

**October 4, 2016**  
**Board Meeting**  
**Village of Sugar Grove**  
**6:00 PM**

President Pro-Tem Johnson opened the meeting at 6:00 PM and asked that Trustee Koch lead the Pledge. The roll was then called.

**Present:** Trustee Herron, Trustee Geary, Trustee Koch, Trustee Paluch, Trustee Montalto, and Trustee Johnson.

**Absent:** President Michels

**Quorum Established.**

**Also Present:**

Administrator Eichelberger, Attorney Julian, Clerk Galbreath, Finance Director Chamberlin, Public Works Director Speciale, Community Development Director Magdziarz, Supervisor Payton, Chief Rollins.

**PUBLIC HEARINGS**

None.

**APPOINTMENTS AND PRESENTATIONS**

None.

**PUBLIC COMMENTS ON ITEMS SCHEDULED FOR ACTION**

President Pro-Tem Johnson called for any public comment. No member stepped forward and this portion of the agenda was closed.

**CONSENT AGENDA**

- a. Approval: Minutes of the September 20, 2016 Meeting
- b. Approval: Vouchers
- c. Proclamation: Sugar Grove Chamber's 25th Year
- d. Approval: 2017 Meeting Calendar
- e. Ordinance: Authorizing A Boundary Agreement with the City of Yorkville
- f. Ordinance: Amending Animal Control – Pet Waste
- g. Resolution: Authorizing a Lease – 140 S. Municipal Drive, STAR
- h. Resolution: Approving a Proposal to Seal Coat 140 & 160 Municipal Drive Parking Lots

Trustee Geary **moved to Approve the Consent Agenda.** Trustee Herron seconded the motion. President Pro-Tem Johnson then called for a roll call vote.

AYE:	Koch	NAY:	None	ABSENT:	None
	Herron				
	Paluch				
	Geary				
	Montalto				
	Johnson				

Motion Carried

**GENERAL BUSINESS**

**Resolution: Authorizing an Economic Development Agreement – Graham C-Stores**

Trustee Montalto moved to Adopt a Resolution Authorizing an Economic Development Agreement with Graham’s C-Store, subject to staff approval of receiving a landscape plan, masonry on the both canopies. Trustee Paluch seconded the motion. The Board discussed the agreement and found it acceptable. President Pro-Tem Johnson then called for a roll call vote.

AYE:	Johnson	NAY:	Koch	ABSENT:	None
	Herron				
	Paluch				
	Geary				
	Montalto				

Motion Carried

**Resolution: Authorizing a Sales Tax Inducement Agreement - Graham’s C-Stores**

Trustee Paluch moved to Approve Resolution: Authorizing a Sales Tax Inducement Agreement - Graham’s C-Stores. Trustee Herron seconded the motion. President Pro-Tem Johnson then called for a roll call vote.

AYE:	Johnson	NAY:	Koch	ABSENT:	None
	Herron				
	Paluch				
	Geary				
	Montalto				

Motion Carried

**NEW BUSINESS**

None.

**REPORTS**

Trustee Geary stated that the residents in Mallard Point expressed their appreciation of the work done. He also remind everyone about the dinner celebrating the chambers 25<sup>th</sup> year.

**PUBLIC COMMENTS**

None

## **AIRPORT REPORT**

Mr. Wolf stated tht the FAA is still reviewing the agreement with the park district.

## **ADJOURNMENT**

Meeting adjourned at 6:15 p.m.

Respectfully submitted, Cynthia L Galbreath, Clerk

## **Committee of the Whole October 4, 2016**

Call to Order

**Present:** Trustee Herron, Trustee Geary, Trustee Koch, Trustee Paluch, Trustee Montalto, and Trustee Johnson.

**Absent:** President Michels

**Also Present:**

Administrator Eichelberger, Attorney Julian, Clerk Galbreath, Finance Director Chamberlin, Public Works Director Speciale, Community Development Director Magdziarz, Supervisor Payton, Chief Rollins.

## **Public Comment**

None

Discussion: Utility Placement Requirements

Community Development Director Magdziarz stated that over the years the Community Development Department has reviewed building permits for various property improvements and had to render denial of the requested property improvement due to the location of utility service lines on the property. This is because the utility companies place their distribution lines within utility easements approved as part of the subdivision approval but the service lines are placed in a manner that renders some yards unsuitable for property improvements such as decks, swimming pools and like.

The Village has no regulations for the location of service lines on property.

In the normal course of events, once a subdivision plat is approved and recorded the subdivider will cause the utility companies to construct their facilities in the subdivision. The public utility easements identified on the subdivision plat are intended to provide access and routes for laying out distribution lines to serve the lots and buildings that will placed on them. The utility companies will extend service lines from the distribution lines to the meter on the building. Normal practice is for the service lines to be the shortest distance between the meter and the junction with the distribution line. Often this results in service lines being situated in a nearly diagonal line across the rear yard. Given zoning and building code requirements for the location of after-market improvements relative to utility lines and easements this often renders the yard useless for common residential after-market uses such as swimming pools, decks, storage buildings and other improvements not provided by the original homebuilder.

The construction of utility distribution and service lines is charged to the subdivider and/or homebuilder and is hidden in the price of the lot and/or building construction cost. Rarely is any consideration given to the location of the service lines when a house is sited on a lot. The Village

Code requires service lines to be the shortest distance from the easement. But when the utility pedestal is located in the easement at the rear corner farthest from the meter on the house, the shortest distance is the diagonal line across the rear yard.

The proposal is to change this practice. It is proposed that service lines would be required to be constructed perpendicular or parallel to a lot line in order to leave the rear yard as free of encumbrances as possible for future lot owners.

The Board discussed the issue at hand and agreed that a homeowner should have the right upon property purchase to enjoy the full use of the land purchased. Staff was asked to proceed with updating code to reflect that service lines be required to be constructed perpendicular or parallel to a lot line in order to leave the rear yard as free of encumbrances.

### **Discussion: Zoning Amendments**

Community Development Director stated that in the course of administering the Zoning Ordinance, staff occasionally encounters situations that are not as clearly regulated by the Zoning Ordinance as necessary. These five (5) Zoning Ordinance amendments are intended to adequately address issues that are either absent from or not clearly regulated by the current Zoning Ordinance.

The Village of Sugar Grove Planning Commission held a public hearing on September 21, 2016 to receive public comment, discuss, and determine an appropriate recommendation to the Village Board on each of these amendments. No member of the public spoke at the public hearing nor has staff been contacted about these amendments. The Plan Commission voted in favor of approving all amendments.

### **Cumulative Special Use Language in the B-1 and B-2 Districts**

The Zoning Ordinance provides that any permitted use in the B-1 Community Shopping District is a permitted use in the B-2 General Business District and all permitted uses in the B-2 General Business District are permitted uses in the B-3 Regional Business District. This cumulative language does not appear in the special use list of these same business districts; however, over the years the Zoning Ordinance has been interpreted as if that language did appear. This Amendment adds the same cumulative language to the special use list in both the B-1 and B-2 Districts. This action will clarify any confusion of how special uses are treated in the business districts and will provide consistency between special uses and permitted uses in the business districts.

### **Pet Grooming**

The Zoning Ordinance allows “Pet Grooming” as a special use in the B-2 General Business District and B-3 Regional Business District. This amendment expands that special use allowance to the B-1 Community Shopping District. In 2009, the village allowed a pet grooming facility, by temporary use, in a property zoned B-1 which is located in the downtown core. No nuisance complaints nor violations associated with this temporary use were noted. Recognizing the compatibility of the pet grooming uses in the downtown neighborhood, this amendment allows the use in the B-1 district by special use.

### **Mobile Home Dwellings**

The Village currently has placed a moratorium on establishing mobile home dwellings. This

moratorium is set to expire in February 2017. Mobile home dwellings must be addressed in the Zoning Ordinance prior to the expiration of the moratorium. This amendment addresses mobile home dwelling in two (2) ways; single mobile home placement and mobile home parks.

This amendment allows for a mobile home dwellings to be located on a lot only in the E-1 Estate Residential District. Estate Residential zoning requires a one (1) acre (43,560 square feet) minimum lot, a street setback not less than fifty (50) feet and side and rear setbacks of not less than thirty (30) feet. The amendment also requires the mobile home dwelling to be both permanently anchored and skirted with concrete panels.

This amendment further provides for “Mobile Home Parks”. A mobile home park is defined as any tract of land or contiguous tracts of land where two (2) or more mobile home dwellings are maintained. Mobile home parks will be allowed by special use in the E-1 District as a Planned Unit Development. This amendment provides additional standards, beyond those required for all residential planned unit developments, specific to mobile home parks.

#### Standards for Contractor’s Yard

The Zoning Ordinance allows “Contractor’s Yard” as a principal permitted use in the M-1 Limited Manufacturing District and by special use in the B-3 Regional Business District. As a principal use of the property, the yard may be established without establishing and maintaining a building on the site. This is concerning in that a yard may be established that may be visited infrequently by the owner. Infrequent visits increase the likelihood of infrequent maintenance of the yard. Allowing contractor’s yards only in association with a contractor’s office reduces the likelihood of maintenance problems. The ordinance amendment establishes standards for contractor’s yards, including the maintenance of a principal building on the same lot.

#### Definitions

An amendment to the Definitions section of the Zoning Ordinance is necessary to clarify terms associated with each of these text amendments.

The Board accepted the recommendation of the Plan Commission, the proposed amendments will move forward to the formal agenda for approval.

Adjournment at 6:45