

**MINUTES
WINNETKA VILLAGE COUNCIL
STUDY SESSION
January 10, 2023**

(Approved: February 7, 2023)

A record of a legally convened meeting of the Council of the Village of Winnetka, which was held at Council Chambers on Tuesday, January 10, 2023, at 7:00 PM.

- 1) Call to Order. President Rintz called the meeting to order at 7:02 PM. Manager Bahan called the roll of the Village Council. Present: Trustees Rob Apatoff, Andy Cripe, Tina Dalman, Bob Dearborn, Kim Handler, and John Swierk. Absent: None. Also present: Village Manager Robert Bahan, Assistant Village Manager Kristin Kazenas, Village Attorney Peter Friedman, Deputy Village Clerk Berina Gradjan, Community Development Director David Schoon, Assistant Community Development Director Ann Klaassen, Community Development Building & Code Enforcement Manager Davorka Kirincic, Engineering Director Jim Bernahl, Assistant Engineering Director Emily Grimm, and approximately 47 persons in the audience.
- 2) Public Comment.
- 3) Lakefront Regulations Discussion.

President Rintz indicates that tonight's discussion will begin with an educational component regarding the lakefront regulations related to private and public land.

U.S. Army Corps of Engineers Team Leader Soren Hall informs Council of the agency's limitations and jurisdiction regarding the lakefront. Mr. Hall provides information on the history of the lake levels and confirms that the USACE is responsible for shoreline protection measures, provides information related to the shoreline individual and general permitting process, public interest related matters, overall lakefront maintenance, and the agency's statutory authorities. Mr. Hall discusses the various measures used to protect the shoreline consisting of revetments, groins, breakwaters, and sand nourishment.

Council discusses the individual and general permit process, potential for shoreline studies, aesthetics of the lakefront, natural shifts of the shoreline related to structures, public beach access, compliance measures, and the limitations and abilities of the U.S. Army Corps of Engineers.

Illinois Department of Natural Resources Division Manager Stephen Altman provides Council information related to Lake Michigan, the limitations of IDNR's permitting boundaries and processes, jurisdictional related matters, permitted projects, application processes, and the IDNR's shore protection projects, plans, and oversight.

Council discusses maintenance along the shoreline, IDNR limitations, permit issuance, jurisdictional matters related to the IDNR and municipal boundaries, and outside agency permitting authority.

Village Attorney Peter Friedman informs Council and members of the public on jurisdictional related matters on a Federal, State, and local level. Peter Friedman discusses lakefront regulations, building and zoning authority, matters related to property lines and public trust, land use and ownership along the lakefront, and property owner rights.

Council commends Peter Friedman on his transparency and thorough analysis related to the lakefront.

8:35 pm Council intermission.

8:47 pm Council reconvenes.

Community Development Director David Schoon provides information related to lakefront zoning and its permitted and special uses, lot area zoning, setbacks, and zoning measurements and standards along the water's edge. Mr. Schoon briefs Council on other North Shore community's lakefront rules and regulations for comparison purposes related to lakefront zoning and development.

Council discusses steep slope matters along the lakefront, setbacks, and flood elevations.

Engineering Director Jim Bernahl provides information related to shoreline data including public and private ownership along the lakefront, permitted shoreline protection projects and data related to in-water structures, permitting process and its code provisions, regulations, and requirements, permitting partnership with the Illinois Department of Natural Resources, the Illinois Environmental Protection Agency, and the U.S. Army Corps of Engineers. Mr. Bernahl elaborates on the lake water quality and the regulation of stormwater discharge and management plan.

Council discusses stormwater related matters, lakefront elevations and slopes, and permitting processes.

Public Comment.

Chuck Dowding addresses Council on concerns regarding public beach access and development.

Leo Birov addresses Council on matters related to construction along the lakeshore and property value.

Jenna Bradley addresses Council on matters related to real estate along the lakefront and encourages Council to allow a subcommittee for lakefront homeowners to discuss issues impacting private lakefront properties.

Steve Fussell addresses Council on private ownership and public lakefront access.

John Root addresses Council on jurisdictional matters along the lakefront and encourages Council to work with a coastal engineer.

Ted Wynnychenko addresses Council on public trust doctrine and matters related to public and private ownership.

Warren James encourages members of the public to attend the Park District Lakefront Master Plan Open House and addresses Council on lakefront matters.

Bob Zabor addresses Council on lakefront access and concerns.

Bill Jackson urges Council not to amend any regulations currently in place.

Martin Sinclair addresses Council regarding the public trust doctrine and the memorandum drafted by Village Attorney Peter Friedman.

Susie Schreiber addresses Council on updates related to the Lake Michigan Watershed Plans.

President Rintz suggests Council reconvene at a later date for a continuation study session on the Lakefront Regulations Discussion.

- 4) Adjournment. Trustee Dalman, seconded by Trustee Apatoff moved to adjourn the meeting. By voice vote, the motion carried. The meeting adjourned at 10:13 PM.

/s/Berina Gradjan, Deputy Village Clerk
Recording Secretary