

*Amended 03.18.19*

**MINUTES OF THE ZONING BOARD OF APPEALS  
February 25, 2019**

The regular meeting of the Zoning Board of Appeals was called to order by Vice Chairman Mark Moore at 7:05 p.m. at the Village Hall.

Members present: Vice Chairman Mark Moore, Amy Flores, Matthew Krummick, Walter Oakley, and Eric Steffe.

Members absent: Richard Pyter and Chairman Kurt Schultz.

A quorum was established.

Village Staff present: John Spoden, Director of Community Development; David Smith, Senior Planner; and Jeff Cooper, Village Engineer.

Board Member Oakley moved, seconded by Board Member Flores, to approve the February 11, 2019, Zoning Board of Appeals minutes.

Motion carried 5 - 0.

**OLD BUSINESS:** None.

**NEW BUSINESS:**

**ZBA 19-04 North Shore Gas Delivery, Applicant  
19238 W. Peterson Road**

**Request is for variations to: 1) reduce the minimum required front yard setback from 100 feet to approximately 35.6 feet in order to construct 750 square foot Odorant Building; from 100 feet to approximately 70.6 feet in order to construct a 500 square foot Control and Generator Building; and from 100 feet to approximately 17 feet in order to construct a 30 inch in diameter gas delivery (out let) pipe; and 2) reduce the minimum required side yard setback for the 400 square foot Regulator Building from 25 feet to approximately 17.5' feet from the east side yard property line; the 221 square foot Valve House building from 25 feet to approximately 14.9' feet from the east side yard property line; the 360 square foot Meter Building from 25 feet to approximately 7.71' feet along the west side yard property line in order to re-build the Grayslake Gate Station, an existing natural gas transmission plant for North Shore Gas Company, for property located in an I-1, Limited Industrial District.**

**ZBA 19-05 North Shore Gas Delivery, Applicant  
19238 W. Peterson Road**

**Request is for a variation to reduce the minimum required Perimeter Landscaped Open Space in order to re-build the Grayslake Gate Station, an existing natural gas**

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**transmission plant for North Shore Gas Company, for property located in an I-1, Limited Industrial District.**

Mr. David Smith, Senior Planner, introduced the requested zoning actions by the petitioner. He stated that the applicant, North Shore Gas, is requesting approval for Special Use Permit for a Public Utility Yard, a Site Plan Permit, and variations to reduce minimum required setbacks, reduce the minimum required Perimeter Landscaped Open Space, and a variation to locate a fence in front of the front building line. If granted, this will allow the petitioner to re-build the Grayslake Gate Station, an existing natural gas transmission plant for North Shore Gas Company, for property located in an I-1, Limited Industrial District at 19238 W. Peterson Road.

Mr. Smith stated that the Zoning Code requires that no fence shall extend beyond the front building line of the principal structure. He stated that the applicant is proposing security fencing to fence in and enclose the entire facility including the installation of the fence along the front property line. He stated that this shall require a variation from the Zoning Code. Mr. Smith stated that due to improper public notice to the newspaper by the Village, this particular variation request cannot be heard during the February 25, 2019 Zoning Board of Appeals public hearing. He stated that this item will be properly noticed for the March 18, 2019 Zoning Board of Appeals public hearing.

Mr. Alan McCurdy, Valdez Engineering Company, and agent for North Shore Gas Company, the petitioner, stated that 80% of the gas distributed from this facility goes to Libertyville and other North Shore communities. He stated that they are anticipating construction for the facility redevelopment will take place from May to October of this year. He stated that Kinder Morgan, Inc. is the owner of the facility. He stated that the scope of work includes a substantial amount of reconfiguration of the site equipment and replacement. He stated that the site is a triangular shape which causes a significant hardship to be compliant with the Zoning Code's setback requirements. He stated that they have studied other site plan alternatives, but could not execute them due to the expense and other site constraints. He stated that the Kinder Morgan equipment on site that is not subject to removal or replacement must remain in place. He stated additional trees will be installed towards the rear of the site where it cannot go in those areas along the perimeter that must remain open for existing and new equipment.

Ms. Lauren Buric, residing in Hampshire, Illinois, stated that she is concerned about the gas smell that will follow once construction has started. She asked about the disposition of the new trees.

Mr. McCurdy stated that part of the development will include an Odorant Building that will help to mitigate any off-site nuisance gas odor.

Ms. Glanni Chan, North Shore Gas staff, stated that there will be a marginal amount of gas odor when they are tying in the new infrastructure into the existing. She stated that those components to the infrastructure subject to redevelopment or new connections will be shut down. She stated that the appropriate safety measures will be employed during the site's redevelopment.

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Mr. Patrick Hickey, Hampton Lenzini & Renwick Inc. agent for applicant, stated that the landscape plan consists of a variety of evergreen and deciduous trees and shrubs. He stated that an appropriate number of wet tree species are included for the low lying areas such as Swamp Oak. He stated that they have submitted a permit application to the Army Corp of Engineers.

Ms. Buric stated that she is concerned that there should be special safety procedures implemented during construction as it seems that this facility could be potentially volatile.

Mr. Hickey stated that the facility will be shut down and the underground utilities will be located prior to construction. He stated that the existing asbestos shall be removed as well.

Ms. Buric stated that the digging in and around hazardous material is a concern. She stated that there should be an emergency plan in place prior to construction as well.

Mr. McCurdy stated that they will call J.U.L.I.E. prior to digging to locate the underground infrastructure. He stated that they already know where the underground piping is located. He stated that where they should not use the standard heavy equipment for digging they will instead excavate using a Hydro Excavation process, which is a non-destructive method of digging that utilizes pressurized water and a vacuum system to quickly and safely expose underground infrastructure. Mr. McCurdy stated that during the hydrovac process, pressurized water is injected into the ground through a handheld wand.

Mr. McCurdy stated that they will have an Environment Firm analyze soil samples for hazardous material or contamination. He stated that the above ground existing buildings will also be investigated for asbestos and other hazardous materials and addressed accordingly.

Ms. Chan stated that all the proper safety precautions will be employed. She stated that hand digging will be used where necessary and that the plant will be shut down where necessary during the construction and there will be no live gas.

Ms. Buric asked if a third party contractor will be used to address the asbestos. Ms. Chan stated that there will be a third party contractor for the asbestos.

Ms. Buric asked if the applicant was aware of how to use HEPA Filters or other similar type of apparatus. Mr. McCurdy stated that he is aware of their purpose and utility.

Board Member Oakley asked if this facility uses propane gas. Mr. McCurdy stated that the North Shore Gas site on the south side of Peterson Road uses propane gas.

Board Member Oakley asked who the first responders would be if there was an industrial accident at this site. Mr. McCurdy stated that North Shore Gas would be the first responder to an accident at the site. He stated that North Shore Gas personnel understand how to operate the equipment or shut down the equipment during an emergency situation. He stated that there will be the Knox Box equipment to permit the Fire Department to access the site as well.

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Mr. Juan Gonzalez, North Shore Gas, stated that the facility security system is connected to the property owner Kinder Morgan. He stated that the Police and Fire Departments will also be alerted as needed.

Board Member Steffe asked if the facility's natural gas operations will be shut down during construction. Mr. McCurdy stated that a significant portion of the plant will be shut down. He stated that live pipes will be isolated and standard safety protocols will be implemented during construction.

Board Member Steffe stated that the community should be noticed prior to construction in order to prepare for any potential odor nuisance.

Board Member Krummick stated that he was not certain as to the height of the new structures and stated that he is concerned about the proximity of the structures to Peterson Road. He asked if there is an operation change in the plan after their initial approval would they need to come back to the Plan Commission. Mr. Smith stated that they would have to come back and apply for an amendment to the Site Plan Permit.

Vice Chairman Moore asked if customers will still get natural gas service during the site's shutdown for construction. Ms. Chan stated there are five (5) facilities in the vicinity that can provide the service that customers will need during this site's shut down during its construction.

Vice Chairman Moore announced that this hearing will be continued to March 18, 2019 in order to complete the proper public notification.

*In the matters of ZBA 19-04 and ZBA 19-05, Board Member Steffe moved, seconded by Board Member Oakley, to continue these items to the March 18, 2019, Zoning Board of Appeals meeting.*

*Motion carried 5 - 0.*

*Ayes: Moore, Flores, Krummick, Oakley, Steffe*

*Nays: None*

*Absent: Pyter, Schultz*

**STAFF COMMUNICATIONS AND DISCUSSION:** None.

Board Member Flores moved, seconded by Board Member Steffe to adjourn the meeting.

Motion carried 5 - 0.

Meeting adjourned at 7:52 p.m.