#### **Members Present**

Mr. Tripp, Mr. Stauffenberg, Ms. McBride, Ms. Barber, Mr. Hess, Mr. Washington, Ms. Schmidt, Mr. Olthoff, Mr. James, and Mr. Tholen

#### **Members Absent**

### In Attendance

Board Members

Mr. Scholl, Mr. Bossert, and Mr. Liehr

• Department Heads

Mr. Van Mill

Media

Leigh Marcotte

**Dimitrios Kalantzis** 

#### 1. Call to Order

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

#### 2. Public Comment

Greg Deck commented on ZBA Case #10-5.

## 3. Approval of Minutes - April 28, 2010

A motion to approve the April 28, 2010, minutes was made by Mr. James and seconded by Mr. Washington. Motion carried.

Mr. Tripp made a motion to move Zoning ahead of Planning and Mr. Tholen seconded it. Motion carried.

## 4. Zoning

• ZBA Case #10-5; request for Rezoning from A1-Agriculture District to RE-Rural Estate District, on a parcel generally situated in Section 36 of Essex Township. The petitioners are Dale R. and Eileen J. Hill, property owners and applicants

Mr. Skimerhorn stated that this is a request for rezoning a 5-acre parcel from A1-Agriculture to RE-Rural Estate. In 2004, a previous owner applied for a building permit. The parcel was 40 acres of size and they build a home on it after receiving a building permit. In 2005, the five acres was divided out of it with the home. At that point, the zoning became nonconforming because 20 acres is required in the A1 District. At the zoning board hearing the Zoning Board voted 3 to 3 to approve and because it was a tie vote it moved forward to the Planning and Zoning with no recommendation.

Mr. Washington made a motion to approve and Mr. Stauffenberg seconded it. Motion carried.

## **Discussion**

Mr. Olthoff asked Mr. Deck if there was a problem with the zoning why wouldn't he be able to legally go back and get their money refunded because the property is not in zoning conformance.

Mr. Deck stated that there was a ten page addendum to the contract that stated that everything was totally "as is". They were given a limited period of ten days to check it all out. Their contract even said that they could not have any zoning officials look at this property without the permission of the seller. By the time they came to him the ten days were already up.

Mr. Olthoff asked if that seemed legal to him.

Mr. Deck stated that he doesn't know if it is illegal; it is certainly not a very reasonable provision. He thinks there should be some mechanism for addressing these issues when the property is sold. In Grundy County, a zoning certificate is required. That way they know that the zoning is proper before they go forward. Maybe the County needs to look into some sort of mechanism like that. It would avoid a lot of the issues that happen.

Mr. Olthoff asked how that would work in this case.

Mr. Deck stated that if an ordinance which required a zoning certificate was in place it would allow them to go ahead and find out about the zoning status.

Ms. Schmidt asked how much earnest money was put down.

Mr. Deck stated that \$18,000 was put down.

Ms. Schmidt stated that this is a perfect example of someone breaking the rules and then there is a victim and here we are again. It is really getting old. She agrees that something needs to be done.

Mr. Scholl stated that he thinks it would be an excellent idea for the committee to come up with some type of resolution to motivate the recorder's office and the planning department to work out some way to set this up, using Grundy County as an example.

Mr. James made a motion to have staff go forward and look into Grundy County's ordinance and then create a resolution and see what can be done to make it a requirement to check the status of zoning compliance before homes are closed on. Mr. Tripp seconded it. Motion carried.

 ZBA Case #10-06; request for Rezoning from A1-Agriculture District to 12-General Industrial District and Variance to Section 121-208.f.2.a (side yard setback), on parcels generally situated in Section 13 of Pilot Township. The petitioners are Roland Rosenboom, property owner and Jeremy Mitchell and Justin Netherton, applicants.

Ms. Schmidt asked for a few minutes to go over the reports because they were just handed out. Her request was granted.

Mr. James stated that Ms. Schmidt makes a good point. He thinks everyone on this committee should get this report before the hearing.

Mr. Olthoff asked Ms. Sadler if it would be possible to get the staff reports to each member of the committee.

Ms. Sadler stated that she can do that.

Mr. Skimerhorn stated that this is on the former Pilot Battery site in Pilot Township. There are existing buildings on the site and it has been in industrial use for well over 40 years. It never got zoned properly. The petitioners are asking to have it rezoned to I2. They intend to divide it into two parcels. The total site is around 200 acres. They want to divide off a seven acre and an eight acre parcel. The southern parcel would be used to move a metal fabricating business from Herscher to the location and the northern parcel would be used for motorcycle repairs and service. They may want to use it for boat and RV storage, also. The buildings are very close together on the center property line; they are connected by a breezeway. They are asking for a side yard variance of zero lot line. Zoning Board of Appeals voted 6 to 0 to recommend the approval of the rezoning and the variance.

Mr. Tripp made a motion to approve and Mr. James seconded it. Motion carried with a voice vote.

Ms. Schmidt asked if there has been an environmental study done on this because it was a battery factory.

Mr. Skimerhorn stated that it was testified at the zoning hearing that the previous owner spent over \$100,000 to get it cleaned up for environmental purposes. He has not seen the study.

Mr. Rosenboom stated that to the best of their knowledge there was an EPA study done and it was about two inches thick. They talked to the person who did the work for the study. It appears that there are no issues. He will get a copy of the study to the Planning Department.

Ms. Schmidt stated that she is concerned about the businesses going in and whether or not they are environmentally safe.

Mr. Rosenboom stated that he was equally concerned and that is why he and the two buyers contacted the environmentalist directly.

Ms. Schmidt made a motion to table this until we get the study information and Mr. James seconded it. Motion failed.

Mr. Hess made a motion to amend the original motion to make the approval contingent on the environmental study passing inspection and Mr. James seconded it. Motion carried.

 ZBA Case #10-07; request for a Special Use Permit Section 121-99.C.10 (Community Residential Home) in an A1-Agricultural District, on parcel generally situated in Section 24 of Momence Township. The petitioner is Vurnice Maloney, property owner and applicant.

Mr. Skimerhorn stated that this is a request for Special Use Permit to establish a community residential home at the Garden of Prayer Youth Camp facility in Momence Township. This would be a group home for 8-12 teenage boys ages 13-18 located on five acres. The boys would stay there up to 18 months and they would receive counseling and go to school. Zoning Board of Appeals voted 6 to 0 to approve. There were no objectors present.

Mr. Washington made a motion to approve and Ms. McBride seconded it. Motion carried.

- Mr. Stauffenberg asked if they would attend Momence schools.
- Mr. Skimerhorn stated that they would.
- Ms. Schmidt asked why they were dividing five acres off.
- Mr. Skimerhorn stated that for the grant that they are receiving the building has to be on its own parcel and have its own title.
- Mr. Tholen asked if dividing the five acres puts us right back in to the same situation that we just talked about as far as what happens if they would ever sell it.
- Ms. Schmidt stated that Mr. Tholen makes a good point. Is it possible with the special use permit if it is no longer used that the five acres goes back to the existing 22 acres?

Ms. Schmidt made a motion to put a condition on the special use permit that states that if the special use permit ceases the five acres goes back to the original 22 acres and Mr. Hess seconded it. Motion carried.

Ms. Barber asked if there was a ratio in terms of adults to teenagers. She is concerned of the young men's safety as far as building and fire codes. Do we inspect it?

Mr. Skimerhorn stated that the building codes would be assessed when they come in for permits. It would be staffed by 18 adults 24-hrs a day.

Ms. Maloney stated that all of their approvals have to go through the Department of Children & Family Services, Department of Public Health, and they also have to have a fire inspection every year. Every three months they have in-house fire drills. DCFS come unannounced to inspect them.

### 5. Planning

### Revolving Fund – Grant Request for Public Infrastructure – Artic Snow

Mr. Van Mill stated that the applicant, Artic Snow and Ice Control, is located in the Ken Hayes Industrial Park. They are a recent occupant of the Ken Hayes Industrial Park. They are a business first established in Frankfort, Illinois in 1978 which manufactures snow plows. They came to the facility about 18 months ago and have been very successful. They have invested over \$3 million in the site and have brought 22 fulltime employees there. They are already looking to expand by getting into other lines of production. The site at the south end of the facility has been evaluated and some efficiency issues were found. They will have increase truck traffic at the site. They have talked to him and to Mayor Adams about possibly fixing the intersection there to help with the efficiencies in the public right-of-way. They have come to the County and the Village of Bradley looking for ways to help with that. He stated that they have identified their revolving loan fund program as a possible tool to help get these public infrastructure projects done - to help with that efficiency and to help with pedestrian safety.

Mike Gingrich who is from the engineering firm that has done the improvements gave an overview of the project.

Mayor Adams from Bradley stated he is looking forward to a partnership with the County on this. It is definitely a needed fix in this area and it works in with the improvements that they are already making. It will be on their board agenda for the June 14 meeting to get into a 50/50 partnership with the County on this project.

Mr. Liehr asked how this will impact the Village Grill restaurant in terms of when customers leave the restaurant.

Mayor Adams stated that the Village Grill has come to them with a proposal to purchase two parcels from the Village of Bradley. It was voted on at the last board meeting and they voted to accept their offer.

Mr. Van Mill stated that this project was initiated when Joe Franco came and approached them. Mr. Franco has been working very closely with Artic Snow.

Mr. Franco stated that Artic Snow is a unique company in that when they came here they did not ask for anything, which is unusual for people who come down here. He gave them a couple of months free rent and he also agreed to release them from the lease if they failed and if they succeed they can forget about their lease again, but they must rebuild or buy in Kankakee County to maintain those jobs. They liked that so they came. They started with around 60,000 sq. ft, then went to around 120,000 sq. ft, and starting in June of this year they will have 155,000 to 160,000 sq. ft. They are applying for this to make the ingress and egress easier and safer. They currently have around 40 employees and will be hiring several more. Their manufacturing is all done here in K3 County and Bradley. They use robotics to keep the cost down. He encouraged everyone to go out there and take a tour of the plant. It is awesome.

Mr. Stauffenberg asked if they were commercial plows like the County would use.

Mr. Franco stated that they are not those kind. They are the kind used to plow parking lots. He thinks it would be good for some local agencies to purchase a plow from them. They are unique in that they are segmented so if an object is struck only that section of the plow moves up. They also ship them unassembled to save on the cost of shipping.

Ms. Schmidt asked how much money is left in the fund and asked if there were other applicants. Her concern is that we have to be careful that we make sure that everybody has opportunities to this money.

Mr. Van Mill stated that there is about \$175,000 and no other applicants as of now.

Ms. Barber stated that she visits that area frequently and these improvements are greatly needed.

Mr. Van Mill stated that estimated cost of the public improvements that they are talking about is about \$165,000. The Revolving Loan Fund Committee on Monday evaluated it and based upon their consideration of the information, they have recommended that the County participate in the grant program with funds not to exceed \$85,000, with the four conditions listed on the recommendation.

Mr. Washington stated that we should not forget that the Alliance is in partnership and those funds ultimately will end up with the Economic Alliance of K3 County. We are not talking about a private entity gaining profit from this.

Mr. Bossert stated that this is a public right-of-way improvement which is needed for that area. It is an opportunity to cooperate with Bradley on a project and he welcomes that opportunity to demonstrate the good relationship that we have between our communities and the County. He is encouraging the support of this partnership.

# Mr. Hess made a motion to approve this and Mr. Washington seconded it. Motion carried.

Ms. Barber made a request that Arctic Snow involve themselves in our school systems. Robotic technology is the future. We have a lot of young people with a lot of energy and the capacity to absorb that.

#### 6. Other Business

- EXECUTIVE SESSION Review of Executive Session Minutes 5 ILCS 120/2(c)(21)
- Release of Closed Session Minutes

Mr. Boyd could not make it to this meeting so this will be put on next month's agenda

## 7. Old Business

#### 8. New Business

Mr. Van Mill stated that in the past this committee has talked about a piece of property on Marquette Lane in Aroma Township. They are working through the court system process in order to be able to demolish the property. They have been looking at trying to find a reasonable cost to do this. The City of K3 has offered to partner with us and help us in getting the facility demolished. They have given us a proposal for \$8351 but it does not include the removal of the basement, slab, or seeding. They are still trying to work with that. This has been a very long and frustrating process. They will be meeting with the State's Attorney's office next week and get this back on track.

## 9. Adjournment

A motion to adjourn the meeting at 10:02 a.m. was made by Mr. Stauffenberg and seconded by Mr. Washington. Motion carried.

Bill Olthoff, Chairman

Joanne Langlois, Executive Coordinator