

In The Matter Of:
Village of Hampshire Planning & Zoning Commission

Report of Proceedings
August 14, 2023

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5 VILLAGE OF HAMPSHIRE
6 Planning & Zoning Commission
7 Minutes
8 August 14, 2023 - 7:00 P.M.
9 Hampshire Middle School
10 560 South State Street
11 Hampshire, Illinois 60140
12
13
14 Members Present:
15 Bryan Mroch, Chairman
16 Bill Rossetti
17 Larry Rapach
18 Grace Duchaj
19 Aaron D. Neal
20 Scott McBride
21 Rich Frillman
22
23
24

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1 CHAIRMAN MROCH: Thank you for that,
2 sir.
3 The first agenda item on the
4 minutes, we have the motion to approve the
5 meeting minutes from June 26th, 2023. If I am
6 not mistaken, we actually already did review and
7 approve those minutes at our last meeting, July
8 24th, if I am not mistaken.
9 I would motion to strike this item
10 from the agenda this evening.
11 MR. NEAL: So moved.
12 MR. McBRIDE: I'll second.
13 CHAIRMAN MROCH: All right.
14 MR. FRILLMAN: Ms. Duchaj?
15 MS. DUCHAJ: Aye.
16 MR. FRILLMAN: Mr. McBride?
17 MR. McBRIDE: Aye.
18 MR. FRILLMAN: Mr. Rapach?
19 MR. RAPACH: Aye.
20 MR. FRILLMAN: Mr. Rossetti?
21 MR. ROSSETTI: Aye.
22 MR. FRILLMAN: Mr. Neal?
23 MR. NEAL: Aye.
24 MR. FRILLMAN: And myself, aye.

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1 CHAIRMAN MROCH: I would like to call
2 this meeting to order this evening -- Village of
3 Hampshire Planning and Zoning Commission -- this
4 wonderful August 14th at 7:01 p.m.
5 May I ask everyone to stand up for
6 the pledge of allegiance, please?
7 (Whereupon, the Pledge of
8 Allegiance was recited.)
9 CHAIRMAN MROCH: Rollcall,
10 Mr. Frillman?
11 MR. FRILLMAN: Mroch?
12 CHAIRMAN MROCH: Present.
13 MR. FRILLMAN: Duchaj?
14 MS. DUCHAJ: Here.
15 MR. FRILLMAN: McBride?
16 MR. McBRIDE: Here.
17 MR. FRILLMAN: Rapach?
18 MR. RAPACH: Present.
19 MR. FRILLMAN: Rossetti?
20 MR. ROSSETTI: Present.
21 MR. FRILLMAN: Neal?
22 MR. NEAL: Here.
23 MR. FRILLMAN: Self?
24 Frillman here.

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1 CHAIRMAN MROCH: Thank you.
2 In your packets you will notice a
3 loose-leaf piece of paper, our meeting minutes
4 from July 10th. I would like to ask you to
5 review those for any questions, comments,
6 corrections.
7 And I do already see one in the
8 second paragraph. We have an HA, which should
9 be a had.
10 MR. ROSSETTI: Mr. Chairman, with the
11 approval or with the change of the typographical
12 error, I move that these minutes be accepted.
13 MR. NEAL: Second.
14 UNIDENTIFIED SPEAKER: We can't hear.
15 MR. ROSSETTI: Mr. Chairman, I move
16 that the minutes be accepted with the --
17 UNIDENTIFIED SPEAKER: We still can't
18 hear.
19 MR. ROSSETTI: -- with the corrections
20 of the typographic error.
21 UNIDENTIFIED SPEAKER: Now I can hear.
22 MR. ROSSETTI: I move that the minutes
23 from the July 10th be accepted with the
24 change -- with the changes we directed.

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1 MR. NEAL: Second.
 2 MR. FRILLMAN: Ms. Duchaj?
 3 MS. DUCHAJ: Aye.
 4 MR. FRILLMAN: Mr. McBride?
 5 MR. McBRIDE: Aye.
 6 MR. FRILLMAN: Mr. Rapach?
 7 MR. RAPACH: Aye.
 8 MR. FRILLMAN: Mr. Rossetti?
 9 MR. ROSSETTI: Aye.
 10 MR. FRILLMAN: Mr. Neal?
 11 MR. NEAL: Aye.
 12 MR. FRILLMAN: Myself, I.
 13 CHAIRMAN MROCH: Then on technically
 14 page 3 of our packet, please review the meeting
 15 minutes from July 24th. I will entertain a
 16 motion to approve those minutes if there are no
 17 questions, comments, or corrections.
 18 MR. McBRIDE: I'll make that motion.
 19 MR. RAPACH: Mr. Chairman, apologies.
 20 I'm going to have to change mine to abstain for
 21 the July 10th minutes. I wasn't here. In my
 22 exuberance, I voted aye instead of abstaining.
 23 CHAIRMAN MROCH: He can still vote for
 24 the minutes even if he wasn't here since they're

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1 printed, correct?
 2 MR. VASSELLI: Yes.
 3 MR. RAPACH: Oh.
 4 CHAIRMAN MROCH: Motion and vote stands
 5 as presented.
 6 MR. RAPACH: Very well.
 7 CHAIRMAN MROCH: Anyone second the
 8 motion?
 9 MR. ROSSETTI: I'll second.
 10 MR. FRILLMAN: Ms. Duchaj?
 11 MS. DUCHAJ: Abstain.
 12 MR. FRILLMAN: Mr. McBride?
 13 MR. McBRIDE: Aye.
 14 MR. FRILLMAN: Mr. Rapach?
 15 MR. RAPACH: Aye.
 16 MR. FRILLMAN: Mr. Rossetti?
 17 MR. ROSSETTI: Aye.
 18 MR. FRILLMAN: Mr. Neal?
 19 MR. NEAL: Aye.
 20 MR. FRILLMAN: Myself, aye.
 21 CHAIRMAN MROCH: Okay. As we move on,
 22 I will entertain a motion to combine public
 23 hearing items identified as Agendas 5(b), 5(c),
 24 5(d) and 5(e), all regarding property generally

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1 known as the Light property north of I-90, east
 2 of Highway U.S. 20, and on either side of
 3 Dietrich Road in Hampshire Township, Kane
 4 County, and Coral Township, McHenry County.
 5 Item 5(b), a Public Hearing for and
 6 consideration of a Petition for Zoning Map
 7 Amendment for certain property comprised of 164
 8 plus or minus acres of the Light property
 9 located generally north of I-90, east of the
 10 U.S. Highway 20, and on the north side of
 11 Dietrich Road in Hampshire Township, Kane
 12 County, and Coral Township, McHenry County to
 13 classify said lands in the O-M Office and
 14 Restricted Manufacturing zoning district upon
 15 annexation to the Village.
 16 Item -- agenda item 5(c), a Public
 17 Hearing for and consideration of Special Use for
 18 certain land identified in agenda item 5(b), to
 19 allow the following uses upon annexation and
 20 zoning in the O-M zoning district: building
 21 materials sales and storage; cartage and express
 22 facilities; electrical, lighting, and wiring;
 23 equipment; food manufacture, packaging, and
 24 processing; ground mounted solar energy systems,

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1 as defined in and subject to the restrictions
 2 set forth in the Village Code; and planned
 3 developments.
 4 Agenda Item 5(d), a Public Hearing
 5 for and consideration of a Petition for Zoning
 6 Map Amendment for certain property comprised of
 7 112 plus or minus approximate acres of the Light
 8 property located generally north of I-90, east
 9 of the U.S. Highway 20, and on the south side of
 10 Dietrich Road in Hampshire Township, Kane
 11 County, to classify said land in the O-M Office
 12 and Restricted Manufacturing zoning district
 13 upon annexation to the Village.
 14 Agenda Item 5(e), a Public Hearing
 15 for and consideration of Special Use for certain
 16 land identified in agenda item 5(d), to allow
 17 the following uses upon annexation and zoning in
 18 the O-M zoning district: building materials
 19 sales and storage -- apologies -- cartage and
 20 express facilities; electrical, lighting and
 21 wiring equipment; food manufacture, packaging,
 22 and processing; ground mounted solar energy
 23 systems, as defined in and subject to the
 24 restrictions set forth in the Village Code; and

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1 planned developments.
 2 I will entertain that motion to
 3 combine those previously stated agenda items.
 4 MR. NEAL: So moved.
 5 MR. McBRIDE: Second.
 6 MR. FRILLMAN: Ms. Duchaj?
 7 MS. DUCHAJ: Aye.
 8 MR. FRILLMAN: Mr. McBride?
 9 MR. McBRIDE: Aye.
 10 MR. FRILLMAN: Mr. Rapach?
 11 MR. RAPACH: Aye.
 12 MR. FRILLMAN: Mr. Rossetti?
 13 MR. ROSSETTI: Aye.
 14 MR. FRILLMAN: Mr. Neal?
 15 MR. NEAL: Aye.
 16 MR. FRILLMAN: Myself, I.
 17 CHAIRMAN MROCH: Thank you very much.
 18 Next on our agenda I would like to
 19 open the public hearing this evening, again, on
 20 the combined public hearing agenda items
 21 previously stated B through E, a motion to
 22 combine the public hearings identified
 23 previously as agenda items 5(b), (c), (d), and
 24 (e), all regarding property generally known as

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1 the Light property north of I-90, east of
 2 U.S. Highway 20, and on either side of Dietrich
 3 Road in Hampshire Township, Kane County, and
 4 Coral Township, McHenry County.
 5 This public hearing is now open.
 6 For anyone that has signed up to
 7 speak this evening, we have a court reporter
 8 here who is taking minutes and notes of this
 9 meeting. For anyone that signed up to speak,
 10 can I ask you to stand? We would like to get
 11 you all sworn in in one shot.
 12 (Public commenters sworn.)
 13 CHAIRMAN MROCH: Our Village attorney
 14 has some opening remarks.
 15 Mr. Vasselli?
 16 MR. VASSELLI: Thank you.
 17 Hello? Good evening. Thank you,
 18 everyone.
 19 Thank you, Mr. Chairman.
 20 So I just want to go through a
 21 couple matters as we do have some new faces in
 22 the crowd tonight.
 23 Zoning is the primary means by
 24 which local governments regulate land usages.

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1 Zoning laws come from state, federal, and case
 2 law, state and federal statutes, secondary legal
 3 sources, and, most importantly, local zoning
 4 ordinances. The purpose of a local zoning
 5 ordinance is to allow local authorities like the
 6 Village of Hampshire to regulate and control
 7 land uses and establish guidelines for
 8 development.
 9 Section 6-1-2 of the Hampshire
 10 Zoning Code states that Hampshire's Zoning Code
 11 is in place to promote the Village's public
 12 health, safety, comfort, morals, convenience,
 13 and general welfare of the community, secure
 14 adequate light, pure air, and safety from fire
 15 and other dangers; and conserve the taxable
 16 value of land and building throughout the
 17 Village of Hampshire.
 18 Section 6-14-3 of the Hampshire
 19 Zoning Code establishes the rules that the
 20 Commission must follow today and at all PZC
 21 hearings. The Hampshire Zoning Code states that
 22 The Planning and Zoning Commission is hereby
 23 vested with the jurisdiction and authority to
 24 hold public hearings on applications for

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1 amendments and special uses and thereafter
 2 submit reports of findings and recommendations
 3 to the board of trustees in the manner set forth
 4 in this article. And that's what we're here to
 5 do today.
 6 The Village of Hampshire Zoning
 7 Code establishes those rules, regulations, and
 8 standards by which the PZC makes its decisions.
 9 In reviewing zoning amendments, Section 6-14-3
 10 of the Hampshire Zoning Code the Planning
 11 Commission are required to make findings upon --
 12 based upon the evidence presented to it in each
 13 specific case with respect to the following
 14 matters: The existing uses of the property
 15 within the general area of the property in
 16 question; the zoning classification of property
 17 within the general area of the property in
 18 question; the suitability of the property in
 19 question to the uses permitted under the
 20 existing zoning classification; the trend of
 21 development, if any, in the general area of the
 22 property in question, including changes, if any,
 23 which have taken place in its present zoning
 24 classification; and the objectives of the

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1 current land use plan.
 2 Special use permits. In reviewing
 3 applications for the special use permits the
 4 PZC, under the same code, is required to review
 5 and find -- or review and opine upon the
 6 establishment, maintenance or operation of the
 7 special use will not be detrimental to, or
 8 endanger the public health, safety, morals,
 9 comfort, or general welfare; that the special
 10 use will not be injurious to the use and
 11 enjoyment of other properties in the immediate
 12 vicinity for the purposes already permitted, and
 13 will not substantially diminish or impair
 14 property values within the neighborhood; that
 15 the establishment of the special use will not
 16 impede the normal and orderly development and
 17 improvement of the surrounding property for uses
 18 permitted in the district; that the exterior
 19 architectural appeal and functional plan of any
 20 proposed structure will not be so at variance
 21 with either the exterior architectural appeal
 22 and functional plan of the structures already
 23 constructed or in the course of the construction
 24 in the immediate neighborhood or the character

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1 of the applicable district, as to cause a
 2 substantial depreciation in the property values
 3 within the neighborhood; that adequate
 4 utilities, access roads, drainage and/or
 5 necessary facilities have been or are being
 6 provided; that adequate measures have been or
 7 will be taken to provide ingress and egress so
 8 designed as to minimize traffic congestion in
 9 the public streets; and that the special use
 10 shall, in all other respects, conform to the
 11 applicable regulations of the district in which
 12 it is located, except as such regulations may,
 13 in each instance, be modified by the board of
 14 trustees pursuant to the recommendations of the
 15 Planning and Zoning Commission.
 16 Mr. Chairman, one last thing, these
 17 properties are presently not within the
 18 corporate limits of the Village of Hampshire.
 19 So the zoning, if any, approved after
 20 recommendation or not recommendation by this
 21 board will go into effect concurrently or
 22 shortly thereafter the annexation of the
 23 property within the village.
 24 I hope that provides some clarity

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1 upon what our code says literally directly taken
 2 from the code with our duties, obligations, and
 3 role today.
 4 Thank you, Mr. Chairman.
 5 CHAIRMAN MROCH: Thank you.
 6 Next on the general order, review
 7 of public notes.
 8 I'm assuming, Mr. Josh Ray, that
 9 falls on you to discuss or announce.
 10 MR. RAY: I'll just note that public
 11 notice in the Daily Herald was in your packet.
 12 It was published between 15 and 30 days prior to
 13 this public hearing as required by code; the
 14 signage and letters would be -- to be spoken of
 15 by the petitioners tonight as they were
 16 responsible for those.
 17 CHAIRMAN MROCH: Thank you, sir.
 18 All right. Next on our general
 19 order we have a presentation from the
 20 petitioner, Mr. Burney.
 21 MR. BURNEY: Mr. Chairman, ladies and
 22 gentlemen of the Planning and Zoning Commission,
 23 Village staff, and Mr. Vasselli. My name is Tom
 24 Burney. I represent L.B. Andersen in this

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1 application. It has been identified by the
 2 chairman. We can represent that the notice
 3 requirements have been satisfied. Mr. Pirron
 4 sent in a statement to the Village with a
 5 photograph of the sign that was placed on the
 6 property within 15 to 30 days with the legal
 7 notices and the people that received them.
 8 We -- I just want to give you a
 9 quick overview of what you're going to be
 10 hearing tonight. We're going to be presenting
 11 three experts. One is Carrie Hansen. You've
 12 heard from her at least on one occasion. She's
 13 an expert in land use and zoning and the
 14 principles that are involved in it, someone who
 15 is going to address the standards that
 16 Mr. Vasselli just identified for all of you; and
 17 indicating why, in her professional opinion,
 18 those standards are clearly met in connection
 19 with this application.
 20 We're going to have Mr. Frayn, he's
 21 a civil engineer who can testify that the
 22 engineering issues, the infrastructure issues
 23 can be satisfied with this request for rezoning
 24 and into the special uses. We will have John

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1 Suerth, a CBRE real estate broker, who will be
 2 available and who is going to testify briefly on
 3 the types of buildings that you can expect to
 4 see.
 5 This case is unusual in a couple of
 6 respects. As Mr. Vasselli indicated, it's
 7 subject to the annexation agreement. So in
 8 order to convince the Village to annex this
 9 property, in order to convince the Village Board
 10 that the concerns that we have heard from the
 11 public are going to be addressed -- This is an
 12 annexation agreement that does not make a lot of
 13 demands on the part of the landowner and the
 14 developer, and that you are going to see in the
 15 future the precise uses in the landscaping and
 16 the buffering that people have expressed
 17 concerns about.
 18 But what we're -- we think that
 19 it's important to do and what Hampshire has
 20 missed out on on the east side of town over at
 21 the -- the 20 and 47th Higgins Road intersection
 22 that went to Pingree Grove, got divvied by
 23 Huntley and Elgin to a certain part is to show
 24 the real estate market -- the industrial real

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1 estate market that a prized parcel of ground
 2 like this that has terrific access to the 90,
 3 Dietrich Road, right to 20, to the 90 and off it
 4 goes. So it doesn't have to go through the
 5 local street network. So it does not impact the
 6 residents of -- at least the vast majority of
 7 residents in the community.
 8 I just want you to note -- there
 9 was testimony -- this application has come a
 10 long way since you saw it on February 27th. We
 11 have -- L.B. Andersen has hired experts and who
 12 is -- who have looked and who have studied this
 13 property who are going to show you how this land
 14 can be developed in the manner that we like, in
 15 a responsible manner that is not going to have
 16 an adverse effect on the surrounding properties.
 17 We have an engineer who is going to
 18 be with the team for -- for this project who is
 19 going to be able to establish that all this --
 20 retention requirements, et cetera, are going to
 21 be satisfied.
 22 We have -- I didn't mention. It's
 23 a Javier Millan, who is from KLOA, a very
 24 well-known traffic engineering firm. He is not

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1 going to make a direct presentation, but we
 2 expect there might be questions from members of
 3 this commission or from the public, and Mr.
 4 Millan will be available to answer any of those
 5 traffic questions.
 6 But, again, the future uses and the
 7 traffic impacts of those uses and the impact of
 8 those uses on the road network are going to be
 9 an issue that's addressed by virtue of the
 10 annexation agreement in another review when this
 11 comes back to you.
 12 There was -- There's one other
 13 really unusual element in this -- in this case.
 14 And it's -- it's the letters of support that all
 15 of the representatives of the taxing bodies that
 16 you, the Village, are partners with,
 17 District 300, the Fire Protection District, the
 18 township, the Hampshire Fire Protection
 19 District, and the park district really
 20 establishing in a meaningful why a development
 21 like this is important to the general public
 22 welfare.
 23 And we understand that there's
 24 people who live near here who are going to feel

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1 that this shouldn't be developed, but that's --
 2 It's not an individual issue. It's looking at
 3 the big picture of Hampshire and its
 4 development. And does Hampshire need a more
 5 balanced development than just being a series of
 6 subdivisions and small commercial? Does not
 7 industrial offer an opportunity to advance the
 8 long-term public benefit to Hampshire.
 9 District 300, who has and will
 10 continue to assume a lot of the school children
 11 that these residential developments that have
 12 been approved, states, "District 300 supports
 13 the proposed land development as it brings much
 14 needed industry, additional job opportunities,
 15 and lower taxes to the residents of the Village
 16 of Hampshire, the very same residents who are
 17 our customers, patrons, and consultants."
 18 And it couldn't be said any better
 19 than -- The Village of Hampshire had said the
 20 same thing, although it's got to remain on the
 21 sidelines to hear our case. The Hampshire Fire
 22 Protection District, "We feel the development
 23 along the tollway is an ideal location as it
 24 already has similar businesses which can benefit

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1 from the easy access to transportation routes
 2 without having to add an additional burden to
 3 the Village's infrastructure and roads.
 4 Hampshire Township, "The proposed
 5 location is ideal not just for the developer but
 6 the residents. As we have seen other
 7 communities developing along the tollway,
 8 Hampshire should be able to benefit from it as
 9 well. Having an industry come to our community
 10 not only provides tax relief, it can also bring
 11 additional jobs potentially allowing our
 12 residents to work closer to home."
 13 This -- this one from the Hampshire
 14 Fire Protection District on June 9th recalls
 15 Mayor Schmidt and that he had a vision when he
 16 worked with to annex -- and I'm old enough to
 17 remember Mayor Schmidt, had an opportunity to
 18 work with him as we -- as we developed some land
 19 in this community. As they say, "As long as
 20 these developments are properly planned and meet
 21 the Village's standards, they are important to
 22 our survival."
 23 I've been through a lot of cases in
 24 the 47 years I've been practicing, and this

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1 rarely ever happens that you get your partners,
 2 your tax -- taxing district partners who
 3 represent a broad swath of your residents
 4 standing up to say, "This is the kind of
 5 development that we want."
 6 I'm going to going to turn it over
 7 now to Ms. Hansen. And we would appreciate as
 8 you accorded us in the past that we put out our
 9 entire presentation, and then we will be happy
 10 to field questions.
 11 And with respect to the public,
 12 we'll be taking careful notes of the questions
 13 that they have and the comments that they have.
 14 And maybe we can take a five-minute huddle or
 15 something, and then we'll be back to respond to
 16 those concerns, if that's okay with you,
 17 Mr. Chairman.
 18 CHAIRMAN MROCH: Sounds good. Thank
 19 you, sir.
 20 MR. BURNEY: Thank you.
 21 CHAIRMAN MROCH: If I may to ask
 22 clarify, did you swear in as part of the group
 23 earlier?
 24 MS. HANSEN: Yes, I did. Could you

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1 advance to slide 8, please?
 2 While he's doing that, good
 3 evening. My name is Carrie Hansen. I am the
 4 director of planning and government services for
 5 Schoppe Design Associates. We are located in
 6 Oswego, Illinois, and I'm happy to be here this
 7 evening to present and answer any questions that
 8 you may have.
 9 So up on the screen you'll see a
 10 picture of the property. It consists of
 11 approximately 278 acres located both north and
 12 south of Dietrich Road, as previously mentioned,
 13 north of I-90 and east of U.S. Route 20. It's
 14 located in both Kane and McHenry County. It's
 15 presently zoned E-1 in McHenry County for the
 16 portion to the north; F, farming, in Kane
 17 County; and PZ in Kane County for the former
 18 Shireland theme park. Our request is to annex
 19 to the Village of Hampshire and rezone property
 20 to O-M office and restricted manufacturing
 21 district with the list of eight special uses.
 22 There are a number of changes with
 23 the petition this evening from our previous
 24 proposals that I'd like to point out. First and

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1 foremost, the parcel south of I-90 on the west
 2 side of Route 20 has been removed from this
 3 petition. We had previously presented a revised
 4 petition for rezoning to the less intensive M-2,
 5 general industrial district, versus the
 6 previously requested and more permissive M-3
 7 industrial district. We have now amended our
 8 petition a third time to the even less intense
 9 O-M office and restricted manufacturing
 10 district. The O-M has a much more restrictive
 11 list of permitted uses than any of the three
 12 manufacturing districts and is intended to
 13 encourage a mixture of office, research,
 14 warehouse, and restricted manufacturing
 15 activities.
 16 As part of the petition, we are
 17 also asking for a number of special uses to be
 18 allowed and granted as part of the zoning
 19 request. Please bear with me. I know these
 20 were all read earlier, but I'd like to make them
 21 part of our presentation and record as well.
 22 That all storage property including trailers
 23 shall not be required to be located in
 24 completely enclosed buildings or structures; and

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1 that the following also be permitted special
 2 uses: Building materials, sales and storage,
 3 cartage and express facilities, electrical
 4 lighting and wiring equipment, food manufacture
 5 packaging and processing; ground mounted solar
 6 energy systems; planned developments and other
 7 manufacturing processing and storage uses
 8 determined by the Planning and Zoning Commission
 9 to be of the same general character as the uses
 10 allowed in this section and "found not to be
 11 obnoxious, unhealthful, or offensive by reason
 12 of noise, vibration, smoke, dust, odors, toxic
 13 or noxious matter, glare, or heat."
 14 Next slide, please.
 15 We'd like to give you a bit of
 16 context for where the property sits in relation
 17 to the surrounding property. To the north is
 18 zone E-1 in McHenry County for the single-family
 19 residences at the Botterman Farms subdivision
 20 and A-1 in McHenry County for farmland. To the
 21 east is zone F, farming, in Kane County also for
 22 farmland, and there are two farm residents in
 23 that area as well. South is Interstate 90 and
 24 property zoned F for farming in Kane County and

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1 M-2 in the village of Hampshire south of I-90
 2 for the Hampshire 90 logistics park presently
 3 under construction.
 4 To the west we have a variety of
 5 adjacent zoning and land uses. We have OR
 6 office research in the Village of Hampshire.
 7 That's presently undeveloped and farmed. M-2 in
 8 the Village of Hampshire for ESM Hampshire,
 9 which produces stainless steel rolled products.
 10 O-M office restricted manufacturing in the
 11 village of Hampshire for several light
 12 industrial uses on Arrowhead Drive including a
 13 ready-mix plant; HC, highway commercial, in the
 14 village of Hampshire for a truck stop and
 15 various highway commercial uses; A1C in McHenry
 16 County for Sky Soaring, Inc., glider club; and
 17 A1 in McHenry County for farmland, so a lot of
 18 the adjoining zonings and quite a variety of
 19 land uses.
 20 Next slide.
 21 And you'll see a number of those
 22 uses also identified in this slide such as the
 23 truck stop, the Speedway, Dayton Freight, and
 24 some of those other uses.

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1 Next slide, please.
 2 This is the Village's comprehensive
 3 plan, the future land use plan contained in that
 4 document. I did want to talk briefly about this
 5 as the comprehensive plan has been mentioned a
 6 few times in the previous meetings that we had
 7 relative to this project.
 8 What is a comprehensive plan? It's
 9 a long-range policy document designed to guide
 10 and assist with planning and policy decisions.
 11 It outlines community vision and the policies
 12 that will achieve that vision, and by its design
 13 it is intended to be constantly evolving to
 14 respond to changing conditions. As such, it
 15 should be reviewed on a regular basis to ensure
 16 that local needs are being met and that the plan
 17 remains relevant and is market supported with
 18 long-range economic sustainability.
 19 The Village's current comprehensive
 20 plan was completed in 2004. A lot of changes
 21 have occurred since then. We had the great
 22 recession of 2008 and the resulting housing
 23 crash and downturn which significantly affected
 24 the Chicago region. There have been significant

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1 changes in consumer purchasing habits from
 2 bricks and mortar retail establishments to
 3 e-commerce and online shopping. We had the
 4 Covid pandemic, further increasing online
 5 shopping demand and e-commerce but also
 6 dramatically diminishing office occupancy rates
 7 with many employees now working remotely. As
 8 such, traditional business parks in the sense
 9 that they were referred to in the plan back in
 10 2004 for this property are much less prevalent
 11 and relevant today. However, the demand for
 12 logistic centers continues to increase to
 13 address the expanding need for the movement of
 14 goods.
 15 What the Village's comprehensive
 16 plan does clearly show is the Village of
 17 Hampshire's commitment to and investment in
 18 nonresidential tax revenue generating
 19 development north of I-90.
 20 So summarizing the proposed land
 21 uses topic, the requested O-M uses are
 22 consistent with the pattern of development not
 23 only in the Village of Hampshire but in the I-90
 24 corridor and the Chicago region. The region has

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1 historically been a national logistics hub given
 2 its Midwest location and access to multimodal
 3 transportation infrastructure. The
 4 development's location along Dietrich Road, a
 5 road planned for nonresidential uses, with
 6 direct connection to U.S. Route 20, a strategic
 7 regional arterial, and a full interchange with
 8 I-90 situates the subject property as highly
 9 suitable for logistics centers. Truck access
 10 and circulation for the development would be
 11 limited to the major transportation network.
 12 I do also want to reiterate that
 13 the Village will retain future site plan review
 14 and approval by both the Planning and Zoning
 15 Commission and the Village Board for any
 16 future -- future users prior to development as
 17 this property falls within the Village's
 18 interchange overlay district. This request
 19 simply establishes the base zoning.
 20 Next slide, please. Josh?
 21 MR. RAY: Sorry.
 22 MS. HANSEN: We also wanted to give you
 23 an idea of what a conceptual site plan for this
 24 use looked like. Again, I do want to reiterate

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1 this is simply a concept just to show you what
 2 it could look like. We are showing a
 3 combination of larger typical warehouse-sized
 4 buildings. Those would be the brown buildings
 5 with truck docks and trailer parking and smaller
 6 scale buildings to accommodate different user
 7 type. And that would be both north and south of
 8 Dietrich Road.
 9 The furthest north portion of the
 10 property is shown predominantly in this open
 11 space. Harmony Creek runs generally along our
 12 north property line, and there is an area of
 13 wetlands in the northeast portion of the site.
 14 Much of this area to the north would be used for
 15 storm water management utilizing best management
 16 practices to enhance buffer yard treatments.
 17 And our engineer will be discussing this in
 18 further detail in our presentation.
 19 Next slide.
 20 We also prepared an exhibit
 21 illustrating some of the buffering techniques
 22 that can be required by the Village through its
 23 site plan review process for all future users.
 24 We have representative imagery of five different

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1 techniques including naturalized storm water
 2 basins, wetland treatments, storm water entry
 3 features, perimeter buffers, and the use of
 4 native plant material.
 5 Next slide.
 6 The first of these are some
 7 examples of naturalized storm water basins.
 8 You'll see they have a softer feel,
 9 environmentally sound, enhanced water quality
 10 associated with this and also the added benefit
 11 of low maintenance. This treatment would be
 12 particularly effective along the north property
 13 line in the vicinity of Harmony Creek.
 14 Next slide.
 15 These are a couple of examples of
 16 wetland treatments. Again, it's the same --
 17 sensitive, stable design. It works with the
 18 inherent natural features of the site allowing
 19 for enhanced infiltration and high water
 20 quality, similar vegetation as we would use in
 21 the naturalized storm water basins. This would
 22 most likely be used in the northeast portion of
 23 the property where the current wetlands exist.
 24 Next slide.

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1 These are storm water entry
 2 features that we've designed. It's obviously a
 3 more formalized design using fountains and
 4 aerators, rock and stone outcroppings intended
 5 to enhance basin and project views from adjacent
 6 roads. So this would be a nice treatment for
 7 the intersection of Route 20 and Dietrich Road
 8 and also at the site entrances along Dietrich
 9 Road where we are showing potential storm water
 10 management.
 11 Next slide.
 12 These are some perimeter buffering
 13 techniques. Perimeter buffering is an
 14 aesthetically pleasing, functional year-round
 15 screening that substantially buffers during the
 16 vegetative season and provides restricted views
 17 during nonvegetative periods. It includes a
 18 combination of berming with primarily evergreen
 19 material such as spruce, pines, and firs
 20 ultimately with 30 to 50 feet in height; Yews
 21 are providing -- and cedar plantings along with
 22 some nondeciduous planting as well. These
 23 treatments could be used along the west and east
 24 property lines where they're adjacent to either

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1 existing or undeveloped property.
 2 Next.
 3 The use of native plants. This
 4 would be possible throughout all of the
 5 applications where appropriate. They're
 6 sustainable, native to the area, acclimated to
 7 our midwestern prairie conditions, again,
 8 limited maintenance. The use of natural
 9 vegetation, bioswales and the reintroduction of
 10 appropriate planting will not only provide
 11 aesthetically pleasing visual buffers but
 12 incorporates sustainable design to enhance
 13 environmental quality. And that is our
 14 intention for this project. Accordingly, the
 15 development will be designed in a manner to
 16 minimize potential impacts to adjoining
 17 properties.
 18 Next slide.
 19 In summary, the Village Code asks
 20 petitioners to consider five factors when
 21 requesting a map amendment. You see them now on
 22 slide 20. And Mr. Vasselli also mentioned these
 23 earlier. It is our position that we have
 24 appropriately considered these factors in our

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1 current petition before the Village.
 2 Next slide.
 3 Village Code further stipulates a
 4 list of seven special use criteria be evaluated
 5 when granting special uses. It is again our
 6 position that the reasons -- for the reasons
 7 stated in the application materials and in our
 8 presentation this evening the petition presently
 9 before the Village satisfactorily addresses the
 10 seven special use criteria stated in the
 11 Village's Code.
 12 Thank you for your time. I'm going
 13 to turn to ...
 14 MR. BURNEY: Let me just ask you a
 15 couple questions.
 16 Josh, can we go to slide 8, please?
 17 There was this -- The special uses that we
 18 requested -- I think it's slide 8. Here we go.
 19 It was special uses.
 20 So with the -- So when the chairman
 21 read off the particular special uses, I don't
 22 think that he identified No. 1 and No. 8. And I
 23 can represent that both No. 1 and No. 8 were in
 24 our materials we filed with our petition. They

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1 were included in all our notices. Therefore, we
 2 would ask the commission as it's deliberating
 3 here to consider our requests for the storage
 4 special use and for the other manufacturing
 5 processing and storage uses that's found -- And
 6 these are all enumerated special uses in the O-M
 7 district.
 8 Second of all, could we go to
 9 No. 9, please, slide No. 9?
 10 Yes. Thank you, sir.
 11 Carrie, there are some dimensions
 12 on here. And you don't have to go through every
 13 one of them, but could you just identify from
 14 the exhibit what those dimensions are intended
 15 to show?
 16 MS. HANSEN: Sure.
 17 MR. BURNEY: Thank you.
 18 MS. HANSEN: Yeah, they're very hard to
 19 see. I apologize.
 20 What those are intended to show are
 21 distances from the closest residential homes to
 22 the proposed -- the closest proposed buildings
 23 on our concept plan. Again, we're -- we're
 24 speculating on the location of where these

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1 buildings would go. But from a site design
 2 perspective given the features of the land and
 3 where the storm water would like to go, we feel
 4 pretty confident that -- that the location of
 5 our proposed buildings in the concept are -- are
 6 pretty representative of where an actual
 7 development would locate those.
 8 So you'll see a couple of -- of
 9 white numbers to the north. There's a home
 10 to -- what I would say to the northwest, which
 11 would be kind of that left series of white
 12 lines. That northwest home to the property
 13 line -- so that's that red line on the north to
 14 the property line -- is 450 feet. To the
 15 closest conceptual building, which would be that
 16 lighter tan color, is approximately 1,250 feet.
 17 There's another home to the east of that also in
 18 the Botterman Farms subdivision. That is 490
 19 feet to the property line and approximately
 20 1,320 feet to the closest conceptual building in
 21 that north portion.
 22 We did also -- Because there's a
 23 subdivision to the east in the Village of
 24 Huntley letting you know that that is

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1 approximately 2,800 feet from the subdivision to
 2 the closest building on the east. There's a
 3 farmhouse on the north side of Dietrich Road.
 4 It is 1,300 feet to the closest conceptual
 5 building to the north and 420 feet to the
 6 closest conceptual building south of Dietrich
 7 Road. Lastly, there is a farmhouse on the south
 8 side of Dietrich Road, and that has -- as
 9 conceptually drawn is approximately 650 feet to
 10 the closest conceptual building. I know that's
 11 a lot of numbers.
 12 And now I will turn it over to Jim
 13 Frayn, who is our civil engineer for the
 14 project.
 15 MR. FRAYN: Good evening, ladies and
 16 gentlemen. My name is Jim Frayn, F-R-A-Y-N. I
 17 work for the firm of Manhard Consulting located
 18 at 700 Springer Drive in Lombard, Illinois. I'm
 19 a registered professional civil engineer in the
 20 State of Illinois and been practicing for
 21 38 years on developments of this type, and 35 of
 22 those at my current position at Manhard
 23 Consulting.
 24 I have a very brief engineering

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1 presentation tonight, but here to answer any
 2 questions that I can and follow.
 3 Josh, could I ask you to put on
 4 No. 13? I'm going to have you jump around a
 5 little bit. Sorry about that. We're going to
 6 come back to this next.
 7 MR. RAY: This is the south parcel?
 8 MR. FRAYN: No. It's the -- 13 is one
 9 of the land. Any one of those sample land plans
 10 we had up there. There's a couple of them.
 11 Right there. That's fine. Right there.
 12 So this is one of the
 13 representative site plans we prepared here. As
 14 we've discussed already, there's properties both
 15 north and south of Dietrich Road.
 16 I'll start with the property north
 17 of Dietrich Road. The site generally drains
 18 from south to north, and we have Harmony Creek
 19 which runs near the north property line. At
 20 times it seems to meander onto the property, but
 21 it's -- if it's not on the property, it's close
 22 to the north property line.
 23 That Harmony Creek is protected by
 24 the Army Corps of Engineers as well as the Kane

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1 County and McHenry County storm water
 2 ordinances, the Kane County one being adopted by
 3 the Village of Hampshire. That wetland and
 4 creek will remain where it is.
 5 We will be required to put a buffer
 6 between the creek and the development. That
 7 buffer would vary by the quality of the wetland
 8 and the type of the wetland -- was typically
 9 about 50 feet. No buildings, structures.
 10 Anything could be within that buffer area.
 11 In addition, as I mentioned, that
 12 north parcel drains from south to north, so the
 13 logical place to put a storm water management is
 14 along the creek, and that's where it will end
 15 up. It's just a matter of the shape and size
 16 exactly depending on how the development gets,
 17 but this -- this picture here represents a
 18 likely location for that storm water management
 19 facility that would be designed as well in
 20 accordance with Hampshire's storm water
 21 ordinance.
 22 The south parcel generally drains
 23 north and west, but it also ventures into
 24 Harmony Creek as well. There is a small area in

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1 the southeast corner that drains southeast, but
 2 most of the property drains to Harmony.
 3 UNIDENTIFIED SPEAKER: Do you have a
 4 red light so you could point things out with?
 5 MR. FRAYN: You know, I do not, but I'd
 6 be happy to go up there.
 7 Anybody got a microphone that will
 8 stretch over? All right. Can you hear me all
 9 right?
 10 So Harmony Creek runs along the
 11 north. As I mentioned, that creek is protected.
 12 There is a buffer that required -- adjacent to
 13 creek. That's not from the center line of the
 14 creek. That's the edge of where the wetland
 15 would be associated with the creek. It's a
 16 pretty wide wetland associated with the creek.
 17 You have the creek itself, but then there's a
 18 lot of natural wetlands adjacent to the creek.
 19 So that buffer would start 50 feet -- at least
 20 50 feet along the whole north property line from
 21 the edge of the wetlands.
 22 The storm water management that I
 23 discussed is that long blue line. That's the
 24 logical place for storm water management on this

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1 site. As the site drains from south to north
 2 and we put -- As civil engineers, we put storm
 3 water management in the lowest area, because
 4 that's how it naturally drains and that's the
 5 best way to design it. So the exact shape and
 6 configuration may not be like that.
 7 The southern parcel, as I
 8 mentioned, also drains westerly towards and
 9 eventually into Harmony Creek as well through a
 10 different route. And that sort of talks about
 11 the drainage, the wetlands, and the storm water.
 12 Adjacent to us to the west are
 13 ample facilities that Hampshire has to serve
 14 both sanitary, sewer, and water to the property.
 15 Those would be extended as part of the
 16 development.
 17 And I'm going to put this down.
 18 You can go to those slides. I think it's 22 and
 19 23.
 20 One other thing I want to address
 21 in my presentation tonight, and that's aquifer
 22 sensitivity. And these aren't real easy to
 23 read, but these -- I have two pages. They both
 24 came out of the Soil and Water Conservation

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1 District reports. That's Kane County. Those
 2 are requirement for us to get done before we
 3 come before you. So the -- These are maps not
 4 put out by me but put out by the Kane County
 5 Soil Water and Conservation District. So they
 6 looked at aquifer sensitivity on both of these
 7 sites, and there's -- On the north parcel
 8 there's two areas they designate, the purple and
 9 the green.
 10 Josh, if you just slide down a
 11 little so I can explain what the -- I need that
 12 table at the bottom. Keep going. There we go.
 13 All right. So the Kane County
 14 conser- -- Kane County soil water conservation
 15 district identifies aquifers and aquifer
 16 sensitivity based on a chart with A, B, C, D,
 17 and E. A is the most sensitive areas to aquifer
 18 contamination; with B being second most
 19 sensitive; C being third; D being fourth; E
 20 building fifth; E being the least sensitive of
 21 all. And this has to do with the permeability
 22 of the soils in the area and how likely it is
 23 for water to travel from the surface through
 24 the -- through the soil down into the aquifers.

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1 This particular -- The north site
 2 falls into both the E-1, which is the least
 3 sensitive, meaning there's more than 100 feet of
 4 land between the surface and where ground water
 5 and wells would be located, and part of this
 6 property is in the D-3, which is the tenth least
 7 sensitive area. And the conclusion, if you read
 8 in the -- on there, the highlight area, this
 9 site is classified as having moderately low
 10 potential for contamination, meaning we're a
 11 long way from any source that we can contaminate
 12 water.
 13 If you can go to the next slide.
 14 The next slide is the southern
 15 piece and same rating chart. This is, once
 16 again, the least sensitive.
 17 And if you can go down just a
 18 little farther, Josh. Right here is good.
 19 And they -- The conclusion on this
 20 site is it's classified having low potential for
 21 contamination. So the soils here are not
 22 conducive to allow water to infiltrate through
 23 all of those layers of clay into the ground
 24 water. So we wanted to address that because I

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1 believe that came up in some other area.
 2 So I'll be here all night to answer
 3 questions, and that concludes my formal
 4 presentation. Thank you.
 5 CHAIRMAN MROCH: Thank you, sir.
 6 MR. SUERTH: Good evening. My name is
 7 John Suerth. I'm an executive vice president
 8 with CBRE. We are a commercial real estate
 9 firm. I've been doing industrial real estate
 10 brokerage in the Chicago area since 1988.
 11 I've talked before on this site. I
 12 was hired by L.B. Andersen a little over two
 13 years ago to market this property. In
 14 evaluating the property, it was very easy to
 15 ascertain that the highest and best use, at
 16 least in my mind, was that this would be a great
 17 location for industrial. Industrial is still
 18 very, very active in Chicago.
 19 As Carrie talked about, Chicago is
 20 one of the largest industrial markets in the
 21 United States. Our vacancy rate right now in
 22 the entire Chicago market is less than 3 and a
 23 half percent. E-commerce has really changed the
 24 dynamic of industrial real estate with the need

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1 for newer and more efficient logistics
2 facilities.
3 To give an example, in 2019
4 e-commerce accounted for roughly 15 percent of
5 all sales -- retail sales. When the pandemic
6 hit in the second quarter of 2020, that number
7 went up to almost 23 percent. It's leveled off
8 a little bit now, more like 22 percent. But
9 within ten years experts are predicting it will
10 be up to 37 percent, which is very, very
11 significant in the need for additional logistics
12 and industrial facilities.
13 So, again, as I mentioned, we have
14 seen a little bit of a slowdown on the
15 industrial side only because money has gotten
16 more expensive. And with the cost of money
17 going up, what that has done is it's forced
18 developers who used to go out and tie up large
19 tracts of land, get them rezoned, and develop
20 them, they now are looking for sites that are
21 annexed and zoned. They can put them into
22 production quicker. They can have it -- a deal
23 in hand and get that deal done.
24 So, again, back to kind of the

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1 motivation here, we've looked at a lot of
2 interest and activity over the last two years.
3 We have lost a couple deals that have gone
4 elsewhere just, again, simply because of the
5 property not being annexed and zoned.
6 So, again, the -- the motivation
7 here is to get the property annexed, get it
8 zoned, make it attractive to both developers and
9 end users, again, in the transportation, in the
10 warehousing, in the distribution, and the
11 logistics business. Okay?
12 Thank you.
13 CHAIRMAN MROCH: Thank you.
14 MR. BURNEY: Mr. Chairman, that
15 completes our presentation. And I'll be happy
16 to field any questions that you may have and
17 then the public.
18 CHAIRMAN MROCH: Thank you, sir.
19 Members of the commissioning --
20 Planning and Zoning Commission, do you have any
21 questions? Comments? Statements?
22 MR. NEAL: I have one, Mr. Chairman.
23 For the applicant, can you guys
24 please explain the change from M-3 to M-2 to now

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1 O-M and what that meant to this property? Could
2 you kind of go through that change for us,
3 please?
4 MR. LACKO: Can you clarify? Do you
5 mean the zoning or their actual plan?
6 MR. NEAL: The zoning, just the zoning.
7 MR. LACKO: Thank you.
8 MS. HANSEN: The Village's -- The
9 Village's zoning ordinance has a number of
10 manufacturing districts.
11 MR. NEAL: Well, I --
12 MS. HANSEN: I'm going to explain the
13 difference and why -- and why this petition has
14 evolved. There -- The M-3 would be the most
15 intensive district. Obviously, M-2, M-1, and
16 then the O-M would be the limited manufacturing
17 district which we are now requesting.
18 There are differing levels of
19 intensity associated with each of those.
20 Whether that's floor area ratios, building
21 setbacks, the level of intensity, block
22 coverage, that all -- Generally, the more
23 intensive the district, the more intense the
24 development, so the more impact that has.

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1 So we went -- I believe the
2 original petition was for an M-3. That was back
3 in February. We heard that message very loud
4 and clear. We came back with an M-2, which is
5 the next less intensive district, and that
6 was -- We had this kind of a meeting in -- in
7 May, I believe, and also received some feedback
8 that perhaps that also was more intense than --
9 than what the Village was looking for.
10 So subsequent to that meeting and
11 following up with discussions with the Village,
12 we opted then to reduce the intensity one
13 more time and skip the M-1 and went straight to
14 the -- to the O-M, which is the least intense of
15 any of the manufacturing districts that the
16 Village is -- has gotten.
17 So is that what you were looking
18 for?
19 MR. NEAL: Yes.
20 MS. HANSEN: Okay.
21 CHAIRMAN MROCH: Any other questions?
22 Comments?
23 Okay. Hearing none, we will move
24 on to the public portion of the questions and

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1 comments and evidence. We do have two lists of
 2 public members who have signed up to speak.
 3 I will be starting with the Light
 4 property public hearings, which we are currently
 5 undergoing. I do have two first initial items
 6 that appear to have been stricken out.
 7 Josh, is that accurate?
 8 MR. RAY: Yes.
 9 CHAIRMAN MROCH: First then on the list
 10 is Ms. Kathleen Carr.
 11 Good evening, Ms. Carr.
 12 MS. CARR: Good evening, Chairman
 13 Mroch, commission members, Mr. Vasselli, and
 14 community residents. I request that this
 15 statement be put into the minutes of tonight's
 16 meeting along with a copy of the document that
 17 each of you have been given.
 18 What you have been handed is a
 19 piece of paper that shows two photos of the sign
 20 that by Village requirement the petitioner was
 21 required to post on the north Dietrich Road
 22 property. As you can see, the sign is obscured
 23 by vegetation.
 24 I attest that the photos labeled

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1 July 28th and August 14th, 2023 were both taken
 2 by myself on the dates indicated. They are
 3 accurate and not retouched in any way. The
 4 Village of Hampshire's own requirements for
 5 public notices for zoning applications state
 6 that -- and I quote -- a sign posted on the
 7 property in application clearly visible from the
 8 public's right of way. And it goes on to
 9 address the notice date, location, et cetera.
 10 As these pictures, unfortunately,
 11 show, that sign is not clearly visible from the
 12 public's right of way. This makes this public
 13 hearing invalid and unfair. The Village of
 14 Hampshire -- the Village of Hampshire has
 15 expressed the desire to be transparent with
 16 community members during this process. This
 17 sign -- clearly obscured -- defeats the spirit
 18 of transparency that the Village seeks in
 19 connection with rezoning requests.
 20 Mr. Vasselli, I believe that you
 21 stated during the Planning and Zoning Commission
 22 meeting on June 12th that you would not proceed
 23 with a public hearing without those people who
 24 deserve notice under state law to have that

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1 notice. You are a man of your word, and I am
 2 asking you to recognize this public hearing
 3 invalid and improper.
 4 Furthermore, I request that a new
 5 public hearing be republished that follows all
 6 of the Village of Hampshire's requirements.
 7 Do you honor that request,
 8 Mr. Vasselli?
 9 MR. VASSELLI: I have never been asked
 10 that question at a planning and zoning board
 11 meeting before. We are in the midst of a public
 12 hearing. There are 25 people here to testify
 13 tonight. We do have other pictures of the sign.
 14 So I do not know --
 15 MR. LACKO: Can we see those pictures?
 16 UNIDENTIFIED SPEAKER: Why don't you
 17 know?
 18 UNIDENTIFIED SPEAKER: I took pictures.
 19 UNIDENTIFIED SPEAKER: I got pictures.
 20 MR. VASSELLI: So we're going to have
 21 the other people talk who came here to talk.
 22 MS. CARR: I am asking that the public
 23 hearing be declared invalid because the sign is
 24 clearly not visible from the public right of way

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1 as is stated in the Hampshire proper notice
 2 guidelines.
 3 MR. VASSELLI: Mr. Chairman, we have
 4 25 other people here to talk.
 5 MR. RAPACH: It's her turn to talk.
 6 MS. CARR: Mr. Burney had suggested
 7 taking a five-minute break. If I could be so
 8 bold as to suggest if somebody wants to verify
 9 whether or not the sign is visible, perhaps the
 10 zoning administrator could take a ten-minute
 11 ride and go look at the sign.
 12 UNIDENTIFIED SPEAKER: Yeah. There you
 13 go. That will work.
 14 CHAIRMAN MROCH: What is the -- what is
 15 the precedence for this?
 16 MR. VASSELLI: There's absolutely none.
 17 Site visits during the matter -- during the
 18 middle of a planning or zoning hearing -- I have
 19 been doing this for 20 to 25 years. I've never
 20 had someone go out and look --
 21 CHAIRMAN MROCH: Excuse me. We have
 22 had people that signed up to speak. I would
 23 like you to keep it down. If you would like to
 24 speak, you can sign up. We're trying to keep

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1 this civil.
 2 MR. VASSELLI: I've never seen a site
 3 visit in the middle of a public hearing. There
 4 are 25 other people here.
 5 CHAIRMAN MROCH: Well, as far as any
 6 sort of legal precedent for the sign being
 7 visible or not visible, there's a lot about
 8 these photos that we don't actually know where
 9 the sign is located or where the sign is
 10 supposed to be located.
 11 MR. VASSELLI: Correct. And the sign,
 12 I do not believe that there is a quantifiable
 13 demarcation from the amount from the road that
 14 the sign needs to be. I don't --
 15 MR. LACKO: We can send you pictures.
 16 UNIDENTIFIED SPEAKER: I have a video.
 17 MR. VASSELLI: We are in the middle of
 18 a public hearing where there is a court
 19 reporter. Everyone who is going to speak
 20 tonight -- I'd like to remind you and
 21 everyone -- that they have to sign in, and there
 22 will be a court reporter who will take their
 23 name.
 24 CHAIRMAN MROCH: Okay.

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1 MR. VASSELLI: So no, you're right,
 2 Mr. Chairman. And I think that is part of the
 3 fact-finding process before this body. This
 4 body is here to present and to review evidence
 5 that's presented.
 6 We heard a statement from the
 7 beginning of the proceeding that the sign was
 8 posted. We are now, without any previous
 9 notice, being given a picture which we've marked
 10 Exhibit A and will be put in record, as you did
 11 request, Ms. Carr, that shows there some foliage
 12 and vegetation in front of the sign.
 13 So there are at least 25 other
 14 people who have asked to talk tonight. There
 15 are people who are speaking who clearly have
 16 something they want to say. I think it behooves
 17 the Planning and Zoning Commission to hear what
 18 they have to say.
 19 MS. CARR: Chairman Mroch, although I'm
 20 sure the attorneys present are aware of case law
 21 in which the Village must follow its own
 22 requirements including those for notifications,
 23 may I submit case law Paul v. the County of Ogle
 24 and Ad-Ex, Inc. v. the City of Chicago into the

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1 record of the proceedings?
 2 CHAIRMAN MROCH: Thank you.
 3 MS. CARR: Air quality and its
 4 importance have been in the news quite a bit
 5 this summer. Smoke from Canadian wildfires
 6 traveled over 1,000 miles to reach our area.
 7 This lead now -- The led AirNow in partnership
 8 with the U.S. EPA to issue alerts such as this:
 9 Poor air quality expected today primarily due to
 10 lingering wildfire smoke in the area. Those
 11 with chronic respiratory illnesses should limit
 12 their time outdoors.
 13 Imagine now if the source of the
 14 air pollution didn't have to travel 1,000 miles
 15 to pose a health risk. Imagine if the risk was
 16 only a few hundred yards away. The zoning
 17 applications you'll be voting on tonight make
 18 that a very real possibility for hundreds of
 19 children, women, seniors, and families.
 20 Air pollution is one of the leading
 21 causes of death. It is linked to seven million
 22 deaths per year. Diesel engines emit a mix of
 23 air pollutants that contain both solid and
 24 gaseous particles. Diesel particulate matter,

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1 DPM, is composed of carbon particulars that
 2 include over 40 known cancer-causing substances.
 3 The majority of the particulates in DPMs are
 4 small enough to be inhaled and often deposit
 5 into the deepest regions of the lungs. It is
 6 these regions that the lungs are most
 7 susceptible to damage.
 8 The World Health Organization
 9 labeled diesel emissions as carcinogenic to
 10 humans. Study after study has shown a direct
 11 correlation from exposure to DPM in lung cancer.
 12 Not only has exhaust from diesel engines been
 13 linked to lung cancer, it has also been linked
 14 negatively -- to negatively affecting brain wave
 15 activity, increasing likelihood of blood clots,
 16 worsening of heart and lung diseases, and
 17 premature death. Children whose lungs are not
 18 yet fully developed and the elderly are the most
 19 adversely affected by exposure to DPM matter.
 20 On pages 8 and 74 of tonight's
 21 agenda packet in the zoning review applications,
 22 the applicant has stated that the proposed uses
 23 for the O-M zoning is logistics-warehousing.
 24 The state of Washington in its publication

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1 entitled "Health Effects for Diesel Pollution"
 2 specifically recommends its residents, quote,
 3 Avoid living near warehouse districts.
 4 Thankfully, my interpretation is
 5 that the Village of Hampshire's own codes also
 6 seems to address the issue. The Village of
 7 Hampshire's Code, Section 6-9-5 regarding O-M
 8 office and restricted manufacturing district
 9 zoning states emphatically -- "Any production,
 10 processing, cleaning, servicing, testing,
 11 repair, or storage of goods, materials, or
 12 products shall take place without creating
 13 disturbing influences to the use and occupancy
 14 of adjoining properties." The Code goes on to
 15 state under "Special Uses," other manufacturing,
 16 processing, and storage uses determined by the
 17 Plan Commission to be of the same general
 18 character as the uses permitted in this section,
 19 and found not to be obnoxious, unhealthful, or
 20 offensive by reason of the potential emission or
 21 transmission of noise, vibration, smoke, dust,
 22 odors, toxic or noxious materials, glare, or
 23 heat.
 24 In my opinion, a vote for the

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1 rezoning of this parcel to O-M zoning and the
 2 requested special uses would be in direct
 3 violation of our Village's Code as the
 4 construction of a logistics facility would
 5 inevitably increase the diesel emissions in this
 6 area.
 7 I firmly believe that a health
 8 impact assessment should be completed prior to
 9 any development occurring in this area. A
 10 health impact assessment would evaluate the
 11 potential risks prior to the rezoning occurring.
 12 This is a crucial tool for those commission
 13 members such as yourself to have prior to making
 14 your decision and potentially putting the lives
 15 of members of our community at risk.
 16 Over the past seven months it has
 17 been abundantly clear that I feel very strongly
 18 that land zone manufacturing should not be
 19 adjacent to homes. In some cases, my actions
 20 have been offensive. And for that, I apologize.
 21 I shared with you on February 27th
 22 a bit about why it was so personal. Tonight,
 23 with a bit of reluctance, I will tell you the
 24 whole truth. The truth is I have a degenerative

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1 pulmonary disease. As they say, it is
 2 especially true when you are talking about your
 3 own health, you don't appreciate what you have
 4 until it's gone.
 5 I implore you to protect the lives
 6 of community residents and vote according to the
 7 Village's own Code. Do not violate your
 8 Village's own Code of ordinance and make it
 9 their future to want -- make their future one
 10 that includes a pulmonary disease by voting in
 11 favor of allowing O-M zoning near their homes.
 12 Mr. Vasselli, as you said, there's
 13 a lot of people signed up, so I'm going to make
 14 my next comment very quick and to the point. I
 15 believe that one of the slides dealt with
 16 special uses that were --
 17 CHAIRMAN MROCH: I do have to
 18 apologize. You've already gone over time.
 19 MS. CARR: I believe that there is case
 20 law that you are not allowed to restrict a
 21 person's time limit on a public hearing. I do
 22 have that case law if you would like it.
 23 CHAIRMAN MROCH: Is it not stated on
 24 the agendas that were handed out, that we do --

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1 and we have the ability to restrict that?
 2 MR. VASSELLI: Under the opinion that
 3 you can put reasonable restrictions on the
 4 amount of time that people can talk. There are
 5 multiple people here to speak tonight. If
 6 the -- if the speaker wants to pass out case
 7 law, the board will -- the board's aware of its
 8 obligations or has been advised of its
 9 obligations.
 10 The board and its counsel already
 11 know the different statements of the law
 12 relative to the reasonable time limits given and
 13 the fact that the board along with the village
 14 board is required to, as Ms. Carr artfully said,
 15 follow its own rules.
 16 So, Ms. Carr, you can submit any cases
 17 that you wanted to with regard to these.
 18 We would be more than happy to take
 19 it, Mr. Chairman.
 20 CHAIRMAN MROCH: Of course.
 21 MR. VASSELLI: I think that Ms. Carr
 22 was in the middle of stating a sentence, and she
 23 just had a -- was going to finish her sentence.
 24 MS. CARR: Thank you very much,

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1 Mr. Vasselli.
 2 In the Village of Hampshire's
 3 ordinance, Chapter 6-14-3 under "Special Uses,"
 4 as far as the items that are supposed to be
 5 included in the special use application, when
 6 the petitioner is available, it states in
 7 paragraph 2 -- paragraph 3, Section B, the
 8 appli- -- under "Special Uses," the application
 9 shall include a statement in writing by the
 10 applicant and adequate evidence showing that the
 11 proposed special use will confirm to the
 12 standards set forth herein.
 13 I have looked and studied all 148
 14 item pages of tonight's agenda. All I see
 15 regarding special uses are a list of seven that
 16 you've asked for. I do not see any paragraph
 17 regarding how the applicant will supply adequate
 18 evidence showing the proposed special use will
 19 conform for the standards.
 20 I ask for you to vote no to both
 21 special use motions because they're adequate --
 22 in my opinion, their application does not follow
 23 the Village's own Code.
 24 CHAIRMAN MROCH: Jon Schaeffer?

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1 MR. SCHAEFFER: In a little bit I'll
 2 ask to use the projector here.
 3 I also would like to essentially
 4 quote city ordinances. Attached is a picture of
 5 a sign that states that the current zoning is
 6 E-1, and this is also reflected on page -- I'm
 7 sorry -- on page 1 here for the nor- -- I'm
 8 sorry.
 9 As I understand, the Village of
 10 Hampshire Code of Ordinances states in 6-14-3,
 11 paragraph G, 6(a) states that the sign shall
 12 include present zoning classifications for
 13 amendments in paragraph H. 7(i) states -- 7(a)
 14 states that the sign shall include present
 15 zoning classifications for special uses. Okay.
 16 Here is a picture of the actual
 17 sign that I'm sure you as well provided and can
 18 swear to it; is currently listed as E-1, which
 19 is not the correct district.
 20 And I want it on the record that by
 21 not cancelling this hearing the City of
 22 Hampshire is robbing the people's opportunity to
 23 fairly come and speak at a hearing. Making us
 24 come here so the petitioner can hear what it is

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1 that we'd like to say knowing full well there
 2 are now two ordinances that the petitioner has
 3 not followed so they can come back and try to
 4 answer the questions that we -- arise today.
 5 So to let you know, I will be
 6 talking with our lawyer immediately after this
 7 meeting. At any time you choose to cancel this.
 8 You can choose to.
 9 Good evening, Planning and Zoning
 10 Commission and all others that have come out
 11 tonight for this hearing. I first want to thank
 12 you for all the time that you've been putting
 13 in.
 14 As I stated before, this is now the
 15 third -- I believe third time we've asked for a
 16 rezoning consideration. It's tough. It's tough
 17 for all of us to be here, right.
 18 You are responsible for making
 19 recommendations on the best use of the land in
 20 the city of Hampshire and ultimately making
 21 recommendations on how Hampshire will continue
 22 to grow, which will effectively decide how and
 23 what Hampshire's identity will be today and for
 24 future generations. I ask that you keep the

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1 last part, Hampshire's future identity, in mind
 2 as you hear tonight's discussion points.
 3 Again, I'll say it. This hearing
 4 should be canceled.
 5 I believe from what I've been told
 6 by the other city officers that Hampshire will
 7 be growing 4,000 people in the next few years
 8 and up to 10,000 in the next ten plus years. I
 9 believe it is important to think about what
 10 Hampshire could be and why people would want to
 11 continue to move to the town.
 12 So regarding this specific
 13 proposal, as you can imagine, I'm not in favor
 14 of building additional logistics, truck,
 15 manufacturing, and other such industries that
 16 would be deemed inappropriate or environmentally
 17 harmful next to a residential area -- next to a
 18 residential area. Adjacent is the term.
 19 I sent you all articles to read
 20 over. This is not an issue that is Hampshire's
 21 alone. The city of Deerfield had a petitioner
 22 pull their proposal due to residents not wanting
 23 logistics next to their homes. And Naperville
 24 effectively banned any logistics development

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1 along the I-88 border. These types of things
 2 are currently happening all over the country,
 3 and the only people that are benefitting are the
 4 landowners and developers, not the
 5 municipalities.
 6 It is of my opinion that the
 7 petitioners and its representatives -- What they
 8 say cannot be taken at face value. They are a
 9 professional real estate company, right, knows
 10 what they're doing, allegedly. They have
 11 numerous businesses located here in Illinois and
 12 Florida and possibly elsewhere. They're not new
 13 to development and real estate. Yet numerous
 14 times they've not been able to properly notify
 15 the public.
 16 Currently, CBRE is advertising the
 17 property as future industrial, slash,
 18 transportation park without even receiving a
 19 zoning change or annexation. This could be
 20 interpreted as possible false advertising unless
 21 they know something the rest of us don't.
 22 Heck, it wasn't until I pointed it
 23 out in the last hearing for this property the
 24 City of Hampshire was also advertising it on the

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1 town website as such a thing. It was
 2 conveniently taken down the next day.
 3 The landowner has stated that they
 4 believe by zoning and annexing the property, it
 5 will aid them in selling to developers. That's
 6 their own aim, make a profit. This is the only
 7 thing. Nothing about the benefit to Hampshire
 8 and the surrounding area.
 9 They never -- I would say that --
 10 Sorry. I would say if this is their only reason
 11 for annexing and rezoning, they might want to
 12 find a better salesman for the property. The
 13 current CBRE rep, John Suerth -- I apologize if
 14 I mispronounce it -- does not typically conduct
 15 business in this area. His primary business is
 16 concentrating in the O'Hare -- this is a quote
 17 from his website -- concentrating in the O'Hare
 18 and southwest suburban areas. His most notable
 19 sales are primarily in Joliet, Elk Grove,
 20 Franklin Park, Romeoville, Melrose Park,
 21 according to his website. Begs the question,
 22 why is he representing the Light property when
 23 Tony Gage (phonetic) -- again, apologize if I
 24 mispronounce -- is on every other CBR billboard

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1 in the area including two other Hampshire
 2 properties?
 3 If you look at their portfolios,
 4 Mr. Suerth does only logistics parks, while
 5 Mr. Gage seems to have a broader portfolio that
 6 includes hospitals, banks, residential
 7 development. Maybe he should be the salesman
 8 for the property and bring in some -- some
 9 sustainable and more environmentally favorable
 10 business to the town of Hampshire.
 11 Commissioners, I will ask you to
 12 think if Hampshire only thinks of its town as
 13 only a giant logistics park, think about that
 14 article I sent you -- and manufacturing park.
 15 The 90/20 interchange --
 16 CHAIRMAN MROCH: Mr. Schaeffer, it's
 17 already been time. I do have to cut to five
 18 minutes. I think I have been more than
 19 amenable. It is stated on the back of the
 20 sheets that I'm pretty sure each of you has a
 21 copy. We are trying to get everyone their time.
 22 UNIDENTIFIED SPEAKER: He can use four
 23 of my minutes.
 24 MR. BURNEY: Can we have these people

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1 identify where they live? Mr. Chairman?
 2 That -- that is pretty typical.
 3 MR. ROSSETTI: Can't hear you.
 4 MR. BURNEY: Can we have these people
 5 identify where they live?
 6 CHAIRMAN MROCH: I think we can
 7 negotiate that after everyone has had their time
 8 to speak. I would like to move forward and --
 9 MR. LACKO: How is it relevant? You
 10 want to contact them like you've contacted
 11 others?
 12 UNIDENTIFIED SPEAKER: Where do you
 13 live?
 14 UNIDENTIFIED SPEAKER: Yeah.
 15 MR. VASSELLI: Mr. Chairman --
 16 CHAIRMAN MROCH: I am going to move for
 17 everyone that has signed up to speak -- That's
 18 what I would like to do.
 19 MR. SCHAEFFER: On record, I was not
 20 allowed to speak the entire time or address any
 21 of the properties on the north and south
 22 specifically or show a video.
 23 CHAIRMAN MROCH: Ms. Carol Quandt.
 24 MS. QUANDT: Good evening. Initially I

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1 wasn't going to speak, but I signed up because
 2 last time I had a question and I couldn't get it
 3 answered. So this time I signed up, and it's a
 4 good thing I did because I have a question.
 5 Is it my understanding that --
 6 CHAIRMAN MROCH: Ms. Quandt, there will
 7 be a time for Q&A, so I just want to remind you
 8 that you may ask your questions. We will take a
 9 small break, and then we will have answers that
 10 will be provided by the petitioner. So go
 11 ahead. By all means, please ask a question. I
 12 just wanted to remind you that the questions
 13 will be asked and then answered en masse after
 14 we take a small break.
 15 MS. QUANDT: Okay. That's fine.
 16 CHAIRMAN MROCH: All right. Thank you.
 17 MS. QUANDT: Is it my understanding
 18 that you contacted all of the taxing bodies? I
 19 take it that you contacted all of the taxing
 20 bodies in the area along Dietrich Road?
 21 There was one that I noticed, which
 22 to me is very important, that was not mentioned.
 23 What about Huntley Fire? Was the Huntley Fire
 24 District contacted? I find that very important.

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1 Thank you.
 2 CHAIRMAN MROCH: Thank you.
 3 Walt Quant?
 4 MR. QUANDT: I pass.
 5 UNIDENTIFIED SPEAKER: Give Jon your
 6 minutes.
 7 UNIDENTIFIED SPEAKER: Give Jon your
 8 minutes.
 9 UNIDENTIFIED SPEAKER: Give Jon your
 10 minutes.
 11 MR. QUANDT: Jon can have my minutes.
 12 Go ahead, Jon.
 13 CHAIRMAN MROCH: Marc Siegall?
 14 MR. RAPACH: Are they allowed to cede
 15 minutes?
 16 MR. VASSELLI: I don't believe this
 17 board has ever ceded minutes before. If the
 18 board wants to give someone who spoke more time,
 19 they are well within their rights to take a vote
 20 and give people more time if the board feels
 21 that that's the right thing to do. Because we
 22 here -- We are all here to determine the truth
 23 and have everyone say anything. It's well
 24 within the discretion of anyone. But the

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1 cessation of minutes --
 2 Has that ever gone on before this
 3 meeting?
 4 CHAIRMAN MROCH: Not -- not to my
 5 knowledge.
 6 MR. VASSELLI: So if the board wants to
 7 give people more time, they can. The board,
 8 again, is governed by the Open Meetings Act and
 9 its own rules which are set forth on the posted
 10 agenda to say there is a reasonable limit of
 11 time. That does not mean or preclude you from
 12 saying if you want to come back -- because you
 13 made a presentation and it's on video, you can
 14 come back and show it.
 15 CHAIRMAN MROCH: Good evening,
 16 Mr. Siegall. Am I pronouncing that correct?
 17 MR. SIEGALL: It's Siegall.
 18 CHAIRMAN MROCH: Siegall.
 19 MR. SIEGALL: Good evening. The last
 20 time I spoke here I chided both the Village and
 21 the proposers for just really clumsy mistakes
 22 that made them look kind of stupid also. I've
 23 got to say you guys really picked up the -- It's
 24 a sharper thing. Instead of lots of details

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1 that got you in trouble the first time, it's now
 2 this nice kind of pink, light fuzzy things.
 3 Just a few little occasions of
 4 specifics that came up when others were
 5 speaking. You've got support from community
 6 members, community members who want money -- so
 7 at least that's clearly on the table -- support
 8 from those who want to get money from those who
 9 wouldn't -- who weren't -- aren't -- they aren't
 10 instead of -- going to be where this is. I'm
 11 surprised there wasn't a letter from Oliver
 12 Twist saying, "Please, sir, may I have some more
 13 tax revenue?"
 14 The O-M office purpose of the zoning --
 15 purpose of the O-M zoning is research,
 16 warehouse, manufacturing, high quality
 17 campus-like setting. I like campus like
 18 setting. I spent my entire life in campus
 19 settings. Nowhere in those campuses were there
 20 semis moving left and right all the time.
 21 Oh, no. I'm lying. The detailed
 22 proposal page that was up there looked awful
 23 like the one from the M-3 which was exactly the
 24 same as the originally up for the M-2 until

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1 someone said, "Wait a minute. There's too much
2 detail." And then that went up for the original
3 M-2. What is this thing really going to be?
4 There is a use exception that would
5 be for a cartage and express facility. I tried
6 to find the definition of cartage and express
7 facilities. There was none I could find for
8 Hampshire. There was none I found for the
9 state. I found one locally for Woodridge,
10 Illinois. Basically, it talks about a lot of
11 short-term, short haul kind of movement. The
12 logistics center could mean lots of big trucks.
13 It could mean a computer center with specific
14 uses.
15 So if I could pose a question that
16 might be answered, I guess, which is, what does
17 cartage and express facilities mean for this
18 purpose? And does it include or exclude motor
19 freight terminals?
20 Now, yes, you pointed out you will
21 have the ability the deal with specific uses
22 when the specific proposals come out after a
23 rezoning change is made. I was already, you
24 know, looking forward to come in about what's

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1 wrong with going -- with the zoning?
2 But, you know, frankly, what's been
3 requested even in terms of the special purposes
4 and exemptions, it's within the zoning. In
5 fact, the zoning documents says that special
6 uses shall be allowed. And the things on the
7 list except for the two that got added at the
8 last minute that I wasn't able to hear are on
9 that list.
10 And I don't like how the game
11 continues to get played. Some people have
12 fallen for this delay and illegal -- allegations
13 of illegality. If you guys had just, like, gone
14 beyond the minimum. I mean, last time you got
15 caught not notifying one person. And then it
16 was, okay, we will make sure we contact the
17 absolute minimum number of people.
18 We have the sign that's the
19 absolute minimum legal -- and minimum -- Just be
20 big about it and make sure everybody knows and
21 follow the process in a generous way so that
22 people will maybe deal with you generously
23 instead of dealing with how you treated them.
24 And one more comment. So, again,

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1 something we couldn't see back there, the nice
2 little detail thing that had distances from A to
3 B, none of these -- Was that the one with the
4 distances?
5 UNIDENTIFIED SPEAKER: Yes.
6 UNIDENTIFIED SPEAKER: Can you zoom in
7 more?
8 MR. SIEGALL: Okay. Well, good. So
9 normally on your -- on your presentations, that
10 top line is where Kane County ends, but here's
11 the county line, right?
12 Because I was going to say, well,
13 you know, I live there. You asked where people
14 live? I am one of your friendly neighbors.
15 That McHenry County unincorporated area of
16 Huntley, I live there -- sort of -- Wait. Oh,
17 it's a bigger map than I thought. Okay. I live
18 there. It's still pretty darn close to how many
19 trucks a day? How much air pollution? How much
20 light pollution? How much noise pollution?
21 I'd still like to be -- I've been
22 silenced. I'd still like to be your good
23 neighbor to the north.
24 You folks in the past meetings when

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1 it's actually come time to vote have been
2 genuinely concerned about the issues brought to
3 you. I find that very encouraging. I can't
4 speak to the character of the Village of
5 Hampshire, because I'm the neighbor -- friendly
6 neighbor to the north. That's for you guys to
7 figure out.
8 And I know my five minutes is up.
9 Just if you're going to change the
10 zoning requests, make sure the actual usage
11 changes. And try dealing with people here so
12 they don't think you're dealing with them in a
13 way that doesn't get things done.
14 Thank you.
15 CHAIRMAN MROCH: Mike Lacko?
16 MR. LACKO: Hello, everyone. Good
17 evening. I haven't done this before, but I'll
18 give it a shot. I don't have a lot, prewritten
19 things, just some notes. But I do have a real
20 quick question. It's not even a question. It's
21 not a question.
22 Somebody else talked about this
23 once before. At what point is enough enough?
24 What I mean by that is simply that how many

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1 times are they going to post the same thing and
 2 the same thing and the same thing -- three times
 3 for a reason. But it's always the same thing.
 4 It's always a logistic park. They
 5 change the zoning; they change the zoning; and
 6 they change the zoning with special conditions.
 7 So they're really still getting the same thing
 8 they want. Meanwhile, you guys already said no.
 9 You already voted six to zero. Nobody wanted
 10 it.
 11 The other part -- the other part is
 12 in their application -- I clearly appreciate
 13 that they got four people -- four departments or
 14 four people that signed off and said they agree
 15 with it. How many -- how many petitions do we
 16 have signed that don't want this in Hampshire?
 17 How many people that don't want this that are
 18 voting members of Hampshire, that vote? How
 19 many? 100? 200? Maybe like 1,500 people that
 20 don't want it? And they've got four people that
 21 are looking for it. All based on tax dollars --
 22 on tax dollars.
 23 So that when is enough enough that
 24 maybe you guys say, "Look, your application has

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1 been screwed up this time. Notification has
 2 been screwed up. Your signage has been screwed
 3 up. You know what? You guys need to take a
 4 pause on this. You get like a six-month penalty
 5 that, you know, we're just not going to look at
 6 this anymore. We're just done looking at this
 7 until you guys get your act together." Simple
 8 as that.
 9 At what point are you guys going to
 10 say, "Hey, look, get it right or we're not going
 11 to look at this again"? Because you have that
 12 right to say, "Hey, look, we're not continuing
 13 this anymore because we're not wasting our time.
 14 We're not wasting our time. We're not wasting
 15 the taxpayers' money to pay a court reporter,
 16 the guy that handles all the microphones." And
 17 I don't know if you leased this building, to get
 18 them to turn on the lights. Somebody has to
 19 do -- How many times? How much money we going
 20 to waste so they can try to push this same
 21 agenda they keep trying to push over and over
 22 and over with a slightly different spin to it.
 23 Another point, on 12/12 of 2022
 24 there was a planning and zoning meeting on

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1 YouTube. At the 20-minutes-and-10-second
 2 mark -- I don't know who it was. I really
 3 couldn't tell. But it says -- We're talking
 4 about the whole annexation, this, that, and the
 5 other. And it says, "In the meantime, an
 6 annexation agreement will be drafted between
 7 attorneys."
 8 Where is it? Why can't we see
 9 that? We want to know what is exactly being
 10 included. There's so many generalities on this.
 11 And the speakers that come up speak on so many
 12 general things. Just like those distances, if
 13 you guys want to know about that --
 14 Here, got a microphone? What's
 15 funny -- Hello? Hello? Hello? Okay. So this
 16 area right here with their distances, they did a
 17 nice job with that. However, this is the
 18 detention area right here and here's the creek
 19 in the red line right here.
 20 So my question is, with all this
 21 detention water, these guys know -- these
 22 engineers know. What happens to that water once
 23 it comes out of the detention area? That's a
 24 detention pond, right -- or a retention --

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1 excuse me -- a retention pond to retain the
 2 water. What happens to it? Where does it go
 3 to.
 4 And if you guys have ever been out
 5 there like I have many times, okay, this creek
 6 right here in some areas is only about maybe
 7 6 feet wide, and there's no way that can carry
 8 the water because it already can't carry water
 9 from this neighborhood, which also carries the
 10 water from across the street, which also carries
 11 the water from all the way over here from the
 12 subdivision across from this underneath the
 13 road. Okay?
 14 He also planted this house here.
 15 You forgot the one that's right here and you
 16 forgot the lot right here and you also forgot
 17 this is an entire lot that goes all the way to
 18 here. And we all have well restricted and
 19 septic restricted areas here, and none of that's
 20 pointed out. It's really, really close to this
 21 area.
 22 So you can -- You know, you can
 23 measure from the furthest building you want
 24 away, but that's not going to point out what the

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1 real facts are. And like these numbers here,
 2 you're talking about the building, but the
 3 problem is the well heads are about 350 feet
 4 away.
 5 Now, I know I'm under oath. I
 6 haven't been out there actually measure them,
 7 but 350 feet from the water from -- from here to
 8 the creek is way too close because you know the
 9 water from here is going in this creek.
 10 Oh, and I do appreciate that this
 11 time somebody actually decided to put the other
 12 neighborhoods in there -- very hard to see, but
 13 they're in there -- because all the other times
 14 they sure haven't.
 15 Oh, I have another question. Can't
 16 answer it, I understand. But what type of food
 17 manufacturing plant are you proposing? What
 18 type is in that special -- in those special
 19 amendments or whatever it's called? What type
 20 of food manufacturing? Because I know there's
 21 somebody in the crowd here that spent his whole
 22 career manufacturing fish and other sorts of
 23 things like that, and all that waste has to go
 24 somewhere.

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1 So just curious, like, what are the
 2 actual details of what you're looking for? It's
 3 too broad, and it's way too general.
 4 And then just like the buffering
 5 details Tom Burney spoke on, that buffering
 6 isn't going to do anything. Those trees you're
 7 going to put in are going to die in 20 years.
 8 Anybody that develops any kind of land really
 9 knows that stuff.
 10 CHAIRMAN MROCH: I do apologize, sir.
 11 Your five minutes is up.
 12 MR. LACKO: Last thing -- I'm going to
 13 say this anyway --
 14 Tom Burney, you had mentioned
 15 something about what -- what -- These people of
 16 the notes that signed these things, the
 17 firefighter, guy -- the district 300, wherever
 18 they were, you had said that they represent a
 19 vast amount of the people. I don't think so.
 20 The vast amount of people in their department
 21 that want tax dollars, not the vast amount of
 22 people that live in Hampshire.
 23 CHAIRMAN MROCH: Amy Lacko?
 24 MS. LACKO: I'd like to give my minutes

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1 to Jon Schaeffer.
 2 CHAIRMAN MROCH: Are you passing on
 3 your opportunity to speak?
 4 MS. LACKO: Yes. I'd like to give my
 5 minutes to Jon Schaeffer. I'm not passing. I'm
 6 sharing my minutes.
 7 CHAIRMAN MROCH: Are you passing on
 8 your time that you have signed up to speak for?
 9 We have not established that --
 10 MS. LACKO: I'm --
 11 CHAIRMAN MROCH: We have decided this
 12 evening that we can cede our minutes. We cannot
 13 allow this meeting to just be changed and
 14 altered as we decide what the rules are. We are
 15 trying to set and follow the rules as we've --
 16 as we've already printed them. So if you'd like
 17 to pass on your time, you may. Or if you would
 18 like to speak, we are more than happy to listen.
 19 MR. VASSELLI: Mr. Chair?
 20 CHAIRMAN MROCH: Yes, sir.
 21 MR. VASSELLI: Mr. Chair?
 22 Hello? Hi, Mr. Chairman. Again,
 23 if the board wants to give someone more time,
 24 they can. The succession of minutes has never

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1 been given before this body before. So if
 2 someone --
 3 CHAIRMAN MROCH: I do understand that.
 4 MR. VASSELLI: Yeah.
 5 CHAIRMAN MROCH: But we have already
 6 tried to set the precedent. We have followed
 7 that precedent on this fourth meeting now.
 8 MR. VASSELLI: Understood, sir.
 9 CHAIRMAN MROCH: So I cannot have
 10 people after people after person after person
 11 making up new rules, and then let's all vote on
 12 it. I am trying to adhere to a set precedent
 13 that we have already set.
 14 MR. VASSELLI: Understood.
 15 CHAIRMAN MROCH: This is our fourth
 16 meeting. We have set that precedent that there
 17 is a set allowed amount of time, and we have
 18 been more than amicable and we have listened to
 19 every person that has spoken thus far.
 20 MR. VASSELLI: Understood, sir.
 21 CHAIRMAN MROCH: And I'm trying to hold
 22 to that.
 23 MR. VASSELLI: Understood, sir.
 24 CHAIRMAN MROCH: Good evening.

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1 MS. LACKO: I'm speaking on behalf of
2 Jon Schaeffer.
3 I've read that President Reid wants
4 to put Hampshire on the map. I can't imagine
5 what he is speaking to. Everyone knows Gary,
6 Indiana, but not many desire to shop or move to
7 Gary, Indiana.
8 Let's speak about the petition
9 itself. In the petition there is a request for
10 logistics in the O-M zoning. Logistics, while a
11 cousin to warehousing, is not an approved use
12 for this district.
13 The special use requests --
14 Reminder, these uses must meet the general
15 character as the uses allowable in this section
16 O-M and "found not to be obnoxious, unhealthful,
17 or offensive by reason of the potential emission
18 or transmission of noise, vibration, smoke,
19 dust, odors, toxic or noxious matter, glare, or
20 heat."
21 Example -- Okay. I don't believe
22 that any of these requests meet those criteria.
23 In fact, plan development isn't even a permitted
24 use within the O-M district. A planned

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1 development equates to a total suspension of the
2 district which allows a petitioner to circumvent
3 zoning.
4 Let's not forget they first tried
5 to get M-3, which you appropriately voted
6 unanimously against, and that petition for M-2
7 but didn't properly notify, and now the petition
8 is O-M with special uses.
9 The petitioner knows what they are
10 asking for, and I am offended that they think
11 the people and this board are stupid enough to
12 give them essentially a blank slate. The
13 reality is that once you approve a zoning and
14 its use and they seek out development that fits
15 within the zoning, you as a city cannot restrict
16 them. You lose all power. They can then file
17 lawsuits against the City.
18 We don't even have an end user.
19 Right now 80 percent of the development in the
20 Chicago area are being built on a speculative
21 basis, CBRE data. What happens when there isn't
22 an end user? Who deals with the blight in the
23 community by having empty logistics centers?
24 Why wouldn't the developer have an end user

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1 lined up?
2 It takes maybe three weeks to get
3 approval from the P&Z and Board of Trustees.
4 What multimillion dollar developer can't or
5 won't wait three weeks if they believe they are
6 a good fit? It is really unheard of.
7 I e-mailed you all an article about a
8 city in Illinois that has become a logistics
9 hub. The town quickly passed approvals and
10 have -- have Wal-mart, Home Depot, Amazon,
11 et cetera. I provided the article here for you
12 to review.
13 Long story short, the town is
14 30 million in debt, and they are not alone.
15 Bolingbrook is 200 million in debt and
16 Romeoville is 89 million in debt, a town I
17 believe John Suerth -- sorry if mispronounce --
18 has done business for Wayfair; at least
19 according to his business profile he has. The
20 promises by business never panned out. No
21 long-term employment and a huge increase in
22 traffic noise and accidents and deaths, all
23 things that I believe are not allowed to be in
24 O-M zoning as it creates obnoxious.

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1 Just an FYI, for the record, your
2 current plan calls for highway commercial
3 zoning.
4 For the north side? Okay.
5 Nowhere in your zoning have you
6 placed an O-M district next to E-1 or
7 residential district. You would be going
8 against your own comprehensive plan if you
9 approved this petition with O-M special uses.
10 Your comprehensive plan calls for
11 highway and commercial. If you look at the
12 Kane-DuPage soil and water report, the most
13 current natural resource data indicates the
14 following -- the following concerns for this
15 site: wetlands, floodplain, soil limitations,
16 high water tables, soil erosion, and sediment
17 control, and storm water management. These
18 concerns need to be managed, monitored, and/or
19 considered in the planning and development of
20 the site for the best possible results and to
21 the least negative impact to the environment and
22 natural resources.
23 Based on the information in this
24 report, it is the opinion of the Kane-DuPage

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1 Soil and Water Conservation District Board that
 2 this site is poorly suited for the proposed land
 3 use change. This was taken directly from the
 4 petitioner's application, yet they still want to
 5 move forward. It has wetlands and an aquifer
 6 recharge area susceptible to contamination. The
 7 McHenry County portion is a high potential for
 8 aquifer contamination.
 9 E-1, I was provided a map showing
 10 most wells in the neighborhoods -- in the
 11 neighborhoods are between 50 to 60 feet.
 12 E-2, a tap into the low aquifers
 13 and -- are more susceptible to contamination
 14 than a deep well like municipalities might use.
 15 In addition, McHenry County has
 16 identified this property and the adjacent
 17 neighborhoods as a SARA overlay district. Here
 18 is a map of that E-3 as aquifers are the only
 19 source of potable water supply in McHenry
 20 County. The County desires to protect this
 21 sensitive natural resource through the creation
 22 of the sensitive aquifer recharge area, SARA,
 23 overlay district.
 24 CHAIRMAN MROCH: I do have to cut you

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1 with that there. I appreciate your time.
 2 MS. LACKO: Okay. And I oppose any
 3 type of industrial zoning near or adjacent to
 4 any residential areas.
 5 CHAIRMAN MROCH: Thank you.
 6 Susan Evans?
 7 MS. EVANS: I oppose any industrial
 8 development of this area, and I'm a resident of
 9 neighboring -- of Del Webb.
 10 Thank you.
 11 CHAIRMAN MROCH: Henry Flores?
 12 MR. FLORES: Good evening.
 13 CHAIRMAN MROCH: Good evening, sir.
 14 MR. FLORES: My name is Henry Torres
 15 Flores.
 16 Now, I don't know how many of you
 17 here are under the age of 30 and are homeowners.
 18 Lovely. I'm going to be turning 29.
 19 Now, I live right on Brier Hill
 20 Road. Kathleen essentially told me about this
 21 meeting. Again, I drove by. The first day I
 22 seen that sign I saw a dead deer carcass right
 23 there.
 24 So I understand that the logistics

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1 of building an infrastructure around that area
 2 to provide Chicago what it needs, but Chicago
 3 has fucked everything for everyone. All right?
 4 So you try to subsidize our ecosystem for your
 5 business. Understandable.
 6 You say jobs. Jobs for what? For
 7 my generation and younger? They actually don't
 8 even want to work at all. They want to be
 9 famous on their little phones all the time and
 10 propagate I'm more right than everyone.
 11 Okay. Now you have an issue. I am
 12 the son of a first generation immigrant. How
 13 does that feel for someone to have their first
 14 home be destroyed by your pollution that you
 15 make here? You essentially destroy my future
 16 and any future children I may raise whether
 17 through means of your natural propagation or
 18 through adoption. Don't really mind.
 19 The issue is the generations that
 20 will come. You say you want these jobs for the
 21 next ones to come and the next ones to come. I
 22 don't see that happening. Who's still going to
 23 build your infrastructure? Most of the young
 24 ones don't even want to do that labor. That's

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1 the sad part out of all of this.
 2 Already with that parking, all the
 3 trucks and diesel engines that run at night, I
 4 can barely see the stars. I lived in Washington
 5 state for four years in the forest over there.
 6 It is the most beautiful experience I ever had.
 7 It is sad to see more infrastructure in my
 8 backyard blot out all those stars. So I will
 9 never experience that nor will the next ones.
 10 How does it feel for anyone else
 11 going to be -- growing up, coming into this
 12 world and experiencing what? More money to be
 13 made? And why don't you build more culture
 14 centers to actually show the children? To show
 15 the next ones instead of building infrastructure
 16 that going down I-90 I already seen? They're
 17 just empty warehouse lots with a bunch of for
 18 sale signs.
 19 I speak to you, gentlemen and miss
 20 on the board, thank you for your service, for
 21 knowing that you guys voted for them to
 22 essentially downgrade to downgrade to downgrade.
 23 I appreciate everything you've done.
 24 It's hard to be in this situation

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1 because my mother has been sick for the past
 2 four years, the woman that gave me the
 3 opportunity of life and the business ventures
 4 that she made for me to even get my home have
 5 essentially been diminished. I've had to look
 6 for other means of economic gain by joining the
 7 carpenters apprenticeship union for Chicago. So
 8 I will be part of building this next world of
 9 homes for your kids that also should have had
 10 the right to get a home when you were all 30.
 11 But most of them can't now.
 12 You have the power to do so. You
 13 will be voted again in your next elections.
 14 Through the actions of what you do you do speak
 15 a lot, but those actions speak louder than
 16 words. So thank you for everything you've done.
 17 I thank you for all the ones that have attended
 18 today, knowing that there should have been more
 19 here.
 20 I end my time.
 21 CHAIRMAN MROCH: Tom French? Tom?
 22 MR. FRENCH: Good evening, sir.
 23 My name is Tom French. I am from
 24 the incorporated area of West Dundee, so you're

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1 probably wondering why I'm here.
 2 First of all, my wife and I are
 3 realtors and we've sold a number of homes in
 4 Hampshire. In fact, we sold our daughter her
 5 house on White Oak. So we have vested interest
 6 not only in our past, current, and future
 7 clients, but a vested interest in my daughter,
 8 her family, and my grandchildren.
 9 Secondly, my wife and I and several
 10 people here are members of the Community First
 11 Alliance. You see our posters over at the end
 12 here. This is a group of organizations -- This
 13 is an organization of citizens in Kane County
 14 that organized to fight a similar proposal on
 15 Randall Road. Fortunately, the board did the
 16 right thing and sent the developer packing after
 17 eight months of bickering back and forth.
 18 We're here basically because we
 19 spent a year studying the impact of this type of
 20 development. Now, the very nice presentation --
 21 I applaud you. It was a nice presentation. But
 22 it was nice because they told you what you want
 23 to hear. "We've got everything covered."
 24 There's not going to be a problem. It's all

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1 fine." Well, I'm going to tell you a few things
 2 that you're not going to want to hear and
 3 they're not going to want to hear. So I'd like
 4 to start by reading a few quotes and then a few
 5 short comments. And I'll be within my five
 6 minutes.
 7 The first quote is from OSHA.
 8 Diesel exhaust includes polyaromatic
 9 hydrocarbons, some of which can cause cancer
 10 when tested in animals. Now, I don't care if
 11 you put up trees, berms, or even walls. You
 12 cannot buffer against particulate matter. You
 13 cannot buffer --
 14 This is from Truck News. This is a
 15 publication dedicated to the truck industry and
 16 the safety of its drivers. They issued this:
 17 Lengthy exposure to diesel exhaust may increase
 18 your risk of developing asthma, a variety of
 19 lung diseases, heart disease, as well as brain
 20 and immune system issues. The 40 different
 21 toxic compounds found in diesel exhaust can
 22 cause immediate and long-term concerns.
 23 Cancer.org: People can be exposed
 24 to diesel exhaust at work, around home, or while

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1 traveling mainly by breathing in the soot and
 2 gases.
 3 RetailWire -- which is a forum for
 4 retailers -- the industry is in the midst of
 5 building boom with major and micro warehouses.
 6 That's not so much the case anymore as you see
 7 the empty Amazon warehouses in Huntley or those
 8 three monoliths they put on Randall Road that
 9 they can't rent out. Nonetheless, it's to
 10 support e-commerce's rapid growth and
 11 expectations of speedy delivery. Complaints
 12 have cited increased traffic, the impact on
 13 heavy duty trucks on local roads, air quality
 14 issues from idling semis, noises from unloading,
 15 and harm to people, wildlife, and environment.
 16 Cleanup Taskforce published a map
 17 appropriately named Death By Dirty Diesel which
 18 shows the direct correlation between the
 19 increased cancer rates and diesel truck
 20 warehouses and the routes they take.
 21 The last quote is from the
 22 International Agency for Research on Cancer,
 23 which is a part of the World Health
 24 Organization. They announced that -- They have

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1 recently announced that they have reclassified
 2 diesel exhaust as a definite carcinogen putting
 3 it in the highest category, category 1, which is
 4 the same category as muster gas and asbestos.
 5 Now, if you take a look at the
 6 poster over there, the map of Illinois, the
 7 darker the red the worse the diesel exhaust.
 8 UNIDENTIFIED SPEAKER: We can't see it.
 9 Can you bring it closer?
 10 MR. FRENCH: We are actually in -- Kane
 11 County is in that red block. So we're already
 12 in bad shape here. Now, having said that,
 13 there's somewhere between 115 and 200 homes
 14 within one mile of this proposal. Sorry. Many
 15 of them are in Del Webb, and a number of those
 16 people have respiratory illness and cancer
 17 already. Many of the homes are on Felsmith,
 18 Hillcrest, Woodview and other residential
 19 streets with families, residential streets with
 20 children.
 21 Local citizens are the heart of the
 22 community. This type of invasive construction
 23 stifles future residential development.
 24 Afterall, who wants to buy a home near a cancer

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1 factory? In fact, on a personal side, my wife
 2 and I are Realtors. We have a search for our
 3 son because he wants to move. He wants to get a
 4 bigger piece of property. One of those areas he
 5 was looking at was Botterman Farms. When he
 6 found out about this, he said, "Dad, take me out
 7 of there." He's not going to be the only one
 8 that doesn't want to move to Hampshire.
 9 Sure, I understand people want to
 10 get their cat food and their toilet paper within
 11 hours of ordering, but is it worth the
 12 documented health risks of diesel fuel? Is it
 13 worth sitting in traffic for another 30 minutes
 14 each way on the way to work and school? Is it
 15 worth looking at 40-foot high concrete walls in
 16 this beautiful, serene community.
 17 There's grounds for all over the
 18 nation -- that was mentioned earlier -- of
 19 citizens across the country up in arms over the
 20 takeover of communities by these dangerous
 21 monstrosities. Local governments and counties
 22 need to take some responsibility if they pass
 23 proposals that are so against the local
 24 interests. Then they clearly are not connected

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1 to the community.
 2 Now, anybody taking notes here,
 3 www.cfa4u.com or you can Google Community First
 4 Alliance or you can scan the URL on that poster.
 5 There's a lot of information out there as well
 6 as our position paper.
 7 Thank you very much. I appreciate
 8 the opportunity.
 9 CHAIRMAN MROCH: Sue William? There's
 10 a hyphen in there -- slash. Sue P? Sue
 11 Priggie? Priggie William?
 12 MR. WILLIAM: Sorry. That was a --
 13 That's an error.
 14 CHAIRMAN MROCH: Marie Sieker?
 15 MS. SIEKER: I'm going to pass for now.
 16 CHAIRMAN MROCH: Thank you, ma'am.
 17 I do apologize in advance on this
 18 name. If I happen to mangle it, I do genuinely
 19 apologize.
 20 Eira Michelutti?
 21 MS. MICHELUTTI: I didn't sign up to.
 22 CHAIRMAN MROCH: Okay.
 23 John Fellmann?
 24 MR. FELLMANN: Give me a minute here.

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1 I've got a bad hip. Thank you.
 2 Before I start, I'd like to look at
 3 the map a little bit closer if that's all right.
 4 Thank you. On this platt -- Hello? There we
 5 are -- I don't see any points of ingress or
 6 egress. Is that an oversight?
 7 CHAIRMAN MROCH: Sir, any questions
 8 that you ask will be answered -- Go ahead and
 9 ask them. They'll take notes, and we'll ...
 10 MR. FELLMANN: All right. I certainly
 11 cannot match the quality of life statements that
 12 my predecessors made, so I'll get on to the -- I
 13 guess the nuts and bolts of it.
 14 One of the questions I have --
 15 hoping there will be an answer a little bit
 16 later -- is the integrity of the site. Will
 17 there be fencing? Will there be light
 18 monitoring? Will there be remote monitoring?
 19 Will there be somebody on-site at all times?
 20 The equipment being stored, it was a very vague
 21 laundry list of items. But could other items be
 22 stored out there without over site? Chemicals,
 23 55-gallon drums, tanker trucks, without the --
 24 without oversight of that location, you wind up

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1 getting situations like this on Dietrich Road
 2 where people come buy and dump all their
 3 garbage. It was taken on August 6th. And,
 4 unfortunately, I was out of town prior. There
 5 was other pieces of examples I had missed.
 6 But I guess the -- the one thing I
 7 really want to talk about is the law enforcement
 8 aspect and the -- and the fire protection aspect
 9 of it. The Hampshire PD is a part-time police
 10 department, 8:00 a.m. to 3:00 p.m., Monday
 11 through Friday. Yeah? That's what your website
 12 says. Looking at the police department website,
 13 it doesn't indicate whether anybody's trained in
 14 truck enforcement. I'll let that stand as a
 15 yes.
 16 Trucks coming and going, I heard a
 17 remark in the presentation here that truck
 18 traffic will be kept onto the proper roadways at
 19 the proper times. And I'd like to know how
 20 these trucks are going to get in and out of
 21 there. Because when you turn off of Route 20,
 22 that's what you're greeted with, load limit of
 23 12 tons. So you can't go 100 feet down that
 24 road unless -- and not miss this sign. And if

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1 you decide to come off of Big Timber on Brier
 2 Hill, you get this sign, 12 tons. And if you
 3 come from the north off of Harmony in Coral
 4 Township, 8 tons to the axle, 4 tons in the
 5 resident. And if some of the truckers decide
 6 they want to sneak through Del Webb, the Village
 7 of Huntley has been kind enough to put up a
 8 13-ton sign on Copper Lane right off Brier Road
 9 along with a solar-powered camera.
 10 The Huntley police department has
 11 six trained officers in truck enforcement and a
 12 sergeant in charge of that unit who is trained
 13 in truck enforcement. I've watched them
 14 practice their techniques with a portable scales
 15 of the Illinois State Police out on Route 47.
 16 I know truckers. I've had occasion
 17 in my career to realize that they will take the
 18 shortest route to wherever it is they want to go
 19 and they don't care. So any guarantees by our
 20 presenters here are probably just speeches and
 21 not really -- can be held accountable.
 22 CHAIRMAN MROCH: I do apologize, sir.
 23 It's been over five minutes.
 24 MR. FELLMANN: Okay. Thank you.

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1 CHAIRMAN MROCH: We don't have to vote
 2 on a recess, do we?
 3 MR. VASSELLI: We should -- we should
 4 vote. If we're going to take a recess, we
 5 should vote on it.
 6 CHAIRMAN MROCH: Okay.
 7 I will entertain a motion to take a
 8 ten-minute recess.
 9 MR. McBRIDE: I'll make the motion.
 10 MR. NEAL: Second.
 11 THE REPORTER: Hold on. I'm sorry,
 12 sir. There was -- I don't know when you guys
 13 started up again. I thought we were on break.
 14 CHAIRMAN MROCH: We're just -- We're
 15 voting on the motion for recess.
 16 THE REPORTER: Okay.
 17 Aye? And there were --
 18 MR. RAPACH: There's a lot of ayes.
 19 MR. FRILLMAN: Mr. Neal?
 20 MR. NEAL: Aye.
 21 MR. FRILLMAN: Ms. Duchaj?
 22 MS. DUCHAJ: Aye.
 23 MR. FRILLMAN: Mr. McBride?
 24 MR. McBRIDE: Aye.

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1 MR. FRILLMAN: Mr. Rossetti?
 2 MR. ROSSETTI: Aye.
 3 MR. FRILLMAN: Mr. Rapach?
 4 MR. RAPACH: Aye.
 5 MR. FRILLMAN: Myself, aye.
 6 MR. RAY: They're all ayes.
 7 THE REPORTER: Yeah, I figured.
 8 (A short recess was taken.)
 9 CHAIRMAN MROCH: Good evening again. I
 10 will entertain the motion to reconvene the
 11 planning and zoning meeting this evening at
 12 9:27 p.m.
 13 MR. NEAL: So moved.
 14 CHAIRMAN MROCH: Technically --
 15 MR. McBRIDE: Second.
 16 MR. FRILLMAN: All right. Mr. Neal?
 17 MR. NEAL: Aye.
 18 MR. FRILLMAN: Mr. McBride?
 19 MR. McBRIDE: Aye.
 20 MR. FRILLMAN: Mr. Rapach?
 21 MR. RAPACH: Aye.
 22 MR. FRILLMAN: Myself, aye.
 23 Ms. Duchaj?
 24 MS. DUCHAJ: Aye.

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1 MR. FRILLMAN: Mr. Rossetti?
 2 MR. ROSSETTI: Aye.
 3 CHAIRMAN MROCH: Thank you for that.
 4 Where was I?
 5 MR. VASSELLI: You called -- Yeah,
 6 we're going to call the roll -- You're going to
 7 call a roll and then start, right?
 8 CHAIRMAN MROCH: Didn't we just motion
 9 and roll call to reconvene?
 10 MR. VASSELLI: Yeah. Right. But did
 11 you call a roll, who's in attendance?
 12 CHAIRMAN MROCH: Oh, who's in
 13 attendance?
 14 MR. VASSELLI: Yeah, yeah, yeah.
 15 MR. FRILLMAN: Neal?
 16 MR. NEAL: Here.
 17 MR. FRILLMAN: McBride?
 18 MR. McBRIDE: Present.
 19 MR. FRILLMAN: Mr. Rapach?
 20 MR. RAPACH: Present.
 21 MR. FRILLMAN: Myself, present.
 22 Ms. Duchaj?
 23 MS. DUCHAJ: Here.
 24 Mr. Rossetti?

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1 MR. ROSSETTI: Present.
 2 CHAIRMAN MROCH: All right. Cynthia
 3 Rafkind?
 4 MS. RAFKIND: Good evening.
 5 So I live 1,400 feet from the
 6 property.
 7 Mr. Burney, how far do you live?
 8 So we can tell from the
 9 petitioner's application that the intent of the
 10 rezoning has not changed. The petitioner
 11 requests O-M zoning with special uses to allow
 12 for industrial uses of warehousing and
 13 logistics. This is essentially the same
 14 application, the same problem. Industrial
 15 activity does not belong near homes.
 16 I would like to make several points
 17 in relation to the zoning code. And I prepared
 18 these comments when I saw that the agenda had
 19 broken out public hearings for north property,
 20 south property, et cetera. So some of this may
 21 be more about the north or the south, but I
 22 would like to have all of it not be industrial.
 23 So, first, this petition is not
 24 compatible with the land use plans of Kane

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1 County, McHenry County, or even the Village of
 2 Hampshire. The Kane County 2040 land use map
 3 shows the northern property as resource
 4 management. Resource management zoning is used
 5 to ensure that development is sustainable and
 6 does not harm the environment. Compatible uses
 7 include residential, agriculture, forestry.
 8 Special care is supposed to be taken to protect
 9 the natural open space character of these lands.
 10 For that eastern portion of the
 11 north property the 2040 map is proposed as open
 12 space. So, again, the north is resource
 13 management and open space for Kane County land
 14 use.
 15 McHenry County 2030 and beyond land
 16 use plan, which was last updated in 2016, shows
 17 the McHenry County portion of the north property
 18 at estate residential homes. The Village of
 19 Hampshire 2004 future land use plan map shows
 20 the northern property as a business park with
 21 green waste surrounding the wetlands and the
 22 creek. This is the most intensive zoning vision
 23 for this property, and even this plan does not
 24 allow for industrial development at the site.

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1 So a business park is a
 2 commercially zoned area that is generally
 3 reserved for businesses that have some kind of
 4 interaction with the public. These may be
 5 offices, retail stores, restaurants, and hotels.
 6 Industrial companies may have their offices
 7 there but not their factories and warehouses.
 8 Industrial zones, on the other
 9 hand, don't belong near residential or
 10 commercial zones. In fact, zoning laws exist to
 11 insulate people from the nuisances and hazards
 12 of the industrial activities like noise.
 13 Manufacturing, fabricating, and logistics
 14 activities can be very loud. This noise can be
 15 disturbing to citizens and cause commercial
 16 businesses to lose revenue.
 17 Environmental concerns: Industrial
 18 zones are intended to be remote from residential
 19 and commercial zones because of the effects that
 20 industrial businesses have on the local
 21 environment. Pollution, erosion, traffic, and
 22 effects on the water table are all concerns that
 23 make it risky to place industrial zones near
 24 homes and commercial centers where people

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1 congregate.
 2 Quality of life: Another reason to
 3 make industrial zones remote is maintain quality
 4 of life for residents by ensuring that their
 5 neighborhoods remain peaceful and quiet.
 6 And property values: Separating
 7 industrial zones from residential zones also
 8 helps prevent property values from decreasing
 9 due to the presence of industrial activities.
 10 Industrial development of a
 11 property does not fit with what is already
 12 around it. North is residential and
 13 agricultural zoning. East is residential and
 14 agriculture. South is agriculture. So that is
 15 farming and homes on three of the four sides.
 16 So contrary to what Ms. Hansen
 17 would have you believe, the west side has the
 18 O-M, H-C, M-2 and office research. Only one
 19 side do we see commercial development and some
 20 M-2.
 21 It is worth noting that when the
 22 M-2 area was rezoned, the public fought against
 23 it back then. Some of my neighbors here tonight
 24 were a part of that effort. You don't have to

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1 continue with the mistakes of the past and do
 2 that same thing here tonight.
 3 The north property is currently
 4 filled with agriculture and has a history of
 5 being farmland. Rezoning for industrial use is
 6 a huge step away from its current and historical
 7 use. In fact, the land is very well suited for
 8 its current zoning of agriculture. The north
 9 property possesses rich farmland that has been
 10 in cultivation for a long time and has never
 11 been developed beyond farmland. It also
 12 contains wetlands and Harmony Creek, a big part
 13 of the watershed for Hampshire's beloved Coon
 14 Creek. According to McHenry County 2030 plan,
 15 this area is important for ground water
 16 recharge.
 17 So from page 36 -- I'm going to
 18 quote: It is estimated that the -- in Illinois,
 19 which receives 36 inches of annual rainfall,
 20 rural areas such as this one allow 7 inches of
 21 rain to become ground water recharge, 2 inches
 22 to become surface runoff, and the remaining
 23 27 inches is used in evapotranspiration.
 24 Conversely, urban areas -- still quoting --

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1 without open lands permit 7 inches of annual
 2 rainfall to reenter the atmosphere through
 3 evapotranspiration with the remaining 80 percent
 4 becoming surface runoff. Simply put, no
 5 appreciable amount of rainwater becomes ground
 6 water recharge where the surfaces are mostly
 7 paved or built upon and water is channelled
 8 directly into the underground storm water
 9 systems.
 10 CHAIRMAN MROCH: I do apologize,
 11 Ms. Rafkind. I have to --
 12 MS. RAFKIND: I have so much more to
 13 say. It really seems unfair to limit us to five
 14 minutes. I have a lot more. And if you -- If
 15 you're really trying to do your due diligence
 16 and hear testimony from the public and have us
 17 ask questions and bring forth evidence in a
 18 public hearing, you should be listening to every
 19 single thing we have to say.
 20 My backyard -- My kitchen window is
 21 going to look at this every day. My well is
 22 50-feet deep, not 1,000-feet deep as the village
 23 aquifer, you know, is. 50.
 24 I have a lot more to say. I don't

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1 think it's right for you to cut people off.
 2 CHAIRMAN MROCH: In the manner -- in
 3 the manner of brevity, I am trying to stick to
 4 that precedent that has been set every meeting
 5 that we've had thus far.
 6 MS. RAFKIND: But you don't have to do
 7 that. You can listen to every single thing that
 8 everyone has to say. You don't have to do that.
 9 MR. BURNEY: Mr. Chairman, the lady can
 10 submit her written comments to the members of
 11 the plan commission, and they can see --
 12 MS. RAFKIND: Are you going to have an
 13 opportunity to read it all before they re-vote
 14 this evening? I highly doubt that. I do --
 15 MR. BURNEY: Mr. Chairman, it will go
 16 as part of the record that is transmitted to the
 17 village board. If the lady --
 18 MS. RAFKIND: But that's after the
 19 fact, after they vote.
 20 CHAIRMAN MROCH: Okay. This is -- I
 21 would like to clarify, like, this is not a
 22 free-for-all.
 23 MS. RAFKIND: I'm not trying to make it
 24 a free-for-all. I --

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1 CHAIRMAN MROCH: I am trying to stick
 2 to a precedent that I have set --
 3 MS. RAFKIND: I have --
 4 CHAIRMAN MROCH: Excuse me. I
 5 understand that this is a highly emotionally
 6 charged topic. And I have set the precedent
 7 since meeting one, and I would like to stick to
 8 that because it's not fair to anyone else that I
 9 have cut off to allow anyone else to filibuster
 10 and run. We all have better things that we
 11 would absolutely love to be doing. I am
 12 sticking to that precedent.
 13 UNIDENTIFIED SPEAKER: Thank you.
 14 Thank you.
 15 MS. RAFKIND: We all have better things
 16 we could be doing too. I will submit my
 17 comments. I will also submit --
 18 CHAIRMAN MROCH: That is all I can --
 19 MS. RAFKIND: -- the aquifers activity,
 20 the presentation map that shows that they are
 21 wrong. They are wrong. It is an A-1 aquifer
 22 sensitive area in McHenry County, and their
 23 retention pond will sit right on top of those
 24 sensitive soils.

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1 CHAIRMAN MROCH: Then would you like to
 2 submit them?
 3 MS. RAFKIND: I am. I am.
 4 CHAIRMAN MROCH: And I will add it to
 5 everything that is here.
 6 UNIDENTIFIED SPEAKER: Show it to
 7 everybody.
 8 CHAIRMAN MROCH: Thank you.
 9 Leonard Haluch?
 10 MR. HALUCH: Good evening, everyone.
 11 My name is Leonard Haluch. Thanks for the
 12 opportunity to speak tonight.
 13 While going through the
 14 presentation and listening to comments, I had
 15 the following observations about this issue
 16 before. So I thought about the criteria the
 17 board will be using to make their
 18 recommendation.
 19 The petitioner's intention for this
 20 property states their application is to develop
 21 the property for warehousing --
 22 UNIDENTIFIED SPEAKER: We can't hear
 23 you.
 24 MR. HALUCH: Okay. The petitioner's

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1 intention for the property stated in their
 2 application is to develop the property for
 3 warehousing and logistics use. They've applied
 4 for O-M zoning and special usage.
 5 Now, as I read it, in order to be
 6 approved for the special uses, they must be
 7 showing -- use same general character --
 8 according to the wording -- as the uses
 9 allowable in that section.
 10 Uses permitting the O-M district
 11 are subject to the following standard: Any
 12 production, processing, cleaning, service,
 13 testing, et cetera shall take place not creating
 14 disturbing influences to the use and occupancy
 15 of adjoining property. So that's one of our
 16 first considerations.
 17 Furthermore, the board must look at
 18 this presentation and decide it is found not to
 19 be obnoxious, unhealthful, or offensive by
 20 reason of the emission or transmission of
 21 vibration, dust, odors, or noxious matter,
 22 glare, or heat.
 23 So the question we should
 24 reasonably ask is, how is the petitioner

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1 planning to develop a 278-acre warehouse and
 2 truck facility that will not disturb the
 3 adjoining properties and will not create noise,
 4 vibration, smoke, dust, or odors?
 5 So as we think about that question,
 6 the answer is clear. They can't. The special
 7 use they're seeking is for cartage and express.
 8 To look around to find a good definition, but by
 9 common usage is the routing of trucks; the
 10 receipt and intermediate dispatching of goods,
 11 the parking or storage of trucks, trailers, and
 12 other vehicles to accommodate simultaneous
 13 loading and unloading of vehicles throughout the
 14 property. 276 acres of trucks loading and
 15 unloading that will happen without noise and
 16 disturbance to the surrounding properties.
 17 People, that's ludicrous.
 18 Furthermore, even if we grant that
 19 might be a possibility, how will this impact be
 20 determined? What's the decibel limit for noise?
 21 The allowable lumens to light pollution? Air
 22 particulate standards? I don't believe
 23 Hampshire has these.
 24 More importantly, the petitioner

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1 while saying their development will be in
 2 compliance with these offers us no information,
 3 no data, or no assurances to support these.
 4 They simply say it won't bother me. Really?
 5 How can you possibly make that determination?
 6 There is no data to support this, and there is
 7 no -- there is no standard to apply it to.
 8 Okay. Fair enough. So apparently
 9 tonight we're going to make that decision based
 10 on common sense. Then let's do that. To anyone
 11 who has been anywhere near a logistics and
 12 warehousing facility, it is painfully obvious it
 13 is going to produce noise, vibration, and fumes.
 14 It will create a disturbance to the occupants
 15 adjoining the property, and as such it is not a
 16 proper use in an O-M district.
 17 So what's going on here? Six
 18 months ago, eight months ago the zoning request
 19 that's listed, warehousing and logistics as an
 20 end use for this property, was listed as M-3 and
 21 then M-2. It was going to create nuisances and
 22 hazards according to the zoning right and needed
 23 to be remote or relatively remote from a
 24 residential development.

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1 So what happened, folks? All of a
 2 sudden your trucks got quieter? I don't know
 3 what happened, but I can offer you my opinion
 4 and I will. The petitioners realizes the
 5 request to locate a warehouse and logistics
 6 facility adjacent to residential areas under
 7 zoning like that is a nonstarter. So they
 8 repackaged it as a request for O-M zoning, added
 9 enough special uses to turn it into a truck park
 10 anyway. And that's what we're considering
 11 tonight.
 12 The disappointing part, to my mind,
 13 is instead of making a good faith effort to
 14 address the concerns of the surrounding
 15 residents -- And let me state very clearly, as
 16 was mentioned early on, I am not one of the
 17 people who believes that this property should
 18 never be developed. I am not one of the people
 19 who believes it should not produce tax revenue.
 20 I am one of the people who believes it needs to
 21 be done responsibly with the neighbors. But
 22 instead of addressing our concerns, they chose
 23 to use a backdoor attempt to misuse and
 24 manipulate the planning and zoning process.

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1 This needs to be called out for what it is.
 2 So, in closing, this request is not
 3 in keeping with the usage intended for an O-M
 4 district. That being the case, it's not in
 5 keeping with the intent of the comprehensive
 6 plan.
 7 I do agree with the petitioner.
 8 The comprehensive plan needs to be a living and
 9 evolving document. However, it is not supposed
 10 to be overhauled doing a single planning and
 11 zoning meeting at the request of a single
 12 petitioner. That's not going --
 13 For all of these reasons, members
 14 of the planning and zoning committee, I hope
 15 you'll take into account my comments, and I urge
 16 you to vote no on this proposal.
 17 Thank you for your time.
 18 CHAIRMAN MROCH: Roby Sloan?
 19 MR. SLOAN: I'll pass. It's getting
 20 close to my bedtime.
 21 CHAIRMAN MROCH: Michael Anderson?
 22 MR. ANDERSON: Hi. My name is Michael
 23 Anderson. I live on Felsmith adjacent to the
 24 property that's not -- that used to be part of

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1 this but was taken off because they realized it
 2 was too close to residents.
 3 I'm speaking on behalf of Pat
 4 Lawlor. He lives in rural Morengo and is a
 5 volunteer head of the Paddle the Kish in Morengo
 6 and a special project of the Environmental
 7 Defenders of the McHenry County.
 8 As a lifelong lover of rivers, Pat
 9 is concerned that the proposed zoning changes to
 10 the property under consideration will negatively
 11 impact the branch of Coon Creek which runs
 12 adjacent to the property.
 13 Creeks and rivers collect
 14 everything from their watersheds and carries
 15 them downstream, which affects the animals in
 16 the stream as well as humans who consume water
 17 drained from the stream, received into an
 18 aquifer.
 19 The proposed O-M zoning with
 20 special uses designation would involve much
 21 higher concentrations of oil and gas from diesel
 22 trucks which would as a matter of course
 23 accumulate in Harmony Creek. These motor
 24 chemicals are dangerous at low levels but even

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1 deadlier at higher levels proposed by the O-M
 2 zoning.
 3 Securing an O-M zoning would also
 4 mean many more miles of asphalt roads, parking
 5 lots, and driveways, all of which are covered in
 6 asphalt sealants, which includes PAHs, which
 7 would -- We've all heard many times now they're
 8 potent- -- These PAHs are potentially hazardous
 9 organic compounds that are found in most parking
 10 lots and driveway sealants. All these sealants
 11 eventually end up in our rivers and streams and
 12 are poisonous to animals and humans.
 13 Pat pleads with the decisionmakers
 14 to vote not to approve the O-M zoning
 15 classification for this property which is in
 16 close proximity to the creek.
 17 And as someone who personally has
 18 grown up in Hampshire their entire life -- I
 19 went to all Hampshire schools. I was the last
 20 class to graduate in this gym -- I never thought
 21 that I'd be standing here having to plead for
 22 there not to be this sort of development in
 23 pretty much my backyard.
 24 Though I -- Like the person before

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1 me, I realize that this will be developed
 2 eventually. And with that, I realize that we as
 3 a town have some power to determine what that
 4 involves. I ask that whatever is developed be
 5 net zero carbon emissions; that at least half of
 6 the land remain undeveloped without parking
 7 lots; that it remains green; that any
 8 landscaping adds to what is already there; if
 9 any trees need to come down, it is replaced at a
 10 one-per-one ratio at least; and that any lights
 11 on the properties face down unlike the glaring
 12 light at the TA and shines into my bedroom every
 13 night.
 14 Thank you very much.
 15 CHAIRMAN MROCH: Renée Hill?
 16 MS. HILL: Hello. I'm Renée Hill. I'm
 17 speaking on behalf of Coral Township. I am a
 18 Coral Township trustee. I'm reading into the
 19 record a letter from Mr. William Damisch, who is
 20 the township -- Coral Township supervisor.
 21 President Reid, Wednesday,
 22 August 9th was the regular meeting of the Coral
 23 Township board. The board discussed the
 24 requested zoning changes for the property from

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1 Dietrich Road to Coral Township. We do not
 2 believe that this requested zoning change is in
 3 the best interest of the residents in Botterman
 4 Farms, Harmony Trails, Hillsboro Cove, and
 5 Willow Hill subdivisions. We believe this
 6 proposed zoning change will likely have a
 7 negative effect on their property values and
 8 their quality of life. We would like to see the
 9 property owners and the Village of Hampshire to
 10 reconsider this proposed zoning change. The
 11 Coral Township Board is not against development,
 12 but we believe zoning laws exist to protect
 13 property owners and the community at large. We
 14 request the planning and zoning members vote
 15 against these proposed zoning changes. Thank
 16 you for your consideration. Regards, William
 17 Damisch, Coral Township supervisor. Thank you.
 18 CHAIRMAN MROCH: Annette Fetherling?
 19 MS. FETHERLING: Good evening. Good
 20 evening.
 21 CHAIRMAN MROCH: Good evening.
 22 MS. FETHERLING: I wanted to take some
 23 time to talk about property value being one --
 24 it's been touched on before -- as a large

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1 concern of ours. You know, you were just
 2 mentioning that, you know, there's better places
 3 we could be than to be letting people talk on
 4 and on and on all night long. But this is where
 5 I want to be, because this is very important to
 6 me and to my family and to my neighbors.
 7 And I'm here speaking -- You
 8 probably remember me. My husband grew up in
 9 this town -- that's the last gentleman spoke too
 10 and went to school here. And we moved back to
 11 this area for that reason. I knew no one in
 12 Hampshire, of course, except for our friends and
 13 family, and now I see people at the -- you know,
 14 some of you as we're out and about. And, you
 15 know, I don't want a negative picture painted on
 16 me, but I'm here because this is important. And
 17 if that's what happens and that's how people are
 18 taking it, that's where we are.
 19 Tom already spoke. He spoke about
 20 this land being perfect for industrial use and
 21 that -- because of the I-90 and the I-20
 22 corridor and such. He spoke and he said this --
 23 or this industrial area is not along -- is not
 24 along -- Wait. I'm sorry. This industrial area

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1 is along the highway. It is not along the
 2 highway. It is along residents' homes, folks
 3 that I've met because of this that I don't have
 4 any ties to, but I -- I feel for them because
 5 this is wrong. The Flecks, the Bakkas, the
 6 Pienkowskis, the Lackos, the Roses, the Quandts,
 7 the Solataruses, the Dennis family, the
 8 Mitchells, the Watermanns, Dannhausers, Kerns
 9 (phonetic). And the list goes on.
 10 And these folks, some of them
 11 aren't speaking to you. Some of them may not be
 12 able to get here because of health concerns,
 13 things of that sort. They're very much
 14 concerned as -- as I am about this. Noise,
 15 light, water, there's a lot things that need to
 16 be addressed, a lot of the documents like
 17 Cindy's that need to be read and taken
 18 seriously.
 19 And I beg you, please, there's a
 20 family I've met through this, the house -- I'll
 21 show you actually, if I can walk up. Right
 22 here, this house, they're not -- they're not
 23 here tonight, to my knowledge, but they're
 24 the -- the Dennis family and the parents are the

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1 Watermanns. They own a lot of the property
 2 there on the north side of Dietrich. No one's
 3 drawn a little light box around their property
 4 and drawn, you know, how close are they to the
 5 road. How close are they to the exhaust pipes
 6 that are going to be pumping that exhaust out
 7 all the way up that green strip? No one's done
 8 that.
 9 These trees, these berms, whatever
 10 is done isn't going to protect that. There's --
 11 Someone spoke about lot 16 and Botterman.
 12 There's not a house on it yet. There could be
 13 down the line. No one's taken in consideration
 14 of that on the back end of the property. You
 15 know, these are residential lots.
 16 Someone at the prior meeting said
 17 that Brier Hill -- or excuse me -- Dietrich Road
 18 is a road to nowhere. I beg to differ. Many
 19 people in this room beg to differ. Currently,
 20 trucks can't go on there in certain parts of the
 21 year. I have a picture I'll put into the record
 22 of a semitruck that went off the road on
 23 Dietrich and, like, jackknifed. Okay? Imagine
 24 your child in a car -- we know all the deaths on

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1 Dietrich Road -- driving, coming maybe a little
 2 airborne going what? Over the speed limit?
 3 Coming up to find a semitruck turning onto that
 4 green roadway there? The semis can't even turn
 5 around going, what, 5 miles an hour? They
 6 can't. They're hitting -- they're hitting
 7 property gates and such on that road. Please
 8 don't send more semis down that road.
 9 You know, as I went around in
 10 taking a pictures of a lot of garbage and crime
 11 and things, you know, the more trucks and the
 12 more of the folks that live out of their
 13 vehicles that are in our community. I mean,
 14 take a drive yourself. Look around. I'll send
 15 you some of the pictures I found. There's --
 16 there's so much that I'm appalled that I live so
 17 close to.
 18 And it doesn't matter what my zip
 19 code is. We're -- we're neighbors. We live
 20 here. I -- I appreciate what you -- what you're
 21 up against. I appreciate the time and all the
 22 energy that you're doing -- And I -- I want you
 23 to vote no or I want you to follow the
 24 guidelines and the rules like you want to.

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1 Especially when I tried to learn in
 2 the beginning back in February what the
 3 processes were, I was talking to Jay Hedges, and
 4 he explained about our 30-day timeline to take
 5 down signage, which we've been discussing
 6 tonight. And then I e-mailed the clerk asking,
 7 well, why hasn't the petitioner taken down the
 8 sign that's been up? This was in the past, but
 9 the topic's resurrected itself. So I'll give
 10 you copies of this communication.
 11 I beg you guys to follow the
 12 ordinances that you write as well as to hold
 13 them accountable. Give us a good petition to
 14 look at and have you vote on.
 15 I appreciate the time. Thank you.
 16 CHAIRMAN MROCH: Lauren Sarnwick?
 17 MS. LACKO: Lauren wasn't able to be
 18 here tonight, and she asked me to read a brief
 19 statement. She said, "I am writing this letter
 20 in an effort to stop the proposed industrial
 21 zoning. When we decided to raise our family in
 22 this rural area six years ago, the main appeal
 23 was the pastore landscape, native wildlife,
 24 and quiet atmosphere. Taking my dogs for daily

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1 walks around our neighborhood, I am constantly
 2 reminded of the land we share with the native
 3 birds and also consider this land their home.
 4 Please consider the adverse effects that an
 5 industrial zoning approval will have on our
 6 community and the devastation that it will cause
 7 to the native wildlife and loyal neighbors that
 8 have worked hard to maintain biodiversity as we
 9 live in harmony with Mother Nature. Sincerely,
 10 Lauren Sarnwick.

11 CHAIRMAN MROCH: Chris Carr?
 12 MR. CARR: Good evening. I've been
 13 asked to read a response by Mr. Gary Swick,
 14 representing himself and unofficially as the
 15 president of the Friends of the Fox River.
 16 My position and recommendations: I
 17 do not recommend the zoning change for the
 18 property on Dietrich Road at this time. As an
 19 advocate for watershed protection, I basically
 20 want to preserve an open space to protect
 21 habitat degradation and the following impacts
 22 upon the ecosystem. If a development change in
 23 land use is proposed, I advocate for incoming
 24 practices that protect the natural resources to

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1 the best extent possible, not just to the
 2 minimum required standards. Changing the land
 3 use does not have to result in significant
 4 degradation, but it most often does.
 5 The first question should be, is
 6 this the right fit for this place? In this
 7 situation, it is not. My opinion is based upon
 8 industrial level conversion is not a good land
 9 use fit for the natural characteristics of the
 10 property's soils, wetlands, and ground water
 11 resources. Protection of the existing farmland
 12 as a natural and cultural resource is more
 13 important here. Threats to sensitive ground
 14 water as a limited resource -- resource and
 15 aquifer sensitivity exists. Potential impacts
 16 upon a habitat may not be avoidable.
 17 Before any further consideration of
 18 this proposed development proceeds, I encourage
 19 the Village of Hampshire and/or the petitioner
 20 to investigate and provide a detailed analysis
 21 of the following factors: unknown mechanics of
 22 hydrological system in the entire region and the
 23 potential impacts; unknown impacts from the
 24 massive infiltration and disruption; unknown

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1 impacts of the large impervious surface on the
 2 local ecosystem; unknown impacts of storm water
 3 discharge on adjacent areas; undocumented lack
 4 of presence of endangered threatened species;
 5 potential impact upon the sensitive ground water
 6 resources; and known significant loss of green
 7 space; unavoidable air pollution and its
 8 impacts, probable impacts of noise, light
 9 pollution upon the local wildlife; the lack of
 10 available local areas for wetland mitigation
 11 required for a project of this size; the various
 12 storm water management challenges that are not
 13 clearly addressed.

14 Please pause on the process of
 15 granting this application for rezoning to gain a
 16 fuller understanding of the potential impacts
 17 upon the natural and cultural community.
 18 Respectfully submitted by Gary
 19 Swick.
 20 Thank you.
 21 CHAIRMAN MROCH: Mike Skala?
 22 MR. LACKO: My name is Mike also but
 23 not Skala. I was asked to read this.
 24 Before I do read this, though, I --

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1 we do recognize you guys are all volunteering,
 2 and we do appreciate it. A little bit heated,
 3 kind of pissed off, but it is what it is.
 4 Brian, you had mentioned something
 5 earlier. You know, we have other things we want
 6 to do. We all agree. We totally agree. We
 7 don't want to be here. We don't want to be
 8 here. I mean, we have to be here, but we don't
 9 want to be here. And that's more to my point,
 10 like I said earlier, why are we here for the
 11 same exact proposal time and time again, just
 12 reprocessed and repackaged? That's it.
 13 Oh, and by the way, logistics, I
 14 don't know if you guys have heard. Yellow
 15 Truck, they're done, right? 300 -- 300 trucks,
 16 right? One of the oldest trucking companies out
 17 there? I'm not so sure about logistics, guys.
 18 Okay. So here is what Mike Skala
 19 wrote. He is a McHenry County Board member.
 20 Dear, Zoning Board, thanking you
 21 for taking the time to allow residents to speak
 22 and be heard regarding the Light project.
 23 The proposal today has changed
 24 slightly from previous requests, but I am still

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1 disappointed in what is being presented.
 2 Residents have requested meetings
 3 with the landowner and landowner's
 4 representatives to discuss proposed development,
 5 but phone calls and e-mails go unanswered. It
 6 seems like the owner does not care what
 7 residents think. That's very frustrating.
 8 We're not bad people, just concerned residents.
 9 Why is the only dialogue happening
 10 at public meetings? If the landowner cares
 11 about Hampshire residents, why hide and not have
 12 open dialogue? It only makes the residents more
 13 suspicious of true motives. It's a shame that
 14 being a good neighbor is relegated to public
 15 meetings and not in sit-down meetings with a few
 16 who can represent many. This request should
 17 yield the same results from this board. If the
 18 landowner is a responsible community member,
 19 they would have a plan in place that could be
 20 discussed. A full plan, not general. That's my
 21 idea.
 22 I do not agree with the CBRE that
 23 the zoning needs to be in place and property
 24 annexed before any potential suitor will look at

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1 the site. The entire Route 90 corridor is being
 2 developed as a storage and warehouse space
 3 because of the Rockford airport expansion and
 4 need for more intermodal hubs for companies.
 5 The expression of "Build it and
 6 they will come" can never be more true. The
 7 problem is not where it is built. The problem
 8 is what is built and what type of businesses
 9 will operate at the site.
 10 Is greed and the allure of large
 11 returns on investment land the reason the owner
 12 is not willing to sit down with residents at a
 13 meeting to discuss concerns of light pollution,
 14 noise pollution, ground water aquifer, and water
 15 runoff into a creek that already floods? If a
 16 public forum is the only means of voicing our
 17 concerns, we will inundate public forums with
 18 public comment. You have left us no other
 19 choice.
 20 This board is made up of caring,
 21 understanding people -- great volunteers by the
 22 way -- understanding individuals that want to do
 23 what's best for Hampshire. It's your
 24 responsibility to balance the needs of

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1 businesses and the residents -- and the voting
 2 residents in this town. To find that balance is
 3 never easy but getting it right allows business
 4 to thrive and residents to place -- a place to
 5 call Hampshire its home, a place that families
 6 can live, work, and play.
 7 I ask that you again reject this
 8 request on the Light project. This proposal is
 9 better than previous ones, but it still does not
 10 go far enough to address the concerns of
 11 residents. Stop hiding from us and be willing
 12 to discuss your proposal. The more you hide,
 13 the more we don't trust you. Sincerely, Michael
 14 Skala.
 15 MR. BURNEY: Mr. Chairman, can we ask
 16 the gentleman to leave a copy of that letter
 17 with you?
 18 MR. LACKO: I'm going to leave you
 19 all -- They'll all get a copy.
 20 MR. BURNEY: Thank you, sir.
 21 CHAIRMAN MROCH: Jim Kearns?
 22 MR. KEARNS: Good evening, ladies and
 23 gentlemen. I'm Jim Kearns. I'm the other half
 24 of Michael Skala from McHenry County Board

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1 District 9.
 2 And I actually live on
 3 14714 Harmony Road, Tom. I'm telling you where
 4 we live.
 5 MR. BURNEY: Thank you, sir.
 6 MR. KEARNS: So I'm just down the road
 7 on the other side of Harmony on the north side.
 8 And I see a lot of problems with this.
 9 And -- and, you know, I'm familiar
 10 with Tom, Tom Burney here, and we've dealt on
 11 some things with solar farms in McHenry County.
 12 We have a meeting tomorrow night on solar farms,
 13 and solar farms is our whole agenda tomorrow.
 14 We have seven or eight solar farms tomorrow
 15 night that we have to discuss. And we're going
 16 to have a room full of people just like this on
 17 solar farms.
 18 So I do appreciate you putting up
 19 with everyone tonight, and I appreciate everyone
 20 coming out and actually talking, because that's
 21 the only way you find out, is phone calls from
 22 those people. You've got to talk to them. And
 23 the same with -- with the landowners. You have
 24 to talk to people. You have to communicate.

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1 And you have to sometimes compromise.
 2 And when I look at your -- your
 3 site here, I -- And Mr. Burney knows that I'm
 4 all about the water situation and the
 5 contamination of water -- storm water. The only
 6 part of McHenry County that's in this is -- is
 7 the storm water area that you have there.
 8 However, when your eng- -- your engineer --
 9 I forgot your name. Sorry.
 10 When he talks about that northern
 11 parcel, that's -- that's the parcel that most
 12 people are concerned about. That's the parcel
 13 that is -- is in jeopardy of contamination of
 14 the wells. All of that water from that parking
 15 lot and buildings goes into that creek. Down
 16 the road past 20 to the airport and -- or the
 17 little airstrip and all the way down to 90, that
 18 creek isn't suitable for all that runoff that's
 19 going to come from that.
 20 Right now it's soil. It's
 21 farmland. And even with that, it's not
 22 suitable. It's not taken care of. It's not
 23 maintained. You want to annex that in, you
 24 should be willing to take care of that before

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1 you ever do anything out there. All the way
 2 down to 90, you ought to be cleaning that mess
 3 up and fixing it. And the landowners have a lot
 4 of money to be made on this project and they
 5 ought to be able to kick some out to do that.
 6 So also I don't understand why you
 7 are splitting or not splitting this into two
 8 different annexations. The northern part is all
 9 the controversy -- not all -- not all of it, but
 10 it's the big part of it, north of Dietrich Road.
 11 I don't understand why you're not doing this in
 12 two separate annexations, two separate zonings.
 13 That parcel on the north zoned
 14 agriculture right now at McHenry County is all
 15 estate zoning; all the way up into the new 2050
 16 plan that will all be estate. That -- that
 17 northern part is -- I mean, the neighbors --
 18 residents are probably going to look at solar
 19 farms in the building and light. And you can
 20 put solar farms on there without any --
 21 The State of Illinois --
 22 J.B. Pritzker just said that you've got to vote
 23 yes for a solar farm if it's on an agriculture
 24 property. We can't reject them. No matter how

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1 hard I try at our board meetings to reject some
 2 of these solar farms that I don't think are
 3 appropriate, but -- but we vote yes and we have
 4 to vote yes, supposedly. The state's attorney
 5 says we're going to get sued.
 6 So -- so state laws and -- and all
 7 of this, you should split this thing. I don't
 8 understand why you're doing it all as one
 9 parcel. You have the ability to change, to make
 10 a decision. And if you don't split it, you
 11 ought to be voting no on the whole entire
 12 project.
 13 That northern folks, McHenry
 14 County, they get nothing from Hampshire. They
 15 get nothing from Kane County. They get nothing
 16 for benefits from you because all the taxes from
 17 this property goes to Hampshire and Kane County.
 18 The folks that are affected by this are in
 19 McHenry County. And you're thumbing your nose
 20 at them by passing this.
 21 So I -- I -- I wasn't prepared to
 22 come and say anything tonight, but it really
 23 makes me angry to see the -- the nonsense -- I
 24 shouldn't say it's nonsense -- but -- but the

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1 unwillingness to compromise.
 2 So you should think about
 3 compromising here, folks, or go away with
 4 nothing. That's what you ought to think about.
 5 You ought to be willing to sit down at the table
 6 and compromise. You've got to leave these
 7 residents' way of life a little bit better than
 8 what you're proposing. What you're proposing
 9 destroys a lot of people that have no control
 10 because it's the Village of Hampshire. It's the
 11 county of Kane, not McHenry, which they all live
 12 in. And that's the issue I have with your whole
 13 process here this evening.
 14 So thank you.
 15 CHAIRMAN MROCH: John Kern?
 16 MR. KERN: Hello. My name is John
 17 Kern. Thank you for the opportunity to speak
 18 tonight.
 19 First thing is in that northern
 20 parcel on the Kane County piece, in one of the
 21 slides it was identified the two different areas
 22 that were affecting the aquifer, the white and
 23 the purple area was pretty -- pretty decent, was
 24 the least affecting of that. Then there's that

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1 white area on -- or the green area. There we
 2 go. It borders the whole northern part of that
 3 property.
 4 We don't know what's happening
 5 at -- at the McHenry County piece. I suspect,
 6 as you see that trend happening, that the
 7 McHenry County is even that much more sensitive.
 8 And I think Ms. Rafkind gave you something that
 9 actually documents that.
 10 But let's say that it goes down to a C.
 11 Now we're going to take storm water management
 12 and put that in place which actually digs down
 13 deeper and gets closer to the aquifer. So maybe
 14 that makes it an even more sensitive site for --
 15 as far as aquifer sensitivity.
 16 Next point: Whatever the benefits
 17 that were explained earlier tonight, whether
 18 they're true or correct or not, it shouldn't
 19 supercede the health and safety of the
 20 community. This is -- This project is so close
 21 to residential. Anything involving a semitruck
 22 activity is "obnoxious, unhealthful, offensive
 23 by reason of potential emission of" trans- --
 24 "or transmission of noise, vibration, smoke,

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1 dust, odors, toxic or noxious matter, glare, and
 2 heat." That's just the bottom line.
 3 And, look, it's really plain and
 4 simple. Nobody wants to look at an industrial
 5 warehouse building from their yard or out their
 6 window of their home. Nobody wants their wells
 7 to be contaminated. Nobody wants their nearby
 8 nature habitat damaged. Nobody wants their
 9 property values to go down. Nobody wants to
 10 hear semitruck activity from their home. Nobody
 11 wants to breathe in air that has been
 12 contaminated by diesel exhausts. Nobody wants
 13 any of this for their personal place of
 14 residence including the petitioner and the
 15 people on the petitioner's panel.
 16 Last point: The idea of
 17 accommodating a petitioner without a specific
 18 project to be weighed, scrutinized, voted on for
 19 a zoning change is not the norm and is not fair
 20 to Hampshire. The petitioner is asking the
 21 Village to grant a zoning change simply because
 22 potential buyers don't feel like going through
 23 the process. Is this really the Village's
 24 problem? I'm sorry. The petitioner can't seem

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1 to sell the property, but I don't think the
 2 Village needs to be put in a precarious position
 3 just to make the petitioner's property more
 4 marketable.
 5 Bring the buyer forward. Let's see
 6 their face and their name. Let's see their --
 7 what their intentions are. Let them put the
 8 actual project on the table. Maybe there won't
 9 be any issues. Maybe there will. But at least
 10 the Village can make an informed decision.
 11 Therefore, I submit that a zoning change at this
 12 point is not necessary until there is a specific
 13 buyer with a specific project.
 14 Lastly, there's a lot of other
 15 parcels of land along the expressway that are
 16 not directly adjacent to residential. I
 17 encourage the Village of Hampshire to stay true
 18 to their zoning ordinances and comprehensive
 19 plan because this application for rezoning to
 20 this modified O-M zoning on the Ludwig property
 21 appears to be -- to fall outside of Hampshire's
 22 zoning ordinances and comprehensive plan.
 23 Thank you.
 24 CHAIRMAN MROCH: Wayne Jarosh?

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1 MR. JAROSH: Good evening.
 2 CHAIRMAN MROCH: Good evening, sir.
 3 MR. JAROSH: First of all, I'm not
 4 going to be long. I just got a couple questions
 5 that we'll get answers by, folks. But my name
 6 is Wayne Jarosh. I have just recently moved
 7 here three years ago, and I live at
 8 14901 Harmony Road, not far from Jim. And the
 9 property that I have is a seven-acre property
 10 that backs up pretty close to where you guys are
 11 at. So I have some major concerns with what's
 12 happening.
 13 I came here because my daughter had
 14 two children. My wife said, "Hey, find me a
 15 house. I'm leaving. I want to move to where
 16 she's at." She's in Huntley. And I'm very
 17 happy to have been here and moved here. I've
 18 been here for, like I said, three, four years.
 19 To have all these folks and their passionate
 20 feelings towards their community and their homes
 21 I think is just absolutely wonderful.
 22 My questions that I have, first of
 23 all, how many trucks are we looking at? I mean,
 24 the last time we talked I think there is 400 and

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1 something that were going to go on. Is it going
 2 to be 24 hours? I'm concerned about that. I'm
 3 concerned about all the other things that
 4 everybody said.
 5 The food manufacturer packing and
 6 processing? Is that a -- Is that pork? Is that
 7 chicken? Is that whatever? There's going to be
 8 some concerns with possible waste or whatever
 9 that may go -- go off -- go off. I really don't
 10 have the answers to that, but I sure would like
 11 to know.
 12 The other thing I'm concerned about
 13 also is the high school traffic that is -- comes
 14 off of Huntley off of Dietrich Road. And I know
 15 somebody spoke before too. I'm concerned about
 16 the high school kids coming around running into
 17 a semitruck. I think that's really dangerous.
 18 But you folks talked about -- or
 19 the gentleman talked about the safety that you
 20 people employ, that you want clean air, that you
 21 want to have quality of life, I think which out
 22 here is just absolutely wonderful.
 23 I was born and raised in Chicago in
 24 the Humboldt Park area, so I kind of know what

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1 it's like to live in the city, but, boy, I sure
 2 enjoy living in a rural area. And also I'm
 3 concerned about the clean water and -- and the
 4 safety -- the safety with the traffic as well.
 5 So because of those things and what
 6 everybody else said, which they've done an
 7 outstanding job -- And I personally thank all of
 8 you people. And I understand the volunteer
 9 position. I just recently retired, so I
 10 understand what you guys are going through. But
 11 please I -- I ask you not to vote on this. And,
 12 hopefully, that you guys will use your -- your
 13 judgment to vote against it.
 14 Thank you.
 15 CHAIRMAN MROCH: John DeRosa?
 16 MR. DEROSA: Good evening. My name is
 17 John DeRosa. I'm the president of the board or
 18 directors of the Sky Soaring Airport and the
 19 associated Sky Scoring Glider Club, which is a
 20 charitable organization.
 21 Our organization has been in
 22 existence for 51 years and has been at the
 23 current location at the northwest corner of the
 24 properties under consideration in McHenry County

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1 since 1984. The Associated Sky Soaring Club
 2 currently has 50 members from homes in Hampshire
 3 and beyond. We all feel we are good neighbors
 4 to all those living around our airport.
 5 As an aviation organization, like
 6 all aviation organizations, we take safety as
 7 the most important aspect of our operations. We
 8 work closely with the FAA and the Illinois
 9 Department of Transportation to maintain our
 10 good safety record. The growth and development
 11 of new commercial buildings in our area is very
 12 concerning to us as it can directly impact the
 13 proper operation of our aircraft by decreasing
 14 the buffer zone surrounding the airport as well
 15 as takeoff and landing patterns.
 16 The Sky Soaring Airport is defined
 17 as a public use airport by both the FAA and the
 18 Illinois Department of Transportation. Both the
 19 FAA and IDOT have rather specific rules and
 20 restrictions on structures within the vicinities
 21 of airports, even one as small as ours. These
 22 rules must be complied with. We will hand out
 23 copies of these restrictions to the zoning board
 24 and the developer at the end of my speech.

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1 The Sky Soaring Board and its
 2 members call on the Hampshire zoning board to
 3 not approve -- excuse me -- the development and
 4 rezoning of the properties under consideration
 5 here tonight.
 6 Thank you.
 7 CHAIRMAN MROCH: Thank you, sir.
 8 Kristine Pienkowski?
 9 MS. PIENKOWSKI: Hi. My name is
 10 Kristine Pienkowski. I've stood here before you
 11 a few times now to represent two organizations
 12 that operate on Dietrich Road not very far from
 13 the proposal here. It is the Ranch of Hope
 14 Reins and Hope Reins.
 15 There may not be very many people
 16 who live on Dietrich Road who will be affected
 17 if this is turned into what is being proposed
 18 here. However, hundreds every year will be
 19 affected because these two organizations that
 20 are on Dietrich Road provide mental health for
 21 our community, for people in our surrounding
 22 communities. Our high schools who have
 23 children -- Both Hampshire High School, Huntley
 24 High School, these kids are suffering with

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1 depression and anxiety at unprecedented levels.
 2 And as representatives of our community, we need
 3 to be really concerned about what is happening
 4 to the mental health of our children and all of
 5 those in our community.
 6 The work that we do is not sitting
 7 in offices working with people talking. We are
 8 using a very unusual method that is profoundly
 9 effective, especially working with children who
 10 are at risk. Using horses, we work outdoors.
 11 The whole purpose is to provide a peaceful,
 12 quiet, safe environment to help at-risk youth
 13 and adults, families, organizations to deal with
 14 the mental health issues and the social and
 15 emotional issues that are facing our communities
 16 at incredibly high rates right now.
 17 This petition is requesting what is
 18 actually M-2 zoning. The nuisances that are
 19 being allowed with these special uses is no
 20 different than M-2, and it should be in a remote
 21 location that is not adjacent to residential
 22 properties.
 23 And it also states that it is not
 24 to be creating disturbances to the use of

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1 occupancy of adjoining properties. It most
 2 definitely will be. No one is fooled. This
 3 petition -- this petition with this special uses
 4 includes all the intensities and nuances of the
 5 previous impacts of the previous petitions.
 6 And these two organizations, the
 7 Ranch of Hope Reins and Hope Reins that are on
 8 Dietrich Road will be negatively impacted, which
 9 is an impact to not just the residents of
 10 Dietrich Road but to all of the -- our community
 11 in the surrounding areas. Please vote no.
 12 And I also want to say I don't --
 13 We have lived on that road for not that many
 14 years, and the number of children that we have
 15 seen injured in just their cars -- and adults
 16 actually. We've taken out our concrete fence in
 17 the front of our property. People are killed on
 18 this road. You know this road is called Roller
 19 Coaster Road. We do not want to add trucks to
 20 what is already a deadly environment for kids
 21 who use this road. Please vote no.
 22 CHAIRMAN MROCH: Thank you.
 23 Jon Schaeffer has a video to
 24 present for evidence.

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1 MR. SCHAEFFER: I'm allowed to speak a
 2 minute or two?
 3 CHAIRMAN MROCH: Pardon?
 4 MR. SCHAEFFER: I'm allowed to speak a
 5 minute or two?
 6 CHAIRMAN MROCH: As agreed, we'll give
 7 you five minutes. Yes.
 8 MR. SCHAEFFER: Okay.
 9 Thank you.
 10 MR. RAY: Do you need the microphone?
 11 MR. SCHAEFFER: Sure.
 12 So can you guys hear me?
 13 So I'm going to play real quick --
 14 and then I'll talk a couple other things -- but
 15 audio from my master bathroom, interior, right,
 16 of my house, which is at least -- I don't
 17 know -- ballpark half a mile away from that
 18 intersection where they put up Loves? This is
 19 what it actually sounds like now. And you're
 20 talking -- Somebody said 400 additional trucks?
 21 1,100 additional trucks to be able to park
 22 there?
 23 Is it not doing it now? There we
 24 go.

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1 MR. RAY: You might want to check your
 2 connection there.
 3 (Audio played.)
 4 MR. SCHAEFFER: Can you guys hear that?
 5 All that background noise is truck noise. It's
 6 as loud as the birds in my neighborhood, in my
 7 yard, that constant hum.
 8 Late at night you hear the air
 9 braking, right? There's no air braking rule in
 10 the city. They come in de-de-de-de-de-de-de
 11 over and over and over. There's nobody there to
 12 manage it.
 13 Here's a video. Hopefully, this
 14 works.
 15 MR. RAY: You might just want to check
 16 your connection, Jon. It's kind of in and out.
 17 (Video played.)
 18 MR. SCHAEFFER: Yeah, I don't know what
 19 the -- I think it's just the Mac.
 20 So this is going 90 towards -- I
 21 can e-mail this and share it. Oh, this is the
 22 end. Sorry.
 23 This is going down Dietrich from
 24 the east to the west.

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1 MR. VASSELLI: Jon, do you want to show
2 the board? Turn it around and show the board
3 and they could see it?
4 MR. SCHAEFFER: Sure.
5 So it's a 40-mile-an-hour limit.
6 I'm doing about 31, 32. Blind spot after blind
7 spot.
8 And I'll forward it on to the
9 board.
10 This is from east to west towards
11 20.
12 MR. ROSSETTI: I'd appreciate if you
13 could e-mail it because we can't see the screen.
14 MR. SCHAEFFER: Yeah. Okay. I'll
15 e-mail it.
16 Just another instance of why.
17 Numerous blinds spots, right?
18 The other direction as well. And
19 I'll submit. The start of 20 -- and I'll just
20 say it -- starts off on a blind spot because
21 it's on the corner. Completely blind.
22 You going to put a semitruck down
23 that road? 400 of them? They're jackknifing up
24 there as it is.

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1 MR. VASSELLI: Jon, you can show them
2 the whole video.
3 MR. SCHAEFFER: What's that?
4 MR. VASSELLI: I know you can't see it
5 on the screen, but you could show them the whole
6 video. Because it seems like it's on that
7 thing, and you're presenting to the board.
8 MR. SCHAEFFER: Somebody put up the
9 sign, right, no trucks allowed in the winter
10 because of the road itself?
11 It's also evidence of failure to
12 post properly.
13 Okay. So a couple things that I
14 just want to say because my time was cut short.
15 Thank you.
16 This is your future land use for
17 this area that you are supposed to consider,
18 enhance the identity of the image of Hampshire
19 along this major gateway, provide a diverse
20 range of housing and support planned detail --
21 retail and business uses, multifamily
22 residential, and senior housing. That's per the
23 subarea plan.
24 I'm sure this petitioner is going

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1 to find all sorts of reasons why they developed
2 things -- will be considered and protected.
3 They're going to come back. They've been taking
4 their notes.
5 However, the petitioner cannot
6 guarantee these things. I'm sure previous
7 developments have promised to follow the rules
8 or conduct their development within whatever
9 code they can cite.
10 As evidence to the fact, a
11 developer cannot make such promises. The City
12 already has nonpotable water from contamination
13 at Dietrich and 20. So everybody understands,
14 nonpotable means you cannot drink from it. You
15 cannot use it for any purposes residentially.
16 I provided a map of the
17 contamination. There are also leaking
18 underground storage tanks. They call them
19 LUSTs. I count six by my count at 90 and 20
20 interchange, not to mention the 21 other
21 potential sources of contamination sites and one
22 toxic release inventory site already in the
23 area. That's according to the Illinois EPA.
24 With gas and oil pipeline to the

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1 east of the property, it's very quickly
2 developing into the potential for some serious
3 environmentally negative and potentially
4 irreversible outcomes. Who's going to pay for
5 them? Who is going to pay for my water when
6 your development contaminates the A-1 -- A-1 in
7 McHenry County, which is the highest level of
8 susceptible -- highest level of -- I can't even
9 say it I'm so --
10 UNIDENTIFIED SPEAKER: Sensitivity.
11 MR. SCHAEFFER: Thank you.
12 Highest level of sensitivity.
13 Thank you.
14 A-1. You guys are professionals
15 and you can't even go on and look this stuff up.
16 Like, it's unbelievable that you want to do
17 business like this.
18 MR. BURNEY: Mr. Chairman, I object to
19 the personal comments.
20 MR. SCHAEFFER: I would like to object
21 to you personally asking for my home address.
22 Had you done your homework -- This is for public
23 record. I take that as a threat.
24 Ultimately, this decision comes down to

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1 people. And my question to the petitioner is,
 2 would you want to live right next to a logistics
 3 manufacturing park?
 4 The home listed for Daniel Light in
 5 North Barrington backs up to a golf course and
 6 has a pond out front according to Google Maps.
 7 Or maybe it's their office location, also in
 8 North Barrington -- not even members of this
 9 community -- that backs up to a residential
 10 area, right, that backs up to a golf course? Or
 11 maybe it's the home in Fort Myers.
 12 The point being, the petitioner
 13 doesn't have to live near this development, but
 14 we do. While the petitioner lives in an area
 15 that we all wanted to live in when we moved to
 16 Hampshire and the surrounding area, a quiet
 17 neighborhood where we can raise our families
 18 free from fear for our children's well-being and
 19 their future.
 20 To quote a Spike Lee movie, I ask
 21 you, the petitioners, "Do the right thing." If
 22 you can't picture yourself wanting to live next
 23 to this development, how in good conscience can
 24 you do it to others? How can you do it to this

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1 six- and four-year-old and many other children
 2 living in the neighborhoods and homes
 3 surrounding this property? All I ask is for you
 4 to do the right thing.
 5 For the record, your current plan
 6 use calls for O-R zoning, office research.
 7 Nowhere in your zoning in the entire city have
 8 you placed an O-M district next to E-1 or a
 9 residential district. I looked at the whole
 10 map, all the zones. You would be going against
 11 your own comprehensive plan, right, if you
 12 approve this petition with O-M and special uses.
 13 Your comprehensive plan calls for O-R zoning.
 14 I will just say this. It's already
 15 been stated. The petitioner -- And the way it
 16 works in really, really functional systems has
 17 never approached a landowner except for once in
 18 the beginning because when they forgot to do
 19 proper notification.
 20 The last thing I just want to say,
 21 that is A-1 aquifer in McHenry County. Okay?
 22 When I had a discussion with President Reid, I
 23 remember him saying that this would be the first
 24 time the City of Hampshire has ever annexed

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1 without a development already decided or at
 2 least proposed. It's all pie in the sky.
 3 There's nothing there -- Unless they're lying
 4 about it, there's nothing there yet. The
 5 special uses that they're asking is an admission
 6 that it doesn't belong. If it belonged, they
 7 wouldn't need that special use.
 8 The other thing, I know you guys
 9 had a water presentation by one of the city
 10 engineers. That water presentation was not
 11 specific. We're giving you specific data about
 12 our well depth, specific data about what type of
 13 soil is there. Right? This is what a water
 14 plan looks like long-term, 2050, not a
 15 PowerPoint which we found out per the Village
 16 president, the part that dealt with the Light
 17 property is paid by the developer, by the
 18 petitioner.
 19 And I keep using "developer."
 20 That's not the right word. They don't have a
 21 developer.
 22 CHAIRMAN MROCH: I do have to cut you,
 23 sir. Thank you.
 24 That is our last speaker for the

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1 Light property public hearing. I will now turn
 2 the table over to the petitioner responses,
 3 rebuttals.
 4 MR. BURNEY: Thank you, sir.
 5 MR. VASSELLI: Mr. Chairman, as
 6 we're -- as we're transitioning -- Mr. Chairman,
 7 as we're transitioning, can we put in the record
 8 that there was a sign with the state of Illinois
 9 in red -- different shades of red that was
 10 presented? And I think that that's going to be
 11 part of the record and I want that in the record
 12 for the court reporter. And then Mr. Jon
 13 Schaeffer showed a video, about two minutes and
 14 six seconds, of him driving up and down a road
 15 rights of way adjacent to the proposed land use
 16 project.
 17 MR. SCHAEFFER: Dietrich Road.
 18 MR. VASSELLI: Dietrich Road. Thank
 19 you.
 20 CHAIRMAN MROCH: Thank you.
 21 MR. SCHAEFFER: And audio --
 22 MR. VASSELLI: And there's audio too.
 23 MR. SCHAEFFER: -- of what it sounds
 24 like.

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1 CHAIRMAN MROCH: Thank you.
 2 MR. BURNEY: Mr. Chairman, I'm going
 3 to -- We don't need to huddle, number one;
 4 number two, I'm going to try to take it as it
 5 came. And there will be times when I interrupt
 6 my presentation to ask some questions which --
 7 or ask them about -- some of our witnesses the
 8 answers to the questions that were raised. So
 9 it will be a little disjointed, but I appreciate
 10 your patience on it.
 11 First of all, we got the notice
 12 right. There have been signs up on this
 13 property since early February for this
 14 development. There was a sign the last time
 15 when there was a complaint that some little
 16 sliver of land wasn't given notice. So we did
 17 it again. And because --
 18 I would like the crowd -- Please.
 19 Because there happens to be a lot
 20 of foliage around that and because of the angles
 21 of the pictures, it makes it look like you
 22 couldn't see it.
 23 There were over 100 people here
 24 today. There was notice by virtue of certified

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1 mail. There was notice of virtue of appearing
 2 in the paper. There were two different notices
 3 on this property, one on the south side of
 4 Dietrich and one on the north side.
 5 Mr. -- Ernie will testify that
 6 under his direction and control these signs were
 7 placed on the property. And you can't see my --
 8 my photo here. This was a copy of this was sent
 9 to Josh, and it's in the record that a
 10 photograph of this notice was taken. We got the
 11 notice right despite what these people are
 12 saying.
 13 And all of the people who have
 14 shown up evidenced that there has been notice
 15 completely, and we would stand by the notice
 16 despite the lady who's threatening to sue in
 17 Paul v. The Village -- or County of Ogle. We
 18 would stand by that we complied with the notice
 19 requirements to this community.
 20 Let's talk about adjacency.
 21 Adjacent means you're right next door.
 22 Josh, could we see the photo that
 23 has the other subdivision, the subdivision in
 24 it, so we pick up the McHenry County part of

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1 this?
 2 Thank you, sir.
 3 You see these industrial buildings
 4 are not adjacent to that residential
 5 development. You see there is three, four
 6 football fields before the closest side of the
 7 building to the facade of the single-family
 8 home. You've heard Mr. Frayn testify that this
 9 area for the most part is going to be used for
 10 storm detention purposes. That is a significant
 11 buffer. And one cannot honestly claim that this
 12 area is adjacent -- What we're proposing, these
 13 industrial uses, are adjacent to that
 14 residential development.
 15 I would also point out -- and
 16 Mr. Frayn would testify to this -- that the
 17 regulatory approvals that one has to go through
 18 between the State and the County and the Village
 19 are extremely robust to be sure that the horror
 20 stories the people are worried about are not
 21 going to occur, that their -- that their wells
 22 are not going to get polluted, that the creek is
 23 not going to get polluted, that any runoff is
 24 going to meet the state requirements.

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1 So that -- that is a -- I know that
 2 there's unconfirmed fears about that, and we
 3 hear this a lot. But the regulatory system just
 4 does not permit that to occur.
 5 Ms. Carr, she was very eloquent, as
 6 were so many of the other speakers here today.
 7 But what she testified to, it's all hearsay.
 8 It's reports from other people. I did not take
 9 the time to cross-examine her on those. Those
 10 are not her opinions. Those are opinions that
 11 she read from somewhere else. And I don't -- I
 12 respectfully submit that they're not entitled to
 13 much weight as far as this commission's
 14 deliberations.
 15 Second of all, we have not seen any
 16 evidence of any of the things that they're
 17 saying are going to happen in this development.
 18 Further -- Furthermore --
 19 I'm not having a conversation,
 20 please.
 21 Furthermore, Mr. Vasselli can
 22 confirm, and I don't understand why -- if they
 23 were FOID'd, why somebody didn't get a copy of
 24 the annexation agreement. And I invite them to

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1 see it. And it's really just a draft of the
2 annexation agreement, and it's subject to
3 change.
4 And, you know, we had a change in
5 attorneys, so Mr. Schuster's no longer here and
6 Mr. Vasselli is going to take a whole brand-new
7 approach. But he can confirm for you, if you're
8 interested, in terms of what types of controls
9 the Village is given in terms of the future use
10 and development of this property. Then we are
11 -- with a use we are going to be able to have to
12 come back here and the public is going to get to
13 see who the user is.
14 Now, if you were an industrial user
15 and you were looking at unannexed, unzoned land,
16 you -- Mr. Suerth's testimony is credible, that
17 they are going to look somewhere else. And I
18 know that the neighbors want them to look
19 somewhere else, but that is not in the best
20 interests of the Village of Hampshire.
21 And I'm kind of skipping around,
22 and it might be because a good man does his best
23 work at a quarter to 11:00 at night. But if
24 you --

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1 Josh, can we go to the first slide,
2 please? And do we have a -- one that can blow
3 up a little bit -- I would like you -- Let's go
4 back to the beginning. It's really the cover
5 page, I think. Okay. There we go. There we
6 go.
7 And Mr. Schaeffer really proved a
8 lot of what we're saying. Look at the uses
9 around this of 20 and 90. That -- These uses
10 are clearly within the realm of impact of -- on
11 these residences that are complaining.
12 As a matter of fact, Mr. Schaeffer
13 was kind enough to bring us a recording of what
14 it sounds like from his house. So we're not
15 living -- This is not some isolated residential
16 area. This is -- And these people are -- would
17 have been held to know where they were moving to
18 with numerous trucks stops, numerous -- numerous
19 truck stops, numerous heavy traffic generating
20 uses, and I-90.
21 And I know that it would be best as
22 far as they're concerned if all of these other
23 uses disappeared. But we can't reverse what's
24 happened. And there are truck stops in this

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1 area. There are high intensity commercial uses
2 in this area. And that -- Those uses impact the
3 future use and development of our property. And
4 to a certain extent they have an impact on the
5 people who are complaining about this use. So I
6 ask you to keep that in mind. We are not
7 talking about some area that is pristine. I
8 mean, it is a heavy industrial area with all of
9 these uses.
10 UNIDENTIFIED SPEAKER: Seriously.
11 MR. RAPACH: Excuse me. You had your
12 chance.
13 MR. BURNEY: So there are --
14 Thank you, sir.
15 There was the question about
16 cartage -- cartage and express definition, and
17 we could -- I could bring Mr. Suerth up. But he
18 would testify that these are like short delivery
19 types of uses that are -- that we see with
20 Amazon. In your -- in your permitted uses, an
21 enumerated permitted use in the O-M is a use of
22 a distribution and warehousing. So in an
23 abundance of caution, we wanted to be sure that
24 the Village knew that a potential use of this

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1 could be cartage and express.
2 The gentleman who suggested that
3 these -- that use is not defined in the
4 ordinance is correct, but we wanted to be sure
5 that we covered all of that.
6 On food manufacturing, you see --
7 Again, Mr. Suerth can testify. But there are a
8 couple of food manufacturers right in this
9 immediate area. One makes dog food.
10 And, John, what's the other one?
11 MR. SUERTH: Buckhead Meat. And,
12 again, you know, we looked at similar uses in
13 the area when we were trying to, you know, pick
14 what we thought would be logical for other users
15 in the area. As far as what those companies --
16 Buckhead actually -- I know Buckhead is a
17 division of Sysco Foods.
18 MR. BURNEY: All right. So those are
19 the kind of uses. But, again, if Mr. Vasselli
20 were asked, I think that he would tell you that
21 you are going to get a chance to look at who the
22 end users are to see if the fears that you've
23 heard tonight are real or not.
24 We heard from the people from

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1 West Dundee or East Dundee about the Binnie Road
2 and Randall. And we know the area. Binnie Road
3 and Randall, think of how far off the
4 interchange Binnie and Randall is. Think about
5 all the traffic that is --
6 UNIDENTIFIED SPEAKER: Two miles. Two
7 miles.
8 MR. BURNEY: -- that is going to have
9 to go down Randall Road and other streets.
10 Think about that versus this site, Dietrich to
11 the 90 and it's out. It's not traveling on
12 local residential streets.
13 UNIDENTIFIED SPEAKER:
14 (Unintelligible.)
15 CHAIRMAN MROCH: Excuse me.
16 MR. BURNEY: Thank you.
17 So I don't think that the Binnie
18 Randall or the Carpentersville issue is really
19 one that is precedent for this village.
20 The plans that we have presented,
21 they are concept plans, but they become a -- a
22 template for judging what future uses are going
23 to be. Have we met at least the minimum
24 standards that Carrie Hansen has put towards

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1 buffering and landscaping? Have we shown -- Are
2 the buildings that were shown -- Are they
3 meeting the minimum standards that we have shown
4 in terms of these buildings? The placement of
5 the buildings, have -- are we meeting those
6 minimum standards? So they -- This is not plans
7 without details. It's simply that -- And I
8 believe John Suerth that we are not going to be
9 able to get a warehouse and distribution use, a
10 logistics use out of this property unless it's
11 zoned and annexed and ready to go and they have
12 to go through a public hearing to get your okay.
13 You've seen the level of
14 opposition, and you -- you know that -- And
15 these are very well meaning people that -- They
16 really want things to stay the way they are.
17 And that's good for them. But is that good for
18 the general community of Hampshire?
19 There was criticism that -- It was
20 one gentleman or one lady who wrote the letter
21 from Hampshire Township. But that -- If you
22 read that letter, that represents the entire
23 opinion of an elected board from Hampshire
24 Township.

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1 Now, we heard from Coral Township,
2 and their board didn't like it. So I think that
3 it's because the Hampshire Township board is a
4 stakeholder here in Hampshire. I think that its
5 opinion is entitled to significant weight as is
6 District 300, as is the park district, as is the
7 fire department.
8 I completely disagree that this was
9 a backdoor effort to get what we wanted. It has
10 been explained that the precedent of zoning this
11 M-2 or M-3 and mapping that on this -- on this
12 would have far more impacts -- negative impacts
13 than if we went to a less restrictive zoning
14 district. And that's what we did. We did the
15 O-M. And we heard and you heard in some of the
16 earlier hearings, "Why don't they go O-M? Why
17 are they going M-3?" Well, you know that we
18 backed down on that.
19 And to say that we haven't been
20 listening to these people, that's not accurate.
21 We have been listening to them. We brought --
22 we brought an expert in land planning. We
23 showed you how this land can be laid out. We
24 showed you how it can be buffered so that it

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1 won't have any impacts. And I -- Because we
2 haven't abandoned the project doesn't mean that
3 we have -- that we haven't been listening.
4 There was somebody who said we're
5 not adjacent to the 90. And you could see for
6 yourself that the southern piece has a
7 substantial amount of border along the 90.
8 There was a gentleman who said we should find
9 another area that doesn't have residential. I
10 don't know where you would find another area in
11 this corridor without residential that has the
12 kind of access this point has where you don't
13 have to use other streets that people would
14 complain that this truck traffic is going down.
15 The weight limits, if Javier Millan
16 was here, he would testify if he was called that
17 we recognize that Dietrich Road is going to have
18 to be improved, and that is going to be part of
19 the improvement plans and the conditions when we
20 come back for another plan -- approval for a
21 site-specific plan. And we're going to have to
22 do what your experts say, what our experts
23 recommend, and what's in this public's level of
24 safety.

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1 What the gentleman did point out is
 2 that with these other weight limits on these
 3 other roads other than Dietrich, there is going
 4 to be no other way for the traffic to go than to
 5 go to the 90 and get on -- go to the 20 and get
 6 on the 90. And I said it the first time I had
 7 the privilege of addressing, this property has
 8 absolutely no physical connection to that
 9 residential to the north. There is absolutely
 10 no way that there would be a single truck or a
 11 single vehicle that ever went to the north to
 12 interfere with these people's use and enjoyment
 13 of their property.
 14 Now, Mr. Kearns -- Mr. Kearns and I
 15 have -- You know, I think he's Henry Clay of the
 16 McHenry County boards. But he does point out
 17 that we have filed two separate applications.
 18 We have filed an application --
 19 Josh, can we go to the --a piece of
 20 property -- a slide that shows you that? Thank
 21 you, Josh, for doing this. Sorry to be bossy.
 22 There we go.
 23 So we have filed two separate
 24 applications, and there are two separate

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1 applications before you. And also keeping in
 2 mind that you don't have to zone the piece of
 3 McHenry County O-M. That's another option that
 4 you have.
 5 You're given a lot of choices here.
 6 But we would like you to recommend approval of
 7 O-M on both the north and the south pieces. But
 8 the way that this has been set up, it's two
 9 separate applications that we're asking you to
 10 vote on.
 11 UNIDENTIFIED SPEAKER: 15 minutes.
 12 MR. BURNEY: Again, I just reflect back
 13 on Mr. Schaeffer's video. We can actually hear
 14 the noise, the trucks. So to say that this is a
 15 pristine neighborhood that he lives in, I think,
 16 defeats what was one of his central points, that
 17 we're somehow ruining his neighborhood.
 18 We know we have to comply with the
 19 FAA requirements. And, again, I would -- To get
 20 it from the horse's mouth --
 21 No offense, Mr. Vasselli.
 22 -- the -- what rights you have
 23 going forward if you were to recommend this in
 24 terms of where the annexation agreement is --

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1 goes -- And I think that that's significant. I
 2 don't think that there's many annexation
 3 agreements like that. Give the Lights credit
 4 for understanding that. And it gives everybody
 5 the flexibility and the certainty that this is a
 6 development that's going to promote the health,
 7 safety, and welfare.
 8 And we go back to those letters and
 9 we go back to how those letters support the
 10 position that this is a use that is good for the
 11 community as a whole. And that's what your
 12 charge is. That's what your -- what the
 13 standards call for.
 14 And I guess to finish up on
 15 something, somebody complained because we didn't
 16 have a statement of facts about the special use.
 17 We followed the Village's development
 18 application. We filled out everything in that
 19 development application. It did not request
 20 that kind of standard.
 21 What we have presented here today
 22 is the evidence in support of all of those
 23 standards. And what we have demonstrated is
 24 that this use is consistent with the standards

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1 for a map amendment and that it's consistent
 2 with the standards for a -- for the special uses
 3 requested.
 4 There was one other complaint that
 5 we showed the property at zone D-1.
 6 Mr. Vasselli, again, can confirm this. But
 7 there is this event that happens for a
 8 millisecond when we annexed land in the
 9 community that we go from -- We go to E-1. And
 10 from that -- And that's why we called it E-1
 11 because it's the default zoning classification
 12 when you annex. And then pursuant to the
 13 annexation agreement, it is -- it is -- will be
 14 rezoned for the map amendment process. So
 15 that's the answer to that.
 16 I -- I believe that we're
 17 technically solid in everything that we've done.
 18 We stand behind the notices. And we would
 19 respectfully request a positive recommendation
 20 on these applications. Thank you, sir.
 21 CHAIRMAN MROCH: Thank you, sir.
 22 MR. SCHAEFFER? May I reply since he
 23 called me out a couple times?
 24 MR. VASSELLI: Mr. Chair?

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1 CHAIRMAN MROCH: Pardon?
 2 MR. VASSELLI: Mr. Chair? There's a
 3 couple legal issues that we do need to clear up
 4 before -- with the record before we move on to
 5 the public hearing.
 6 Mr. Chair, you are the chair.
 7 Whenever you want me to do that, I'm more than
 8 happy to.
 9 CHAIRMAN MROCH: By all means.
 10 MR. VASSELLI: So there were a couple
 11 statements that I do want to make a
 12 clarification on the law there. There was a
 13 statement that -- that the only dialogue that
 14 has taken place is at public meetings. And,
 15 generally, that is how the State of Illinois
 16 works. You have an Open Meetings Act, and
 17 that's why we have published notice. That's why
 18 there was other notices sent out. It is for
 19 there to be forums such as this one and the
 20 previous ones that are out there, that the --
 21 the statement of only dialogue can take place at
 22 public meetings or only -- it only has taken
 23 place, that's by design. That's why we have a
 24 public meeting process. Of course there's

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1 meetings with staff where issues get negotiated,
 2 and I think that's to be expected and is
 3 permitted under law. I just want to clear that
 4 fact up.
 5 Also, I want to clear up that there
 6 are rules of decorum, which is permitted and set
 7 forth in the Open Meetings Act. We have
 8 complied with those tonight. We have adopted
 9 rules for our public hearing and the amount of
 10 time that people can talk. And the chair was
 11 great about monitoring that. And I'd like to
 12 thank the board for that and the people for
 13 respecting everyone's ability to speak.
 14 There was a statement about two or
 15 one consolidated matter or two. If you read
 16 your agendas carefully, you'll actually see that
 17 there's four votes tonight. There is a -- It is
 18 set up where there are four separate votes. As
 19 rezoning upon annexation -- And, again,
 20 remember, like Mr. Burney said, upon
 21 annexation -- like the zoning is set, upon
 22 annexation, the rezoning for the lease
 23 restrictive use, which is the way it has to come
 24 in to every municipality in the state of

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1 Illinois on the 164-acre parcel and then a
 2 special use thereafter on the 164-acre parcel.
 3 There is a third matter, the
 4 rezoning for the 112-acre parcel upon annexation
 5 and a special use for the 112-acre parcel.
 6 Again, these are all conditioned upon the
 7 annexation. This is not an extraterritorial
 8 zoning matter. This is solely contingent upon
 9 the annexation -- an annexation agreement, which
 10 while it is being negotiated there are
 11 provisions for additional reviews at this point
 12 in time. So that is an accurate statement as
 13 users come in.
 14 I would ask Madame Court Reporter
 15 to put in the record that numerous handwritten
 16 statements or typed-out statements or written
 17 evidence was put into the record. I just
 18 want -- I'm sure you already added that, but I
 19 just would make sure that's in there. And the
 20 zoning code actually sets forth the standards
 21 for signage for special use permits and
 22 amendments, and that talks about the standards.
 23 What was read by Ms. Carr dealt
 24 with a packet for review. The code does have

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1 different language, and Ms. Carr gave a very
 2 impassioned and very educated speech and spoke
 3 her mind on this. But I want to make sure that
 4 the code has a different standard than what's in
 5 the packet. And the code is what Mr. Burney is
 6 talking about when he talks about compliance,
 7 not that the packet has not been in compliance,
 8 but I want to make sure that we have a code and
 9 the code is followed.
 10 There was a last statement -- I'm
 11 sorry for rambling so much -- on special uses.
 12 A special use is not an indicia that a use is
 13 not permitted for that area. It's actually a
 14 use that's contemplated for that actual zoning
 15 district but can be adopted with conditions. So
 16 the special use is a use. It's a use that we
 17 think about when we adopt these zoning districts
 18 that will go in these areas but we can put
 19 additional conditions on them as they get
 20 approved.
 21 And I just want to make sure that
 22 there's a clarification on the legal standards
 23 of all these things. Because, quite frankly,
 24 I'm new to this board, and I'm new to working

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1 with you-all and thank you all for your
 2 patience. But I want to make sure that you know
 3 what that is.
 4 At the beginning of this meeting, I
 5 believe only four hours ago, we talked about
 6 what the standards were for special uses and
 7 amendments and what we need to look at. If the
 8 board wants, which I'm -- I don't think they
 9 will, but we can go over them again before you
 10 go through your contemplations, I just want to
 11 have it there, but there's a reason that I did
 12 that upfront. Because the standards that we
 13 looked at are those standards that I read into
 14 the records -- I believe under Chapter 6-13-4,
 15 6-4-13 -- about what we look at for special use
 16 permits and for zoning amendments.
 17 So thank you for you time. Sorry
 18 for rambling, and thank you for your patience.
 19 CHAIRMAN MROCH: Thank you, sir.
 20 I will close the public hearing
 21 portion of this meeting at 11:02 p.m.
 22 MR. SHAEFFER: Can I address being
 23 singled out several times? I'm just asking.
 24 CHAIRMAN MROCH: That was -- As the

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1 agenda was designed, we went through public
 2 comment, petitioner comment, question and
 3 answer, rebuttal.
 4 The public hearing portion of this
 5 meeting is closed. Thank you.
 6 That's for Mr. Vasselli's
 7 preference over there.
 8 New business items. Agendas
 9 items 6(a) a Motion to Recommend classifying the
 10 164 plus or minus acres of the Light property
 11 located generally north of I-90, east of the
 12 U.S. Highway 20, and on the north side of
 13 Dietrich Road in Hampshire Township, Kane
 14 County, and Coral Township, McHenry County in
 15 the O-M Office of Restricted Manufacturing
 16 zoning district upon annexation to the Village.
 17 Do I have a motion to recommend as
 18 stated?
 19 MR. NEAL: What would you like to
 20 discuss, Mr. Chairman?
 21 CHAIRMAN MROCH: I do apologize.
 22 Questions, comments, discussions
 23 upon that evidence?
 24 MR. RAPACH: I have some comments. I

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1 live real close to Del Webb right up against 90.
 2 And it was nice that we heard from McHenry
 3 County and from Huntley as well as Coral
 4 Township, but they have no problem doing unto
 5 others.
 6 There's a project exactly like this
 7 that went up on Dhamer Road that is within a
 8 stone's throw of the most vulnerable among us.
 9 Right against Del Webb there is the -- the
 10 Amazon complex that is up against estate homes.
 11 There is also a project like this, a warehouse
 12 going up at Henning and Dhamer up against just
 13 the other side of the street from the Lakewood
 14 Crossing subdivision.
 15 So I understand exactly what these
 16 folks are saying. I don't blame them. But when
 17 it comes to time for a contribution from other
 18 municipalities, that smacks a little hollow
 19 because they've all taken their bite out of the
 20 cherry, so to speak.
 21 Also, there's very little that is
 22 more impactful to ground water than the farming
 23 and agricultural that everybody is so fond of.
 24 So I'm not suggesting, you know, high waste, you

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1 know, nuclear waste or anything like that, but
 2 to say farming is the answer to all of it is,
 3 again, a little disingenuous when it comes to
 4 ground water concerns.
 5 Thank you, Mr. Chairman.
 6 MS. DUCHAJ: Mr. Chairman, are we able
 7 to ask questions of staff and the petitioner?
 8 CHAIRMAN MROCH: You are.
 9 MS. DUCHAJ: First, I have a question
 10 for the petitioner -- the design professionals
 11 on the petitioner's group. Are any of you
 12 familiar with Illinois Title 35 on the acoustic
 13 requirements for sound emitted from one property
 14 onto an adjacent property?
 15 MR. BURNEY: Jim?
 16 MR. FRAYN: I'll take -- I'm not sure
 17 I -- Once again, Jim Frayn from Manhard
 18 Consulting. Could you ask that question one
 19 more time? Title 35, which is IEPA title,
 20 right?
 21 MS. DUCHAJ: Yes.
 22 MR. FRAYN: And, once again, go on from
 23 there.
 24 MS. DUCHAJ: IEPA Title 35 has acoustic

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1 standards for what noise can be emitted from one
 2 property onto an adjacent property. Are you
 3 familiar with those standards?
 4 MR. FRAYN: I am not personally. I'm
 5 not an expert on those -- on that particular
 6 subject. I do know Title 35, but I know it more
 7 on the waste water and water management end.
 8 MS. DUCHAJ: Okay.
 9 Mr. Paulson, are you familiar with
 10 Title 35, the referenced standards I'm talking
 11 about?
 12 MR. PAULSON: No. I'm not particularly
 13 familiar of the details of the acoustic
 14 standards.
 15 MS. DUCHAJ: I can say from my
 16 professional experience Illinois Title 35 sets
 17 standards that has decibel requirements for if
 18 your property were to emit noise, what is the
 19 measurable decibel on adjacent properties for
 20 different land uses.
 21 And it's my understanding that
 22 Illinois Title 35 is adopted by Hampshire and is
 23 a state requirement. So I just wanted
 24 to -- I know there were concerns expressed about

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1 noise, and I know Title 35 is something that has
 2 come up previously on projects I have been a
 3 member of professionally.
 4 MR. BURNEY: Might I just add that we
 5 have no choice but to comply with those
 6 requirements. And this is not a pun, but the
 7 best acoustical engineer, a fellow named Tom
 8 Thunder. And it would certainly be within your
 9 ambit to require that we establish that with
 10 that particular use that we're going to be
 11 asking that we're going the meet Title 35 and
 12 the applicable requirements. And we're
 13 perfectly -- We have no choice.
 14 MR. VASSELLI: May I -- Mr. Chair, are
 15 you adding in that if this does go through with
 16 regards to the conditions, that that be an added
 17 condition even though we could put it in an
 18 annexation agreement and they have to file --
 19 they have to follow the law? Like, there is no
 20 going around the legal requirements of the State
 21 of Illinois for this petitioner.
 22 MS. DUCHAJ: I agree it would be
 23 redundant to put it in the agreement, but if
 24 that's something, we would want to reiterate.

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1 MR. VASSELLI: We could put it in the
 2 agreement. We could make it a condition of any
 3 use that's so approved.
 4 CHAIRMAN MROCH: Anyone else?
 5 Questions? Comments?
 6 MS. DUCHAJ: May I ask another?
 7 CHAIRMAN MROCH: Go ahead.
 8 MS. DUCHAJ: Mr. Paulson, could you
 9 outline --
 10 MR. ROSSETTI: Can you use your
 11 microphone?
 12 MS. DUCHAJ: Sorry. I'm very
 13 soft-spoken.
 14 Mr. Paulson, could you outline the
 15 required submittals for a building permit under
 16 Kane County and the Village ordinances when it
 17 comes to storm water and detention requirements?
 18 MR. PAULSON: For properties in the
 19 Village of Hampshire there's compliance with the
 20 Kane County storm water ordinance. So when a
 21 specific engineering -- is developed and
 22 submitted as part of this project, then the --
 23 they will have to submit a storm water
 24 management plan that shows how they're meeting

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1 ordinance requirements for detention, for water
 2 quality and volume. That's management
 3 practices.
 4 MS. DUCHAJ: And that report would be
 5 required to be signed and sealed by a
 6 professional engineer in the state of Illinois?
 7 MR. PAULSON: Yes, it would.
 8 CHAIRMAN MROCH: Nothing further?
 9 MR. NEAL: Good evening, everyone. My
 10 name is Chairman Aaron Neal. This is probably
 11 the quietest I have been for a continuous four
 12 hours in my life.
 13 But thank you guys for coming out.
 14 And I think it is only responsible for me to
 15 speak on this subject on -- after all of the
 16 heartfelt public comments that you folks have.
 17 I owe you my thoughts prior to my vote.
 18 Six months ago I believe through my
 19 comments -- at least that's how I believe -- and
 20 I went to bed that night -- that I led the
 21 charge to vote no on this development based on
 22 all of the comments that we've had -- came on
 23 it.
 24 The M-3 zoning was too much. It

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1 was going to open up a window for possible
 2 developments that you guys were not okay with.
 3 And I think we made the right decision that
 4 night.
 5 I will tell you that I'm not the
 6 happiest with our petitioner and some of the
 7 blunders that they've made along the way as it
 8 relates to this property. I'm not happy with
 9 how this is -- the adversarial nature that
 10 tonight has been. You know, there's been
 11 sarcasm and feelings in both comments from the
 12 petitioner as well as from the folks in the
 13 audience.
 14 And while everyone has an
 15 opportunity to speak, you know, it was
 16 disheartening for me to hear my fellow community
 17 members and the petitioner interrupt each other
 18 when ultimately the final response comes from
 19 us. We need an opportunity to speak and opine.
 20 It's talking to us -- is who both the petitioner
 21 and the public comment is for.
 22 I took quite a bit of notes. I've
 23 been on this Planning and Zoning Commission for
 24 going on six years now. I will tell you that

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1 this is a thankless job. And that's fine.
 2 That's what I signed up for.
 3 But the folks tonight would love to
 4 see residential property on these parcels,
 5 especially the north part. I've said in
 6 meetings prior to coming to the middle school
 7 when we actually jam-packed the city council
 8 chambers where there was a residential
 9 development that the neighbors in Hampshire did
 10 not want, and we had to make difficult decisions
 11 on that. It was the crown development that is
 12 east of Route 20, south of Big Timber, and the
 13 residents there did not want residential
 14 development on prime property that was already
 15 kind of zoned and ready to go. The only reason
 16 it wasn't built was because we had an economic
 17 downturn.
 18 I've been on both sides. I've
 19 listened to the legality of tonight's meeting
 20 and how we should cancel it and reschedule it.
 21 But some of you in this room --
 22 Mr. Schaeffer, I got your e-mail,
 23 and I read your e-mail.
 24 But we've also received other

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1 e-mails from residents who say, "You guys keep
 2 rescheduling these. I can't keep coming."
 3 That's what I have to deal with as a
 4 commissioner, and that's -- that's okay. Right?
 5 I don't say that angrily. I say it to maybe
 6 bring some perspective, because sometimes there
 7 are conflicting things that we're being tasked
 8 with. I mean, after everything's done
 9 tonight -- I mean, you folks are here and the
 10 petitioner is there. And we're going to walk
 11 out and we're going to be everyone's heroes or
 12 everyone's going to be angry at us, right? I
 13 mean, four hours later, it's enough.
 14 I took some notes, you know, and I
 15 want to share with you some of them and some of
 16 my thoughts. There was -- there was a comment
 17 about the splitting up of these two properties.
 18 And, indeed, that is on the agenda. We're
 19 voting on these in the agenda.
 20 But I think to myself -- And
 21 Ms. Pienkowski and the Ranch of Hope Reins,
 22 right? I think to myself as we had a member of
 23 the public comments say, "We really need to take
 24 a look at the north property." And if I was --

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1 and this commission was to unanimously or by way
 2 of majority vote no on that, how many people
 3 would clap immediately after that no vote?
 4 Right?
 5 But what about Ms. Pienkowski who
 6 is going to be on the south side? If we voted
 7 no on the north property, you guys -- there
 8 would be people that would clap and be happy
 9 that you got what you wanted. And if we voted
 10 yes on the south side, well, Ms. Pienkowski
 11 would be -- but we got what we want.
 12 I've seen it happen. All right?
 13 It's disheartening to me. And I had some folks
 14 clap right now. All right? All of this has to
 15 go into what we're doing.
 16 I am not going to vote yes on any
 17 of the special uses for these properties. This
 18 is 6(b) and 6(c). If there are going to be
 19 special uses that are proposed in any
 20 development on this property, I want to see
 21 them. I want the petitioner to come back and
 22 ask for special uses from the Planning and
 23 Zoning Commission.
 24 I also want to give you guys the

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1 opportunity this evening -- And I'm not doing
 2 this to push the puck, but I want to give you
 3 guys the opportunity to get in front of the
 4 elected officials of the Village of Hampshire.
 5 I'm an appointed member up here. I'm not
 6 elected.
 7 Henry Torres Flores -- I'm sorry.
 8 Right?
 9 MR. FLORES: I did not know that. Any
 10 of you --
 11 MR. NEAL: And that's fine. But some
 12 of this is just -- and some of this is, you
 13 know, being transparent, right? We're not
 14 elected officials, but I believe it's important
 15 that you get in front of the elected officials,
 16 right, the folks who require votes, the folks
 17 who actually create policy and actually make the
 18 final votes.
 19 Now, I'm not going to push this
 20 through simply to say I want the Village Board
 21 to make this vote. Five months ago I didn't do
 22 that. We recommended no. And the petitioner
 23 dropped it and so on.
 24 I think throughout all of this that

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1 the petitioner has made concessions towards what
 2 is happening here today. We went from an M-3.
 3 We were here in June for an M-2, and the meeting
 4 got canceled. We're back now at an O-M. It's
 5 industrial use. We do have an idea of what
 6 they're going to do on this property, right?
 7 But if that falls through, everyone talks doom
 8 and gloom -- And not saying that semi-trucks are
 9 doom and gloom, but other O-M uses are group
 10 homes and agencies, banks, currency exchanges,
 11 hotels, daycare centers, restaurants, medical
 12 offices, retail stores. They all fall under
 13 this industrial classification, which O-M is.
 14 This evening -- I'll be the first
 15 one to put it out there -- I'm going to be
 16 voting in favor on both properties based on
 17 everything that I said tonight. And I hope you
 18 guys respect that, because I've been open and
 19 transparent with you this evening on both the
 20 properties north of Dietrich as well as south
 21 for the reasons I've stated tonight as well as
 22 to allow you folks the opportunity to get in
 23 front of the elected officials of this community
 24 so if it passes by majority to speak your mind

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1 again.
 2 It's a long road, and I commend you
 3 guys for wanting to walk it. But I think the
 4 folks who are elected need to have somebody
 5 here. And there might be, but they need to hear
 6 you guys as well. I think that's important.
 7 CHAIRMAN MROCH: Any further questions
 8 or comments or do we need to --
 9 MS. DUCHAJ: Question: If we wanted to
 10 modify some of the language of some of these
 11 items, would that be before we vote on the item
 12 or would that be now?
 13 CHAIRMAN MROCH: That's always a little
 14 touch and go, modifying the agenda item as
 15 opposed to -- We can always modify what we're
 16 motioning for.
 17 MS. DUCHAJ: Yes. I understand the
 18 special use as published and the special use
 19 as --
 20 MR. RAPACH: We can't hear you.
 21 MS. DUCHAJ: -- in the meeting
 22 minutes -- or meeting agenda is different.
 23 CHAIRMAN MROCH: I'm sorry. Say that
 24 again.

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1 MS. DUCHAJ: So my --
 2 MR. RAY: Mr. Chairman?
 3 CHAIRMAN MROCH: Yes, sir.
 4 MR. RAY: I can clarify that. So the
 5 public -- the public notices and the -- the
 6 application from the petitioner did include an
 7 additional special use that the staff didn't
 8 include on the agenda. Mr. Vasselli and I
 9 discussed that. It's his opinion that the
 10 commission could with total validity move
 11 forward with adding that to your motion tonight
 12 since it was in the public notices
 13 appropriately. That was the inclusion of
 14 outdoor storage.
 15 Currently, the O-M district
 16 requires all processes and storage and functions
 17 to be indoors and closed, and the petitioner has
 18 requested outdoor storage as a special use.
 19 MR. VASSELLI: And the Open Meetings
 20 Act requires it to be germane to what was set
 21 forth on the agenda.
 22 CHAIRMAN MROCH: So out of curiosity,
 23 how do we solve for that?
 24 MR. VASSELLI: Just make a motion with

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1 it.
 2 CHAIRMAN MROCH: Okay.
 3 For clarity, what is the phrasing
 4 of uncovered tractor-trailers, et cetera?
 5 MR. NEAL: It was on the PowerPoint.
 6 MR. RAY: Mr. Chairman, it's in the
 7 packet on the page that lists all the special
 8 uses right above item No. 2 that says that all
 9 storage and property including trailers shall
 10 not be required to be located in completely
 11 enclosed buildings or structures. So that would
 12 be the phrasing I would recommend using from the
 13 petitioner.
 14 MS. DUCHAJ: And, Josh --
 15 THE REPORTER: I can't hear you.
 16 MS. DUCHAJ: Apologies.
 17 Are there screening requirements in
 18 other industrial districts if it's not in an
 19 enclosed building like fences or shrubs?
 20 MR. RAY: Yes, that's correct. In the
 21 M-1, M-2, and M-3 districts where unenclosed
 22 storage is permitted, it's generally required to
 23 be fenced in or walled in by a solid fence or
 24 wall at least 6 to 8 feet in height. In other

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1 areas of the code it's -- also allows for
 2 densely planted landscaping. So it could be up
 3 to the commission's discretion on what they ask
 4 for.
 5 CHAIRMAN MROCH: And storage is on the
 6 agenda.
 7 MS. DUCHAJ: Could we make a
 8 modification to include those screening
 9 requirements to that language here?
 10 MR. VASSELLI: So you want that as a
 11 condition?
 12 MS. DUCHAJ: Yes.
 13 MR. VASSELLI: Okay. So yes, we -- As
 14 the law allows this board to recommend with
 15 conditions such as screening, berming, or
 16 whatnot to the level of specificity that the law
 17 would have -- You can't have it so general that
 18 the board couldn't act upon it with findings of
 19 fact, but yes, you can add conditions on it --
 20 on it, for example, for screening like you
 21 talked about, board member.
 22 CHAIRMAN MROCH: As we've got here,
 23 we're looking at basic -- essentially, if I'm
 24 not mistaken, once we get to that item on agenda

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1 6(b) at the end, "and planned developments,"
 2 that would be an "and," comma, "that all storage
 3 of property including trailers should not be
 4 required to be located in completely enclosed
 5 buildings or structures." Correct? That's
 6 correct?
 7 MR. RAY: That's correct. Ms. Duchaj
 8 is possibly suggesting adding "screening
 9 requirements" into that motion.
 10 CHAIRMAN MROCH: Okay. Specific
 11 screening requirements, Ms. Duchaj?
 12 MS. DUCHAJ: I would suggest consistent
 13 with the other industrial uses, the -- I believe
 14 it was 6- to 10-foot fence.
 15 MR. RAY: I can pull it. I can pull it
 16 up if you want specific language. It's 6 to 8
 17 feet of solid wall or fencing, is what the
 18 districts require. But I will get you exact
 19 language.
 20 MS. DUCHAJ: Thank you.
 21 MR. VASSELLI: Madame Board Member,
 22 would you want that in the annexation agreement
 23 as well that have a condition? And this just
 24 came to me, that would you want that in the

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1 annexation agreement as well just like the other
 2 condition you asked for?
 3 The only reason I bring it up is
 4 because in the last condition that you ask for
 5 you said make sure it's in the annexation
 6 agreement, which is an excellent way to make
 7 sure that we get something done. But if we can
 8 it have in the annexation agreement as well ...
 9 MS. DUCHAJ: That would be appreciated.
 10 Thank you.
 11 MR. VASSELLI: Excellent. Thank you.
 12 I'm sure the petitioner would be fine with that.
 13 MR. BURNEY: He is.
 14 MS. DUCHAJ: Mr. Vasselli, if I might
 15 ask too much, could the petitioner also submit
 16 photometric plans showing zero --
 17 THE REPORTER: I can't hear you, ma'am.
 18 MS. DUCHAJ: Apologies.
 19 MR. BURNEY: Yes.
 20 THE REPORTER: Could you repeat what
 21 you're asking, please?
 22 MS. DUCHAJ: Could the petitioner also
 23 include photometric engineered plans that show
 24 lighting levels at the property line to be zero

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1 at the property line when adjacent to
 2 residential uses?
 3 MR. BURNEY: Yes.
 4 MR. VASSELLI: He said yes.
 5 So that will be in the annexation
 6 agreement as well --
 7 MS. DUCHAJ: Thank you.
 8 MR. VASSELLI: -- as a condition to
 9 that special use permit if it's approved.
 10 Obviously, if it's not approved, it will come up
 11 no conditions.
 12 MS. DUCHAJ: Understood. Thank you.
 13 CHAIRMAN MROCH: Any further questions
 14 or comments on agenda item 6(a)?
 15 All right. Then I will entertain a
 16 motion to recommend classifying 164 plus or
 17 minus approximate acres of the Light property
 18 located generally north of I-90, east of
 19 U.S. Highway 20, and on the north side of
 20 Dietrich Road in Hampshire Township, Kane
 21 County, and Coral Township, McHenry County in
 22 the O-M Office and Restricted Manufacturing
 23 zoning district upon annexation to the Village.
 24 MR. NEAL: So moved.

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1 MS. DUCHAJ: Second.
 2 MR. FRILLMAN: Ms. Duchaj?
 3 MS. DUCHAJ: Aye.
 4 MR. FRILLMAN: Mr. McBride?
 5 MR. McBRIDE: Aye.
 6 MR. FRILLMAN: Mr. Rapach?
 7 MR. RAPACH: Nay.
 8 MR. FRILLMAN: Mr. Rossetti?
 9 MR. ROSSETTI: Nay.
 10 MR. FRILLMAN: Mr. Neal?
 11 MR. NEAL: Aye.
 12 MR. FRILLMAN: Myself, nay.
 13 CHAIRMAN MROCH: What do we have?
 14 Three, three?
 15 MR. FRILLMAN: Yeah.
 16 CHAIRMAN MROCH: Aye.
 17 MR. FRILLMAN: Motion carried.
 18 CHAIRMAN MROCH: Agenda item 6(b), a
 19 Motion to Recommend approval of Special Use on
 20 the property identified in agenda item 6(a) to
 21 allow the following uses upon annexation and
 22 zoning in the O-M zoning district: building
 23 materials sales and storage; cartage and express
 24 facilities; electrical, lighting and wiring

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1 equipment; food manufacturer -- food
 2 manufacture, packaging, and processing; ground
 3 mounted solar energy systems, as defined in and
 4 subject to the restrictions set forth in the
 5 Village Code; and planned developments, with the
 6 adjustment that all storage of property
 7 including trailers shall not be required to be
 8 located in completely enclosed buildings or
 9 structures and with the additional requirements
 10 of light metering and 6- to 8-foot solid fencing
 11 separating the previously stated property from
 12 the adjacent residential areas.
 13 Any questions, comments on that
 14 motion?
 15 MR. ROSSETTI: Mr. Chairman?
 16 CHAIRMAN MROCH: Yes, sir.
 17 MR. ROSSETTI: I'd like to make a
 18 couple of comments on --
 19 THE REPORTER: I'm sorry, sir. Could
 20 you use your mic, please?
 21 MR. ROSSETTI: I'd like to make a
 22 couple of comments on this Item 6(b).
 23 Can you hear me okay now?
 24 MR. NEAL: Yep.

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1 MR. ROSSETTI: First of all, I object
 2 to the term "and planned developments." I find
 3 that to be arbitrary and vague. I don't believe
 4 that should be included in this motion.
 5 And, secondly, I object to "cartage
 6 and express facilities." Several comments were
 7 made earlier about this being a masquerade to
 8 get the same plan -- to get the same plan
 9 approved but with a different zone. I kind of
 10 agree with that. And I would not be voting for
 11 this -- this motion at all if it gets made.
 12 CHAIRMAN MROCH: Any additional
 13 questions? Comments?
 14 MR. FRILLMAN: Just I believe it's
 15 completely inappropriate to ask for a special
 16 use when there's no end user whatsoever. The
 17 reason is unfounded. So with, you know, Bill --
 18 MR. ROSSETTI: I agree.
 19 MR. FRILLMAN: I share the same
 20 sentiment as Bill.
 21 MR. NEAL: Mr. Chairman --
 22 Mr. Chairman, I too agree with that sentiment
 23 that -- And that's why I said it earlier,
 24 approving any special agreement without a known

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1 developer at this time seems inappropriate.
 2 I'm not against special use, but I
 3 would think that special use should come back at
 4 a time when there's a desire or a need for it,
 5 to come back separately in front of this
 6 committee.
 7 But to -- to allow a blanket
 8 special use -- yes, there are nine different
 9 options to use -- but to me it seems extremely
 10 vague and inappropriate at this time. So I'll
 11 be voting no.
 12 MS. DUCHAJ: Josh, could you remind us
 13 what are the permit uses in the O-M district?
 14 MR. RAY: Absolutely. I'll just give
 15 you the list here. Permitted uses currently in
 16 the office of manufacturing zoning district are
 17 advertising agencies; banks, savings and loans,
 18 and other financial institutions; blueprinting,
 19 photosaving, printing, and photocopying; group
 20 hubs, building mounted and integrated solar
 21 energy systems; bus passenger stations not
 22 including terminal parking lots; business and
 23 professional offices; business machine, sales
 24 and service; computer and data processing;

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1 currency exchanges; daycare centers; mental and
 2 mental clinics; employment agencies; health and
 3 recreation clubs; hotels, motels; mail order
 4 houses; offices for commercial services
 5 including advertising, radio, TV, newspaper,
 6 et cetera; post offices including distribution
 7 centers; public parks; radio, television
 8 recording studios; research labs and facilities;
 9 restaurants; retail stores; tattoo parlors;
 10 piercing establishments with certain
 11 restrictions; warehousing storage and
 12 distribution facilities; and woodworking work
 13 products assembly. Those are all of the
 14 permitted uses.
 15 MS. DUCHAJ: Mr. Vasselli, I have a
 16 clarification question for you.
 17 MR. VASSELLI: Yes.
 18 MS. DUCHAJ: What is the difference
 19 between cartage and a warehousing distribution
 20 facility?
 21 MR. VASSELLI: So cartage is not
 22 defined in our code, per se. So the -- There
 23 was discussion of adopting a definition for
 24 that. It is not presently in the code.

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1 So to your point of, are these
 2 similar uses? Yes. Of course they're similar
 3 uses. A warehouse is a location where goods are
 4 used -- where goods are stored for sale or
 5 holding for a different -- earlier sale point or
 6 storage point. And then cartage is moving those
 7 goods in a logistical plan. But cartage is,
 8 per se, not defined as in our code at this point
 9 in time.
 10 MS. DUCHAJ: And another clarification
 11 question.
 12 MR. VASSELLI: Of course.
 13 MS. DUCHAJ: It might be my youth, but
 14 what is a mail order house?
 15 MR. VASSELLI: I think it's a Sears
 16 home. So I was not here. So before my time,
 17 which seems longer by the day, is the --
 18 department stores such as Sears could send you a
 19 home kit to build. That is the only -- I don't
 20 believe there's a definition for it in the code.
 21 There is -- The best of my knowledge is -- And
 22 Josh knows the code very well as well. There's
 23 no definition for it. So I view -- go with
 24 plain language. And that's a mail house where

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1 you literally -- They would send you a house
 2 kit, and you would build a house.
 3 MS. DUCHAJ: So how is that different
 4 than building materials, storage, and
 5 distribution?
 6 MR. VASSELLI: It is somewhat different
 7 in so much that those would be for residential
 8 houses only and the scope of what building
 9 materials and sales and storage would be a
 10 broader scope than necessarily a house that is
 11 sent to you.
 12 But I don't have any -- And that
 13 is -- There's no defined term in the zoning
 14 code. So we go to the plain language. That's
 15 what the plain language is. Is it a rational
 16 thing? Yes. Because it existed at some point
 17 in time.
 18 MS. DUCHAJ: Thank you.
 19 CHAIRMAN MROCH: No further questions
 20 or comments?
 21 All right. I will entertain a
 22 Motion to Recommend approval of Special Use on
 23 the property identified in agenda item 6(a) to
 24 allow the following uses upon annexation and

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1 zoning in the O-M zoning district: building
 2 materials sales and storage; cartage and express
 3 facilities; electrical, lighting and wiring
 4 equipment; food manufacture, packaging, and
 5 processing; ground mounted solar energy systems,
 6 as defined in and subject to the restrictions
 7 set forth in the Village Code; and planned
 8 developments.
 9 And, again, with the addendum, for
 10 the record, that all storage of property
 11 including trailers shall not be required to be
 12 located in completely enclosed buildings or
 13 structures with a 6- to 8-foot solid fence
 14 separating the proposed development from
 15 residential areas and with the light survey to
 16 be performed at the edge of that property.
 17 Does anyone --
 18 MR. ROSSETTI: I'll make the motion.
 19 MR. NEAL: Second.
 20 CHAIRMAN MROCH: Mr. Rossetti made
 21 motion.
 22 MR. FRILLMAN: Ms. Duchaj?
 23 MS. DUCHAJ: Aye.
 24 MR. FRILLMAN: Mr. McBride?

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1 MR. McBRIDE: Nay.
 2 MR. FRILLMAN: Mr. Rapach?
 3 MR. RAPACH: Nay.
 4 MR. FRILLMAN: Mr. Rossetti?
 5 MR. ROSSETTI: Nay.
 6 MR. FRILLMAN: Mr. Neal?
 7 MR. NEAL: No.
 8 MR. FRILLMAN: Myself, nay.
 9 CHAIRMAN MROCH: What is that? Five
 10 nays, one aye?
 11 MR. FRILLMAN: Motion failed.
 12 CHAIRMAN MROCH: All right. Next on
 13 our agenda, item No. 6, item C, a Motion to
 14 Recommend classifying the approximately 112,
 15 again, plus or minus acres of the Light property
 16 located generally north of I-90, east of
 17 U.S. Highway 20, on the south side of Dietrich
 18 Road in Hampshire Township, Kane County in the
 19 O-M Office and Restricted Manufacturing zoning
 20 district upon annexation to the Village.
 21 MR. McBRIDE: I'll motion.
 22 CHAIRMAN MROCH: Any questions?
 23 Comments?
 24 MR. McBRIDE: I'll make the motion. I

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1 make the motion.
 2 MR. ROSSETTI: Second.
 3 MR. FRILLMAN: Ms. Duchaj?
 4 MS. DUCHAJ: Aye.
 5 MR. FRILLMAN: Mr. McBride?
 6 MR. McBRIDE: Aye.
 7 MR. FRILLMAN: Mr. Rapach?
 8 MR. RAPACH: Aye.
 9 MR. FRILLMAN: Mr. Rossetti?
 10 MR. ROSSETTI: Nay.
 11 MR. FRILLMAN: Mr. Neal?
 12 MR. NEAL: Aye.
 13 MR. FRILLMAN: Myself, nay.
 14 Motion carried.
 15 CHAIRMAN MROCH: Four ayes, two nays?
 16 Thank you.
 17 And I'm assuming we're going to
 18 approach the next agenda item with the same
 19 previous adjustments. I will entertain a Motion
 20 to Recommend approval of Special Use on the
 21 property identified in the agenda item 6(c) to
 22 allow the following uses upon annexation and
 23 zoning in the O-M zoning district: building
 24 materials sales and storage; cartage and express

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1 facilities; electrical, lighting and wiring
 2 equipment; food manufacture, packaging, and
 3 processing; ground mounted solar energy systems,
 4 also defined in and subject to restrictions set
 5 forth in the Village Code; and planned
 6 developments.
 7 Again, with the modifications that
 8 all storage and property including trailers
 9 shall not be required to be located in
 10 completely enclosed buildings or structures and
 11 6- to 8-foot solid fence shall separate proposed
 12 development from the adjoining or neighboring
 13 residential areas, and a light survey shall be
 14 executed on the edges of that development.
 15 MR. RAPACH: So moved.
 16 MR. NEAL: I have one comment,
 17 Mr. Chairman.
 18 CHAIRMAN MROCH: I do apologize.
 19 MR. NEAL: That's fine.
 20 I would just like -- I would just
 21 like to get this question in as there's no other
 22 place for me to talk prior to the end of this
 23 meeting.
 24 Mr. Vasselli, we passed a motion --

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1 or item 6(a) and we passed item 6(c), which is a
 2 motion to recommend classifying certain property
 3 of the Light property.
 4 MR. VASSELLI: That's correct.
 5 MR. NEAL: For the room -- I know
 6 Ms. Kathleen Carr -- She's still here and she
 7 knows -- I'm going to help save her a lot of
 8 individual conversations with the members here.
 9 Could you please explain what the next steps are
 10 in an approval by this board? What are the next
 11 steps?
 12 MR. VASSELLI: So -- Sorry. And,
 13 Mr. Rapach, you don't mind if I address the
 14 motion? You technically made the motion.
 15 MR. RAPACH: Of course. Certainly.
 16 MR. VASSELLI: No, no. I just want to
 17 make sure.
 18 Final steps will be -- So if you
 19 look at -- Actually, the first next step will be
 20 set forth on our agenda. There would be
 21 authorization to prepare a findings of fact. I
 22 will work with the -- I will work with the chair
 23 on that. And then that will go -- And it will
 24 be based upon both the transcript that our court

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1 reporter will prepare for us and the statements
 2 that were made from both the petitioner and the
 3 public.
 4 And then these recommendations will
 5 be sent on their way to passage, whether
 6 positive or negative, for the -- to the Village
 7 Board.
 8 MR. NEAL: And the Village Board has
 9 the final say?
 10 MR. VASSELLI: Yes. This is a
 11 recommending body. It's a combined recommending
 12 body of the planning and zoning board, but the
 13 ultimate authority lies with the corporate
 14 authorities of the Village.
 15 MR. NEAL: Thank you.
 16 MR. VASSELLI: And in the interim there
 17 will be a hearing on an annexation agreement,
 18 and there will be annexation steps taken too. I
 19 think I would be remiss not no mention that at
 20 this point in time; that if the property is not
 21 annexed, this goes away.
 22 MR. NEAL: Thank you, sir.
 23 CHAIRMAN MROCH: Motion still stands,
 24 correct, technically?

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1 MR. VASSELLI: Just for the record,
 2 would you mind making that motion again,
 3 Mr. Rapach?
 4 MR. RAPACH: So moved as annotated.
 5 CHAIRMAN MROCH: As previously stated.
 6 MR. NEAL: Second.
 7 MR. FRILLMAN: Ms. Duchaj?
 8 MR. McBRIDE: Aye.
 9 MR. ROSSETTI: Mr. Chairman, is there
 10 any conversation?
 11 CHAIRMAN MROCH: Oh, I -- Go ahead,
 12 Bill.
 13 MR. ROSSETTI: Well, for the record --
 14 for the record, I wanted it noted that I have
 15 the same negative comments to make about this
 16 motion as I did for Item 6(b).
 17 CHAIRMAN MROCH: Noted.
 18 MR. FRILLMAN: Mr. McBride?
 19 MR. McBRIDE: Nay.
 20 MR. FRILLMAN: Mr. Rapach?
 21 MR. RAPACH: Nay.
 22 MR. FRILLMAN: Mr. Rossetti?
 23 MR. ROSSETTI: Nay.
 24 MR. FRILLMAN: Mr. Neal?

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1 MR. NEAL: Nay.
 2 MR. FRILLMAN: Myself, nay. Motion
 3 failed.
 4 CHAIRMAN MROCH: You voted?
 5 MS. DUCHAJ: Yes. Positive.
 6 CHAIRMAN MROCH: All right. Agenda
 7 Item 6(e), I will entertain a Motion to
 8 authorize the Chair to report the actions of the
 9 Commission this evening with the appropriate
 10 findings of fact and recommendation(s) to the
 11 Village Board of Trustees.
 12 MR. McBRIDE: So moved.
 13 MR. ROSSETTI: Second.
 14 MR. FRILLMAN: Ms. Duchaj?
 15 MS. DUCHAJ: Aye.
 16 MR. FRILLMAN: Mr. McBride?
 17 MR. McBRIDE: Aye.
 18 MR. FRILLMAN: Mr. Rapach?
 19 MR. RAPACH: Aye.
 20 MR. FRILLMAN: Mr. Rossetti?
 21 MR. ROSSETTI: Aye.
 22 MR. FRILLMAN: Neal?
 23 MR. NEAL: Aye.
 24 MR. FRILLMAN: Myself, aye.

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1 CHAIRMAN MROCH: Moving onwards, we did
2 have several people signed up for public
3 comment, quote-unquote, regular public comment.
4 Just to clarify, there may have
5 been some confusion as to the public hearing
6 portion signing up to speak. If you would still
7 like to speak, I'll be running down through this
8 list.
9 Susan Evans?
10 UNIDENTIFIED SPEAKER: Not here.
11 CHAIRMAN MROCH: Carol Quandt?
12 MS. QUANDT: I didn't get an answer to
13 my question. Did you have the -- Was the taxing
14 body for the Huntley Fire District contacted and
15 they had a letter of approval for this? 'Cause
16 they said, "all taxing bodies." I did not hear
17 an answer to that question.
18 CHAIRMAN MROCH: I am not sure that's
19 under the purview of the Village to do so.
20 That's a completely separate county.
21 MS. QUANDT: I -- The -- My
22 understanding was that all of the taxing bodies
23 had approved this. And when they went down the
24 bodies which had approved it, they had a letter

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1 of approval from the Hampshire fire department.
2 But did they have one from the Huntley fire
3 department? Because part of Dietrich Road is in
4 Huntley Fire Protection, so ...
5 MR. NEAL: Mr. Chair, I believe that
6 the letters of approval that were received were
7 more so just letters of support more than they
8 were any formal letters of approval. I'm not
9 sure if the Huntley Fire Protection District was
10 contacted, but it was -- from my understanding,
11 what I heard tonight was more letters of support
12 and not a formal approval that's required as
13 part of this process.
14 MS. QUANDT: I thought somebody said
15 all taxing bodies had to be notified. I just
16 was asking if they had been.
17 CHAIRMAN MROCH: I'm not aware of any
18 legal requirement that taxing bodies have to be
19 notified. But, again, the Huntley fire
20 department is outside of our county and township
21 both, so I -- No one here can speak to that.
22 MR. VASSELLI: There's no legal
23 requirement that they need to be notified at
24 this time.

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1 MS. QUANDT: So we don't know that that
2 taxing body was contacted?
3 MR. NEAL: At this time, no.
4 MS. QUANDT: We don't know?
5 CHAIRMAN MROCH: I'm not entirely sure
6 how germane the fire department's perspective is
7 on this. I'm not aware of any legal requirement
8 that we have to account for it.
9 MS. QUANDT: I just thought somebody
10 said all taxing bodies were notified, so I was
11 asking.
12 CHAIRMAN MROCH: Our legal counsel's
13 already stated there's no further requirement
14 that they are aware of outside of this county or
15 township. I don't really know how to answer
16 that any further.
17 MS. QUANDT: So I guess my question
18 remains unanswered.
19 MR. RAPACH: No. There's no evidence
20 that Huntley town -- Fire Protection District
21 was contacted.
22 MS. QUANDT: Okay. So then it wasn't
23 or we don't know?
24 MR. RAPACH: No evidence it was, right.

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1 CHAIRMAN MROCH: Walt Quandt?
2 MR. QUANDT: No comment.
3 CHAIRMAN MROCH: No comment. Okay.
4 Mike Lacko?
5 MR. LACKO: I don't have my notes.
6 They're up there. If you can come back to me,
7 it would be great.
8 CHAIRMAN MROCH: Henry Flores?
9 MR. FLORES: You said that McHenry
10 County is doing this as well or has done this,
11 this same zoning around the border between
12 Hampshire?
13 MR. RAPACH: I said there are
14 absolutely warehouses up --
15 MR. FLORES: That can -- Okay.
16 MR. RAPACH: -- against Del Webb and
17 against my subdivision --
18 MR. FLORES: Okay.
19 MR. RAPACH: -- Adjacent.
20 MR. FLORES: Where would -- where would
21 I go to dispute this for your --
22 THE REPORTER: I can't hear you, sir.
23 MR. FLORES: Oh, sorry.
24 Where would I go to dispute this

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1 from your side as well?
 2 MR. RAPACH: I assume it's a board like
 3 this only on the Huntley Township side.
 4 MR. FLORES: Okay. And for -- Because
 5 I'm not a resident of the Hampshire area -- I'm
 6 in McHenry County -- do -- That's a weird one
 7 because do I still contact my constituents from
 8 my county to represent in some form to give you
 9 guys a document or would I still go to your --
 10 the Hampshire institute -- or to the appointed
 11 body?
 12 MR. RAPACH: I'm not sure what you're
 13 asking.
 14 MR. FLORES: So if I want to go to
 15 Hampshire to -- Like if Kathleen wants get to
 16 the elected body to -- you know, the ones that
 17 are representing the constituents, do I -- can I
 18 even do that because I'm not resident of the
 19 Huntley --
 20 MR. NEAL: (Nodding.)
 21 MR. FLORES: Okay. Thank you. Yeah.
 22 No, you're good. He nodded. You're good.
 23 That's pretty much it. I have the
 24 info. Thank you.

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1 CHAIRMAN MROCH: Michelle Kingsburu?
 2 Tom French?
 3 And Jon Schaeffer?
 4 MR. SCHAEFFER: I just wanted to say
 5 thank you to the community board. We know this
 6 is difficult. Obviously, I'm passionate about
 7 it, right, and upset. Like Mr. Neal said --
 8 I'll just leave it at that. So thank you for
 9 your due diligence.
 10 MR. RAPACH: Thank you.
 11 CHAIRMAN MROCH: And Mike Lacko? Am I
 12 pronouncing that correctly?
 13 MR. LACKO: You got it. Yep.
 14 Could I see the map up there again
 15 with the neighborhoods? Yep.
 16 And I apologize, but I forget your
 17 name, right in the middle there.
 18 MR. BURNEY: Me? Burney?
 19 MR. LACKO: Yeah. Burney, that's
 20 right. You were up there talking about this.
 21 And you -- you clearly made a statement under
 22 oath that there's no property adjacent to this.
 23 MR. ROSSETTI: Use the microphone.
 24 Can't hear you.

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1 MR. LACKO: Sorry.
 2 Burney, you clearly made a
 3 statement that there's -- contrary to what we've
 4 said, there's no property adjacent to this.
 5 There's property all right here. And this is
 6 actually a lot here, and there's two here
 7 adjacent to this.
 8 And you had also said this doesn't
 9 have building. I think you're misunderstanding
 10 the point that all the water goes here and that
 11 water does go into the creek according to your
 12 civil engineer. And the last one that was here
 13 from Manhard. So it will dump into here and it
 14 does affect these properties, and they are
 15 adjacent. That's it.
 16 CHAIRMAN MROCH: Thank you, sir.
 17 With no one further signed up to
 18 speak, I have no announcements at this time.
 19 I will entertain a motion to
 20 adjourn at 11:48 p.m.
 21 MR. NEAL: So moved.
 22 MR. RAPACH: Second.
 23 MR. FRILLMAN: Ms. Duchaj?
 24 MS. DUCHAJ: Aye.

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1 MR. FRILLMAN: Mr. McBride?
 2 MR. McBRIDE: Aye.
 3 MR. FRILLMAN: Mr. Rapach?
 4 MR. RAPACH: Aye.
 5 MR. FRILLMAN: Mr. Rossetti?
 6 MR. ROSSETTI: Aye.
 7 MR. FRILLMAN: Mr. Neal?
 8 MR. NEAL: Yes.
 9 MR. FRILLMAN: Myself, aye.
 10 (Whereupon, at 11:48 p.m., the
 11 hearing was adjourned.)
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1 STATE OF ILLINOIS)
2 COUNTY OF COOK) SS.

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Monica Kim, Certified Shorthand Reporter doing business in and of the State of Illinois, County of Cook, do hereby certify that on August 14th, 2023; I reported the proceedings had in the above-entitled matter, and that the same is a true, correct, and complete transcript of said proceedings had on the date to the best of my abilities.

Dated this 28th day of August, 2023.

MONICA KIM, CSR
Certified Shorthand Reporter
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