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DeKalb County Government  
Sycamore, Illinois

**Planning and Zoning Committee Special Meeting**  
(October 25, 2018)

The Planning and Zoning Committee of the DeKalb County Board met October 25, 2018 at 6:30 p.m. in the DeKalb County Health Facility, Multi-Purpose Room, in DeKalb, Illinois. In attendance were Committee Members: Kevin Bunge, Dan Cribben, Steve Faivre, Tracy Jones, 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, Lisa Bergeron, Greg Millburg; Gary Hanson, DeKalb County Administrator; and County Board Members: Tim Bagby, Robert Brown, John Frieders, Tim Hughes, Diane Leifheit, Stephen Reid, Paul Stoddard, and Jeff Whelan.

**CALL TO ORDER**

Mr. Faivre, Planning and Zoning Chairman, called the meeting to order.

**APPROVAL OF AGENDA**

*Ms. Willis moved to approve the agenda, seconded by Mr. Roman, and the order carried unanimously.*

**APPROVAL OF MINUTES**

*Mr. Jones moved to approved the minutes of the September 26, 2018 Committee meeting, seconded by Mr. Roman, and the motion carried unanimously.*

**PUBLIC COMMENTS**

None

**OLD BUSINESS**

None.

**NEW BUSINESS – CATV FRANCHISE AGREEMENT**

Mr. Hiland informed the Committee that Metronet (CMN-RUS, Inc.) was seeking to enter into a cable franchise agreement to operate within DeKalb County. He informed the Committee that a

drafted agreement was included within the Committee packet for their review, and gave a brief description of the process.

*Mr. Jones moved to recommend approval of the agreement, seconded by Ms. Willis,*

Ms. Willis noted that the agreement appeared to be a boilerplate, and asked whether it was similar to other similar the other franchise agreements. Mr. Hiland responded that it was substantially similar to the other agreements that the County has with other cable providers, with the exception that this agreement included elements regarding newer technologies not present at the time of the previous agreements.

*The motion to recommend approval of the agreement carried unanimously.*

### **NEW BUSINESS – SPECIAL USE PERMIT (FR-18-33)**

Mr. Hiland informed the Committee that Sun Vest Solar had requested a Special Use Permit to establish and operate a 2-megawatt, 11.63-acre solar garden on the pearl Street, in Franklin Townships. He informed the Committee that a Public Hearing was held on September 27, 2018, that the Hearing officer had recommended approval with conditions, in particular, a condition requiring the installation of a landscaped screening along the west and south sides of both this and an adjoining, collocated solar garden. He then asked the Committee to consider the application and forward a recommendation to the full County Board.

*Ms. Willis moved to recommend approval, with the recommended conditions, of the Special Use request, seconded by Mr. Cribben, and the motion carried unanimously.*

### **NEW BUSINESS – SPECIAL USE PERMIT (KI-18-34)**

Mr. Hiland informed the Committee that Sun Vest Solar had requested a Special Use Permit to establish and operate a 2-megawatt, 11.43-acre solar farm on the southeast corner of Pleasant Hill Road and State Route 72, in Kingston Township. He informed the Committee that a Public Hearing was held on September 27, 2018, that the Hearing officer had recommended approval with conditions, and asked the Committee to consider the application and forward a recommendation to the full County Board.

*Ms. Willis moved to recommend approval, with conditions of the Special Use request, seconded by Mr. Roman, and the motion carried unanimously.*

### **NEW BUSINESS – SPECIAL USE PERMIT (SO-18-38 & SO-18-39)**

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Mr. Hiland informed the Committee that Cenergy Power had requested two Special Use Permits to establish and operate a two 2-megawatt, 9.45-acre solar gardens on the southwest corner of Pine Road and Governor Beveridge Highway, in Somonauk Township, co-located on the same property. He informed the Committee that a Public Hearing was held on October 11, 2018, that the Hearing officer had recommended approval with conditions, and asked the Committee to consider the application and forward a recommendation to the full County Board.

*Mr. Cribben moved to recommend approval, with conditions of the Special Use request, seconded by Mr. Bunge, and the motion carried unanimously.*

#### **NEW BUSINESS – SPECIAL USE PERMIT (MA-18-43)**

Mr. Hiland informed the Committee that Cypress Creek Renewables Development had requested a Special Use Permit to establish and operate a 2-megawatt, 25.3-acre solar farm on the northwest corner of Lucas and Twombly Roads, in Malta Township. He informed the Committee that a Public Hearing was held on October 11, 2018, that the Hearing officer had recommended approval with conditions, and asked the Committee to consider the application and forward a recommendation to the full County Board.

*Mr. Pietrowski moved to recommend approval, with conditions of the Special Use request, seconded by Mr. Roman, and the motion carried unanimously.*

Mr. Jones inquired why some of the solar garden sites were much larger than others. Mr. Hiland responded that the different companies have varying policies regarding the amount of land, with some starting with larger parcels which offer more flexibility to adjust to the circumstances they find once they start examining the property.

#### **NEW BUSINESS – TEXT AMENDMENT (DC-18-35)**

Mr. Hiland informed the Committee that the Community Development Department had brought forth a proposal to amend the DeKalb County Zoning Ordinance to allow for and establish regulations for wind energy conversion systems (WECS), and explained why the proposal was developed. He noted that two public hearings were held on September 24, 2018, over two time frames (afternoon and evening).

Mr. Hiland informed the Committee that the Hearing Officer had recommended approval of the proposal. He noted however that the Hearing Officer's Findings did address four specific elements of the proposal. First, the Hearing Officer noted that Hearing Officer had reviewed all of the various setback proposals put forth by various entities and had found that the setbacks in the proposal to be the most balanced. Second, he noted that the proposal for zero flicker beyond participating property lines as being unreasonable, and recommended that the language be

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amended. Third, he noted that the sound limits in the proposal were unreasonable, and recommended that the County use the standards put forth by the Illinois Pollution Control Board. And lastly, he noted that the Committee had discussed the inclusion of a property value guarantee, but had ultimately decided against doing so. The Hearing Officer recommended the County Board reconsider including a property value guarantee. Mr. Hiland described each of these elements in detail.

Mr. Hiland then explained to the Committee that, per the direction of the State's Attorney Office, they had three options: recommend approval of the proposals with the Hearing Officer's recommendations incorporated into it; recommend denial of the proposal; or, to remand the matter back to the Hearing Officer for further review and input. He explained that, per the State's Attorney Office, any modification of the Hearing Officer's recommendations would have to occur at the County Board. The Committee discussed the matter amongst themselves along with input from other County Board members attending the meeting.

*Mr. Jones moved to forward a recommendation that the proposed wind energy conversion systems ordinance be approved with the changes recommended by the Hearing Officer, seconded by Mr. Cribben. A roll call vote was requested, and the motion carried unanimously.*

## **OTHER BUSINESS**

None

## **ADJOURNMENT**

*Ms. Willis motioned to adjourn, seconded by Mr. Bunge, and the motion carried unanimously.*

**Respectfully submitted,**

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**Steve Faivre**  
**Chairman, Planning and Zoning Committee**

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