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DeKalb County Government  
Sycamore, Illinois

### **Planning and Zoning Committee Meeting**

(June 24, 2020)

The Planning and Zoning Committee of the DeKalb County Board met virtually on June 24, 2020 at 6:30 p.m. via Zoom. In attendance were Committee Members: Steve Faivre, John Frieders, Tracy Jones, Mark Pietrowski, Roy Plote, Craig Roman, and Suzanne Willis; and Community Development Department staff: Derek Hiland and Marcellus Anderson. Also in attendance were: David Kosturik, from Nexamp; and, Kevin Buick, Eric Callis, and Todd Vandermyde, representing the Aurora Sportsmen's Club.

#### **CALL TO ORDER / ROLL CALL**

Mr. Faivre, Planning and Zoning Chairman, called the meeting to order. Mr. Frieders and Mrs. Willis arrived shortly after the start of the meeting.

#### **APPROVAL OF AGENDA**

*Mr. Jones moved to approve the agenda, seconded by Mr. Roman, and the motion carried unanimously.*

#### **APPROVAL OF MINUTES**

*Mr. Roman moved to approve the minutes of January 22, 2020 Committee meeting, seconded by Mr. Jones, and the motion carried unanimously.*

#### **PUBLIC COMMENTS**

None.

#### **OLD BUSINESS**

None.

#### **NEW BUSINESS**

##### **Amendment to Special Use Permit – Nexamp**

Mr. Anderson informed the Committee that Nexamp, a solar company, was seeking an amendment to Special Use Ordinance 2019-17, which allowed for the construction and operation of a 2-megawatt Solar Garden on Wolf Road. He noted that due to several issues that had arisen since the approval of the Special use, Nexamp was seeking to modify three of the conditions of approval: the need to reconfigure the project to avoid a drainage swale (Condition #1); the need to move their planned interconnection point (Condition #14); and, the need for an extension to the sunset date of the Ordinance, due to various delays (Condition #16). Mr. Anderson noted that the DeKalb County Hearing Officer held a virtual public Hearing on May 28, 2020, and that the Hearing Officer had forwarded a recommendation that the amendment petition be approved. He then informed the Committee that they were being asked to consider this petition and the

recommendation, and to then forward a recommendation to the Full County Board to approve, approve with conditions, or to deny the petition. Mr. Hiland noted that Mr. Kosturik was present to answer any questions.

*Mr. Jones moved to recommend approval of the proposed amendments to Special Use Ordinance 2019-17, seconded by Mr. Roman.*

Mr. Jones inquired whether this project had been approved to be part of the State's Community Solar program, and whether it was ready to be built, if approved by the County Board. Mr. Hiland responded that the project was one of those chosen to participate in the State's program, and that it would be ready to move forward if the County Board approved the amendments. Mr. Kosturik informed the Committee that the project had originally been put forward as two collocated sites (Site 1 and Site 2) by another company (Forefront Power), that Site 1 had been chosen by the State to participate in the program, and that Nexamp had subsequently acquired Site 1. He then noted that they have been planning for construction as soon as the permits were approved.

Mr. Pietrowski inquired whether there had been any input from any of the nearby property owners regarding the project, now that the plans were being finalized. Mr. Hiland noted that notice had been sent out to the surrounding property owners. He also noted that all of the conditions from Special Use Ordinance 2019-17 would be carried forward, with only the three conditions indicated being amended.

*A Roll Call Vote was taken on the motion, and it carried unanimously.*

Mr. Hiland noted that the matter would go before the County Board on August 19<sup>th</sup>.

Mr. Frieders inquired whether the electrical lines in a solar garden were required to be underground or on poles. Mr. Hiland explained that each of the Special Use Ordinances passed approving a solar garden included language that required that all the lines be underground, except at the interconnection point to the electrical grid, which should be within, or adjacent to, the right-of-way line. He noted that the requested amendment was seeking to be allowed to have their interconnection point located further inside the property than the original language would have allowed. Mr. Jones inquired whether that language was in the solar ordinance. Mr. Hiland responded that it wasn't in the general ordinance, but was in each of the individual ordinances passed.

Mr. Frieders inquired about a project just north of the Village of Somonauk, noting they had poles lined up to cut through the fields. Mr. Hiland responded that he had also noted that presence of the project, but that he could not really speak on that particular project as it was within the Village limits, and had been approved by the Village according to their regulations.

## **NEW BUSINESS**

### **Amendment to Special Use Permit – Aurora Sportsmen's Club**

Mr. Hiland informed the Committee that the Aurora Sportsmen's Club (ASC) was seeking to amend their Special use Ordinance to allow them to: establish a new "Master Plan" for the facility; receive approval to begin work on the next phase (Phase III) of the facility's build out; and, to be allowed to have a limited

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number of nighttime/evening Special Events during the months of June, July, and August, that would occur after their currently required closing times. Mr. Hiland reported that the virtual public hearing was held on May 28, 2020, and that there was a lengthy conversation with the public, where individuals spoke both in favor of and in opposition to the proposals. He noted that the Hearing Officer considered all the testimony and forwarded a recommendation of approval, with conditions, one of which varied from what the ASC was seeking.

*Mr. Pietrowski moved to recommend approval, with conditions, of the amendment to the Special Use Permit governing the Aurora Sportsmen's Club, seconded by Mr. Jones.*

Mr. Pietrowski noted that the proposed expansions would positively enhance the relationship the club has with law enforcement agencies. Mr. Hiland responded that he was right and that local law enforcement agencies were in support of the proposed amendments, and would open up more training opportunities for those agencies.

Mr. Hiland noted that one ASC had wanted to allow their members to also be able to participate in the nighttime/evening special event trainings, but that the Hearing Officer had recommended limited said events to just law enforcement.

The Committee had a discussion with Mr. Buick, Mr. Vandermyde, and Mr. Callis about the noise and lighting concerns raised by the neighbors, and some of the ways these concerns were and could be addressed, with a fair amount of the discussion revolving around various landscaping options.

Mr. Callis asked the Committee about the Hearing Officer's recommended limitation regarding the requested nighttime/evening special events being limited to only law enforcement officers, and gave his reasons why they felt these events should also be open to the ASC members and not just law enforcement.

*Mr. Jones moved to amend the Motion to strike the limitation from the recommended conditions of approval, seconded by Mr. Frieders.*

The Committee had ASC elaborate on the nature of the proposed special nighttime/evening events.

*The Committee had a roll call vote, and unanimously approved to amend the original Motion to strike the limitation restricting the proposed nighttime/evening special events to just law enforcement agencies.*

*The Committee had a roll call vote, and unanimously approved the amended Motion to recommend approval with conditions.*

## **OTHER BUSINESS**

Mr. Pietrowski noted that Suburban Estates & Apartments, an unincorporated apartment complex located at the corner of Twombly and Anne Glidden Roads, had been the subject of some complaints. And added that he, some of the other Board members, and Mr. Hiland had been approached as to what could be done to address these complaints. He noted, however, that the County was limited in what it could do to address

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these complaints. Mr. Pietrowski also informed the Committee that Mr. Porterfield would be including the matter to the Health and Human Services Committee agenda for discussion.

Mr. Hiland explained the Community Development Department has processes for the abatement of zoning, land use, and limited building code issues, but that the County Code does not allow for this department to address “Quality of Life/Unacceptable Living Conditions” issues contained in most of these complaints. He noted that such complaints, probably three-quarters or more of all the complaints received, wind up going to and are fielded by the Health Department. Mr. Hiland noted that in the case of a fire, before they could reopen, they would have to get building permits to ensure that fire, life, safety, and building code requirements are met. He also noted that all plumbing related issues must go before the Illinois State Plumbing Inspector.

### **ADJOURNMENT**

*Mr. Roman motioned to adjourn, seconded by Mr. Frieders, and the motion carried unanimously.*

**Respectfully submitted,**

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

MOA: moa

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