



VILLAGE OF MONTGOMERY

*Plan Commission Meeting Agenda
October 4, 2018 7:00 P.M.
Village Hall Board Room
200 N. River Street, Montgomery, IL 60538*

-
- I. Call to Order
 - II. Roll Call
 - III. Approval of the Minutes of September 6, 2018
 - IV. Public Comment Period
 - V. Items for Plan Commission Action
 - a. 2018-011 Z Public Hearing and Consideration of a Text Amendment to the Zoning Ordinance Regarding Beekeeping – Staff.
 - VI. Items for Plan Commission Discussion
 - a. Comprehensive Plan Update
 - VII. Community Development Update/New Business
 - VIII. Next Meeting: November 1, 2018
 - IX. Adjournment



VILLAGE OF MONTGOMERY

*Plan Commission Meeting Minutes
September 6, 2018 7:00 P.M.
Village Hall Board Room
200 N. River Street, Montgomery, IL 60538*

I. Call to Order

Chairman Hammond called the meeting to order at 7:00 pm.

II. Pledge of Allegiance- All present gave the Pledge of Allegiance

III. Roll Call

Absent: Tom Yakaitis and Patrick Kelsey.

Present: Tom Betsinger, Mike Hammond, Ryan Anderson, Mildred McNeal-James and Nick Plattos.

Also Present: Village Attorney Laura Julien, Village Engineer Paulson, Senior Planner Jerad Chipman, Executive Director of the Montgomery Economic Development Corporation Charlene Coulombe-Fiore and members of the audience.

IV. Approval of the Minutes of August 2, 2018

Motion: Motion was made by Commissioner McNeal-James to approve the minutes of 8/2/18 with corrections to two typos. Commissioner Betsinger seconded the motion. Motion passed 4-0.

Ayes: Betsinger, Hammond, Anderson, McNeal-James and Plattos

Nays: None

V. Public Comment Period- There were no comments from the public.

VI. Items for Plan Commission Action

- a. 2018-019 SU Public Hearing and Consideration of a Special Use for an Outdoor Use (Principal Use) Located at 2020 Albright Road - JMB Investment Partners L.P.

Senior Planner Chipman gave an overview of the proposed Special Use along with an explanation of the surrounding area with corresponding zonings. Chipman went over the history of the site from its use as a bus dispatch center, to its current use of outdoor truck parking. Chipman reported that the proposed use is allowed as a special use for the site and that some non-conforming characteristics exist such as a front setback encroachment, as well

as wide access drive. Staff is seeking seek to narrow the access point to better define the entrance. Chipman also highlighted the fact that a large amount of landscaping had to be removed during nearby road construction, which had previously provided screening for the property. Staff has asked the petitioner to landscape the site, but also understands that due to the nearby road elevations, full screening is not possible. Chipman explained that neither parking nor lighting is an issue and recommends a black vinyl coating on the proposed chain link fence. The surface of the parking lot is proposed to be a bituminous treatment like a country road, more durable than a seal coating, but will still require maintenance, especially on heavily traveled portions.

Engineer Paulson reiterated that the treatment is a much more durable version of sealcoating and will also provide dust mitigation.

The petitioner came forward and stated to the commissioners that he was willing to work with the Village and that he has owned the property for 30 years. The petitioner pointed out that there is light pole at the south edge of the property and has had no security issues at the property. The petitioner stated that about half of the trucks are in and out every day while the rest are away for longer periods of time. Many of the drivers are reported to be locals who do not have many other options for parking.

Commissioner Betsinger asked if there was a time line for the site, which the petitioner answered that he hoped to have everything finished and cleaned up before winter.

Chairman Hammond opened the public hearing- There were no comments from the public.

Chairman Hammond read through the findings of fact:

A. That the establishment, maintenance or operation of the special use will not be detrimental to endanger the public health, safety, comfort or general welfare;
This use should not endanger the public health, safety, comfort or general welfare;

B. That the special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purpose already permitted, not substantially diminish or impair property values within the neighborhood;
This use should not be injurious or diminish property values;

C. That the establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district;
The proposed use does not prohibit use of surrounding property and is normal and orderly;

D. That adequate utilities, access roads, drainage and/or necessary facilities have been, or are being, provided;
Adequate utilities, roads and drainage have been planned for;

E. That adequate measures have been, or will be, taken to provide ingress and egress so designed as to minimize traffic congestion in public streets;
The property provides adequate ingress and egress; and

F. That the special use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified by the Village Board pursuant to the recommendations of the Plan Commission.

Chairman Hammond inquired as to whether the nonconformities would have to be corrected in the future, which Senior planner Chipman stated, they would not if the use remained the same.

Commissioner Plattos inquired how long the bituminous treatment was expected to last. Chipman stated that the engineers estimated three years depending on use and suggested the addition of language to ensure proper maintenance. Engineer Paulson confirmed three to five years for expectancy of the bituminous treatment with less perhaps on the busy surface.

Commissioner McNeal-James suggested designating a time for inspection of the surface to ensure it is lasting as long as expected. Commissioner Betsinger proposed inspection after the first year.

Commissioner McNeal-James expressed that it was a definite improvement and offers options for resident truckers.

Motion: Motion was made by Commissioner McNeal-James to approve 2018-019 SU Public Hearing and Consideration of a Special Use for an Outdoor Use (Principal Use) Located at 2020 Albright Road - JMB Investment Partners L.P., with the addition to include surface requirement and inspection. Commissioner Anderson seconded the motion. Motion passed 4-0.

Ayes: Betsinger, Hammond, Anderson, McNeal-James and Plattos

Nays: None

- b. 2018-011 Z Public Hearing and Consideration of a Text Amendment to the Zoning Ordinance Regarding Beekeeping – Staff.

Senior Planner Chipman introduced the item for discussion, explaining that it was a continuation from a previous meeting. This was a larger picture item and staff was seeking to better define parameters for beekeeping requirements. It is being proposed on large residential parcels and those zoned as agricultural, along with parks. It would be a special use for R-1,2,3,& 4 The general requirements recommend by staff include registration with the State Agriculture Department, notification for neighbors, small signage for property, fly-away barrier and allowance for Village inspection. Chipman elaborated that this would preclude smaller lots, many parks and forest preserves are zoned residential, so lot size must become a consideration.

Commissioner Betsinger voiced concern over the six-foot fly-away barrier becoming a problem in neighborhoods with shorter fence standards. Senior Planner Chipman replied that landscaping would be encouraged in place of a solid structure if necessary, but the lot size would typically come into question since many properties with lower height fence standards have smaller lots.

Commissioner McNeal-James raised concern over the need for bee specific insurance if present on the property, and if the owner would need to provide that for permitting. Senior Planner Chipman replied that there was nothing built into the language at hand but could be explored further. Commissioner McNeal-James stated she had heard from a surrounding community that it was required, and perhaps worth looking into. McNeal-James also wondered how the process would work to get the license from the state when applying for a permit. Chipman suggested the Village could receive the State registration within 90 days of permit issuance since the state may require a local permit to process.

Commissioner McNeal-James stated that a beekeeping course was offered by a surrounding community, and that the course was encouraged for new beekeepers and experienced to keep up to current code. Commissioner McNeal-James suggested the waiver of a permit fee if the course was taken.

Chairman Hammond asked what else would be required beyond lot size and State permits. Senior Planner Chipman replied that staff would create a form, if the lot was residential it would go before the Plan Commission. Hammond clarified what the Community Development Department would need to inspect, which Chipman replied it would be to ensure setback and other Village requirements are met.

Commissioner Betsinger asked how many inquiries the Village had received. Senior Planner Chipman replied that it had been only one so far. Betsinger questioned if the process could be made simpler for residents. Commissioners discussed the option of making a form available online with a process like other permitted building activities. Attorney Julien suggested staff continue working since there isn't anything pressing.

Chairman Hammond tables the item for future discussion.

VII. Items for Plan Commission Discussion

a. Comprehensive Plan Update

Senior Planner Chipman went over the history of the Comprehensive Plan for newer members and pointed out the ten objective items and gave updates on where staff is on each item. Chipman reported that the focus had been primarily on industrial and Commercial activity. The Sales Tax Referendum has allowed the Village to progress on the path-gap plan set forth to connect bike paths and sidewalks throughout Montgomery. Signage has been added to better indicate truck routes. Some progress has also been made on the downtown area with the Mill Tavern along with the addition of two new businesses. Chipman went over the new industrial additions the Village has seen such as Old Dominion, United Sugar and Nexeo. Chipman also pointed out that the Village has maintained a positive working relationship with the Chamber of Commerce as well as the Montgomery Economic Development Corporation.

VIII. Community Development Update/New Business- No new business

IX. Next Meeting: October 4, 2018

X. Adjournment

With no other business to discuss, Chairman Hammond adjourned the meeting at 7:54

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Chris Wagner". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Chris Wagner, Plan Commission Secretary



PC 2018-011
PLAN COMMISSION ADVISORY REPORT

To: Chair Hammond and Members of the Plan Commission

From: Jerad Chipman, AICP
Senior Planner

Date: September 25, 2018

Subject: *2018-011 Z Text Amendment to the Zoning Ordinance Regarding Beekeeping.*

Background:

Draft ordinance language was proposed and discussed at the September Plan Commission Meeting. The draft language was the result of research and comments from the Plan Commission at the August meeting. Several new lines of inquiry were brought up regarding insurance, education, community apiaries and whether beekeeping should be a permitted or special use in residential districts. At the August meeting the Plan Commission indicated a desire to allow the use as a special use in residential on large parcels. During discussion at the September meeting, Commissioners indicated a reluctance to require a special use process for residential parcels as the minimum size being proposed was quite large. Staff is of the opinion that a special use is not necessary due to the large minimum size of the residential parcels.

The following contains draft ordinance language that has been updated from the previous meeting. Updated language has been indicated with a strikethrough for removal or an underline for insertion.

General Provisions:

Beekeeping and the locating of apiaries shall be allowed in the Village of Montgomery subject to the standards set forward herein.

All bees must be of the common domestic honey bees of the *Apis Mellifera* species.

Production and sales of honey shall be from hives on the parcel, unless otherwise permitted in Zoning Districts that allow retail sales. This provision is an exception to the Home Occupancy text of the Zoning Ordinance that requires all activities to take place within the principal structure.

Licensing:

All beekeeping activities shall be registered with the Illinois Department of Agriculture as required by the Illinois Bees and Apiaries Act (510 ILCS 20/1 et seq.) and obtain a permit through the Village of Montgomery. Proof of application for registration to the Illinois Department of Agriculture shall be

submitted at time of applying for a permit from the Village with proof of registration provided within ninety (90) days of Village permit approval.

All beekeepers shall renew their Village permit annually and supply the Village with current Illinois Department of Agriculture registration.

The neighboring property owners shall be notified of the presence of bee at the proposed location at time of permit application.

A small sign to announce "Bees on Premises" shall be posted at walkways or gate entrances to the rear yard of the tract to warn visitors to the property of the presence of bees. This sign shall not exceed six (6) square feet.

The Director of Community Development or designees shall have the right to inspect any apiary between the hours of eight o'clock (8:00) A.M. and five o'clock (5:00) P.M. Where practicable, prior notice shall be given to the beekeeper if he/she resides at the apiary or if his/her name is marked on the hives.

Beekeeping insurance shall be acquired and a copy of the insurance shall be provided to the Community Development Department.

Beekeepers are required to show proof of completion of a beekeeping course. Online courses do not qualify. There are courses taught in the area by reputable beekeeping educators. Contact the Community Development Department for suggestions regarding beekeeping courses.

Allowable Locations and Bulk Standards:

Beekeeping shall be allowed as a permitted use in the Agricultural District and ~~a special use~~ in parcels larger than 20,000 square feet in the R-1, R-2, R-3 and R-4 residential districts.

Community apiaries are allowed as special uses on parcels larger than 20,000 square feet in the R-1, R-2, R-3 and R-4 residential districts. That are owned by a governmental body. A community apiary is a program that would allow residents to install bee colonies on public land. Participants shall comply with the other provisions found within this ordinance.

Bee Colonies are allowed in the buildable area of a parcel and the rear yard. Bee Colonies are prohibited in the front, side and corner side yards.

All bee colonies shall be no less than thirty (30) feet away from all property lines.

In each instance in which any colony is situated within forty (40) feet of a property line of the tract upon which the apiary is situated, as measured from the nearest point on the hive to the property line, the beekeeper shall establish and maintain a flyway barrier at least six (6) feet in height consisting of a solid wall, fence, dense vegetation, or combination thereof that is parallel to the property line and extends ten (10) feet beyond the colony in each direction so that all bees are forced to fly at an elevation of at least six (6) feet above ground level over the property lines in the vicinity of the apiary. Any such flyway barrier shall be constructed in compliance with applicable Village ordinances.

The number of colonies shall not exceed two (2) for the first 20,000 square feet of lot area and two (2) colonies for each 10,000 square feet thereafter.

Maintenance Provisions:

All colonies of bees shall have easy access to a source of water in order to decrease the risk of bees congregating around bodies of water utilized for human enjoyment.

All colonies shall be kept in hives with removable combs that can be inspected. All hives shall be well maintained in a condition that is sound, usable and sanitary

Recommendation:

Staff is recommending continued discussion regarding this item and the possibility of postponing adoption of beekeeping provisions in order to incorporate the provisions into the larger Zoning Ordinance update currently in progress.