

DeKalb County Government
Sycamore, Illinois

Planning and Zoning Committee Meeting
(May 25, 2022)

The Planning and Zoning Committee of the DeKalb County Board met on May 25, 2022 at 6:30 pm in the DeKalb County Legislative Center, Gathertorium, in Sycamore, Illinois. In attendance were: Committee Members: Tim Bagby, Steve Faivre, John Frieders, Jerry Osland, Roy Plote, and Craig Roman; and, Community Development Department staff: Derek Hiland and Marcellus Anderson. Also in attendance were: County Board member Maureen Little; Brian Gregory, DeKalb County Administrator; Dean Johnson, of the DeKalb County Soil and Water District; James Hutcheson; John Lageman; Brad Belanger, representing the Concerned Citizens for DeKalb County (CCFDC); Linda Tim; Meryl Domina; Bill French, representing Sun Vest Solar; Tim Hakes; Rhonda Henke; Kate Horner; and Katherine Androwski.

Call to Order / Roll Call

Mr. Faivre, Planning and Zoning Committee Chair, called the meeting to order. Mr. West was not in attendance.

Approval of Agenda

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

Approval of Minutes

Mr. Bagby moved to approve the minutes of the April 27, 2022 Planning and Zoning meeting, seconded by Mr. Roman, and the motion carried unanimously.

Public Comments

Maureen Little, County Board member, reported that she had received calls from neighboring landowners in opposition to the proposed Genoa Road Solar projects. She noted that she had questions to items related to those projects.

John Lageman read a statement iterating concerns he had with the existing solar regulations. He then distributed a copy of his statement and indicated that it had also been emailed to the Committee and staff. He presented arguments for why he felt that the current regulations, and those solar farms and gardens approved under them, were in violation of the DeKalb County Unified Comprehensive plan. He also opined that allowing industrial solar hurts local farming and agriculture.

Linda Tim asserted that the property line should be used for any setback measure, solar projects should have a minimum setback of three (3) miles from a town and one and a half (1.5) miles from schools, hospitals, and forest preserves. She opined that the solar projects approved around her buildable property will prevent her from being able to sell it, and indicated that she supported the statement submitted by Mr. Lageman.

Brad Belanger distributed a copy of a statement prepared by the CCFDC regarding changes they wished to see made to the Solar Energy Systems (SES) regulations, which he also indicated had been emailed to the Committee members and staff, and summarized the contents of the statement. He also noted that he supported the Map Amendment petition submitted for the Marty & Sons property.

Katherine Androwski read and submitted a statement she prepared refuting the pro-solar comments made at the previous County Board meeting. She re-iterated her beliefs that fertile soils of DeKalb County needed to be protected, and that these solar projects will create brownfields. She then detailed her concerns regarding the negative impacts of solar development. She also indicated her support for using the property line of a project for any setbacks.

Meryl Domina talked about the benefits of and need for solar development, and indicated her support of the current solar ordinance language.

Tim Hakes read and submitted a statement refuting the pro-solar claims and talking about the problems that solar development will create.

Rhonda Henke read and submitted a statement presenting questions and comments regarding several definitions listed in the current solar ordinance that were discussed in the previous Committee meeting, and asserting that the current solar ordinance was not in compliance with the County comp plan.

Kate Hornet related the research she had done comparing the County's current solar ordinance to that of ten other counties, noting that she did not find it out of line with those other counties.

Old Business -

none

New Business –

Special Use Permit – FR-22-02 & FR-22-03 Sun Vest Solar

Mr. Hiland informed the Committee that Sun Vest Solar was seeking approval for the establishment and operation of two co-located 2-megawatt solar gardens to be located on the east side of Peral Street in Franklin Township. He related that these sites had originally been granted approval in 2018 in anticipation of the State solar lottery, but were not chosen at that time. He noted that in 2021 the State developed a new program, and that the applicant was coming forward for re-approval of the sites so that they could participate in the new program. Mr. Hiland reported

that a public hearing was held on April 14, 2022, and that the Hearing Officer had recommended approval with conditions. He noted that all of the conditions imposed by the previously approved ordinances would be included in these ordinances, and detailed a few new conditions that were also added. He asked the Committee to consider the application.

Mr. Frieders moved to recommend approval, with conditions, seconded by Mr. Plote.

Mr. Frieders inquired about the questions raised by Ms. Little. Mr. Hiland informed him that the special use petitions she referred to was a different set of projects, and that the public hearing for those petitions was due to occur in June.

Mr. Bagby inquired whether the eighteen (18) month time frame would be sufficient. Mr. Hiland remarked that the applicant believes that eighteen months is a workable time frame, noting that it was primarily the larger projects that were expecting delays with the State.

Mr. Osland commented that he believed the County had received roughly \$1.4 million in permit fees so far from solar projects, and inquired as to how much would be coming when totaled up. Mr. Hiland noted that the County had not taken in building permits for any of the larger projects yet, noting that only about eight or nine of solar garden permit applications had been submitted at that time. He reported that the building permit fee was based on the megawatts produced by a facility. Mr. Osland clarified that he wanted to know what was on the schedule already and a guesstimate regarding what was coming. Mr. Hiland responded that he did not have the data with him to give any kind of good response, but that he could bring those estimates with him to the next meeting. Mr. Osland then inquired about the \$1.4 million figure he had been hearing about. Mr. Hiland responded that he had not heard that number before, but opined that it may have been a rough estimate prepared by someone using the fee schedule. He noted that only fees taken in had been for solar gardens, and that the building permits for the large-scale projects had not been submitted as yet.

A vote was held on the motion to recommend approval, with conditions, of the Special Use Permit, the motion was carried unanimously.

Special Use Permit – SY-22-04 Doty & Sons Concrete Products

Mr. Hiland informed the Committee that Doty & Sons Concrete Products was seeking to expand their business, located at 1275 E. State Street, Sycamore, with construction of a new storage building. He explained that the business was a legal nonconforming use and that to expand, they would have to seek special use approval. Mr. Hiland noted that a public hearing was held on April 14, 2022, and that the hearing officer had forwarded a recommendation of approval with conditions. Mr. Hiland then detailed the recommended conditions.

Mr. Bagby moved to recommend approval, with conditions, seconded by Mr. Roman.

Mr. Plote inquired as to whether it would have made more sense for the property to be incorporated into the City of Sycamore. Mr. Hiland responded that it would be consistent with County policy and would make for good planning sense. Mr. Hiland then detailed his efforts to explore

annexations for both this matter and the next one to be discussed (SY-22-05), noting however that the City responded in writing that it did not wish to annex either property at this time. Mr. Bagby inquired whether the City had any objections to the petition. Mr. Hiland responded that they did not. Mr. Bagby inquired whether those responses could be incorporated into the backup material, and Mr. Hiland responded that he could do so.

A vote was held on the motion to recommend approval, with conditions, of the Special Use Permit, the motion was carried unanimously.

Map Amendment – SY-22-05 Keith Park Enterprises Inc d/b/a Accurate Towing

Mr. Hiland informed the Committee that Accurate Towing wished to relocate its operations to the property owned by Marty & Sons Body Shop, located at 1120 E. State Street, Sycamore. He explained that the BC District did not allow for the co-location of the two uses on the same property, therefore a map amendment was being sought to rezone the property to Planned Development – Industrial District (PD-I) which would allow for both uses. He reiterated his effort to have the City of Sycamore annex the property. Mr. Hiland noted that a public hearing was held on April 14, 2022, and that the Hearing Officer had recommended approval with conditions. Mr. Hiland then detailed the recommended conditions, noting that the applicant was ready to move forward to comply with said conditions.

Mr. Frieders moved to recommend approval, with conditions, seconded by Mr. Bagby.

Mr. Plote inquired whether the approval would stay with the land, or if it was tied to the owner. Mr. Hiland informed him that a map amendment stays with the property, and elaborated on how a planned development works.

Mr. Plote inquired as to what qualifies as industrial. Mr. Hiland provided a detailed explanation of what would and would not be allowed by the proposed planned development.

Mr. Plote inquired whether they would need to add handicap accessible spaces. Mr. Hiland responded that they will have to do so, and then elaborated on the various changes they will need to make.

A vote was held on the motion to recommend approval, with conditions, of the Special Use Permit, the motion was carried unanimously.

Solar Energy Systems Regulations

Mr. Hiland gave a recap of what was covered at the previous meeting, noting that Dean Johnson of the Soil and Water Conservation (SWCD) was there to discuss some recommendations that they had for potential changes to the solar ordinances.

Mr. Johnson and Committee had a discussion about the role of the SWCD in the County ordinance regarding solar facilities, wherein Mr. Johnson elaborated on the recommendations and concerns they had regarding the solar ordinance. Mr. Johnson also directed the Committee's attention

towards the process developed by McHenry County, recommending using a similar system. The Committee followed the discussion with Mr. Johnson with a discussion regarding having a financial guarantee regarding the vegetation maintenance.

Mr. Hiland and the Committee then discussed those definitions they had not gotten to previously and battery storage systems, their issues and concerns regarding such facilities.

The Committee finished their discussion by noting that they would be looking at site plans next meeting.

Other Business

None

Adjournment

Mr. Roman moved to adjourn the meeting, seconded by Mr. Osland, and the motion carried unanimously.

Respectfully submitted,

Steve Faivre
Chairman, Planning and Zoning Committee

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