

Village of Lemont
Planning and Zoning Commission
Special Meeting of February 1, 2017

A special meeting of the Planning and Zoning Commission for the Village of Lemont was held at 6:30 p.m. on Wednesday, February 1, 2017 in the second floor Board Room of the Village Hall, 418 Main Street, Lemont, Illinois.

I. CALL TO ORDER

A. Pledge of Allegiance

Chairman Spinelli called the meeting to order at 6:32 p.m. He then led the Pledge of Allegiance.

B. Verify Quorum

Upon roll call the following were:

Present: Kwasneski, Cunningham, McGleam, Maher, Sanderson, Zolecki, Spinelli

Absent: None

Village Planner Heather Valone, Deputy Village Administrator Jeff Stein and Village Trustee Ron Stapleton and Paul Chialdikas were also present.

II. CHAIRMAN'S COMMENTS

Chairman Spinelli greeted the audience. He then asked everyone in the audience to stand and raise his/her hand to be sworn in for the public hearing. He then administered the oath.

III. PUBLIC HEARINGS

A. 14-12 Donegal Excavating Final PUD and Preliminary Plat (Continued)

Chairman Spinelli called for a motion to open the public hearing for Case 14-12.

Commissioner McGleam made a motion, seconded by Commissioner Kwasneski to open the public hearing for Case 14-12. A voice vote was taken:

Ayes: All

Nays: None

Motion passed

Mrs. Valone said Al Stefaniak is representing the contract purchaser and the lessee of the subject property. They filed an application for a Final PUD and preliminary plat for an industrial development including concrete crushing/recycling, contractor's

office, truck parking, concrete batching plant, construction demolition debris recycling, and other related uses. Staff is recommending approval with 31 conditions.

The property was originally annexed to the Village in 2014. At that time it came before as an application for annexation for a PUD. The PUD portion of the application didn't progress past the Planning and Zoning Commission. The annexation and rezoning did progress on and did go to the Village Board for approval. The current application from the applicant list all the uses for the parcel shown on the overhead. She will go through them in numerical order if possible.

Mrs. Valone stated Lot 1 is currently improved with a truck repair and wash facility and is proposed to remain as-is for now. Lot 2 is currently improved with a home/office. The applicant intends to renovate the existing building to serve as his office and an additional truck maintenance facility. Additional parking will be added along the side for employees and visitors, as well as some large equipment parking. Lot 7 and 8 which are separated by the railroad right-of-way, are proposed to be small contractors yards. Lot 6 which is located on the east side of Route 83, north of the right-of-way, is proposed to be semi-truck parking. Lot 5 is proposed for a construction and demolition recycling facility. She showed on the overhead where it would be located.

The applicant is proposing nine deviations from the UDO. They are the following deviations:

1. Minimum lot width
2. Minimum front yard setback
3. Exceeding the maximum of total lot coverage
4. Landscaping along the public roads – Grant and Leary Roads
5. The exterior parking lot requirements for landscaping
6. Interior lots for parking landscaping
7. Sound nuisance
8. Light nuisance
9. Signage

Staff only finds the deviation for lot width, as currently proposed, acceptable.

Mrs. Valone said the applicant submitted a traffic study indicating that the proposed PUD will have limited impacts on the relatively high volume traffic roads that are surrounding it. The actual projected traffic increase on Archer and Route 83 is at about a 1% increase. However, the projected traffic that is actually entering and exiting the facility is 75% higher than what is currently being generated. Additionally, the traffic study does not explore the capabilities of the internal private roadway for the proposed uses. The traffic study does not take into account if the amount of traffic generated from the new concrete recycling and the additional trucks that can be parked over there if it is suitable. There was no analysis of the culvert that currently sits to access underneath the railroad tracks. It is extremely narrow and certain trucks can fit it and certain trucks can't.

The site is highly visible from a major roadway and is a gateway to the Village. Staff has recommended that the applicant pursue a potential screen barrier on the Route 83 Bridge with IDOT. The applicant having the ability to screen the development from the bridge is critical to the appearance of the Village. Additionally, screening it from the bridge would actually do a lot more than some of the items that we would do below on the ground. Staff is recommending additionally screening and landscaping for the site. Mostly for the areas that are visually unappealing such as the concrete recycling operations and the stockpiling of materials.

Mrs. Valone stated staff is recommending approval of the PUD and preliminary plat with the following 31 conditions. She then read all the conditions that are listed on pages 14-16 of staff's report. She said staff is available for any questions.

Chairman Spinelli asked who owned the large lot that is northwest of lot 7 and 8.

Mrs. Valone said it shows that MWRD owns it but it is leased by Hannah Marine.

Chairman Spinelli asked if the applicant has permission from Hannah Marine.

Mrs. Valone stated they provided an easement agreement. Staff has reviewed it and with all the issues regarding the side well for this area it is unclear so they need to provide additional information so it matches up. The pin numbers have changed over the years or have been consolidated so the easement appears to be there.

Chairman Spinelli said that needs to be clarified not only for lot 6 but for usage of lot 7 and 8. They are proposing truck storage on those two lots and the location at the end of the railroad crossing is more or less at their property line. They have to trespass until this agreement is there to get back to lot 7 and 8. There is not enough room to have a drive lane, turn around area and truck parking.

Commissioner Zolecki asked if the applicant had provided any engineering or architectural plans beyond what they have seen.

Mrs. Valone stated no. Everything that the applicant submitted the Commission has received.

Chairman Spinelli asked if there were any further questions for staff at this time. None responded. He then asked the applicant to come up and make a presentation.

Alan Stefaniak, attorney for the applicant from Di Monte & Lizak, LLC, submitted for the record his affidavit of notice to the surrounding properties. He then introduced his team that is present tonight to answer any questions. Two years they were here trying to pursue this property at that time. In the meantime, the property has been annexed to the Village and has an underlying zoning classification of M-3. He said staff has gone through the staff report and they have seriously considered all of the conditions. The best way for him to do the presentation this evening is to go

through the conditions and let them know which ones they have no issues with and then address the ones that they do. There are 31 conditions and 13 of them they do not disagree with. The conditions that they do not have an issue with are: 3-6, 15-17, 23-25, 28, 30 and 31. If any of them call for revised plans they will make sure that they will get them submitted to the Village. This leaves a number of conditions that they will have to address.

Condition number one is in regards to the 15 foot front yard setback for the office and truck maintenance building on lot 2. He does not see a need for that particular condition because they are removing the existing portion of the building that was built over the property line. If the building is moved back additional 15 feet then it is not needed. If this is considered a remodel but rather a new construction they might run into difficulties with the MWRD permit, which is his understanding that they already secured. They would like to get some consideration in respect to condition one.

Commissioner Maher asked if they were stating that they were tearing part of the building down and they will get their 15 foot setback.

Mr. Stefaniak said no they feel they are improving the site line already so the condition is not necessary.

Mrs. Valone stated currently the building is built over the property line and is sitting on property that they do not own. They are going to deconstruct enough of it so that they have a zero front setback.

Commissioner Maher asked if they felt that the zero setback was okay because of the site improvement.

Mr. Stefaniak said yes.

Chairman Spinelli asked why would there be a concern with the MWRD permit.

John Hoeffler, engineer for the applicant, stated he does not see it as an issue because it is already an impervious area. They are not creating any new impervious area.

Mr. Stefaniak said condition number two, they have made some revisions and calculations, but the ordinance requires a maximum impervious coverage of 70%. This site is already well over 70%. Based on their calculations they are probably about 10% impervious and will need a variation on each and every one of the lots. They are not doing anything to add to the impervious coverage, but they are not able to get it down.

Chairman Spinelli asked if the table shows up on revised drawings that they have submitted.

Kevin Egan, consultant for the applicant, stated this is the revised table but it has not been submitted yet.

Chairman Spinelli said the drawings that were submitted the nomenclatures on the table was incorrect. Additionally, the final plat acreages or square footage do not match the total area shown in this chart, at least on what was previously submitted.

Mr. Egan stated it has been corrected.

Commissioner Maher asked what is the variance that they are asking for.

Mr. Stefaniak said it is 10%.

Commissioner Maher asked why the 10%.

Mr. Egan stated the existing lots right now are at 100% impervious, so they are not making them any worse. Some of the lots they are increasing the impervious by a small amount by adding landscaping in requested areas, but they are not making it any worse than what it was.

Commissioner Sanderson asked if they are sizing the detention based on 90% lot coverage.

Mrs. Valone said they are sizing the detention based on MWRD requirements. They are sizing it for some of their impervious area.

Chairman Spinelli stated it is being sized for the addition of the impervious.

Mr. Hoefflerle said the detention was sized for the easterly portion of the property, east of Route 83. The Village's ordinance is differing then MWRD. MWRD was satisfied with the impervious that they had on that side for that amount of storage. When the Village looks at impervious they consider gravel and consolidated clay, so basically everything in their mind is impervious. It is differing from what MWRD does.

Chairman Spinelli stated MWRD does consider gravel as impervious.

Mr. Hoefflerle said they reviewed it exactly as you are seeing it. They have the permit in hand.

Chairman Spinelli stated he knows they consider compacted gravel different then loose placed gravel.

Mr. Stefaniak said there is no permit necessary for the westerly portion because there is no improvement change being made there.

Chairman Spinelli asked what is going to be the fate of the existing building on lot 1.

Mr. Egan stated it is going to remain as truck washing and maintenance. They plan to reside the two visible sides of the building to clean up the façade.

Chairman Spinelli asked if they were going to correct the portion that is built on the existing right-of-way.

Mr. Egan said they don't intend to do that. He asked Mr. Hoefflerle if there is any portion of the building over the property line.

Chairman Spinelli stated based on page six of the drawings, it shows it over the property line.

Mr. Hoefflerle said it is very close.

Mr. Egan stated any portion that is over the property line they plan on keeping as is for the time being.

Chairman Spinelli asked what kind of a time frame are they thinking.

Mr. Egan said it is hard to say. It could be a couple of years before they decide to tear down that building. It is not in the best shape, but it is usable coverage for them.

Chairman Spinelli asked if they would object to a maximum time frame of two years for the building. Unless their survey shows it's built on their property.

Mr. Egan stated the other option would be that they are willing to take it back to the property line. They would either consider a two year time frame or taking it back to the property line.

Mr. Stefaniak said the next condition they need to address is number seven.

Mr. Egan stated they put together a chart. The UDO limit at M-3 is 70 and they put a couple of pieces of standard equipment that they plan to use over there. Such things like excavator, loader, and concrete mix truck, concrete batch plant, semi-truck, finger screen, and impactor. They did a couple of quick comparisons to the railroad and what those sound limits are. They would be asking to exceed the UDO limit, but it would be in comparison to the railroad, and not having any adjacent neighbors.

Commissioner McGleam asked if they did any testing to see what the levels were at the property line.

Mr. Egan stated they did not. They just did a 50 foot horizontal distance. Some of the equipment is located further than 50 feet from the property line, so those levels would be less. None of the equipment is located closer than 50 feet.

Mr. Stein asked if most of these pieces are going too located on the northeast side of the property.

Mr. Egan said the loader will probably travel between lots 1-5 and lot 8.

Commissioner Cunningham asked if all of the equipment will be in use during the regular business hours.

Mr. Egan stated yes.

Mr. Stefaniak asked if there were any further questions on condition seven. None responded. Condition number eight is in regards to the photometric plan and lighting. They are in the process of getting a revised drawing that will meet the requirements. Condition number nine is improving the façade on the existing truck wash and repair building on lot one. He will let Mr. Egan address this.

Mr. Egan said they are happy to clad the two sides of that building to try and clean up the façade. They are willing to submit samples for approval. It will be similar to what they plan on doing to the office and shop building on lot two. The materials will either be EFIS or a vinyl or aluminum siding.

Commissioner Maher asked if they were okay with condition number nine.

Mr. Egan stated yes they are.

Chairman Spinelli said in the staff report it states that EFIS is not permitted.

Mrs. Valone stated it is not recommended.

Mr. Stefaniak said condition number ten is requesting that they use tent membranes to conceal the stockpiling from Route 83. They don't see that there is a need to incur this additional cost or that there a real benefit for this. There are many other stockpiles in the area don't have this.

Commissioner Maher stated he thought there were membranes on the salt piles right over Route 83 on the south side of the canal.

Mrs. Valone said that is not in the Village. There are a number of uses that are grandfathered in. On Lemont Road there have been two tent membranes that had to go up for new piles. The first was on Ozinga's property and the other one was at Commercial Shipping Lines.

Commissioner Zolecki asked if they felt they didn't need to comply with this because of the sightlines or because of precedent.

Mr. Egan said it is one of the issues where they would like to see if the landscape screen that they are adding elsewhere would be sufficient.

Mr. Stein stated from a staff perspective, if the IDOT screening does go up and it actually blocks these from Route 83 then the tent membrane is something they could discuss. The Village wants this as appealing as possible. They understand it is difficult for the uses that are there, but a tent membrane would be a better way to block it if it is not concealed from the bridge.

Commissioner Zolecki said a lot of these items relate to the visual concerns when entering the Village. He asked what has been done to demonstrate these visuals for staff. He sees a 2D drawing showing some sight lines for staff. There should be some renderings or visuals, which should be provided as due diligence to staff, especially for a PUD where there is strong concerns about views.

Mr. Egan stated when they first started discussing this project with the Village, the biggest concern was the C & D facility on lot 5. That is where they proposed to do the berm with the trees on it to obscure the view from Route 83. Since that was the main concern from the Village at that time, that is why they went down that road. They didn't start pursuing berms elsewhere or tent membranes because that one C & D facility seemed to be the biggest concern. They did look at it and did views from Route 83 and did the sight line drawings.

Mr. Stein said yes the C & D is a concern with the most type of eyesore use. However, their team was well aware of the Village's position that aesthetics are the most important thing. That includes the entire sight and not just part of the site. The property is good for this kind of use, but it is the gateway into the Village. They do not want to see the ugliness of industrial work as they are coming across this bridge. The best way we can conceal that entire site, the better off the Village would be as well as the applicant.

Commissioner Maher stated he was on the Commission when this came through the first time, and they did have a lot problems with the current dump pile that is on the east. That was something that was discussed heavily and they have continued to watch that pile grow. It was not limited to just one side.

Commissioner McGleam asked if there was a document from IDOT.

Mrs. Valone said they have been in communication with IDOT about the requirement for a permit for at least the road. In the packet at the end was some email correspondence asking about the screening from the bridge. IDOT was open to discussions. They asked if it was required and IDOT said it is not required but they are open for discussions.

Mr. Stefaniak stated his discussion with Mr. Stein was that staff wanted them to at least make an inquiry to IDOT. If IDOT said no to the screening then that would be the end of it. If IDOT said yes or that they will consider it then staff would want them to pursue it with IDOT. He understands what they are saying about the stockpiles and membranes and the screening from the bridge. They are going to have to investigate that a little bit further and come back with a better formulated response. His concern with IDOT is how long they will have to wait to get a response.

Chairman Spinelli said since they are on the subject of screening, whether or not this project moves forward, seeing that they are already in the Village, the property needs to get cleaned up. There is garbage all over the place in the area where trucks are being stored. It was a big concern two years ago and nothing has gotten better. This site needs to get cleaned up regardless of what happens with their request here.

Mr. Stefaniak stated condition number twelve deals with the issue of the property going under Route 83. That area has been determined to be the owners of the parties that are selling the land to them. This should not be an issue anymore. They will have to combine the lot with another lot or make it an additional lot.

Commissioner McGleam asked if IDOT had an easement.

Mr. Stefaniak said he is not sure what IDOT has.

Mr. Stein stated IDOT might have an easement or some other control to Route 83. It is their road and they might have control as to what they can or can't do underneath.

Mr. Hoefflerle said when they got the title report that generated the survey it included the piece in yellow and stopped at the section line. The legal description also included a document number. When they researched that document number they found that the legal description for this piece of property. It was owned by the railroad and it extends all the up.

Chairman Spinelli asked if there was any roadway or easement over the top of it.

Mr. Hoefflerle stated no. These pieces were primarily railroad so IDOT just builds over their roads.

Mrs. Valone said they will need the plans updated showing this. IDOT did not indicate in the email if they needed a permit.

Mr. Hoefflerle stated there was no correspondence with IDOT regarding this issue.

Mrs. Valone said correct, but you do need another permit for another section of the site, so that needs to be clarified.

Mr. Stefaniak stated condition number thirteen deals with the hours of operation. He will let Mr. Egan speak in regards to this.

Mr. Egan said there are a few operations that they plan that the recommended start and stop times would hinder operations. He asked if the 7 a.m. to 8 p.m. was for everything or if they could clarify what operations they had issues with.

Mr. Stein stated it might be easier to know what times they are looking for and to which operations. Also, what is the noise level for that operation?

Mr. Egan said they would propose to stay with the hours that they have submitted. Stop times for some can be adjusted down. The ones that are 24 hours they feel don't have an impact with the property as far as noise. Those uses are being used anyways 24 hours like truck parking. Those trucks come and go 24 hours a day. He stated he will go through the uses. Barge loading/unloading they would like 5 am. Outdoor equipment, storage and lease, which are mainly lots 7 and 8, will have small contractors coming and going so it would have to see fit to their business. Truck parking and office parking, they might have employees working late or they might want to come in early. Bulk material storage would be 24 hours. Truck repair and truck washing they might have to keep crews on at night to clean trucks but that would be in fully enclosed buildings. Company material and equipment storage would be mostly for their company vehicles. Construction, demolition and debris recycling they would want 5 am to 10 pm and that could be adjusted a little if needed. There are certain permit requirements with the State that they have a certain amount of time to process material when it gets dropped off. They would like to leave that open so they could process material as needed. In regards to the concrete batching plant, Kevin Jarchow from Wille Bros. is present to talk about that. However, an early start time is critical for his operations. The last one, concrete crushing and recycling would need an early start time to get the trucks on the road to where they need to be.

Mrs. Valone stated staff was recommending that the last three be limited to the 7 am to 8 pm.

Commissioner Kwasneski asked if staff was okay with the 24 hour ones.

Mrs. Valone said they are already operating as such and they don't generate as much noise.

Commissioner Sanderson asked what are the other businesses that are down there.

Simon Bradley, owner of Donegal Excavating, stated there is a cement business down there that takes 150 to 300 loads of cement per day. There is a business that loads and unloads barges of salt, but also repairs barges.

Commissioner Sanderson asked if any of these businesses were in the Village.

Mr. Stein said they are in Willow Springs.

Commissioner Sanderson asked when do those businesses close.

Mr. Bradley stated they do not stop.

Commissioner Maher asked what about the business on Lemont Road.

Mr. Stein said a lot of those businesses are grandfathered in. When he leaves work at night he does not see anything. In the morning, there is definitely work going on down there but you don't hear it over the bridge.

Kevin Jarchow, Willie Bros. Co., stated a typical ready mix operation starts at 5 am and begin loading trucks at 6 am to be on the job at 7 am. If they are building houses they are wanting to pour at 7 am to get there on time.

Chairman Spinelli asked on the batching when is the last load out typically.

Mr. Jarchow said it is typically at 5 pm, however on occasion it will be later than that. Once you start a pour you do have to finish it. The drivers are restricted to 12 hours a day and they can go up to 14 hours a day occasionally.

Mr. Stein asked what kind of noise is generated from the batching.

Mr. Jarchow stated if you are standing right next to the plant it is loud, but at the property line you would not hear it. In Oak Forest they operate a business in the middle of a residential neighborhood. Another business in Sauk Village, there is a subdivision about 500 yards from the property line and he never had a single complaint. His office at the Monee plant is about 150 feet from the plant and he can fall asleep in his office.

Commissioner Sanderson asked if they ever get any complaints in regards to the Ozinga business downtown.

Mr. Stein said not that he is aware of.

Commissioner Maher asked if they had an issue if this was limited to the recycling area.

Mr. Bradley stated yes they would have an issue. If they need to be at a job at 7 am they would need to start their business before that.

Commissioner Sanderson said they do not want them crushing concrete until 7 a.m. or after 8 p.m.

Mr. Bradley stated the crushing from 7 a.m. till 8 p.m. is okay as long as the truck is able to pick it up.

Commissioner Sanderson said the loading of materials is different than recycling, crushing and generating the noise.

Mr. Egan stated the concrete crushing is probably the most impactful for sound.

Commissioner Maher asked if they would have a problem with limiting the crushing and recycling center between the hours of 7 a.m. and 8 p.m. They are not talking about the movement of the trucks.

Mr. Bradley said that would be fine.

Mr. Egan asked if that would only be for the operation of equipment. He asked if they could have workers come earlier and get ready.

Commissioner Maher stated yes that would be fine.

Mr. Bradley asked if they can load and off-load between the hours of 5 a.m. and 10 p.m.

Commissioner Sanderson said yes.

Mrs. Valone asked if they wanted to limit the batching from 5 a.m. to 5 p.m.

Chairman Spinelli stated you are not going to be delivering concrete at 4 in the morning.

Commissioner McGleam asked if the Commissioners had an issue with the 10 p.m.

Commissioner Sanderson said if he is worried about 10 p.m. then they can cut it back to 8 p.m. He doesn't think it will be an issue.

Mr. Egan stated he doesn't think they will be going that late, but if they have a job and they need to finish he would prefer having the later hours.

Mr. Stefaniak said the next item is number fourteen in regards to the traffic study. He said Mr. Millan from KLOA can address that. He feels that they don't need to do an additional study. Mr. Millan can address what he has found there. They are willing to put in stop signs on either side of this culvert, not a signal.

Javier Millan, Senior Consultant from KLOA, stated he understands where the concern is. They looked at other facilities and what kind of signage you could provide in there. Providing a stop sign on both sides of the culvert would be the first step. They looked at what kind of signage where it would provide an advanced

warning. There is one that is used for one lane roads that will alert the driver. That warning sign will be on both sides.

There was also a concern of the queuing of traffic within the analysis of Route 83 on Grant Road. They projected the condition for the year 2022. He will talk about the outbound queue on Grant since traffic is going to increase with the expansion. The queue's is 95% it can be less than that with 5% that it can be a little bit more. They are talking about 125 feet of queue. The first entrance based on the plan, which he showed where it was located on the overhead, is at least 325 feet. So the outbound queue will not extend to the first entrance. He thought the concern was inbound trucks and will they back up onto Route 83.

Mrs. Valone said both.

Mr. Millan stated when looking at the plan, the proposed roadway that will connect the expansions is approximately 500 feet. This is a substantial amount of distance. When you look at this in terms of volume, they are looking at about 60 vehicles in the morning. Not all the trucks are going to be making a right and some will go into the employee parking lot. They don't believe that they will have a queue of 500 feet extending all the way up to Route 83.

Chairman Spinelli asked what material is the bridge structure made out of.

Mr. Egan said it is concrete walls.

Chairman Spinelli asked who actually owns that.

Mr. Egan stated it is the railroad.

Chairman Spinelli said there is an easement recorded to allow access to, but who is responsible for maintenance.

Mrs. Valone stated in the easement language it states the railroad, but they do have right to access it if it needs maintenance.

Chairman Spinelli asked if a truck accidentally misgauges the height and hits the structure who is responsible to fix it.

Mr. Bradley said the height is 14.5 feet but it is narrow.

Mr. Stein stated the main concern staff had was the spillage onto Route 83. It does not sound like it is an issue. However, one of the conditions of the ordinance is to make sure that it does not happen.

Chairman Spinelli asked if they were okay condition number fourteen since they updated the traffic study.

Mr. Millan said they prepared a response to the comment and can provide that to staff.

Mr. Stefaniak stated they could do a short addendum and put in writing what Mr. Millan had stated.

Mrs. Valone said the engineering plans will have to be updated to include the signs.

Mr. Stefaniak stated the next condition is number eighteen which is in regards to this non-truck parking area of Lot 6.

Mr. Egan said it was previously shown as gravel. Right now trucks are parking in there and some actually back up onto the Willow Springs property. They are proposing to not add this as green space because it is not existing green space. They will make shorter stalls for additional parking of RV, boats and vehicles there.

Chairman Spinelli asked if that was permitted in the existing zoning.

Mrs. Valone stated it would be an additional special use to store those items that are not associated with the current use of the property. The current use of the property is truck rental. If you are parking boats and campers then that is a completely different use and would require an additional special use. She would like Fire and Police to look at the back up radius to see if it is even possible and if there was some sort of concern, can they even get in that area to address any type of emergency.

Chairman Spinelli asked how they are going to ensure that these trucks are not parking on the adjacent property.

Mr. Egan said chain link fencing and they will maintain the fencing.

Commissioner Maher stated this condition should be okay then because if they are proposing anything else for the area then they would need to come back as a special use.

Mrs. Valone asked if the Commission would be in agreement to allow additional spaces up until Fire is still comfortable with the separation and then ending the parking from there.

Commissioner Sanderson agreed.

Mr. Egan showed on the overhead where the last spot would be for a truck. He said they could probably fit a smaller box truck that is not a tractor trailer.

Mrs. Valone asked how they are enforcing that then.

Mr. Bradley stated they would control it by the space. You would not be able to fit a tractor trailer in there.

Commissioner Sanderson said next they will have that RV parked in there. The site is on the overall development. He is not sure they want to push the parking/truck parking. He stated let say semi-parking to what is safe by the Fire Department and move on.

Chairman Spinelli stated wherever the Fire Department determines is the maximum limit to the east then jersey barrier the rest of it so a vehicle does not try to squeeze in there.

Commissioner Maher asked if they are changing this condition.

Commissioner Sanderson said it will be tractor/trailer parking will be permitted as considered safe by the Fire Department, wherever that spot is determined the applicant will install a jersey barrier or other permanent type structures to limit access beyond that point.

Mr. Stein stated no RV's, boats or storage containers.

Mr. Stefaniak said they are on condition number nineteen. He asked if it is a utility easement and the trucks are movable why could they not park on them.

Chairman Spinelli asked if staff could show where this is located.

Mrs. Valone showed on the overhead where it was located. There is a 10 foot public utility and drainage easement that is on Lot 6 on the southeast property line that runs parallel to the tracks. The majority of the area could be moved five feet, but the concern is in the future if there was supposed to be something in there or if there was supposed to be some type of access for the right-of-way to keep the trucks out of there. Additionally, this is required do to the site visit that she conducted on the sixth of January where a number of the spots along that area were actually just the trailer portion of the truck and it was right after a snow so you could see how long many of them were there for. This will keep them out of there for access or for any type of emergency situation. On the southeast side there is enough space for a truck two-way so they could move some of them out of there.

Commissioner Sanderson asked if there was a parking plan.

Mrs. Valone said there is not a parking plan overlay showing the easement.

Mr. Hoefflerle stated he does not see the problem because there is not going to be a structure on that easement. They have revised the plans to move the parking up 10 feet.

Commissioner Maher said then there is no issue with condition nineteen.

Mr. Stein stated for condition twenty if there is screening on the bridge and you don't see the siding then EFIS is fine. It is still a maintenance issue.

Commissioner Zolecki asked why EFIS.

Mr. Egan said they might substitute some of the lower panels for what they plan on doing on the office portion which is more of a cement sided panel. They would like the option for cost to go with the EFIS on a portion of the building.

Discussion continued in regards as to what is underneath the EFIS.

Petko Petrovich, Accolade Design, Inc., stated the goal was trying to achieve the look of cement panel and to have the look of cement rather than the corrugated metal panels. Ultimately, they could revisit this and make it a third element as far as doing something with the exposed metal but because the roofs were exposed metal they did not want to have the two finishes competing.

Mrs. Valone said metal is not permitted as an exterior finish.

Commissioner Zolecki stated he gets it if it is a cost issue, but the interior finish on the garage side is exposed-like metal studs.

Mr. Petrovich said they are spraying insulation on there. They have not gotten into detail on that.

Commissioner Zolecki asked if they looked at painted precast.

Mr. Egan stated no.

Mr. Petrovich said for a building this size it is not an economical solution. If ultimately that 15 foot setback is enforced and the reality of this building has to be demolished, then it might make sense to get a box and put it up. The goal was to try and work with the existing structure.

Commissioner Sanderson stated there are 31 conditions. He feels that this one is not one that they should be spending a lot of time hashing out.

Mr. Stefaniak said condition number twenty-two is in regards to the height of the silos and the C&DD equipment. He is informed that the silos will be 90 feet in height and the C&D equipment at 28 feet in height. As far as the color, he asked if staff had a suggestion.

Mr. Stein stated nothing bright just something neutral in color. He is concerned in regards to the 90 feet though for the silos.

Mr. Egan said they are fine with the neutral color. He is not sure if staff was proposing the 90 feet for the batch plant.

Commissioner McGleam asked why they can't meet the maximum 35 feet for the silos.

Mr. Egan stated certain batch plants can get up to 90 feet.

Commissioner Sanderson asked what do they have in town that they could reference this to.

Mrs. Valone said a google earth measurement on Ozinga is 50 feet.

Commissioner Maher stated that they are okay with this one. That as long as they provide detailed information regarding the concrete batching equipment height prior to PUD approval or a height cap of 35 feet shall be given.

Mrs. Valone said in the staff report it states that if it is excessive staff would like to revisit it.

Chairman Spinelli stated they are not saying that they are agreeing with it. It just states that they need to provide information.

Commissioner Sanderson said they can put it in there that they do not want it to go 90 feet.

Mr. Stein stated they need to provide information on the different sizes, what it will look like, will it be seen over the screening of the bridge.

Commissioner Maher said they will provide information and staff will get to review it. If it got approved from here, then it will go to the Village. If staff was not approving what they provide, then staff will make it known to the Village. At this point it is okay.

Mr. Stein asked if the Commissioners want to see this again.

Commissioner Maher stated they are referring to staff on this one.

Commissioner Sanderson said he would like to get more information and would trust staff to look into it.

Mr. Jarchow stated he had asked Mr. Egan to ask for 90 feet because that does not restrain them in anyway. He can put up a concrete plant no higher than Ozinga. He does not feel that this will be an issue.

Mr. Egan said in regards to condition twenty-six, the main concern for the Village was that they did not want any hazardous material parking in lots 7 and 8. They added verbiage in the lot uses table that states “no hazardous materials will be stored in these spots”.

Commissioner Maher asked if they were against providing detail information as to what types of trucks are on here.

Mr. Egan stated the question is the detail. If they are renting spaces to small contractors or landscapers for example and they are only renting for a month, how do they provide the detail?

Mr. Stein said staff met with Mr. Egan after the staff report was made and before the comment, and their concern was that it was open for any type of truck. Certain trucks will not be allowed like hazardous. It sounds like they have agreed to that. They will have contractors, landscapers, and other types. He does not want to create a list, and would rather have a list of what they don't want out there.

Commissioner Maher stated then this one can be eliminated.

Mr. Stein said yes.

Mr. Stefaniak stated number twenty-seven is the same as twelve. Number twenty-nine, Mr. Hoeflerle stated it is not on IDOT property so they can agree to remove it.

Mrs. Valone said they received additional comments from the Police Department after the staff report was sent out. They would like the gate to remain but would like a squawk box on it though.

Mr. Egan stated they would like to replace the gate and have card access for all trucks going in and out of there.

Mr. Deanda, Fire Protection District, said they would like a lock box on there.

Chairman Spinelli stated they can work with Fire and Police as to how they want to get access.

Mr. Stefaniak said that is all the conditions.

Chairman Spinelli stated before they open it up to the public he would like to add some things. He asked if they could define and share the ownership of the shared well. Also, define and share the maintenance responsibility of the shared well.

Mr. Egan said they would be the land owners and there will be a shared well on lots 3, 4, and 5. It will used heavily by the concrete batch plant, dust mitigation for C&D and the aggregate. It will be a shared well with the property owner. They would

lease out the land to those operations, but it will be a shared well for whoever was leasing out the property.

Chairman Spinelli asked if years later they decide to sell off a lot, what will happen to that ownership.

Mr. Egan stated whatever lot that well is on will maintain ownership of the well.

Chairman Spinelli said with that they need to add to the drawings easements for the shared well and waterlines getting to these properties. If ownership is changed on lot four, lot three will still need its water so easements must be in place.

Commissioner Maher asked once the lot is sold doesn't the shared well become excluded from being shared.

Mr. Stein stated it is going to have to run with the land. There would have to be an easement and the shared well will run with the land or the new property owner would have to get a new well.

Mr. Egan said they will provide easements and if they sell the property then they will have to provide their own water.

Discussion continued in regards to access to water and a new well.

Mr. Stein stated any time a lot no longer has access to water they would have to create its own access to water or have a use that does not require water.

Commissioner Maher said the last time the applicant was here they were dumping heavily on the ground and getting heavy fines. He asked if the applicant was currently in good standing with them.

Mr. Stein stated they have paid and have not received any new fines since paying.

Commissioner Maher asked if they received any feedback from surrounding municipalities on this development.

Mr. Stein said Willow Springs has filed a lawsuit trying to stop this development. The appellate court affirmed their dismissal of the case but left open the ability of the neighboring community who filed the lawsuit, which at the point Mr. Stefaniak is well aware of this. The attorney for Willow Springs is present this evening so there is still an interest from Willow Springs. We can't control what other municipalities do nor should we, in this particular case, be concerned.

Mr. Bradley said in regards to the fines and the garbage, two years ago the truck parking was owned and leased by Chicago Truck Parking up until January of this

year. Since then they have cleaned up the property. Even further back when it was a junk yard, they were the ones that cleaned it up from the junk yard.

Chairman Spinelli asked if Chicago Truck Parking was still leasing from there.

Mr. Egan stated it was lot 6 but they are not leasing. They are leasing the property now from the sellers and they are leasing it as truck parking.

Chairman Spinelli asked if the future office was currently occupied by a resident.

Mr. Egan said there is someone living there.

Chairman Spinelli asked what is the code for residential in an M-3.

Mr. Stein stated it is not allowed. It is allowed when it is a junk yard and there is a non-conforming use. If this use is approved then that use is gone and then residential would not be allowed.

Chairman Spinelli asked what would be an appropriate time frame to have that resident move out.

Mr. Stein said they should start now.

Commissioner Sanderson stated the biggest concern that staff hit on is how we screen this. The Village has invested heavily on that corner and it will be a gateway into the community. He has not heard how the applicant is going to address this and how the property is going to look. There are several conditions that they could go either way on but this needs to be addressed.

Mr. Stefaniak said they did address this when they talked about the tent membrane and the overpass. It was made very clear that they need to address this and they said that they would. They are going to have to go back and look at it and talk with IDOT to come up with a plan for it. The Commission has to decide if they want them to come back in a month and address them or direct it to staff and the Village Board. He can't say they are going to do something on that bridge without talking to IDOT, but what he can say is that they heard their comment along with staff about how they are going to screen this.

Commissioner Zolecki asked how are they going to demonstrate that to staff.

Mr. Stefaniak stated they would have to work with their landscape architect to come up with something appropriate to satisfy concerns.

Mr. Stein said the Village Board will want the Commissions input on how that screening is going to look and be accomplished before coming to them. They need to continue to work with IDOT.

Tim Pollowy, Landscape Architect, stated he had worked five years as the Senior Consultant Architect for IDOT. He would recommend that the Village approach IDOT concurrently regarding the expansion of the road. Explain to them that it is a gateway into the community and tell them that you want them, as part of their project, to do these other aesthetic improvements, such as the screening. There are a lot of bridges that have fancy parapet walls or different railings. The pressure from the local community can go a long way.

Commissioner Sanderson said he feels it will be a much longer and harder road trying to get this worked out with IDOT versus you doing berms. The applicant needs to come up with some exhibits so we can see what they are proposing.

Mr. Bradley stated he showed what the berm would look like last time, but he does not know if that is enough. He asked with IDOT where do you stop the screening.

Mr. Stein said at the property lines. The screening from IDOT will make a difference as you come through that way.

Mr. Egan stated there are things that they are willing to do at the right-of-way at Grant Road to dress that area up, but it is not their property.

Mr. Stein said it is your burden to show the Village how this is going to look. They have seen some things but not enough. Whether you work it out with IDOT or with landscaping, but they have not seen anything.

Chairman Spinelli asked if there were any further questions for the applicant. None responded. He then asked if there was anyone in the audience that wanted to speak in regards to this public hearing.

Paul Chialdikas, Village Trustee, stated the road improvement on Route 83 is not going to occur on the bridge but rather at Route 83 and Main Street. The screening that they keep talking about is a metal fence that goes up 10 feet so nobody can see what you are doing down there, which will save you millions of dollars in landscaping. There is a bike path on the bridge that people ride their bikes on so you can sell IDOT on the fact that you want a fence for safety reasons. The Village is planning on improving the property that they own next to this so this property plays a key part.

Mr. Egan said they are more than happy to pursue talking with IDOT. Just knowing that it is a screened chain link fence that can stop at the property line is more information than they had before to approach IDOT with.

Chairman Spinelli asked if there were any further questions or comments from the audience. None responded. He then called for a motion to close the public hearing.

Commissioner Kwasneski made a motion, seconded by Commissioner Cunningham to close the public hearing for Case 14-12. A voice vote was taken:

Ayes: All

Nays: None

Motion passed

Chairman Spinelli said they all agree that they need to see some type of landscape screening. He agrees with staff being an important part of their decision making, they need to see something prior to acting on this. His opinion is that the applicant should come back, clear up any items that need to be changed on plans and come back with their screening proposal.

Commissioner Maher stated when they went through the conditions, the only ones that should be removed is number 7 and 12. Number 13 should be modified for just the crushing and recycling having limited hours.

Chairman Spinelli said 18 would be modified to permit truck parking as far east as determined safe by the Fire Department. Anything beyond that cut off line the applicant will put something there so there is no encroachment.

Commissioner Maher said 26 and 27 are removed and 29 they are to work with the Fire and Police for access to the gate. Any condition not mentioned should still be included and he supports staff on them.

Commissioner Zolecki stated staff has continued to be consistent on the expectation in regards to the highest component which is the screening. He asked if staff felt that the applicant has a good understanding of the expectation level of how they can demonstrate that to staff. For a PUD of this nature and that being a critical piece, he feels there hasn't been a graphic demonstration of what that could be.

Mr. Stein said the renderings are important and he has stated this a few times. He asked that it be shown how that is going to look.

Discussion continued in regards to screening the bridge.

Chairman Spinelli stated if they continue this then the applicant has six weeks to work with IDOT and get this moving forward.

Mr. Stein said if they can get that it would be a great step. He does not want to punish the applicant if IDOT decides to drag their feet. There can be alternative options also. If after six to nine months of operation they can't do this then they have the option of the berm and they would put that in. First, they want to know if IDOT would do this.

Chairman Spinelli asked if there were any further questions or comments. None responded. He then called for a motion to continue the public hearing for Case 14-12.

Commissioner Maher made a motion, seconded by Commissioner Cunningham to continue the public hearing for Case 14-12 to March 15, 2017. A voice vote was taken:

Ayes: All

Nays: None

Motion passed

IV. ACTION ITEMS

None

V. GENERAL DISCUSSION

A. Update from Village Board

Mrs. Valone said three of the cases that were on the agenda last month will be on the February 13th COW (Committee of the Whole) Meeting. Old Town and Rolling Meadows are looking for approval at the Village Board meeting that same evening.

VI. AUDIENCE PARTICIPATION

None

VII. ADJOURMENT

Chairman Spinelli called for a motion to adjourn the meeting.

Commissioner Sanderson made a motion, seconded by Commissioner Kwasneski to adjourn the meeting. A voice vote was taken:

Ayes: All

Nays: None

Motion passed

Minutes prepared by Peggy Halper

