



Village of Westmont VILLAGE BOARD

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Community Development Committee Regular Meeting Thursday, August 24, 2023 at 4:30 PM Minutes - Approved

I. Called to Order: At 4:30 P.M.

II. Present: Mayor Ron Gunter, Manager Steve May, Trustee Frank Brady, Trustee Linda Liddle, Trustee Bruce Barker, Trustee Amylee Hogan Simonovich, Trustee Marie Johanik-Guzzo, Trustee Steve Nero, Clerk Jinny Szymiski, Interim Director of Community Development Doug Pollock, Deputy Director of Community Development Jason Vitell, Assistant Manager Spencer Parker, Police Chief Gunther

III. Pledge of Allegiance

IV. Approval of Minutes: Trustee Liddle made a motion to approve the minutes from the May 04, 2023 Regular Meeting and Trustee Nero seconded the motion. Motion passed on a voice vote.

V. Public Comment - No one spoke during the Open Forum.

VI. UNFINISHED BUSINESS

- A. Tree Preservation Regulations** - Interim Director Doug Pollock stated that both the Community Development Department and Public Works have been reviewing tree preservation regulations. Pollock commented that with his new perspective, he was able to identify some clarification and organizational issues that needed to be addressed that would make the ordinance more readable and hopefully reduce interpretive debate.

Pollock asked the board for direction on the following policy items :

- 1. Clarification is requested as to the intent of the Board of Trustees regarding the preservation of smaller trees that do not qualify as Heritage Trees.** - The board had a couple questions regarding if the Heritage Tree regulations would still apply to the trees that are 4" or greater, and how old a four inch tree would be. Pollock was unsure of the age/information regarding the life of the tree. Trustee Barker was interested in modifying the language to prevent people from clearcutting lots.

Ultimately it was agreed that this would only be required for major developments, not on single family homes.

- 2. Are Heritage Trees located within the proposed building area subject to replacement or fee in lieu of replacement?** The Board confirmed that Heritage Trees located within a building area are not required to be replaced.

3. **Does the Board want to reduce the 3 to 1 replacement requirement or otherwise set a cap on the total replacement fees?** The Board was comfortable with changing the ratio to 1 to 1.
4. **Does the Board want to create a specific requirement for a tree removal permit separate from the tree preservation requirements related to new construction?** The Board was less inclined to require a unilateral permit for tree removal, but to look into the penalty language and see if that could be clarified.
5. **Does the Board want to establish a specific appeal process for tree regulations?** Pollock noted that after discussion, the appeal process will be less important due to the modification of the tree preservation code. The Board agreed that an formal appeal process was not necessary as it would only encourage appeals to the Board of Trustees.
6. **Does the Board want to add language that allows staff to deny a permit based on preservation of a Heritage Tree and should preservation of a Heritage Tree be a hardship that may be considered to justify a zoning variation?** The Board did not want to require a tree removal permit. The Board discussed enforcement of tree preservation regulations and Pollock stated that staff would look to clarify the existing enforcement regulations.

VII. NEW BUSINESS

- A. **Transient Occupancy Rental Unit License** - Manager May presented on the topic due to recurring inquiries related to the trend of home owners temporarily renting out their homes through platforms like Airbnb and Vrbo. May noted that because there are currently no formal regulations for short term rentals, he requested the boards thoughts and direction on the following :
 - a. Should the Village regulate, and if so, should there be a tax for administering it? Nero commented that from his personal experience, there is no way to regulate it because of the lack of manpower, and no reliable systems in place. Barker asked how the county has handled the matter. May replied that it's a community by community thing. May asked that if we do not wish to regulate the rentals, should the Village prohibit them? Nero did not wish to prohibit or have oversight. Trustee Simonovich asked that if we were to regulate them, wouldn't the Village need to show a compelling interest as to why regulation or prohibition is needed?

Parker clarified that there are ways to interpret what the state says in terms of the definition of a hotel, which is renting out something for a short term of less than 30 days. So it could be said that if you rent out your home, technically you are turning your home into a hotel, and the Village has regulations about hotels.

Liddle added that although Westmont is not a tourist attraction at this time, the Natatorium has brought a lot of business to town, and some families may prefer renting a home versus a hotel. Guzzo added that she feels HOA's would police the rentals should any issues arise.

The Board did not think it was necessary for staff to pursue any code modification at this time.

VIII. REPORTS

A. Directors Report

- a. Pollock did not have any updates, but was open to any questions regarding the quarterly report that was provided to the Board.

B. Planning Report

- a. Nothing

C. Building Report

- a. Nothing

D. Code Enforcement Report

- a. Nothing

IX. MISCELLANEOUS - Manager May asked for staff to share updates regarding the Oak Brook Hilton Golf Course fly balls. Vitell responded that the Village has received numerous complaints regarding the removal of the guard netting. Vitell replied that he had spoken with a representative from a nearby business of the golf course, Cordia, that expressed major concerns for safety. Vitell told them the legal understanding for the golf course nets being there, or not being there, and that there are no codes or ordinances in place requiring the golf course to have nets. Vitell also noted that the golf course has historically directed any complaints for fly balls to be handled privately with the individual golfer, not the resort. The Board did not have any concerns.

Trustee Simonovich mentioned concern and frustration with cars parking for extended periods of time on Wilmette. Police Chief Gunther replied that he would have a full parking analysis for the upcoming public safety meeting.

X. ADJOURN - Trustee Liddle made a motion to adjourn at 5:46 PM, and Trustee Nero seconded the motion. The motion to adjourn was approved by unanimous consent.