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DATE: March 16, 2010

Chairman Sobkoviak called the meeting of the Plan Commission to order at 7:03 p.m.

ROLL CALL:

Present: Commissioners Seggebruch, Renzi, Sanders, Heinen, and
Chairman Sobkoviak

Absent: Commissioners O'Rourke and Kiefer, Fire, School, Park and Library Districts

Also Present: Michael Garrigan, Planner; Merrilee Trotz, Secretary

Approval of Minutes:

The March 2, 2010 minutes were accepted as presented.

DEVELOPMENT REPORT

Michael Garrigan stated the Downtown Historic District failed by a vote of 4 – 2.

NEW BUSINESS:

Case No. 1508-021710.TA SUBDIVISION CODE TEXT AMENDMENT

Planner Garrigan stated this was a public hearing and the required notices have been published in accordance with state statute and local ordinance. Staff is proposing an amendment to Section 7-7-163(a) of the Subdivision Code. The Village recently adopted a "Business Plan" and in addition would like to make the Village a more competitive place to do business for the development community by having a standard agreement for fixed engineering costs. Currently engineering fees are based on an hourly fee. Staff has been working with Baxter and Woodman to provide a standard agreement for fixed engineering costs. One of the modifications would be an "Estimated Opinion of Probable Cost" or "EOPC" for each project. The "EOPC" would vary depending on the size of the project and would range from 0.75% to a maximum of 3% for final plats and site plans under the amount of \$250,000.00.

In the past the Village has paid the engineering bills and then billed the developer. Some developers have not reimbursed the Village. This proposal would also establish a new deposit requirement at the time of application. This deposit would be used for the ongoing engineering costs for review of the case.

Another proposal that has been discussed is a timeline for outlining the timing of any deficiency letter and review letter. Also the development committee proposes to require final engineering after approval of Site Plans and Final Plats but prior to any building permit application.

Planner Garrigan stated there should be modification on the face of the document under *Section 1. Professional Fees* – in the third line the word Agreement should be Ordinance.

Chairman Sobkoviak asked if smaller parcels would be required to put up a large deposit if they want to re-plat a 1 or 2 acre parcel.

Planner Garrigan stated Staff could waive engineering if it is a simple subdivision or consolidation. Generally there is no formal engineering review so a deposit would not be needed. Planner Garrigan indicated wording could be added.

Commissioner Heinen stated he was more concerned with the small developers or land owners if cost were incurred as they may not have the equity.

Commissioner Renzi asked if there could be a waiver that if a small project started incurring engineering costs then a deposit would be required and also add in a replenishment clause.

Commissioner Heinen asked if this deposit was to pay for the entire project. He thought it would be the complexity of the project rather than the size to determine the amount of deposit.

Planner Garrigan said this deposit could be depleted but there should be language which would require replenishment of the deposit.

Commissioner Sanders asked if staff was reviewing the final engineering and if it needed to be clarified in the Ordinance.

Planner Garrigan stated section 7 listed the additional services to outline the perimeters.

Discussion was held on deficient engineering plans from developers.

Commissioner Heinen indicated he was in support of the text amendment as a resident and as a tax payer. He also supports the percentage of the EOPC.

Commissioner Renzi concurs as well. He felt the exception clause should be included.

Planner Garrigan said they try to get the review letter out and get a meeting right away. He said getting the applicant and engineers in the same room with staff is the quickest way to streamline the process.

Commissioner Seggebruch agreed that knowing the amount up front takes away the uncertainty of costs for the developer and if the developer continues to pay the invoices in a timely fashion then the security would just sit there, however, if they do not pay then the security could be used to pay those invoices.

Commissioner Heinen agreed developers would rather have a lump sum amount rather than an hourly fee. He asked if a case study had been done. He suggested they consider one final engineering review before building permit as this could eliminate the risk of changes to the building plans.

Planner Garrigan said they could give either staff or the village engineer the discretion to require final engineering prior to final plat.

Commissioner Renzi asked if the motion needed to be altered.

Chairman Sobkoviak stated the comments from this meeting will go into the text amendment so we could go with the suggested motion.

Planner Garrigan agreed.

Commissioner Renzi made a motion to recommend approval of the text amendment to Section 7-7-163(a) of the Village's Subdivision Code.

Seconded by Commissioner Heinen.

Vote by roll call:

Ayes: Sanders, Heinen, Seggebruch, Renzi, and Chairman Sobkoviak.

Nay: None

Motion carried 5 -0.

Adjourned 7:55 p.m.

Respectfully submitted by

Merrilee Trotz
Recording Secretary