

**Plan Commission
87 Galligan Road
Gilberts, IL 60136
Meeting Minutes
July 13, 2011**

APPROVED MINUTES

Call to Order

Chairman Hagen called the meeting to order at 7:02 p.m.

Roll Call/Establish Quorum

Roll call: Members present: Commissioners Borgardt, Sullivan, Zoerhoff, Mills, Vice Chairperson Davidowski, and Chairman Hagen. Also present was Administrator Keller. For members of the audience please see the attached list.

Not present were Commissioners Fatigato, del Vecchio, and McHone.

Approval of Minutes

A motion was made by Commissioner Zoerhoff and seconded by Commissioner Sullivan to approve the minutes from December 8, 2010.

Commissioner Sullivan noted an error on page 1 under New Business. He did not make the motion to open the public meeting.

Vice Chairperson Davidowski noted a change in the third paragraph on page 5. The word "repetition" should be "petition."

A motion was made by Vice Chairperson Davidowski and seconded by Commissioner Zoerhoff to approve the minutes from December 8, 2010 as amended.

Vote: 6-ayes (Commissioners Sullivan, Borgardt, Zoerhoff, Mills, Vice Chairperson Davidowski, and Chairman Hagen). 0-nays. 0-abstain. Motion carried.

New Business

Public Hearing- Special Use Permit-Elgin Recycling

A motion was made by Commissioner Zoerhoff and seconded by Commissioner Sullivan to open the public hearing. Vote: 6-ayes (Commissioners Sullivan, Borgardt, Zoerhoff, Mills, Vice Chairperson Davidowski, and Chairman Hagen). 0-nays. 0-abstain. Motion carried.

Administrator Keller stated that the petitioner would like to move the noisier functions of his recycling business to a new location. He would like to recycle electronics and batteries.

He has also requested relief from having a dustless non-porous surface and screening. Staff feel that both are reasonable accommodations.

Richard Heimberg, attorney representing the petitioner, stated that Mr. Bob Conroy is requesting a special use of a recycling center to enhance the business at his current location. He added that there would be a decrease in the truck traffic on East End Drive.

Mr. Heimberg went on to show a survey of the property at 161 Center Street. It is approximately 400 feet from the street before reaching the recycling center. The recycling business will be on 3.2 acres, and it is approximately 850 feet from the toll way. He added that the property is isolated, and there is minimal impact on surrounding property. A good portion is surrounded by wetlands.

He went on to say that it is important to Mr. Conroy that the 7 items he asked for on the application be granted. As with #3, the shear baler and shredder would be in addition to what Mr. Conroy currently has. With item #6 Mr. Conroy's engineer spoke with the Village engineer. He will be following the Village Code when constructing the building.

Mr. Heimberg added that the decision the Village makes regarding the special use will help Mr. Conroy in his determining whether to purchase the property.

Vice Chairperson Davidowski stated her concern for not seeing any documentation on the building that would be built. Administrator Keller explained that the Plan Commission wasn't approving a specific building at this time, but the possibility for future expansion.

Mr. Heimberg went on to state the electronics would be recycled responsibly. Mr. Conroy went on to describe how batteries are stacked and wrapped. They will not be cracked. However, they will be immediately stacked on skids. They will only be two levels high and will be stored inside, on a hard surface. Procedures and regulations will be in place if a battery falls over. Any acid on the ground would be neutralized immediately.

Mr. George Kannigan stated that it is his belief that the IEPA regulates battery recycling. He said every battery that comes in to the recycling center will be documented and documented as leaving.

Commissioner Zoerhoff asked if Mr. Conroy could limit the number of batteries he takes in. Mr. Conroy stated that he ships the batteries when he has 20,000-40,000 pounds which is a half truck load or a full truck load. He added that battery recycling can be safe, if the recycling center is responsible. He added that he is, and people need a place to recycle batteries.

Mr. Conroy would also like to recycle vehicles. He said that he is in the metal business and vehicles are made up mostly of metal. He added that everything taken in would be predrained, and recycling of vehicles would not be his main business. He said that he

doesn't foresee there being a problem as long as there isn't any petroleum in the vehicles.

Mr. Heimberg went on to discuss roll-off containers. He stated that the property is 400 feet from Sola Drive and 200 feet from Center Drive. The petitioner feels that having all of the containers covered is too restrictive.

Mr. Kannigan stated that the fence located at the north end of the property is about eight feet tall.

Mr. Conroy stated that he would like to park trucks and empty roll-offs along the west edge of the property. There will be a fence in front of it.

Vice Chairperson Davidowski stated that she would like to see a definition of recycling. Administrator Keller explained that the Zoning Ordinance doesn't specify a definition.

Mr. Conroy stated that there is a minimal amount of processing done at his business. It is mostly packaging. The size of the material is condensed for shipping purposes, but he doesn't melt product.

Mr. Conroy stated that he doesn't know the size of the metal shredder.

Commissioner Borgardt mentioned a filtering system used when storing batteries. Mr. Conroy stated that he would consider using one if it is safe and reasonable.

Commissioner Sullivan inquired as to the amount of the business that would move to Center Drive. The trucks that would be unloading would do it at the new location, and the crane would also be moved. Mr. Conroy added that the steel portion would be the first to move to help with the noise at the East End location.

The existing facility on East End Drive would be used for the non ferrous materials and packaging and shipping.

Commissioner Sullivan questioned how the dust would be controlled. He was told that a reground surface has very little dust.

Tim Polk, owner of the property north of Elgin Recycling's East End location, encouraged the Plan Commission to consider allowing the special use. He feels it will enhance the Village, and he is grateful that Mr. Conroy is a good neighbor. He added that his tenants will be appreciative, and he has loss tenants in the past.

Darrel Oliver, property owner of 120 Center Drive, is concerned about the truck traffic that will be going by his building and the possible damage to the roads. He added that he owns part of the right-of-way going into the property located at 161 Center Drive. He stated his concern for the use of the driveway.

Mr. Kannigan stated that the driveway mentioned is a platted road easement. He added that the fence has been there since 1981.

Mr. Kannigan and Mr. Oliver went on to dispute the property boundaries. Administrator Keller stated that the issue is a civil matter and recommended that it be addressed by the two property owners.

Vice Chairperson Davidowski stated her concern for protecting the wetlands. She doesn't feel that a variance should be given to the screening.

A discussion continued regarding visual screening and filtration screening.

Vice Chairperson Davidowski then inquired why the entire business wasn't going to be relocated. Mr. Conroy stated that the business conducted at the present location would be inside a building, and he wants an expansion. He then added that an 8'-10' concrete bunker wall would be installed.

Concrete cubicles were then discussed.

Vice Chairperson Davidowski questioned what the consequences were if the applicant was not in compliance with the codes. Administrator Keller stated that the petitioner would be given ten days to comply.

A short break was taken from 8:35 – 8:43 p.m.

Vice Chairperson Davidowski asked whether riding lawn mowers are also excluded from being recycled. She felt that the recommendation should be better defined to address that.

Commissioner Mills stated his concern of the noise coming from the baling and shredding and his concern of lead leaching into the wetlands. Mr. Conroy stated that he doesn't typically take in a lot of lead, and he doesn't take in paint.

Mr. Kannigan pointed out the location of the existing 8 foot high chain link fence.

Commissioner Zoerhoff stated that he would like to see a dust control plan.

The roll-off containers were then discussed. Mr. Conroy would like to leave the roll-offs filled with iron uncovered. Administrator Keller stated that the Village is struggling to keep the industrial area orderly. The intent is that the Village is trying to maintain the appearance of the industrial area.

Allowing the petitioner to take in vehicles was further discussed. Vice Chairperson Davidowski stated that she feels the Village should not allow the recycling of vehicles.

Mr. Dan Brian stated that Mr. Conroy runs an organized business, and he is a responsible business owner.

A motion was made by Commissioner Borgardt and seconded by Commissioner Sullivan to close the public hearing. Vote: 6-ayes (Commissioners Sullivan, Borgardt, Zoerhoff, Mills, Vice Chairperson Davidowski, and Chairman Hagen). 0-nays. 0-abstain. Motion carried.

Vice Chairperson Davidowski stated her concern of allowing another recycling center into the Village.

The Plan Commissioners proceeded to go through the draft list of 19 recommendations as well as the 7 items Mr. Conroy would like allowed for the special use. They discussed granting the seven items to the petitioner.

A motion was made by Commissioner Zoerhoff and seconded by Commissioner Borgardt to recommend to the Village Board approval of the special use permit for Elgin Recycling subject to the 19 conditions in the "Finding of Fact and Recommendation" with the following changes:

5. Elgin Recycling/Tink's Ink LLC shall store and recycle batteries, electronics or similar materials on the subject property only in compliance with the IEPA regulations and within the building.

9. There shall be no overnight outside storage of any materials on the subject property, except materials may be stored overnight in roll-off containers, box trucks, or truck trailers stored away from view from Center Street, or in concrete cubicle walls erected along the south portion of the Subject Property, facing north, to store iron. Iron may be left on the ground overnight so long as it does not exceed the height of the cubicle walls. Cubicle walls will have cement pads to prevent leakage.

11. All roll-off containers or dumpsters shall be kept from view from Center Street when holding recyclables or other materials.

16. The existing surface of the Subject Property shall remain in its current condition, being granulated asphalt. Concrete pads will be added for storage of scrap iron. It shall be the operator's responsibility to control dust generated by the facility's operators or vehicles. Vote: 5-ayes. (Commissioners Sullivan, Borgardt, Zoerhoff, Mills and Chairman Hagen). 1-nay (Vice Chairperson Davidowski). 0-abstain. Motion carried.

Old Business

There wasn't any old business to report.

Communications

The Plan Commission will be meeting in the fall to help rewrite the Zoning Ordinance.

Adjournment

There being no further business to discuss, **a motion was made by Commissioner Zoerhoff and seconded by Commissioner Borgardt to adjourn the meeting at 10:11 p.m.** Unanimous Voice Vote: all ayes. Motion carried.

Respectfully submitted,

Karen Danca, Recording Secretary