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DeKalb County Government  
Sycamore, Illinois

**Planning and Zoning Committee Meeting**  
(June 26, 2019)

The Planning and Zoning Committee of the DeKalb County Board met June 26, 2019 at 6:30 p.m. in the DeKalb County Administrative Building, Conference Room-East, in Sycamore, Illinois. In attendance were Committee Members: Steve Faivre, John Frieders, Roy Plote, Craig Roman, and Suzanne Willis; and Community Development Department staff: Derek Hiland and Marcellus Anderson. Also, in attendance were: Gary Hanson, DeKalb County Administrator; Greg Maurice, of the DeKalb County Health Department; Mike Wiersema, of Waste Management; and, Jim Hutcheson.

**CALL TO ORDER**

Mr. Faivre, Planning and Zoning Chairman, called the meeting to order, noting that Committee member Mr. Jones was absent. Committee member Mr. Roman arrived late.

**APPROVAL OF AGENDA**

*Mr. Plote moved to approve the agenda, seconded by Ms. Willis, and the order carried unanimously.*

**APPROVAL OF MINUTES**

*Mr. Pietrowski moved to approved the minutes of the May 22, 2019 Committee meeting, seconded by Mr. Faivre, and the motion carried unanimously.*

**PUBLIC COMMENTS**

None

**OLD BUSINESS**

None

**NEW BUSINESS**

None

**OTHER BUSINESS – WASTE MANAGEMENT UPDATE AND GASIFICATION OPTIONS FOR DEKALB COUNTY**

Mr. Hiland introduced Mike Wiersema, of Waste Management, who appeared before the Committee to give a presentation regarding possible gasification options at the DeKalb County Landfill.

Mr. Wiersma informed the Committee that the land fill currently burns off the natural gas created by the landfill using two flares located on the property. He noted that Waste Management was investigating other possible uses for that gas, and had identified three options available to them. The first option would be direct sale of the gas; however, he explained that this was not a viable option at this time as there were no large-scale end users available to purchase the gas on a year-round basis. The second option was a gas-to-energy system. Mr. Wiersma explained that while such a system was a good and desirable system, it is currently a cost-prohibitive one any more as the interconnect costs with ComEd have risen and the tax credits that were there no longer exist. He did add that although such a system was not viable now, should things change to lower the costs, they would reconsider it. The third option they are exploring, and the one that would be most viable at the DeKalb Landfill, is a renewable energy system. Mr. Wiersema explained that in such a system, they would “clean” the gas, then put it into a pipeline, after which it could be compressed and used. He noted that they have some garbage trucks which run on CNG, and that this natural gas could be used to power them. He noted that a number of technologies existed which could potentially use this gas, and that tax credits were available for these systems. Mr. Wiersema reported that Waste Management was currently engaging in a ten to twelve-month study to explore the feasibility of this option, and indicated that if the report is favorable that they would be interested in seeking to establish such a system on the site. He noted that until such a system is set up, they would continue to utilize the flares.

Mr. Pietrowski inquired as to what benefits would come to the residents of DeKalb County from the establishment of such a system. Mr. Wiersema explained that there would be no negative effects, but that he couldn't say if there would be any direct benefits to the county other than the gas being used for something other than being flared.

Mr. Faivre inquired as to the quantities of gas being used for 2018, or maybe a home heating equivalent. Mr. Wiersema responded that he did not have those figures, which he believed to be significant, at hand, but could determine them if the Committee wished.

Mr. Faivre inquired whether the system for utilizing this gas was similar to the electrical grid used by ComEd. Mr. Wiersema explained that a gas-to-energy system would be connected to the electrical grid, but the other two systems (direct sales and renewable energy) did not work that way, and went on to elaborate on differences between the systems.

Mr. Plote arrived to the meeting.

#### **OTHER BUSINESS – DISCUSSION OF POTENTIAL ZONING ORDINANCE AMENDMENTS AND ASSOCIATED FEE UPDATES**

Mr. Hiland reminded the Committee that at the County Board Workshop held on June 8, Mr. Faivre and Attorney Charlie Brown presented a proposed text amendment to the regulation of agriculture in the unincorporated portions of the County, and recapped the discussion had at the workshop for those Committee members who were not able to attend the workshop.

Mr. Hiland informed the Committee that his goal for the discussion was to start a dialog regarding several potential changes or additions to the DeKalb County Zoning Ordinance, which staff was considering

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bringing before the Committee. He clarified that he was not looking to produce any code that night, but to get their input and direction regarding these proposed changes.

Mr. Hiland' first topic was a continuation of the discussion started at the workshop regarding agriculture. He talked about the definition of agriculture, as defined in the Zoning Ordinance. He described a common misunderstanding regarding the agricultural uses and the A-1 District, noting that many people confuse being zoned A-1 as meaning that they are considered agricultural. He explained that "agriculture" is just one of several permitted uses in the A-1 District, and that not all uses in the A-1 District are considered agricultural. He then talked about the need to educate the citizens of the County about these differences. Mr. Hiland then discussed the text amendment proposed by Mr. Faivre and how it differed from the current code.

Mr. Hiland's second topic regarded Section 4.02.D.2 of the Zoning Ordinance (referred to the a "4.02.D.2 Split") explained the type of subdivision it allowed, and elaborated on some of the issues and concerns it raised. Mr. Hiland and the Committee then had an extended discussion regarding this provision. Mr. Faivre also described how his proposed amendment would change this language.

Another extended discussion then occurred regarding the State Code regarding a county's ability to regulate agricultural activity on properties of less than five acres from which \$1,000 or less of agricultural products were sold in any calendar year. The discussion included discussion of Mr. Faivre's proposed text amendment and how it would amend this rule in the Zoning Ordinance and the future impacts it would have. The discussion also included talk about the County's 40-acre rule, its history and what changing it would mean for the County.

Mr. Faivre then gave a description of why he felt the text amendments he and Mr. Brown had proposed should be put forth for consideration by the County Board, elaborating on what he hoped to achieve in doing so.

Mr. Pietrowski noted that when Mr. Brown had originally proposed the text amendments, he understood that Mr. Brown was working under the behest of the DeKalb County Farm Bureau, and inquired whether that was still the case. Mr. Plote noted that Mr. Brown no longer was acting on behalf of the Farm Bureau. Mr. Faivre indicated that they had presented the text amendments to the Farm Bureau and that they had been supportive of them.

The Committee returned to the topic of 4.02.D.2 Split, and explored in greater depth several elements of that language, how the proposed text amendment would change that language, and how such changes would impact the County.

The text amendment proposed by Mr. Faivre and Mr. Brown included a policy whereby any property of two or more acres that is zoned A-1 be automatically considered agricultural. Mr. Hiland and the Committee discussed the potential merits and problems of such a policy.

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The text amendment also included a proposal to define a buildable zoning lot in the A-1 District as forty acres or a quarter of a quarter section. The Committee briefly discussed this proposal and indicated their general agreement with it.

Mr. Hiland informed the Committee that requests have been coming in by property owners asking whether intermodal containers could be used as storage buildings on private property. Mr. Hiland informed the Committee that the Code as it is currently written does not address the use of these containers in this way, and thus, such uses are prohibited. He did note that the use of these containers as temporary storage units under the Temporary Use Permit provisions had occurred. The Committee had a discussion in which they supported the idea that these intermodal containers should be allowed to be used as storage buildings on private properties, and directed Mr. Hiland to include language in the text amendment that would allow the use of such containers.

Mr. Hiland presented an argument to the Committee for the formation of a process and permit application for the demolition of structures, and the need to establish fees for the processing and handling such a permit. Mr. Hiland elaborated on the reasons staff felt such a permit was needed, in particular, the amount of site visits made by County staff and the costs involved. Mr. Faivre suggested possibly establishing a regulation whereby any properties within a certain distance of a municipality would have to follow the same rules and requirements for demolition as the properties within that municipality, and used the leaf burning ban as an example.

Mr. Hiland informed the Committee that staff wished to increase the minimum fee for deck inspections from \$80 to \$100, citing the increased amount of inspections and time the Building Inspection has had to devote to processing such permits. He explained that the current fee for a deck permit is twenty-five cents per square foot of the deck, with a minimum fee of \$80. He noted that the increase was intended to help the County recoup the costs. The Committee responded positively to this idea.

Mr. Hiland further explained that staff had been examining the fee for various permits. He noted that new advances like housing and building construction, like in-floor heating or hydronics, have occurred, but that the fee schedule has not kept up with such changes, and does not truly cover the costs in time and inspections that these new elements have added. Therefore, he was asking whether the Committee would be favorable to staff presenting a revised fee schedule to reflect these added costs. Similarly, Mr. Hiland noted that the Temporary Use Permits have a flat fee of \$50, but that \$50 did not truly cover the amount of time and effort needed to review and process many of the recent Temporary Use Permits applications. He noted significant changes in the number, type, and scope of activities for which people sought Temporary Use Permits, and argued that staff would like to establish a sliding fee scale to help staff recover the costs in time and effort that many of these bigger, more involved projects, have incurred. The Committee was in favor of the adjusting the fees so as to better recoup the costs involved in processing County permits.

## **ADJOURNMENT**

Mr. Hiland noted that due to the July 24<sup>th</sup> Committee meeting being cancelled, he would bring the Committee draft text amendment language to their August 28<sup>th</sup> meeting for them to review.

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The Committee inquired as to whether any building permits had been applied for by any of the solar developers approved for the Community Solar project lottery. Mr. Hiland noted that no permits had been applied for at this time, but that staff had met with three of the developers regarding their impending projects and what would be needed for the application submissions.

Mr. Pietrowski mentioned that he and Mr. Frieders were advocating as one of their goals that the County have its own solar fields, and briefly elaborated on their thoughts on how to accomplish that goal.

*Mr. Plote motioned to adjourn, seconded by Mr. Pietrowski, and the motion carried unanimously.*

**Respectfully submitted,**

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**Steve Faivre**  
**Chairman, Planning and Zoning Committee**

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