



**MINUTES FOR VILLAGE OF GILBERTS
PLAN COMMISSION/ZONING BOARD OF APPEALS MEETING
Village Hall: 87 Galligan Road, Gilberts, IL 60136
Meeting Minutes
Wednesday, December 9, 2020**

1. CALL TO ORDER

Chairman Mills called the meeting to order at 7:00 p.m.

2. ROLL CALL / ESTABLISH QUORUM

Village Clerk Courtney Baker called the roll. Roll call: Members present: Commissioners Borgardt, Page, Del Vecchio, Lateer, and Chairman Mills. Commissioners McHone and Sullivan were absent. Others present: Village Administrator Brian Bourdeau, Village Attorney Kurt Asprooth, and Village Attorney Julie Tappendorf.

3. PUBLIC COMMENT

There were no public comments at this time.

4. ITEMS FOR APPROVAL

A. Minutes from the February 12, 2020 Plan Commission Meeting –

A Motion was made by Commissioner Del Vecchio and seconded by Commissioner Borgardt to Approve Minutes from the February 12, 2020 Plan Commission Meeting. Roll call vote: Commissioners Borgardt, Page, Del Vecchio, Lateer, and Chairman Mills voted Aye. 0-nays. 0-abstained. Motion carried.

B. Minutes from the November 12, 2020 Plan Commission Meeting –

A Motion was made by Commissioner Page and seconded by Commissioner Lateer to Approve Minutes from the November 12, 2020 Plan Commission Meeting. Roll call vote: Commissioners Page, Lateer, and Chairman Mills voted Aye. 0-nays. Commissioners Borgardt and Del Vecchio abstained. Motion carried.

5. CONTINUATION OF THE NOVEMBER 12, 2020 PUBLIC HEARING AND RECOMMENDATION TO THE VILLAGE BOARD ON A SPECIAL USE APPLICATION CONCERNING THE PROPERTY COMMONLY KNOWN AS 15N288 TYRRELL ROAD TO ALLOW FOR THE KEEPING OF LIVESTOCK AND POULTRY ON A PARCEL OF 5 ACRES OR MORE IN THE A-1 AGRICULTURAL DISTRICT

Administrator Bourdeau advised the Commission that the applicants have updated their site plan and have addressed concerns that the Commission had such as adding connecting the corral to the west side of the existing barn. There will be a door allowing the animals to move to and from the barn and corral. Fencing details have also been provided as well as informing that the family who lives on the property will be caring for the animals.

Gilberts resident, Dean Stiegemeier, approached the Commission and stated that noise is still a concern as he can hear the rooster every morning. Mr. Stiegemeier also raised the concern of the animals getting loose and going onto the neighbor's yards.

Gilberts resident, Mr. Dooley, approached the Commission and asked who the homeowners are supposed to call if the animals get into their yard. Commissioner Page stated that residents should be able to call the applicants or the family who lives on the property. Administrator Bourdeau advised that residents are recommended to call the Gilberts Police Department if they have any concerns regarding this matter.

Commissioner Del Vecchio asked who would be responsible for the enforcement of the conditions of the permit. Attorney Asprooth stated that if the applicants do not comply with the conditions of the permit, the Village can take it away.

Gilberts residents, Peggy Stiegemeier, approached the Commission and also shared the concerns of the roosters being loud in the early morning which wakes her up. The applicant stated that they can try to keep the roosters and other animals in the barn longer in the morning so as to not wake up the neighbors.

A Motion was made by Commissioner Lateer and seconded by Commissioner Page to Close the Public Hearing. Roll call vote: Commissioners Borgardt, Page, Del Vecchio, Lateer, and Chairman Mills voted Aye. 0-Nay. 0-abstained. Motion carried.

After some deliberation, the Commissioners decided on the restrictions that should be included with the approval of this permit.

A Motion was made by Commissioner Lateer and seconded by Commissioner Borgardt to Approve a Special Use Application Concerning the Property Commonly Known as 15N288 Tyrrell Road to Allow for the Keeping of Livestock and Poultry on a Parcel of 5 Acres or More in the A-1 Agricultural District, Specifically Allowing No More Than 25 Chickens, 2 Roosters, 4 Turkeys, and 15 Sheep and Goats. Roll call vote: Commissioners Page and Lateer voted Aye. Commissioners Borgardt, Del Vecchio, and Chairman mills voted Nay. 0-abstained. Motion failed.

6. PUBLIC HEARING AND RECOMMENDATION TO THE VILLAGE BOARD ON A VARIANCE APPLICATION CONCERNING THE PROPERTY COMMONLY KNOWN AS 182 PARK COURT TO REQUEST APPROVAL OF A VARIANCE TO DECREASE THE REQUIRED REAR YARD SETBACK IN ORDER TO INSTALL A POOL

A Motion was made by Commissioner Borgardt and seconded by Commissioner Lateer to Open the Public Hearing. Roll call vote: Commissioners Borgardt, Page, Del Vecchio, Lateer, and Chairman Mills voted Aye. 0-Nay. 0-abstained. Motion carried.

Administrator Bourdeau advised the Commission that the applicant has requested a variance for the rear yard building setback requirement for purposes of constructing an above-ground pool. The property, located at 182 Park Court, is located in the R-3 Residential zoning district. The property is bounded by Interstate 90 on the south and single-family homes to the north, east and west, which are all also located in the R-3 Residential zoning district. Within the R-3 Residential zoning district, the minimum rear yard setback is 40 feet for residential served by septic and 30 feet for residential served by sewer. The Applicant's residence is serviced with a septic field, requiring a minimum 40-foot rear yard setback. The pool would also sit 17 feet from the interior lot line; however, the minimum required interior yard setback in the R-3 Residential zoning district is 10 feet for residential and therefore, the interior side setback is not a concern. Construction of the pool would be on the northwest corner of the property. Due to the unique nature of the parcel, which narrows toward the east, the primary residential structure covers most of the eastern portion of the property. The southwestern portion is open; however, the residence is served by a raised septic filter bed located in this area. The presence of the septic field prohibits the construction of any structures on that portion of the property. As a result, the only location for a pool would be on the northwest corner of the parcel. Unfortunately, there is insufficient open space to construct the pool on that area of the property and adhere to the district setback requirement for the rear lot line, thereby creating a hardship for the Applicant.

A Motion was made by Commissioner Del Vecchio and seconded by Commissioner Borgardt to Close the Public Hearing. Roll call vote: Commissioners Borgardt, Page, Del Vecchio, Lateer, and Chairman Mills voted Aye. 0-Nay. 0-abstained. Motion carried.

A Motion was made by Commissioner Borgardt and seconded by Commissioner Del Vecchio to Approve the Variance Application as Presented. Roll call vote: Commissioners Borgardt, Page, Del Vecchio, Lateer, and Chairman Mills voted Aye. 0-Nay. 0-abstained. Motion carried.

7. CONSIDERATION AND RECOMMENDATION TO THE VILLAGE BOARD REGARDING THE FINAL PLAT / PUD FOR NEIGHBORHOODS 2A-2 and 2B-1 OF THE CONSERVANCY DEVELOPMENT

Administrator Bourdeau provided the Commission with background regarding the preliminary site plans for the Conservancy. Administrator Bourdeau advised the Village Engineer and Village Attorney have both reviewed all submitted documents and their recommendations are included within the Plan Commission Packet.

A Motion was made by Commissioner Page and seconded by Commissioner Lateer to Recommend to the Village Board to Approve of the Final Plat/PUD for Neighborhood 2A-2 with the Conditions Listed on Page 4 of the Staff Memo Dated December 9, 2020. Roll call vote: Commissioners Borgardt, Page, Del Vecchio, Lateer, and Chairman Mills voted Aye. 0-Nay. 0-abstained. Motion carried.

A Motion was made by Commissioner Page and seconded by Commissioner Lateer to Recommend to the Village Board to Approve of the Final Plat/PUD for Neighborhood 2B-1 with the Conditions Listed on Page 4 and 5 of the Staff Memo Dated December 9, 2020. Roll call vote: Commissioners Borgardt, Page, Del Vecchio, Lateer, and Chairman Mills voted Aye. 0-Nay. 0-abstained. Motion carried.

8. NEW BUSINESS

Administrator Bourdeau advised the Commission that Staff will be reaching out soon to poll for a quorum for a January, 2021 Plan Commission Meeting.

9. OTHER BUSINESS

There were no items to discuss at this time.

10. ADJOURNMENT

There being no further public business to discuss, **a Motion was made by Commissioner Page and seconded by Commissioner Lateer to adjourn from the public meeting at 8:18 p.m.** Voice vote of Aye carried unanimously. Motion carried.

Respectfully submitted,

Courtney Baker

Courtney Baker
Village Clerk