Chairman Bill Ashton called the meeting to order at 7:03 pm.

**ROLL CALL**

**Members Present:** Chair Bill Ashton, Tom Casey, Larry Nelson, Vern Poppen, Claire Wilson and Budd Wormley  

**Others present:** Planning & Zoning Manager Angela Zubko  

**Members Absent:** Roger Bledsoe, Brian Leonard (resigned) & 3 vacancies (Oswego Township, Kendall Township & Big Grove Township)  

**In the Audience:** Attorney Daniel Kramer and Peter & Laurie Pasteris

**APPROVAL OF AGENDA**

Budd Wormley a motion to approve the agenda as written. Tom Casey seconded the motion. All were in favor and the agenda was approved

**APPROVAL OF MINUTES**

Claire Wilson made a motion to approve the minutes from January 26, 2015, Tom Casey seconded the motion. All were in favor and the minutes were approved. Larry would like it to show he excused himself before he talked. Claire Wilson made a motion to approve the annual meeting on February 7, 2015 as amended, Tom Casey seconded the motion. All were in favor and the minutes were approved.

**PETITIONS**

**#15-01 Nancy Austin**  

Planner Zubko stated Nancy Austin is requesting to rezone 3.2 acres of the 6.4 acre property located on the east side of Ashley Road, about 300 feet south of Plattville Road in order to build a house. Currently 1.82 acres on the west side is unincorporated and 4.63 acres on the east side is incorporated into Plattville. Plattville will de-annex 62,720 square feet of property so the whole parcel is located in un-incorporated Kendall County. The comprehensive plan shows this property to be agricultural so staff had to wait till the Lisbon Township board approved the rezoning which they did this month. She also stated they’re looking to build 1 house at this time but could in the future could rezone the eastern portion to R-1 in the Village of Plattville and have access off Plattville Road. Staff recommends approval of the rezoning.
The ZPAC Committee had no objections and recommended approval. They had the same basic concerns, needing a building and well and septic permit; also approval from the township for a culvert.

The petitioner is not present tonight. Mr. Ashton asked a procedural question if it’s agricultural on our comp plan we cannot rezone the property without changing the comp plan. There was discussion on Plattville annexing up to 50’ from the roadway so it can be annexed and they don’t have to maintain Plattville Road. There’s a case law that specifies how close you can go to the roadway.

This will be continued next month.

#15-02 Peter & Laurie Pasteris
Planner Zubko stated Peter & Laurie Pasteris are requesting approval of an A-1 special use permit to operate a banquet hall on their property for special events. The applicants do live in the house on the property. The property is located at 1998 Johnson Road and is on the south side of Johnson Road, 1 mile east of Schlapp Road and 1.45 miles west of Ridge Road. There is a trail proposed along the south side of the roadway and Planner Zubko suggests contacting Plainfield for a dedication request. There is no record of State-listed threatened or endangered species in the vicinity of the project location. For the NRI an executive summary will be provided since there are future buildings proposed. According to the Zoning Ordinance a banquet hall can be operated if the following are met:

a. The facility shall have direct access to a road designated as an arterial roadway or major collector road as identified in the Land Resource Management Plan.
b. The subject parcel must be a minimum of 5 acres.
c. The use of this property shall be in compliance with all applicable ordinances. The banquet facility shall conform to the regulations of the Kendall County Health Department and the Kendall County Liquor Control Ordinance. (Ord. 99-34)
d. Off-street parking, lighting and landscaping shall be provided in accordance with the provisions of Section 11 of the zoning ordinance.
e. All signage shall comply with the provisions of Section 12 of the Kendall County Zoning Ordinance.
f. Retail sales are permitted as long as the retail sales will be ancillary to the main operation.
g. There are noise regulations
The petitioner meets most of them except number one, Johnson Road is designated as a minor collector roadway therefore a variance will have to be requested. Also they must get approval from the NaAuSay Township highway commissioner. The proposed site plan shows a temporary tent and temporary bathrooms will be placed about 200’ from Johnson Road northwest of the house. For a long term plan the petitioner has shown where they would like to construct a concrete pad to keep up a tent from May to November 15th at the size of 40’ x 80’ and also a barn with future bathrooms. The petitioner has stated the guest will park in the hayfield even if a crop is in. The property currently has an access point off of Johnson Road which is the same access they propose to use for the special events. Staff would recommend approval and the following conditions be placed on the special use, if approved:

1. The principal use of the property is for residential purposes and/or farming.
2. A maximum of 200 persons at any one time
3. All events must be catered unless approved by the Health Department.
4. Compliance with applicable building codes and Americans with Disabilities Act accessibility provisions and securing of the required permits associated with any proposed remodeling, alteration, construction or expansion of existing and proposed structures on the premises.
5. Retail sales are permitted as long as the retail sales will be ancillary to the main operation.
6. The noise regulations are as follows:
   Day Hours: No person shall cause or allow the emission of sound during daytime hours (7:00 A.M. to 10:00 P.M.) from any noise source to any receiving residential land which exceeds sixty five (65) dBA when measured at any point within such receiving residential land, provided; however, that point of measurement shall be on the property line of the complainant.
   Night Hours: No person shall cause or allow the emission of sound during nighttime hours (10:00 P.M. to 7:00 A.M.) from any noise source to any receiving residential land which exceeds fifty five (55) dBA when measured at any point within such receiving residential land provided; however, that point of measurement shall be on the property line of the complainant.
   EXEMPTION: Powered Equipment: Powered equipment, such as lawn mowers, small lawn and garden tools, riding tractors, and snow removal equipment which is necessary for the maintenance of property is exempted from the noise regulations between the hours of seven o’clock (7:00) A.M. and ten o’clock (10:00) P.M.
7. Porta Johns need to be removed within 2 business days after an event.
8. Events and the temporary tent can be erect from May 1st through November 15th.
9. Entities having jurisdiction may inspect the property annually including but not limited to the Planning, Building Zoning Department, Health Department, sheriff’s office and fire protection district.

Planner Zubko would also like to note this is in NaAuSay Township so this is a dry township so alcohol cannot be sold on the premises.

The ZPAC Committee had many concerns which all were addressed by addition conditions. The concerns were that the fire protection district has been contacted, the number of people, noise (the location of speakers was suggested), port a potties, the dates the tent can be up and parking. Also getting approval from the township and road commissioner.

Attorney Daniel Kramer introduced himself and introduced his clients. The petitioner is unaware of where this property is located as Old Second is not an owner they notified. The concerns have been addressed at the ZPAC Committee meeting. He stated it’s a nice farmette with fencing and a barn. They’ve had a number of requests to host weddings on the farm and would like to have 3 or 4 a year at the beginning. It’s planned to be a low intense business. They will be putting up and taking down the tent at the beginning as it’s cheaper to do it that way until they get more steady business. Attorney Kramer discussed noise and will stay in the parameters of the ordinance. Peter and Laurie
have an active horse farm so will have security making sure their animals are safe. The township recommended approval.

Planner Zubko stated the trust is the owner directly west of this property.

Mr. Ashton asked if they've talked to the Plainfield Fire Protection District, Mr. Kramer stated yes and they just need to contact them when the tent is erected, if it was new structures there would be conditions.

Ms. Wilson asked if the weddings will become more frequent then the 2-3 a year? Mr. Pasteris is looked to do this on a small scale and to make it work probably have about 5-6 a year. The reason she asks that this seems like a burdensome task to remove the porta johns and then bring them back. The Attorney stated they’re really easy as they’re on a trailer and if they were left it would leave an odor. The tent will no longer be in the northwest corner of the property, everything will be in the future location.

Mr. Casey asked how many horses are they, he stated 2 are his and 3 are other people's. Mr. Wormley asked about Johnson Road, Mr. Pasteris stated it is tar and chip. Mr. Wormley asked about garbage, they owner stated they would have a larger dumpster and it gets picked up on Monday.

No one from the audience had any comments or questions.

Claire Wilson made a motion to approve the special use with staff's recommended conditions, Budd Wormley seconded the motion. With a roll call vote all were in favor and this will move onto the next SUHO meeting a week from Monday.

**REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD**

14-39 River's Edge Fellowship- Approved by the County Board on 2.17.15
14-42 Sybert Landscaping- Approved by the County Board on 2.17.15 (new site plan & conditions)
14-33 Bee Keeping- Approved by the County Board on 3.17.15
14-37 Home Occupations- Landscape Businesses- On ZBA Agenda for 3.30.15
14-40 Subdivision Control Regulations- Letters of Credit- On ZBA Agenda for 3.30.15

**CITIZENS TO BE HEARD/ PUBLIC COMMENT**- None

**NEW BUSINESS/ OLD BUSINESS**

Review proposal from annual meeting- Planner Zubko stated in the packet is an aerial and also the comprehensive plan. Mr. Larry Nelson excused himself from any vote. Planner Zubko stated he would like to extend the neighborhood commercial future land use to the corner. There was discussion on if it would be appropriate on the northeast side of Creek Road or just keep it at the southwest corner of Frazier and Creek Road. Everyone agrees to change the southwest side of Creek Road and Frazier Road. Planner Zubko will move this along.

Discussion on bringing back R-2 and R-3 zoning- Planner Zubko would like to bring back R-2 and R-3 districts. The Commission is fine with that and would like to know the history of why we got rid
of it the first time. Planner Zubko stated she would assume to promote RPD’s but will check with Mike Hoffman. There was some discussion to allow R-2 and R-3 for a certain amount of contiguous lots. The Commission would like Planner Zubko to start this text amendment. Most likely no one will be able to make 1 acre work for a septic but possibly.

Discussion on noting something in the Zoning Ordinance about NaAuSay township looking into density and subdivisions are on hold- Planner Zubko would like to know if we should put some type of note that RPD subdivisions are on hold but zoning is fine. Larry thinks we might legally run into an issue. The Commission is fine with putting something about no RPD’s in NaAuSay and possibly Kendall Township. The Commission would maybe like something on the comprehensive plan map and not just the text and bring that all together with the change to the LRMP now. Maybe hatched lines in those townships with a footnote.

Larry Nelson- on our next agenda he would like to talk about looking at the by-laws to change a quorum to the simple majority of those people appointed. Planner Zubko stated she is going to start discussions with the PBZ Committee about possibly combining RPC and ZBA. Planner Zubko stated this will only happen if we can make everyone happy to stay on the committees. The amount of meetings is a lot and has received numerous complaints from petitioners after they have gone through the process. Planner Zubko will email everyone about this issue separately.

**ADJOURNMENT**

Next regularly scheduled meeting on Wednesday, April 22, 2015. Claire Wilson made a motion to adjourn the meeting, Vern Poppen seconded the motion. All were in favor and the meeting was adjourned at 8:47 p.m.

Submitted by,
Angela L. Zubko, Planning & Zoning Manager