

# **VILLAGE OF HAMPSHIRE ZONING BOARD OF APPEALS**

## **MINUTES December 22, 2020**

A meeting of the Hampshire Zoning Board of Appeals was called to order at 7:00 p.m. Members present: Chair C. Christensen, W. Albert, R. Frillman, H. Hoffman, and J. Schaul in person. Also present were Village Manager Jay Hedges (who managed the Zoom video-conferencing and telephone conferencing programs) and Village Attorney M. Schuster (by video conference). Village President Jeff Magnussen was also present.

On motion made by H. Hoffman, seconded by W. Albert, to approve the minutes of the meeting of the Zoning Board of Appeals held on August 11, 2020, the vote to approve was unanimous. Motion passed.

II. The first order of business was to consider the Application Petition for Zoning Map Amendment and for Special Use has been filed with the Clerk of the Village of Hampshire by Brier Hill Ventures, LLC, to classify land to be newly annexed to the Village in the M-2 General Industrial Zoning District, and also, to allow a special use for operation of a re-cycling center for construction materials on the subject property, pursuant to §6-9-3(C) of the Hampshire Municipal Code.

A public hearing was opened at 7:05 p.m.

The Village Attorney recited that notice of the public hearing for this petition had been published in the Daily Herald newspaper on November 30, 2020, and that a Certificate of Publication was on file with the Village Clerk.

Mr. Steve Berglund of Brier Hill Ventures, LLC appeared for Petitioner to make a presentation to the Board. Also present for the Petitioner was Michael Mondus of Spaceco Engineering.

Mr. Berglund noted that notice of the public hearing had been posted on the premises, and that notice had also been mailed to neighboring property owners, on December 4, 2020.

Mr. Berglund explained that the site was to be developed as a re-cycling center for construction materials and operated by Midwest Companies, one of the businesses he owns and operates. Midwest currently operates its re-cycling business in Gilberts, Illinois, and would move its business to this location on Brier Hill Road. There would be two buildings on site, including one building for operations, and a second building for offices.

Board members inquired about the following:

1. Will Midwest accept items from the public? Yes.
2. Are operations indoors or outside? Materials are received indoors; some materials such as concrete, brick, crushed rock will be stored outside.
3. What about dust? Midwest will take steps to control dust. Its own offices will be on site.
4. What about EPA approval? IEPA licenses and regulates such recycling operations. Any

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application for license must be accompanied by proof of local approvals – so the re-zoning and special use must come first.

5. What about the hill on the property? The hill will be leveled, but it is anticipated that the buildings will be above the grade of the road, by approximately twelve feet. This elevation (not exactly a “berm”) will provide some screening of the business.
6. What about truck traffic – trucks should not come from or proceed to the south? Customers will be directed to head northbound, and all company trucks will go northbound. It was also stated that the new portion of Brier Hill Road was constructed so as to bear the weight of truck traffic.
7. Fencing? No fencing is planned for the premises. There will be some outside storage of trucks and materials on site.
8. What about the size and location of the proposed detention pond on the south edge of the property? This is the natural location for the pond. The site will be graded to accommodate drainage to this area. It is planned to plant a row of spruce trees along the northern edge of the pond, as screening.
9. Will there be nighttime operations? No.
10. What is the estimated volume of truck traffic? It is anticipated that there will be 100 inbound trips per day, and 12 outbound.

There were no questions or comments from the public.

The public hearing was closed at 7:18 p.m.

On motion made by H. Hoffman, and seconded by W. Albert, to recommend approval of the Application for Zoning of the property to classify the property in the M-2 General Industrial Zoning District, upon annexation, the vote was 4 ayes (Albert, Hoffman, Frillman and Schaul) and 0 nay. Motion passed.

On motion made by H. Hoffman, and seconded by W. Albert, to recommend approval of the Application for a Special Use in the M-2 General Industrial Zoning District, to allow for operation of a recycling center on the premises, the vote was 4 ayes (Albert, Hoffman, Frillman and Schaul) and 0 nay. Motion passed.

II. The second order of business was to consider the Petition of Hampshire Township Park District, for a variance of the off-street parking requirements, §6-11-2(J), to allow for construction of a parking area at Tuscany Woods Park as a “temporary gravel lot” in lieu of constructing the lot with a compacted gravel or stone base not less than 4” thick and surfaced with an all-weather, dustless material

The public hearing was opened at 7:19 p.m.

The Village Attorney recited that notice of the public hearing for this petition had been published in the Daily Herald newspaper on November 30, 2020, and that a Certificate of Publication was on file with the Village Clerk.

Ms. Laura Schraw appeared for Petitioner. She stated that notice had been posted on the premises as of December 4, 2020; and that she mailed notice of the Petition and owners of parcels within 250’ feet of the property on December 3, 2020.

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Ms. Schraw explained the proposed project for construction of a new gravel parking lot at Tuscan Woods Park, and the duration of the requested variance.

Board members inquired as follows:

1. What does the Park District intend as “temporary” use of this parking area? Ms. Schraw stated that completion of an asphalt surface on this area is a budget problem, and will probably depend on future impact fees resulting from new development in the Village; and that she anticipated a need to use gravel for a period of five (5) years.
2. How many new parking spaces would be created? The new parking area will create some 75 additional parking spaces.
3. What about dust? If dust becomes a problem (from the gravel area), the Park District would take steps to control it.
4. How much gravel might be needed for this improvement? When the plan was to use “screenings,” the estimated volume was 2400 sq. yds.
5. Will there be a double cost to rip out the gravel and then install a new base for asphalt? It is anticipated that the existing gravel could be used for the base when asphalt can be installed.

There were no comments from the public.

The public hearing was closed at 7:18 p.m.

After some deliberation concerning the time to be recommended for this “temporary” use, on motion made by W. Albert, and seconded by H. Hoffman, to recommend approval of the Petition for Variance, for a temporary parking lot with gravel at Tuscan Woods Park, for a period not to exceed five (5) years, the vote was 3 ayes (Schaul, Hoffman, Albert) and 1 nay (Frillman). Close vote requires Chairman to vote, Christensen, Aye. Motion passed. 4 ayes and 1 nay

III. On motion made by H. Hoffman, seconded by R. Frillman, to authorize the Chairman to review, sign and deliver to the Village Clerk written Findings of Fact and Recommendations concerning Agenda Items 1 and 2, the vote was 4 ayes (Albert, Frillman, Hoffman, and Schaul) and 0 nay. Motion passed.

V. On motion duly made and seconded, and after unanimous approval by roll call vote, the meeting was adjourned at 7:43 p.m.

Respectfully submitted:

*Joseph B Schaul*

Joseph Schaul  
Secretary