

PLANNING & ZONING COMMISSION MEETING MINUTES
September 2, 2008 - 7:00 p.m.

Clerk Wells called the meeting to order at 7:00 p.m. and called roll. Commission members present: Glenda Miller, Jim Pagles, John Killeen, Terry Smith, Ken Gabrys and Carl Opper. Member Harry Stafford was absent. Also present were Mayor Nolan, Administrator Nelson and Community Development Director Santeler.

In the absence of Harry Stafford, it was moved by Killeen, seconded by Opper to appoint Glenda Miller as Chairman Protem for the meeting. All ayes. Motion carried.

Planning and Zoning Commission Minutes of August 5, 2008 – Approved

Moved by Opper, seconded by Killeen to accept the minutes of the Planning and Zoning Commission meeting of August 5, 2008, as presented. All ayes. Motion carried.

Trinity Lutheran Church/Harvard Community Montessori/Petition for Conditional Use for Day Care at 504 E. Diggins St.

Chairman Protem Miller opened the hearing in the petition of Trinity Lutheran Church and Harvard Community Montessori, 504 E. Diggins St., Harvard, IL 60033. The parties of interest were present. The fees have been paid. The Certificate of Publication was noted and entered into the record. Certified notices were sent to adjacent property owners. Clerk Wells presented into record the signed petition for a conditional use for a Montessori Instructional Day Care as submitted by the petitioner. The location of the property subject to the petition is 504 E. Diggins St., Harvard, IL.

Naomi and Bruce Peterson, 9716 Prairie Ridge, Lake Geneva were present on behalf of the petitioners, and upon being sworn in, reviewed the petition requesting a conditional use to allow for the use of existing structures for a Montessori Instructional Day Care on property located at 504 E. Diggins St., Harvard, Illinois.

Chairman Protem Miller opened the floor to questions from the Commissioners

- Commissioner Killeen inquired if the Trinity Lutheran Church was involved in any way in the operation of the day care other than facility location; Naomi replied they were not.
- Commissioner Smith inquired if the facility had to meet improvements similar to the public schools such as fire code; Naomi responded that the fire department conducted an inspection
- At Commissioner Miller's inquiry, Naomi reviewed the outdoor playground area as depicted on the submitted layout which would be the maximum area used.
- Naomi gave a brief review of the Montessori way of learning for children
- Chairman Opper inquired if the Montessori school had to follow same licensing requirements as a normal day care center; Naomi replied that Montessori is exempt from direct licensing but the Montessori rules are sometimes even stricter. The Montessori self regulation is at a much higher level than state regulations. The number of students is regulated by the Fire Marshall. In order to be a Montessori school, there must be qualified and certified Montessori teachers in the classrooms.
- There are currently two students enrolled; total capacity without expanding into more space in the church would be no more than 20 students.
- Student cost: full day is \$570/month and kindergarten full day is \$700/month

Supporters/Objectors: None

Moved by Pagles, seconded by Smith to recommend to the City Council that the petition for a conditional use to allow for the use of existing structures for a Montessori Instructional Day Care on property located at the Trinity Lutheran Church, 504 E. Diggins St., Harvard. Roll call vote: Miller, aye; Pagles, aye; Killeen, aye; Smith, aye; Gabrys, aye and Opper, aye. Motion approved six to zero.

Clerk Wells noted that the recommendation will come before the City Council at their meeting on September 9, 2008.

Harvard Leasing LLC and T & M Biofuel LLC/Conditional Use for Biodiesel Manufacturing Facility and Variation for Raw Material Storage External to the Structure for property located at 1001 W. Roosevelt St.

A court recorder was present from Q & A Reporting; a full transcript of proceedings to be filed with the City.

Chairman Protem Miller opened the hearing in the petition of Harvard Leasing LLC and T & M Biofuel LLC. The parties of interest were present. The fees have been paid. The Certificate of Publication was noted and entered into the record. Certified notices were sent to adjacent property owners. Clerk Wells presented into record the signed

petition for a conditional use to operate a biodiesel manufacturing facility and a variation to install a raw material storage tank external to the structure as submitted by the petitioner. The location of the property subject to the petition is 1001 W. Roosevelt St., Harvard, Illinois.

Upon being sworn in, the petitioner, Michael Woodrich, 40W425 Harper Dr., Hampshire, IL, 60140 addressed the Planning and Zoning Commission and reviewed their petition for a conditional use for a biodiesel manufacturing facility and a variation to install a raw material storage tank external to the structure. Biodiesel manufacturing is a permitted use; however City code doesn't permit the storage of any fuel on the property without a conditional use. The biodiesel will not be shipped immediately and will be stored onsite for a length of time while it is tested to make sure it meets the necessary specifications. Biodiesel is manufactured using a conversion process on either animal fat or vegetable oils and can be used in most standard diesel engines without any ill effects. Biodiesel is only usable in a diesel engine and cannot be used in gasoline engines. Biodiesel is a slight solvent so fuel filters need to be changed more often. Biodiesel can be used in vehicles, primarily over the road trucks and can be used in place of fuel for heating oil, but is primarily sold as a blended product where its blended with standard diesel fuel. The end product is more biodegradable than sugar and less hazardous than table salt.

Chairman Protem Miller opened the floor to questions from the Commissioners

- The oil source will most likely come from animal oils obtained from slaughterhouses. Waste vegetable oils from restaurants can also be used. Virgin oils can be used as well but are too expensive to be profitable.
- At Commissioner Killeen's inquiry about personal experience, Mr. Woodrich indicated he does not own another plant elsewhere but has partners that have set up several plants in other locations
- One of the reasons the site was chosen was rail capabilities which provides an option on how to get product delivered
- OSHA will require two people per shift with the eventual intent to run three shifts a day
- The product is flammable when finished
- The intent is to put up one 5,000 gallon tank for storage of methanol outside the building; said tank would be a fire guard double wall tank approximately 9' in diameter and 15' in length
- At Mayor Nolan's inquiry, Mr. Woodrich stated initially there would be up to a maximum of 30,000 gallons of finished product stored inside at any one time. There will be containment for that section of the building that has the storage tanks.
- Commissioner Opper inquired if the Fire Chief was aware of the proposed facility. Community Development Director Santeler stated that the Fire Department was aware and had called last week with a concern and were advised to attend the meeting to voice their concerns and any other issues they might have for this type of facility. Mr. Woodrich stated they want a safe facility and will work with the Fire Department to meet whatever fire codes required.
- The only EPA regulation that Mr. Woodrich is aware of is obtaining a storm water permit.
- Mayor Nolan noted the truck route is Northfield Ave and asked that the Commission include in their recommendation that the facility only use the access off of Northfield Ave. and not Roosevelt St.

Staff Report

Community Development Director Santeler stated that if the project moves forward, the plant will have to go through a certain amount of retrofitting and engineering.

Supporters/Objectors: None

Moved by Pagles, seconded by Opper to recommend to the City Council that the petitioner's request be approved for a conditional use to operate a biodiesel manufacturing facility at 1001 W. Roosevelt Street and a variation to install a raw material storage tank external to the structure; said storage tank to be limited to a 5,000 gallon capacity and meeting all state, local and municipal fire and safety codes. Truck route access for delivery to and distribution from the facility to be restricted to Northfield Avenue. Roll call vote: Pagles, aye; Killeen, aye; Smith, aye; Gabrys, aye; Opper, aye and Miller, aye. Motion approved six to zero.

Clerk Wells noted that the recommendation will come before the City Council at their meeting on September 9, 2008.

City of Harvard Text Amendment Regarding Fences

Chairman Pro-Tem Miller opened the hearing in the petition of the City of Harvard. The Certificate of Publication was noted and entered into the record. Clerk Wells presented into record the signed petition submitted by the petitioner.

Upon being sworn in, City Administrator Dave Nelson reviewed the City's petition for a text amendment to Section 17.110, Fences, to create Section 17.110.060 Restrictions as follows:

A) No fences shall be permitted in any front yard in any zoning district

B) For the purposes of this Section, on a corner lot any yard abutting a roadway shall be considered a front yard

The City would also request consideration that all references to front yards in Section 17.110.030 and 040 be deleted.

There was general consensus to the concept that on a corner lot, any yard abutting a roadway, should be considered a front yard. Concerns were expressed with height restrictions and not permitting fences in any front yard. Also discussed were establishing setback requirements in a front yard from the property line.

Moved by Opper, seconded by Gabrys to recommend to the City Council as follows:

that the following sections of the Petitioner's request be denied:

Create Section 17.110.060 A. no fences shall be permitted in any zoning district

Delete all references to front yards in Sections 17.110.030 and .040

Roll call vote: Killeen, aye; Smith, no; Gabrys, aye; Opper, aye; Miller, aye and Pagles, aye. Motion carried five to one.

Moved by Opper, seconded by Killeen that the following sections of the petitioner's request be approved and further recommends the following amendments:

Amend Section 17.110.020(B) to delete the following line:

.. , except that the required open space in louver-type fences may be viewed from any angle.

Add Section 17.110.060 Restriction

A. All front yard fences shall be set back two feet from the property line.

B. For the purposes of this Chapter, on a corner lot any yard abutting a roadway shall be considered a front yard

Roll call vote: Smith, aye; Gabrys, aye; Opper, aye; Miller, aye; Pagles, aye and Killeen, aye. Motion approved six to zero.

At 8:10 p.m., moved by Smith, seconded by Opper to adjourn the meeting. All ayes. Motion carried.

Submitted by:

City Clerk Andy Wells

Date: _____