

**PLANNING AND ZONING COMMITTEE
MEETING MINUTES
May 28, 2008**

The Planning and Zoning Committee of the DeKalb County Board met on May 28, 2008 at 7:00 p.m. in the Conference Room East located in the DeKalb County Administration Building. In attendance were Committee Members Roger Steimel, Marlene Allen, Eileen Dubin, Michael Haines, Anita Turner, and Pat Vary, and staff members Paul Miller and Rebecca Von Drasek. Also in attendance was Chris Tanner and Diane Strand.

Mr. Steimel, Planning and Zoning Committee Chairman, called the meeting to order, and noted that Committee Member Vince Faivre was absent.

APPROVAL OF MINUTES

Ms. Turner noted two corrections to the March 26, 2008 minutes.

Mr. Steimel asked if Mike Hey of Waste Management had responded the staff regarding questions raised at the last Planning and Zoning Committee meeting related to the DeKalb County Landfill. Specifically, he inquired if Mr. Hay had informed staff if fill material generated by construction debris was included in the total waste tonnage calculations. Ms. Vary also asked for confirmation on the installation of the ash borer traps, and whether Kane County had been polled regarding the details of its recycling program for multi-family dwellings. Mr. Miller stated he would follow up with Mr. Hey and with Christel Springmire of the DeKalb County Health Department.

Ms. Vary moved to approve the amended minutes of the March 26, 2008 meeting of the Planning and Zoning Committee, seconded by Ms. Turner, and the motion carried unanimously.

APPROVAL OF AGENDA

Mr. Steimel moved to table item five on the agenda, Special Use Permit for Daring Landscaping, until the June 25, 2008 meeting, at the request of the applicant.

Ms. Dubin moved to approve the agenda as amended, seconded by Ms. Turner, and the motion carried unanimously.

AMENDMENT TO SPECIAL USE PERMIT

Mr. Miller briefed the Committee on the requested amendment to the Special Use Permit for Hintzsche Fertilizer, Inc. located at 4440 St. Rte. 72 in Franklin Township. The site is on the south side of St. Rte. 72, approximately 800 feet west of the intersection of Rte. 72 and Malta Road, and is zoned A-1, Agricultural District, with a Special Use for the agribusiness. Hintzsche Fertilizer is proposing to build a new building on the property. Because the proposed building would exceed 10% of the combined area of the existing buildings on the site, an Amendment to the Special Use Permit is required. The public hearing was conducted on April 24, 2008 by DeKalb County Hearing Officer Kevin Buick. The petitioners provided testimony and exhibits in support of the requested Special Use, including that the proposed building is needed to store

equipment and allow vehicle maintenance. No land currently in row-crop production would be converted to accommodate the building. Mr. Miller mentioned that the Soil and Water Conservation District had requested future structures on this property be located in the northeastern side of the property versus the proposed location. No members of the public spoke in favor of or in opposition to the request at the public hearing. Mr. Miller concluded by reporting that the Hearing Officer had submitted his Findings and Recommendation and had recommended approval of the request.

Ms. Vary expressed concern about the wetlands near the proposed construction site, and asked why the building could not be rotated to minimize the effect of the structure on the wet areas. Mr. Steimel noted that proposed orientation was to avoid facing the prevailing western winds. Chris Tanner of Tanner Environmental Company, speaking on behalf of the applicant, agreed with Mr. Steimel and also noted that the drainage from the building was intended to be filtered through a detention basin and drainage swale on the south side of the proposed building, prior to reaching the drainage ditch on the west side of the property.

Mr. Miller also noted for the Committee that grading associated with the building will be reviewed by the County as part of a Site Development Permit to assure adjoining wet areas are not negatively impacted.

Mr. Steimel complimented Hintzsche operations and noted that the family-owned company is an upstanding business in the County.

Mr. Haines moved to recommend approval of the amendment to the Special Use Permit, seconded by Ms. Allen, and the motion carried unanimously.

SPECIAL USE PERMIT - Niemczyk/Wallace RV Storage

Mr. Miller noted that Jeff Wallace, representing the applicant, had arrived prior to the start of the Committee meeting but had been called away due to a family emergency. Staff offered to answer any questions the Committee may have, but stated that it also had been explained to Mr. Wallace that if additional information was requested by the Committee, the request would be tabled until the Committee meeting June 25, 2008.

Mr. Miller then briefed the Committee as to the history of the Special Use application, noting that it was made in order to address an open violation inquiry. Jeff Wallace, on behalf of the property owner, Grace Niemczyk, filed a petition for approval of a Special Use Permit. The request is to allow an RV and boat storage business on part of a 120-acre farm located at 15680 Swanson Road, in Sycamore Township. The subject property is located approximately 8,800 feet east of the intersection of Route 23 and Swanson Road, and is zoned A-1, Agricultural District. The required public hearing was conducted on May 1, 2008 by DeKalb County Hearing Officer Kevin Buick. The petitioners provided testimony and exhibits in support of the requested Special Use, including that storage of RVs, trailers and boats would only occur on an existing 100' x 60' concrete area surrounding existing agricultural buildings. Not more than eight such vehicles would be stored on the property. Storage is annual rather than seasonal, and the business does not employ any persons. A new length of fence is proposed to help screen the appearance of the parked RVs. A letter of opposition was received from the City of Sycamore. One member of the public spoke in favor of the

request, and none in opposition thereto. The Hearing Officer has submitted his findings, and recommends approval of the Special Use Permit with conditions, including that the petitioner submit a revised Site Plan identifying the specific location of the proposed Special Use, along with landscaping and screening currently in place and proposed to be put in place, subject to review and approval by Staff, and that the proposed Special Use be strictly confined to the 100' x 60' concrete pad identified by Petitioner where the trailer storage is currently occurring.

Mr. Steimel asserted that it was his understanding that the letter from the City of Sycamore was written prior to their review of the proposed Special Use.

Mr. Haines asked for clarification if the Special Use should be attached to the owner rather than the property. Mr. Miller responded that, while the County has in the past tied Special Uses to specific persons, he has recommended against the practice. Special Uses are land uses, and the evaluation criteria focus on whether the proposed use is appropriate on the given property. If a Special Use meets the criteria, it should not matter who is operating the use. Mr. Miller added that the intent of this particular Special Use category requires that the operations preserve the appearance of the buildings on the property.

Following further discussion, Ms. Vary motioned to approve the Special Use with the Conditions as recommended by the Hearing Officer, seconded by Mr. Haines, and the motion passed unanimously.

Mr. Steimel informed the Committee of an upcoming Wind Energy Conference at Illinois State June 25-26, 2008. Mr. Miller encouraged the Committee members to gather information on wind farms, but also noted that often the industry encourages adoption of model “wind farm ordinances” as part of the local zoning code. Mr. Miller opined that the approach used by the County in 2002, which put the onus on the petitioner to demonstrate that wind farms are “substantially similar” to other categories of Special Use in the A-1 District, gives the County the flexibility to craft conditions of approval that are specific to each project and that reflect current best practices. This avoids burdening the Zoning Ordinance with regulations that are rarely used and may need to be Amended every time the industry standards change. Mr. Miller emphasized that the County had not received an application for, much less tacitly approved, any new wind farm project.

Ms. Vary announced that the next Go Green workshop was scheduled for September 20, 2008, this workshop would focus on energy issues.

Mr. Haines asked if staff had any additional information about the Enbridge oil pipeline project. Mr. Miller explained that staff had been informed that work on the pipeline would begin June 1, 2008. He added that Enbridge had arranged for use of property in the Village of Malta as a “staging area” for pipe and temporary offices. A brief conversation regarding the installation of the Guardian gas pipeline followed.

ADJOURNMENT

Ms. Vary moved to adjourn, seconded by Ms. Dubin, and the motion carried unanimously.

The next meeting of the Planning and Zoning Committee is scheduled for June 25, 2008 at 7:00pm in the Conference Room East.

Respectfully submitted,

**Roger Steimel
Planning and Zoning Committee Chairman**

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