

**KENDALL COUNTY  
REGIONAL PLANNING COMMISSION**

*Kendall County Office Building  
Rooms 209 & 210  
111 W. Fox Street, Yorkville, Illinois*

**Meeting Minutes of July 26, 2017**

Chairman Ashton called the meeting to order at 7:01 p.m.

**ROLL CALL**

**Members Present:** Bill Ashton, Tom Casey, Larry Nelson, Ruben Rodriguez, John Shaw, Budd Wormley and Angela Zubko

**Staff Present:** Matthew H. Asselmeier, Senior Planner

**Members Absent:** Roger Bledsoe and Claire Wilson

**In the Audience:** David Burroughs and Jeff Neisler

**APPROVAL OF AGENDA**

Mr. Nelson made a motion, seconded by Mr. Wormley, to approve the agenda as presented. With a voice vote of all ayes, the motion carried.

**APPROVAL OF MINUTES**

Mr. Wormley made a motion, seconded by Mr. Casey, to approve the June 28, 2017 minutes. With a voice vote of all ayes, the motion carried.

**PETITION**

**17-20 CHS, Inc. (Prospective Lessee) and NGH Farms, LLC (Current Owner)**

Mr. Asselmeier summarized the request. CHS, Inc. desires to lease the paved area from the current owners for a period of three (3) years. CHS, Inc. would like to construct an approximately eight hundred (800) square foot shelter on the north side of the dryer building. The anticipated cost of the shelter is approximately Thirty Thousand Dollars (\$30,000) and the shelter could be removed at the end of the lease. CHS, Inc. will deliver and receive corn and soybeans by truck at the property. The crops will be sent to market via “grain hopper” trailer or “container” trailer.

The area around the subject property is used agriculturally and all of the adjoining properties are zoned A-1 with the exception of the property to the north which is zoned B-3.

Neither Lisbon Township nor the Village of Lisbon submitted comments regarding this proposal. ZPAC unanimously recommended approval of the proposal.

The existing structures on the property were allowed for personal use only; discussion occurred regarding change of occupancy.

Chairman Ashton asked about the relocation of the ingress/egress point to the south property line; the site plan does not show this information. Mr. Burroughs said a revised site plan showing the new ingress/egress point does not exist.

Mr. Nelson asked why the entire property would be granted a special use. The petitioner said that they would only lease the paved area. Mr. Asselmeier noted that any amendments to the site plan would have to be approved by the County.

Mr. Wormley asked if the area by the creek would be farmed. Mr. Neisler said that everything that is farmed today will continue to be farmed.

No access off of U.S. 52 is planned.

Extensive discussion occurred regarding the routing of trucks onsite. There will be a left turn lane on southbound Route 47 after construction is finished. Concerns about traffic backups on Route 47 were expressed by several Commissioners; Commissioners desired a site plan that more accurately explained the traffic flow. The petitioners said that staging would occur onsite; the scale situation will be a bottleneck. Trucks will circle to get weighed, dump their loads or obtain their loads, get weighed again and then circle the property again to leave.

Mr. Rodriguez asked about the number of trucks backed up on Route 47. Mr. Neisler said that trucks would not be backed up on Route 47, if CHS was doing its job. Mr. Neisler said that they would try to schedule drop-offs and pick-ups to reduce the chance of backups.

Mr. Neisler said that the facility can dump ten thousand (10,000) bushels per hour. Intake will be reduced depending on moisture content of crops and ability of dryer.

Mr. Casey asked where the grain that they plan to receive currently goes. Who were they taking business from? Grainco was the consensus answer.

Discussion occurred regarding having the special use go with the land, with a specific entity or for a set timeframe. Mr. Asselmeier advised that a timeframe be set instead of connecting the special use permit with a certain entity or owner. The consensus was that a one (1) year timeframe would be appropriate given the construction on Route 47 and the potential changes to the site plan. The application fee should be waived.

The petitioners said that they hoped to be operational by September 1<sup>st</sup>; they would start working on the property at the beginning of September. The lease is subject to obtaining approval of the special use permit.

Mr. Asselmeier stated that according to County Highway Engineer Fran Klaas the Route 47 project should be completed in fall or winter 2018.

Mr. Wormley asked how much time would elapse from the time trucks enter the property to the time they leave. Mr. Neisler responded three (3) minutes.

Discussion occurred regarding the ticket delivery system.

Ms. Zubko made a motion to recommend approval of the petition with the addition of the following restrictions:

1. The business allowed by this special use permit shall secure certificates of occupancy for all structures existing and planned for the site prior to the commencement of operations.
2. The special use permit granted by this ordinance shall be effective for one (1) year commencing on the date of approval of this ordinance. Upon the conclusion of the one (1) year timeframe, the special use

permit shall cease. The petitioner may apply to renew the special use permit prior to the expiration of the special use permit if they provide an updated site plan and traffic pattern at the time of the application submission. (The Kendall County Regional Planning Commission recommends that the renewal fee of One Thousand, One Hundred Fifty-Five Dollars (\$1,155) be waived).

Mr. Nelson seconded the motion.

The representatives from CHS agreed to the addition of the above proposed restrictions.

Yes – Ashton, Casey, Nelson, Rodriguez, Shaw, Wormley and Zubko (7)

No – None

Absent – Bledsoe and Wilson (2)

The motion passed. This proposal will go to the Special Use Hearing Officer on July 31, 2017 at 7:00 p.m.

### **OLD BUSINESS**

#### **Letter to Kendall County State’s Attorney’s Office RE: Forest Preserve Compliance with the Kendall County Zoning Ordinance**

Mr. Asselmeier presented a letter from State’s Attorney Eric Weis stating that forest preserves are exempt from local zoning regulations and Mr. Weis considers this matter closed. Mr. Nelson will email Mr. Asselmeier the Attorney General’s opinion referenced in Mr. Weis’ letter; Mr. Asselmeier will email the opinion to the other Commissioners.

### **NEW BUSINESS**

Mr. Asselmeier stated that, pending the outcome of the ZPAC meeting, there will be three (3) petitions on the August agenda.

The Commission requested Staff to investigate an alleged banquet facility on U.S. 52 between Jughandle Road and Arbeiter Road.

Discussion occurred about evaluating the number and type of special uses in the A-1 Zoning District.

### **REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD**

None

### **OTHER BUSINESS/ANNOUCNEMENTS**

The Commission’s concerns for the property on Ashley Road south of Plattville and the swimming pool at the house on Grove Road north of Chicago Road were discussed.

### **CITIZENS TO BE HEARD/ PUBLIC COMMENT**

None

### **ADJOURNMENT**

Mr. Wormley made a motion, seconded by Mr. Shaw, to adjourn. With a voice vote of all ayes, the motion carried. The Kendall County Regional Plan Commission meeting adjourned at 8:14 p.m.

Respectfully submitted by,  
Matthew H. Asselmeier, AICP  
Senior Planner