

**Village of Poplar Grove**  
**Board of Trustees**  
**Special Board Meeting**  
**October 27, 2010**

The special meeting of the Board of Trustees was called to order by President Rightnowar at 5:30 pm in the Village Hall.

**Present:** President Brad Rightnowar, Trustees Kris Campbell, Robert Fry, John Neitzel, Ron Quimby, Cliff Stetter and Judi Zangs, Clerk Martha Suhr and Attorney Charlotte LeClercq.

**Agenda:** A motion was made by Fry, 2<sup>nd</sup> by Zangs to approve an amended agenda adding an executive session under section 5 ILCS 120 2(c)(11) concerning possible litigation. Motion was carried by roll call 6-0.

A motion was made by Stetter, 2<sup>nd</sup> by Fry to go into executive session under section 5 ILCS 120 2(2)(11). Motion was carried by roll call 6-0. Time was 5:33 pm.

Board of Trustees meeting reconvened at 5:47 pm.

**Present:** President Brad Rightnowar, Trustees Kris Campbell, Robert Fry, John Neitzel, Ron Quimby, Cliff Stetter and Judi Zangs, Clerk Martha Suhr and Attorney Charlotte LeClercq.

**Administration Committee:** Trustee Campbell stated that in an Administration Committee meeting, the committee had reviewed and approved the special use permit for the Fire District to bring before the full Board for approval.

A motion was made by Campbell, 2<sup>nd</sup> by Zangs to approve the Special Use Permit for the Fire District to build a training building/tower. Discussion followed.

Attorney Brian O'Connor spoke for the Fire District. The request for the special use had been approved by the Planning and Zoning Commission and the Administration Committee. He had been involved with the Fire District throughout discussions on the plans for the training facility and the revisiting of the plans and the alternate site. The Fire District Trustees did not feel that the alternate site was a practical substitute and the District's preference was to continue with the original application that had been previously approved the Planning and Zoning Commission and the Administration Committee to use their own property for lawful fire protection services and training.

Trustee Stetter commended the Fire District for their excellent reputation stating they are a very real asset to the community but he had issues with the tower and the proposed location. The location is surrounded by homes and the Village Hall and the land is zoned for office use. There could be health issues for the residents living close by. He also did not believe that the tower was part of the original plans when the Fire Station was approved to be located where it is now. Once homes are built on the surrounding platted properties the training facility would be right in the middle of resident's homes. Trustee Stetter voiced concerns about how often there would be burning and smoke because of the residents in nearby homes and the use of the adjoining park by children. Also questioned the ascetics of the building and the height of the tower with in the Village limits.

Trustee Neitzel Asked Chief Worley what kind of smoke it would be. Is it toxic smoke or from burning rubbish. Chief Worley stated that 90% of the smoke is artificial smoke from vegetable oil and 10% from burning pallets or straw. In answer to a water run-off question, stated that they would be using a compressed air foam and very little water that would probably not even get out of the building.

Trustee Fry echoed Trustee Stetter's comments commending the Fire District for a job well done. His decision would be based on section 8-3-9 of the code book concerning special use permits.

He wanted to draw attention to bullet no. 2, stating proposed special use will not have a significant negative impact of the use of other properties in the vicinity of the proposed special use, bullet no. 3, stating the proposed special use will not significantly diminish or impair property values, including residential property values, in the vicinity of the special use and bullet no. 4, the proposed special use will not adversely affect nearby businesses by reducing customer trade as a result of any negative externalities such as noise, glare and general unsightliness. Part of the board's concern is that this property was intended to be used for an office park and residential use. For example does this type of a facility affect any of the surrounding businesses in their ability to attract customers and residents to retain their property values, if this type of structure is in the midst of their properties. The Board's responsibility is to ensure that all the criteria are met before granting approval of this type of structure. These concerns, I don't believe have been addressed on whether or not there would be an impact on property, residential or commercial. I don't believe it will be architecturally compatible with the surrounding area, this may also affect property values.

Attorney O'Connor stated that the tower would not be smoke bound 24 hours a day and 365 days a year. It will not be the tower of doom and a volcano spewing ash to the heavens. It would only be used periodically for training as necessary for our firefighters and those of surrounding areas. The property will support the building and would look compatible with the Fire Station. He felt the tower would facilitate their ability to protect the public and will fit well into the Village.

Trustee Neitzel asked if 95% of the time, the building would sit static, is that a fair statement?

Chief Worley said it would be used approx. 3 times a month.

Trustee Fry questioned that the building would be there 100% of the time and the architectural compatibility is in question in that it could affect property values.

Chief Worley said that they bought 6 acres so they would be able to expand and when they submitted the plans for the addition two years ago, the footprint for the training tower was shown on the site plan. He stated the building would look like the Fire Station and how did the Board know what buildings across the street would look like in the future.

Trustee Zangs said she felt comfortable when Chief Worley described in the committee meeting what kind of landscaping would be done to make it architecturally compatible and plans to make the building attractive. She also checked the height of the water tower, which is 145 feet high. Only the tower will be 40 ft. high not the whole building so she feels that it will not be architecturally unattractive.

Trustee Quimby asked about the tower being on the site plan for the addition when that was requested. Chief Worley stated that the tower was shown on the site plan. They were beginning to make plans for the tower. Trustee Campbell said he remembered a square drawn in on the site plan. There were no details but it was shown.

Trustee Stetter asked if training could be arranged when there are not ball games and other activities going on in the Lions Park. Chief Worley said it could be arranged.

Trustee Fry asked how this would affect future business that may go in across the street and would not want burning. How do we address the issue? Can we amend the permit at a later date because the burning interferes with their operations? Trustee Campbell replied the future is hypothetical at this point and we have to deal with the present and grandfather in what already exists as their activities would take precedence over future things. Trustee Fry stated that is what the Board is wrestling with today and whatever we approve today, the Board is responsible for future surrounding uses for the property and it would not be fair to future property users.

The Chair entertained a motion to amend the original motion. There was none. Chair asked for any other comments from the floor or from the Board. There were none.

The Chair asked the Clerk to call the roll for the motion to approve the special use permit. Roll call as follows Judi Zangs-yes, Kris Campbell-yes, John Neitzel-yes, Cliff Stetter-no, Ron Quimby-no, Robert Fry-no.

President Rightnowar stated he has a difficult time understanding how it would not negatively impact the general health and safety of the downtown commercial district of the Village. My statements to you have remained the same throughout the entire process. I don't believe as submitted, this application meets the special use criteria as required by ordinance. I vote no.

Final vote by roll call, three yes and four no. Motion fails.

A motion was made by Campbell, 2<sup>nd</sup> by Fry to adjourn the meeting. Motion was carried by voice vote 6-0. Meeting was adjourned at 6:15 pm.