

**Village of Gurnee
Plan Commission Minutes
January 4, 2012**

The meeting was called to order at 7:30 P.M.

Plan Commission Members Present: Chairman James Sula, David Nordentoft, Richard McFarlane, Gwenn Broughton, Sharon Salmons, Patrick Drennan.

Plan Commission Members Absent: None.

Other Officials Present: Bryan Winter, Village Attorney; Tracy Velkover, Planning Manager; and Molly Booth, Associate Planner.

1. Approval of Plan Commission Meeting Minutes for November 16, 2011.

Ms. Salmons made a motion, seconded by Ms. Broughton, to approve the Plan Commission Meeting Minutes for November 16, 2011.

Roll Call

Ayes: Sula, Nordentoft, McFarlane, Broughton, Salmons, Drennan
Nays: None
Abstain: None
Motion Carried: 6-0-0

2. Approval of Plan Commission Meeting Minutes for November 16, 2011.

Mr. McFarlane made a motion, seconded by Ms. Broughton, to approve the Joint Plan Commission and Zoning Board of Appeals Meeting Minutes for November 16, 2011.

Roll Call

Ayes: Sula, Nordentoft, McFarlane, Broughton, Salmons, Drennan
Nays: None
Abstain: None
Motion Carried: 6-0-0

3. Public Hearing: Special Use Permit for Midwest Exchange Enterprises Inc.

Ms. Booth stated Midwest Exchange Enterprises Inc. is requesting a Special Use Permit to allow outdoor storage at their facility, located at 4012 Morrison Drive. She stated the outdoor storage is proposed north and east of the petitioner's existing building, on an existing paved surface. She noted more specifically that the storage area would be the approximate size of 18,656 square feet and would be enclosed by a 10 foot tall chain link fence with beige slats. She stated the petitioner would store raw plastic and associated plastic recycling material that would be stacked no higher than 10 feet tall within the outdoor storage facility. She stated a landscape plan was also submitted proposing to install a variety of shade trees and evergreens in the terrace area in front of the building to provide additional screening.

Chairman Sula stated this is a Public Hearing, and asked for anyone from the petitioner or members of the general public who intend to either give testimony or ask questions to stand and be sworn in by the Village Attorney.

Chairman Sula opened the floor to the petitioner.

Mr. Alejandro Casillas, the proprietor of Midwest Exchange located at 4012 Morrison Drive in Gurnee, Illinois stated he is asking for special permission to store polyester bales as well as proprietary equipment.

Chairman Sula asked the Commission for any questions.

Chairman Sula stated he saw a variety of different materials onsite including metal materials, plastic materials, a silo sitting on its edge, an old stove, and a floor scrubber sitting at the corner of the parking lot. He asked the petitioner to elaborate on what exactly would be stored on the property.

Mr. Casillas responded he is doing a massive clean-up. He stated one of the issues over the summer was that he inherited some major contracts from manufacturers and that he got overwhelmed. He stated he also participated in an auction from a bottle manufacturing company in which he picked up and purchased additional support equipment and equipment that can be scavenged (i.e., motors, gears) for future equipment breakdowns. He stated he is still in the clean-up phase approaching the last legs of that phase. He stated the stove and silos will probably be brought inside if not allowed to keep them outside. He stated the other plastics that were seen are grey material handling bins.

Chairman Sula stated he saw bales of plastic.

Mr. Casillas responded those are what he wants to exclusively store out there. He stated he recycles post industrial water and carbonated beverage bottles. He stated that particular product usually comes in bale form. He stated the Village allows the storing of these stocks outside, under the conditions proposed by the Village. He stated he purchases these materials and stages them outside. He stated as they are processed he takes from those materials which are constantly coming in. He stated 600,000 – 650,000 lbs. are recycled on a monthly basis and it is a product that is classified as proprietary.

Chairman Sula stated he saw what appeared to be shiny metal strips that were bailed. He asked what those are.

Mr. Casillas responded those may have been some export items specifically polyester roll-stock bales. He stated there were also white and brown bottles. He stated those items will be removed from the area for export.

Chairman Sula asked for any other questions from the Commission.

Ms. Salmons asked if the items are currently sitting on concrete or sitting on dirt.

Mr. Casillas responded it is asphalt.

Ms. Salmons asked if they are industrial water bottles and asked if there is a danger of ground contamination.

Mr. Casillas responded they are industrial water bottles and there is not a danger of ground contamination. He stated the water bottles are rejects from companies, such as Nestle Bottling of North America and Amcor PT Packaging. He stated once the bottles are blown and filled with water some will lose their character and are rejected. He stated they are then perforated and baled with the only content in the bottles being just water.

Ms. Salmons asked what the current height and width of what is currently stacked. She stated it appears to be 18-20 foot in height.

Mr. Casillas responded they are stacked 6 bales at a time which is 18 feet. He stated he has proposed to basically cut the height of stacking in half.

Mr. Nordentoft asked for clarification. He asked if the Commission is only to consider this for outdoor storage or if the Commission is to also consider where the fence is located.

Chairman Sula responded that the whole concept is up for discussion. He stated the type of materials allowed, the fencing and the type of screening. He stated it is one Special Use Permit with the type of conditions that the Commission would recommend to the Village Board. He stated the Commission needs to make a comprehensive recommendation that includes materials, height, screening and whatever the Commission would deem appropriate.

Mr. Nordentoft stated the component he is specifically addressing is whether the fence is moved off the property line or whether it would be handled differently.

Chairman Sula responded the screening and location of the screening would be part of the Commission's recommendation. He stated the petitioner has requested for this to be on the property line.

Ms. Booth stated the Zoning Ordinance allows the fence to go up to the property line. She stated this would be the eastern most property line. She noted there was concern from the Gurnee Fire Department in respect to the location of the outdoor storage items to the property line. She stated Fire Chief Tom Keefe is present and would be the person to address the Fire Department concerns. She stated if the location of the fence were to be moved it would be tied to the Special Use because the underlying Zoning Ordinance does allow the fence up to the property line by right.

Mr. Keefe, Fire Marshall for the Village of Gurnee stated the 2003 International Fire Code, which the Fire Department currently subscribes to, does stipulate for storage at the height that the petitioner is looking to store the materials must be kept at a minimum of 10 feet from the property line. He stated the materials that are stored are plastics and if there were a fire it causes a very hot and volatile type fire. He stated the concern would be for the corporation that is just east of the 4012 address, which is the Gallagher Corporation building, is approximately 15 feet from the property line. He stated if the storage were to encroach all the way up to the property line he has real concerns about the fire mitigation traveling and catching another building on fire. He stated if the fence is put directly on the property line it would be difficult to monitor as well as to enforce that the storage on the property at 4012 Morrison does not gravitate all the way out to the property line. He stated the concern is that he would much rather see a restricted area to maintain the space of 10 feet from the property line.

Chairman Sula stated this makes a lot of sense. He stated in thinking through the issue and noted if the fence is 10 feet off the property line to provide a guarantee, realistically there will still be an aisle space between the fence and the storage materials and the Fire Department would not be able to access it very well. He stated this is something for the Commission to consider in the back of their minds.

Mr. McFarlane asked the petitioner if he would be okay if part of the restriction would be to only have plastic bales in that area.

Mr. Casillas responded he is okay with that.

Mr. McFarlane asked how much of the storage capacity inside the plant is involved in this storage.

Mr. Casillas responded it would be 10-15%. He stated capacity was one of the issues as well. He stated in the past year he has been working on this and there has been a lot of trouble shooting, noting the capacities have been around 60%. He stated the materials were coming in on a contractual basis and he was only able to operate at a 60% level. He stated he has implemented a lot of new technology into the wash line as well as enhancing the capacity. He stated he is now at the 80-85% level. He stated he does not want to purchase materials just to accumulate them. He stated obviously it makes better business sense to process every pound that is brought in and make way for new product. He stated he has been troubleshooting the wash line for 14 months and that it is complicated. He stated the line was purchased from another country and that there were major issues. He stated he has re-vamped the entire line and bought exports to be able to assist with the major issue of their capacity. He stated he is making major strides with this.

Mr. McFarlane asked if the outside storage has been used for 18 months.

Mr. Casillas responded the outside storage has been used for 6 months after they got into the building.

Mr. McFarlane asked if this is an integral part of how the plant is operated.

Mr. Casillas responded yes.

Mr. McFarlane stated he was out at the site and asked how many access aisles exist. He stated obviously there is an access aisle against the fence and asked if there was an access aisle against the building.

Mr. Casillas responded yes there is.

Mr. McFarlane asked if there are two ways to approach the stack.

Mr. Casillas responded yes. He stated one way is located at the southwest corner and one at the northwest corner of the building with (2) two egress doors.

Mr. McFarlane asked if a forklift would have the ability to get into the stacks and be able to run back and forth parallel to the building.

Mr. Casillas responded the material is basically stored east/west. He stated what he wants to do is store the bales north/south. He stated he knows they have to be a certain amount of feet away from the wall and this would allow him access to the material in two ways; either from the northwest door or the southwest door. He stated if the bales are aligned 10-12 feet perpendicular to the building north/south it will allow access to the materials in a much more efficient way.

Chairman Sula asked for any other questions from the Commission.

Chairman Sula opened the floor to the public.

Mr. Rick Gallagher, President of Gallagher Corporation located east of the property at 4012 Morrison Drive, stated he has two concerns. He stated he has worked in Gurnee for over 30 years and he has never seen anything in Gurnee like what is happening next door to him. He stated to him, it looks very bad. He stated his biggest concern is safety and it has been a tremendous amount of fuel that has been piled on the said property. He stated it would be nice if it was only 10 feet tall, but the rules have not worked so far. He stated because a tremendous amount of fuel is so close to his facility he would recommend that some exterior fire suppression/sprinklers be installed for the amount of storage that is outside.

Mr. Adam Frank, 885 West Trail North in Grayslake, IL, stated he is present on behalf of Esper Peterson. He stated Mr. Peterson is semi-objecting to the proposal of the fencing due to the un-clarity of the materials that are to be used for the fence. He asked if it would be a steel galvanized fence and what the screenings would be. He stated Mr. Peterson is not objecting to the fence itself but is looking for clarity on the materials to be used and a revised landscaping proposal. He stated Mr. Peterson is looking for some type of landscaping to be used in front of the fencing, not only on the parkway.

Chairman Sula closed the floor to the public.

Mr. Keefe stated as far as clarification on the type of fuel and hazard it proposes, it is a high hazard. He stated it is an oil based product and generally once they begin to burn they become fluid, begin to flow and run, and burn very very hot. He stated the concern of 10 feet, with material becoming packed in solid and if it would be overwhelming at some point in the future, it would create a potential hazard to adjacent buildings that are close by. He stated the code is very specific about pallet storage in how they are stored, spaced and cubed together to allow space in between them. He stated it would be very cost prohibitive for fire protection on the outdoors. He stated the best thing to do would be to contain and limit the amount and quantity of the storage to prevent it from possibly transferring to an adjacent building.

Mr. McFarlane asked if Mr. Keefe is comfortable looking at the amount of space available for storage up to 10 feet high in that space.

Mr. Keefe responded the code does not specifically address this and it is pretty general for outdoor storage opposed to inside storage. He stated the only thing the code is specific about is if the storage is of the 10 foot in height that it has to have 10 feet separation from the edge of the storage to the property line. He stated if it can be ensured that it will not encroach into the 10 foot area he would feel comfortable with this.

Ms. Salmons asked if it would create toxic fumes if there were a fire.

Mr. Keefe responded that is correct. He stated any fire that occurs would create toxic fumes.

Ms. Salmons stated plastic would be more toxic than wood or paper.

Mr. Keefe responded in thinking of a home fire there are appliances, furniture, etc. He stated things that are in a home today are a fire fighters nightmare because it is no longer only textiles such as cotton or wood but petroleum based products. He stated when these burn it is very toxic and most people in a house fire do not die from the flames but die from the toxic fumes. He stated it would spew off toxic fumes with dark black smoke but most fires today would not be any different.

Chairman Sula stated from an environmental concern that asphalt is somewhat of a porous material. He stated he didn't see any evidence of containment diking. He stated if there were a fire and it liquefied he didn't see how it would be contained to the site, being a worse case disaster scenario. He stated if the materials had toxins that could run into the surface of the driveway there appears to be no containment or program for this. He asked if he was missing something.

Mr. Keefe responded he is not an environmental specialist but stated if it were flammable liquids it would be required for them to be contained. He stated because it is a solid fuel even though it may turn into a liquid state as it burns and melts it really is not addressed as a potential problem because it would not be running everywhere as it would be a thick liquid. He stated it would not be like a gasoline or fuel oil. He stated the code does not really address this and it is not something that would be required.

Chairman Sula responded if the Commission were to allow outside storage in his mind the Commission needs to be very specific that it has to be just the type of materials that the petitioner described and not what is currently out there on the site. He stated in his mind what he saw on the site yesterday brings in the possibility of outside contaminants being stored there and creating some sort of run off situation.

Mr. Winter stated it sounds as though the petitioner is willing to commit to having only raw plastics.

Mr. Keefe stated it is a similar type product as he deals with plastics and that is basically what his business is.

Chairman Sula stated specifically plastic bottles.

Mr. McFarlane stated if the Commission states just bottles it will be difficult as there are plastic car seats on site that can be ground up and recycled and those probably would not be any more dangerous than plastic bottles. He stated it may be best to say just plastics and eliminate wood and metal.

Chairman Sula stated he didn't see any of the materials that presumably started some of this process. He stated soil can contain all kinds of chemicals. He stated if it is clean industrial waste that is the by-product of bottling that is one thing. He stated to consider any type of plastic that might have soil and rocks in it are his concern.

Chairman Sula asked the Commission for any other questions or comments.

Ms. Booth stated included in the packets is the fence contract that states a 10 foot high chain link fence with beige slats. She stated the Zoning Ordinance defines that outdoor storage must be screened, but does not say the type of screening to be used, therefore the proposed fence would be acceptable per the Zoning Ordinance. She stated for a couple of other past Special Uses, a solid board on board fencing material has been utilized. She noted in terms of the landscaping, it appears that some of the existing asphalt around perimeter of the fence would need to be torn out to install landscaping (closer to the fence).

Chairman Sula asked the Commission for any comments on the landscaping.

Mr. McFarlane stated the only landscaping he sees on the drawings is landscaping that would essentially be similar to the buildings to the right and left along the street. He stated there doesn't seem to be any landscaping along any fence.

Ms. Booth stated that is correct.

Mr. Drennan stated given the fire hazard he is not comfortable having the fence to all the way to the property line even if storage is not within 10 feet as there is no way for this to be enforced. He also stated that he can't imagine that this would be used up at some point.

Mr. Winter stated the Commission could make a recommendation for a 10 foot setback from the property line for the fence.

Chairman Sula stated if bales were aligned north/south as indicated in the testimony it would eliminate his concern about the circulation.

Mr. McFarlane stated north/south alignment would allow full use of the storage with the fence moved in 10 feet and allow full use of the outdoor storage.

Chairman Sula stated correct.

Chairman Sula asked the petitioner about the dumpster currently sitting in front of the building.

Mr. Casillas responded the dumpster is for the refuse that is produced on a daily basis. He stated since he deals with post industrial regrinds there are no contents other than polyester water bottles noting most of the product they receive is dry without contents. He stated in the nature of processing anything that hits the floor is swept up and thrown away. He stated other debris that are thrown away and put into the refuse bin would be cardboard, broken skids or broken plastic trays that cannot be used. He stated the dumpster is a 40-yard compactor and plans are to put it inside the fence so there would be no issues with the compactor. He stated they do not want to be a sore eye sight for the neighbors as well as being concerned about safety and the ambiance of the entire industrial park. He stated he wants to do things right with ability to work with the neighbors and the Village. He stated Veolia is contracted to pick up the compactor once every 1-2 weeks.

Mr. Drennan asked if there is other outdoor storage within the industrial park.

Ms. Booth responded the Petroferm property just north went through the annexation process last year and they do have exterior storage. She stated some of it was addressed during the annexation agreement.

Ms. Velkover stated there is another one located in the industrial park where Petroferm is at, specifically at the northeast corner of Poret and Delaney. She stated there may be some storage out there in the industrial parks that are not screened.

Chairman Sula asked the Commission for any other questions or comments.

Chairman Sula asked for a motion.

Mr. McFarlane moved to forward a favorable recommendation, seconded by Mr. Nordentoft, to the Village Board with the following Special Use Permit for outdoor storage of plastic and associated recycling materials for 4012 Morrison Drive, subject to the following conditions:

1. That the outdoor storage area will be enclosed and fully screened with a 10 foot tall chain link fence with slats located 10 feet inside the property lines;
2. That the height of materials in the outdoor storage area shall not exceed the height of the fence, which is 10 feet;
3. That the outdoor storage associated with the material be stored in the area as illustrated on the site plan provided on December 27, 2011;
4. That prior to installation, the landscape plan shall be reviewed by the Village Forester and that no more than 25% of the trees installed on the subject property be the same species;
5. That the materials stored in the outdoor storage space be restricted to clean plastic material only; and
6. That the dumpster be enclosed in the fenced area.

Chairman Sula clarified the fence will be 10 feet from the property line, which is not exactly how it is shown on the drawing, but the materials will be kept 10 feet from the property line which is consistent with the drawing.

Chairman Sula asked for any discussion on the motion.

Roll Call

Ayes: Sula, Nordentoft, McFarlane, Broughton, Salmons, Drennan

Nays: None

Abstain: None

Motion Carried: 6-0-0

Chairman Sula asked for motion to adjourn.

Ms. Broughton made a motion, seconded by Mr. Nordentoft, to adjourn.

The Meeting was adjourned at 8:10 P.M.

Respectfully Submitted:

Joanne Havenhill
Plan Commission Secretary