

MINUTES OF THE LIVINGSTON COUNTY  
REGIONAL PLANNING COMMISSION MEETING  
HELD ON JULY 31, 2017, STARTING AT 7:00 PM  
IN THE LIVINGSTON COUNTY HISTORIC COURTHOUSE  
112 W. MADISON ST. PONTIAC, ILLINOIS

Chairman Mike Haberkorn called the meeting to order and roll call was taken.

Those present were: Mike Haberkorn, Eddie Hoerner, Verne Taylor, Keith Bahler, Dean Wahls, Dee Woodburn, Luke Bartlett, Scott Cranford and John Slagel

Those absent were: Jerry Gaspardo, Rudy Piskule, Scott Sand and Shane Long.

APPROVAL OF THE AGENDA:

Chairman Haberkorn mentioned the agenda to this meeting. With no recommendations for additions or amendments to the agenda for this meeting, Dee Woodburn moved, seconded by Verne Taylor, that the agenda for this meeting be approved as presented. This motion was unanimously approved by voice vote.

APPROVAL OF MINUTES:

Minutes of the June 5, 2017 meeting were mentioned by Chair Haberkorn. John Slagel then moved, seconded by Eddie Hoerner, that these minutes be approved as presented. This motion was unanimously approved by voice vote.

BUSINESS:

Case SU-3-17; Pertains to a request by Donna O'Shaughnessy for a special use that would allow for private family cemetery, in an AG, Agriculture, District. The subject property in this zoning case is a 7 acre parcel of land, in the Northwest Corner of the Northeast Quarter of Section 17, of Saunemin Township, at 25582 E – 1900 North Rd. The zoning administrator presented his report relative to this zoning case, along with additional relevant information, including some special use draft conditions Special Use Draft Conditions; 1- That the applicant's special use be limited to the request as outlined in the applicant's application and the explanation the applicant gave at the hearing for this request for a special use approval. 2 - That the ownership of special use be limited to the applicant and the applicant's immediate family as described by the applicant, unless otherwise approved by the zoning board of appeals. 3 - That all applicable state regulations be complied with, regarding this proposed family cemetery. 4 - That the status of this zoning case be reviewed in one year. An additional condition would be to require the applicant to file the location of the cemetery in the Livingston County Clerk's office. Donna O'Shaughnessy commented on her family's plans to develop a private family cemetery on the subject property. She explained about how they would like to develop about 2500 square feet of the subject property as a family cemetery. They are looking at a maximum of 20 people buried of the next 50 to 60 years. Donna O'Shaughnessy remarked about the high cost of funerals and as to how she and some of her family members preferred more environmental burials. Their oldest son would be the first person in the succession plan. Donna

O'Shaughnessy then commented on state regulations or the limited number of regulations for the cemetery they are planning. Donna O'Shaughnessy then remarked about how they want the proposed cemetery to remain looking natural as it is currently prairie grass, though they may place fence around the proposed cemetery area in the future. She commented that they are 275 feet away from the well, and she is not aware of any distance requirements for it to be away from a well. The proposed location of the family cemetery 25 feet from the southern and western borders of their property was confirmed.

The planning commission inquired what may happen to the cemetery in next 75 to 100 years if not is left to take care of the cemetery. Donna O'Shaughnessy commented about how they will be naturally buried in wooden boxes, and that they will naturally decompose. In regards to markers, concrete markers have been discussed or possibly a field stone and they do not feel they need to be marked for a long time. Future cemetery rules were discussed, only natural burials will take place in this cemetery. Genealogy habits were discussed and Donna O'Shaughnessy related as to how they would keep good written records of who is buried in the cemetery. The zoning administrator and the planning commission members had a dialogue about the state regulations for cemeteries. Donna O'Shaughnessy commented that Illinois law does require the involvement of a funeral home director, and they have discussed their plans with Duffy's, whom suggest they be buried with four feet of cover. They have also talked to Danny Watson, the coroner about their plans, as they investigated the proper death certificate needs. In regards to plotting the cemetery, Donna O'Shaughnessy they would know where the bodies are buried, but more space may be created as they decompose. A legal document showing the location of the cemetery was discussed.

Barbara Frantz, representing her family that owns property in the area, noted that it may be illegal to move a marker. Public vs. private cemetery areas was discussed. Family burial grounds vs private burial grounds were discussed. Barbara Frantz commented as to how limited a family burial ground could be used. Family burial grounds are to be used by relatives related by blood or marriage. Barbara Frantz commented about how they had not owned the property for a long period of time, and about formalizing rules for the cemetery use. Direct access or lack thereof was discussed, in relation as to if someone bought the property they would not need to grant access. An easement was then talked about. Tax issues were discussed. Controlling who is to be buried in the cemetery was then debated, along with the future care of the cemetery. Barbara Frantz commented about her concern that this is not in the middle of a vast prairie, and a cemetery on the property may make the property less desirable to a future purchaser. The planning commission members inquired as to if their mortgage carrier is aware of their plans to develop a cemetery on the property. This being a potential additional condition was discussed. State rules were then discussed again.

At the conclusion of this dialogue regarding this zoning case, Dean Wahls moved, seconded by Dee Woodburn, that the planning commission recommended the approval of Livingston County Zoning Case SU-3-17, for a special use that would allow for a private family cemetery, in an AG, District, with the draft conditions presented by the zoning administrator, with an additional condition that the financial institution with the mortgage for the subject property be contacted in regards to this proposed property use. This motion was unanimously approved by voice vote.

Cases SU-4-17 & V-2-17; Pertains to a request by Graymont Cooperative Association for a special use that would allow for the development of a commercial liquefied fertilizer storage & Distribution site, including a proposed one million gallon UAN solution storage tank on Graymont Cooperative Association property as described in the application in the zoning administrator's report.

The zoning administrator presented his report relative to this zoning case, along with additional relevant information, including some special use draft conditions Special Use Draft Conditions; that all elements of this proposed special use, including the proposed liquefied fertilizer operations also comply with all federal regulations and state regulations, including IEPA and Department of Agriculture regulations, that apply to this proposed use, and with the condition that this planned property development be completed by --- unless otherwise approved by the zoning board of appeals. Philip Rich, Agronomy Department manager for Graymont Cooperative Association, commented about their plans to build a million gallon UAN tank for the product they currently use, with plans to replace three 20,000 gallon tanks, which would allow for future growth, and allow for adequate storage of the product for when the product is needed. This is a safer option as explained by Mr. Rich. The tank dimension is to be 65 feet in diameter, and 40 feet tall, which will be painted black to trap the heat. Planning commission member Eddie Hoerner disclosed that he is on the Graymont Coop board and he inquired about the inspection program of the liner for the tank. They explained the product is liquid nitrogen, and it will be placed on Graymont Cooperative property. An area property owner confirmed as to where the proposed tank is to be located. The location of the existing tanks was noted on a map. Graymont well locations were discussed, in general. The state compliance regulations condition was discussed as a way to comply with any well regulations. The area property owners are more comfortable now knowing where the tank is to be located. Mr. Rich explained that if the bladder would leak, the tank would serve as the dike, with the material being pumped out of the tank to allow for repairs. The setback variances were then explained. Truck traffic should be improved in that they can spread out the delivery vehicles over a longer period of time. It was explained as to how this product is safer than anhydrous ammonia.

At the conclusion of this dialogue regarding this zoning case, Dee Woodburn moved, seconded by Luke Bartlett, that the planning commission recommended the approval of Livingston County Zoning Case SU-4-17, for a special use that would allow for the development of a commercial liquefied fertilizer storage & Distribution site, including a proposed one million gallon UAN solution storage tank on Graymont Cooperative Association property with the draft conditions presented by the zoning administrator. This motion was unanimously approved by voice vote.

Case SU-5-17; Pertains to a request by Jesse and Melissa Justus, for a special use that would allow for the continuation of a previously approved machine shop, a new welding shop/craft and service occupation and as a temporary second dwelling on a lot in an AG, Agriculture, District. The subject property in this zoning case is a 2.91 acre parcel of land located in Section 14 of Pontiac Township, at the intersection of Route 66 and 1600 East Rd. The zoning administrator presented his report relative to this zoning case, along with additional relevant information, including some special use draft conditions Special Use Draft Conditions; 1- That the applicant's special use be limited to the request as outlined in the applicant's application and the explanation the applicant gave at the hearing for this request for a special use approval. 2 - That the ownership of special use be limited to the applicant, unless otherwise approved by the zoning board of appeals. 3 - That the signage for this special use be limited to a 8' X 8' sign to be placed on the side of the building, as approved by the Livingston County Zoning Administrator. 4 - That the status of this zoning case be reviewed in one year. An applicant Jesse Justus presented testimony relative to this zoning case. Mr. Justus passed out some photos of their products. Mr. Slagel expressed he believes that this is a good concept for the Route 66 corridor, of which Mr. Justus agreed. Mr. Justus related they are gone several weekends and that it would be good to have a location for someone come visit their business. They do not have plans to resurface the parking except for placing gravel on the grass surface. They have plenty of power at this site, an improvement to the limiting factors of working

out of their existing garage at their home. The subject property would make them more efficient with the extra space. Since working with filing the application they have decided not to rent out the house on the subject property. They now plan on living in the house while remodeling the house, while possibly temporarily staying in the shed, as this would be more economically feasible. They plan on having hours during the evening with the showroom open on Wednesday nights, as they both have full time day jobs of which they will continue, as the proposed business is more of a hobby. They do not plan on hiring any employees. They do not think they will have any issues with noise, since their existing neighbors have never complained, and they are closer than the closest residence to the proposed machine shop. Certain weekend openings of the business were also discussed.

At the conclusion of this dialogue regarding this zoning case, Luke Bartlett moved, seconded by Scott Cranford, that the planning commission recommended the approval of Livingston County Zoning Case SU-5-17, for a special use that would allow for the continuation of a previously approved machine shop, a new welding shop/craft and service occupation and as a temporary second dwelling on a lot in an AG, Agriculture, District, with the draft conditions presented by the zoning administrator. This motion was unanimously approved by voice vote.

#### OTHER BUSINESS:

The planning commission members were informed of the status of text amendment under review pertaining to the Livingston County Wind Energy Regulations.

PUBLIC COMMENT: None

#### INFORMATIONAL UPDATE:

The planning commission members present were informed that their next meeting is scheduled for Monday August 28<sup>th</sup> at 7:00 pm.

#### ADJOURNMENT:

Verne Taylor moved, seconded by Scott Cranford, that the meeting be adjourned. This motion was unanimously approved.

This meeting was then adjourned at 8:30 p.m.