

**Village of Gilberts
87 Galligan Road
Gilberts, IL 60136
Committee of the Whole
Meeting Minutes
May 10, 2016**

Call to Order/Pledge of Allegiance

President Zirk called the meeting to order at 7:00 p.m. He proceeded to lead those present in the Pledge of Allegiance.

Roll Call/ Establish Quorum

Village Clerk Meadows called the roll. Roll call: Members present: Trustees Kojzarek, Corbett, Zambetti, Farrell, Hacker and President Zirk. Others present: Interim Administrator Beith, Attorney Tappendorf and Clerk Meadows. For members of the audience please see the attached copy of the sign-in sheet.

Items for Discussion

Minutes from the May 3, 2016 Village Board Meeting

President Zirk asked if any of the Trustees had any questions or comments on the May 3, 2016 Village Board Meeting Minutes. The Board Members offered no questions or comments on the meeting minutes. President Zirk directed Staff to place the meeting minutes on the next consent agenda.

April 2016 Treasurer's Report

President Zirk asked if any of the Trustees had any questions or comments on the April 2016 Treasurer's Report. The Board Members offered no question or comments on the April 2016 Treasurer's Report. President Zirk directed Staff to place the Treasurer's Report on the next consent agenda.

American Wood Recycling Inc.-Rezoning, Special Use and Variance Petitions

Petitioner Mr. Dave Pinter addressed the Board Members. He reported that last fall representatives for American Wood Recycling had come before the Board Members to discuss their proposal to construct a recycling facility on the five acre property located at the northwest corner of Galligan Road and Koppie Drive. In order to construct their proposed construction recycling facility they would need approval of a rezoning petition a special use petition and a variance petition. At that time the Board Member requested American Wood Recycling conduct several studies which included a traffic study and a noise study. Mr. Pinter noted that the studies were completed in early 2016.

Trustee LeClercq arrived at 7:04 p.m.

Mr. Pinter provided the Board Members with an overview of their proposed operations. He reported that in March 2015 Phoenix & Associates had applied for a Village building permit to add an addition onto the storage building. The permit was approved and the addition has since been completed. The storage building will house restrooms and an employee break room.

The facility will remain on well and septic. However they plan on installing a larger well which would be able to pump 100 gallons for water per minute. In addition, they will have on site a 2,500 gallon water truck to aid in dust mitigation. The grinder also includes a misting system which elevates dust during the grinding process.

Mr. Pinter reported that the recycling facility is largely comprised of a truck scale, a drive aisle, and an outdoor sorting and storage area. The facility also includes a wood grinder and a misting system to aid in elevating the dust during the grinding process. The grinder would be housed under a fabric structure.

Mr. Pinter discussed the traffic study. He reported that 85-90% of the truck traffic would be coming from Higgins and Tyrell Roads. He does not anticipate there being much of an impact on the portion of Galligan Road adjacent to the school site.

Mr. Pinter discussed in length the noise study. He reported that this facility is over a million dollar investment and he intends to comply with the noise ordinance. He noted that the grinder is a specialized piece of equipment and if for any reason the grinder noise exceeds the allowable decibels he would use a smaller electric grinder. Mr. Pinter stated he was committed to complying with the noise ordinance and will do whatever it takes to do so.

Mr. Pinter commented on the recycling facility's hours of operations. He reported that historically their operations diminish in the winter months due to the fact that construction volume decreases from December-April and in the summer months as a rule they only grind twice a week.

Attorney Tappendorf discussed the Plat Act. She noted that the 10 acre parcel will be subdivided into two separate 5 acre plats and should have two separate pin numbers due to the fact that the two parcels will be controlled by two separate owners. In addition, if the 10 acre parcel is subdivided that triggers the requirement to connect to Village water and sewer.

President Zirk opened up the questioning to the Board Members. Trustee Hacker commented on the variance petition.

In his opinion granting the variance allowing for outside processing would set a precedence. In addition, he was not in favor of the potential dust and noise. He would prefer to have this type of activity located indoors. Mr. Pinter responded by stating having to construct a facility would make the proposed recycling facility cost prohibited.

Trustee Hacker inquired on what was the height of the canvas tent would be. Mr. Pinter reported that the canvas tent is 40' high. Trustee Hacker noted that the canvas tent would be visible from Tyrrell Road even with the newly constructed berms.

Trustee Hacker asked how far the grinder would be located from the West edge of the property. Mr. Pinter reported that the location of the grinder is 100' from the West edge of the property. Trustee Hacker noted that the noise study reports that at 333' feet the noise level was at 70 dB (A). He asked if they can assure the Board Members that they will comply with the noise ordinance. Mr. Pinter noted if they did not comply with the noise ordinance they would be unable to operate.

Trustee LeClercq also commented on the proposed 40' canvas tent which would be visible from Tyrrell Road. Trustee LeClercq noted that he was not overly concerned with the truck traffic due to the fact that the current zoning is commercial and the property is surrounded by industrial uses and truck traffic is expected. However, he is concerned with the impact the noise may have on the new development adjacent to Freeman and Galligan Road.

Trustee LeClercq inquired on the status of last week's fire at their Hoffman Estate's facility. Mr. Pinter reported that they have not experienced a fire for over twenty years. The recent fire was due to an accident involving a propane tank. Mr. Pinter reported that they were able to resume their operations on Saturday.

Trustee LeClercq inquired on their reasons to petition Gilberts for the outside recycling facility. Mr. Pinter reported that they currently operate a business within the Village's limits. In addition, Gilberts is centrally located to the construction sites that generate construction debris. Mr. Pinter commented on the cost associated with relocating construction debris. He noted that relocation cost per mile is on average \$90.00-\$100.00.

Trustee Corbett questioned the purpose of the concrete tipping area. Mr. Pinter noted that this area provides a space in which the roll offs can be dumped and protect the underlying ground from material leaks.

Trustee Farrell commented on the fact that the Board recently raised the standards for industrial buildings when they approved Interstate Partners' Prairie Business Park. Trustee Hacker agreed with Trustee Farrell.

Trustee LeClerc reported that he has seen their operations in Hoffman Estate and he believes their proposed site is an appropriate use for the location.

Trustee Corbett commented on the KLOA traffic study. He inquired if they had a breakdown of school bus traffic and heavy vehicle traffic. A representative from KLOA stated that all of the intersections are projected to continue to operate at similar levels of service with the traffic to be generated by the propose facility in addition to regional growth traffic. No traffic control or roadway improvements are recommended or needed at the intersections in conjunction with the proposed development.

Trustee Leclercq inquired on what type of plantings they are proposing on the berms. Mr. Pinter reported that they will be planting 10' Spruce Trees. Trustee Farrell noted that 10' Spruce Trees would not provide a tall enough buffer.

President Zirk commented on the Plat Act requiring the subdivision of the 2 five acre parcels. He agreed with Attorney Tappendorf that this action would trigger connection to the Village's water system. President Zirk questioned if there was a recapture in place that they also might need to address.

President Zirk discussed the three separate petition pieces under consideration. He noted that the first piece is the rezoning of the property from C-1 (Commercial) to I-1 (Industrial). Currently there are adjacent properties that are industrial users.

President Zirk discussed the second petition requesting a special use to allow for a construction recycling facility on the property and the third petition requesting a variance from the UDO to allow operations outside of an enclosed structure. If either of these petitions failed the rezoning petition would no longer need to be considered or voted on.

President Zirk noted that financial hardship is not grounds to grant a variance to allow outdoor recycling processing. Attorney Tappendorf noted that in the Plan Commission's Finding of Fact appears American Wood had met the burden of standards.

Trustee Farrell commented on a 2010 Special Use Permit that was granted to Elgin Recycling. The Board had placed several restrictions on the special use; one of the restrictions was to prohibit outdoor storage unless the materials were stored in a block enclosure.

Trustee Farrell commented on her concerns with the noise that would be generated from the property.

Trustee LeClercq commented on the fact that he is struggling with the petitions.

Mr. Pinter asked if the Board Members would consider the use more favorable if they placed the operations in a Butler Building. Trustee Farrell stated she would still want to see similar restrictions that were placed on Elgin Recycling with respect to outdoor storage.

Trustee Farrell commented on the fact that she respects their company and what they do for the environment. However, she is not in favor of allowing construction recycling operations outside. Trustee Hacker agreed.

President Zirk noted that the majority of the Board was not in favor of allowing construction recycling operations outside. Mr. Pinter stated that he will research the cost of a Butler Building and follow-up with Staff.

The Board Members took a brief five minute recess at 8:45 p.m. and reopened the meeting at 8:50 p.m.

Conservancy-Annexation Amendments

Attorney Tappendorf reported that the requested Conservancy amendments to the annexation agreement were outlined in her memo dated May 5, 2016.

Developer Troy Mertz discussed his proposed annexation amendments. Developer Mertz stated that he along with his Attorney Tom Burney had been working with Attorney Tappendorf in drafting the amendments to the annexation agreement. He continued to discuss the expansion to the water treatment plant. Mr. Mertz asked if the Board Members would support implementing an SSA to cover the cost of the water treatment plant expansion and construction of two deep wells. President Zirk noted that the Village would not be the responsible party carrying the indebtedness. The SSA obligations would be solely the Developer's encumbrance.

Developer Mertz questioned if the Board Members would be in favor of allowing him to continue to market and sell homes in neighborhoods two and three. A lengthy discussion ensued with respect to approving any additional final plats prior to the water treatment plant expansion. The Board Members expressed their concerns with issuing any additional occupancy permits until there was an expansion of the water treatment plant. President Zirk directed Staff to research the current water treatment plant's capacity at peak operational times and report back.

Developer Mertz discussed the timeline for the design and construction of the water treatment plant expansion. He estimated the water treatment plant expansion design build process would take 18-24 months.

Developer Mertz discussed his proposed modification to allow smaller lots to accommodate two age-targeted neighborhoods. The proposed changes would also include allowing 350 square garages in one of the models. The Board conceded if the smaller garage was only with respect to one model they would be in favor of this modification. However, the CCR's need to be specific on what is prohibited in those age-targeted neighborhoods.

Developer Mertz discussed the proposed park concept plans and the amenities that would be offered. He is proposing donating an additional 13 acres of park space which would be credited against a portion of the required impact fees after the credit is taken into account; they will pay a flat fee of \$1,000 per lot to the Village. The Village can use the funds at its sole discretion and not subject to any further credit to the Gilberts Development. Developer Mertz noted that he would like to construct the park amenities as he develops each neighborhood. President Zirk commented that he was in favor of constructing the park amenities as each neighborhood develops. In his opinion the park amenities are an asset and increase the home's value. Trustee Zambetti agreed.

Developer Mertz provided the Board Members with an overview of his proposed trail system. He reported that the trail system will be a combination of asphalt and crushed lime stone. The lime stone portion of the path will be adjacent to the Forest Preserve.

President Zirk directed Staff to ensure the design standards, elevations and the permitted, prohibited uses are attached to the Ordinance. He doesn't want to see a past situation that recently occurred with Gilberts Town Center's annexation agreement.

Developer Mertz commented on the proposed road improvements. Developer Mertz noted that he would prefer to hold off on the Freeman Road improvements until the construction in that area is close to completion.

Staff will continue to work with Developer Mertz and Attorney Burney on the amendments to the annexation agreement. This matter is scheduled to be brought back in June. Staff will notice the public hearing. Developer Mertz thanked the Board Members for their time.

Staff Reports

Interim Administrator Beith stated that Finance Director Blocker had distributed the Annual Police Pension Report for the period of May 1, 2015 thru April 30, 2016.

Public Comment

Resident Chad Koppie addressed the Board Members. He expressed his concerns with respect to the American Wood petitions. In his opinion the proposed development would produce trash and have an appearance of a junk yard. Mr. Koppie does not believe this type of development is a good fit for the community. Mr. Koppie thanked the Board Members for their time.

Resident Dan Pace addressed the Board Members. He proceeded to express concerns with the Conservancy development. He thanked the Board Members for their time.

Executive Session

President Zirk asked if either the Board Members or Staff had any matters they wished to discuss in executive session. Neither the Board Members nor Staff offered any items to discuss in executive session.

Adjournment

There being no further public business to discuss, a Motion was made by Trustee Hacker and seconded by Trustee Corbett to adjourn from the public meeting at 10:45 p.m. Roll call: Vote: 6-ayes by unanimous voice vote. 0-nays, 0-abstained. Motion carried.

Respectfully submitted,

Debra Meadows