning was also provided. County zoning originated in 1935, and currently, 58 counties in Illinois have zoning ordinances in place. A primary goal of these ordinances is to protect agricultural land. However, counties cannot regulate agricultural uses on parcels smaller than five acres.

Regarding the Zoning Board of Appeals, it was noted that board members must reside in separate townships, and counties with populations under one million are allowed to appoint two additional members. The board conducts public hearings and submits recommendations on zoning matters.

Legal considerations were also discussed. Zoning decisions are subject to de novo judicial review, meaning the court can re-evaluate the matter from the beginning. For a court to overturn a zoning decision, there must be "clear and convincing evidence." There is also a 90-day statute of limitations for filing legal challenges to zoning decisions.

Lastly, special cases were addressed. Group homes are protected under the Federal Fair Housing Act, and religious organizations receive heightened protections in zoning matters under federal law.

The presentation concluded with the goal of helping board members feel confident and well-informed in their decision-making regarding zoning petitions.

After the presentation, Chair Smith moved back up to item 5.3.

7. ROUTINE CONSENT AGENDA

7.1 Resolution Authorizing Execution of a Stormwater Management Conservation Easement In Lieu of Stormwater Storage for Permit J-9927 at 2719 Paulson Road, Harvard, IL, Hartland Township (10)

Stoyan Kolev, Water Resources Manager, joined the committee to discuss the resolution.

Mr. Kolev presented a request for an exemption to the County's stormwater ordinance related to a property that already has an existing detention basin. The original permit for the property included the detention basin and two indoor riding arenas. The developers are now proposing the addition of outdoor riding areas.

The outdoor riding area would be constructed with gravel and limestone, covering approximately half an acre. The property has an existing culvert on Paulson Road, and the detention basin in place is designed to manage water runoff from the property. Mr. Kolev reviewed several technical considerations, including the assessment of impervious surfaces, water infiltration potential, and the impact on downstream infrastructure. It was confirmed that the existing detention basin would continue to manage water flow effectively.

During the discussion, committee members raised several questions. Mr. Kearns inquired about the composition of the outdoor riding area, while Ms. Campbell asked about drainage concerns and whether a conservation easement would be involved. Mr. Kolev responded that most of the water runoff would continue to be routed through the existing detention basin, addressing the concerns raised.

Mr. Kolev recommended moving forward with the exemption, noting that the property owners were comfortable with the proposed arrangement and that there was minimal risk to downstream infrastructure.

Mover: Thomas

Second: Kamienski

To approve a resolution authorizing the County Board Chairman to execute a conservation easement in lieu of stormwater storage as part of Permit J-9927 on the property at 2719 Paulson Road, Harvard, IL in Hartland Township as provided in the Stormwater Management Ordinance.

Aye (7): Smith, Campbell, Gottemoller, Kamienski, Kearns, Krieger, and Thomas

Recommended (7 to 0)

8. OLD BUSINESS

None.

9. REPORTS

9.1 ZBA and Hearing Officer Reports

9.1.a Zoning Applications going before the County Board on April 15, 2025

Renee Hanlon, Deputy Director of Planning and Development, joined the committee for the report.

Ms. Hanlon provided an overview of four zoning petitions scheduled for consideration in April. Three of the petitions are relatively routine: a proposal for a solar farm, a variation request, and a renewal for a landscaping business with outdoor storage. The landscaping business has operated without any controversy, and the renewal is expected to proceed smoothly.

The fourth petition, submitted by the Guzman family, is slightly more complex. It involves a single-family home located in an R-1 residential neighborhood in unincorporated McHenry, situated on a waterfront property. The home is newly constructed by the family, who currently use the property as a short-term rental through Airbnb. However, they wish to rent the home more frequently than is permitted under the current ordinance. To do so, they are seeking a conditional use permit.

There was some neighborhood opposition to the petition, but the Zoning Board of Appeals (ZBA) ultimately issued a unanimous 7-0 recommendation in favor of approval. Ms. Hanlon noted that many ZBA members felt the applicants should be supported for attempting to follow the proper procedures, especially given that other similar uses in the area often occur without permits.

If approved, the conditional use would allow the property to be rented on Airbnb as often as desired, including potentially every night of the year. Ms. Hanlon concluded her report by noting that, while the

petition is recommended for approval, the committee should expect to hear some public opposition during the hearing.

9.2 2050 Comprehensive Plan Update

Adam Wallen, Director of Planning and Development, joined the committee to discuss the report.

Mr. Wallen provided an update on the 2050 Comprehensive Plan. He noted that a meeting with Houseal Lavigne is scheduled for the following day to finalize the overall schedule. A key milestone is the confirmation of a presentation to the full County Board on May 15, during which the consultants will provide a detailed overview of the draft plan.

Leading up to the May 15 presentation, a redlined version of the plan will be made available to board members. The presentation will introduce the plan's contents, covering each chapter at a high level. After the initial presentation, the County Board will have time to review the document before it returns to the committee for further discussion and refinement at its June meeting. Mr. Wallen noted that some revisions are expected and will be clearly identified in the redlined document.

He emphasized the legal importance of the Comprehensive Plan, noting that without an adopted plan, the County would not have the authority to implement a zoning ordinance. The Comprehensive Plan serves as the foundation for zoning and land use decisions.

Mr. Wallen expressed enthusiasm for the updated plan, highlighting its expanded focus on land use, green infrastructure, and smart development principles. He noted that this is a significant upgrade from the current 2030 plan and will bring a fresh perspective to planning efforts in the County.

He concluded the update by recognizing Ms. Renee Hanlon, whose last day with the County is tomorrow. She has accepted a position as Director of Planning for the City of Lake Geneva. Mr. Wallen commended Ms. Hanlon for her instrumental role in coordinating the 2050 Comprehensive Plan process, noting that she did an outstanding job and will be greatly missed.

9.3 Spongey Moth Update

Scott Hartman, Deputy County Administrator, joined the committee for the report.

He noted that moth season was approaching, and the committee, citizen scientists, and the public were asked to watch for spongy moth egg masses. He mentioned sending a message with more details to the citizen scientists, which the committee was copied on. There was also an article in *MC Thrive* on identifying and removing egg masses.

Removing egg masses now could prevent hundreds or thousands of moths from hatching and defoliating trees. Hatching typically occurred from late April to May, and the caterpillars grew rapidly, feeding on over 300 tree species, mainly oaks and hardwoods. Removing egg masses early not only prevented damage but helped curb the breeding cycle. A video on safe removal was included in their outreach materials.

For the past two years, McHenry County had been in a spongy moth outbreak, starting after residents raised concerns with the County Board. The Board took action, and Mr. Hartman became involved in the response.

McHenry County was now considered "infested," meaning eradication wasn't feasible, and efforts shifted to slowing the spread. Historically, these outbreaks followed a pattern of population explosions followed by natural crashes, as seen in McHenry County from 2009 to 2011. They hoped the same would happen after the recent outbreaks.

Over the past two years, they had monitored moth populations through trapping. Trapping didn't reduce the population but helped collect data, which identified hotspot areas. Looking ahead to 2025, they planned to continue trapping, work with trained citizen scientists, and compare 2024 and 2025 data.

They were hopeful for two natural population controls: a population crash and the resurgence of a soil fungus, *Entomophaga maimaiga*, which was lethal to moth caterpillars and thrived in warm, wet springs.

Mr. Hartman explained that if state support was limited, they might need to purchase additional lures and insecticide strips at a cost of \$500–\$700, noting that many traps were reusable, helping keep costs low.

He recalled property owners in Bull Valley and Marengo raised concerns about tree loss and defoliation, leading to discussions about whether public dollars should be used for mitigation on private property. The County Board decided to respond with monitoring and data collection rather than direct intervention.

This approach, Mr. Hartman said, demonstrated responsive government. The county listened, engaged, and continued monitoring despite disagreements on spraying.

He recommended continuing the low-cost, high-value trapping and monitoring program in 2025 to collect critical data, assess population decline, and guide future decisions.

10. FUTURE TOPICS

None.

11. EXECUTIVE SESSION (AS NECESSARY)

None.

12. ADJOURNMENT

Mover: Gottemoller

Second: Thomas

To adjourn the meeting at 10:02 A.M. -TCCazares

Aye (7): Smith, Campbell, Gottemoller, Kamienski, Kearns, Krieger, and Thomas

Recommended (7 to 0)