

**WINNETKA ENVIRONMENTAL AND FORESTRY COMMISSION
REGULAR MEETING
MINUTES
DECEMBER 9, 2020**

A record of a legally convened meeting of the Environmental and Forestry Commission of the Village of Winnetka, which was held Virtual via Zoom, Wednesday, December 9, 2020, at 7:00 p.m.

Call to Order:

Chairperson Dowding called the meeting to order at 7:06 p.m.; Voting Members present: Chairperson Chuck Dowding, Commissioners Chris Foley Liz Kunkle, Rosann Park-Jones, David Varca and Ted Wynnynchenko. Voting Members absent: Commissioner Barry Sylvester. A quorum of presently appointed members was present. Village Council Representative present: Jack Coladarci. Student Representatives present: Marcus Buccellato and Scarlett Harper. Staff Representative present: Brendon Mendoza, Public Works Analyst. Public present: None.

1) Introduction & Chair's Remarks:

Chairperson Dowding called the meeting to order at 7:06 p.m. and welcomed all Commission members and the public. Staff Representative Mendoza took roll call for attendance.

Chairperson Dowding and Commissioner Kunkle were absent at the November EFC meeting as they were attending a (Winnetka Caucus) town hall meeting. During the meeting they learned that \$40,000 has been allocated to the Village's Comprehensive Plan Study for the Lakota Group to review alternative designs to enhance the Green Bay Trail.

Chairperson Dowding mentioned that he attended a recent Village Council Study Session related to financing the stormwater project and appears that the finances are in good shape and that from his understanding that the RFPs for the construction on the facility in the forest preserve would be submitted sometime in quarter 4 of 2021. Council Representative Coladarci stated that the project is continuing to move forward.

Oral Declaration Regarding In-Person Meetings

Chairman Dowding stated pursuant to recently adopted amendments to the Illinois Open Meetings Act included in Public Act 101-0640, public bodies may, in certain circumstances, hold entirely virtual public meetings without a quorum physically present in any one location. On March 17, 2020, President Rintz issued a Declaration of Emergency pursuant to the authority granted by the Village Code, the Illinois Municipal Code, and the Illinois Emergency Management Agency Act to address the health threat posed by the COVID-19 pandemic. On May 29, 2020, Governor Pritzker issued a Disaster Proclamation that declared in-person attendance at public meetings of more than ten people at the regular public meeting location to be infeasible, in accordance the Open Meetings Act, as amended by Public Act. 101-0640. On June 16, 2020, Village President Rintz executed a written determination that given the on-going emergency associated with the COVID-19 pandemic, in-person meetings

of the Village's Village Council are not practical or prudent at this time and until further notice. In accordance with the Governor's Disaster Proclamation and the Village President's Declaration of Emergency and Determination regarding meetings of the Village Council, I, as Chair of the Environmental & Forestry Commission hereby determine that in-person meetings of the Environmental & Forestry Commission are not practical or prudent at this time and until further notice.

2) **Public Comment:** None.

3) **Review and Approval of Minutes:**

a) **Approval of the October 14, 2020 Regular Meeting Minutes**

Chairperson Dowding asked for a motion to approve the October 14, 2020 minutes, which was moved by Commissioner Wynnychenko and seconded by Commissioner Varca.

AYES: FOLEY, VARCA, PARK-JONES, WYNNYCENKO, KUNKLE
ABSENT: SYLVESTER
NAYS: NONE

b) **Approval of the November 11, 2020 Regular Meeting Minutes**

Chairperson Dowding asked for a motion to approve the November 11, 2020 minutes, which was moved by Commissioner Varca and seconded by Commissioner Wynnychenko.

AYES: FOLEY, VARCA, PARK-JONES, WYNNYCENKO, KUNKLE
ABSENT: SYLVESTER
NAYS: NONE

4) **New Business, Old Business/Updates:**

a) **Village of Winnetka Comprehensive Plan Discussion**

Chairperson Dowding stated he has no update at this time and that the Comprehensive Plan is currently on hold. Commissioner Kunkle mentioned that the Village's Comprehensive Plan discussion is on hold due to the COVID-19 Pandemic. Staff Liaison Mendoza confirmed that is correct.

b) **Mayor's Monarch Pledge**

Commissioner Kunkle stated that the Mayor's Monarch Pledge is taken and then communities report progress on the three (3) or more actionable items that are required to be taken within one (1) year and still would like to recommend the Mayor's Monarch

Pledge with the new information discovered. The Commission discussed potential opportunities from the Mayor's Monarch Pledge Action Items List for recommendation.

Commissioner Kunkle recommended the Commission review the items on the action list and provide recommendations at the January EFC Meeting.

Commissioner Varca stated that the Mayor's Monarch pledge was approved at the previous EFC meeting and recommended amending the previous motions to clarify the EFC's process for the Mayor's Monarch Pledge. Commissioner Wynnychenko moved to rescind the previous motions at the October Meeting regarding the Mayor's Monarch pledge pending further review and was seconded by Commissioner Kunkle.

AYES: FOLEY, VARCA, PARK-JONES, WYNNYCHENKO, KUNKLE
ABSENT: SYLVESTER
NAYS: NONE

Commissioner Kunkle asked that each Commissioner choose three (3) of the actionable items listed in the Mayor's Monarch Pledge to share in the January 2021 EFC Meeting.

c) Pesticides Discussion

Commissioner Wynnychenko discussed options to make steps towards addressing mosquito spraying such as education, changes to Village Code, local organizational changes (Park District, School District, NSMAD), and advocate to change the Illinois Pesticide Act at the state level.

Student Representative Harper stated last meeting she was tasked with finding out what the School District and Park District use for pesticides. She stated she attempted to reach out to the School District and Park District but was not able to contact them. Student Representative Harper stated she recently met with State Representative Robin Gable on this issue and has a follow-up meeting.

Chairperson Dowding stated for this to be advanced the Commission needs to research the options and study what other Villages are doing and conduct specific recommendations based upon these findings before bringing this issue to the Village Council. Chairperson Dowding asked Commissioner Wynnychenko and Student Representative Harper to gather more information.

Commissioner Wynnychenko stated that it would be helpful to ask the Village Attorney if there is the possibility of regulating pesticides applicators, similar to the Village's coal tar regulation. Commissioner Wynnychenko stated he would follow-up with the Village Attorney and other Villages' Environmental and Forestry Commissions to find out their views on this issue.

d) Parkway Usage

Commissioner Kunkle mentioned that the parkway usage discussion began as a resident on Cherry Street posted on Next Door in October as he planted a raised garden bed in the Village Parkway and the Village required that he remove the installation as he did not have Village approval.

Commissioner Kunkle stated that at the Village Council Study Session on December 8, 2020 the Council was reviewing the Village Code regarding parkway usages. As part of the discussion, the Village Council asked the EFC to develop recommendations by researching and developing guidance on plantings in the Village's rights-of-way. Commissioner Kunkle provided a brief overview of the presentation slides (attached) as presented by Village Director/Village Engineer Saunders at the Village Council Study Session.

Chairperson Dowding stated he spoke with Village Director/Village Engineer Saunders on December 9, 2020 and drafted the attached summary of the discussion. Chairperson Dowding provided an overview of the document.

Trustee Representative Coladarci stated that a good idea would be for the EFC to have public participation as part of this discussion and for recommendations. Commissioner Kunkle mentioned the importance of hearing both sides of the discussion from residents that are for and against parkway plantings to ensure a thought-out review of the issue takes place.

Chairperson Dowding stated to move forward the Commission should research information regarding acceptable plantings in the parkway, understanding of experience of other communities with parkway plantings; such as Kenilworth, Highland Park, and Bannockburn and understanding the Village Code related to parkway uses.

Commissioner Wynnychenko stated he created a rain garden in his parkway in the past through a permit from the Village that referenced a resolution adopted in 1976 and stated this should be updated. Commissioner Wynnychenko mentioned it would be good to provide general guidance and then evaluate each request on a case by case basis by Village Staff. Commissioner Foley agreed with Commissioner Wynnychenko that it would be good to provide guidance for these requests and flexibility for Village Staff to evaluate each request. Student Representative Harper stated that a list could be put together that includes recommended native plants to assist with pollinators and water control.

Chairperson Dowding asked for volunteers to develop a native planting list and discover other communities' experiences regarding this issue. Student Representative Buccellato stated he would help by creating a list of recommended plantings. Commissioner Kunkle mentioned reaching out to Matt Evans to assist with developing the native plantings list. Matt Evans lives in Highland Park, grew up in Winnetka, and has a degree in Plant Biology and Ecology. Commissioner Kunkle mentioned she will reach out to Matt to assist. Commissioner Kunkle also mentioned that another resource may be to ask the Village Foresters regarding native plants. Commissioner Wynnychenko mentioned there already may be native planting listing that could be useful and that the Village Foresters maintain a listing for trees.

5) Communications:

a) Approval of January Communication Items

The Commission reviewed the January Communication Items. Student Representative Harper stated she created a new article regarding mouse bait for January. Chairperson Dowding asked for a motion to approve the January Communications Items which was moved by Commissioner Varca and seconded by Commissioner Wynnychenko.

AYES: FOLEY, VARCA, PARK-JONES, WYNNYCENKO, KUNKLE
ABSENT: SYLVESTER
NAYS: NONE

b) Discussion of February Communications Items

The Commission reviewed the upcoming February Communication items.

Commissioner Kunkle stated she be recently became aware that the Village may have a textile drop-off recycling container/program and should be included in communications if so. Staff Representative Mendoza stated that USagain recently provided a new collection bin for the Village's shoe recycling program and the box had an advertisement on it stating to recycling textiles but the collection has not been officially expanded to collect textiles, but will follow-up with USagain to confirm if they do collect textiles.

6) Commission/Staff Reports: None.

7) Open Forum:

Commissioner Wynnychenko stated that driving through the Elm Street Business District in the early morning that it is very bright due to the holiday lights and wondered why the lights are on all night instead of during set hours.

Commissioner Kunkle asked the process for installation of holiday lights and if they are installed and taken down each year. Staff Representative Mendoza stated that the holiday lights are up for a couple of seasons and then reinstalled and is on a rotating schedule. Commissioner Kunkle stated that for future consideration to think of environmentally friendly options for the Village's holiday lights.

8) Adjournment:

There being no further business, Chairperson Dowding asked for a motion to adjourn which was moved by Commissioner Wynnychenko and seconded by Commissioner Varca. The motion passed, the meeting adjourned at 9:46 p.m.

AYES:	FOLEY, VARCA, PARK-JONES, WYNNYCENKO, KUNKLE
ABSENT:	SYLVESTER
NAYS:	NONE

- 1  **Mosquito Spraying - Options**
 - Education – done/in progress
 - Remove standing water
 - Mosquito repellent
 - Loose clothing
 - Screens
 - Changes to Village Code
 - Alter how temporary screens are treated in building code
 - Require all/insecticide applicators to have license
 - Require all/insecticide applicators to provide notice
 - Local Governmental Changes
 - Park District process/procedures
 - School District process/procedures
 - NSMAD Operations
 - Changes to Illinois Pesticide Act
 - Village Council Resolution
 - Contact/work together with other municipalities to advocate for changes
- 2  **Mosquito Spraying – First Steps**
 - Education – done/in progress
 - Remove standing water
 - Mosquito repellent
 - Loose clothing
 - Screens
 - » Expand topics covered by EFC communications in print/online
 - Changes to Village Code
 - Alter how temporary screens are treated in building code
 - Require all/insecticide applicators to have license
 - Require all/insecticide applicators to provide notice
 - » Bring recommendations to Council
 - » Request Village Attorney to investigate options
- 3  **Mosquito Spraying - Options**
 - Local Governmental Changes
 - Park District process/procedures
 - School District process/procedures
 - NSMAD Operations
 - » Contact other governmental bodies to discuss concerns and look for possible changes if necessary
 - Changes to Illinois Pesticide Act
 - Village Council Resolution
 - Contact/work together with other municipalities to advocate for changes
 - » Contact other municipalities' environmental commissions (if existent) to gauge interest/knowledge of limitations/changes



VILLAGE OF WINNETKA

PARKWAY PLANTING POLICY

**Winnetka Village Council
December 8, 2020**





PARKWAY RAISED PLANTER

2

Village Code prohibits encroachment of structures into public rights of way.

Village Code requires permission for planting in parkway.





OPPORTUNITY TO CLARIFY LANGUAGE

3

Section 12.04.040

Current Language

It is unlawful to construct any building, fence, cellar, vault door, coal chute, vent, fill pipe or structure or portion of any of the foregoing which encroaches on any public street or sidewalk in the Village. All such encroachments, except cellar or vault doors lawfully in existence in 1932, are declared to be nuisances and the Director of Public Works is authorized to abate such nuisances.

Section 12.04.040

Proposed Language

It is unlawful to construct any structure or portion thereof which encroaches on any public street or right-of-way in the Village. Structures include, but are not limited to, buildings, fences, vents, fill pipes, retaining walls, raised planter areas, light posts, and gates. All such encroachments, except cellar or vault doors lawfully in existence in 1932, are declared to be nuisances and the Director of Public Works is authorized to abate such nuisances.





PARKWAY CONDITIONS AND PLANTINGS

4





PARKWAY CONDITIONS AND PLANTINGS

5





PARKWAY CONDITIONS AND PLANTINGS

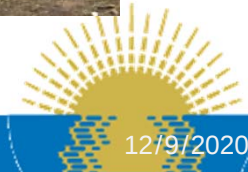
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PARKWAY CONDITIONS AND PLANTINGS

7





CLARIFICATIONS TO POLICY

8

- A list of preferred tree and plant species will be included with the planting application, as well as a list of prohibited invasive species
- Because green technologies are a part of the Village's ongoing stormwater quality management efforts, guidance on constructing and maintaining rain gardens and bioswales – to be researched and
- developed by the Winnetka Environmental and Forestry Commission – will be included as part of the permit application
- The permit application will be clarified to indicate that no structures, planters, boulders, fences, etc. are permitted in public rights-of-way
- Guidance for height and location of plantings with respect to intersection and driveway sight distance, trees, utilities, and setbacks from curbs and sidewalks will be provided in the permit application
- A disclaimer statement will be included indicating that maintenance responsibility (except for trimming of trees) lies with the adjacent property owner, that the Village may revoke permission if the plantings are not properly maintained, and that the installation may be removed to allow construction of utility projects and Village infrastructure projects





RECOMMENDATION

9

- 1. Staff is seeking concurrence from the Village Council to prepare an ordinance that would modify Section 12.04.040 (Encroachments) as described above;**
- 2. Staff is seeking concurrence to clarify the application and approval documents for plantings in the public right-of-way as outlined above; and**
- 3. Staff recommends that the Village Council direct the Winnetka Environmental & Forestry Commission to research and develop guidance on planting rain gardens and bioswales in the Village's rights-of-way.**



QUESTIONS?

10



Guidelines for investigation

- 1) The parkway (public right of way) belongs to the Village. Residents must obtain a permit from the Village to modify in anyway the parkway.
- 2) Public rights of way were established to allow present and future access of utilities (example undergrounding of overhead lines and development of 5G with horizontal boring)
- 3) No non-living structures permanent or otherwise may be constructed or placed on the parkway
 - a. Example: sign ordinance
 - b. Soil is alive with microbes
 - c. Boulders?
- 4) That stipulated, the VC wishes the EFC to investigate the potential for use of the parkway by the Village or contiguous property owners to improve the quality of runoff or infiltrating water and/or biodiversity
- 5) This investigation must take the following needs of the Village for use of the parkways, which it owns for communal benefit
 - a. Interference with utilities, including but not limited to wires, cables, poles, pipes.
 - b. Snow removal (street and sidewalk) and snow banking
 - c. Fall leaf removal (equipment access to push leaves to the street)
 - d. Visibility along and safe and full use (over hang preventions) of the sidewalks for children biking to school and pedestrians
 - e. Vehicle visibility and safe use of the streets
 - f. Neighborhood aesthetics
 - g. Trip and fall hazards caused by
 - i. Berm vs swale
 1. Example sidewalk irregularity
 - ii. Plastic/wood restrainers
 - h. Door swings of guests parking on streets
 - i. Access of guests parking on streets
 - j. Construction of future sidewalks where none currently exist
 - k. Maintenance of annual plant growth and garden accoutrement (tomato baskets)
 - l. Conveyance of storm water to storm sewers in the advent of intense storms
- 6) Saunders power point
 - a. Wide variation in neighborhood aesthetics requires variability in allowable plantings
 - b. Best to allow staff to have latitude in acceptance.
- 7) How best to invite public comment – Village eblast?
- 8) Other towns with experience
 - a. Kenilworth
 - b. Highland Park
 - c. Bannockburn