



McHenry County
Planning, Environment & Development - Public Meeting
MINUTES

April 7, 2026, 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: Scott Hartman, County Administrator; Alicia Schueller, Deputy County Administrator; Adam Wallen, Director of P&D; Cindy Magee, Deputy Director of P&D; Alex Wall, County Admin Intern; Stoyan Kolev, Water Resource Manager; Kim Scharlow, P&D Planner; Private Citizen Ed Collins.

Mover: Kamienski
Second: Campbell

To allow the remote attendance of Mr. Gottemoller for family medical reasons.

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

Abstain (1): Gottemoller

Recommended (6 to 0)

2. MINUTES APPROVAL

Mover: Kamienski
Second: Thomas

Approve previous minutes from the March 3, 2026 meeting.

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

Recommended (7 to 0)

2.1 Planning, Environment & Development - Public Meeting - Mar 3, 2026 8:30 A.M.

3. PUBLIC COMMENT

Dean Frite, of Wonder Lake IL, regarding TUP Application

4. MEMBERS' COMMENTS

None.

5. NEW BUSINESS

None.

6. PRESENTATION

None.

7. ROUTINE CONSENT AGENDA

- 7.1 Resolution Authorizing Execution of a Stormwater Management Conservation Easement In lieu of Stormwater Storage for Permit SW-26-009 at 14814, IL RT 176, Woodstock, IL 60098 Seneca Township (10)

Pulled for discussion by Ms. Campbell.

Adam Wallen, Director of Planning and Development, and Stoyan Kolev, Water Resource Manager, joined the committee to discuss the resolution.

Ms. Campbell requested an overview of the item, and Mr. Wallen provided initial background information regarding All Seasons Orchard, located along Route 176. He explained that the property operates as an agritourism farm and had recently changed ownership. The new owner inherited an existing violation related to prior site modifications and sought to make additional changes aligned with their operational vision.

Mr. Kolev provided the primary explanation of the proposed updates. He stated that the previous owner had already placed an easement on the property, and the current request represents an update to that easement based on the new owner's proposed site improvements. He described the site conditions, noting that a significant portion of the property drains toward a central low area, with an existing pond near the right-of-way that also contributes flow to that location.

Mr. Kolev explained that the new owner proposed installing a detention basin to better manage stormwater in areas that had previously become too wet for agritourism activities. He noted that the owner had historically pumped water from wet areas and allowed it to drain into adjacent fields. The proposed basin would provide more controlled water management. As a result of these changes, the easement boundaries required modification, prompting the updated exhibit presented to the Committee.

He further clarified that the previous easement configuration was more complex, consisting of large blocks with internal calculations to ensure compliance with impervious surface limits. The revised exhibit more clearly delineates impervious areas and simplifies the associated calculations. He noted that the proposed detention basin shown on the updated exhibit reflects the new design and would still direct water to the same general drainage area, but with improved control.

In response to Ms. Campbell's questions, Mr. Kolev confirmed that the exhibit labeled as "proposed detention" reflects the new owner's plan, while the second exhibit represents the previously recorded easement. He stated that the revisions are consistent with the new ownership's intended use of the property.

Mover: Campbell

Secunder: Thomas

To approve a resolution authorizing the County Board Chairman to execute a conservation easement in lieu of stormwater storage as part of Permit SW-26-009 on the property located at 14814, IL RT 176, Woodstock, IL 60098, in Seneca Township, as provided in the Stormwater Management Ordinance.

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

Recommended (7 to 0)

7.2 Ordinance Adopting the Fee Schedule for the Department of Planning and Development (10)

Pulled for discussion by Mr. Kearns.

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

Mr. Wallen explained that the 2015 update transitioned the County away from a per-square-foot fee structure to a flat-fee model to improve clarity, predictability, and ease of use for applicants. He stated that this approach had been successful for both staff and applicants. However, since that time, fees had not been revisited despite rising operational costs, increased staff salaries, and significant process changes, including the transition from paper-based to digital permitting systems.

He reported that permit activity has steadily increased over the past decade, even through economic fluctuations, which is a positive trend. However, he noted that Planning and Development remains significantly subsidized by the County's general fund. Based on a five-year average, there is an approximate \$693,000 gap between revenues and expenditures, with annual expenses around \$1.5 million and revenues around \$800,000. Mr. Wallen stated that this imbalance prompted the need to revisit the fee structure during the prior budget cycle.

Mr. Wallen outlined two proposed models. Model One reflects approximately a 30% increase to align fees with current salaries and operational costs, while Model Two reflects a higher-cost scenario based on top-of-grade salaries for all staff, resulting in approximately a 65% increase. He indicated that Model One was intended to bring fees more in line with actual costs while still maintaining some level of County subsidy, whereas Model Two represents a theoretical upper range.

He explained that staff conducted a detailed, six-month analysis of all permit processes, mapping each step and assigning time and cost values based on staff involvement. This included evaluating zoning, building, and stormwater permits, as well as incorporating hard costs such as software systems, including SmartGov and Bluebeam, which together average approximately \$42 per permit.

Mr. Wallen highlighted that zoning fees were one area where current fees significantly underrepresent actual staff time and costs. For example, certain processes, such as incident action plans for large temporary events, require coordination across multiple departments but currently have no associated fee. He also noted that Zoning Board of Appeals hearing costs, including per diem payments, were not previously captured in fees and now amount to approximately \$920 per meeting.

In response to Mr. Kearns' questions regarding solar and stormwater fees, Mr. Wallen explained that solar developments are currently categorized under major development for stormwater permits. He noted that state law caps zoning and building permit fees for energy facilities, including solar, but he was not aware of a similar cap for stormwater permits. He stated that staff would consult with the State's Attorney regarding whether stormwater fees for solar and battery storage projects could be separated and potentially increased.

Mr. Kearns also inquired about residential alteration fees, noting a significant proposed increase. Mr. Wallen acknowledged that residential alterations are among the most time-intensive permit types due to incomplete applications and the need for extensive staff assistance. He explained that while these fees are proposed to increase, staff recognizes the need to balance cost recovery with maintaining

accessibility and encouraging compliance. Committee members expressed concern that excessive increases could discourage applicants from obtaining permits.

Discussion also addressed temporary use permits and incident action plans. Mr. Wallen explained that incident action plans are required for events exceeding 500 attendees and involve coordination with multiple agencies, yet currently have no fee. Committee members discussed whether higher fees could help offset costs and improve compliance, though concerns were raised that excessive fees could lead to avoidance or enforcement challenges.

Mr. Kearns raised questions regarding fee consistency across categories, including mining and large-scale developments, as well as the elimination of acreage-based fees. Mr. Wallen explained that moving to flat fees simplifies administration and avoids complications seen in past cases, such as unusually large properties resulting in disproportionately high fees.

Mr. Wallen reported that Model One would increase projected annual revenue to approximately \$1.15–\$1.2 million, narrowing but not eliminating the gap between revenues and expenditures. He emphasized that staff recommends Model One as a starting point, with the possibility of revisiting fees every two years to adjust for staffing, workload, and market conditions.

Committee members discussed the need to refine certain fee categories, including residential alterations, incident action plans, and potential adjustments for solar and stormwater permits. It was also suggested that future projections be provided to understand long-term financial impacts.

Following discussion, the Committee agreed that additional refinement was needed before moving forward. A motion was made and seconded to table the item and bring it back at the next meeting with revisions based on Committee feedback. Mr. Wallen was requested to return with a single refined model based on Model One, incorporating suggested adjustments, along with comparative data and projections.

Mover: Kearns

Secunder: Thomas

To *discuss* the attached ordinance adopting the fee schedule for the Department of Planning and Development.

Mover: Campbell

Secunder: Krieger

To *table* the attached ordinance adopting the fee schedule for the Department of Planning and Development to the May 5, 2026, Planning, Environment & Development meeting.

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

Recommended (7 to 0)

8. OLD BUSINESS

None.

9. DISCUSSION

9.1 Proposed Amendments to the Unified Development Ordinance

Adam Wallen, Director of Planning and Development, and Kim Scharlow, P&D Planner, joined the committee for the discussion.

Mr. Wallen and Ms. Scharlow presented proposed amendments to the Unified Development Ordinance, primarily to comply with a new State public act requiring updates within 120 days of enactment in June. Mr. Wallen noted that staff began this process early to ensure timely compliance and anticipated

implementation by June or July, with additional amendments to follow later. He stated that the State's Attorney's Office was currently reviewing the draft, though formal approval had not yet been received.

Ms. Scharlow explained that, in addition to State-required changes—particularly new definitions and standards for energy storage systems—the amendments included clerical corrections and minor policy updates. These included allowing off-site service businesses as a conditional use in the A-1 Agricultural District while removing that use from B-1 and B-2 districts, as well as cleaning up outdated or inconsistent language, such as removing “services” from heavy retail classifications. She noted that staff would verify a potential inconsistency in the use table.

She also described an amendment to incorporate a previously unrecognized subdivision into the Bayview Beach overlay district following a recent application. Additional updates included replacing the term “solid fence” with “privacy fence” throughout the ordinance for consistency, defined as less than 50% open.

Committee discussion included questions regarding setbacks, road use agreements, and fees related to solar developments. Members expressed interest in maximizing allowable fees—such as stormwater and road access—within the limits of State law, and staff indicated they would seek further guidance from the State's Attorney. It was also noted that some townships have implemented road use agreements with solar developers, prompting discussion of whether similar approaches could be applied at the County level.

Mr. Wallen stated that this was an initial discussion and that the amendments would proceed to the Zoning Board of Appeals for public hearing before returning to the Committee for final consideration. The anticipated timeline for adoption was late summer or early fall. The Committee indicated general support for moving the amendments forward for further review.

9.2 Tree Preservation Ordinance

Ms. Krieger leaves the meeting at 10:50 A.M.

Scott Hartman, County Administrator; Adam Wallen, Director of Planning and Development; Alex Wall, County Admin Intern; and Private Citizen Ed Collins, joined the committee for the discussion.

Mr. Hartman, Mr. Wallen, Mr. Wall, and Mr. Collins discussed a potential tree preservation ordinance following a request from the Zoning Board of Appeals (ZBA) for direction due to increasing development impacts on woodlands, particularly oak ecosystems.

Mr. Collins provided background on the importance of oak trees, noting they are a keystone species that support biodiversity, carbon storage, watershed management, and soil health. He shared historical data showing McHenry County's oak coverage declined from approximately 143,000 acres in 1837 to about 18,000 acres by 2005, with an additional 300 acres lost between 2005 and 2022. He identified development, agriculture, and solar projects as primary causes of loss and recommended interim voluntary measures, such as identifying impacts to oak groves and encouraging avoidance. He also suggested any long-term ordinance focus on avoidance, minimization, and mitigation.

Staff reviewed tree preservation models from neighboring counties. One model focused on individual tree permits and classifications, while another emphasized broader natural resource protection through site planning and preservation standards. Staff requested direction on whether to proceed and which model to consider.

Committee members discussed the pros and cons of each model and raised concerns about cost, staffing, enforceability, overregulation, and impacts on residential, agricultural, and solar properties. Members also discussed whether the ordinance should focus on specific species, such as oaks, or apply more broadly, and whether invasive species should be excluded.

The Committee directed staff to use an existing model as a framework, explore modifications to fit County priorities, and return with more information on costs, enforcement, and effectiveness, along with a draft proposal for further review.

9.3 Special Events Animal Welfare Standards

Scott Hartman, County Administrator, and Adam Wallen, Director of Planning and Development, joined the committee for the discussion.

Mr. Hartman and Mr. Wallen led a discussion regarding animal welfare standards as they relate to special events. Mr. Wallen noted that there had been significant discussion and public comment on the issue, along with questions regarding whether such standards could legally be instituted by the County. He stated that there had been some pending legislation at the state level, but to his knowledge, it had not advanced.

Mr. Wallen suggested that the Committee first determine whether it wanted the State's Attorney's Office to review the matter and provide guidance on what the County can or cannot do regarding animal welfare standards for special events before further discussion takes place.

Committee members agreed that legal guidance was needed before spending additional time discussing the matter. It was noted that if the County lacked authority to act, further discussion may not be necessary. Members also stated that staff and the Sheriff's Office need clear direction on whether and how such standards could be enforced.

Additional discussion focused on whether existing state statutes already address animal welfare issues and whether those laws are currently being followed and enforced. Members questioned whether enforcement would fall under the Planning and Development Department or the Sheriff's Office. It was noted that similar issues had arisen with the noise ordinance, where the Sheriff's Office enforces applicable state statutes rather than local provisions in some cases.

The Committee agreed that it would be beneficial to request a legal review from the State's Attorney's Office to clarify current state law, the County's authority, and possible enforcement options. It was requested that the matter be placed on a future agenda once that information is received.

10. REPORTS

10.1 ZBA and Hearing Officer Reports

10.1.a Zoning Applications going before the County Board on April 21, 2026

Adam Wallen, Director of Planning and Development, and Kim Scharlow, P&D Planner, joined the committee for the report.

Mr. Wallen provided an update on recent and upcoming Zoning Board of Appeals (ZBA) matters and invited Ms. Scharlow to provide an overview of the solar petitions and other related items.

Ms. Scharlow reported that there were four additional petitions before the ZBA, including two variations, one subdivision-related request, and one conditional use renewal. The first variation involved a setback reduction from 50 feet to 15 feet for the rebuild of an accessory structure in McHenry Township. The second involved a height variation from 20 feet to 27 feet for an accessory structure in Richmond Township.

She also noted a request involving an A-1 to A-2 rezoning and the creation of a five-acre parcel, leaving 109 acres remaining, located on Fair Road in Greenwood Township.

Ms. Scharlow further explained that there was a conditional use renewal for an agricultural engineering business. She stated that the owner operates two sites—one at the subject property

where he tests various agricultural devices, including soil testers and pH-related equipment, and another manufacturing location in U-Tech off Washington Street.

Committee members referenced an email received from the township highway department regarding one of the variation requests. It was noted that the road commissioner had raised concerns about the reduction of the right-of-way setback, indicating it may create future maintenance issues. The request would reduce the setback to approximately one foot, while the township preferred a setback of 20 to 25 feet.

Ms. Scharlow then reviewed three solar farm petitions. The first, located in Riley Township, received a 6–1 recommendation for approval from the ZBA. She noted there were flood-related concerns at the property, but most ZBA members believed those concerns had been adequately addressed.

The second petition, Marzano Solar, located in Dorr Township near Route 14 and Lucas Road, received a unanimous recommendation for approval with no major issues raised.

The third petition, Marengo Community Solar, located in Coral Township, included a map amendment request because the property is currently zoned E-1. Ms. Scharlow explained that the map amendment would need to be approved in order for the conditional use to proceed. The ZBA recommended approval of the map amendment by a 5–2 vote and unanimously approved the conditional use request.

11. FUTURE TOPICS

None.

12. EXECUTIVE SESSION (AS NECESSARY)

None.

13. ADJOURNMENT

Time unknown for the exact TEAMS departure of Mr. Gottemoller.

Mover: Kamienski

Secunder: Thomas

To adjourn the meeting at 10:55 A.M. -TCCazares

Aye (5): Smith, Campbell, Kamienski, Kearns, and Thomas

Absent (2): Gottemoller, and Krieger

Recommended (5 to 0)