

**VILLAGE OF SHOREWOOD**  
**PLANNING & ZONING COMMISSION MEETING**  
2 June 2010

Chairman Fitzgerald called the meeting to order at 7:01 p.m.

Pledge of Allegiance

**Roll Call**

**Present:** Chairman Gary Fitzgerald, Steve Brockman, Duane Gronwold, Pete Cerve, Dan Warren, Melissa Bradford, Jim Schlunz, and Jim Relyea.

**Absent:** Vice Chair Dan Gron and Debbie Olson.

Also present were Kurt Carroll, Village Administrator, Nancy Roman, Economic Development Director and Karen James, Planner.

**ORDER OF BUSINESS**

**MINUTES**

Duane Gronwold made a motion to approve the minutes from the 7 April 2010 meeting, seconded by Jim Schlunz. All in favor, none opposed, minutes approved.

**PLANNING & ZONING**

1. **a) Public Hearing – 109 Summer Street**

**b) Petition #10-303**

To consider a variance to Shorewood Village Code Section 10-5D-5C to permit a garage addition in the side and rear yard setbacks.

Gary Fitzgerald introduced the Public Hearing and declared it open. He noted the petitioners were present.

The Petitioner Barbara Kirkland of 109 Summer Street took the floor, She explained that they wanted to replace the 2.5 garage they currently have with a 3.5 garage which would require a side and rear yard setback variance.

Nancy Roman noted that no inquiries or feedback from the public was received.

Gary Fitzgerald called for questions or comments.

Hearing none Duane Gronwold made a motion to close the Public Hearing, seconded by Jim Schlunz. All in favor, none opposed, motion carried.

Duane Gronwold made a motion for approval, seconded by Jim Schlunz. Roll call vote, all in favor, none opposed, petition approved.

2.     **a) Public Hearing – Troy Fire Protection District/Village of Shorewood**  
       **b) Petition #10-304**

To consider a Conditional Use Permit for the installation of a radio communication tower in excess of 60 feet.

Gary Fitzgerald introduced the Public Hearing and declared it open.

Kurt Carroll, Village Administrator took the floor and asked if there were any questions. He then explained that this is a shared communication tower. Mr. Carroll discussed the aesthetics of the tower and the placement.

Nancy Roman noted there were a number of inquiries about this petition. Questions were asked such as if there would be a red flashing light or if the tower would interfere with TV or radio reception, The answer to both is no. Ms. Roman commented that since no one came forward, she felt we can assume their questions were adequately answered.

Mr. Carroll continued by stating that this is not the main communication system, that it is a redundant system.

Pete Cerve asked why there will not be a red light on top of it. Nancy Roman answered because of the geographic layout it was not required by the FAA.

Gary Fitzgerald inquired as to what types of things tower company could do to make the tower look better. Kurt Carroll answered that they can be painted. He noted that the engineer with the tower company stated that is made of galvanized steel and would fade in about 6 months giving it a grey color. Mr. Carroll noted that painting the tower would cost about \$900.

Mr. Carroll discussed the essence of the ordinance restricting tower height.

Nancy Roman noted the size and shape of the tower with the base being a triangular shape with 3.5 feet between each of the three legs.

Kurt Carroll further stated this tower will allow four times the speed we currently have and save \$16,000 a year. It also gives us the ability to put cameras out at distant buildings, for instance at the Mound Road water treatment facility. He finished by noting the trend is for wireless connectivity.

Duane Gronwold inquired about tower maintenance. Mr. Carroll answered it is minimum.

Pete Cerve still had concerns about the look and wondered why the foundation was already there. Mr. Carroll answered that it was his fault. He didn't think the tower would have to come before the board. It was a misinterpretation of the ordinance. Mr. Carroll also explained that the Village and the Fire Department had separate contracts with the same company for maintenance.

Duane Gronwold asked if the Fire Department would be responsible if the tower fell down. Mr. Carroll answered yes they would, this is their tower to maintain.

Jim Schlunz made a motion to close the Public Hearing, seconded by Steve Brockman. All in favor, none opposed, motion carried.

Duane Gronwold made a motion to enter the findings of fact that the standards set forth in appropriate section of the Village Code have been met and to recommend approval to the Village Board, seconded by Jim Schlunz. Roll call vote, all in favor, none opposed, petition approved.

3. **a) Public Hearing – Text Amendment**

To consider amendments to the text of the Village of Shorewood Zoning Ordinance, Title 10 of the Village Codes of Ordinances. Specifically to consider text amendments to Chapter 3 with regard to Fences within sideyards.

Gary Fitzgerald introduced and opened the Public Hearing. He noted that if this text amendment were adopted the intent would be to allow meeting a neighbor's fence when the neighbor's fence is conforming. This would allow for building permit rather than have to have a Public Hearing for a variance.

Nancy Roman noted that staff struggled with a way to revise the zoning text so that we still accomplish what we wanted when we adopted the current fence ordinance. We looked at the situations that required this type of variance where the zoning board granted the variance. We looked at situations where curves, cul-de-sacs or positioning of the home itself prohibited the fences to connect.

Karen James showed a display of these types of properties on Google Earth. We tried to look at the situations where it would be okay to issue a building permit rather than have to come before the commission for a variance. One of the display photos was of a property that was granted a variance last year.

Nancy Roman then spoke about what the ordinance was trying to protect. In order to accomplish that, the ordinance was written to say that no fence will ever be closer to the street than 5' from the front of the habitable part of the house.

Karen James discussed the meaning of habitable portion of the home. She further noted that a resident would not be permitted to put the fence along their garage wall if the garage is further forward.

Ms. James showed more examples of the type of home that would have required a variance to attach to their neighbors fence.

Ms James then noted the variance that was next on the agenda and showed an exhibit of the home requesting the variance.

Gary Fitzgerald called for questions or comments.

Pete Cerve commented that the text amendment made sense.

Duane Gronwold made a motion to close the Public Hearing, seconded by Melissa Bradford. All in favor, none opposed, motion carried.

Jim Schlunz made a motion to recommend approval to the Village Board, seconded by Dan Warren. Roll call vote, all in favor, none opposed, motion approved.

4. **a) Public Hearing – 1808 Hunter Drive**

**b) Petition #10-305**

To consider a variance to Shorewood Village Code Section 10-3-13E3 to permit a 6 foot fence in the side yard.

Gary Fitzgerald recommended tabling this item until the previous item was heard by the Village Board.

Nancy Roman stated for clarification that in the event the Village Board does not pass the text amendment the petitioner can come forward again next month without having to publish again. If the Board does pass the text amendment the petitioner can withdraw the petition.

There was discussion on whether a pool shown on one of the slides was actually 10 feet from the property line.

5. Consideration of an amended Concept Plan for Waterstone Subdivision

Gary Fitzgerald introduced the item. He noted that this development was approved sometime ago but due to the economic downturn the developer is looking for some other ways to get progress going.

Karen James stated the developers of Waterstone Subdivision have presented a revised concept plan for consideration. She noted the aerial photo showing the overlay of the new concept plan and the elevations of the buildings to be constructed on the various components of the project.

She continued by noting the Waterstone subdivision was approved and annexed in 2006. It was a very involved agreement that included the Stephens Farm (140 acres) fronting Seil Road, the Roberts Farm (about 80 acres to the south fronting Mound Road), the triangular piece of the Davidson Farm north of the railroad tracks and a portion of the McShane Farm (west of Roberts). The project included approvals for a 40+ acre school site for Minooka Grade School District (Jr. High campus), Public Works site for Village of Shorewood, Enbridge Energy substation, ranch 4plex units, courtyard townhome units, condominium units and single family lots.

As the market has changed, so have the proposed plans for the subdivision. The site for the school has moved to the northwest 40 acres of the site along Seil Road and the school district now owns that property. The condominiums have moved from the Davidson acreage to the area south of the school site. The ranch quads and courtyard townhome units have been slightly reconfigured, but remain basically the same. The single family lots have been removed from the plan and the roads have been stubbed to the south and west to allow for future development.

Kurt Carroll took the floor, he discussed the history of the project. He noted that a current study showed that it would take 11 years to build up all the single family lots. He also wanted to note what significant lengths the developer has gone to just to keep the project going.

Mr. Carroll continued by discussing the width of the streets and the expansion of Seil Road.

Pete Cerve inquired if the single family homes are gone from this project. Kurt Carroll answered, yes. Mr. Cerve asked if there was future potential for single family homes and Nancy Roman answered, no.

Kurt Carroll stated that the Village went from 535 new single family homes in 2005-2006 to only 80 units last year.

Pete Cerve asked what was the estimated build out time for this project. Kurt Carroll noted that Del Webb has been the strongest developer by far. They have built about 40 duplex units this year and will be done at the end of this year. At that time Waterstone will have the only ranch quads available. Mr. Carroll also noted the townhomes and condos will see first time buyers, they will have the potential to sell better than the large homes on the large lots.

Nancy Roman noted the developers came in for Staff Team Meeting, allowing for some direction and feedback from the Village Board at a work session regarding broad development issues. The issue of there not being a road connection to the western property was discussed. The developer suggested that they set aside the road right of way but not construct it. Kurt Carroll told them he wasn't comfortable with that and they had to find a way to put a road through.

Nancy Roman finished by stating that either through crafting language or revision of the land plan there will be an extension of the road to the west.

Pete Cerve commented about road stubs and what condition they are left in. Nancy Roman said there at least needs to be signage stating that it was intended to be a through street at some time.

There was further discussion on stub streets.

Rod Tonelli took the floor and spoke of how these projects are now going to be approved. In the past we were able to build entire master planned communities, but that will not be

happening in the future. Developers will have to come back before the Plan Commission through each phase.

Pete Cerve recognized that it will take years to build this out and worries about the look of empty subdivision with a house here and there in an empty field.

Duane Gronwold talked about the quality of the product that will be put in. Gary Fitzgerald also noted that was what the Board spoke about. He also noted that there are so many unknowns and it could be quite a while before things pick up, we have to be adaptable but he agreed the quality is uppermost.

Gary Fitzgerald stated he didn't hear any objections so he advised the developers to bring back something more concrete.

Nancy Roman stated they may come back as early as the July meeting. She also noted that there will need to be a hearing to amend the PUD and then a Village Board hearing for an amendment to the annexation agreement.

Gary Fitzgerald called for further comments or suggestions.

## **OTHER**

None.

## **ADJOURNMENT**

Jim Schlunz made a motion to adjourn at 7:58 p.m., seconded by Dan Warren. All in favor, none opposed, meeting adjourned.

Next meeting July 7, 2010

Respectfully Submitted,

*Kimberly Sharp*  
Recording Secretary