

*Note: These minutes are not official until approved by the Planning and Zoning Committee at a subsequent meeting. Please refer to the meeting minutes when these minutes are approved to obtain any changes to these minutes.*

DeKalb County Government  
Sycamore, Illinois

**Planning and Zoning Committee Meeting**  
(February 24, 2021)

The Planning and Zoning Committee of the DeKalb County Board met virtually on February 24, 2021 at 6:30 pm via Zoom. In attendance were Committee Members: Tim Bagby, Steve Faivre, John Frieders, Jerry Osland, Roy Plote, Craig Roman, and Larry West, and Community Development Department staff: Derek Hiland and Marcellus Anderson. Also in attendance were: County Board member: Kiara Jones; Greg Millburg, of the DeKalb County Farm Bureau; Gel Traub; and Nathan Wozniak, representing USS Solar.

**CALL TO ORDER / ROLL CALL**

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

**APPROVAL OF AGENDA**

*Mr. Plote moved to approve the agenda, seconded by Mr. Roman. A roll call vote was called, and the motion carried unanimously.*

**APPROVAL OF MINUTES**

*Mr. West moved to approve of the minutes of the January 27, 2021, seconded by Mr. Plote, A roll call vote was called, and the motion carried unanimously.*

**PUBLIC COMMENTS**

None

**OLD BUSINESS**

None

**NEW BUSINESS - Special Use Permit: CO-21-02 - USS Solar**

Mr. Hiland informed the Committee that in 2019, USS Solar received Special Use Permits for two (2) co-located, 2-megawatt solar gardens to be located on a 19.5-acre property on Bethany Road in Cortland Township, in anticipation of the sites being chosen to participate in the State Community Solar program. However, only one of the two sites were chosen. Subsequently, the USS Solar decided to reconfigure their plans to have the approved 2-megawatt site occupy the 16-acres of the 19.5-acre subject area instead of the western 9.4-acres originally planned. This constituted a significant departure from what was approved by the County Board, thus requiring that USS Solar apply for a new Special Use Permit. Mr. Hiland noted that the Hearing Officer had recommended approval, with conditions, of the proposal. He also displayed and highlighted some of the changes and additional materials submitted by the applicant.

*Mr. Osland moved to recommend approval of the Special Use Permit, seconded by Mr. Frieders.*

Mr. Bagby inquired whether there would be any limitations on the hours during which construction of the array could occur. Mr. Nathan Wozniak, representing USS Solar responded by asking if any limitations had

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been set for any of the other solar garden developers. Mr. Bagby explained that his inquiry was in response to noise complaints received from a property owner located adjacent to a solar garden being constructed along Tower Road in Shabbona Township. Adding that he was concerned about the construction being disruptive to the many people who were now working from home, along with the students having to do at-home learning, due to the Covid-19 crisis. Mr. Wozniak responded that the actual of construction time for the driving of the piles would be brief. He also noted that the construction of the site would likely be at least a couple months away, and that by then, things should be better, and the pile driving should not be as big of an issue.

Mr. Osland noted that there were two methods for placing the piles, the older pile-driving methods, which was noisy, and the newer, quieter, vibration method. Mr. Bagby asked Mr. Wozniak which method would be used at the site. Mr. Wozniak responded that they might use the vibration method, it would depend on the soil conditions, but that he was not aware of which method was to be used.

Mr. Bagby inquired as to what the County's standard limitations on construction were. Mr. Hiland noted that it was typically expected to be sunrise to sunset. He added that he understood the concerns raised by the complaint near the Tower Road site, and opined that most at-home learning appeared to usually be done by 11:00 or 12:00. He noted that the County Board could impose limitations on when the construction could occur, if it so wished, though he was concerned it might set a precedent. Mr. Bagby stated that he wanted there to be a window of time for construction that people could know about and prepare for. Mr. Hiland suggested that the developer could engage the neighboring land owners in a discussion informing as to when the construction could occur.

Mr. Frieders related his experiences living near, about a quarter of a mile, the site of solar garden being built, noting that noise hadn't been that disturbing to his family and that the work did not seem to take that long to complete. He also added that once the piles were done being driven in, most of the work was fairly quiet hand-work.

Mr. Wozniak noted that if the Committee desired, they (USS Solar) could contact the neighbors of when construction would take place. He also noted that he didn't expect the construction to occur until late spring or summer, thus the noise shouldn't be an issue. Mr. Osland opined that the piles aren't typically driven in that deep, thus shouldn't be too noisy.

Mr. Plote inquired whether this site was the one for which the company was required to develop a landscaping plan with the neighboring land owners. Mr. Faivre responded that it was this site. He did however note that none of the neighbors were present for the meeting. Mr. Bagby inquired as to what had been done regarding the landscape plan. Mr. Wozniak described the landscaped plan that had been developed. He asserted that he had met with some of the neighboring land owners, who allowed him to go on their property to take pictures of the site, which were used in creating the landscape plan. He also noted that the plan presented had been created by a licensed landscape architect.

Mr. Bagby inquired as to what kind of lead time could they give the neighbors regarding impending pile-driving activity. Mr. Wozniak responded that construction schedule depended on the approval of the building permit, but that maybe a week or two ahead was doable. He also asserted that he had the contact information for the neighboring landowners.

Mr. Osland inquired as to the number of piles to be used in the array. Mr. Wozniak responded that he would have to get a copy of the civil plans to be able to answer that question. Mr. Osland asked that he give his best guess, and Mr. Wozniak responded with a thousand.

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Mr. Bagby suggested that the company be required to give notice a week prior to any pile driving, or other noisy activity, along with an estimate of the duration of the activity. Mr. Hiland suggested that a copy of the notification be submitted to the County to confirm it had been done.

*Mr. Bagby moved to amend the motion of approval to require that the company must notify all immediately adjacent land owners of any pile driving activity to occur at least a week prior to said activity starting, and the company must submit a copy of that notification to staff to confirm that it was done, seconded by Mr. Osland.*

Mr. West suggested possibly setting a maximum decibel level, however, upon further discussion, the Committee determined that it would be impractical to do so.

Mr. Osland inquired whether a time frame (for installation of the piles) could be added. Mr. Wozniak noted that he was unaware of what the normal construction hours were, but cautioned that a restriction on the hours may result in an extension of the construction time. Mr. Osland also noted that weather can affect how long the installation would take. Mr. Bagby opined that pile driving going sunup to sundown would be too much, and suggested limiting the pile driving to a time frame of 8:00 am to 4:00 pm. Mr. Frieders noted that many towns limit roof construction to a time frame of 7:00 am to 4:00 pm. Mr. Osland agreed with the idea of not allowing them to start earlier than 7:00 am. Mr. Wozniak responded that a time frame of 7:00 am to 7:00 pm would be workable. He did note however that he was concerned about the amount of time a crew would have to work a particular site or possibly of a crew not having a full day of work. Mr. West noted that he was fine with the suggest 7:00 am to 7:00 pm time frame, but felt that requiring a week's notice prior to the pile driving would be good enough.

*Mr. Bagby moved to amend the amendment to the motion of approval to limit the driving of piles during the project to the hours of 7:00 am to 7:00 pm, seconded by Mr. Frieders. A roll call vote was called, and the motion carried six (6) to one (Osland).*

*A roll call vote was called on the amended amendment, and the motion was carried six (6) to one (Osland).*

*A roll call vote was called on the amended motion to recommend approval, and the motion was carried six (6) to one (Osland).*

#### **OTHER BUSINESS – 2020 Annual Report**

Mr. Hiland informed the Committee that the 2020 Community Development Department Annual Report had been included in their packets, and talked about the elements therein. He highlighted what he referred to as the “Covid Affect”, noting the increased number of permits which had occurred during 2020. Mr. Hiland did not that most of these permits were renovations, of various sorts, to existing homes.

Mr. Faivre inquired whether many of the permits were for pools. Mr. Hiland responded that while a number of pools were built, there were far more roof repairs and other renovations.

Mr. Plote inquired whether staff had noticed the “Covid Affect” continuing into 2021. Mr. Hiland responded that the permits have been more active than in the same time period of 2020, but that he expected the numbers to begin to slow down as things continue to open back up.

Mr. Plote inquired as to how long a typical building permit took to process. Mr. Hiland responded that it took roughly two to three weeks and described the permitting process to the Committee. Mr. Hiland also noted that that the Covid-19 crisis had also significantly impacted the construction industry, which in turn massively affected building times.

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Mr. Roman inquired whether much had happened since the County Board adopted new 4.02.d.2 language in October of 2020. Mr. Hiland responded that to date only two new 4.02.D.2 applications had been submitted.

**ADJOURNMENT**

*Mr. Bagby moved to adjourn the meeting, seconded by Mr. Osland. A roll call vote was called, and the motion carried unanimously.*

**Respectfully submitted,**

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

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