



Village of Westmont

VILLAGE BOARD

31 West Quincy Street, Westmont, Illinois 60559

villageboard@westmont.il.gov
westmont.illinois.gov | 630-981-6200

Community Development Committee Regular Meeting Thursday, November 02, 2023 at 4:30 PM Minutes - Approved

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

II. Community Development Committee Meeting Roll Call :

PRESENT :	Mayor Gunter	<u>P</u>	Clerk Szymiski	<u>P</u>
TRUSTEES:	Brady (Chair)	<u>P</u>	Simonovich	<u>P</u>
	Barker	<u>P</u>	Guzzo	<u>P</u>
	Liddle	<u>P</u>	Nero	<u>A</u>

Staff Present : Interim Director of Community Development Doug Pollock, Deputy Director of Community Development Jason Vitell, Planner Scott Williams, Village Manager Steve May, Assistant Manager Spencer Parker, Police Deputy Chief Gruen, Fire Chief Riley, Deputy Clerk Alicja Richards, Human Resources Director Renee Brainerd, Public Works Director Amy Ries, Village Forester Jon Yeater, Communication Director Larry McIntyre (remotely)

III. Pledge of Allegiance

IV. Approval of Minutes: Trustee Barker made a motion to approve the minutes from the August 24, 2023 Regular Meeting and Trustee Liddle seconded the motion. Motion passed on a voice vote.

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

VI. UNFINISHED BUSINESS

- A. Continued Discussion of Tree Preservation Regulations** - Interim Director Doug Pollock spoke of the drafted and revised regulations based on the feedback and direction that was received at the previous CDC meeting. Highlights included preservation of non heritage trees, clarification on whether or not heritage trees located in building areas require replacement, and replacement requirements for heritage trees, as well as penalties for non approved removals.

Manager May asked for clarification on the section that covers heritage trees in a building area, Pollock replied that it would be at the discretion of Village staff to determine if the development configuration could have been modified to save the heritage tree. For example, if someone wants to build a patio, is it necessary for that patio to be installed where the heritage tree is, or could it have been moved without changing its intended use. Pollock did add that it would be challenging to define that objectively.

Manager May also asked for staff to be clear about the conditions that must be met *first*, before stating that a permit is not required for tree removal.

Trustee Barker had concerns that people may clear cut a lot for development without Village approval or review. Pollock said there is not much the Village can do to prevent that, even with a permit requirement, but advertising the regulations and educating the public is the best way to get the message out as a preventative measure.

Village Forester Jon Yeater added that his goal is to preserve the canopy, but also wants to be less restrictive for those looking to build in the town. Yeater believed however that not requiring a permit to remove all trees could be seen as a loophole. Yeater stated that in the past, if asked, he would tell a resident that a tree removal permit is required and then assess the site. If no heritage trees were found, then he would let them know that a permit is no longer required since that tree does not qualify. Yeater did not know of any adjacent communities that require a tree removal permit, but commented that some communities enforce tree removal on a complaint driven basis.

Trustee Barker commented that the Village is trying to have a balance and not punish those residents that truly are unaware of tree removal regulations.

Trustee Simonovich asked if professional companies are primarily removing the private trees in town, and if so, perhaps we could get the word out to them. Yeater replied that that is not necessarily the case, and that he had tried that before but received push back that the village cannot tell people that a permit is required via the ordinance, to which Yeater disagreed.

Pollock asked for any further direction from the Board, the Board did not have any further comments. Pollock stated that staff just needed some time to clean up and further clarify the regulations, and that they should have an ordinance drafted within the next 2-4 weeks.

VII. NEW BUSINESS

- A. **Consideration of Regulations for Outdoor Dining in the Public Right-of-Way** - Pollock had been working on outdoor dining procedures and regulations per the Village Managers direction, in anticipation of the Quincy Streetscape Project. Pollock described the protocols they will have in place such as applications, payments, seating plans, agreements, and required licenses.

Pollock stated the license would need to be renewed annually, and that there would be extensive regulations on maintenance, ADA compliance, and special rules for those serving alcohol.

Pollock asked the Board for direction on if they wanted to require Board approval for each new license, or if it should be up to staff discretion. He was also looking for direction on if the Board agreed that establishments serving alcohol outside should be enclosed.

Trustee Simonovich expressed that having railings on all sides seemed too restrictive, as well as disjointed, especially if there are multiple enclosures in a row. Pollock replied that the fences wouldn't be any taller than 42 inches, and that it would be more so to define the area. Manager May felt that the definition is already there on Quincy Street, but perhaps not as much for other areas.

The Board had some aesthetic concerns, however Pollock replied that the Village will have a good amount of control given that it is the Village's property, it could be linked to the incentive program, and of course through the approval process. Trustee Simonovich also expressed concern for the potentially large permit fees and cost for the use of the space, and asked staff to go into more detail. Pollock was open to suggestions and replied that the permit fees introduced were similar to other towns. Simonovich suggested waiving the first year permit fees, and charging a renewal fee for the years after. There were also discussions on the maintenance of the outdoor seating areas.

The board generally agreed that approvals for outdoor seating do not need to rise to the level of the Board, and can stay at the staff level, although they would appreciate an update. The second direction given to staff was to waive the permit fee the first year, and the third was to put any railing requirements on hold unless it is for safety, but staff should still regulate the spacial sizing. Building Commissioner Jason Vitell recommended other methods of establishing the area that could be considered less invasive. The Mayor preferred a classy more uniform look, which could mean the Village providing the improvements and furniture. Trustee Guzzo stated she liked the look of the Standard Market outdoor seating area. Ultimately, the board did not want a railing

requirement, but wanted to explore the possibility of funding through a grant program, or at least defining the type of materials that can be used for the improvements and furniture.

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. See above.

C. Building Report

- a. See above.

D. Code Enforcement Report

- a. Deputy Director Vitell updated the board on an ongoing Trial involving the business Tomax Tree Service along with some other interesting cases.

IX. MISCELLANEOUS - None

X. ADJOURN - Trustee Liddle made a motion to adjourn at 5:42 PM, and Trustee Barker seconded the motion. The motion to adjourn was approved by unanimous consent.