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DeKalb County Government
Sycamore, Illinois

Planning and Zoning Committee – Special Meeting Minutes
(April 25, 2018)

The Planning and Zoning Committee of the DeKalb County Board met April 26, 2018 at 6:30 p.m. in the DeKalb County Legislative Center, Gathertorium, in Sycamore, Illinois. In attendance were Committee Members: Kevin Bunge, Dan Cribben, Steve Faivre, Mark Pietrowski, Craig Roman, and Suzanne Willis; and Community Development Department staff: Derek Hiland and Marcellus Anderson. Also in attendance were: Jim Hutcheson, Brad Belanger, and numerous members of the public; Chris Henkel, of Lee County; Mike Wiersema, of Waste Management; Greg Milburg, of the DeKalb County Farm Bureau; Greg Maurice, of the DeKalb County Health Department; and County Board Members: John Frieders and Dianne Leifheit.

Mr. Faivre, Planning and Zoning Chairman, called the meeting to order, and noted that Mr. Jones was not in attendance.

APPROVAL OF AGENDA

Ms. Willis moved to approve the agenda, seconded by Mr. Cribben.

Mr. Roman moved to amend the agenda to move the workshop discussion (Item 8.a) to after the Annual Landfill and Recycling Reports (Items 8.b and 8.c, respectively), seconded by Ms. Willis, the amendment was carried unanimously.

The motion to approve the amended agenda was carried unanimously.

APPROVAL OF MINUTES

Mr. Pietrowski moved to approve the minutes of the March 12th and March 28th meetings, seconded by Mr. Roman, and the motion carried unanimously.

PUBLIC COMMENTS

Brad Belanger thanked the Committee for the work they had put in developing wind energy regulations and distributed a handout to the Committee listing series of suggested wind turbine decommissioning regulations.

Kathy Smith spoke about the impact of a wind farm on the Village of Paw Paw.

Kathy Stelford, of the Oaken Acres Wildlife Center, questioned the Board's stance on the wind farm issue, related the story of an eagle injured by a wind turbine, and questioned the effectiveness of the existing wind farm in DeKalb County.

Planning and Zoning Committee Minutes
(April 25, 2018)

Jay Hencken made a statement about the negative impact of wind farms on property values, and presented a setback plan for the Committee to consider.

Tom Mangan stated that his belief that escrow accounts should be established to cover any road or property damage that may occur during the construction or decommissioning of wind turbines, and presented his ideas on how it should operate.

Steve Miller stated his concern that not enough thought has been given to the long term costs and effects associated with wind farms.

Dennis Leifheit and Bill Penrod both informed the Committee that they would be available to answer any questions the Committee might have regarding the “gun club” issue.

Lisa Bergeron asked the Committee to please consider all of the DeKalb County residents when making wind energy system regulations.

Larry Smith spoke in favor of renewable energy systems and related his reasons for his position.

Larry Sofranko informed the Committee that while he supported the concept of clean, renewable energy systems, he did not believe that such systems belonged in close proximity to where people lived. He then asked the Committee how many of them had ever been close to an operational wind turbine, and most of the Committee indicated that they had been.

Bob Drake spoke in favor of allowing new wind energy systems into the County.

Rich Reynolds made a statement questioning the integrity of EDF.

Don Sheppard stated his opinion that wind farms do not work as promised.

John Kreigg made a statement that he was pro renewable energy, but was against the location of proposed wind farm.

Rita Yurkensen inquired as to how many of the Committee members would want a wind turbine in their backyard; three of the Committee members indicated that they would not be so opposed. She then made a statement regarding her beliefs on the negative impacts of wind turbines and the feasibility of wind farms.

Eric Mayham stated his opinion that the public was not in favor of a new wind farm.

Mr. Faivre explained the process to be taken in developing new wind energy regulations.

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Mr. Pietrowski, in response to a question about who the Board members represent, stated that he represents the people of his district, but that he also comes in with his own beliefs, and he tries to get a wide sense of what people think (both those who agree and disagree with him). He then takes all this information and tries to reach a sound decision. Mr. Bunge noted that he whole-heartedly agreed with Mr. Pietrowski's statement. He added that it is impossible for them to take a straw poll of every citizen on every issue, and that sometimes the Board members have access to facts or information that not everybody knows. He stated that their job was to take in and account for the opinions of all their constituents, but to also merge it with what they learn and know of the subject as well.

OLD BUSINESS ZONING TEXT AMENDMENT – GUN CLUB DEFINITION

Mr. Hiland informed the Committee that at the March Committee meeting, that a proposal to change the language regarding the definition of a gun club had been presented to the Committee. He noted that the Committee reviewed the proposal, the Findings and Recommendation from the Hearing Officer, and after much discussion amongst themselves and with members of the audience, the item was tabled so that staff could re-draft the proposed language to address the concerns expressed during the meeting. Mr. Hiland directed the Committee's attention to the revised language in their meeting packet and gave a detailed explanation of the changes to the proposed language.

The Committee had an in-depth discussion regarding the proposed language, including an extended discussion regarding the status of independent, conceal carry classes under the current and proposed regulations.

Mr. Pietrowski moved to amend the proposed language to include the following amendment to the Temporary Use Permit regulations:

Temporary Conceal Carry Range: A facility in the A-1 District used as a temporary shooting range for the qualifying shooting portion of a concealed carry class. No more than one (1) Temporary Conceal Carry Range Permits shall be issued in any calendar month with regard to any particular property, with a maximum of no more than twelve (12) times in a calendar year with regard to any particular property. For purposes of this definition, property is defined as a zoning lot(s) of record.

Mr. Bunge seconded the motion, and amendment was carried unanimously.

Mr. Pietrowski moved to recommend approval of the amended proposal, seconded by Mr. Cribben, and the motion carried unanimously.

NEW BUSINESS

None.

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The Committee withdrew the previous agenda change to move the workshop discussion to after the annual reports, and took a five minute recess.

OTHER BUSINESS – WORKSHOP DISCUSSION WITH LEE COUNTY OFFICIAL

Mr. Hiland informed the Committee that representatives from Lee County were invited to attend the April meeting so that a question and answer type discussion to learn of the decommissioning process that Lee County has been undertaking regarding the decommissioning of wind turbines within the Lee County Wind Farm and to learn of best practices. He explained that in response to that invitation, Chris Henkel, Lee County Zoning and Plat Officer, came to speak with the Committee.

Mr. Henkel noted that Lee County had five separate wind farms, and proceeded to give an overview of those farms, described their process for decommissioning, and gave the status of those turbines being decommissioned.

Mr. Pietrowski inquired whether Mr. Henkel had any video clips showing the decommissioning of the turbines. Mr. Henkel responded that he had access to a video taken by the company of one of the towers being taken down and that he would forward Mr. Hiland a copy of that video.

Mr. Bunge inquired whether there was anything they wished they had added to their decommissioning agreement. Mr. Henkel responded that nothing as yet. He did note however that in the time since Lee County had established its decommissioning agreements, the Illinois Department of Agriculture had developed the Agricultural Impact Mitigation Agreement (AIMA), wherein they require that wind turbine foundations be removed to a depth of five feet, which is greater than the four feet which their current agreement requires.

Mr. Pietrowski inquired as to how Lee County would have handled decommissioning had the company gone bankrupt. Mr. Henkel responded that the companies are obligated to abide by their agreements with the farmers and the County regulations. Also, the amount of money placed in the letter-of-credit was estimated to be sufficient to cover such eventualities, however, great care needed to be taken when projecting such figures.

Mr. Bunge suggested that any proposed decommissioning language include a requirement that regular updates be conducted to verify that the amount maintained is still sufficient for the decommissioning of the towers.

Mr. Henkel noted that for the first three wind farms, a letter-of-credit was used, and that the last two used a cash-escrow account contained approximately \$40,000 per tower.

Mr. Henkel noted that the towers coming down were thirteen years old. He then gave a description of how the towers were being assessed.

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Planning and Zoning Committee Minutes
(April 25, 2018)

Mr. Cribben inquired as to how many of the five wind farms had an AIMA. Mr. Henkel reported that only the last wind farm did, as the AIMA is only three years old, and the previous wind farms predated it. He did note that the AIMA is very well written.

Mr. Pietrowski inquired as to the response of the citizens of Lee County to the wind farms. Mr. Henkel responded that the first three wind farms had very low turnouts for the public hearings, but that the final wind farm had a room full of citizens. He then described the challenges faced during the review and approval of that project.

The Committee inquired as to why the strong response on the last wind farm. Mr. Henkel responded that it was the location.

OTHER BUSINESS – DEKALB COUNTY LANDFILL ANNUAL REPORT

Mike Wiersema, of Waste Management, presented the 2017 DeKalb County Recycling Disposal Facility Summary.

OTHER BUSINESS – RECYCLING ANNUAL REPORT

Greg Maurice, Director of Public Health Protection for the DeKalb County Health Department, presented the 2017 Solid Waste Annual Report.

ADJOURNMENT

Mr. Bunge motioned to adjourn, seconded by Mr. Pietrowski, and the motion carried unanimously.

Respectfully submitted,

Steve Faivre
Chairman, Planning and Zoning Committee

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