

**MINUTES**  
**WILL COUNTY PLANNING & ZONING COMMISSION**  
**April 9, 2009**  
**6:30 PM**

**CALL TO ORDER:**

Chairman Vallone called the meeting to order at 6:30 p.m.

**PLEDGE OF ALLEGIANCE:**

Chairman Vallone led the pledge.

**ROLL CALL:**

Seven members were present at time of roll call.

**MEMBERS PRESENT:**

Leonard Vallone, Barbara Peterson, Hugh Stipan, Scott Lager, William Weidling, Richard Berti and Michael Carruthers.

**MEMBERS ABSENT:**

**STAFF PRESENT:**

David Dubois, Brian Radner, Mike Smetana, Eileen Franz, Anita Wesse, and Leigh Kelley.

**OTHERS PRESENT:**

See sign in sheet.

**STATE'S ATTORNEY OFFICE PRESENT:**

Melanie Manning.

**APPROVAL OF MINUTES:**

**Hugh Stipan made a motion to approve the minutes of March 24, 2009; seconded by Scott Lager.  
ALL IN FAVOR MOTION CARRIED (7-0)**

**CLAIMS & COMMUNICATIONS:**

Secretary Barbara Peterson announced that all cases with the exception of variance cases, heard to a conclusion would advance to the Land Use & Development Committee meeting held on May 12, 2009 at 11:30 a.m. in the Committee Room. This public hearing is where all testimony is to be given. If a variance case is denied, there is an appeal process. It is the PZC Commission that hears a case to its conclusion it does not advance further.

Chairman Vallone advised the Commission that the agenda needed to be amended due to the fact Case 5833-SV41, Enbridge Pipeline now becomes 5833-SV38.

**Hugh Stipan made a motion to amend the agenda to reflect Case 5833-SV41 now becomes 5833-SV38; seconded by Scott Lager.  
ALL IN FAVOR MOTION CARRIED (7-0)**

Chairman Vallone also informed everyone that Case 5837-V, Lynch would be moved up on the agenda ahead of the Enbridge pipeline case.

**PUBLIC HEARINGS:**

**New Zoning Cases**

**5822-SV2 West Properties, Inc./Lempera**

Chairman Vallone asked Mr. Smetana to open Case 5822-SV2.

Michael Smetana summarized the facts of the case. The applicant is requesting a Special Use Permit for indoor commercial vehicle and equipment storage, a Variance for side yard setback from 50' to 47' (south line) and a Variance for lot area from 10 acres to 5 acres.

Photos of the site and surrounding area were displayed in the presentation. The applicant purchased the property with two existing pole barns, they were built ag-exempt. If the applicant obtains approval of the Special Use Permit a pre-inspection would be scheduled with the Building Division to inspect the buildings to make sure they meet commercial codes. The Village of Frankfort had no objection to this request but did recommend the following three (3) conditions: 1. Indoor vehicle and equipment storage only. 2. No onsite storage and cleaning of hazardous materials including oil and gasoline, or their means of transport. 3. Dedication of public ROW for 104<sup>th</sup> Avenue is encouraged in accordance with Frankfort Township requirements.

Staff is recommending approval of a Special Use Permit for indoor commercial vehicle storage and equipment storage with the following seven (7) conditions: 1. The applicant must schedule a pre-inspection with the Building Division of the Will County Land Use Department within 30 days of County Board Approval. 2. A commercial/industrial building permit must be applied for within 60 days of County Board approval. The permit application must include a site plan depicting landscaping and parking that meets the requirements established by the Will County Zoning Ordinance. 3. The applicant is required to apply topsoil and seed to the property. This should be depicted in the landscape plan. 4. At no time may activities related to the business take place on the property except what is permitted by this special use request. 5. Outdoor storage of commercial vehicles and equipment is prohibited. 6. At no time may space be rented or used as a self-storage facility. 7. Stormwater detention is required for any increase or impervious area on site. Staff is also recommending approval of both Variance requests.

There were no objectors.

Mr. Maurides (attorney for the applicant) approached and gave an overview of this request. He explained that his client is also requesting parking in the front of the property.

Hearing no further discussion, Chairman Vallone called for a motion.

**William Weidling made a motion to approve a Special Use Permit for indoor commercial vehicle and equipment storage with the seven (7) conditions as listed above; seconded by Hugh Stipan.  
ALL IN FAVOR MOTION CARRIED (7-0)**

**William Weidling made a motion to approve a Variance for side yard setback from 50' to 47' (south line) based upon the finding of facts; seconded by Hugh Stipan.  
ALL IN FAVOR MOTION CARRIED (7-0)**

**William Weidling made a motion to approve a Variance for lot area from 10 acres to 5 acres; seconded by Hugh Stipan.  
ALL IN FAVOR**

**MOTION CARRIED (7-0)**

**AFYP 09-04**

Brian Radner gave an overview of this request. The applicant is requesting authorization for parking in the front yard setback to within forty (40) feet of the property line along 104<sup>th</sup> Avenue. Staff is recommending approval of this request.

There were no objectors.

**William Weidling made a motion to authorize parking in the front yard setback to within forty (40) feet of the property line on property commonly know as 23220 South 104<sup>th</sup> Avenue, Frankfort, Illinois 60423 and identified by permanent index number 19-019-32-400-024-0000; seconded by Scott Lagger.  
ALL IN FAVOR**

**MOTION CARRIED (7-0)**

**5823-V Pew**

Chairman Vallone asked Mr. Smetana to open Case 5823-V.

Mr. Smetana summarized the facts of the case. The applicant is requesting a Variance for maximum accessory storage space from 1,800 sq. ft. to 2,152 sq. ft.

Mr. Smetana stated that the Will County Health Department no longer objects to this request and wanted to remind the applicant that vehicular traffic and stockpiling of material are prohibited on or within ten (10) feet of the septic tank and subsurface absorption system at all times.

Photos of the site and surrounding area were displayed in the presentation. Staff is recommending denial of this request due to the fact there is currently a 47' X 28' pole building on the property. After performing a site visit staff is concerned that the applicant may be running a business from this location and warned the applicant that a business is not allowed to be run from a residential site.

Conservation ensued regarding the neighboring golf course.

Mr. Weidling asked if Interstate 80 is going to be widened in this area and Mr. Smetana answered yes he believes that there are plans to make I-80 three lanes by 2020. Mr. Weidling asked if this property would be affected and Mr. Smetana answered possibly if there is not enough dedicated right of way.

There were no objectors.

Dan Pew (applicant) approached and explained that he wants to build this building with plans to store lawn mowers, snow blowers and possibly in the future an RV.

Chairman Vallone asked about the current pole barn on his property and Mr. Pew explained he hoped to store an RV and or boat someday.

Chairman Vallone asked the applicant if he was running a business out of this location and he answered that he has some machines but is not running his business from there.

Mrs. Peterson asked if the home the applicant just built had an attached garage and Mr. Pew answered no.

Mr. Berti asked if he was going to attach the garage to the house and Mr. Pew answered no.

Chairman Vallone asked Mr. Dubois about the term accessory storage and then explained that whether the garage was attached or detached it is still considered accessory storage.

Hearing no further discussion, Chairman Vallone called for a motion.

**William Weidling made a motion to approve a Variance for maximum accessory storage space from 1,800 sq. ft. to 2,152 sq. ft.; seconded by Hugh Stipan.**

Mr. Stipan stated that due to the area around the applicant he does not think this would affect the neighborhood.

**ROLL CALL VOTE: Berti, Peterson, Stipan, Lager and Carruthers voted “yes” and Vallone and Weidling voted “no”. MOTION CARRIED (5-2)**

**5824-SV5 Board of Education Homer Comm. Cons. School Dist 33-C**

Chairman Vallone asked Michael Smetana to open Case 5824-SV5.

Mr. Smetana summarized the facts of the case. The applicant is requesting a Special Use Permit for a Bus Lot, a Variance for off-street parking with “inadequate screening”, a Variance to increase fence height from 4’ to 8’ (east side of property), a Variance for lot coverage from 20% to 51.8%, a Variance to remove bumper guard installation requirement and a Variance to decrease parking space dimension size.

Photos of the site and surrounding area were displayed in the presentation. Staff is recommending approval of a Special Use Permit for a bus lot with the following seven (7) conditions: 1. If more than 50 tires are stored onsite at any time, you must apply with the Illinois EPA as a registered tire storage facility. 2. All automotive fluids shall be stored in approved bulk containers, and removed from the site regularly. 3. Secondary containment shall be provided for all liquid storage containers. 4. All spills derived from leaking automotive fluids shall be contained and removed immediately. 5. The Illinois

State Fire Marshall must approve fuel storage on site. 6. Additional landscaping should be provided around the bus lot. The variance requested by this zoning application does not remove the requirement of improving the site with landscaping. The variance only permits the applicant not to install a dense evergreen planting, fence, or masonry wall to provide screening. 7. If the District begins to utilize storm water detention basin along Cedar Road as an area for outdoor activities, safety measures must be installed to prevent vehicles from entering the area from Cedar Road. Staff is also recommending approval of all Variance requests.

Conversation ensued regarding the fencing that would surround the bus lot.

There were no objectors.

Mike Morrow (Superintendent) approached and gave an overview of this request. He explained that the bus lot would be phased in, in sections.

Mr. Lager asked what type of plantings did they plan to use for screening and Mr. Morrow answered spirea and tall evergreens.

**William Weidling made a motion to approve a Special Use Permit for a bus lot with the above listed seven (7) conditions; seconded by Scott Lager.  
ALL IN FAVOR**

**MOTION CARRIED (7-0)**

**William Weidling made a motion to approve a Variance to eliminate off-street parking screening requirement; seconded by Scott Lager.  
ALL IN FAVOR**

**MOTION CARRIED (7-0)**

**William Weidling made a motion to approve a Variance to increase fence height from 4' to 8' (east side of property); seconded by Richard Berti.  
ALL IN FAVOR**

**MOTION CARRIED (7-0)**

**William Weidling made a motion to approve a Variance for lot coverage from 20% to 51.8%; seconded by Scott Lager.  
ALL IN FAVOR**

**MOTION CARRIED (7-0)**

**William Weidling made a motion to approve a Variance to eliminate parking bumpers; seconded by Scott Lager.  
ALL IN FAVOR**

**MOTION CARRIED (7-0)**

**William Weidling made a motion to approve a Variance for width and length of off-street parking spaces; seconded by Scott Lager.  
ALL IN FAVOR**

**MOTION CARRIED (7-0)**

**5826-V Schoenbeck**

Chairman Vallone asked Mrs. Franz to open Case 5826-V.

Mrs. Franz summarized the facts of the case. The applicant is requesting a Variance for east side yard setback from 50' to 15' to correct a violation and bring the property into compliance. Mrs. Franz

explained that staff originally believed both residences on the property were constructed before the 1978 County Zoning Ordinance and therefore had "grandfather" status. But after reviewing aerial photos it was discovered that one of the structures was built after 1978. Staff wanted the applicants to be aware that any expansion to those homes would require them to be brought into compliance.

Photos of the site and surrounding area were displayed in the presentation. Staff is recommending denial of the Variance request. The applicant erected a structure within a setback without a building permit.

Mrs. Peterson stated that she passes this property all of the time and it is well maintained. She did not agree with the statement that this would alter the essential character of the locality.

There were no objectors to this case.

Mr. Schoenbeck approached and explained that he did not think that a permit was needed for this type of building since he is zoned agricultural and the building in question is a greenhouse.

Mr. Schoenbeck added with regard to the second residence on his property, there was previously a mobile home and that is why they were able to build another residence, it was 'grand fathered' in.

Mrs. Peterson asked staff if the PZC approves the applicant's request would Mr. Semplinski give the building permit to the applicant and Mr. Dubois answered that the zoning is required to be able to review the permit for compliance with code and subsequent issues and as far as whether or not the permit is going to be issued as submitted he could not answer that. It would be reviewed for compliance with the County's codes.

Mr. Smetana explained that the applicant has been working with the building division, due to the fact that it is not a stick built structure the applicant would have to prove that the structure could meet wind and snow loads. A structural engineer would need to sign off on this. If the structure does not meet the codes then it cannot remain on the property.

Mr. Smetana stated right now we are looking at the setback not the structure and Mrs. Peterson stated the setback is fine to her. There is nothing around it.

Mr. Lagger asked if the footprint of the greenhouse was identical to the pool and Mr. Smetana answered that he believed the greenhouse to be bigger than the pool.

Chairman Vallone asked about the greenhouse and Mr. Schoenbeck explained that it was a kit and it is comparable to a pole building, with a post and truss system and covered with 3/8" polycarbonate material.

Mrs. Peterson asked why the applicant built the greenhouse over the pool and Mr. Schoenbeck answered because of our climate, it allows the pool to be used longer.

Mr. Berti stated that if the PZC approved this request and his building does not meet the County's ordinances he would have to tear it down.

Hearing no further discussion Chairman Vallone called for a motion.

**William Weidling made a motion to approve a Variance for east side yard setback from 50' to 15'; seconded by Scott Lagger.**

**ROLL CALL VOTE: Vallone, Berti, Peterson, Weidling, Stipan, Lagger and Carruthers voted "yes".**  
**MOTION CARRIED (7-0)**

### **5837-V Lynch**

Chairman Vallone asked Mr. Smetana to open Case 5837-V.

Summarized the facts of the case. The applicant is requesting a Variance for south side yard setback from 50' to 30' for the stabling of horses. The previous 1,984.7 sq. ft. pole barn was destroyed by a tornado in the summer of 2008 and the applicant wanted to make it larger.

Photos of the site and surrounding area were displayed in the presentation. Staff is recommending approval of a Variance for south side yard setback for the stabling of horses from 50' to 30'.

Mr. Weidling asked how close was the nearest residence and Mr. Smetana answered approximately 125 feet.

Chairman Vallone asked about the size of the pole barn and number of horses and Mr. Smetana explained that with the E-2 zoning they are limited to one horse per acre.

There were no objectors.

**William Weidling made a motion to approve a Variance for south side yard setback from 50' to 30'; seconded by Scott Lagger.**

**ALL IN FAVOR**

**MOTION CARRIED (7-0)**

Mr. Dubois advised the Commission that the May 12<sup>th</sup> PZC meeting would be held at 11:30 a.m. in the Committee Room, not 10:30 in the County Board Room.

**5833-SV38 Enbridge Pipelines (Southern Lights) L.L.C.**

Chairman Vallone asked Mr. Radner to open Case 5833-SV38.

Mr. Radner summarized the facts of the case. The applicant is requesting a Special Use Permit for Floodplain Development (Part of 17 parcels) with 19 crossings and a Variance from The Stream and Wetland Protection Ordinance (Part of 30 parcels, 38 crossings). This will cross four Townships: Manhattan, Florence, Wilton and Wilmington.

Mr. Radner explained that this request is to allow construction of a 17.66 mile long 20" pipeline to be used in the transport of diluent from the Chicago area to Enbridge's Southern Lights pipeline and finally to oil sands production areas in Western Canada. The applicants must comply with Section 8.25 (Pipeline ordinance) of the Will County Zoning Ordinance.

Thirty (30) parcels will be crossed during construction and five will be crossed multiple times. There are no anticipated long-term structural or functional changes to any wetland areas.

Seventeen (17) parcels with floodplain areas will be crossed during construction; some parcels have multiple crossings. Impacts to the floodplain areas will be temporary as the pipeline will be installed below ground with no change to the contours or surface conditions, and no fill or facilities will be placed within the floodplain areas.

All disturbed wetlands and floodplains will be restored to their pre-construction condition. A mitigation plan for these areas will be developed which outlines the location and boundaries of plantings, types and varieties of seed mix, and the restoration, inspection, maintenance and reporting schedules.

The Will County Engineering and Zoning Divisions have completed a preliminary review of the site plan and accompanying documentation. It appears that this project is in conformance with the requirements of the Will County Ordinances. Full compliance with the Will County Ordinances will be required before a Site Development Permit will be issued for this project.

Photos of the site and surrounding area were displayed. The surrounding area is predominately zoned for agricultural uses, some parcels are zoned commercial, some recreational and a few parcels are zoned I-1.

There were no objections from any of the agencies contacted regarding this case, however, the Will County Department of Highways did comment that any Special Use Permit or Zoning Variance that is allowed should be granted with the stipulation that the applicant shall abide by the Will County Dept. of Highways Permit Regulations and Access Control Regulations.

Staff is recommending approval of a Special Use Permit for floodplain development (part of 17 parcels, 19 crossings; 17-28-300-001, 17-28-300-013, 17-28-400-013, 17-24-400-007, 18-19-400-004, 18-19-400-002 has 2 crossings, 18-21-400-007, 18-22-100-009, 18-22-100-008 has 2 crossings, 18-22-200-001, 18-23-100-007, 18-14-400-002, 18-14-400-002, 18-01-400-002, 18-01-400-001, 19-06-300-010, 19-06-100-010, 12-31-300-002, 12-29-300-003) based upon the finding of fact with the following eleven (11) conditions: 1. Applicants must submit to the Will County Land Use Department a permit from the U.S. Army Corps of Engineers. 2. Applicants must submit to the Will County Land Use Department a permit from the Illinois Department of Natural Resources. 3. Applicant must submit to the Will County Land Use Department a permit from the U.S. Fish and Wildlife Services. 4. Applicant must submit to the Will County Land Use Department a permit from the Illinois Environmental Protection Agency. 5. Applicant must submit to the Will County Land Use Department a permit from Illinois State Historical Society. 6. Applicant must submit to the Will County Land Use Department a permit from the Illinois Department of Agriculture. 7. Applicant must submit to the Will County Land Use Department a permit from all applicable highway authorities. 8. A wetland mitigation plan must be submitted for review. 9. Lease agreements must be submitted for each property impacted. 10. A 24-hour emergency number shall be provided at the site or on liquid storage containers for use in the event that there is a leak or spill during non-working hours. 11. A Letter of Credit must be submitted for this project before a Site Development Permit will be issued.

Staff is also recommending approval of all thirty-eight (38) Variance requests. Mr. Radner read all thirty-eight (38) Variance requests into the record.

Chairman Vallone asked Mr. Radner about Section 8.25 of the Zoning Ordinance and the depth of the pipe. Will the applicant follow Will County's standards or federal standards? Mr. Dubois answered that according to Ms. Wesse (from the Engineering Department) the stricter standards shall apply.

Conversation ensued regarding the depth of the pipe and Ms. Wesse explained there must be five feet to the top of the pipe.

Mr. Lagger asked Mr. Radner if some of the identified wetlands are farmed wetlands or traditional wetland and Mr. Radner answered some are agricultural areas and some may not be. Mr. Lagger explained that his concern was with mitigating tile drainage issues.

There were objectors.

Mr. Weidling asked if there is a Map of Will County that would show all of the pipelines that run through Will County and Mr. Radner explained that staff did not have permission to distribute that because it is a national threat.

Mr. Jack Ray approached and explained that he represented a group of people who own some property

south of the proposed pipeline. They are concerned about the area between I-55 and the B & O Railroad. Their main concern is because this area was a tipple where coal was washed and processed. They feel that there is contamination in the soil and they are concerned that when the applicant excavates the contaminant could wash into the lake that they share with the Cinder Ridge golf course.

Chairman Vallone asked if this location could be brought up on the overhead.

Mr. Ray stated he was not opposed to the pipeline but concerned about possible contamination.

Chairman Vallone asked the representatives for the pipeline to come down to the podium.

Mr. Jim Snider (Senior Environmental Engineer) approached and showed where the pipeline would be running. He then explained that during the installation of the pipeline if they hit historical contamination it would be set aside, silt fenced, covered with tarp and then properly remediated.

Mr. Weidling asked Mr. Snider if they did core borings prior to digging and Mr. Snider answered they have done core borings over part of the route.

Chairman Vallone stated Enbridge would take whatever measures necessary they would control all run-off and Mr. Snider answered yes, they would control any type of stormwater run-off coming from the site.

Mrs. Peterson asked Mr. Snider who monitors what they are doing and he answered they hire a third party Environmental Inspector firm that would be monitoring the entire route and watching the construction.

Mr. Weidling asked if the route had already been surveyed and Mr. Snider answered yes.

Mr. Weidling asked if they are skirting around the old spoil banks of the strip mines and lakes and Mr. Snider explained that they had submitted their application with drawings for the floodplain crossings, wetland crossings and stream crossings. Mr. Snider approached the Commission with photos showing the route of the pipeline.

Mr. Ray wanted the Enbridge representatives to be aware that the DNR came out three years ago and reclaimed 100 acres of property and brought in bile waste and put it on the golf course property.

Mr. Dave Henderson (Community Relations Consultant for Enbridge) gave an overview of his company and this current proposed pipeline project. This project is called Southern Lights Pipeline Project and is designed to transport light liquid petroleum called diluent from Manhattan, Illinois to Alberta Canada. This particular segment from Manhattan to Streator will complete the diluent line.

Mr. Henderson explained there would be a pumping station in Manhattan Illinois with 2-3 receiving tanks and they have annexed into Manhattan. This project is scheduled to begin operation in mid 2010.

Chairman Vallone asked if the diluent was being produced by BP Amoco and Mr. Henderson answered yes some of it will be.

Mr. Weidling asked what regulatory agencies are being dealt with and Mr. Henderson answered: the

US Army corps of Engineers, Illinois Department of Natural Resources, the IEPA, the Illinois Department of Agriculture, the US Fish and Wildlife Service, Illinois Commerce Commission, the IDNR Natural Heritage Program, the State Historic Preservation Office, they are highly regulated.

Mr. Henderson explained that Enbridge has done four pipeline projects in Will County over the last twelve (12) years. They have a good track record with Will County and they fully comply with the Will County Pipeline Ordinance, and they also have a signed agricultural impact mitigation agreement with the Illinois Department of Agriculture.

Mr. Henderson respectfully requested approval of the Special Use Permit and Variances being requested tonight.

Mr. Weidling asked if they participated in Will County's emergency disaster agency's program and Mr. Henderson answered yes absolutely. They have an emergency response plan that is filed with the federal government and they are federally regulated but they coordinate their emergency response plan with all of the emergency responders along the pipeline route. Mr. Henderson added that they conduct a public awareness campaign every year and meet with the emergency responders to review the response plan. They also communicate to the landowners along the pipeline route on a regular basis and homeowners have the phone number to Enbridge's control center which operates 24 hours a day seven days a week.

Mr. Carruthers asked if this project would be using local workers and Mr. Henderson answered that they would be using experienced pipeline companies and at least 50% of the workers would be hired from the local union halls. This project will create economic stimulation.

Mr. Lagger asked about staff recommending submission of permits from the IDNR and US Fish and Wildlife Services, would permits from those agencies address the concerns from Mr. Ray and other groups and Mr. Snider answered yes he believed they would address those concerns indirectly.

Mrs. Peterson asked if they had hired their third party yet and Mr. Snider answered yes it is Northern Environmental.

Mr. Weidling asked about the pipelines lifespan and Mr. Henderson answered indefinite. The pipeline is steel and cathodically protected to minimize any corrosion and coated with an epoxy for the same reason. They are required to run instrumentation through the pipeline to detect any anomalies in the pipeline such as dents or corrosion. The pipeline is inspected and if a section is corroded and needs to be replaced it will be.

Mr. Weidling asked how they maintain the topsoil and Mr. Henderson explained that they would de-compact the subsoil, drain tile repairs will be done properly. Local drain tile inspectors were used so that farmers will get their productivity back as soon as possible.

Chairman Vallone asked if the pipeline was foreign made and Mr. Henderson answered that most of their pipe is from Canada.

Mr. Mark Anderson (a representative of Ceco Club) explained that they had been trying to negotiate with Enbridge but were forced to go to court. Mr. Anderson explained his concern is the safety. There is a

pipeline currently on the Ceco property that runs down the middle of the roadway. Mr. Anderson stated their concern is the water table. Mr. Anderson stated he did not think using a silt fence would be good enough.

Mr. Anderson stated they have yet to hear from anyone from the Fish and Wildlife, IDNR or any of the agencies previously mentioned. No site visits have occurred.

Mr. Anderson stated that Enbridge has had leaks in Wisconsin and this diluent is not like regular oil that will float to the top. It is highly toxic it cannot be cleaned up.

Mr. Anderson read about several oil spills with Enbridge in 2007, 2008 and 2009.

Mr. Anderson is concerned about the water supply.

Mr. Anderson approached the Commissioners with a photo that showed an old railroad and their concern from the grading of the old railroad and the creosote, they will not be able to capture that.

Mr. Lager asked about the existing BP pipeline on their property how old is it and Mr. Anderson was not sure but it is very old.

Mr. Anderson is concerned about the pollution factor and Enbridge has not communicated well with them.

Mrs. Peterson advised Mr. Anderson to come to the LUDC meeting and express his concerns at that meeting.

Mr. Henderson explained that he has been involved with this project since 2006. This has not been a rush deal.

Mr. Jim Watts (attorney for Enbridge) approached and stated with regard to Mr. Anderson's allegations Enbridge had been working diligently for the last six months with Ceco's representatives and their attorneys. Good faith offers were made and they are now forced to exercise some legal channel to keep their construction dates. Mr. Watts stated they would be using conventional construction operations. Mr. Snider alluded to using sheet pilings along ponds and they may be temporary or left in permanently.

Mr. Henderson passed out a fact sheet about diluent. It is a product of the petroleum refining process. It is a lighter hydrocarbon than crude oil and is used to thin the heavy crude oil.

Mr. Henderson then passed out a sheet on pipeline safety and addressed the leaks and incidents that Mr. Anderson referred to.

Bob Dougherty (Environmental Consultant for Enbridge) stated with respect to the easements being requested tonight, none of them are located on Ceco's property. He explained that with regard to the contaminants in the area Enbridge was aware that this was going to be a challenging area to work in and they have collected historically aerial photos that go back to 1939. They also have historical borings from the coal company and the Illinois geological survey. Mr. Dougherty explained that they have spoken to land owners and have done a contaminated site search with the Illinois Department of Natural Resources

Department of Commerce and so far have not found any indications of contamination along their exact route. He stated they recognize they may run into things that they may not be aware of.

Mr. Dougherty stated Enbridge has obtained the proper permits and he believed they have done their due diligence with regard to uncovering contamination.

Conversation ensued regarding the possible different routes that may have been considered.

Hearing no further discussion, Chairman Vallone asked for a motion.

**William Weidling made a motion to approve a Special Use Permit for floodplain development (part of 17 parcels, 19 crossings; 17-28-300-001, 17-28-300-013, 17-28-400-013, 17-24-400-007, 18-19-400-004, 18-19-400-002 has 2 crossings, 18-21-400-007, 18-22-100-009, 18-22-100-008 has 2 crossings, 18-22-200-001, 18-23-100-007, 18-14-400-002, 18-01-400-001, 19-06-300-010, 19-06-100-010, 12-31-300-002, 12-29-300-002) with the eleven conditions as listed above; seconded by Richard Berti.  
ALL IN FAVOR MOTION CARRIED (7-0)**

**William Weidling made a motion to approve a Variance from The Stream and Wetland Protection Ordinance for PIN# 03-17-19-300-004; seconded by Scott Lager  
ALL IN FAVOR MOTION CARRIED (7-0)**

**William Weidling made a motion to approve a Variance from The Stream and Wetland Protection Ordinance for PIN#03-17-19-300-004; seconded by Scott Lager.  
ALL IN FAVOR MOTION CARRIED (7-0)**

**William Weidling made a motion to approve a Variance from The Stream and Wetland Protection Ordinance for PIN# 03-17-30-100-006; seconded by Michael Carruthers.  
ALL IN FAVOR MOTION CARRIED (7-0)**

**William Weidling made a motion to approve a Variance from The Stream and Wetland Protection Ordinance for PIN# 03-17-30-100-006; seconded by Hugh Stipan.  
ALL IN FAVOR MOTION CARRIED (7-0)**

**William Weidling made a motion to approve a Variance from The Stream and Wetland Protection Ordinance for PIN# 03-17-30-100-006; seconded by Richard Berti.  
ALL IN FAVOR MOTION CARRIED (7-0)**

**William Weidling made a motion to approve a Variance from The Stream and Wetland Protection Ordinance for PIN# 03-17-30-100-007; seconded by Scott Lager.  
ALL IN FAVOR MOTION CARRIED (7-0)**

**William Weidling made a motion to approve a Variance from The Stream and Wetland Protection Ordinance for PIN#03-17-30-300-002; seconded by Scott Lager.  
ALL IN FAVOR MOTION CARRIED (7-0)**

**William Weidling made a motion to approve a Variance from The Stream and Wetland Protection Ordinance for PIN#03-17-29-300-009; seconded by Scott Lager.  
ALL IN FAVOR MOTION CARRIED (7-0)**

**William Weidling made a motion to approve a Variance from The Stream and Wetland Protection Ordinance for PIN#03-17-29-300-008; seconded by Scott Lager.**  
**ALL IN FAVOR MOTION CARRIED (7-0)**

**William Weidling made a motion to approve a Variance from The Stream and Wetland Protection Ordinance for PIN#03-17-29-300-008; seconded by Scott Lager.**  
**ALL IN FAVOR MOTION CARRIED (7-0)**

**William Weidling made a motion to approve a Variance from The Stream and Wetland Protection Ordinance for PIN#03-17-29-300-008; seconded by Scott Lager.**  
**ALL IN FAVOR MOTION CARRIED (7-0)**

**William Weidling made a motion to approve a Variance from The Stream and Wetland Protection Ordinance for PIN#03-17-29-400-007; seconded by Scott Lager.**  
**ALL IN FAVOR MOTION CARRIED (7-0)**

**William Weidling made a motion to approve a Variance from The Stream and Wetland Protection Ordinance for PIN#03-17-28-300-001; seconded by Scott Lager.**  
**ALL IN FAVOR MOTION CARRIED (7-0)**

**William Weidling made a motion to approve a Variance from The Stream and Wetland Protection Ordinance for PIN#03-17-28-300-013; seconded by Scott Lager.**  
**ALL IN FAVOR MOTION CARRIED (7-0)**

**William Weidling made a motion to approve a Variance from The Stream and Wetland Protection Ordinance for PIN#03-17-28-300-013; seconded by Scott Lager.**  
**ALL IN FAVOR MOTION CARRIED (7-0)**

**William Weidling made a motion to approve a Variance from The Stream and Wetland Protection Ordinance for PIN#03-17-28-400-013; seconded by Scott Lager.**  
**ALL IN FAVOR MOTION CARRIED (7-0)**

**William Weidling made a motion to approve a Variance from The Stream and Wetland Protection Ordinance for PIN#03-17-28-400-004; seconded by Scott Lager.**  
**MOTION CARRIED (6-1)**

**William Weidling made a motion to approve a Variance from The Stream and Wetland Protection Ordinance for PIN#03-17-28-400-004; seconded by Scott Lager.**  
**ALL IN FAVOR MOTION CARRIED (7-0)**

**William Weidling made a motion to approve a Variance from The Stream and Wetland Protection Ordinance for PIN#03-17-27-100-012; seconded by Scott Lager.**  
**ALL IN FAVOR MOTION CARRIED (7-0)**

**William Weidling made a motion to approve a Variance from The Stream and Wetland Protection Ordinance for PIN#03-17-27-100-007; seconded by Scott Lager.**  
**ALL IN FAVOR MOTION CARRIED (7-0)**

**William Weidling made a motion to approve a Variance from The Stream and Wetland Protection Ordinance for PIN#03-17-27-200-006; seconded by Scott Lager.  
ALL IN FAVOR MOTION CARRIED (7-0)**

**William Weidling made a motion to approve a Variance from The Stream and Wetland Protection Ordinance for PIN# 03-17-27-200-006; seconded by Scott Lager.  
ALL IN FAVOR MOTION CARRIED (7-0)**

**William Weidling made a motion to approve a Variance from The Stream and Wetland Protection Ordinance for PIN#03-17-27-200-020; seconded by Scott Lager.  
ALL IN FAVOR MOTION CARRIED (7-0)**

**William Weidling made a motion to approve a Variance from The Stream and Wetland Protection Ordinance for PIN#03-17-27-200-021; seconded by Scott Lager.  
ALL IN FAVOR MOTION CARRIED (7-0)**

**William Weidling made a motion to approve a Variance from The Stream and Wetland Protection Ordinance for PIN#03-17-26-100-025; seconded by Scott Lager.  
ALL IN FAVOR MOTION CARRIED (7-0)**

**William Weidling made a motion to approve a Variance from The Stream and Wetland Protection Ordinance for PIN#03-17-26-100-022; seconded by Scott Lager.  
ALL IN FAVOR MOTION CARRIED (7-0)**

**William Weidling made a motion to approve a Variance from The Stream and wetland Protection Ordinance for PIN#03-17-24-400-007; seconded by Scott Lager.  
ALL IN FAVOR MOTION CARRIED (7-0)**

**William Weidling made a motion to approve a Variance from The Stream and wetland Protection Ordinance for PIN#09-18-21-400-007; seconded by Scott Lager.  
ALL IN FAVOR MOTION CARRIED (7-0)**

**William Weidling made a motion to approve a Variance from The Stream and wetland Protection Ordinance for PIN#09-18-22-100-009; seconded by Scott Lager.  
ALL IN FAVOR MOTION CARRIED (7-0)**

**William Weidling made a motion to approve a Variance from The Stream and wetland Protection Ordinance for PIN#09-18-22-100-008; seconded by Scott Lager.  
ALL IN FAVOR MOTION CARRIED (7-0)**

**William Weidling made a motion to approve a Variance from The Stream and wetland Protection Ordinance for PIN#09-18-14-400-002; seconded by Scott Lager.  
ALL IN FAVOR MOTION CARRIED (7-0)**

**William Weidling made a motion to approve a Variance from The Stream and wetland Protection Ordinance for PIN#09-18-01-400-001; seconded by Scott Lager.  
ALL IN FAVOR MOTION CARRIED (7-0)**

**William Weidling made a motion to approve a Variance from The Stream and wetland Protection Ordinance for PIN#13-19-06-300-010; seconded by Scott Lager.**  
**ALL IN FAVOR** **MOTION CARRIED (7-0)**

**William Weidling made a motion to approve a Variance from The Stream and wetland Protection Ordinance for PIN#13-19-06-300-009; seconded by Scott Lager.**  
**ALL IN FAVOR** **MOTION CARRIED (7-0)**

**William Weidling made a motion to approve a Variance from The Stream and wetland Protection Ordinance for PIN#13-19-06-100-009; seconded by Scott Lager.**  
**ALL IN FAVOR** **MOTION CARRIED (7-0)**

**William Weidling made a motion to approve a Variance from The Stream and wetland Protection Ordinance for PIN#13-19-06-100-010; seconded by Scott Lager.**  
**ALL IN FAVOR** **MOTION CARRIED (7-0)**

**William Weidling made a motion to approve a Variance from The Stream and wetland Protection Ordinance for PIN#14-12-31-300-002; seconded by Scott Lager.**  
**ALL IN FAVOR** **MOTION CARRIED (7-0)**

**William Weidling made a motion to approve a Variance from The Stream and wetland Protection Ordinance for PIN#14-12-29-300-003; seconded by Scott Lager.**  
**ALL IN FAVOR** **MOTION CARRIED (7-0)**

Chairman Vallone stated that with respect to the eleven conditions for the Special Use Permit, there must be a telephone number for the site in Manhattan and there should be signs and all of the emergency agencies throughout Will County should have this number.

**OTHER:**

- 1. Zoning Ordinance Text Amendment – Contractor’s Shops and Yards (Sections 6.1, 6.2 and 16.2)**

Mrs. Franz explained that there were two new definitions to be added, one for contractor’s yards and one for contractor’s shops. Staff would like to add contractor’s shops as a permitted use in the I-1 zoning district, amend the Special Use for outdoor storage in I-1 to also include contractor’s yards and in I-2 currently contractor’s yards are permitted. This would be amended to also allow contractor’s shops and yards as permitted uses in I-2. Mrs. Franz explained where the changes were located in the proposed changes.

Chairman Vallone stated that he wanted gutter and siding fabricators to be added to the definition of Contractor’s Shop and Mrs. Franz asked if the Chairman wished to amend this and he said yes.

**William Weidling made a motion to go into public hearing to discuss contractor’s shops and yards; seconded by Scott Lager.**  
**ALL IN FAVOR** **MOTION CARRIED 7-0)**

Chairman Vallone asked if there were any comments from the public and there were none.

**William Weidling made a motion to come out of the public hearing; seconded by Scott Lager.  
ALL IN FAVOR MOTION CARRIED (7-0)**

**Richard Berti made a motion to approve the amended proposed contractor's yard/shop text changes; seconded by Scott Lager.  
ALL IN FAVOR MOTION CARRIED (7-0)**

**2. Zoning Ordinance Text Amendment – Fortune Tellers (Section 5.3 and 16.2)**

Mrs. Franz explained that there is no definition in our ordinance for fortune telling businesses or related businesses. Staff came up with a definition and asked to allow it as a permitted use in the C-3 zoning district. The change is located on line 83 of the C-3 district under Business service establishments and the definition added to the definition section of the ordinance.

Conversation ensued regarding the study of the para-normal and chakra.

**Richard Berti made a motion to go into public hearing to discuss the proposed changes regarding fortune telling businesses; seconded by Scott Lager.  
ALL IN FAVOR MOTION CARRIED (7-0)**

Chairman Vallone asked if there were any comments from the public and there were none.

**Hugh Stipan made a motion to approve to go out of public hearing; seconded by Scott Lager.  
ALL IN FAVOR MOTION CARRIED (7-0)**

**Richard Berti made a motion to approve the proposed fortune telling text changes; seconded by Scott Lager.  
ALL IN FAVOR MOTION CARRIED (7-0)**

Conversation ensued regarding chakra and whether or not it should be under medical. Mr. Dubois gave an explanation to the Commission.

**REPORTS:**

**William Weidling made a motion to adjourn; seconded by Hugh Stipan.  
ALL IN FAVOR MOTION CARRIED (7-0)**

The meeting adjourned at 9:50 p.m.