

SPECIAL PLANNING AND ZONING COMMISSION

Meeting Minutes
City Council Chambers
132 E. Prairie Street
Marengo, IL 60152
December 19, 2018
7 p.m.

CALL TO ORDER

Mike Bieniek called the meeting to order at 7:00 PM.

PLEDGE OF ALLEGIANCE

Mr. Bieniek led everyone in the Pledge of Allegiance.

ROLL CALL

Present this evening are Commission members: Mike Bieniek, Richard Piwonka, Chester Mazurkiewicz, Corey Brackmann, and Maureen Cortilet. Also present are City Administrator Joshua Blakemore, Attorney Michael Smoron and Deputy City Clerk Anna Leyrer. Commission members Ryan Gieseke and Ryan Varney were absent.

PUBLIC PARTICIPATION

None

APPROVAL OF MINUTES – *April 16, 2018 Regular Meeting Minutes*

Commission member Piwonka made a motion, seconded by Commission member Mazurkiewicz to approve the April 16, 2018 Regular Planning and Zoning minutes with a correction on page 3, regarding the cost of installation and decommission. The motion passed with aye votes from Commission members Bieniek, Brackmann, Piwonka, Mazurkiewicz, and Cortilet.

NEW BUSINESS

- a. *Public Hearing- Proposed Zoning Text Amendment and recommendation to the City Council and adoption of findings of facts regarding the addition of Ground-Mounted Solar Energy Systems as a special use in the M-Manufacturing zoning district.*
- b. *Public Hearing- Special Use Permit application for a Ground-Mounted Solar Energy System as a special use in the M-Manufacturing zoning district for Greenlee Street, PIN #12-31-300-001, along with recommendation to the City Council regarding such application and adoption of findings of fact.*

Commission member Piwonka made a motion, seconded by Commission member Mazurkiewicz to open the Public hearing. The motion passed with a voice vote.

Commissioner Bieniek stated that there was public notification of the Public Hearing, and requested that the verification of mailings that were sent to property owners within 250 feet surrounding the area about this public hearing be submitted for record. Documents were presented to Deputy City Clerk Anna Leyrer for the record.

City Administrator Joshua Blakemore explained that SolAmerica is seeking a zoning text amendment to allow for a special use permit in the M-Manufacturing zoning district to allow for the development of a ground-mounted solar farm. The applicant is seeking the issuance of a special use permit for said use concurrently with the zoning text amendment.

Attorney Smoron then swore in the petitioner and those in the audience wanting to speak.

Administrator Blakemore introduced Ryan Peters, Environmental Engineer with SolAmerica. Also in attendance representing the petitioner was TRC Solutions Engineer Mike Butler, and Heyl Royster Attorneys Syed Ahmad and Megan Mole. Mr. Peters explained that SolAmerica is coming before the Planning & Zoning Commission to request a zoning text amendment to allow for the development of a roughly 15 acre (of a 95 acre parcel), 2 megawatt ground-mounted solar energy site.

Mr. Peters went over various aspects of the project including the location of the site, currently zoned manufacturing but is farmed for produce, which is north of Marengo Community High School and the railroad tracks, and east of Greenlee Road. He addressed the 45 foot water and sewer easement that runs through the property, but is approximately 150 feet east of the proposed site. The only crossing of the easement would be a 20 foot wide gravel access road. There is not a lot of traffic to these sites, so that should not cause a concern, and they will make whatever accommodations they would need. He explained the project is in a somewhat remote untraveled area and that the fencing around the site would be approximately 7 feet tall. The tilt solar panels are no taller than 10 feet tall and 6 feet wide. Due to the location of the project, most views of the panels would be obstructed by vegetation or not visible since they would be a decent distance from the nearby roads.

He explained the phases of the project. The Construction phase is normally 12-16 weeks and would have around 10-20 people and slight increase in traffic for the work crew and non-oversized load material deliveries.

Installation phase would consist of pile-driving steel poles into the ground and mounting the panels and connecting the panels up to the onsite transformer which would connect to the overhead power lines, which is all run underground up to the point of interconnection with the power poles. There is no grading the land, the panels go with the lay of the land and roll with the natural topography. Stormwater management is designed by their Engineer and follow local and state regulations.

Once construction is complete and it is connected to the grid, the active phase is 365 days a year, peak production of 5-6 hours daily 9 a.m. to 3 p.m. The site is monitored remotely and would have no day to day personnel on location. Personnel would be dispatched when needed. Maintenance is typically 7 -10 times a year for routine maintenance and repairs as needed. Vegetative maintenance would ensure no overgrowth. Emergency response plan would be in place with the local authorities in case of an emergency.

The decommission phase would have a bond or LOC put into place for 125% of the estimated decommissioning cost and all materials and underground wiring would be removed and land would be returned to the original condition. He stated that the solar panels are made with the inert material crystalline silicon, which is the most common material used to make solar panels, and a very small amount of lead from soldering and glass. Most panels, that have damage are repaired or exchanged very fast, since having a non-working panels is not cost effective. He stated that the panels make very little noise. There is no proposed lighting, but if it is required, they would do what would be required. The solar panels do not produce much glare. Native species perennials would be planted and help with stormwater run-off and erosion prevention.

COMMISSION DISCUSSION

Commissioner Bieniek asked if SolAmerica is purchasing the property or leasing. Mr. Peters stated they are leasing for 25 years with a 5 year extension option. Mr. Bieniek asked if there is going to be any concrete. Mr. Peters stated no, just steel posts that have to exceed safety requirements for wind and they must be implanted deep.

Commission member Mazurkiewicz asked what some of the reasons that they have encountered for repairs. Mr. Peters stated debris from wind, and hail are the main damage producers. Mr. Mazurkiewicz

then asked if someone would get over the fence and touch the panels, would they be injured? Mr. Peters stated that touching the panels would not electrocute someone. A person would have to break open a panel and pull up electrical wires to be injured, all wires to transformer are underground.

PUBLIC COMMENT/QUESTIONS

Commissioner Bieniek opened the floor for any public comment

Carole Bartman stated that she recalls that Franks Lane would go through this property to Route 176, and she wonders if the owner of the property took that into consideration when agreeing to this project.

David Engelbrecht, Superintendent Marengo Community High School, expressed his support for the project. He said that they have met with SolAmerica and discussed opportunities with the science program and financial benefits of receiving energy from the project.

Attorney Syed Ahmad wanted to thank the High School for their support in the project. He also stated that it sounds like the only concern that was addressed by a citizen involved Franks Road. He stated that the property is private property and that having the solar farm probably wouldn't stop that from happening with eminent domain.

Attorney Smoron asked the Petitioner to address the exceptions that they are seeking from the zoning ordinance as to the conditions they wish to postpone or exclude for the building permit process. Administrator Blakemore stated that the Commission was given a document with comments from the Engineer with their thoughts on the requests (letter with exception requests submitted with these minutes) and also stated that any changes to the site that may stray from what is approved, is at their risk because the project would need to be re-reviewed since it was changed from what was approved. The petitioner stated that the reasons for the exceptions were not to get out of doing some of them, but the deadline for local approval to apply for the state permitting is mid-January and by postponing the requirements for some of them to the permit phase, they will be able to comply with the deadlines. They are seeking a complete exception from the noise level-octave band frequency study, the depression storage evaluation, and the grading and excavation plan, all due to the fact they feel that they are not applicable to their project. They are asking that the wetland delineation and jurisdictional determination letter from the USACOE, drain tile study, and the detention requirements/stormwater management reports, all be allowed to be completed during the building permit application process.

Commission member Mazurkiewicz asked about garbage cleanup. Mr. Peters stated that they will hire a company to maintain the property.

COMMISSION DISCUSSION

Commissioner Bieniek opened the floor for Commission discussion to discuss the exceptions they are requesting. He stated he felt it was acceptable to postpone the requested conditions to the building permit phase. He also addressed the conditions that they are seeking a complete exception from. He felt that getting a spec sheet about the equipment would be sufficient to have on file instead of the noise level-octave band frequency study. He also felt that an exception for the grading and excavation plan and the detention requirements/stormwater management report is acceptable since they will not be doing any grading. He asked if the Commission felt the same way. There was no opposition amongst the Commission.

City Administrator Blakemore wanted to address the earlier comment about Franks Lane and that there could have been intentions of extending it to Route 176. He said it may have been conceptually planned many years ago, and could still be done with permission from the property owner to the Municipality at his request. Mr. Peters stated that it is only a 30 year project, so once complete, it could always go through easily then. Commissioner Bieniek stated that by the looks, if request to continue to Route 176, it could just be "rerouted" slightly to go around the solar farm.

Commission Member Mazurkiewicz stated he did some research on SolAmerica and they seem like a good company.

Commission Member Brackmann stated that there seem to be a lot of these being proposed and asked if there are currently any being built in Illinois. Mr. Peters stated that not yet, January 15 is the deadline to apply to get approved. There will be only 50 approved in 2019 for round one and round two, in 2020, more will be approved. It will not be known if this project would be approved in the first round until a later date.

City Administrator Blakemore stated that there has been discussion with SolAmerica about the City's ability to purchase power at a discounted rate and also a community betterment fund fee or condition that could be used towards a community development project.

ACTION FOLLOWING THE PUBLIC HEARING

Commission member Brackmann made a motion, seconded by Commission member Piwonka, to propose a Zoning Text Amendment and recommendation to the City Council and adoption of findings of facts regarding the addition of Ground-Mounted Solar Energy Systems as a special use in the M-Manufacturing zoning district. The commission members voted as follows:

Ayes: Bieniek, Brackmann, Piwonka, Mazurkiewicz, and Cortilet
Nays: None
Absent: Varney and Gieseke
The motion passed.

Commission member Richard Piwonka made a motion, seconded by Commission member Mazurkiewicz, to recommend a Special Use Permit application for a Ground-Mounted Solar Energy System as a special use in the M-Manufacturing zoning district for Greenlee Street, PIN #12-31-300-001, along with recommendation to the City Council regarding such application and adoption of findings of fact as presented by the petitioner and in conjunction with that recommendation the ordinance reflect and incorporate those exceptions requested by the petitioner particularly as to the timing of various plans, studies and reports as articulated in the letter consistent with the Chairman's recommendations earlier tonight and subject to Engineering approval relative to the items discussed this evening, which include change of configuration, change of easement and subject to a development agreement to be signed by the petitioner.

Ayes: Mazurkiewicz, Bieniek, Piwonka, Cortilet, and Brackmann
Nays: None
Absent: Varney and Gieseke
The motion passed.

City Administrator Blakemore stated that this project will now go before the City Council at the January 14, 2019 meeting.

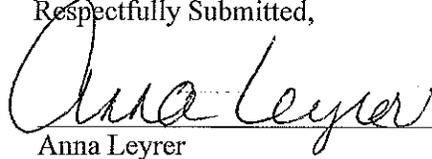
MOTION TO CLOSE THE PUBLIC HEARING

Commission member Brackmann made a motion, seconded by Commission member Piwonka, to close the public hearing at 8:10 p.m. It passed with a voice vote.

ADJOURNMENT

Commission member Mazurkiewicz made a motion, seconded by Commission member Piwonka to close the meeting. It passed with a voice vote at 8:15 p.m.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Anna Leyrer". The signature is written in black ink and is positioned above a horizontal line.

Anna Leyrer
Deputy City Clerk

The Planning & Zoning Commission approved these minutes on February 19, 2019.