

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
(September 28, 2022)

The Planning and Zoning Committee of the DeKalb County Board met on September 28, 2022 at 6:30 pm in the DeKalb County Community Outreach Building, Blank Slate Room, in DeKalb, Illinois. 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: Dan Solarzano and Matthew Vollbrech, representing ForeFront Power; Greg Millburg, Manager of the DeKalb County Farm Bureau; James Hutcheson; John Lyon; Brad Belanger; and Katherine Andraski.

Call to Order / Roll Call

Mr. Faivre, Planning and Zoning Committee Chair, called the meeting to order. Mr. Osland and Mr. Roman arrived late to the meeting.

Approval of Agenda

Mr. Frieders moved to approve the agenda, seconded by Mr. Plote, and the motion carried unanimously.

Approval of Minutes

Mr. West moved to approve the minutes of the July 27, 2022 meeting, seconded by Mr. Plote, and the motion carried unanimously.

Mr. Plote moved to approve the minutes of the August 18, 2022 meeting, seconded by Mr. West, and the motion carried unanimously.

Public Comments

John Lyon read, and submitted, a statement regarding his feelings that non-participating property owners should also have the right to use their property as they wish without being imposed upon.

Katherine Andraski read, and submitted, a statement she prepared describing her concerns that the many solar gardens being built will be “strung together” to create one big solar farm. Her statement also noted her fears that the Kishwaukee River could be negatively impacted by the solar garden facility proposed to be built along the south side of Wolf Road, and cited several studies indicating possible negative impacts.

Old Business -

None

New Business

a. ForeFront Power Special Use Request

Mr. Hiland noted that ForeFront Power was seeking a Special Use Permit to establish and operate a 2-megawatt, 16.8-acre solar garden on a 60.56-acre property located on the south side of Wolf Road. He informed the Committee that ForeFront Power had been granted a Special Use Permit for a solar garden on the site back in 2019, but that the site had not been chosen to participate in the State Program, and the Special Use Permit had expired. He noted that the State program had been restarted, and that ForeFront Power had come back to re-establish the Special Use Permit. He also noted that the proposed facility would be located adjacent to an already established solar garden built by a different company on the same property. Mr. Hiland informed the Committee that they were being asked to forward a recommendation to the County Board for consideration.

Mr. Frieders moved to recommend approval, with conditions, of the Special Use Permit, seconded by Mr. Plote.

Mr. Frieders inquired about the total acreage of commercial solar developments in the County. Mr. Hiland replied that he did not know the actual number offhand, but that he would guess the number would be less than 7,000 acres. He added that he would have the number for them by the next Committee meeting. Mr. Plote inquired whether Mr. Hiland knew the number of Special Use Permits for solar gardens that had expired. Mr. Hiland responded that he knew some had expired, some had re-applied, and that new ones were coming in, and that he would have staff work out the numbers by the next meeting.

Mr. Bagby inquired whether staff knew why the proposed site had not been chosen in the State's community solar lottery, and how they chose who would participate. Mr. Hiland responded that he did not have a definitive answer to that question, but gave his best estimate of how it had all worked based on what he learned from various sources involved with the lottery. He also talked about how the State had created a new program in 2021, and that the people coming forward now were in response to the changes that had been made.

Mr. Bagby noted that at one point the Committee had talked about finding a way to expedite the process of the solar applications, and asked what had become of that. Mr. Hiland explained that the process used by the County does not have much room to expedite the process, and gave a detailed review of the process and the times and constraints involved.

Mr. Plote inquired whether NRCS had any comments about the project. Matthew Vollbrech, representing ForeFront Power, responded by describing their minimum requirements for placing equipment.

A vote was called for the motion to recommend approval, with conditions, and the motion carried six (6) yes to one (JO) no.

b. Conserv FS Special Use Request

Mr. Hiland informed the Committee that Conserv FS owned and is operating a facility for fertilizer sales, storage, and mixing on their property located at 20606 Willrett Road, in Malta Township, and that they were seeking to expand their operations with the installation and operation of a new 60,000-gallon liquid petroleum storage tank. He reported that in 1984, Conserv FS had received a Special Use Permit for the fertilizer facility. Mr. Hiland noted that they had also wanted to be allowed to operate the Liquid Petroleum portion of their business on the property, but at that time, such uses were not allowed in the County's agricultural districts. He explained that under the County's current regulations, the Conserv FS could apply for a Special Use Permit for an agribusiness on the property, which would allow the liquid petroleum portion of their business. Thus, Conserv FS was seeking to amend their Special Use Permit to reclassify themselves as an agribusiness, which would allow for a continuation of the current fertilizer operations while adding the liquid petroleum operations. Mr. Hiland noted that a public hearing had been held, and that the Hearing Officer had recommended approval with conditions. He informed the Committee that they were being asked to consider the petition and to forward a recommendation to the full County Board.

Mr. West inquired as what the Hearing Officer's recommendations regarding the petition, and whether staff had received any complaints or comments from the public. Mr. Hiland that the Hearing Officer had a favorable recommendation, amended by items identified in the staff report, including a requirement for landscaping along the right-of-way.

The Committee then had an extended discussion regarding the requirement for landscaping along the right-of-way of Willrett Road: whether the requirement made sense in this instance, how many trees would be needed to meet the requirement, and possible impacts of adding the trees to the property. It was determined that a number of people had mistakenly understood that the landscaping was to serve as screening for the new storage tanks. Once this misunderstanding was noted, Mr. Hiland explained that the landscaping requirement was not intended as screening for the tanks, but served to "soften" the appearance of the facility, as a whole, along Willrett Road, and described the actual requirement in greater detail. The discussion also brought forth that members of the Committee had received calls from directors at Conserv FS complaining about requirement. Mr. Hiland noted that at least two company directors had attended the public hearing and that they had indicated that they were ok with the staff's recommendations regarding how to address the requirement. Several members of the Committee voiced disagreement with requirement during the discussion, and Mr. Hiland reminded the Committee at these points that if it so chooses, the Committee could amend the Hearing Officer's recommendation to strike the requirement from the list of conditions. The Committee directed staff to work with Conserv FS to develop a plan that meets the spirit of the landscaping requirements.

The Committee moved to recommend approval of the petition, with the conditions recommended by the Hearing Officer, and the motion carried six (6) yes, with one member not voting (JO).

Other Business

None

Adjournment

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

Respectfully submitted,

Steve Faivre
Chairman, Planning and Zoning Committee

MOA:moa
P:\Zoning\P&ZCommittee\Minutes\2022\09-28-22 PZ minutes.docx