Vice-Chairman Bill Ashton called the meeting to order at 7:04 pm.

ROLL CALL
Members Present: Vice-Chair Bill Ashton, Tom Casey, Bill Lavine, Larry Nelson, Tim Sidles, Walter Werderich, Claire Wilson, Budd Wormley and 1 vacancy
Others present: Senior Planner Angela Zubko
Members Absent: Tom Martin
In the Audience: Attorney Boyd Ingemunson and Jason Leslie (Pet. 13-05), Commander Robert Wollwert (Sheriff’s Office), Jim Friestad, John Shaw (County Board Chair & nearby property owner) and 3 others that did not speak but were there to listen about the shooting range.

Planner Zubko just wanted to inform everyone if they have not heard Randy Mohr has been moved to be ZBA Chair so we are looking to fill a vacancy on Plan Commission in Bristol Township.

APPROVAL OF AGENDA
Larry Nelson made a motion to approve the agenda as written. Walter Werderich seconded the motion. All were in favor and the agenda was approved

APPROVAL OF BILLS- No Bills

APPROVAL OF MINUTES
Budd Wormley made a motion to approve the minutes from November 28, 2012 as amended. Tom Casey seconded the motion. All were in favor and the minutes were approved.

PETITIONS
#12-39 Maria Silvia Gonzales- A-1 Special Use for a private club
Planner Zubko stated this petition will be continued till the February 27th meeting as the petitioner still has some work to do and is also on the township agenda in February.

#13-01 Outdoor Commercial Sporting Activity
Planner Zubko stated this petition has to do with the Kendall County Sheriff’s Office. They are looking into putting an outdoor shooting range out at the Central Limestone
Quarry. The property is currently zoned M-2 and staff is of the opinion we probably do not want an outdoor shooting range in the M-1 or M-2 districts even as a special use so staff is requesting the petitioner request rezoning the property to M-3 which is the proper zoning now for mining and request a special use for an outdoor commercial sporting activity. Planner Zubko stated back in the 80’s M-2 was the proper zoning for mining but since then we have changed it to the M-3 classification. Planner Zubko suggests using the existing classification of an outdoor commercial sporting activity from the A-1 district and make it a special use with conditions in the M-3 district.

Also on the back of the memo you will notice currently indoor and outdoor target practice is a special use in the M-1 and M-2 districts. Staff is of the opinion it was an oversight and outdoor should be taken out of those districts but indoor target practice would still be a special use in the M-1 and M-2 districts. As you can see the red are the changes after ZPAC and a lot was added.

There was discussion on the underline zoning and if the whole property will be rezoned. Planner Zubko stated the plan is to only rezone that corner as the mine owner never got back to Planner Zubko stating he wanted to rezone the whole property.

Mr. Nelson stated if this was not the Sheriff’s office he would have some concern over the special use.

Budd Wormley had a concern about the fact there is a 25 year lease and that means the property cannot be mined for that long and being taken out of production. Planner Zubko stated that is not our concern and out of our scope.

There was some more discussion about why we would want to rezone the property to M-3.

With no further suggestions or changes Larry Nelson made a motion, seconded by Tim Sidles to forward the petition onto the Zoning Board of Appeals. It is still open for discussion.

Claire asked and suggested deleting the word commercial in the definition and special use as it sounds like the Sheriff’s office might not fit the description since it’s not a commercial entity. The Commission decided to delete the word commercial. Mr. Nelson asked about why staff suggested to not allow buildings on the property. The Commission decided to strike that condition (c) with regards to not allowing buildings on the property. There was discussion on who would shoot at this shooting range. Mr. Wollwert stated at this time only the Sheriff’s office but possibly other law enforcements in the future and Mr. Wollwert was asked if they would need buildings and he said potentially.

Mr. Nelson stated the Sheriff’s office is a governmental agency and why not just say the Kendall County Sheriff’s department or government for training and shooting shall be a
permitted use in M-2 zoning. Staff stated if we do it like that the County cannot put any conditions on them. Bill Ashton stated we are supposed to write this so anyone can do it, not just one person. There was a brief discussion how far shooting ranges need to be from a structure and Mr. Wollwert stated there are limitations for hunting but not target shooting.

There was discussion on the text and not having enough conditions. Mr. Nelson suggested taking the discussion of guns and shooting ranges to ad-hoc and to keep this petition going but change it to allow the Kendall County Sheriff’s office.

Mr. Shaw (Owns property across the street) wanted to make sure they cannot shoot 24 hours a day.

Kendall County Government Agency and other law enforcement shooting range in an M-2 or M-3 District as a special use with conditions to be set and approved by the County Board.

Mr. Nelson withdrew his motion and Mr. Sidles also withdrew his second. No motion is on the table at this time.

With no further discussion Larry Nelson made a motion, seconded by Tim Sidles to forward the petition onto the Zoning Board of Appeals with the change to change it to Kendall County Government Agency and other law enforcement shooting range in an M-2 or M-3 District as a special use with conditions to be set and approved by the County Board. With a roll call vote there were 7 yes votes and 1 no vote. Claire Wilson voted against the project as she agrees with the staffs opinion this is for a specific user in a specific district. She is not against the use but would rather have parameters set first before approving a text amendment.

The group scratched the discussion of indoor and outdoor target practice to be discussed further at another meeting and move it to ad-hoc to straighten it out.

#13-02 Rezoning and Special Use for a Kendall County Government Agency and other law enforcement Shooting Range
Planner Zubko stated the petitioner would like to rezone a 17 acre property from M-2 to M-3 and also requests a special use for a Kendall County Governmental Agency and other law enforcement shooting range. Central Limestone has been at this site since the late 1800’s and the County Zoning regulations have changed so much that M-2 was for mining at one point. Staff suggests rezoning at least the portion of the property for the shooting range to M-3 so they can get a special use for the shooting range. The plan is to have a small parking lot at the far north end and shoot south. It will only take up about ½ that parcel on the west. There’s a lot of good information in the ZPAC meeting minutes like the IL EPA does not control shooting ranges and does not get involved until the range is inactive and then the lead that remains in the backstop becomes hazardous waste that does have to be contended with. The IL EPA directed
Mr. Wollwert to a specific region of the federal EPA because even nationwide the federal EPA does not have a specific set of guidelines but they did direct him to Region 2 which has put together a best practices manual so that is being evaluated now with regards to the construction plans. The manual has specific recommendations for which type of material is best. For example what type of materials to use for the backstop so you can sift out the bullets when needed for clean-up. The state recommends a berm of at least 30’ tall for the backstop for recruit training so their berms will be a minimum of 30’ tall. The berms will be constructed out of clean fill from Route 47 and Route 34 widening project and the backstop might be 50’ tall instead of 30’. The shooting range they use now is currently inspected yearly by the Law Enforcement Training and Standards Board and has never had a problem passing their inspections and would continue that process at the new site. The intent for the new range is to limit it to only the sheriff’s office at least at the beginning stages. Mr. Wollwert is in attendance for any questions.

The request to rezone to M-3 is consistent with the County’s Zoning Ordinance for mining and the LRMP and since the text amendment was moved forward by the Plan Commission staff would recommend approval with the following condition at this time. We will need to add more conditions since the text amendment was modified.

1. If night shooting is to occur the adjacent land owners shall be notified 48 hours in advance.

Mr. Wollwert stated D Construction will be doing the construction and has been reading a lot of material about this matter. There was clarification that they consider night training from 5-8pm so therefore the other condition can be modified to limit the hours from 7am to 8pm. Also for clarification the Sheriff’s office will still use the other site. This new range will have a 200 yard rifle range which is not available at the current range which is 100 yards.

There was a discussion about fencing and Mr. Wollwert stated there is no fence proposed at this time, just a berm around the entire shooting range except for the one opening for vehicular traffic. There was some concern about curious kids or people wanting to crawl on the berm. At this time they added the condition about perimeter signage for no trespassing and the fire range safety officer is in charge of looking out for things like that. There was discussion on the north/south shooting with regards to sun, if there are coverings proposed and what happens if the public enters the property when they are shooting.

Mr. Wormley wanted to notify the group he’s the insurance agent for Central Limestone so will not be voting on this topic but brought up some potential insurance issue. Claire asked if there was night shooting if there would be lighting. Mr. Wollwert stated maybe some lighting that could be raised and lowered during that time when used. Ms. Wilson asked if they shoot on the weekends. Mr. Wollwert stated they do but rarely. There was some discussion about the amount of days a year the range will be used.
The following conditions were proposed to put on the special use:

1. Minimum of a 30’ backstop
2. Hours are limited from 7am to 8pm
3. Water and drainage plans must be approved by Kendall Counties Consulting engineer
4. Signage is permitted but must meet the Sign Ordinance regulations of Section 12 of the Zoning Ordinance.
5. Lighting shall meet the standards of Section 11.02.F.12.d of the Zoning Ordinance.
6. Must adhere to the Performance standards of Section 10.01.F of the Zoning Ordinance.
7. All applicable State, Federal, County and EPA rules and regulations shall be adhered to.
8. No activity shall leave the boundaries of the site.
9. Shall contact and meet all requirements of the Kendall County Health Department.

These were added after more discussion:

10. The best practices manual provided from the Region 2 office of the EPA shall be used as a guide.
11. Gated entrance
12. The Sheriff’s office must keep a list of persons that want to be notified 48 hours in advance of shooting or training and notify them.
13. Appropriate signage as determined by the Zoning Office be secured around the perimeter of the property.

Ms. Wilson wanted to add a condition about the best practices shall be adhered to. The Commission decided on the above language. Budd Wormley asked if they would have security gates at the front entrance and Mr. Wollwert stated there will be a security gate, it was also added as a condition.

Mr. Shaw stated in 2007 there was a storm and suggested having a slight berm to go over at the access road entrance so additional water does not get into the site.

Bob Friestad who owns property nearby stated he is about a ½ mile away from the property. He will be farming right up to the berm and stated there currently is a lot of noise from the quarry and on Sunday morning it is quiet. That is a concern he had. Mr. Wollwert stated they very rarely shoot on Sunday’s. Mr. Wollwert would be fine with having a notification list for any area person that wants to be notified. A condition was added to address this.

As stated previously Budd Wormley has abstained from the vote.
With no further suggestions or changes Larry Nelson made a motion, seconded by Tim Sidles to forward the petition onto the Zoning Board of Appeals and Special use Hearing Officer with the conditions stated above. With a roll call vote 6 yes votes, 1 no vote and 1 abstained himself. Claire Wilson wanted to clarify her no vote, not that she’s opposed to this it’s a procedural thing and feels we put the cart before the horse without having the text amendment worked out.

#13-04 Micro-batch Distillery
Planner Zubko stated this petition relates to Petition 13-05 for Three Angels Brewing LLC. They would like to amend their special use to also allow micro/craft distilling. Kendall County does not have this category in the Zoning Ordinance so staff would like to create a definition in Section 3 and also allow it as a special use in the A-1, and B-3 district and allow is as a permitted use in the M-1 and M-2 Districts. Staff proposes a definition and the text with 6 following conditions:

a. The facility shall have direct access to a road designated as a major collector (or higher) on the County Land Resource Management Plan.

b. Locally grown inputs shall be used to the greatest extent possible

c. The number of hours permitted to operate shall be on the approving ordinance.

d. Parking shall be in accordance with Section 11 of the Zoning Ordinance including lighting.

e. All applicable Federal (including the Alcohol and Tobacco Tax and Trade Bureau), State (including the Illinois Liquor Control Commission), and County rules and regulations shall apply.

f. Shall contact & meet all requirements of the Kendall County Health Department.

Claire asked why staff suggested having it have direct access to a road designated as a major collector on the County LRMP. There was some discussion and after further thought staff suggested adding that condition be for A-1 zoned properties. The Commission agreed.

There was discussion on noise and smells from this type of operation. Boyd Ingemunson stated it would be minimal.

With no further suggestions or changes Claire Wilson made a motion with the one change staff suggested, seconded by Larry Nelson to forward the petition onto the Zoning Board of Appeals. With a roll call vote all were in favor.

#13-05 Three Angels Brewing LLC & Angels Share Distilling LLC
Planner Zubko stated Three Angels Brewing is a nano brewery that is located at the northeast corner of Caton Farm Road and Ashley Road. The site is a total of 40 acres with about 1 acre being used for the nano brewery and petitioning to also have a micro/craft distillery with a tasting room and retail sales. The petitioners have already talked to the township about their concerns with having a micro distillery on the property and their main concerns are to not have special or large events on site and what the
hours of operation. They will still operate the nano brewery and have a special use for Ag labor housing which is where the bee-keeper currently resides. The property does contain enough landscaping and parking. There is signage already on the property. They do have access from Ashley Road by a mechanical gate which will be closed during non hours. The petitioner will need to renovate the existing barn for the operation since it will be open to the public. This renovation will require a building permit and will be subject to all applicable codes and regulations of the Bristol-Kendall Fire Protection District and Commercial Building Code. The petitioners are also already working with the Health Department and working on a liquor license.

Assuming the proposed text amendment is approved by the County Board; Staff would recommend approval of the proposed micro distillery/ craft distillery and also allow retail sales with the following conditions:

1. Must meet all the conditions of the text amendment:
   a. If zoned A-1 Agricultural, the facility shall have direct access to a road designated as a major collector (or higher) on the County Land Resource Management Plan.
   b. Locally grown inputs shall be used to the greatest extent possible.
   c. The number of hours permitted to operate shall be on the approving ordinance.
   d. Parking shall be in accordance with Section 11 of the Zoning Ordinance including lighting.
   e. All applicable Federal (including the Alcohol and Tobacco Tax and Trade Bureau), State (including the Illinois Liquor Control Commission), and County rules and regulations shall apply.
   f. Shall contact and meet all requirements of the Kendall County Health Department.
2. Hours for the public must be closed by 9pm.
3. Maximum of 20 cars to be parked on site at one time

There was discussion about the 20 cars, the Commission decided to up it to 50 vehicles. There was discussion about food to be served or sold and the petitioner stated they are working with the Health Department with regards to food.

With no further suggestions or changes Larry Nelson made a motion with the changes to 50 vehicles, seconded by Tom Casey to forward the petition onto the Special use hearing officer with staff’s recommendations. With a roll call all were in favor.

#13-03 Other Plat Process (Vacation, Dedication, Etc.)
Planner Zubko stated that back on January 18, 2011 County Board approved changes to the review process in the Zoning Ordinance and on March 15, 2011 County Board approved changes to the subdivision control ordinance including the preliminary and
final plat process. During those changes a process for Other plats (Vacation, Dedication, etc.) was never created in the Subdivision Control Ordinance. Therefore staff would like to create a section for that process. As you can see we made an exemption for County and Township roadways as they have a different process to go through.

Mr. Nelson had a question under D to change the word owner to petitioner and add the word utility and drainage before easement. Claire would like the wording to say the petitioner shall be responsible for relocation if necessary and must supply the Plat Officer with a relocation plan.

With no further suggestions or changes Larry Nelson made a motion, seconded by Bill Lavine to forward the petition onto the Zoning Board of Appeals with the recommended changes. With a roll call all were in favor.

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD
Nothing has gone to the Board since November

CITIZENS TO BE HEARD- No audience members left to speak

NEW BUSINESS
Discussion on Annual Meeting- February 2nd at 9:30am- Planner Zubko stated that in the packet was the list of the 141 people invited to the meeting and went over the agenda.

Elections of Officers- Planner Zubko stated it’s that time of the year again to elect officers. Larry Nelson made a motion to nominate Bill Ashton as chairman. Claire Wilson seconded the motion. All were in favor and Bill Ashton is now the chairman. Claire Wilson nominated Budd Wormley as vice-chair, seconded by Tom Casey. Bill Ashton nominated Tim Sidles to be Vice-Chairman, Budd Wormley seconded the motion. There was some discussion. Bill withdrew the motion for Tim Sidles so only one motion is left on the table. All were in favor and Budd was voted as Vice-Chair. Claire moved to re-elect the incumbents for the secretary, treasurer and recording secretary. All were in favor. For clarification Larry Nelson was re-elected for Secretary and treasurer and Planner Zubko as the recording secretary. All were in favor.

OLD BUSINESS
Vote on Amended by-laws- Planner Zubko stated that last month the Commission was in favor and a motion was made to amend by-laws, but we need to vote on the changes at a separate meeting according to the rules. Larry Nelson made a motion seconded by Tom Casey to approve the amended by-laws. With a roll call vote all present were in favor.

Bill Ashton had two items to bring up. The first is the sign on Route 47; how it’s too bright and also advertising for realtors. Planner Zubko stated Inspector Brian Holdiman
went out there and the realtor is advertising the space in that property.

The second thing Bill wanted to discuss is Tom Martin. Mr. Nelson talked to Tom Martin about coming and he said he would attend meetings and he still has not come since last February. Mr. Ashton suggested writing him a letter stating the provisions in the by-laws except some instances or if he’d wish to resign.

**ADJOURNMENT**
The next meeting will be on February 27, 2013. Chairman Bill Ashton made a motion to adjourn the meeting, Claire Wilson seconded the motion. All were in favor and the meeting was adjourned at 9:30 p.m.

Submitted by,
Angela L. Zubko, Senior Planner