

Planning, Zoning, and Agriculture
Committee Meeting
November 14, 2007

Members Present

Mr. Stauffenberg, Mr. Bertrand, Ms. Hertzberger, Mr. James, Ms. McBride, Mr. Scholl, Mr. Hess, Mr. Washington, Mr. Whitten, and Mr. Marcotte

Members Absent

Mr. Olthoff

In Attendance

Mr. McLaren, Delbert Skimerhorn, Leigh Marcotte, Jim Greenstreet, Mike Lammey, Dave Tyson, John Bevis, and Sid Masse

1. Call to Order

The meeting was called to order by the Vice-Chairman, Mr. Stauffenberg, at 9:00 a.m. Quorum present.

2. Public Comment

None

3. Approval of Minutes

A motion to approve the minutes of October 24, 2007 was made by Mr. Whitten and seconded by Mr. Washington. Motion carried.

4. Subdivision

• Foxborough Oaks Subdivision- Reduction of Letter of Credit

Mr. Skimerhorn stated the Planning Department sent Mike Gingrich, the Independent Engineer, out to the subdivision to do an inspection. They are coming along very well. He came up with a punch list of six items that still need to be complete. The current letter of credit is for \$282,502.00, and Mike Gingrich has determined that amount could actually be reduced to \$70,782.00. That is what he is asking for today from the committee.

A motion to approve was made by Mr. Whitten and seconded by Mr. Marcotte. Motion carried by a roll call vote of 9 ayes and 0 nays.

• Masse Subdivision- Variances

Mr. Skimerhorn stated the subdivision is a 16 lot country-style subdivision on 141.4 acres in Section 4 of Aroma Township. What the developer is asking for today is three variances. This subdivision has not been rezoned yet, he understands that the developer would like to see if he could get the variances before he moves forward with any other part of the project.

The three variances are:

1. Stormwater Release Rates- Due to the fact that the subject site is currently farmed and adjacent to the Iroquois River, the Developer is asking for a release from any detention requirements. Mike Gingrich reviewed the plat and it is his recommendation that this variance could be approved providing that the developer demonstrates that there will be no

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adverse flooding impacts and that there will be no adverse ecological impacts. The Planning Department staff agrees with the recommendation.

2. Relief from the Park and Open Space Requirement- the subdivision regulations would require that 1.5% of the land or 2.12 acres be set aside for parkland donation. The developer is justifying not having the open space because these are large lots that range from 5 to 11 acres in size, and each individual lot owner would have plenty of area to create their own open space. Staff does agree with this however, the County's Greenways and Trails Plan does specify that a trail at some point should be built from Sugar Island to Aroma Park along the river. If an easement is not established at the time of platting there will probably never be a trail.
3. Structural Design and Construction Standards- the Developer is requesting that the roads within the subdivision be developed with the A-3 surface instead of the HMA surface that is required by the ordinance. The second part is the improvement of the township road from the subdivision back to the nearest collector road. This has gone out for review and the County Highway Department has recommended that instead of giving the full relief to an A-3 surface that a hybrid HMA surface with an A-1 overlay be used instead of the A-3 surface.

Mr. Tyson stated the County regulations call for a 10 inch aggregate base 3 inch asphalt surface. What Jim Piekarczyk is saying is a relief really isn't a relief. He is saying 2 ¾ inch asphalt surface and put an oil and chip surface over the top of it. The cost for doing that is basically the same as putting 3 inches of asphalt on a road. The reason for asking for this, after meeting with the township road commissioner, is that he doesn't have hot mix asphalt surfaces in his jurisdiction right now. If a hot mix surface is put on a road such as this, the heat and weather are going to dry it out quickly. Anywhere there will be high traffic volumes it rejuvenates the oil and hot mix surface. In this case, this is approximately 2 ½ to 3 miles from Bourbonnais as the crow flies, 5 miles by driving, the subdivision is being proposed because it is adjacent to the Iroquois River. The 16 lot subdivision that is being proposed is only going to generate 10 movements per lot a day after it is all built out, which is only 160 cars, which is basically hardly any traffic on a road. What the developer is proposing to do, and what the township road commissioner is accepting is to build the road from the 2000 Road over with the a substantial base and an A-3 surface at this time. Then it will be consistent with the rest of the roads within the jurisdiction of what he has in Aroma Township. This is what the road commissioner feels he will be able to maintain, it will be built to the 20 foot wide surface so that it is at least upgraded width wise. The base will be sufficient. Realistically, there probably won't be any other developments within this area that is going to justify spending \$700,000.00 to build a hot mix road that will come out to the 3700 Road or over to the 2500 Road. The development is being proposed because of it's proximity to the river; it would be a nice tax base for Aroma Township to put in the road fund. The subdivision is going to be 16 lots with approximately 8 lots on the river. Any other development that would even happen adjacent to the river, their access point would be to the north of the subdivision. What the developer is requesting he doesn't feel is that much different than other subdivisions that have been approved. There is a subdivision northwest of Bourbonnais that has been approved that one

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of its main access points comes to the 6000 Road which is oil and chip and will remain oil and chip. That particular subdivision is going to have a lot more traffic than this subdivision. The maximum build out for this subdivision is 16 lots.

Mr. Stauffenberg asked about the request for an easement for the trail.

Mr. Tyson stated he is sure that Mr. Masse would be willing to discuss that. He would like to have the easements granted to match the whole greenways plan. He just spoke with Mr. Masse and he was told the easements would not be a problem.

Mr. Washington stated there should be a motion on each individual variance.

Motion on Variance #1 (Release Rates)

A motion to deny the variance was made by Mr. Whitten and seconded by Ms. Hertzberger.

Discussion on the Motion

Mr. Scholl stated the idea of the size of the lot does work in favor of granting the variance, assuming the homes are a substantial distance from the river.

Mr. Tyson stated that he feels very confident in the drainage calculations that detention isn't going to be required.

Ms. Hertzberger stated this particular variance should not be approved unless the provisions of the reviewing engineer and Planning staff are met. As long as the motion has those provisions in it she thinks the committee could move forward.

Mr. Skimerhorn stated the review engineer pretty much agreed that detention is not needed on this site, providing that they can prove it with the calculations.

Vote on Variance #1

Motion failed by a roll call vote of 1 aye (Mr. Scholl) to 10 ayes.

Second Motion on Variance #1

A motion to approve variance with the provisions of the staff and reviewing engineer was made by Mr. Washington and seconded by Mr. Hess.

Vote on Second Motion on Variance #1

Motion carried by a voice vote.

Motion on Variance #2 (Park and Open Space)

A motion that the developer be required to put in public greenway space along the riverfront was made by Ms. Hertzberger and seconded by Mr. Scholl.

Discussion on the Motion

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Mr. Stauffenberg asked how much space?

Mr. Scholl stated he has strong reservations about not maintaining public open space. To put a footage on the amount of open space he has difficulty with. The developer already said there is no problem with establishing or granting an easement for the trail, but that does not include the public open space.

Mr. Tyson stated if there is an easement for the trail that would be public open space.

Ms. Hertzberger withdraws her motion.

Mr. Scholl withdraws his second.

Second Motion on Variance #2

A motion to grant the variance but have the developer be required to put in public greenway space along the river and come back to this body with a plan was made by Ms. Hertzberger and seconded by Mr. Scholl.

Vote on Second Motion

Motion carried by a voice vote.

Mr. Skimerhorn stated there are two parts to variance #3, the internal roads for the subdivision and then there is the improvement of the township road from the subdivision entrance back to the next collector road.

Mr. Stauffenberg stated he has lived on a chip and tar road for 20 some years. It has held put well, semis hauling grain drive on the road, so he is a little in odds with Jim Piekarczyk about his stipulations, but that is what is in our ordinance. His only concern is if someone develops between this subdivision and Aroma Park who pays for the freight for when the roads do get busy. If we are going to make the developer do \$750,000 worth of road work, there ought to be some recapture structure when the next subdivision comes along that uses that road too.

Motion on Variance #3 (Structural Design and Construction Standards)

A motion to grant the variance was made by Mr. Washington and seconded by Mr. Marcotte.

Amendment on the Motion

An amendment was made by Mr. Scholl to have the developer be prorated if another subdivision comes along.

There was no second to Mr. Scholl's amendment.

Mr. Washington withdraws his motion.

Mr. Marcotte withdraws his second.

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Second Motion on Variance #3

A motion to bring this variance back to the next PZA Committee meeting and have Mr. Piekarczyk at the next meeting was made by Mr. Hess and seconded by Mr. Scholl.

Vote on Second Motion

Motion carried by a voice vote.

• **Sunset Grove- Preliminary Plat**

Mr. Skimerhorn stated the Developer of Sunset Grove is asking for approval of their preliminary plat. Sunset Grove is a 30 lot Conservation Style Subdivision being proposed by Terry Vaughn on a 37.3 acre parcel in Section 4 of Limestone Township. The property was rezoned by the County Board from A-1 to R-1 in 2006. The average lot size is 22,298 square feet. The plans were out for the 45 day review period, which ended on October 4, 2007. All comments were reviewed and all but a few minor issues have been resolved. Dave Tyson is the reviewing engineer for the County on this property and he indicates that these issues will be resolved and do not need to hold up the approval process. The Soil and Water Conservation Service is asking that no work be done until the Stormwater Pollution Prevention Plan is in place. Sixteen acres of the 37 acre parcel is open space. This will be on septic but will have City water.

A motion to approve the preliminary plat was made by Ms. Hertzberger and seconded by Mr. James. Motion carried.

Mr. Scholl asked if the concerns of the Village of Limestone been addressed.

Mr. Skimerhorn stated as far as he is aware they are addressed.

5. Planning

• **Appointment of Don Pallissard to the Kankakee River Basin Partnership**

A motion to appoint Don Pallissard to the Kankakee River Basin Partnership was made by Mr. Whitten and seconded by Mr. Washington. Motion carried.

6. Old/New Business

None

7. Adjournment

A motion to adjourn the meeting at 9:48 a.m. was made by Mr. Hess and seconded by Mr. James. Motion carried.

Jim Stauffenberg- Vice-Chairman

Stephanie Jackson, Executive Coordinator

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