

**Village of Gilberts
Plan Commission
Meeting Minutes
87 Galligan Road
Gilberts, IL 60136
November 10, 2010**

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 Zoerhoff, Sullivan, Hacker, and del Vecchio, and Chairman Hagen. Also present were ex-officios Biver and Mills, and Administrator Keller. For members of the audience please see the attached list.

Vice Chairperson Davidowski arrived at 7:22 p.m.

Not present were Commissioners McHone, Fatigato, and Borgardt and ex-officio Brown.

Approval of Minutes

A motion was made by Commissioner Zoerhoff and seconded by Commissioner del Vecchio to approve the minutes from August 25, 2010 as amended.

Commissioner Hacker was not present during the meeting. This will be updated on the minutes.

Vote: 5 ayes (Commissioners del Vecchio, Sullivan, Zoerhoff, Hacker, and Chairman Hagen). 0 nays. 0 abstain. Motion carried.

New Business

Public Hearing: Amending a Special Use Permit for Elgin Recycling

A motion was made by Commissioner Sullivan and seconded by Commissioner Zoerhoff to open the public hearing. Vote: all ayes by voice vote. Motion carried.

Administrator Keller gave a brief overview of the special use permit Elgin Recycling was asking for. Elgin Recycling would like to accept "white goods" subject to the "white goods" being removed before acceptance.

The conditions of approval were restated in a more organized list. No changes were made from the original approval of the 2008 special use permit. However, an additional new condition number 14 was added which includes the acceptance of "white goods."

There have been a few noise complaints since the operation of the plant. Village staff have been out to the plant approximately five (5) times in response to the complaints. Even though complaints were received, there haven't been any violations in the zoning code.

Staff recommend approval of the special use permit.

Commissioner del Vecchio questioned the location of West End Recycling compared to Elgin Recycling.

Kathy Tonelli owner of property in the industrial park stated that she is working toward turning the property into retail. She is shocked that the Village would grant a recycling plant permission to operate directly behind the location where the Village wants retail shops. She stated that she has invested a great amount of money in the Village. She questioned who would be policing the noise and the contaminants. She added that it is her opinion that a recycling plant doesn't belong a block away from Route 72. She stated that the business is large, and it's not entirely enclosed.

Robert Conroy, owner of Elgin Recycling, stated that the plant recycles scrap metal. When it is dumped onto the ground, it can get noisy. However, he feels that there are other noisy businesses in the Village.

Ms. Tonelli added that she thought the Village was trying to change its image.

Mr. Conroy stated that the zoning would have to be changed to not allow for industrial. He said that there is not any crushing occurring on the outside of the building. His building is a 30,000 square foot metal building.

Administrator Keller said that the frontage along Route 72 is evolving towards retail. Unfortunately, the property behind the frontage is still zoned industrial. He restated that there aren't any violations of the code occurring, and the noise is occurring in an area that is zoned industrial.

Mr. Conroy stated that he is willing to work with his neighbors. He did speak with a tenant in one of the buildings, and he is willing to work with that tenant in keeping the noise down during certain times of the day. He added that recycling is good for the community, and it saves energy.

Tim Polk, owner of buildings located on East Higgins Road, stated that the recycling plant is a nuisance. He invested in Gilberts in 2004. He bought property in hopes of

transitioning it into retail. He stated his concern for construction trucks, which can lead to the ground vibrating, dust, and metal noises. There are customers and workers entering and exiting the businesses in the buildings he owns, and he is concerned for the negative affect the noise and dust has on them.

Mr. Polk added that the plant is operating past 6:00 p.m. And that on June 11, 2008 Mr. Conroy stated that the recyclables would not be stored outside, but Mr. Polk feels that they are. He stated that Elgin Recycling accepts engines and auto parts, and it is his opinion that it is a junk yard. If he would've known that Elgin Recycling was coming into the Village in 2008, he would have tried to stop them.

He then discussed the strategic planning workshop that he attended with Administrator Keller in the spring of 2008.

Mr. Polk added that West End Recycling is located at the end of the road. He feels that is the proper place for a recycling plant, as opposed to being so close to Route 72. He added that he would like for the Plan Commission to revoke the original special use permit granted in June of 2008 and not permit the acceptance of "white goods."

When asked by Commissioner del Vecchio whether his tenants have lost business due to Elgin Recycling, Mr. Polk responded that he was unsure.

Mr. Polk stated that one of the conditions for the special use permit was that material would not be stored overnight unless it is stored in a covered roll-off container or in an enclosed truck.

Mr. Conroy responded by stating that he recently poured concrete on his property. He is waiting for that to dry. Until then, bins cannot be placed outside. He added that the convenient store receives business from his employees, and he is not aware of any dust in the air.

Mr. Polk said that he would like to see a higher end coffee shop in his building. He doesn't think customers would want to sit in a coffee shop with the amount of noise that comes from Elgin Recycling. He feels that Elgin Recycling is diminishing the value of his property, and he is concerned about any ground contamination that may be occurring.

Administrator Keller explained the notification procedure for the industrial park.

Mr. Polk stated that the recycling center will prevent growth in the Village. Road conditions will worsen with the truck traffic, and he won't be able to get a food facility in

the building because of the dust. He wants the Village to grow, and he has invested a large portion of his finances in the Village. He added that he cannot create a long term partnership with his tenants. He's a stake holder in the Village, and he can't provide services to the community with Elgin Recycling located behind his buildings.

He feels that there will be an increase in traffic, an increase in the amount of dust in the air, and an increase in noise if the Village would allow the acceptance of "white goods."

Administrator Keller informed the Plan Commissioners that some of the complaints stated at the meeting weren't brought before staff at an earlier date. He asked Mr. Polk to write out his concerns.

Vice Chairperson Davidowski stated her concern for recycling occurring outside of the building. She was reassured that the recycling activities are occurring inside the building.

A discussion continued regarding how the Village measures noise levels. West End Recycling is a smaller plant. The Village hasn't received any complaints regarding their noise, so the decibel levels haven't been read.

Mr. Conroy said that the dust might have occurred when the concrete was poured. He added that he did make the fence higher than required. His is twelve (12) feet tall.

Mr. Polk stated that he was able to see the dust from under the lights, so it can't be seen during the daylight. He saw it before coming to the Plan Commission meeting held tonight. He said the employees were cutting metal.

Vice Chairperson Davidowski asked if the Village has a definition for the processing of recyclable goods. Administrator Keller said that the Code doesn't get into that level of definition.

The commissioners would like for Village staff to verify that Elgin Recycling is in compliance with the terms stated in their original special use permit before granting the request for the new special use permit. Administrator Keller will provide the Commissioners with a definition of a recycling center for the next meeting.

A motion was made by Commissioner Sullivan and seconded by Commissioner Hacker to continue the public hearing to the next regularly scheduled Plan Commission meeting on December 8, 2010. Vote: all ayes. Motion carried.

Old Business

There wasn't any old business to report.

Communication

The Plan Commission will be working on changing the notification requirements on the public hearing. They can do this at the next meeting.

Detached garages were discussed.

The Village didn't receive the grant from Kane County to update the zoning code. The Village is trying to figure out a way to start the updating this next fiscal year.

Adjournment

There being no further business to discuss, **a motion was made by Commissioner Sullivan and seconded by Commissioner Zoerhoff to adjourn the meeting at 8:11 p.m.** Unanimous Voice Vote: all ayes. Motion carried.

Respectfully submitted,

Karen Danca, Recording Secretary