

MINUTES – UNOFFICIAL UNTIL APPROVED
KENDALL COUNTY
ZONING BOARD OF APPEALS MEETING
111 WEST FOX STREET, COUNTY BOARD ROOM (ROOMS 209 and 210)
YORKVILLE, IL 60560
June 27, 2022 – 7:00 p.m.

CALL TO ORDER

Chairman Randy Mohr called the Zoning Board of Appeals meeting to order at 7:00 p.m.

ROLL CALL:

Members Present: Scott Cherry, Tom LeCuyer, Randy Mohr, Dick Thompson, and Dick Whitfield

Members Absent: Cliff Fox

Staff Present: Matthew Asselmeier, AICP, CFM, Senior Planner

Others Present: Judd Lofchie, Joe Antonioli, and Kevin Kunkel

PETITIONS

Chairman Mohr swore in Judd Lofchie, Joe Antonioli, and Kevin Kunkel

The Zoning Board of Appeals started their review of Petition 22-12 at 7:57 p.m.

Petition 22 – 12 – Kendall County Regional Planning Commission

Request: Text Amendment to Section 6:06.B.3.b Pertaining to Design Guidelines (Light Requirements) of Telecommunication Facilities

Purpose: Petitioner Wants Lights to Be Red at Night and May Be White Strobe During the Day Unless Otherwise Required by the Federal Government to Be White Strobe at Night

Mr. Asselmeier summarized the request.

On March 3, 2022, the County received a complaint regarding lights not working on the tower at Legion and Immanuel Roads. The tower owner fixed the matter.

Upon additional discussions, the suggestion was made to change the present language contained in Section 6:06.B.3.b, pertaining to design guidelines (lighting requirements) of telecommunication carrier facilities as follows:

“Lighting should be installed for security and safety purposes only. Except with respect to lighting required by the FCC or FAA, **which shall be conventional red lighting at night and may be white strobe during the day (unless required by the FAA or FCC to be white strobe at night)**, all lighting should be shielded so that no glare extends substantially beyond the boundaries or a facility.”

At their meeting on March 23, 2022, the Kendall County Comprehensive Land Plan and Ordinance Committee voted to forward a request to the Kendall County Regional Planning Commission to initiate a text amendment to the Zoning Ordinance as described in the above paragraph.

At their meeting on April 27, 2022, the Kendall County Regional Planning Commission voted to initiate the text amendment to the Zoning Ordinance as described in the above paragraph.

The proposal was emailed to the townships on May 31, 2022. To date, no comments have been received.

ZPAC reviewed the proposal at their meeting on June 7, 2022. It was noted that, if someone provided information from the FCC or FAA requiring different lighting requirements, the federal regulations would supersede County regulations. ZPAC recommended approval of the proposal by a vote of seven (7) in favor and zero (0) in opposition with three (3) members absent. The minutes of the meeting were provided.

The Kendall County Regional Planning Commission reviewed the proposal at their meeting on June 22, 2022. The Kendall County Regional Planning Commission recommended approval by a vote of seven (7) in favor and zero (0) in opposition with two (2) members absent. The minutes of the meeting were provided.

Chairman Mohr opened the public hearing at 7:59 p.m.

Members LeCuyer and Whitfield felt that the FAA should already have regulations regarding lighting. Mr. Asselmeier said that Larry Nelson felt that the proposal would be less intrusive than current regulations. Mr. Asselmeier explained that the issue with the tower on Legion Road has been fixed.

Chairman Mohr noted that the color requirement was the only thing proposed for amendment.

Chairman Mohr closed the public hearing at 8:02 p.m.

Member LeCuyer made a motion, seconded by Member Cherry, to recommend approval of the text amendment.

The votes were as follows:

Ayes (5): Cherry, LeCuyer, Mohr, Thompson, and Whitfield
Nays (0): None
Abstain (0): None
Absent (1): Fox

The motion passed.

The townships will be notified of the results of the hearing.

The proposal will go to the Planning, Building and Zoning Committee on August 8, 2022.

The Zoning Board of Appeals completed their review of Petition 22-12 at 8:03 p.m.

PUBLIC COMMENTS

Mr. Asselmeier reported that no applications for text amendments, map amendments, or special use permit have been submitted for the August 1, 2022, hearing/meeting. The application deadline for variances is July 1, 2022.

ADJOURNMENT OF THE ZONING BOARD OF APPEALS

Member Whitfield made a motion, seconded by Member LeCuyer, to adjourn.

With a voice vote of five (5) ayes, the motion carried.

The Zoning Board of Appeals meeting adjourned at 8:04 p.m.

The next regularly scheduled hearing/meeting will be on August 1, 2022.

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

Exhibits

1. Memo on Petition 22-12 Dated June 23, 2022
2. Certificate of Publication for Petition 22-12 (Not Included with Report but on file in Planning, Building and Zoning Office)



**KENDALL COUNTY
ZONING BOARD OF APPEALS
JUNE 27, 2022**

In order to be allowed to present any testimony, make any comment, engage in cross-examination, or ask any question during this public hearing, you must enter your name, address, and signature on this form prior to the commencement of the public hearing. By signing this registration sheet, you agree that you understand that anything you say will be considered sworn testimony, and that you will tell the truth, the whole truth and nothing but the truth.

NAME	ADDRESS	SIGNATURE
Julia Lafolie	[REDACTED]	
Joe Antonilli		
Ken Kim		



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 203

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

MEMORANDUM

To: Kendall County Zoning Board of Appeals

From: Matthew H. Asselmeier, AICP, CFM, Senior Planner

Date: 6/23/2022

Subject: Communication Tower Lighting Requirements

On March 3, 2022, the County received a complaint regarding lights not working on the tower at Legion and Immanuel Roads. The tower owner fixed the matter.

Upon additional discussions, the suggestion was made to change the present language contained in Section 6:06.B.3.b, pertaining to design guidelines (lighting requirements) of telecommunication carrier facilities as follows:

“Lighting should be installed for security and safety purposes only. Except with respect to lighting required by the FCC or FAA, **which shall be conventional red lighting at night and may be white strobe during the day (unless required by the FAA or FCC to be white strobe at night)**, all lighting should be shielded so that no glare extends substantially beyond the boundaries or a facility.”

At their meeting on March 23, 2022, the Kendall County Comprehensive Land Plan and Ordinance Committee voted to forward a request to the Kendall County Regional Planning Commission to initiate a text amendment to the Zoning Ordinance as described in the above paragraph.

At their meeting on April 27, 2022, the Kendall County Regional Planning Commission voted to initiate the text amendment to the Zoning Ordinance as described in the above paragraph.

The proposal was emailed to the townships on May 31, 2022. As of the date of this memo, no comments have been received.

ZPAC reviewed the proposal at their meeting on June 7, 2022. It was noted that, if someone provided information from the FCC or FAA requiring different lighting requirements, the federal regulations would supersede County regulations. ZPAC recommended approval of the proposal by a vote of seven (7) in favor and zero (0) in opposition with three (3) members absent. The minutes of the meeting are attached.

The Kendall County Regional Planning Commission reviewed the proposal at their meeting on June 22, 2022. The Kendall County Regional Planning Commission recommended approval by a vote of seven (7) in favor and zero (0) in opposition with two (2) members absent. The minutes of the meeting are attached.

If you have any questions regarding this memo, please let me know.

Thanks,

MHA

Encs.: June 7, 2022 ZPAC Minutes (This Petition Only)

June 22, 2022 Kendall County Regional Planning Commission (This Petition Only)

**ZONING, PLATTING & ADVISORY COMMITTEE (ZPAC)
June 7, 2022 – Unapproved Meeting Minutes**

PBZ Chairman Scott Gengler called the meeting to order at 9:00 a.m.

Present:

Matt Asselmeier – PBZ Department
Scott Gengler – PBZ Committee Chair
David Guritz – Forest Preserve
Brian Holdiman – PBZ Department
Commander Jason Langston – Sheriff’s Department
Alyse Olson – Soil and Water Conservation District
Aaron Rybski – Health Department

Absent:

Meagan Briganti – GIS Department
Greg Chismark – WBK Engineering, LLC
Fran Klaas – Highway Department

Audience:

John Tebrugge

PETITIONS

Petition 22-12 Kendall County Regional Planning Commission

Mr. Asselmeier summarized the request.

On March 3, 2022, the County received a complaint regarding lights not working on the tower at Legion and Immanuel Roads. The tower owner agreed to fix the matter.

Upon additional discussions, the suggestion was made to change the present language contained in Section 6:06.B.3.b, pertaining to design guidelines (lighting requirements) of telecommunication carrier facilities as follows:

“Lighting should be installed for security and safety purposes only. Except with respect to lighting required by the FCC or FAA, **which shall be conventional red lighting at night and may be white strobe during the day (unless required by the FAA or FCC to be white strobe at night)**, all lighting should be shielded so that no glare extends substantially beyond the boundaries or a facility.”

At their meeting on March 23, 2022, the Kendall County Comprehensive Land Plan and Ordinance Committee voted to forward a request to the Kendall County Regional Planning Commission to initiate a text amendment to the Zoning Ordinance as described in the above paragraph.

At their meeting on April 27, 2022, the Kendall County Regional Planning Commission voted to initiate the text amendment to the Zoning Ordinance as described in the above paragraph.

Mr. Asselmeier noted that the townships were previously sent information, but, to date, no comments were received.

The County would enforce the zoning ordinance aspect. If someone provided information from the FCC or FAA requiring different lighting requirements, the federal regulations would supersede County regulations.

Mr. Asselmeier recommended approval of the proposal.

Mr. Guritz made a motion, seconded by Commander Langston, to recommend approval of the text amendment.

With a voice vote of seven (7) ayes, the motion carried.

The proposal goes to the Kendall County Regional Planning Commission on June 22, 2022.

PUBLIC COMMENT

Discussion occurred regarding changing the date of the July meeting. The consensus of the Committee was to have Mr. Asselmeier poll Members after the application deadline to see if the date should be changed. Officially, the meeting date will remain July 5th at this time.

ADJOURNMENT

Mr. Guritz made a motion, seconded by Mr. Rybski, to adjourn.
With a voice vote of seven (7) ayes, the motion carried.

The ZPAC, at 9:27 a.m., adjourned.

Respectfully Submitted,
Matthew H. Asselmeier, AICP, CFM
Senior Planner

**KENDALL COUNTY
REGIONAL PLANNING COMMISSION**

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

Unapproved - Meeting Minutes of June 22, 2022 - 7:00 p.m.

Chairman Ashton called the meeting to order at 7:03 p.m.

ROLL CALL

Members Present: Bill Ashton, Tom Casey, Karin McCarthy-Lange, Larry Nelson, Ruben Rodriguez, Claire Wilson, and Seth Wormley

Members Absent: Dave Hamman and Bob Stewart

Staff Present: Matthew H. Asselmeier, Senior Planner

Others Present: Judd Lofchie, Joe Antonioli, and Kevin Kunkel

PETITIONS

Petition 22-12 Kendall County Regional Planning Commission

Mr. Asselmeier summarized the request.

On March 3, 2022, the County received a complaint regarding lights not working on the tower at Legion and Immanuel Roads. The tower owner fixed the matter.

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ZPAC reviewed the proposal at their meeting on June 7, 2022. It was noted that, if someone provided information from the FCC or FAA requiring different lighting requirements, the federal regulations would supersede County regulations. ZPAC recommended approval of the proposal by a vote of seven (7) in favor and zero (0) in opposition with three (3) members absent. The minutes of the meeting were provided.

Member Nelson made a motion, seconded by Member Wormley, to recommend approval of the text amendment.

The votes on the amendment were as follows:

Ayes (7): Ashton, Casey, McCarthy-Lange, Nelson, Rodriguez, Wilson, and Wormley
Nays (0): None
Absent (2): Hamman and Stewart
Abstain (0): None

The motion carried.

The proposal will go to the Kendall County Zoning Board of Appeals on June 27, 2022.

CITIZENS TO BE HEARD/PUBLIC COMMENT

Member Wormley asked about the Yogi Bear Campground amending their special use permit. Mr. Asselmeier reported that the Yogi Bear Campground was still working on their application. Discussion occurred about potential improvements at the Yogi Bear Campground.

Chairman Ashton requested that the County explore using the water pumped out of the quarries as a source of drinking water. When the County is updating the Land Resource Management Plan, this topic, and land uses that could facilitate using the water, should be explored. No objections were voiced regarding this suggestion.

Discussion occurred regarding the materials extracted from the quarries.

Discussion occurred about the TransCanada Pipeline in Little Rock Township. They were trying to equalize pressure in the pipes and created a loud noise when they bled the pipes. Petroleum based film has caked on some things (chairs, furniture, etc.) at the property and they plan to burn these items which will produce black smoke. The Commission favors hauling these items away instead of burning. The burning would occur the first part of July.

Discussion also occurred about solar farm companies looking for land in the County.

OTHER BUSINESS/ANNOUNCEMENTS

Mr. Asselmeier said that he received a request to add definitions of tree farm and forestry to the Zoning Ordinance. Member Wormley was against making more rules. Chairman Ashton expressed concerns that more “forestry” type businesses were looking to start in the County; he favored adding definitions to the Zoning Ordinance. Member Nelson favored making definitions. Member Casey did not favor having a junky appearing property on Route 52. Discussion occurred about the criteria used to evaluate zoning applications.

Discussion also occurred about solar farm companies looking for land in the County.

Discussion also occurred regarding notice requirements for zoning petitions.

Discussion also occurred about allowing gravel to be classified as something other than impervious surface in the Stormwater Management Ordinance.

ADJOURNMENT

Member Wilson made a motion, seconded by Member Rodriguez, to adjourn. With a voice of seven (7) ayes, the motion carried.


The Kendall County Regional Planning Commission meeting adjourned at 8:33 p.m.

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



**KENDALL COUNTY
REGIONAL PLANNING COMMISSION
JUNE 22, 2022**

IF YOU WOULD LIKE TO BE CONTACTED ON FUTURE MEETINGS REGARDING THIS TOPIC, PLEASE PROVIDE YOUR ADDRESS OR EMAIL ADDRESS

NAME	ADDRESS (OPTIONAL)	EMAIL ADDRESS (OPTIONAL)
Judd Lofchie		
Joe Antonelli		
Kevin Kumbel		