

KENDALL COUNTY PLANNING, BUILDING & ZONING COMMITTEE
Kendall County Office Building
Rooms 209 and 210
111 W. Fox Street, Yorkville, Illinois
6:30 p.m.
Meeting Minutes of August 7, 2023

CALL TO ORDER

The meeting was called to order by Chairman Wormley at 6:31 p.m.

ROLL CALL

Committee Members Present: Elizabeth Flowers, Dan Koukol, Ruben Rodriguez, Brooke Shanley, and Seth Wormley

Committee Members Absent: None

Also Present: Matt Asselmeier (Director), Laura Gay, Karen Milroy, Jeff Milroy, and Jesse Sexton

APPROVAL OF AGENDA

Member Shanley made a motion, seconded by Member Rodriguez, to approve the agenda as presented. With a voice vote of five (5) ayes, the motion carried.

APPROVAL OF MINUTES

Member Flowers made a motion, seconded by Member Shanley, to approve the minutes of the July 10, 2023, meeting. With a voice vote of five (5) ayes, the motion carried.

PUBLIC COMMENT

None

EXPENDITURE REPORT

The Committee reviewed the expenditure report from July 2023. Mr. Asselmeier noted that the Department was getting a new iPhone and the final payment to WJE Associates for the historic structure survey of Kendall and Bristol Townships was include in the invoices. The presentation for the structure survey was planned for the September Committee of the Whole meeting.

PETITIONS

Petition 23 – 27 Laura L. Gay

Mr. Asselmeier summarized the request.

On November 19, 2019, the Kendall County Board approved Ordinance 2019-33, granting a special use permit for a kennel at 3587 (formerly 3601) Plainfield Road in Oswego Township. On March 22, 2022, the Kendall County Board approved Ordinance 2022-09, amending the site plan at the subject property.

On July 1, 2023, the Petitioner submitted an application adding a fence and gate around the fire lane, adding a fence and gate on the north side of the building, and rotating the sign. The fence would be six feet (6') in height and would be vinyl. An additional fence around the electrical equipment and water heater was added.

Prior to submitting the application, the Oswego Fire Protection District was consulted and their comments were provided. They had no concerns regarding the change, provided the fence was unlocked.

Petition information was sent to Oswego Township, the Village of Oswego, and the Oswego Fire Protection District on July 18, 2023.

Assuming Oswego Township, the Village of Oswego, and the Oswego Fire Protection District have no additional comments, Staff recommended approval of the requested minor amendment.

The draft minor amendment was provided.

Member Rodriguez made motion, seconded by Member Shanley, to approve the minor amendment with the conditions proposed by Staff.

Member Koukol felt the facility looked nice.

Chairman Wormley agreed that the facility was beautiful. He encouraged the Petitioner to keep the Fire District happy.

The votes were as follows:

Yeas (5): Flowers, Koukol, Rodriguez, Shanley, and Wormley

Nays (0): None

Abstain (0): None

Absent (0): None

The motion carried.

NEW BUSINESS

Approval of a Request from Michael Isadore to Renew the Special Use Permit for Swimming Lessons Granted by Ordinance 1982-02 at 15331 Burr Oak Road, Plano

Mr. Asselmeier summarized the request.

In 1982, the Kendall County Board granted a special use permit for swimming lessons at 15331 Burr Oak Road (Ordinance 1982-2). Restriction #1 of this special use permit required annual renewal by the County Board/Committee.

On July 10, 2023, the property owner, Michael Isadore, submitted an email requesting the special use permit be renewed.

Member Koukol noted that the Committee explored giving the Petitioner longer periods between renewals, but an amendment to that effect would be costly and take time to complete.

Member Koukol made a motion, seconded by Member Shanley, to approve the renewal as requested.

The votes were as follows:

Yeas (5): Flowers, Koukol, Rodriguez, Shanley, and Wormley

Nays (0): None

Abstain (0): None

Absent (0): None

The motion carried.

NPDES Survey Results

Mr. Asselmeier summarized the results.

The County sent the NPDES survey to the townships at the end of June. 2023 was the fifth time the County sent the survey.

Four (4) townships responded compared to four (4) townships in 2022, 2021, and 2020, and five (5) townships in 2019. Kendall Township responded for the first time. Little Rock Township responded for the first time since 2019. Lisbon Township and Oswego Township responded every year.

The topic of how to properly store and dispose common household products remained the most popular topics for increased learning.

The Townships generally do not use the stormwater information on the County's website.

Over the years, respondents have not utilized volunteer information on the County's website and that remained true in 2023.

Respondents were least interested in river clean-ups and most interested in electronics recycling; this has been historically the case.

There were no illicit discharges in any of the responding townships.

Respondents would like the County to perform more visual inspections and perform more grab samples downstream when illicit discharges occur. The Townships have historically responded the same way to this question.

Townships historically felt that the County does an adequate job of inspecting soil erosion and sediment control at construction sites and this remained true with in the 2023 survey.

2023 was the second year with the question regarding good housekeeping. Only Kendall Township felt that they had a clear understanding of good housekeeping in 2023.

Historically, the question regarding adequate resources for training on stormwater pollution prevention practices have been mixed. This was again true in 2023.

2023 was the first year where the majority of responding townships felt the County was taking the necessary steps to reduce flooding. This was the first time that Lisbon Township responded yes to this question; Oswego Township continued to respond no to this question.

The survey composite and comparison of the previous survey responses were provided.

Mr. Asselmeier will contact Chairman Kellogg to schedule the annual Stormwater Management Oversight Committee hearing.

Approval to Change the September 2023 Planning, Building and Zoning Committee Meeting Date and Time

Mr. Asselmeier will not be in attendance at the September 11th meeting.

Given the probable light agenda, the consensus of the Committee was to keep the meeting at the same date and time as originally scheduled.

Update on Planning, Building and Zoning Department Staffing

Mr. Asselmeier reported the Department hopes to interview five (5) candidates for the Economic Development Coordinator position with the hope to have someone hired by the end of the September or beginning of October.

The Department interviewed or will interview three (3) candidates for the second part-time Administrative Assistant position.

An offer has been extended to someone for the part-time Code Enforcement Officer position. The HR Department was conducting background checks. The plan was to have this person onboard by the end of August.

OLD BUSINESS

Discussion of Capital Projects

Replacement of 2008 Ford Pickup

Historic Structure Survey

At the July Planning, Building and Zoning Committee meeting, the Committee requested additional information on replacing the Department's 2008 Ford pickup truck and the historic structure survey.

Brian Holdiman researched trucks on the State bid and, based on the information provided, a replacement Ford F150 would cost Sixty Thousand Dollars (\$60,000). Mr. Holdiman felt a truck would better serve the Department's need compared to other vehicles.

Member Koukol made motion, seconded by Member Flowers to include the new truck purchase in the budget request.

The votes were as follows:

Yeas (5): Flowers, Koukol, Rodriguez, Shanley, and Wormley

Nays (0): None

Abstain (0): None

Absent (0): None

The motion carried.

The cost to conduct historic structure surveys in unincorporated Na-Au-Say and Seward Townships was Forty Thousand Dollars (\$40,000). The cost to survey one (1) of the above townships was Twenty-Two Thousand Dollars (\$22,000). The surveys would only be conducted if the County received a Certified Local Government Grant. These types of grants fund seventy percent (70%) of project costs. The scope of work for the survey was provided.

Chairman Wormley noted the importance of the funding in relation to the purpose of the Historic Preservation Commission.

Member Koukol favored seeing federal taxpayers money spent in Kendall County.

Member Shanely noted the pace of growth in Na-Au-Say and Seward Townships.

Member Flowers made motion, seconded by Member Shanley, to include the historic structure survey in the budget request.

The votes were as follows:

Yeas (5): Flowers, Koukol, Rodriguez, Shanley, and Wormley

Nays (0): None

Abstain (0): None

Absent (0): None

The motion carried.

Discussion of Host Agreement Between Kendall County and Milroy Farms, LLC Regarding the Composting Facility at 1270 E. Beecher Road (PIN: 02-08-100-006) in Bristol Township; Committee Could Vote to Refer the Proposal to the State's Attorney's Office

Mr. Asselmeier summarized the issue.

At the July Planning, Building and Zoning Committee meeting, the Committee had questions regarding how much was hauled into the facility, how much was hauled out of the facility, how much composting materials were onsite, and what types of materials were ground at the property. The response email was provided.

On March 19, 2014, the Kendall County Board approved a special use permit and host agreement allowing the operation of composting facility at 1270 E. Beecher Road.

Per both the special use permit and host agreement, the owner of the subject property was required to submit an application for renewal by July 1, 2023. On June 30, 2023, the owner submitted an application for renewal of both documents.

The special use permit application will go through the review process in August 2023.

Staff has several proposed changes to the host agreement; the existing host agreement was provided.

1. In the first paragraph, the agreement will be between Kendall County and Milroy Farms, LLC. Green Organics, Inc. is no longer associated with the property.
2. In the first Whereas, the property will be thirty-nine point eight-seven (39.87) acres instead of fifty-eight (58) acres. The requested special use permit and host agreement only applies to the property outside of the city limits of Yorkville.
3. In the first Whereas, the only PIN# impacted is 02-08-100-006.
4. In the first Whereas, the reference to Bristol Ventures, LLC will be deleted.
5. A Whereas will be added after the fourth (4th) Whereas to incorporate the special use permit ordinance that was approved in 2014.
6. The fifth (5) Whereas will be adjusted to reflect the current application for special use permit.
7. In Article 1.4, the expiration date will be changed to December 1, 2033. The deadline to

apply for renewal shall be changed to June 30, 2033.

8. In Article 5.1, the reference to Section 7.01.D.15 of the Kendall County Zoning Ordinance will be deleted and replaced with “the applicable sections of the Kendall County Zoning Ordinance pertaining to composting of landscape waste and food waste.”
9. In Article 8.1, the Planning, Building and Zoning Department’s Attention will be changed to the Director.
10. In Article 8.1, the “To the Company” information will be changed from Green Organics, Inc. to Milroy Farms, LLC, Attention Jeff Milroy. The address will also be updated.
11. Attachment A will be updated to reflect the correct Legal Description.
12. Attachment B should be updated to reflect a new fee schedule. Staff proposed the fee to be Ninety Cents (\$0.90) upon the effective date of the new special use permit ordinance, Ninety-Five Cents (\$0.95) on December 1, 2026, and One Dollar (\$1.00) on December 1, 2029.

The previous host fee schedules were as follows:

2000-\$0.60

September 1, 2003 - \$0.65

September 1, 2006 - \$0.70

March 19, 2014 - \$0.75

December 1, 2016 - \$0.80

December 1, 2019 - \$0.85

The Kendall County Health Department collects the host fees. Fees for recent years were as follows:

2018 – \$28,583.47

2019 – \$31,429.00

2020 – \$27,138.83

2021 – \$789.21

2022 – \$1.79

If the Committee approves the above changes and/or any additional changes, Staff will prepare a redlined version of the agreement.

Staff requested that the redlined agreement be forwarded to the State’s Attorney’s Office for review.

The plan is to have the special use permit and final host agreement go the Planning, Building and Zoning Committee and County Board at the same time.

Member Koukol asked for a history lesson for the facility. Jesse Sexton explained the history of the property since 1999. He explained the change in the management in the facility over years.

Member Koukol asked what types of materials are brought into the facility. Mr. Sexton said the County gets paid the host fee based on the amount of material coming into the facility. No scale was located at the facility; the calculation was made based on truck loads. Very little material has come into the facility recently; this was the reason the amount paid was minimal. Brush, leaves, and anything that a landscapers work in terms of yard waste with can be brought to the facility. No garbage was brought onto the facility. Materials were run through a grinder and put in windrows. The windrows would be a maximum eight feet (8') in height. The end product was used by farmers and landscapers.

Milroy Farms, LLC owns the property.

Mr. Sexton explained the seasonality of the business. Most of the product comes from the local area.

Discussion occurred regarding dust and odor complaints. These items would be addressed by the special use permit.

Mr. Asselmeier outlined the timeline for review and approval of the special use permit. The plan was to have the special use permit approval and host agreement approval at the County Board at the same meeting. Mr. Asselmeier noted that the proposed site plan that was submitted with the special use permit application did not match the site plan on file with the Illinois Environmental Protection Agency.

Member Koukol made motion, seconded by Member Rodriguez, to forward the redlined proposal to the State's Attorney's Office.

The votes were as follows:

Yeas (5): Flowers, Koukol, Rodriguez, Shanley, and Wormley

Nays (0): None

Abstain (0): None

Absent (0): None

The motion carried.

The proposal will be forwarded to the State's Attorney's Office.

Approval of an Intergovernmental Agreement Between Kendall County and Oswego Township for the TransUnion TLOxp Program for a Period of Two Years at a Cost of \$600 Annually Paid by Kendall County to Oswego Township

Mr. Asselmeier summarized the issue.

At the July Planning, Building and Zoning Committee meeting, the Committee heard information regarding the TransUnion TLOxp Program and requested that the State's Attorney's Office prepare an intergovernmental agreement with Oswego Township for use of the program.

The draft intergovernmental agreement was provided.

The proposal is effective for two (2) years. Oswego Township is required to maintain the license for the duration of the agreement. The County shall pay Oswego Township Six Hundred Dollars (\$600) annually on November 1st after Oswego Township submits an invoice to the County. Both parties may terminate the agreement after thirty (30) days notice.

Oswego Township has not reviewed the proposal.

Member Koukol made motion, seconded by Member Flowers, to recommend approval of the proposal.

The votes were as follows:

Yeas (5): Flowers, Koukol, Rodriguez, Shanley, and Wormley

Nays (0): None

Abstain (0): None

Absent (0): None

The motion carried.

The proposal will go the County Board on August 15, 2023, on the consent agenda.

Approval of an Agreement with Teska Associates, Inc. for Planning Services for a Period of One Year a Cost Not \$175 Per Hour; Committee Could Refer the Matter to the State's Attorney's Office

Mr. Asselmeier summarized the issue.

Teska Associates, Inc. has been Kendall County's Planning Consultant for the last twenty (20) years. They served the County when the Senior Planner/Director position was vacant and/or in a backup capacity.

The proposed contract would continue this practice for the next year. Teska Associates, Inc. would answer general zoning questions and provide staff for various committees in the absence of the Planning, Building and Zoning Director. The contract would be valid for one (1) year. Teska Associates, Inc. would bill the County on a bi-weekly basis when services are rendered.

Staff requested that the contract be forwarded to the State's Attorney's Office for review.

Member Koukol made motion, seconded by Member Flowers, to forward the proposal to the State's Attorney's Office.

The votes were as follows:

Yeas (5): Flowers, Koukol, Rodriguez, Shanley, and Wormley

Nays (0): None

Abstain (0): None

Absent (0): None

The motion carried.

The proposal will be forwarded to the State's Attorney's Office.

OLD BUSINESS

None

REVIEW VIOLATION REPORT

The Committee reviewed the report.

Chairman Wormley noted that the violation at 8150 Schlapp Road would be issued shortly. The consensus of the Committee was the property owners had been given time to comply.

REVIEW PRE-VIOLATION REPORT

The Committee reviewed the report.

Mr. Asselmeier provided an update on the enforcement of the new chicken regulations.

UPDATE FOR HISTORIC PRESERVATION COMMISSION

Mr. Asselmeier reported that the Historic Preservation Commission had its summer meeting on July 17, 2023, at the Harris Forest Preserve. Ken Itle discussed the historic structure survey of unincorporated Kendall and Bristol Townships.

REVIEW PERMIT REPORT

The Committee reviewed the report.

REVIEW REVENUE REPORT

The Committee reviewed the report.

CORRESPONDENCE

None

COMMENTS FROM THE PRESS

None

EXECUTIVE SESSION

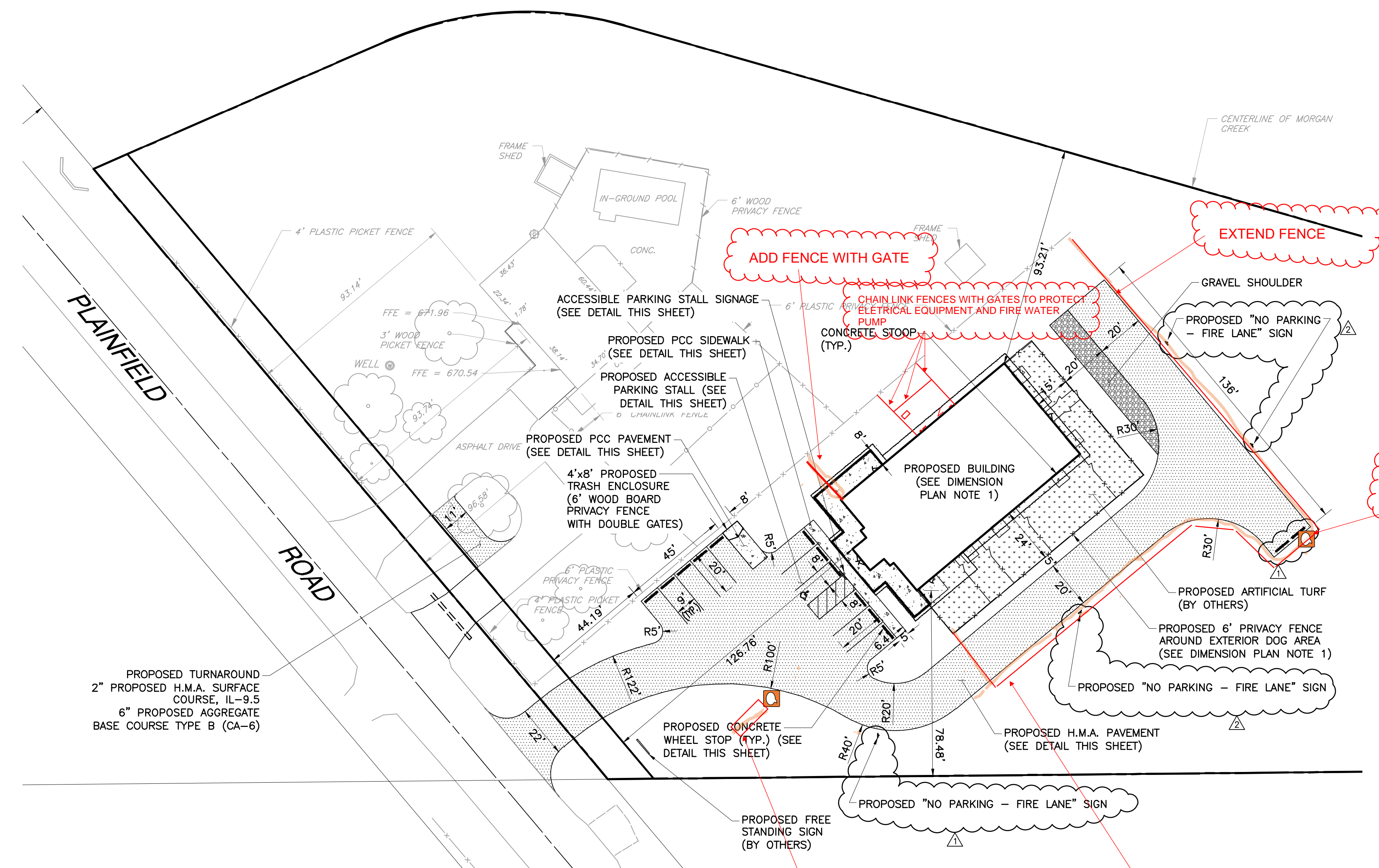
None

ADJOURNMENT

Member Flowers made a motion, seconded by Member Shanley, to adjourn. With a voice vote of five (5) ayes, the motion carried.

Chairman Wormley adjourned the meeting at 7:16 p.m.

Minutes prepared by Matthew H. Asselmeier, AICP, CFM, Director



- DIMENSION PLAN NOTES:**
- REFER TO THE ARCHITECTURAL PLANS FOR PROPOSED BUILDING INFORMATION (BUILDING/PORCH DIMENSIONS, PRIVACY FENCE DETAILS, ETC.)
 - UNLESS OTHERWISE NOTED, ALL DIMENSIONS ARE TO PAVEMENT LINES.
 - UNLESS OTHERWISE NOTED, ALL PAVEMENT MARKING MATERIALS SHALL BE YELLOW PAINT. LINES SHALL BE 4 INCHES WIDE.
 - A PROPOSED WOOD TRASH ENCLOSURE HAS BEEN LOCATED SOUTHWEST OF THE BUILDING. SEE ARCHITECTURAL PLANS FOR DETAILS.

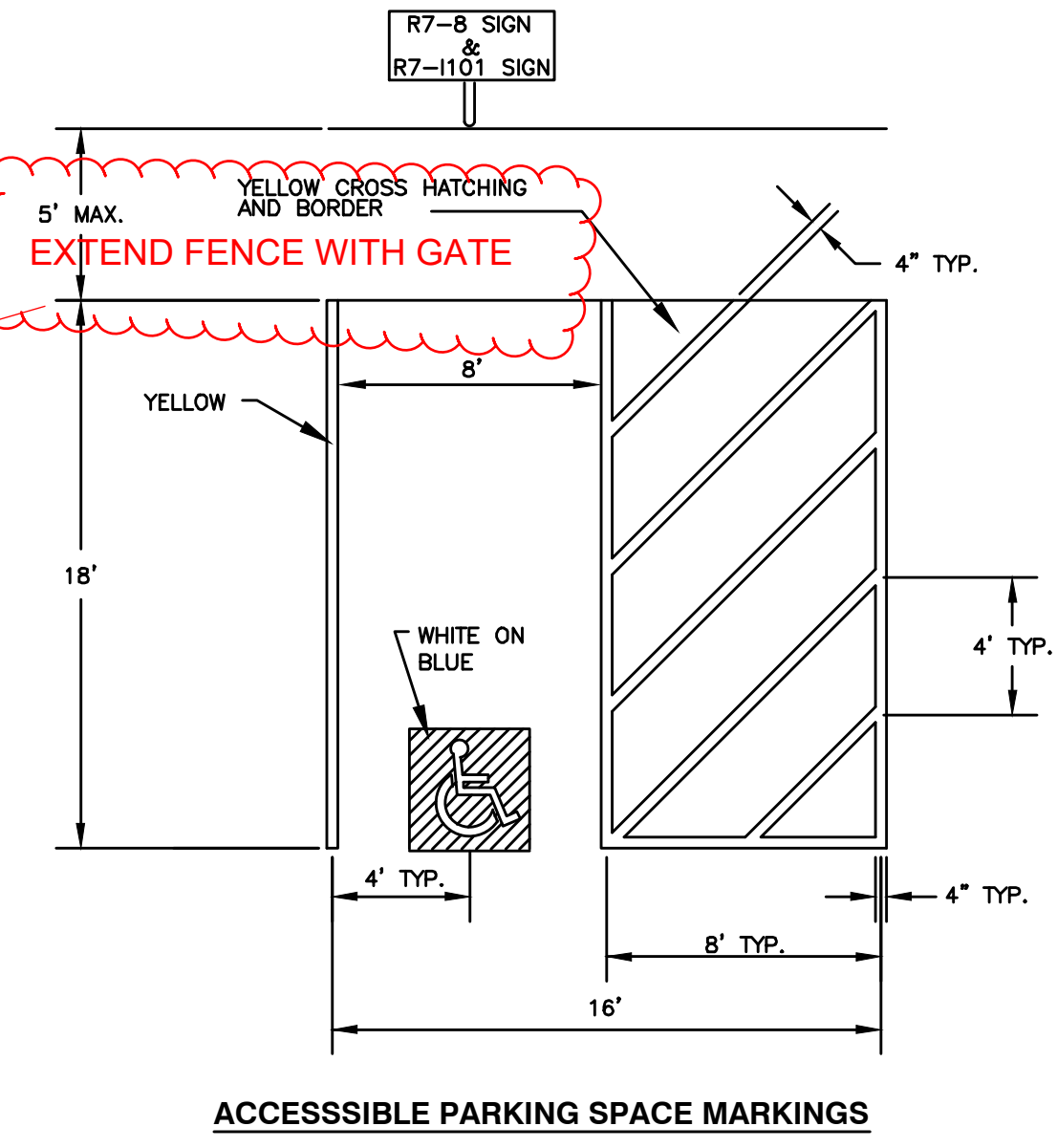
SITA DATA

GROSS BOUNDARY:	207,901 S.F. (4.773 AC.)
15' R.O.W. DEDICATION:	5,123 S.F. (0.118 AC.)
NET BOUNDARY:	202,778 S.F. (4.655 AC.)
P.I.N.	03-28-100-004
EXISTING PERVIOUS AREA	197,828 S.F. 95.2%
EXISTING IMPERVIOUS AREA	10,073 S.F. 4.8%
AGGREGATE IMPERVIOUS AREA (EXISTING + PROPOSED)	31,644 S.F.
DISTURBED AREA	65,571 S.F. (1.51 AC.)
PARKING REQUIRED (THROUGH SPECIAL USE APPLICATION):	
REGULAR SPACES	10 SPACES
HANDICAP SPACES	1 SPACE
TOTAL	11 SPACES
PARKING PROVIDED:	
REGULAR SPACES=	10 SPACES
HANDICAP SPACES=	1 SPACE
TOTAL SPACES PROVIDED=	11 SPACES
EXTERIOR FENCED IN DOG AREA ADJACENT TO BUILDING	3,230± S.F.

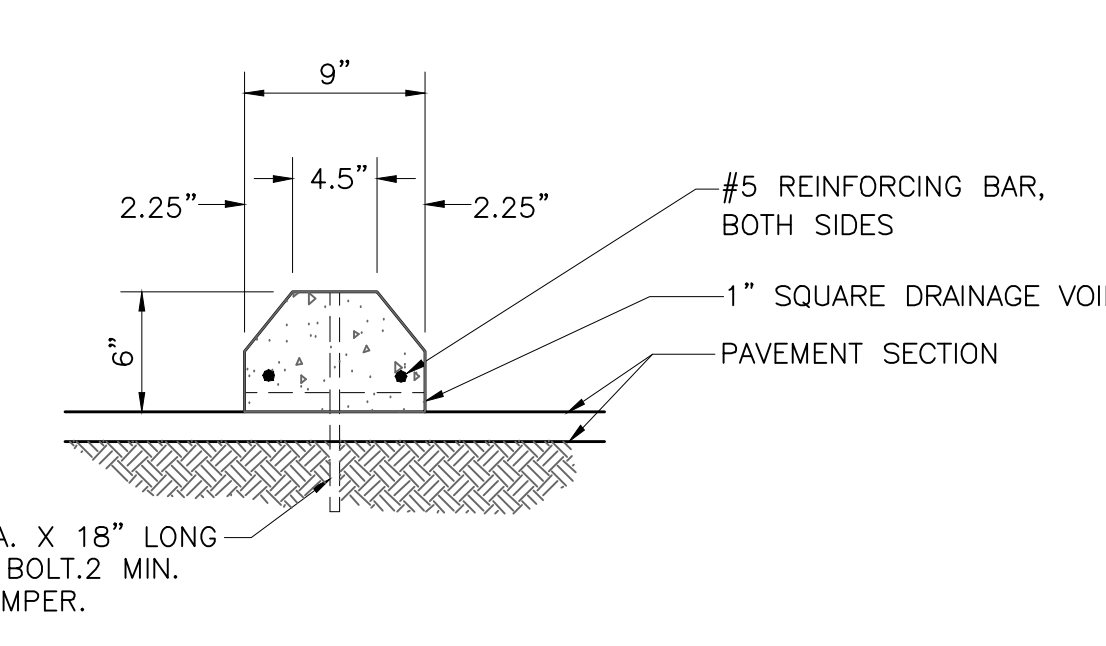
OF HANDICAP SPACES REQUIRED PER # OF OFF STREET PARKING SPACES REQUIRED

TOTAL OFF STREET PRKG. SPACES REQUIRED	ACCESSIBLE PRKG. SPACES REQD. MIN. # OF
1 TO 20	1
21 TO 50	2
51 TO 75	3
76 TO 100	4
101 TO 150	5
151 TO 200	6
201 TO 300	7
301 TO 400	8
401 TO 500	9
501 TO 1000	2% OF TOTAL NUMBER
OVER 1000	20 PLUS 1 FOR EACH 100 OVER 1000

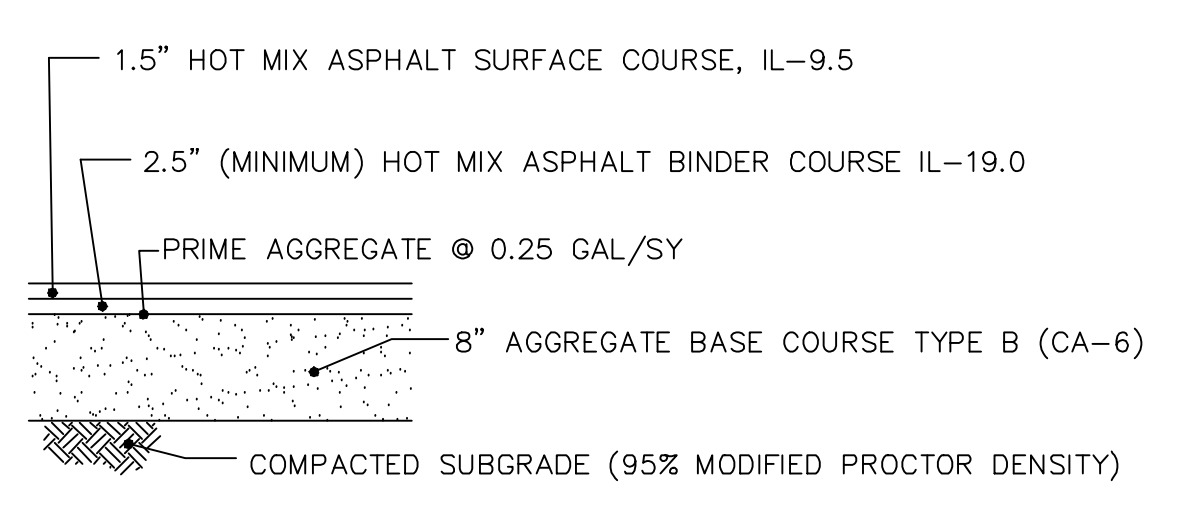
- NOTES FOR HANDICAP PARKING STALLS:**
- SIGNS SHALL BE VERTICALLY MOUNTED ON A POST OR A WALL AT THE FRONT CENTER OF THE PARKING SPACE NO MORE THAN FIVE (5) FEET HORIZONTALLY FROM THE FRONT OF A PARKING SPACE AND SET A MINIMUM OF FIVE (5) FEET FROM THE FINISHED GRADE TO THE BOTTOM OF THE SIGN.
 - HANDICAPPED PARKING SIGNS SHALL ALSO EXHIBIT THE WORDS "\$250.00 FINE".
 - PARKING SPACES DESIGNED FOR PERSONS WITH DISABILITIES AND ACCESSIBLE PASSENGER LOADING ZONES THAT SERVE A PARTICULAR BUILDING, SHALL BE LOCATED ON THE SHORTEST POSSIBLE ACCESSIBLE ENTRANCE OF THE BUILDING.
 - IN SEPARATE PARKING STRUCTURES OR LOTS THAT DO NOT SERVE A PARTICULAR BUILDING, PARKING SPACES FOR PERSONS WITH DISABILITIES SHALL BE LOCATED ON THE SHORTEST POSSIBLE CIRCULATION ROUTE TO AN ACCESSIBLE PEDESTRIAN ENTRANCE OF THE PARKING FACILITY.



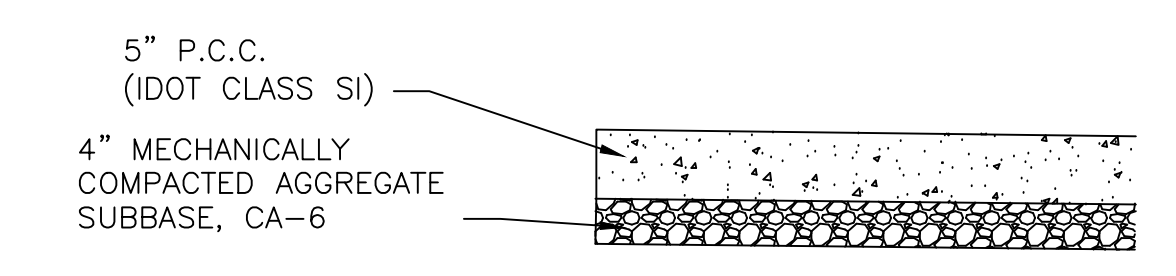
ACCESSIBLE PARKING SPACE MARKINGS



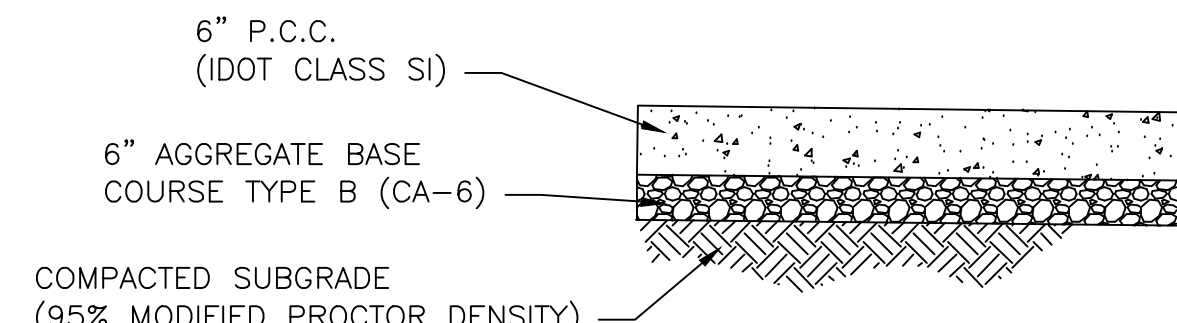
CONCRETE WHEEL STOP
NOT TO SCALE



HMA PAVEMENT SECTION
NOT TO SCALE



P.C.C. SIDEWALK/ SLAB SECTION
NOT TO SCALE



P.C.C. PAVEMENT/ TRASH ENCLOSURE SLAB SECTION
NOT TO SCALE

- NOTES:**
- PROVIDE 1/2" EXPANSION JOINT FILLER WITH SEALANT WHERE THE CONCRETE SIDEWALK ABUTS THE BUILDING.
 - PROVIDE MEDIUM BROOM FINISH.
 - CONCRETE SHALL BE CLASS "A" 4,000 PSI UNLESS OTHERWISE NOTED.

- NOTES:**
- PROVIDE BROOM FINISH.
 - CONCRETE SHALL BE CLASS "A" 4,000 PSI UNLESS OTHERWISE NOTED.

ACCESSIBLE PARKING STALL SIGNAGE



REVISION RECORD

NO.	DATE	DESCRIPTION
1	01/19/2022	REVISION PER COUNTY REVIEW LTR DATED 03/03/2022
2	03/03/2022	REVISION PER FIRE DEPT REVIEW COMMENT

Civil & Environmental Consultants, Inc.
1230 East Diehl Road, Suite 200 - Naperville, IL 60563
630-963-6026 - 877-963-6026
www.cechinc.com

LINDBLAD CONSTRUCTION CO. OF JOILLET, INC
THE PETS HOME PET RESORT & SPA
3601 PLAINFIELD ROAD
OSWEGO, ILLINOIS 60543

DIMENSION PLAN

DATE:	01/19/2022	DRAWN BY:	IMAJ
DWG SCALE:	1" = 30'	CHECKED BY:	TJG
PROJECT NO.:		APPROVED BY:	*TJG
			313-348

P:\1710-2021\1710-2021-0000\Drawings\1710-2021-0000-Dimension.dwg (1/19/2022 2:46 PM) - (ipm) - LP: 2/2/2022 2:46 PM

Matt Asselmeier

From: Alec Keenum <akeenum@oswegofire.com>
Sent: Friday, August 4, 2023 9:06 AM
To: Matt Asselmeier
Cc: Brian Holdiman; Seth Wormley; Latreese Caldwell
Subject: RE: [External]C800.pdf

Morning Matt,

Not sure how that is protecting anything or why there is a need to create two additional fenced in areas, but as long as it all remains accessible and not locked, we shall adapt.

Alec

From: Matt Asselmeier <masselmeier@kendallcountyil.gov>
Sent: Friday, August 4, 2023 8:16 AM
To: Alec Keenum <akeenum@oswegofire.com>
Cc: Brian Holdiman <BHoldiman@kendallcountyil.gov>; Seth Wormley <swormley@kendallcountyil.gov>; Latreese Caldwell <LCaldwell@kendallcountyil.gov>
Subject: FW: [External]C800.pdf

Captain Keenum:

Any concerns with the attached site plan that Laura Gay submitted this morning?

It appears that she added a chain link fence with gates to protect the fire water pump on the north side of the building.

Thanks,

Matthew H. Asselmeier, AICP, CFM
Director
Kendall County Planning, Building & Zoning
111 West Fox Street
Yorkville, IL 60560-1498
PH: 630-553-4139
Fax: 630-553-4179