

Village of Gilberts
87 Galligan Road
Gilberts, Illinois 60136
Plan Commission/Zoning Board of Appeals Meeting Minutes
April 13, 2016
7:00 PM

APPROVED MINUTES

Call to Order

The meeting was called to order at 7:12 pm.

Roll Call/Establish Quorum

Present were Commissioners Borgardt, del Vecchio, Knudsen, and Sullivan. Also present were Village Attorney Tappendorf and Interim Administrator Beith. Not present were Chairman Mills and Vice Chair Davidowski.

Commissioner McHone arrived at 7:15 pm.

A motion was made by Commissioner Knudsen and seconded by Commissioner Sullivan to appoint Commissioner Borgardt to serve as Chairman Pro Tem. Vote: 3 ayes (Commissioners del Vecchio, Knudsen, Sullivan). 1-nay (Commissioner Borgardt). 0-abstain. Motion carried.

Approval of Minutes

A motion was made by Commissioner Sullivan and seconded by Commissioner Knudsen to approve the minutes of March 9, 2016. Vote: 4-ayes (Commissioners del Vecchio, Knudsen, Sullivan, and Chairman Pro Tem Borgardt). 0-nay, 0- abstain. Motion carried.

Public Comment-none

New Business

Public Hearing on a Petition from American Wood Recycling Inc.

A motion was made by Commissioner Sullivan and seconded by Commissioner del Vecchio to open the public hearing at 7:14 pm. Vote: 4 ayes (Commissioners del Vecchio, Knudsen, Sullivan, and Chairman Pro Tem Borgardt). 0-nay. 0-abstain. Motion carried.

Interim Administrator Beith gave a brief overview of what the petitioner was asking for: American Wood Recycling, Inc. is seeking approval to rezone the property from the C-1 Zoning District to the I-1 Zoning District, a special use permit to allow for a construction and demolition recycling facility on the property, and a variance to the UDO to allow business operations to occur outside of an enclosed structure.

Commissioner McHone arrived at 7:15 pm.

Brian Baugh, attorney representing the petitioner, stated that the petitioner is looking for approval to build and operate a construction recycling center near the intersection of Galligan Road and Koppie Drive. He reiterated that they were seeking approval to rezone the property

from C-1 to I-1, they're asking for a special use, and a variance. Attorney Baugh introduced the zoning applications, the noise study, as well as the site plan as Exhibit 1.

He proceeded to explain how the public hearing had been properly noticed, including a mailing to the surrounding properties as well as the notice being published in the newspaper.

Brian Pinter, Vice President of Midwest Companies, informed the commissioners that they presented before the Committee of the Whole in October 2015 to gage the feeling of the Board and to see if there was an interest in the Village. He added that they have another facility in Hoffman Estates which has been operating for over 15 years. Approximately 75% of the inbound material is recycled and kept out of landfills. He discussed the importance of recycling and how it has evolved over the years, including curbside recycling and how landscape waste is now being taken out of the landfills to composting areas. He added the importance of taking construction and demolition debris out of landfills is beneficial because the material is typically bulky.

Mr. Pinter went on to explain the importance of having a facility near the location of where construction debris is generated to prevent the transporting of material to faraway locations. He believes Gilberts is a prime location.

Employees will earn a good wage and receive full benefits. He added that the company follows good business practices and would fit well in the property, which has been vacant for hundreds of years.

Chris Peters of Cornerstone Environmental Group stated that they are proposing an outdoor recycling center where sorting and processing would be done on site with approximately 75 tons of product coming in per day. The type and size of trucks delivering the material would vary. However, semis would be utilized in carting the material away. He added that included in the truck traffic, Midwest Company would have three roll off trucks per day make 4-5 trips each day.

Mr. Peters added that to start off there would be 10-12 full time employees. Hours of operation would be 7:00am-4:00pm Monday thru Friday and 7:00am-Noon on Saturday.

He proceeded to go through the description of the site plan. The property is located at the northwest corner of Koppie Drive and Galligan Road and is approximately 5 acres in size. He proceeded to give a general overview of the facility (Exhibit B) which was provided in the meeting packet. He pointed out the two existing houses near the location. The proposed entrance would be composed of asphalt. A permanent truck scale would be located along the entrance driveway. He then pointed out the location of the sorter. Product would be sorted by workers and dropped into bins below. Clean wood would be stockpiled to the side where it would be further processed on site. A grinder would be utilized for that process.

Mr. Peters added that the final engineering design has yet to be completed. They were waiting until they received feedback from the meeting.

Chairman Pro Tem Borgardt questioned whether concrete would be crushed on site. The petitioner stated that concrete would not be crushed onsite.

Mr. Peters continued by stating the expected proposed traffic flow would be as follows: trucks could travel to the site by either Galligan Road or Tyrrell Road. They would turn on Koppie Drive and continue north on Galligan where the trucks would enter the site, be weighed, drop off their load and continue back to the scale to weigh out. Upon leaving the site, trucks would exit by using Koppie Road and continue south on Tyrrell to Higgins.

Any nonreusable material is shipped off site.

Mr. Peters continued with a discussion regarding berm locations. The berm to the west would be 6 feet in height. Two other berms would be located on the east and southeast sides of the property. The commissioners were shown a "to scale" view from the northern boundary which included the view of the clean processed wood pile, which would have a maximum height of 38 feet. Next they were shown a picture of the southern view. These three pictures were distributed to the Commissioners. Attorney Baugh submitted these three berm prospect drawings as Exhibit 2.

The applicant will be taking a number of additional steps to avoid the acceptance of asbestos product, those being signage which would include a list of materials which won't be accepted, employees will be trained on how to identify which materials are unacceptable. In addition, the facility will have a waste load inspection program which will be developed as part of the Illinois EPA permit application process. The facility will also have an Emergency Preparedness Response Plan. This plan would address any emergencies that may take place at the facility and would include the steps necessary if there is an accidental delivery of hazardous waste, who to notify and how to handle that material.

To help with dust control, they would be utilizing misting systems on the sort lines and processing areas. Water and/or dust suppressants would be used on the internal roadways where traffic occurs.

In regard to security, at the entrance to the facility there will be fencing and a gate to prevent unauthorized access. The perimeter berming will help prevent access to the facility at other points as well.

Storage capacity for stormwater will be provided off site at the northwest corner of Freeman and Galligan Roads at the Conservancy development. In addition, in terms of onsite development and operation, water quality retention volume required by Kane County stormwater ordinance will be located on the southern portion of the site. There is presently well and septic available on the site. It is anticipated that the well will provide water for the dust control measures. The existing

septic may be utilized. However in the event further septic is required, the northwest corner of the property is suitable for additional septic.

Facility lighting has not been identified. However, they will go through the proper process and conform to Village Code.

There are a number of steps the petitioner would have to go through if the zoning change, special use and variance were granted before they could develop. The next step for the applicant would be to submit a development permanent application for the Illinois EPA. Once the application has been submitted there generally is a 90 day review process. Afterward, there would be a need for further site and civil facilities design, since they have not been completed. The site and civil facilities design would run with the IEPA development permit application. Once the civil and facility design would be completed, then there would be further reviews and submittals through the Village for various building permits. After the facility is developed, there would be a need for the petitioner to go back to the IEPA and request an operating permit for the facility.

Commissioner Sullivan questioned the length of time it would take to get the permits. In response, the petitioner stated that it varies. He added that to get the development permit it may be roughly 60-90 days. To get the site development, it takes a fair amount of time as well. It depends on many factors and could be 30-60 days.

Chairman Pro Tem Borgardt asked if there was a benefit to the business being outside. In response, the petitioner stated that it is cost prohibitive and with the amount of trucks making drop offs, they feel it isn't best practice to put the vehicles inside a facility. Chairman Pro Tem Borgardt questioned the fire preventative measures with having a 38 foot pile of grinded wood. The petitioner stated that the material would be moved quickly, so it's not sitting for long periods. In addition they have a probe which is inserted into the pile and monitors the heat. The material is also rotated which helps release heat.

The Hoffman Estates facility is outdoors as well.

Commissioner McHone questioned whether the Hoffman Estates facility has had asbestos material delivered and how it was handled. Mr. Pinter responded; he stated that he did not recall coming across the problem of having asbestos at the other facility.

Commissioner Sullivan questioned the length of time the other materials sit (shingles, bricks, etc.) Mr. Pinter stated that since there is a lack of storage capacity, the materials will not be staying long. Most of the material is moved at a minimum of once per week.

Commissioner Knudsen questioned the zoning of the property surrounding the site. The properties to the north and east are zoned C-1. The properties to the south and west are zoned I-1.

Commissioner Knudsen questioned whether they anticipated the hours of operation to change once they were open. The petitioner stated that the hours may shorten during the winter months due to a slow in construction.

Commissioner del Vecchio stated that she believes the estimated 15-100 trucks per day is a lot of additional traffic.

Village Attorney Tappendorf swore in those wishing to speak at the public hearing.

Resident Trig Espeland stated that he lives a block away from the proposed facility. He has a concern for the damage to the roadways and the noise which would accompany the number of trucks entering and leaving the facility. He added his disapproval of the trucks driving in front of the school. He explained how he bought out here because he liked the view and how quiet it was. He added that he doesn't want to live next to a recycling facility. He stated his concern for dust and the noise from the grinder and concrete dumping. He stated his concern for berms having already been built.

Chad Koppie, owner of surrounding property stated his concern for property values decreasing. He questioned whether the Village would receive any revenue from this facility. He objects to the proposal.

Resident George Kanagin and beneficiary property owner of the proposed facility gave the history of the property and an explanation of the stormwater management. He stated that in 2013 and 2014 he applied for all the necessary permits (local, state, etc) for the berms on the property. Attorney Tappendorf explained how the berm permitting process was able to be gone through regardless of the petitioner being granted a special use and variance.

Mr. Kanagin went on to explain that Mr. Espeland lived approximately 1,500 feet from the site, instead of a block away, which he stated. He added that Mr. Koppie owns the property surrounding the site and Mr. Koppie's property is zoned industrial. He assumes Mr. Koppie will want to see that property developed as well.

Chairman Pro Tem Borgardt questioned the closeness of the nearest houses to the site. Mr. Kanagin explained how the two houses off Galligan Road to the east of the site both have businesses run out of them (HVAC and construction), and neither owner had expressed any concerns. Otherwise, the closest resident is located off Galligan on the southeast side of the Copenhaver business.

Commissioner Knudsen questioned how frequently the area was washed down. Mr. Pinter stated that since it is outdoors, they will not be washing the area down.

There will be permanent washroom facilities.

The restriction on the building height in the I-1 Zoning District is 45 feet.

Gerry Trzupsek of Huff & Huff, Inc, explained the noise monitoring process next. The grinder will be inside an enclosed building with 12 foot high and 3 foot wide concrete blocks on both sides which will muffle the grinder noise. The reading included in the packet won't be the same as the reading off the proposed site plan. The numbers were recalculated with the proposed barriers, with a reading of 70 dB at 200 feet. Mr. Trzupsek stated that chances are the reading will be 70 dB at less than 200 feet based on the concrete walls and grinder being covered.

The Village defers to the state regarding noise regulations.

Commissioner Knudsen questioned the length of time the grinder would run. In response, the petitioner stated that it would run a couple days per week for 4-5 hours each day.

Mr. Kanagin questioned whether the grinder met the state ordinances. Mr. Trzupsek stated that he was unsure at this time. He added that he took the worst case scenarios and made conservative assumptions during the testing process. However, accurate readings cannot be made until the facility is built and the grinder is on site.

A discussion regarding the noise levels ensued. The Commissioners were concerned with the amount of noise and the level of the noise.

A brief recess was taken from 8:33 pm to 8:37 pm.

Chairman Pro Tem Borgardt questioned the Village noise ordinance. It is stated in the Village Code that construction cannot begin before 7:00 am on weekdays. However, there are not any restrictions on general business hours. Attorney Tappendorf stated that the Commissioners could recommend putting in place specific hours of operation as a condition to the special use.

After listening to the comments, Attorney Tappendorf read off a possible list of conditions the Commissioners might want included if they were to recommend approval to the Village Board:

- A submittal of the proposed truck traffic plan
- Annual or yearly inspections
- Hours of operation being 7am-4pm Monday thru Friday and 7am-noon on Saturdays
- Approval of the final engineering, including a stormwater detention plan
- A plan and protocol should be in place for dealing with hazardous and unacceptable waste deliveries.
- A dust control and mitigation plan should be in place and modified as complaints would come in.
- Signage and lighting must comply to Village Code
- Noise levels must comply with state noise standards and a certified reading is required once the grinder is in place.

A motion was made by Commissioner Sullivan and seconded by Commissioner McHone to close the public hearing at 8:44 pm. Vote: 5 ayes (Chairman Pro Tem Borgardt, Commissioners del Vecchio, Knudsen, McHone, and Sullivan). 0-nay. 0-abstain. Motion carried.

Commissioner Borgardt stated that typically there isn't any asbestos in wood.

Commissioner McHone stated that he would like to see a lighting plan, signage, a traffic plan and a dust suspension plan in place.

Commissioner del Vecchio stated that traffic and noise are her main concerns.

Commissioner Sullivan stated that he wasn't very fond of the screened building.

A motion was made by Commissioner Knudsen and seconded by Commissioner McHone to recommend approval to the Village Board to rezone the property located at the northwest corner of Galligan Road and Koppie Drive from the C-1 Zoning District to the I-1 Zoning District. Vote: 5 ayes (Chairman Pro Tem Borgardt, Commissioners del Vecchio, Knudsen, McHone, and Sullivan). 0-nays. 0-abstain. Motion carried.

A motion was made by Commissioner Knudsen and seconded by Commissioner Sullivan to recommend approval to the Village Board a special use permit to allow for a construction and demolition recycling facility on the property located at the northwest corner of Galligan Road and Koppie Drive with the following conditions:

1. **A submittal of the proposed truck traffic plan**
2. **Requirement of an annual inspection**
3. **Hours of operation being 7am-4pm Monday thru Friday, 7am-noon on Saturday, and being closed on Sunday**
4. **Approval of the final engineering, including a stormwater detention plan**
5. **A plan and protocol should be in place for dealing with hazardous and unacceptable waste deliveries.**
6. **A dust control and mitigation plan should be in place and modified as complaints would come in.**
7. **Signage and lighting must comply to Village Code**
8. **Upon installation of the grinder and enclosure, submittal of a noise level certification from the state of Illinois.**

Vote: 4 ayes (Chairman Pro Tem Borgardt, Commissioners Knudsen, McHone, and Sullivan). 1-nay (Commissioner del Vecchio). 0-abstain. Motion carried.

PC/ZBA Meeting
April 13, 2016
Page 8

A motion was made by Commissioner del Vecchio and seconded by Commissioner McHone to recommend approval to the Village Board a variance to the Unified Development Ordinance 10-6-4 (B) to allow business operations to occur outside of an enclosed structure.

Vote: 4 ayes (Chairman Pro Tem Borgardt, Commissioners Knudsen, McHone, and Sullivan).
1-nay (Commissioner del Vecchio). 0-abstain. Motion carried.

Attorney Tappendorf stated that the recommendation will go before the Board in the beginning of May.

Mr. Pinker thanked the commissioners for their time, and stated that he won't let them down.

Old Business – None

Communications- None

Adjournment

A motion was made by Commissioner McHone and seconded by Commissioner del Vecchio to adjourn from the meeting at 9:01 pm. Voice vote: 5-ayes, 0-nay, 0-abstain. Motion carried.

Respectfully submitted,
Karen Danca

