

MINUTES FOR THE REGULAR MEETING
OF THE ZONING COMMISSION
OF THE VILLAGE OF CAMPTON HILLS
January 10, 2024, 6:30 P.M.
Campton Hills Village Hall
40W270 LaFox Road

1. CALL TO ORDER

Chairman Fredrick called the meeting to order at 6:32 p.m.

2. ROLL CALL

| <u>Commissioner</u> | <u>Present</u> | <u>Absent</u> |
|----------------------|----------------|---------------|
| Rolf Fredrick, Chair | x | |
| Joe Garbarski | x | |
| Jim Kopec | x | |
| Terilyn Turney | x | |
| Chris Tiedt | x | |

Also, present were PZC Liaison Jerry Johnson, Village Board Liaison Mike Millette, Village Attorney Carmen Forte, and Zoning Commission Secretary Jim Brown

3. INTRODUCTORY COMMENTS

Chairman Fredrick said he did not want the meetings to be “rigid,” and urged a good free-flowing discussion. He thanked everyone for coming. He explained that the commission was here so they could forward to the Village Board a text of the ordinance and a zoning map. He thought they could make some “improvements and enhancements” to the current ordinance. He said “maybe there were some missteps” with the previous effort to approve an ordinance. The commission’s existence would be temporary. He said there would be meetings once every two weeks. There is a basic outline for a schedule which could run eight weeks, maybe longer. He said he was open to altering the process. He said the Open Meetings Act meant that not more than two of them could meet and discuss the commission’s business. That discussion included emails and texts. He said Jim Brown would blind-copy everyone on emails. Village Attorney Carmen Forte introduced himself. Regarding the Open Meetings Act he said “it is best to keep discussions to the meeting.... There is typically nothing that needs to be discussed outside of the meeting.” They could discuss issues with friends or the public. There would be specific procedures to follow at the public hearing, he added.

Secretary Brown mentioned the Village’s rules for public speaking at meetings and potential time limit. Attorney Forte explained that the Village had a set of rules that applied by default to all of the commissions or committees unless one of those bodies adopted different rules. Therefore, the Village’s rules would apply to the Zoning Commission. There is a three-minute limit on each speaker. There is not an overall limitation on public speaking

time. For the public hearing, the commission could discuss adopting specific rules when that time came.

Trustee Liaison Mike Millette talked about the reasons for incorporating the Village. He said “Barb [Wojnicki] had been a rock star for us at the county level, but she was only one of 24.” He said, “This is another vetting process. Take as much time as you feel is necessary” to produce an ordinance. He added that the Village Board and Plan Commission had to deal with other issues while trying to produce a zoning ordinance. The sole purpose of the Zoning Commission would be to produce a zoning ordinance. He felt a large number of controversial issues had been worked out. There had been compromises. “I suspect some of that will come back,” and urged the commission to review as necessary and make changes as they felt appropriate. “We don’t want a rubber stamp.” Regarding the map, he said there were problems with it. There were problems left over from the ‘70s. He urged the commissioners to put themselves in the position of landowners who would be affected by map changes. He said the commission didn’t need to worry about producing a “perfect” document or map—there would be corrections. He said the desire was to have an independent body.

4. APPROVE MEETING SCHEDULE FOR ZONING COMMISSION

Mr. Fredrick reviewed the schedule. The intention is for the commission to meet on the 2nd and 4th Wednesday of the month. Valentine’s Day might be a conflict for some members. “We have a basic idea of seven or eight meeting, but that is strictly an outline.... If we need more time we will take it.” He called attention to the Village website that had the schedule. Commissioner Garbowski preferred to skip the meeting on Valentine’s Day. Nobody else objected, and Mr. Fredrick suggested we keep that day as a meeting day.

A motion to approve the meeting schedule was made by Commissioner Tiedt; motion was seconded by Commissioner Kopec. On a voice vote the motion was unanimously approved.

5. PUBLIC COMMENT

None.

6. DISCUSSION OF POTENTIAL KEY ISSUES

Mr. Brown introduced himself as the secretary to the Zoning Commission. He said that he was part-time in a consulting role and was normally in two days a week. He said he had been officially appointed as the zoning administrator. He was also secretary to the commission and would prepare the agendas in consultation with the commissioners. His goal was to send out packets to commissions the Wednesday before the meeting. Regarding key issues, he said there had been comments from some elected officials concerning the zoning ordinance.

Mr. Fredrick briefly summarized the purpose of the commission.

Mr. Garbarski had a question regarding one of the purposes of the zoning ordinance and why it was included. He noted one of the purpose statements as preserving open space. He questioned the appropriateness of this since the Village did not own any open space. He

did not think preserving open space was germane to the zoning commission. He noted the township had an open space program.

Mr. Tiedt believed that the purpose statement regarding open space should remain. He thought the purpose of zoning ordinance was to oversee properties.

Mr. Brown commented that the goal was to create a nexus between the zoning ordinance of the comprehensive plan. Zoning was probably the primary way to implement to comprehensive plan.

Mr. Garbarski suggested rewording to the effect that the Village, through its zoning ordinance, would support, provide, or encourage open space preservation efforts.

Mr. Mike Tyrrell, from the audience, noted that anything within the municipal boundary is subject to the Village's zoning ordinance. He said there was an agreement whereby the Village would not interfere with rights of forest preserve or township. Similar to HOA, where there could be stricter rules.

Mr. Brown explained that in the context of a negotiated PUD the purpose of preserving open space was valuable.

Mr. Fredrick suggested that Mr. Brown attempt to re-write the purpose statement regarding open space.

7. DISCUSSION OF DRAFT CHAPTERS

a. Draft Article 1 Review

Mr. Fredrick reviewed the draft Article 1 as presented in the attachment to the staff memorandum.

Mr. Tiedt noted that all the PUD areas should be identified on the map. He also had a concern regarding Section 1.4.1.3 in the draft, which outlined transition rules for special uses.

Mr. Brown explained that the special use would continue as a nonconforming use; there was no need or requirement for a homeowner to apply for a special use; the nonconforming use can continue. There was still some confusion on the way the paragraph was written. Mr. Brown agreed to attempt a re-writing of the provision to clarify the situation. A sentence stating, in part, "may continue by securing a special use" was deemed problematic and in need of revision.

There was a brief discussion of HOA covenants, and that the Village doesn't enforce those; it was incumbent on homeowners to understand what was in their HOA covenants. It was noted that 1.3.D covered this—relation to private agreements.

Mr. Garbarski noted that "subsequent" was misspelled under 1.1.

b. Draft Article 12 Review

There was an acknowledgement that there are inconsistencies in the commission names in the Municipal Code. Mr. Forte said he would review.

Section 12.4. Zoning Administrator. There was a discussion of the zoning administrator’s ability to delegate duties. Mr. Fredrick noted that there was a formatting problem with paragraph numbering. Mr. Brown explained the purpose and function of a zoning hearing officer. He noted that the workload of the ZBA did not appear to be too great, so maybe this concept of a hearing officer was not necessary. The consensus of the commissioners was that provisions for a zoning hearing officer were unnecessary.

Referring to Section 12.4, Mr. Garbarski objected to the inclusion of the word “initiate” in one of the zoning administrator duty statements. He felt that implied staff time “and it means you are going to be incurring costs.” Would prefer “request” rather than “initiate.” [Note: this was statement labeled subparagraph A, but should have been labeled J. The commission noted this outline numbering issue.]

Mr. Brown explained that staff is sometimes in the best position to spot certain trends. It gives staff the ability to bring items to the attention of the Plan Commission. Who can initiate a review of the zoning ordinance. Mr. Brown agreed to review and perhaps replace “initiate” with “suggest” or some other term.

Mr. Kopec thought the phrase in Item c. “approve minor changes” could have had consequences. As cited the approval to change the design of a streetlight as an example—he didn’t think this should be a minor change to be allowed by the zoning administrator. Mr. Brown explained that urban design elements would not be classified or defined as “minor changes.” Attorney Forte explained that “minor changes” were already defined in the ordinance.

Mr. Garbarski recommended that the commission have a proscribed end time. Chairman Fredrick thought it was a good suggestion. It was agreed that there should be a goal of a two-hour limit, but the meeting could be extended at the chairman’s discretion. Attorney Forte suggested that the two-hour goal should be voted on as an agenda item at the next meeting.

8. ADJOURNMENT

Motion to adjourn was made by Mr. Kopec; motion was seconded by Mr. Tiedt. On a voice vote, the motion was unanimously approved. The meeting adjourned at 8:18 pm.

Submitted by Jim Brown, Secretary, Zoning Commission

Amended and approved as amended this day of 7th day of February 2024

**Rolf Fredrick
Chairman, Zoning Commission**