

City of Marengo
Planning & Zoning Commission Meeting
Council Chambers
132 E. Prairie Street
Marengo, IL 60152
March 19, 2018
7:00 P.M.

CALL TO ORDER

Commission Chairman Mike Bieniek called the Meeting of the Planning & Zoning Commission to order at 7:12 P.M.

PLEDGE OF ALLEGIANCE

Mr. Bieniek led everyone in the Pledge of Allegiance.

ROLL CALL

Present this evening are Commissioners Bieniek, Piwonka, Varney, Hunt, Gieseke, and Brackmann. Also present were City Administrator Joshua Blakemore, Attorney Michael Smoron and Deputy City Clerk Anna Leyrer. Commission Member Mazurkiewicz was absent.

APPROVAL OF MINUTES

Commission member Varney made a motion, seconded by Commission member Gieseke to approve the **August 21, 2017** Planning and Zoning Minutes. The motion passed with aye votes from Commission members Bieniek, Brackmann, Piwonka, Gieseke, Varney, and Hunt.

NEW BUSINESS

Public Hearing- Proposed Zoning Text Amendment and Recommendation to the City Council Regarding the Addition of Ground-Mounted Solar Energy Systems as a Special Use in the ER Estate Residential Zoning District.

Public Hearing- Special Use Permit Application for a Ground-Mounted Solar Energy System as a Special Use in the ER Estate Residential Zoning District for 1.) 23317 W. Grant Highway, Consisting of Roughly 116 Acres Located South of Route 20 and West of Johnson Road and 2.) Roughly 120 Acres Located South of Route 20 and East of Johnson Road and Recommendation to the City Council.

Commissioner Bieniek opened the Public Hearing at 7:15 p.m. Attorney Smoron swore in all parties that wanted to speak. Commissioner Bieniek then introduced the petitioners Attorney, Jay Filler with Filler and Associates Law Offices. Mr. Filler gave a brief explanation of the project and introduced the petitioners; Reed Wills with SunEast Development and Candace Ward with Energy Renewal Partners. Mr. Reed explained that Marengo Solar is the project company. SunEast Development and Energy Renewal Partners have many other projects throughout the Country. He explained the benefits that the City and its residents would see, like new tax revenue, supporting the local economy, being an economic development platform to attract other businesses, and future

agricultural benefits. He expanded on the benefit that solar energy is an attractive asset for big corporations and also stated that the possibility of placing a small scale solar facility at the City's Wastewater Treatment Plant, in lieu of annexation fees, was being discussed. He stated that the project would produce very little traffic, noise and emissions and that there is very little impact on the land. Most times, after the life of the solar units, they are removed and the land can be returned to the prior use and that the project has a very light footprint. He stated that the project would utilize the local ComEd Substation and that there is a map in the materials handed out that shows where the existing and proposed/new utility poles would be located and that expectations are that the utility poles would be standard poles, not big towers. Mr. Wills explained that the dwelling currently on the property would be removed. There is a setback of 150 feet from Grant Highway and that the initial landscaping would be five foot evergreen type trees and three foot shrubs along the perimeter fencing.

Commissioner Bieniek then opened the floor for questions from the Planning & Zoning Commission.

Commission member Hunt asked how the solar panel would be mounted. Mr. Wills explained the panels would be piled into the ground and that the panels and the mounting have to meet certain wind rating specifications; which is generally winds up to 100 mph.

Commission member Gieseke asked if the property was being purchased or leased. Mr. Wills stated the property is to be purchased.

City Administrator Blakemore went over the criteria required for a Special Use Permit for a Solar Farm per the proposed Ordinance and stated that, if the PZC does a recommendation, it would go before City Council for final approval.

Commission Member Bieniek then opened the floor to any members of the public in attendance who wanted to speak.

Cecelia Drazek asked if there has been any talks with offering the power generated to residents and asked who is funding this project. City Administrator Blakemore stated that as far as he knows, the power will be sold to ComEd and discussions have been had about installing solar panels at the Waste Water Treatment Plant for use there to reduce cost. Mr. Wills stated that all funding is through private third parties.

Tom Kearney inquired how the panels are going to be anchored in the ground and asked if there was any government funding or the responsibility of the tax payers. He also stated he is concerned about ground water and lighting. He also stated he felt that any business on Johnson Road is within Riley Township, and they should be advised of what is going on. He also stated that he is worried about looking out his windows and seeing solar panels and not fields. Mr. Wills stated he would go to Mr. Kearney's property and evaluate what his property will look like when the panels are up. Mr. Blakemore stated the panels will be piled into the ground. Attorney Filler stated he believes there is no cost to local tax payers that he is aware of. Mr. Blakemore stated that there is currently State legislation to be determined how solar farms will be taxed, whether it is from the solar panels, or by the amount of megawatts generated from the facility. He also stated that lighting will only be on when needed, like when staff is there doing maintenance. Also, he is not aware of any potential dangers to ground water.

Charles Ramsay stated he did not like the idea of having solar panels surrounding his house.

Bill Johnson presented and read from a prepared statement in opposition of the project he wanted submitted for record. His concern was his property values and the fact that $\frac{3}{4}$ of his property would be surrounded by fence and solar panels. He also stated that he feels the land owners are losing their property values while the City is benefiting.

Terry Garbaciak stressed her concerns about any possibility of radiation and Electro-Magnetic Hyper Sensitivity for those located near the solar farm. She also stated she would like to see a study on long term effects done by a third, non-partial party. Mr. Wills stated that he is not aware of any negative health impacts on people who live near solar panels. He will look into getting some information. He also confirmed that the fencing is not barbed wire and it would be eight feet high.

Barbara Walpole stated that she has concerns with the ability to sell her farm and what effect it would have on her property values. She was also concerned that the City would want to annex her property as well. Administrator Blakemore informed Ms. Walpole that annexation would be, in most instances, voluntary.

Linda Balek stressed her concerns about what happens when the solar farm is gone and that solar farms should be put on marginal land, not farmland. What happens to the land? She asked what is going to be growing under the panels to avoid soil erosion. Mr. Will stated that shade grass and, most likely, clover, is planted under the panels. Administrator Blakemore informed her that the land would be returned to ER Estate Residential zoning, which is the most restrictive zoning in the City.

Paul Santonacita asked if any herbicides or pesticides would be used. He also asked who proposed this project. Administrator Blakemore stated that the petitioner approached the City for this project. With the location of this project, the petitioner could have gone to McHenry County, but did approach the City due to the close proximity to the City and the potential to annex. Mr. Wills stated that they did approach the City due to the proximity to the ComEd substation. He also stated that any uses of herbicides and pesticides would be at a minimum. The solar community is very sensitive to preserving the land.

Rick Schulze stated he didn't like the fact that all the farm land will be filled with solar panels. He also stated that the property floods during heavy rain.

Commission member Brackmann asked if there would be a concern about glare created from the solar panels. Mr. Wills explained that there is an anti-glare coating on the panel to prevent glare and explained there is a 70 acre solar farm at the Indianapolis Airport and there has not been an issue with glare.

Gertrude Randall, who lives on Ritz Road, stated she has lost most value of her home due to the Arnold 300 West water contamination, so she said she sympathizes with the home owners and their concern about their property values.

Ed Olsen stated he feels that property values of the homes surrounding the area will decrease and that solar farms are still new and he feels there is not a lot of information on them yet. He also stressed concern about standing water on the property.

Commissioner Bieniek asked Mr. Wills if there is a possibility to address the concerns about the twenty-five foot setback and if it could be pushed back an additional twenty-five feet. Mr. Wills stated he would be happy to go the properties to address each location and go from there.

Commission member Gieseke asked if the petitioner has contacted the McHenry County Conservation District. Mr. Wills stated they have, and the few locations that they looked at had standing water issues.

Mr. Wills presented a document for the record that addresses the concerns of solar impact on property values and that there is little evidence that solar panels/farms have an adverse impact.

PLANNING AND ZONING ACTION

Commissioner Bieniek stated he felt the need to have some of the concerns addressed by the petitioner and to continue the meeting at a later date. Attorney Smoron stated that the best course of action would be to not make any recommendations this evening, since all of the ordinances are “bound together”, they should all be up for recommendation at the same time. The Planning and Zoning Commission agreed to continue the meeting at a later date after requesting the petitioner to gather some additional information on the following: 1.) Submit independent studies on health effects of solar farms; 2.) The Indianapolis Airport study about glare; 3.) Address the specific property owners concerns; 4.) Submit pictures of real life examples of houses located near solar farms.

Mr. Wills stated that they would be happy to meet on a one-on-one basis with any resident regarding their concerns and will make that happen for anyone interested. He encouraged them to speak with him after the meeting. He said that they should be able to have their information together by the April 16th Planning & Zoning Commission meeting.

MOTION TO CONTINUE MEETING UNTIL APRIL 16, 2018

Commission member Hunt made a motion, seconded by Commission member Piwonka to continue the meeting until April 16, 2018. It passed with aye votes from Commission members Hunt, Bieniek, Gieseke, Varney, Brackman, and Piwonka.

OTHER BUSINESS

City Administrator Blakemore informed the Commission that there is a Special Planning and Zoning meeting planned for Monday, April 2, 2018, and the packets will be available next week.

ADJOURNMENT

Commission member Varney made a motion to close the meeting. Commission member Brackmann made a second. The motion passed with a voice vote. The meeting adjourned at 9:30 p.m.

Respectfully submitted,
Anna Leyrer
Deputy City Clerk

Approved at the April 16, 2018 Planning and Zoning Commission meeting.