

# Memo

To: Trustee Konicek  
From: Robert Kosin, Director of Administration  
CC: Board of Trustees, Village President  
Date: April 25, 2014  
Re: McHenry County UDO Hearing April 2014

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The McHenry County Zoning Board of Appeals began on April 23<sup>rd</sup>, public consideration of the comments received during the hearings on the Unified Development Ordinance. A transcript of all comments was provided to the members of the ZBA as well as the written submissions including those from local governments like the Village of Barrington Hills, as attached.

While little action is expected on the comments received from local governments, the ZBA will continue its public deliberation at two or three more public meetings. At the conclusion of their deliberations, a report will be submitted to the McHenry County Board who may either act on the recommendations as a whole or refer such to its Planning and Development Committee.

During this phase of the UDO review process comments would best be directed to the County Board.

## **Zoning Board Hearing Record On-Line**

<http://mchenrycountyil.iqm2.com/Citizens/FileOpen.aspx?Type=1&ID=2430&Inline=True>

<http://mchenrycountyil.iqm2.com/Citizens/FileOpen.aspx?Type=1&ID=2431&Inline=True>

## **McHenry County Planning and Development Committee**

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April 17, 2014

Richard Kelly Jr. Chairman  
McHenry County Zoning Board of Appeals  
2200 N. Seminary Avenue  
Woodstock, IL 60098

Dear Mr. Kelly,

I am writing to you on behalf of the Village of Barrington Hills in response to the notice of a public hearing regarding the draft of the Unified Development Ordinance. The draft referenced in these comments is that which was dated March 17, 2014, and used for the comments provided during the public hearing April 4, 2014, by the Village's Director of Administration, the notes of which are attached and made a part of this response.

These comments as follows have been prepared in consultation with the Chairmen of the Village's Plan Commission and Zoning Board of Appeals who are identified as signatories to this written response.

The focus of our comments is an adage that planning should not happen in a vacuum. With some thirty municipalities within McHenry County that have, by statute, land use authority and responsibility, the future direction of over 308,000 residents rely and need intergovernmental collaboration and cooperation. The Illinois Constitution addresses such in Article 7. The Village of Barrington Hills has been incorporated since 1957, and has its own ordinances and laws, as do all the municipalities which lie within McHenry County, that are effective for that portion of McHenry County which lie within its boundaries. In view of these circumstances, this municipal government has reviewed your proposal and is of the opinion that the following modifications of the Unified Development Ordinance are required so that the UDO recognizes the overlapping responsibility. Further, that the Unified Development Ordinance is addressing with due consideration given to the citizenry of the Village of Barrington Hills and their government. The Village of Barrington Hills submits for your consideration, as an addition to Article 1. Title, Purpose and Applicability the following:

**Affirmative statement that nothing in this ordinance precludes cooperation or collaboration with incorporated municipalities that have adopted a zoning ordinance, Comprehensive Plan, Watershed Plan [1.2K]**

Planning may be defined as the rational allocation of goods and services across a defined geography. The question that dominates the discussion in the civic place is who pays, whether by benefit or affordability. But, by either standard of measurement, one should question whether government in of itself is the default. The perspective in environment and land use planning finds the stake holder increasently to be the effective managing participant. Whole efforts in ground water, landscape and habitat management are occurring by the use of back yard scientists. The Village of Barrington Hills submits for your consideration, as an addition to Article 19. Subdivision Standards the following:

**Open space ownership and maintenance responsibility primary preference is private land conservation organization [19.9B.5]**

The UDO, in the staff statement of March 28, 2014, purports to do many things from the mundane of removing 105 pages of outdated processes to addressing emerging technologies such as wind turbines. It also has as the primary objective “to implement the County’s 2030 Comprehensive Plan and Water Resources Action Plan”. But note the trend of development is not springing forward into the future from some newly formed continent of 603 square miles as those 30 municipalities have occupied and directed their own pattern of development, some for decades. The Village of Barrington Hills has had in place, for over fifty years, a Zoning Ordinance; nearly as long a Comprehensive Plan and in this last decade adopted watershed and storm water management regulations across four counties. The Village of Barrington Hills submits for your consideration, as an addition to Article 19. Subdivision Standards the following:

**Give preference to the adjoining platted development density of the municipality [19.9C]**

In conclusion, we request that you find these comments which have been carefully framed, as the response requested in the Public Hearing and submit them on behalf of the Village of Barrington Hills for consideration as additions to the Unified Development Ordinance.

Sincerely



Village President



Plan Commission Chairman



Zoning Board of Appeals Chairman

## ATTACHMENT INDEX

- Zoning Map 2014 Village of Barrington Hills
- Heritage Tree correspondence, D. Sandquist April 10, 2014
- Hearing Notes April 4, 2014

## NOTES McHenry County UDO PUBLIC HEARING DRAFT March 17, 2014

Watershed plans (319 adopted Plans) should be enumerated ref Spring Creek [1.2K]

Affirmative statement that nothing in this ordinance precludes cooperation or collaboration with incorporated municipalities that have adopted a zoning ordinance, Comprehensive Plan, Watershed Plan [1.2K]

Savanna definition should not be limited to oaks as the indicator species [2.2]

Staff Plat Review Committee should include a municipal representative as a voting member, if a signature to the plat [3.4]

Notification of text amendments proposed to exclude Official Bodies [4.3A]

Planned Development hearing notice [7.7C] is not specifically referenced in the Notice Standards [4.3] therefore be added to Table 4.1 similar to Zoning Map Amendments

Sensitive Aquifer Recharge Area (SARA) multiple reference texts exist, McHenry County Water Resources Action Plan, ISGS Circular 559, BACOG Ground Water Inventory

SARA Evaluations should be made by a County employed geologist [13.3C.2]

Boundaries of Legacy Waterfront Neighborhood Lots Sub-Area 5 limited to the north side of River/Algonquin Road [13.5]

Legacy Waterfront Neighborhood Lots Sub-Area 5 should not abrogate the Planned Development requirements and conditions of Summer Place Subdivision [13.5G]

SSA ordinance hearing [19.2H] is not specifically referenced in the Notice Standards [4.3] therefore be added to Table 4.1 similar to Zoning Map Amendments

Objects to the use of Conservation Design Requirements should be provided to the Staff Plat Review Committee [10.2I]

(Lawn) irrigation should not be permitted for landscape maintenance (in order to conserve water) [17.3]

McHenry County Natural Area Inventory (MCNAI) needs reference citation [19.3A]

McHenry County Natural Area Inventory (MCNAI) should include woodlands

Storm water Management ordinances of multi-county jurisdictions should apply [19.8]

Open space ownership and maintenance responsibility primary preference is private land conservation organization [19.9B.5]

NOTES McHenry County UDO PUBLIC HEARING DRAFT March 17, 2014

Give preference to the adjoining platted development density of the municipality (especially large lot estate zoning with individual well and septic systems as an alternative to cluster homes.) [19.9C]

Cross reference or citation to Table 10-1 Article Ten to Table 19-2 Article 19

Duplicate citation [19.9G.3]

Heritage Tree inventory excludes certain native trees identified by similar program in Barrington Hills and therefore would create compatible adjoining landscape [19.9H.2]

Two un-number tables [19.9H.2]

Evaluation of performance or action taken pursuant to the terms of the UDO

President  
MARTIN J. McLAUGHLIN

Trustees  
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April 10, 2014

Dennis Sandquist, Director  
Planning and Development  
McHenry County Government Center  
2200 N. Seminary Avenue  
Woodstock, IL 60098

Subject: Heritage Trees

Dear Dennis

During the comments presented on April 4, 2014, during the Public Hearing regarding the UDO, reference was made to the adopted index of Heritage Trees by the Village of Barrington Hills.

Please find attached, the referenced Index.

The index was prepared upon review of historical records such as the Government Land Survey Atlas and consultation with the Village's arborist. The application of the index is used in the administration of the Heritage Tree Ordinance VBH 4-6-1.

A copy of this letter and attachment will be included in the Village of Barrington Hills written comments regarding the UDO.

Sincerely,

Robert Kosin, AICP  
Director of Administration

Attachment

# TREE PRESERVATION

GIS: CONSERVATION + RESTORATION  
VILLAGE OF BARRINGTON HILLS

Species (Click For More Information)	Diameter At Breast Height
<b>Oak</b> White Oak ( <i>Quercus alba</i> ) Swamp White Oak ( <i>Quercus bicolor</i> ) Hill's Oak ( <i>Quercus ellipsoidalis</i> ) Bur Oak ( <i>Quercus macrocarpa</i> ) Red Oak ( <i>Quercus ruba</i> ) Black Oak ( <i>Quercus veluntina</i> )	<b>10 inches or greater</b>
<b>Hickory</b> Shagbark Hickory ( <i>Carya ovata</i> ) Bitternut Hickory ( <i>Carya cordiformis</i> ) Pignut Hickory ( <i>Carya glabra</i> )	<b>8 inches or greater</b>
<b>Ironwood (<i>Ostrya virginiana</i>)</b>	<b>6 inches or greater</b>
<b>Wild Black Cherry (<i>Prunus serotina</i>)</b>	<b>8 inches or greater</b>
<b>Hackberry (<i>Celtis occidentalis</i>)</b>	<b>8 inches or greater</b>
<b>Black Walnut (<i>Juglans nigra</i>)</b>	<b>8 inches or greater</b>
<b>Basswood/Linden (<i>Tilia americana</i>)</b>	<b>10 inches or greater</b>
<b>Sugar Maple (<i>Acer saccharum</i>)</b>	<b>10 inches or greater</b>

GIS Mapping Services By:

**GEWALT HAMILTON**  
ASSOCIATES, INC.  
850 Forest Edge Drive  
Vernon Hills, Illinois  
tel 847.478.5700  
<http://www.gha-engineers.com/>



**Then, Now and Tomorrow**  
Trees Preservation VBH 4-6-3 et sec



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