

McHenry County Regional Planning Commission
Meeting Minutes
October 11, 2007

Call to Order

Chairman Eldredge called the meeting to order at 6:15 p.m.

Roll Call

Commissioners Present: Charles Eldredge, Chairman; Dennis Dreher, Bill Swenson, Jerry Davenport, Ronald Bauman, RB Thompson, Nancy Schietzelt, Jim Coughlin, James McNutt, Jeremy Shaw

Commissioners Absent: John Jung, Jr., Frank Harrison and Tim Culbertson

Staff Present: SuzAnne Ehardt, Maryanne Wanaski, Matthew Hansel and Cindy Sassaman

Also present: Patricia Kennedy, Anna Moller, MCCG; Tammy Valentine-Garza, Richmond Township; Ersel Schuster, Seneca Township; and Regan Foster, Northwest Herald

Minute Approval

The minute approval for the September 13th meeting was deferred until the next regular meeting.

Public Participation

There were no comments at this time.

Directors Report

None

Presentations

Chairman Eldredge thanked the guests from Kenosha and Walworth County. He asked each person at the table to introduce themselves and to give a brief history of planning in their county. The following people from Kenosha and Walworth Counties introduced themselves.

George Meltcher, Director of Kenosha County Planning & Development
John Roth, Director of Division of Long Range Countywide Planning
Andy Buehler, Director, Zoning and Planning Staff
Todd Roehl, Principal Planner, Kenosha County Planning & Development
Michael Cotter, Walworth County Director and Deputy Corporation Counsel for
Land Use and Resource Management
Bill Stauber, Southeastern Wisconsin Regional Planning Commission

Mr. Meltcher expressed his appreciation for the opportunity to exchange information with McHenry County. He handed the discussion over to Mr. Stauber, who explained that the Regional Planning Commission for Southeastern Wisconsin is an advisory commission. Their planning area covers 2,700 square miles and has a population of 2 million people. The Commission was created to address issues that transcended from municipal boundaries with regard to land use. He reported that they have a transportation plan, watershed plan and a water supply plan is currently underway. He noted 3 key concepts of the Regional Plan:

- Emphasis on direct development to urban service areas (marked in yellow on the plan);
- Preservation of regional significant resources (environmental corridors);
- Other areas such as prime farmland (preserve) and non prime farmland areas where the recommendation is no development, but if built upon it is at a rural density.

Regional Planning and County Planning have a strong relationship as a result of staff continuity, staff appreciation and elected officials. Both counties have relied on a shared database and the commissioner's technical expertise and have partnered with open space plans.

Mr. Stauber explained that Wisconsin has a smart growth law which is a comprehensive planning law that requires counties, cities, villages and towns to adopt a comprehensive plan by the year 2010. The plan should specifically address consistency between community zoning and county land use. The plan must be the basis for decision making. During the creation of the plan, public participation has been emphasized. They encouraged conflict resolution between neighboring communities. To date they have been assisting in multi-jurisdictional plans. The work has included data collection and inventory. They are now in the beginning stages of making projections. Most rural areas of Wisconsin have not had any planning and this will be the first time. This is not the case however, in the southeastern portion of Wisconsin where much has been accomplished due to joint efforts in planning.

Mr. Meltcher stated that they rely on the Regional Planning Commission since they did not have the population base to support a planning staff or the technical expertise. All towns are under the County zoning and he mentioned that the County Board is very supportive in providing the right tools. They now have their own GIS function in the Planning Department that develops maps. One of his big concerns is with quality mapping. Currently, their GIS systems maps back to the 911 system.

Mr. Cotter thanked the Commission for the invitation tonight and provided his contact information to the Commission. He stated that between 1990 and 2000 Walworth County population has grown by 25% and is now estimated to be just

over 100,000. He explained that many towns in the southeastern portion of Walworth County have wealthy residents and municipal officials would like to be autonomous for planning purposes. Once a town is under the County's jurisdiction they cannot operate independently and this has created animosity in the lower southeastern portion of the County. He told the Commission that the County Board has been reduced twice and is currently functioning with 11 board supervisors.

Mr. Cotter noted that townships are required to adopt a land use plan if they wish to have zoning powers returned to them instead of the following the County land use plan. Mr. Cotter said SEWRPAC is really driving their effort on the 2035 plan and they appreciate all the work they have provided. He stated that Walworth County started with their first land use plan in 1974. He thought they were the first County in the country to have an agricultural plan and that was in 1977. He indicated the "tan" portion of the 2020 plan map indicated agriculture use.

Mr. Cotter informed the Commission that Schodeen Development came into the Elkhorn area (Delevan) and purchased 2,000 contiguous acres to develop 6,000 residential units over a 30 year time frame. The town board has had a changeover and is now anti-development. In which case, this development was denied. (In Walworth County, they must receive approval from the township before approaching the County.) The developer now plans to and can afford to wait for a different political climate and hold on to the land to develop at a later time.

Regarding transportation, he has heard different views about Metra and plans. He said the Schodeen Development is trying to get a line up near where the 2,000 acres slated for future development.

Mr. Eldredge said that Wisconsin River Rail owns the railroad track between Fox Lake and Janesville. Historically they have fought to get Metra to consider extending service from Fox Lake to Janesville. Even though the initial attempts ceased about 5 years ago, with a new 6,000 residential development plan, Metra may reconsider.

He then spoke of the 120 Bypass around Lake Geneva which was a state project. This project has eliminated much of the traffic into downtown Lake Geneva. He also spoke about Highway 12 Bypass around Whitewater which starts in Richmond and proceeds through Whitewater. This roadway has also eliminated much traffic.

Mr. Eldredge asked if Walworth County is working on a water resource management plan since ethanol plants use a lot of water, and is there a concern with potential pollution. Mr. Cotter replied that there was a request near Union

Grove for an ethanol plant that was very contentious and the reason was the potential amount of water usage and possible contamination.

John Roth, Long Range County Planner from Kenosha County, explained that Kenosha County has established a good relationship with towns. Three of the five municipalities are on board with the three-year planning program (currently the county is in the first year). They are utilizing SEWRPC planners. The plan is fairly dry and there is not much controversy. They will be visiting the townships in the next year. He explained that his concept is more like a patchwork quilt due to the various degrees of planning efforts in the County. Some areas have more sophisticated planning efforts near the lake. Other areas such as Brighton, Ferris are more of a bedroom community and are more residential. Randall and Twin Lakes have created a plan for their area and have applied for grant funds in an effort to start a boundary agreement. He told the Commission that many of the municipalities have come to terms with boundary agreements. He also reported that zoning permits have slowed down due to the economy, but developers are going forward with large scale planning, concept plans and final plats, etc., and that has not changed. Commercial development has been coming forward to Kenosha. The largest employer in the County is Abbott Labs. Kenosha is changing and is no longer just a "blue collar" community; it is attracting "first string developers". Planners are looking for the highest and best use for land. They are looking for a lasting growth that is sustainable.

Mr. Eldredge asked if Mr. Roth would agree that the majority of all growth is coming from the south. He answered in the affirmative. People that are moving into the area are purchasing homes for a primary residence and only a small portion of the movement is from people purchasing homes for a vacation home or summer home. Mr. Eldredge also asked if impact fees are allowed in Wisconsin. Mr. Roth answered that Wisconsin law does not levy impact fees on new development.

Mr. Swenson asked what the percentage was of population crossing the border. Mr. Roth said that the figure was in the 2035 Plan and would provide that information to Ms. Wanaski. Mr. Roth also said that they had obtained IRS records to determine movement between counties. He reported that it was 3 to 1 ratio which is a significant amount of movement.

Mr. McNutt asked about protecting and maintaining agricultural land. Mr. Roth explained that they did a Farm Preservation Plan jointly between Racine and Kenosha Counties in the 1970's but as growth came, the plan was no longer followed. He said that the town of Paris requested to remain rural. Mr. Roth also noted there has been a change from dairy farming to horse farming in Kenosha County.

Mr. McNutt stated that as far as waste disposal, McHenry County does not have a landfill and wanted to know if Kenosha County Planning & Development

anticipated more garbage to be taken north. Mr. Roth reported that they already receive Illinois garbage and will probably see an increase.

Mr. Swenson asked how wetlands are protected. Mr. Roth explained that in the C-1 (conservancy) district, which are wetlands, no additional filling is allowed. If the Department of Natural Resources moves the line then it is allowed.

Mr. Shaw asked if there were any steps to preserve farmland or do they have anything on the horizon. Mr. Cotter said that transfer of development rights (TDR) have not gotten started. The State of Wisconsin encourages TDR's but the funding is not yet available.

Mr. Swenson asked about density bonus features. Mr. Cotter said it is ideal when certain areas are protected. Normally there is a 5% to 20% bonus which equates to 1 to 2 extras lots. He also said that interconnected parks and trails are encouraged. Mr. Cotter explained that cluster developments are relatively new since 2002 and are encouraged in areas with environmental features. Up to 20% of the total area can be used for a density bonus. He briefly spoke about a Sugar Creek, a subdivision of 60 units and recommended the Commission take a look at that website.

Mr. Bauman asked for criteria for prime and non-prime farmland. Mr. Stauber said there was broad guidance based on soil productivity SCS1 and SCS2, which was established in the early 1980's.

Mr. Dreher asked about the *Smartgrowth Newsletter* and how it was distributed and how many. Mr. Roth said that he did not have exact numbers but guessed that about 1,000 were distributed but it was also available on the website.

Mr. Stuaber asked about the *McHenry County Land Use Plan* and also parks and trails. Ms. Ehardt explained that the McHenry County Conservation District handles trails and conservation areas. They are similar to the Forest Preservation District in Cook County.

Mr. Dreher said that NIPC has the Regional Greenways Plan; does Kenosha County have anything similar? Mr. Meltcher said that Kenosha County has 10% open space which is both public and privately held. Mr. Meltcher explained that there has been demolition of existing housing in flood areas which has created open space. Today, building is not allowed in the floodplain.

Mr. Meltcher would like to bring his Board and Planning Commission back at a future time to see what is unique and see examples in McHenry County. He feels that seeing examples is better than talking. He expressed his appreciation and much has been learned. Chairman Eldredge and Ms. Ehardt thanked everyone for their attendance. Ms. Ehardt reported that with tonight's meeting, the Commission has spoken to all counties that surround McHenry County.

Mr. Swenson left the meeting at 8:25 p.m.

There was a short break from 8:25 until 8:34.

Old Business

LEAM Proposal – Ms. Ehardt informed the Commission that the motion was forwarded onto the County Board for the full amount of the study. Staff has been in contact with University staff and will be providing information to them prior to FY 08/09. LEAM will be starting on phase 1 right away and phase 2 will begin later in FY 08.

Next steps in the planning process – Ms. Wanaski reminded subcommittees to compile the information learned in meetings so they can be up-to-date in order to prepare for the presentation to the County Board at their February meeting. Ms. Wanaski's goal is to have the write-ups by the December meeting. At the next subcommittee meetings, reports should be started and if there are any problems or questions they should be reported to staff.

Subcommittee Reports

Agriculture – Mr. Bauman and Mr. Harrison met with Marc McLaughlin, Planner from Planning and Development to discuss mapping the 8 west townships and open areas based on LE scores. The subcommittee will be working on definitions.

Communications – Mr. Dreher reported that there is a problem with the listserv. Many times it bounces email back and others receive it as junk mail. The IT department cannot fix the problem without purchasing additional software and the software is quite expensive. Chairman Eldredge offered to contact Ken Koehler and Pete Austin.

Community Character – Mr. Coughlin said he was not able to attend the last meeting. The subcommittee met with the historic groups who have a substantial list of items of concern. There were approximately 18-20 people in attendance from the historic groups. That noted they wanted certain barns saved.

Economic Development – Mr. Davenport reported they met with Cort Carlson from McHenry County Tourism and Chris Manheim from McHenry County Economic Development Corporation for the second time. They will be meeting with Dr. Packard from McHenry County College and will then be able to put information together.

Water Resources – Mr. Dreher reported the subcommittee is well into drafting chapters and sections on groundwater supply, stormwater and quality of surface water. He is using language from the 2020 plan and other plans. His hope is to complete the draft chapters by November/December. The next meeting is a joint meeting with Open Space & Environmental/Natural Resources to see a presentation from the County's GIS Department. They will see data layers from NRSC, MCCD, Soil and Water and will create an initial draft of the all layers to integrate with LEAM. Mr. Coughlin thought there may be a benefit of other

members obtaining copies. This helps others understand the thought process and allows feedback. Mr. Davenport provided a sample of the letter sent to the municipalities.

Intergovernmental – Mr. Davenport reported they met with communities in Woodstock areas and was very insightful. They will meet with other municipalities over the next several weeks.

Open Space & Environmental/Natural Resources – Ms. Schietzelt prepared a list of conditions and issues. There is one more round of presentations. They have representatives from four community parks and recreation districts to share information on trails, greenways and connections. John Kremer was not able to present from MCCD. Staff created an open space map. They are working on creating a draft before the next meeting and will provide to subcommittee members.

MCCG

Ms. Moller reported that Julie Richardson has been formally appointed as the liaison to this meeting. Ms. Moller said she will try to attend the meetings as well.

Member's Comments

Mr. Thompson voiced concern over the absence of attendance by Tim Culbertson. Ms. Ehardt will investigate Mr. Culbertson's attendance record. She said that the bylaws read if there are 3 absences the Planning and Development Committee could entertain a recommendation to appoint a new member.

Chairman's Comments

1. Subcommittees to discuss and provide outline for staff by the next meeting. Mr. Dreher will provide the format.
2. Staff directed to research Culbertson attendance record.
3. Listserv software issue to be discussed with Ken Koehler and Pete Austin.

Public Comment

None

Adjournment

Motion to adjourn by Mr. Davenport, seconded by Mr. Thompson. All members present voting aye. Motion carried.

Meeting adjourned at 9:20 p.m.