

Planning & Zoning Board Meeting Minutes
February 19, 2024

At 7 p.m. on Monday, February 19, 2024, in the board room of the Village Hall, chairwoman Maria Lewis called to order the meeting of the Planning & Zoning Board. Roll call-Members; Amanda Burns, Walt Mahaffey, John Hawkinson, Richard Crotteau, Jill Breneman, Cody Krug and Maria Lewis. Also in attendance were, Kyle Watson, deputy building inspector, Mark Heinle, village attorney, Trustee Bill Mincey, Trustee Pam Noffsinger (entered meeting at 8:20 p.m.), and Matt Fritz, village administrator.

The minutes of the January 15, 2024 meeting were reviewed. Hawkinson moved to accept the minutes of January 15, 2024 as corrected, second by Crotteau. Roll call-Ayes: Burns, Mahaffey, Hawkinson, Crotteau, Breneman, Krug and Lewis. Nays; none. Motion carried.

There was no public comment.

ZONING BOARD OF APPEALS–PUBLIC HEARING–Consideration of Text Amendment to Limit Tobacco Sales

Mr. Fritz explained the ordinance being considered states that sales will not be allowed in commercial areas. The moratorium shall not allow the placement of a tobacco location anywhere it is zoned commercial. Once the moratorium is in place, more specific text amendments will be added prior to the moratoriums expiration on October 14, 2024 so a final amendment can be done.

Attorney Heinle explained that the amendment is expanding the definition of smoking to capture all of the paraphernalia (i.e., vapes, e-cigarettes) etc. The amendment also distinguishes between stores that tobacco, etc. is primarily what they sell versus a grocery store like Berkot's or a gas station that incidentally offer cigarettes behind the counter but isn't generally what they do. This will not impact places like Berkot's but, instead the single purpose shop that may have a main street presence that isn't necessarily the message the village want to send in town.

Mrs. Lewis asked if the board would be required to draft up definitions for this amendment. Fritz indicated that the definitions for the new vape-related equipment is included within the ordinance.

Mr. Mahaffey moved to accept the ordinance defining tobacco shops and establishing a temporary moratorium on new tobacco shops in the Village of Coal City, second by Burns. Roll call-Ayes; Burns, Mahaffey, Hawkinson, Crotteau, Breneman, Krug and Lewis. Nays; none. Motion carried.

Mr. Fritz indicated that there were no changes to the Zoning Map. Lewis inquired if Fritz checked the area around the Union Pacific Rail Road crossing west Division to which Fritz stated yes.

Mr. Hawkinson, (referring to a previous zoning change submission on First Avenue) asked whether or not the map would be updated with the new zoning if a conditional use was given on the property to change the zoning. Attorney Heinle explained the map is designed to show what the zoning regulation is and it may not reflect what is actually there. Fritz indicated that the property at the west end of street, east of the UPRR previously discussed is currently zoned as RS-2 versus RM-1. Attorney

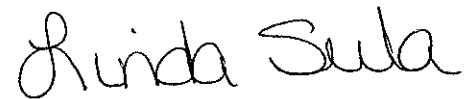
Heinle explained that if there are larger areas, such as whole streets that require a change it may be worthwhile to make those changes. If one is located within a non-conforming use it may be in one's best interest to be validated as a conforming use because if that house burns down the insurance may or may not rebuild depending on the home conformity with the code.

The board had a brief discussion on zoning classification on a couple of properties. Hawkinson moved to accept the Zoning Map for 2024, second by Crotteau. Roll call-Ayes, Burns, Mahaffey, Hawkinson, Crotteau, Breneman, Krug and Lewis. Motion carried.

Lewis stated that Attorney Mark Heinle was there to conduct training for the Planning & Zoning Board.

Attorney Heinle explained the roll and responsibilities of the Planning & Zoning Board in detail with everyone. Heinle answered questions and stated he could come back at any time if the board needed additional information.

Burns moved to adjourn the Planning & Zoning Meeting at 9:26 p.m. all were in favor. Motion carried.



Linda Sula, Deputy Clerk