

DRAFT
Village of Westmont
Planning and Zoning Commission
July 11, 2012 - Minutes

The Village of Westmont Planning and Zoning Commission held its regular meeting on Wednesday, July 11, 2012 at 7:00 P.M., at the Westmont Village Hall, 31 West Quincy Street, Westmont, Illinois 60559.

Chair Ed Richard led in the following:

- (1) Call to Order
- (2) Roll Call – Chair Richard, Commissioners Steve Fedeczko, Wally Van Buren, Craig Thomas, Gregg Pill, Stan Anton; Community Development Director Shannon Malik, Village Planner Jill Ziegler, and Attorney Ann Marie Perez
- (3) Pledge of Allegiance
- (4) Swearing-in of testifying attendees and reminder to sign in
- (5) Reminder to silence all electronic devices
- (6) Approval of Minutes of the June 13, 2012 - Approval of minutes postponed
- (7) Open Hearing

New Business

PZ 12-025 - Village of Westmont regarding a Zoning Code text amendment.

PRESENTATION

Ziegler presented regarding a recommendation to create parameters regarding the legal storage of firewood on a person's property. Some of the suggested parameters included:

- Firewood storage in the rear-yard only
- Firewood would be stored in an area not to exceed 32 sq. ft.
- Firewood would not exceed 4-feet in height
- Firewood must be neatly stacked
- Firewood could not be chemically treated
- Firewood storage would not be allowed in setback or easements

PUBLIC COMMENT

Sam Golemis, a Westmont resident, 234 61st Street, commented on the topic. He expressed concerns about where it will be stored, how much wood will be allowed, and the height of the pile. He is concerned that the wood may be stored on a property line. He is concerned with rodents and ants.

COMMISSION COMMENT

Pill confirmed that the current proposal would allow a 6x8 sq. ft. pad. Pill suggested that if the wood was raised off the ground, maybe it would be stored off the ground.

He suggested that people could have more wood, but that it be kept closer to the house rather than away from the home.

A cord of lumber is typically 4-foot tall. The 4-foot height is recommended for safety issues.

Richard stated that residents would not want the wood directly adjacent to the house due to pests.

Anton suggested that a homeowner should have up to a year's worth of firewood. He agreed with Pill's comments.

It was stated that code allows a 6-foot fence in some instances, therefore it was suggested that a 4-foot height requirement for firewood would need to be clarified.

Van Buren stated that he felt this item was a result of a specific issue in which a person has an illegal 12-foot storage structure containing wood and that is the issue that should be addressed. He suggested that creating an ordinance for the entire community to deal with this one issue is not necessary.

Richard suggested that an ordinance is necessary to make firewood storage.

Pill said he generally agrees with the idea of not creating legislation that is not needed.

Fedeczko agreed that storage should be off the ground. He suggested a cord of firewood would be sufficient for most people. He suggested that people with large lots could have more than one cord of firewood. He is in favor of the 4-foot height limit.

Thomas said the Commission needs more information regarding residential firewood use before an ordinance is created. He is only comfortable with the 4-foot high aspect of the recommendation.

Van Buren suggested that if this were approved, then there would be numerous special use requests from residents that did not fall within the suggested guidelines.

The attorney said that since there is no ordinance permitting firewood, then it would possibly be viewed as an illegal structure.

Van Buren clarified that the violation of the current situation that prompted this recommendation is in regard to an illegal structure and should not be directed as an issue regarding firewood.

Ziegler said that many of the area communities do not have firewood ordinances.

Pill stated that if an ordinance needs to be created, then it should not have too many limitations.

The resident suggested that the storage should be defined to protect neighbors. He has personally had to spend his money to deal with pests and rodents due to a neighbor's firewood stack.

Thomas mentioned the idea of smoke leaving one person's property and invading another person's property. The resident said that it is his understanding that if smoke exits one property onto another property, it can be reported as a nuisance.

Pill suggested that he is not necessarily in favor of creating a potentially unnecessary ordinance, but if an ordinance is needed, he would recommend:

- 4-foot height limit
- no placement on property lines, easements, setbacks
- contingent that the owner of the firewood be responsible for maintaining the area
- the storage area allowed needs to be far greater than 48 sq. ft.

Anton agreed with Pill's comments.

Van Buren suggested that the Commission should recommend that no ordinance is needed.

Fedeczko said an ordinance is needed to allow firewood. There needs to be a minimal guideline.

Malik clarified that code states that any structure that is not listed in the zoning ordinance is not allowed, therefore the storage of firewood is not allowed under current code since there are no ordinances addressing firewood.

Van Buren suggested that firewood should not be considered a structure.

Thomas stated that he feels he needs more information regarding firewood usage. He is only comfortable with the 4-foot high aspect of the recommendation.

Richard stated that this should be addressed as follows:

- firewood storage should be allowed in the yard
- should not be stored in the easements
- should not exceed 4-feet in height
- length and width should not be quantified
- seasoned firewood only
- construction lumber and such should not be allowed

Fedeczko stated that the definition of seasoned firewood is seasoned firewood, therefore not including lumber. Fedeczko also suggested that side-yard storage should possibly be allowed. He feels it should not be in the front yard.

Van Buren clarified that the only neighboring community that has a firewood ordinance is Hinsdale. It states: firewood of appropriate length must be stored in an approved container, must be above-ground. Van Buren re-stated that this legislation is unnecessary because it is responding to one specific situation.

Richard clarified the item and read the recommendation by staff.

MOTION A

Recommend approval to the Village Board (A) Amend Article IV, Appendix A, Section 4.05(E) to permit firewood enclosures in the rear yard under certain circumstances. Motion by Anton, second by Fedeczko.

Fedeczko clarified that the commissioners would need to vote yes on this motion to suggest any changes to the code. It was suggested that a second motion could clarify the specifics of the amendment. A no vote would be recommending that no amendment is needed.

Van Buren suggested that by approving this proposal, it would be identifying firewood as a structure, and he feels it is not a structure.

Richard re-read the published motion and received new motions and seconds. Motion by Anton, second by Thomas.

Anton suggested that they are voting to “not amend”. Pill suggested that the item needs to be acted on as published.

The attorney raised a question to either “vote to amend” or “vote to not amend”.

Anton suggested that they were voting to “not amend”. Pill suggested that the item needs to be acted on as published.

VOTING A

Van Buren - No

Richard - No

Thomas - No

Fedeczko - No

Pill - No

Anton - No

It was stated that the trustees could review the minutes of this meeting to gauge the feedback of the commissioners.

Richard concluded by saying that he hopes to see everyone at the Taste of Westmont.

(8) Adjourn - Motion by Anton, second by Fedeczko, approved by voice vote.

The meeting was adjourned at 8:05pm. These minutes respectfully submitted by Larry McIntyre.