CALL TO ORDER
The meeting was called to order by Vice Chairman Judy Gilmour at 6:30 p.m.

ROLL CALL
Present: Chairman Scott Gryder (6:34), Amy Cesich, Lynn Cullick, Vice-Chair Judy Gilmour and Jeff Wehrli
Absent: None
Also present: Planning & Zoning Manager: Angela Zubko, Administrator Jeff Wilkins & Code Enforcement
Officer Brian Holdiman
In the audience: Attorney Ken Carlson, Divyesh Patel, County Board member Matt Prochaska, County Board
Chairman John Shaw, Barry Narvick, Greg Dady, Ber Stevenson, Bob & Sharon Friested, Scott & Kristin Friested
and Ramon Herrera.

APPROVAL OF AGENDA
Lynn Cullick made a motion to approve the agenda as written, Jeff Wehrli seconded the motion. All agreed
and the motion was approved.

APPROVAL OF MINUTES
Amy Cesich made a motion to approve the minutes from August 11, 2014. Lynn Cullick seconded the motion.
All agreed and the minutes were approved.

EXPENDITURE REPORT (handed out at meeting)
Lynn Cullick made a motion to approve the expenditure report in the amount of $14,165.98 and forward it
onto the Finance Committee, Amy Cesich seconded the motion. With a roll call vote all in attendance agreed
and the motion was approved.

PETITIONS-
#14-22 Clean-up and Restoration Services
Planner Angela Zubko stated that Servpro is looking to open up a franchise in the County and currently staff is
of the opinion it really does not fall into a current category in the Zoning Ordinance. Therefore staff is
proposing the text amendment. SERVPRO of Kendall County provides the following services: residential and
commercial restoration services for water damage, fire damage, disaster, storm and flood damage and mold
damage. They also perform biohazard remediation like sewage cleanup, crime scene cleanup and/or
vandalism cleanup which is all done on site and not brought back to this site. Staff proposes it to be a Special
Use in the A-1 (Agricultural District) and Permitted in the B-3 (Highway Business District), M-1 (Limited
Manufacturing) & M-2 Districts (Heavy Industrial District).

Clean-up and restoration services with the following conditions:
  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) All commercial vehicles are to be stored inside an accessory structure when not in use unless outdoor storage is screened from adjacent and surrounding properties and screening and storage is shown on the approving site plan.

c) All operations are to take place inside an enclosed structure.

d) A waste management plan must be submitted and an exhibit to the approving ordinance.

e) A material management plan must be submitted including where items will be stored on site including but not limited to chemicals and belongings.

f) No materials that are brought in can be burned on this site.

g) All signage shall comply with the provisions of Section 12 of the Kendall County Zoning Ordinance (Sign Regulations).

h) Shall satisfy all requirements of the Kendall County Health Department and Building Department prior to the issuance of occupancy permits.

The ZPAC commented allowing this is Agricultural districts might be good in one location but not another. Planner Zubko stated because everything has to be in enclosed buildings that would make it hard for most businesses. The Plan Commission also recommended approval with some modifications shown in the memo. The ZBA added two conditions on waste management and material management plan. The ZBA had a 3-2 vote with two no votes. One member would like these connected to a sanitary service and not on septic and the other is just not comfortable with it and has seen some bad operations. Staff still recommends approval.

Ms. Cesich asked about the ZBA recommendation and what the reasoning was for the two votes. Planner Zubko reiterated the reasoning. Ms. Cesich asked if there are Servpro’s in other Counties? Planner Zubko stated they’re currently in Oswego but this is not the only business she is writing it for, there is another clean-up service that as inquired about moving into Kendall County as well.

Mr. Wehrli asked if this would be considered ag exempt. Planner Zubko stated it would be considered a business so could not be agriculturally exempt.

Ms. Gilmour asked about condition d and e and would like to modify the language to have the Health Department approve those plans. There was some discussion on these plans on what will be needed. Planner Zubko stated typically it would be a trash enclosure but want that in writing so there are no issues.

With no further suggestions or changes Jeff Wehrli made a motion, seconded by Lynn Cullick to recommend approval of the text amendment and forward the petition onto the next County Board meeting. All were in favor and this will be forwarded to the full County Board.

#14-23 DTG Investments LLC
Planner Angela Zubko did an overview of the request stating the property is located at 3485 Route 126 where Countryside Landscaping is currently operating out of. The property is about 5.93 acres and the petitioner is requesting an A-1 Special use to operate a cleanup restoration business. Everything will take place inside the building and no new buildings are proposed at this time. Currently Servepro operates out of 3 separate buildings in the Stonehill Industrial Park in Oswego and would like a larger building to make the business more efficient and in one location. Servepro will be renting from DTG Investments LLC. How the operation roughly works is the business is called, employees go out to the home, collect or go through the destroyed belongings and bring it back to the site or throw out on site. The employees wash, clean, sterilize and store the items inside the closed building and also do repairs/construction on the home. Once the original site is back to its original condition the items are returned back to the owner. The service has small vans/pick-up trucks but do
not own any semi trucks. Semi trucks have been used once and that was in the flood of 2013 there was so many items it was trucked in, that is a rare occurrence. There are about 18 employees that will park on site. The employees will be parking behind the building. All commercial vehicles will be parking inside the building due to the equipment inside the vans and employees will be the only ones parking outside the building. IDOT has stated no ROW will be required along Route 126. There will be no outdoor storage except the employee vehicles. Also the petitioner knows nothing shall be placed in the floodway which is a condition on the ordinance. Also staff has asked if any drains or catch basins exist in the building currently or if any will be installed. Stamped architectural drawings will be needed to verify this, there is one but this will be required during the building permit stage. The farmhouse will be rented most likely to people working on the property. There is floodplain on the property as shown it is considered Zone A which means no flood elevation has been determined; therefore this is considered all Floodway. The petitioner is aware no storage or parking shall take place in the floodway. Countryside landscaping will stay in the building for a little and the plan is to eventually have SERVPRO utilize the entire building starting in January. Assuming the proposed text amendment is approved by the County Board; Staff would recommend approval and the following conditions are placed on the special use, if approved:

1. Must meet all the conditions of the text amendment (list all conditions)
2. No outdoor storage except employee cars.
3. No activity including parking or storage is permitted in the floodplain.
4. If any future expansion is proposed a major amendment to the special use will need to be filed.

The ZPAC did not have many concerns, the Health Department will be meeting with the petitioner to discuss the septic system and they have met with the building department and know their concerns. The Plan Commission also recommended approval. The Hearing officer made a favorable recommendation with staff’s findings of fact and staff’s 4 conditions as listed in the report including the two modifications to the text including 8 conditions. Planner Zubko stated they are going to the township meeting after this. There was preliminary discussion at the township and they look like they will be in support of this business.

Mr. Gryder stated what Planner Zubko stated is accurate as he was at the township meeting with her and they’re enthusiastic about the operation. He stated it sounds like they have everything in order with regards to waste and their operation.

Planner Zubko stated the petitioner is here if anyone has any questions. She also stated she took a tour of their facilities in Oswego and they’re very clean & organized. She stated they do not hose things down, the current buildings do not have floor drains, they clean everything by hand. Planner Zubko also stated this will not go to the next County Board meeting as the notice to the neighbors were not sent by certified or certificate of mailing so it will go back to the hearing officer and then onto the full County Board to make sure it is done properly.

With no further suggestions or changes Lynn Cullick made a motion, seconded by Judy Gilmour to recommend approval of the special use and forward the petition onto the next County Board meeting. With some brief discussion on burning and their waste plan there was a roll call vote, all were in favor and this will be forwarded to the full County Board.

#14-24 Divyesh Patel/Council Court Motel
Planner Angela Zubko did an overview of the request stating the property is located at 1016 Route 30 about 0.06 miles north of Gastville Street. The petitioner is requesting a B-3 special use to build a dwelling unit for a watchman and families. The petitioner, Divyesh Patel owns 4.2 acres and the business is really on 2.94 acres.

9.8.14 PBZ Meeting Minutes
Mr. Patel would like to relocate his family to this site for better efficiency and to keep an eye on his business. This motel has been here since before 1973 and Mr. Patel has owned the property since 2000. The petitioner has been granted a variance as he would like to possibly locate the home 5’ from the northern property line and when built would demolish the existing shed. To the north there is a 175’ ComEd ROW so the variance would not really affect anyone. The side and/or rear lot line setback is a minimum of twenty (20) feet. As you will see on the plat 2 different locations are proposed but clearly only 1 location will be built on. The Special Use will be for anywhere on the property. Staff recommends approval of the special use to build a dwelling unit for a watchman and families. At ZPAC there were no concerns just a comment that a septic permit will be required during the building permit process. The Plan Commission’s only concern was renting the house out but Planner Zubko stated it would only be for a watchman and family so that person who’s in charge might technically be renting the home. Also the rest of the property is rented so why not this home for the watchman? The Plan Commission recommended approval.

The hearing officer made a favorable recommendation with staff’s findings of fact. Also the ZBA made a favorable recommendation on the variance with staff’s findings of fact. Mr. Patel is in attendance for any questions.

Mr. Wehrli asked about the ComEd ROW and if the petitioner knew why it was so large? Planner Zubko stated this came up at the ZBA and no one knows why it is so large. Mr. Patel also stated he has not heard any plans for that property.

With no further suggestions or changes Jeff Wehrli made a motion, seconded by Lynn Cullick to recommend approval of the special use and forward the petition onto the next County Board meeting. With a roll call vote, all were in favor and this will be forwarded to the full County Board.

#14-12 Central Limestone Company, Inc.
Planner Angela Zubko did an overview of the request stating the petitioners are seeking approval to rezone 10 acres from M-2 to M-3 and also seeking a special use to operate an asphalt and concrete mixing plant with associated recycling facilities. This will be located on 10 acres of the 150 acre parcel. Central Limestone has a total of about 200 acres. It is located at the southwest corner of Joliet Road and Quarry Road. Staff is of the opinion this is an appropriate location since it is a manufacturing district. It is also appropriate as other mines are to the west and the property north is zoned for mining. Planner Zubko stated this went to the Lisbon Township on August 12th and their Plan Commission had some concern over truck traffic and recommended approval and the township board also recommended approval. Planner Zubko also talked to the mayor of Lisbon and he did not feel he needed to have his board review the petition due to all the County meetings and township meetings but did express some concerns over truck traffic and expected truck traffic. The petitioner has stated that currently all the materials are hauled out of this quarry up to the plant in Yorkville so the truck traffic will increase but not too much as these plants will use the materials from on site for the concrete plant. They projected about 200 trucks extra a day. Planner Zubko stated we did take a tour of the facility and learned the asphalt plant will be hooking up to natural gas shortly which would reduce the smell a little and also talked about having an entrance off Joliet Road or Quarry Road to help mitigate dust that travels southeast of the truck traffic at the quarry. Also Mr. Narvick talked to ComEd and they want level ground so no berm in the Comed property would be permitted. If they wanted an entrance off Joliet Road they would need approval for a variance through the County Board but is of the opinion the safety would be a concern. An entrance off Quarry Road is still in discussions as it is a township roadway. However, since the Plan Commission meeting the petitioner has proposed to install an 8’ berm as depicted on the site plan in the packet. The closet home to this site is about 1,300 feet (0.24 miles) southeast of this property, Quarry Road is...
to the east and a little further east is Route 47. No new access points are being proposed at this time but there have been some preliminary discussions about an entrance further north on Quarry Road and possibly Joliet Road but Joliet Road would probably be a safety concern. The trucks will enter and exit the proposed site from Quarry Road. The applicant will post signage as requested by the Village of Lisbon which advises drivers that travel on Joliet Road west of the intersection of Joliet Road and Quarry Road is prohibited. The proposed hours of operation for both plants will be 6am to 6pm during weekdays. The plants will operate outside of those hours as may be required to perform projects on governmental projects. It is anticipated that the plants will be operational from April 15th to December 15th (depending on weather). The subject site will not generate waste from the proposed operations. The petitioner has stated no new lighting is proposed other than lighting on the plants for safety. The applicant will focus all such lighting in a downward direction. The applicant also has stated no new signs are proposed at this time. There is an existing berm that will shield the concrete plant. Planner Zubko asked the petitioner what are the heights of the tallest equipment for both plants are? The petitioner has stated the height of the silos for both the asphalt plant and the concrete plant are less than 61 feet. Planner Zubko asked the petitioner to explain how each plant works and they provided the information in the packet.

If both the asphalt plant and the concrete plant are in operation, it is anticipated that there will be four (4) to five (5) employees and the applicant anticipates designating an area for employee parking in proximity to each of the facilities.

At the Plan Commission meeting some of the concerns brought up were dust from the trucks, truck traffic, smell, truck parking and berms. There was also discussion that there previously used to be an asphalt plant on site about 30 years ago and the current surrounding residents bought their property knowing the mine existing and most knew an asphalt plant was there as well.

The Plan Commission recommended approval and also wanted consideration be given to make a recommendation for the County Board to petition IDOT about to take a look at traffic control at that particular intersection (Route 47 and Joliet Road).

At the hearing officer meeting there was no one in the audience to testify and the hearing officer made a favorable recommendation with staff’s findings of fact and staff’s conditions as listed in the report and the ZBA made a favorable recommendation of the rezoning. Attorney Ken Carlson and plant owner Barry Narvick are in attendance for any questions.

Mr. Wehrli asked if this was to be open 5 or 6 days a week. Planner Zubko stated 5 days a week and Attorney Carlson agreed.

Ms. Gilmour asked if the homeowners concerns have been addressed adequately. Planner Zubko stated they are in attendance to verify but thinks the 8’ berm shown on the plan will help a lot and address a lot of the concerns. She also stated there were some concerns on the lighting and as far as she knows those have been taken care of. Ms. Gilmour asked about the lighting. Planner Zubko said to please verify with the homeowners. Planner Zubko also stated the neighbors would like an entrance off Joliet Road which is a safety concerns and there are still discussions about an entrance further north on Quarry Road. Ms. Gilmour asked if the petitioner has inquired about another entrance off Quarry Road?

Attorney Carlson introduced himself and stated Mr. Narvick has talked to ComEd and that is something they are going to peruse, the roadway is the jurisdiction of the township Road Commissioner so would need their
approval as well. Planner Zubko stated we didn’t want to make it a condition just in case it is not possible but the petitioner would rather have another entrance so the truck traffic is not co-mingled and would take the trucks closer to the plant. Planner Zubko stated definitely no berm will be permitted in the ComEd easement.

Ms. Gilmour asked Chair Gryder if we could allow some of the residents to speak to verify if their concerns have been met.

Mr. Bob Friestad came up and introduced himself and explained where he is located. He stated he’s lived here for 57 years and was asked by Mr. Nelson at the Plan Commission meeting if the quarry was there when he moved in and he stated he has and since then two other quarries have located nearby and 2 more proposed so need help from the Board to help with their concerns. They would like to see that berm along the south and if possible a wall along Quarry Road. Trucks going out to the south are creating more dust so a new entrance will help to the north. There are 6 houses less than a half a mile away and would like to see the area preserved and in good order. Planner Zubko stated we have briefly discussed a wall but that’s a huge safety concerns for thefts.

Attorney Carlson stated that the property is patrolled by the Kendall County Sheriff’s office and the concern is putting up a fence gives people access to get onto the site and it would be less observable when the sheriff’s drive way. The copper wiring has become a hot commodity so from a security perspective Central Limestone is opposed to a wall.

Scott Friestad introduced himself and thanked Planner Zubko and Barry Narvick on being very accessible and listening to the concerns. He stated the lighting has been adjusted down and have helped a lot. The driveway would help a lot to the north. Mr. Friestad stated there is a lot of dust coming from the trucks and the asphalt plant. Mr. Friestad read from the Zoning Ordinance with regards to the location protection with regards to distance of the plants and equipment from surrounding residents. Also Mr. Friestad if the plants are too close to the east if a berm cannot be placed maybe a wall or fence. Any type of wall to help the noise and dust would be appreciated and stated the berm will be helpful if it’s tall enough. He would request a wall or fence be placed as a condition on the Ordinance.

Mr. John Shaw introduced himself and stated he was the previous owner of Central Limestone but no longer owns any part of Central Limestone since December 6, 2008.

Mr. Gryder asked Judy if she had anymore questions. Ms. Gilmour stated it is good to know about the discussions on a new entrance and is happy to hear about the lighting being fixed. She is torn on this and wish there is something that could be put along Quarry Road. That is a concern for her and would like to see something on Quarry Road.

With no further questions Judy Gilmour made a motion, seconded by Lynn Cullick to forward this onto the committee of the whole (COW). Ms. Cesich asked why we would send this to COW? Ms. Gilmour stated to give the rest of the board to weigh in on the petition. Planner Zubko asked if the committee wanted to make a recommendation or just forward this petition? Mr. Gryder stated the current motion is to just forward it to COW. Ms. Cullick withdrew her 2nd and wanted to amend it. There’s a motion to send it to the committee of the whole, with no 2nd the motion died.
Mr. Wehrli made a motion to send this petition to the committee of the whole and onto the full county board with a recommendation to approve. Lynn Cullick seconded the motion. With a roll call vote of 4-1 this will be sent to the committee of the whole on Thursday and the full County Board.

#14-25 Medical Cannabis Distribution Center
Planner Angela Zubko stated last month we discussed cultivation centers, which is proposed to be on the September 16th County Board agenda. Now we will be discussing the distribution centers. Attached is the proposed text and the back page shows what the surrounding Counties are doing. The Plan Commission made some minor modifications that are shown and recommended approval and modified to allow this as a special use in the M-1 and M-2 districts only. The Commission is afraid it’s going to start like riverboats and then grow into something big. The ZBA made a motion to approve the text amendment and forward this onto the PBZ Committee.

Planner Zubko stated the dispensaries are permitted per population which is 1 per Kendall and Grundy County. There was discussion there is no sales tax on medicines. There was discussion on if there is any benefit? Planner Zubko stated she is not aware of any benefits. There was discussion this will probably go into a municipality and the County Board can make the decision. Planner Zubko explained the memo explaining she is trying to modify this text to mirror the changed to the cultivation center by the SAO. The SAO basically changed the format of the text. This will not be forwarded to the County Board yet so we can bring it back to this committee next month.

Mr. Wehrli thinks commercial districts are fine as it is self restricted and it’s just like a pharmacy. There was much discussion on allowing this in commercial districts and if we’re just following what Yorkville has done? Planner Zubko stated she proposed it in commercial districts but the Plan Commission wanted to delete it so that is how the text is modified. Mr. Gryder asked if we had a map showing the business districts? Planner Zubko stated not right now but will put one together and email it out. There was discussion on how they work by prescription. Planner Zubko stated there is a condition that does not allow it in shared buildings so that would eliminate strip centers. She feels the Plan Commission wanted to make it more restrictive than less restrictive at this time.

This will be continued till next month.

#14-17 Medical Cannabis Cultivation Center text
Planner Angela Zubko stated she wanted to bring it back to the committee because there was a consensus to delete the A-1 agricultural districts from the text so wanted to clarify that’s how the committee wanted it drafted for the County Board and wanted to show the committee the modifications from the SAO and how the text will look to be voted on. Also with us today is Berry Stevenson who handed out a packet of information. Mr. Berry Stevenson introduced himself and explained the information that he handed out at the beginning of the meeting and why he thinks this should be permitted as a special use in the A-1 agricultural district. The Committee thanked Berry for the information.

Jeff Wehrli finds it interesting that Servpro is permitted in the agricultural district but a cultivation center were you grow a product is not. He would like to see it brought to the County Board both ways. Ms. Cesich stated since the cow would like to see it in manufacturing districts we should probably keep it that way. The text will remain as is.

Judy Gilmour made a motion to delete this from the A-1 agricultural district and forward this onto the next
County Board meeting with a favorable recommendation. Amy Cesich Wehrli seconded the motion. With a roll call vote of 4-1 this will be forwarded to the next County Board meeting. Mr. Wehrli would also like to see this in the agricultural district.

PUBLIC COMMENT- None

NEW BUSINESS
Discussion on allowing beekeeping in the residential districts- Planner Zubko stated in the packet was a letter on bee keeping from Mr. Ramon Herrera. She stated she is against allowing beekeeping in residential areas as there is enough property zoned agricultural where it currently is permitted in the County. She stated she has had someone in the last 2 months in violation for beekeeping in the R-6 district. There was much discussion on the Yorkville regulations, other municipalities and the consensus was the PBZ would like more information next month to help aid in a determination. There was some discussion on possibly having so many permits, notifying neighbors, maybe for personal consumption only. Planner Zubko will collect more information for the next meeting and possibly start a text amendment to allow this in residentially districts.

Approve invoice for $28,452 to 4 Seasons Landscaping for the Fields of Farm Colony drainage system landscape maintenance- final close out. Judy Gilmour made a motion to pay the invoice, Jeff Wehrli seconded the motion. With a roll call vote of 5-0 the invoice will be paid.

OLD BUSINESS- None

UPDATE ON HISTORIC PRESERVATION- Planner Zubko stated the last meeting minutes are in the packet and last month they had a good meeting and got through about 30 more properties in Oswego Township.

UPDATE ON CMAP LAND USE COMMITTEE MEETING- Planner Zubko stated the next meeting is next week.

PROJECT STATUS REPORT-- Reviewed
PERMIT REPORT-- Reviewed
REVENUE REPORT-- Reviewed
CORRESPONDENCE -- None
EXECUTIVE SESSION- None

ADJOURNMENT- Next meeting will be on October 6, 2014
Judy Gilmour made a motion to adjourn the meeting. Amy Cesich seconded the motion. All agreed. Chairman Gryder adjourned the meeting at 8:03 p.m.

Respectfully Submitted,
Angela L. Zubko
Planning & Zoning Manager