



McHenry County
Planning, Environment & Development - Public
Meeting
MINUTES

August 5, 2025, 8:30 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; Laura Scarry, SAO Chief of Civil Division; Kevin Chrzanowski, Assistant State's Attorney; Stoyan Kolev, Water Resource Manager.

2. MINUTES APPROVAL

Mover: Kamienski

Second: Gottemoller

Approve previous minutes from the June 3, 2025 meeting.

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

Absent (1): Kearns

Recommended (6 to 0)

2.1 Planning, Environment & Development - Public Meeting - Jun 3, 2025 8:30 A.M.

3. PUBLIC COMMENT

Mr. Kearns arrives at 8:34 A.M.

Mary McCann, regarding zoning

4. MEMBERS' COMMENTS

Jim Kearns raised an issue occurring in his district that he believed warranted consideration for a future ordinance change. He explained that near the school district property in his area, individuals had been shooting firearms adjacent to the property. He emphasized that, while he supported gun rights, this situation presented a safety concern that could become a serious problem if not addressed.

He stated that the matter might require an ordinance change specific to properties located next to school district property. He noted that such a proposal would need review by the State's Attorney's Office to determine what could legally be implemented, as the sheriff currently had limited authority to address the issue.

He warned that the situation could escalate, especially if someone were to get hurt, and urged the committee to consider proactive measures. He proposed banning firearm use within 1,000 feet of a home or school district property. He clarified that the intent was not to restrict self-defense but rather to prevent target shooting near sensitive areas such as schools. He stressed that this issue was very important to residents in his district.

The committee agreed that the matter could be placed on a future agenda and referred to the State's Attorney's Office for review.

5. NEW BUSINESS

5.1 8:30 - Michael Von Bergen - Hebron Drainage District

5.2 8:40 - Kurt Schnable - Zoning Board of Appeals (Regular Member)

5.3 Deliberation and Selection for the Hebron Drainage District

Mover: Gottemoller

Second: Campbell

To recommend the appointment of Michael Von Bergen to the County Board Chairman for the Hebron Drainage District with a term to expire on September 1, 2028.

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

Recommended (7 to 0)

5.4 Deliberation and Selection for the Zoning Board of Appeals Regular Member

Mover: Kearns

Second: Kamienski

To recommend the appointment of Kurt Schnable to the County Board Chairman as a Regular Member of the Zoning Board of Appeals with a term to expire on September 1, 2030.

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

Recommended (7 to 0)

6. DISCUSSION

6.1 Discussion and Direction

Scott Hartman, Deputy County Administrator; Laura Scarry, Chief of Civil Division; Kevin Chrzanowski, Assistant State's Attorney; and Adam Wallen, Director of Planning and Development, joined the committee for the discussion.

County staff had been working on this initiative with the intent to make filming in the county both welcome and accommodating, while also ensuring proper oversight of impacts on public resources and private

property. The process was designed to allow both small-scale and large-scale productions to be approved administratively and efficiently, while still maintaining appropriate guardrails.

Staff explained that Alex Wall, the administrative intern who had been leading the project, was studying abroad and could not attend, though he had been instrumental in the development. The process to date, included presenting the draft to the committee for initial direction, sending it to production companies—including several in California—for feedback, and receiving strong support from the industry. The next step was legal review. The State's Attorney's Office reviewed the proposal and recommended that the county reconsider how it should be structured legally, raising potential issues. Out of deference to that advice, the process was paused so the committee could hear directly from the State's Attorney's Office before providing further direction.

Representatives from the State's Attorney's Office explained that they had issued a memo outlining their concerns, but they could not disclose details in the meeting without waiving attorney-client privilege. They confirmed the committee had the memo for review.

Committee members discussed the differences between a zoning change and a permit process. Several members stressed that filming does not permanently alter a property and, therefore, should not be treated as a zoning change, which can take 160 days to process. They emphasized that such delays would deter film companies from coming to the county. Instead, they favored a streamlined permit process, similar to temporary permits already issued for fairs, farmers' markets, or other short-term events. They cited examples of other productions, such as *Groundhog Day* in Crystal Lake and *Grandview U.S.A.* in Pontiac, noting that films can have long-lasting positive impacts on communities when permitted efficiently.

Staff clarified that the proposed permit system would operate under a tiered approach. A small, short-term production could be approved administratively; a mid-sized production would require additional review; and a large-scale production could be referred to the County Board for approval, with opportunities for public comment. The intent was to balance flexibility for the industry with safeguards for the community. Issues such as duration, nighttime filming, impact on surrounding properties, and use of public resources would be reviewed as part of the permitting process. Staff also confirmed that production companies typically approach neighboring property owners in advance and secure agreements before submitting applications.

Committee members expressed concern about timeliness, noting that a rigid zoning process would prevent most filming from occurring in the county. They discussed challenges related to noise, overnight filming, and neighborhood impacts, but agreed these could be addressed through the permitting process with neighbor input and departmental reviews by stakeholders such as the sheriff, EMA, and the health department.

Members also questioned whether it was necessary for the ZBA to be involved at all if a permit process could accomplish the same oversight more efficiently. Staff reiterated that the intent had been to remove filming from the UDO altogether and instead regulate it by ordinance through the permit process. However, they acknowledged that the State's Attorney's Office had raised legal concerns, particularly around due process and public comment.

Some members requested that the State's Attorney's Office provide clarification in writing to address the committee's concerns and better align legal interpretations with the county's goals. They stressed that they wanted a workable solution that supported the film industry while protecting community interests.

In conclusion, the committee agreed to pause the process until further clarification was provided by the State's Attorney's Office. Members emphasized that they wanted a streamlined process that would encourage film productions in the county without unnecessary delays, but they also recognized the need to resolve outstanding legal concerns before moving forward.

Adam Wallen, Director of Planning and Development, joined the committee for the discussion.

Mr. Wallen presented the report, noting that this would be a brief update. He stated that revisions had been received following the public comment period and one week after the County Board comment period. He reported that approximately six major revisions were submitted back for review, with the most significant relating to the density concept. He explained that this point was addressed before circulating the updated draft to the committee and the County Board.

Mr. Wallen stated that the revised draft expanded on concepts of future development and how the county might absorb projected growth if CMAP forecasts were realized. He explained that multiple models were run based on population projections over the next 20–25 years, but the initial results were ambiguous and overstated what currently occurred in the unincorporated county. He noted that the revisions clarified the distinction between municipal and unincorporated growth. He further stated that the new draft better aligned with reality by outlining densities in municipalities, where growth was being directed, versus unincorporated areas. He reported that additional guidelines and standards were included and that the revised draft added four to five pages, most of which addressed this topic. He stated that the changes included maps, charts, and expanded explanations. He concluded that the plan would be presented to the committee the following month for potential adoption.

Committee members asked if copies would be distributed. Mr. Wallen confirmed that both paper and digital versions would be made available, noting that the document totaled 201 pages. He further stated that this would likely be the last month that hard copies would be printed, as the plan would primarily exist in a digital format moving forward.

A question was raised about what would happen if the County Board approved the plan. Mr. Wallen explained that in the short term, nothing immediate would occur. However, in the long term, once the current plan expired, the new comprehensive plan would become critical. He stated that a land use plan was necessary to substantiate and support a zoning ordinance, and that the comprehensive plan established the foundation for the Unified Development Ordinance (UDO). He emphasized that it served as a policy statement from the Board on where residential, industrial, or other development should be located, thereby guiding zoning decisions on a case-by-case basis. He stressed that the plan would have a significant long-term impact.

Committee members noted that there were still several years remaining under the current plan. Mr. Wallen clarified that without a comprehensive plan, the county could not legally sustain its zoning ordinance. He stated that while a lawsuit challenging zoning might take two years to materialize, the absence of a plan would place the county in a vulnerable position. He warned that this could open the door to undesirable uses, such as landfills, because the county would lack the legal authority to stop them. He added that land use attorneys would quickly recognize this vulnerability.

Committee members emphasized that the plan represented several years of work and significant effort. They acknowledged the importance of the comprehensive plan as a foundation for long-term zoning and land use decisions and recognized that substantial time and energy had been invested into its development.

7. ROUTINE CONSENT AGENDA

- 7.1 Resolution Authorizing an Intergovernmental Agreement with the Northern Illinois Land Bank Authority to Represent McHenry County for Acquisition of Abandoned Properties (10)

Mover: Kearns

Second: Gottemoller

Adopt a resolution authorizing the McHenry County Board Chairman to execute an intergovernmental agreement (IGA) that will allow the Northern Illinois Land Bank to represent the County for Acquisition of Abandoned Properties.

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

Recommended (7 to 0)

7.2 Resolution Granting a Waiver of Partial Application Fee for Map Amendment (O'Toole) (10)

Mover: Gottemoller

Second: Kamienski

Consider the attached Resolution authorizing the waiver of partial application fees in the amount of \$625.00 for Maegan O'Toole for a Map Amendment.

Aye (3): Gottemoller, Kamienski, and Kearns

Nay (4): Smith, Campbell, Krieger, and Thomas

Not Recommended (3 to 4)

7.3 Resolution Authorizing the Professional Services and Appropriate Funds to Establish Watershed-Based Plan Request for Qualifications (10)

Mover: Kearns

Second: Kamienski

To approve the professional services and fund appropriation to engage with Baxter and Woodman to provide services necessary to define a Watershed-Based Plan request for qualifications

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 County Board on August 19, 2025

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

The committee discussed several items related to the Zoning Board of Appeals (ZBA). A member asked for clarification regarding item 9.1A, the denial of D Land Construction LLC.

Mr. Wallen explained that this application involved three parcels with different zoning designations. Two of the parcels were zoned B3, while one was zoned A1. The applicant was seeking a rezoning to I1. He highlighted this case because it was recommended for denial and noted that the transcripts of the public hearing provided important details for review. He further explained that this rezoning request was considered controversial and advised committee members to review the materials closely.

Mr. Wallen then noted other ZBA cases, most of which were considered straightforward. These included a solar project, several variations for garages, and a setback request for a boathouse on a small sliver lot.

He also discussed a text amendment related to the Bayview Beach zoning overlay district. This amendment involved regulations for docks along a small channel. While the proposal had been presented previously, the ZBA recommended approval with a modification. Specifically, the ZBA added a condition requiring that parcels with or without docks must be owned by individuals within the Bayview Beach subdivision, rather than allowing ownership outside the subdivision.

Mr. Wallen concluded by encouraging committee members to review the transcripts and materials in detail, noting that the ZBA actions provided significant context for upcoming deliberations.

10. FUTURE TOPICS

None.

11. EXECUTIVE SESSION (AS NECESSARY)

None.

12. ADJOURNMENT

Mover: Gottemoller

Second: Kamienski

To adjourn the meeting at 10:11 A.M. -TCCazares

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

Recommended (7 to 0)