

**December 5, 2017 Public Hearing for a Request for a Text
Amendment to Allow Installation of Solar Panels in a B-1
Commercial/Business District and a Request for a Special
Use Permit to Install Solar Panels at Prairieview School
Located at 103 E. Belvidere Road**

Meeting called to order at the Village of Hainesville Council Chambers by Mayor Gerry Daley at 6:32 p.m.

Clerk Kathy Metzler took roll call. The following Officials were present: Planning and Zoning Board Commissioner Gerry Daley, George Duberstein, Kriese, Hein, Derenoski, Georgeann Duberstein and Chynoweth

Also present were: Village Clerk Kathy Metzler, Treasurer Kelly Hensley, Village Attorney Jim Rock and Village Engineer Greg Gruen,

Absent: Public Works Supervisor Mike DePouw, Chief Perlini and Deputy Chief Jeff Myhra

Establishment of quorum

Agenda Approval:

Planning and Zoning Commissioner George Duberstein moved, seconded by Planning and Zoning Commissioner Derenoski to approve the agenda. Roll call vote: Ayes: Planning and Zoning Board Commissioner Gerry Daley, George Duberstein, Kriese, Hein, Derenoski, Georgeann Duberstein and Chynoweth. – 7 Motion carried.

Overview of Purpose and procedure for public hearing

Purpose of the Public Hearing is to give everyone the opportunity to express their views and to provide evidence in support of those views for the official record. The Zoning Board of Appeals relies on this record for its findings, conclusions and recommendations to the Board of Trustees.

Gerry Daley explained that the text amendment is a request to change the wording of the Village's zoning code. The zoning code did allow for solar panels to be installed but not on the ground in this area. The text amendments will change the language to allow it. The second part is the special use permit. The school district is asking permission to install the solar panels.

Notice Requirement Review

Applicant must send Certified Return Receipt letters to all properties within 250 feet from parcel. They must also publish a notice in newspaper and post a sign on the property which states the date, time and location of the hearing.

Village Clerk Metzler stated that 11 certified letters were mailed on November 14, 2017 and seven were received back. The notice was published in the Daily Herald on November 16th and the sign was placed on the property on November 27.

Administration of Oath to all who will testify

Anyone wishing to speak must complete a green form (back table) and give to the Clerk. The Clerk will swear in all persons intending to speak.

Presentation of Petitioner's Testimony

The applicant will give an overview of their request and provide factual information in support of their request.

Assistant Superintendent Grayslake District 46 Chris Bobek, Superintendent Grayslake District 46 Ellen Correll, Kurt Hintz from Performance Services and Tom Hill from Eriksson Engineering made their presentation. Prairieview will ground mount the solar panels. The District will make money annually with this project. This will lock in the utility rate going forward. Kurt Hintz explained the project in detail. The District can also use this as a learning tool for students.

Tom Hill, who is a Grayslake resident, distributed a sketch of the project. He stated that they are going to put panels at the southeast corner of the site. There is a wetland and a flood plain which will present a challenge. The schematic reflects the boundary and nothing will be done in the wetland. He explained how the panels are put into the ground and the safety issues. They are looking into a chain link fence across the north side of the area approximately 8 to 10 feet.

Mayor Daley stated that Village Engineer Greg Gruen has issued a letter with conditions. He was set to accept this proposal as a member of the zoning commission once the conditions are completed appropriately. He suggested that the attorney and engineers talk after the meeting if there is another way to word it so the project can be completed at the Board Meeting.

Presentation of Village's Testimony

The Village Zoning Board, Staff and Consultants may ask questions to clarify the applicant's request. They can provide their views and recommendations on the proposal. In some cases, the hearing may be adjourned to the next meeting. This would provide additional time to consider the recommendation(s)

Village Engineer Greg Gruen stated that the Plan C-1 dated 12-5-17 which was handed out does incorporate many comments from his review letter. Specifically, the wetland is delineated as well as high water elevation and the silt fencing. With Lake County Storm Water Management, any development over 5,000 sq. ft. requires a Storm Water Permit. It does allow for erosion control requirements and buffer requirements. He is asking for a delineation to be done and he would like something to rely on with regard to allowable uses in the buffer. He explained the buffer zone.

If there is a differing of opinion on the 5,000 sq. ft., Greg would be willing to send the information to Kurt Wolford at Lake County SMC and if he concurs that a storm water management permit is not needed so be it. But Greg feels Kurt will want the permit obtained.

Half of Greg's 8 comments have been started or completed but the permitting process needs to be followed. Tom Hill stated that he'd be willing to meet with Greg after and identify what the requirements are that the school district must legally follow.

Mayor Daley suggested proceeding with developing a recommendation here and in between the Public Hearing and Board Meeting the two engineers and Village Attorney Jim Rock meet and work out the actual language for the approval of the text amendment and the Special Use Permit so the caveats that Greg is concerned about will be covered and the Village does not wait for proper interpretation from the parties involved.

Jim Rock did not see a need for a meeting. The text amendment is straight forward and the Commission and Village Board has the language in an ordinance that is being reviewed and there is language for the Special Use Permit. There will be conditions in the Special Use Permit. The first condition is that the solar energy system shall be constructed in accordance with the site plan (Exhibit A). The second is that prior to beginning work the petitioner will comply with the comments and recommendations the Village Engineer Greg Gruen stated in letter to Mayor Daley dated November 7th, 2017. Jim suggested changing the wording to read the petitioner shall satisfactorily address the comments and recommendations of Village Engineer Greg Gruen since some may have been already addressed but that there are additional concerns that haven't been addressed yet. The third is that the permit is subject to full code review of the construction documents by the Village Building Official. Everyone accepted that language.

Testimony of any interested party (Public)

There were no questions asked from the public.

Findings of Fact

The Zoning Board of Appeals Board will consider whether the Proposal:

1. Will be harmonious with and in accordance with the general objectives of the comprehensive plan and the Zoning Ordinance.
2. Will be designed, constructed, operated and maintained so as to be harmonious with the existing or intended character of the general vicinity.
3. Will not change the essential character of the general vicinity.
4. Will not be hazardous or disturbing to existing or future neighborhood uses; and
5. Will not cause substantial injury to the value of other property in the neighborhood in which it is located.

Mayor Daley asked the Findings of Fact questions to the Zoning Board of Appeals members and they all agreed with the above.

Recommendation to the Village Board

Planning and Zoning Board Commissioner George Duberstein moved, seconded by Planning and Zoning Board Commissioner Hein, a recommendation to the Village Board for approval of the Text Amendment and approval of the Special Use Permit subject to the following conditions:

- A. That the Solar Energy System be constructed in accordance with the site plan attached as Exhibit A.
- B. Prior to beginning work on the Solar Energy System, the Petitioner shall satisfactorily address the comments and recommendations of Village Engineer Greg Gruen as stated in his letter to Mayor Gerry Daley dated November 7th, 2017.
- C. The Special Use Permit is subject to full code review by the Village Building Official.

Roll Call Vote: Ayes - Planning and Zoning Board Commissioner Gerry Daley, George Duberstein, Kriese, Hein, Derenoski, Georgeann Duberstein and Chynoweth – 7
Motion Carried

Planning and Zoning Board Commissioner George Duberstein moved, seconded by Planning and Zoning Board Commissioner Hein to adjourn the December 5th, 2017 Public Hearing for a Request for a Text Amendment to Allow Installation of Solar Panels in a B-1 Commercial/Business District and a Request for a Special Use Permit to install Solar Panels at Prairieview School Located at 103 E. Belvidere Road; All in favor; motion carried.

The December 5th, 2017 Public Hearing for a Request for a Text Amendment to Allow Installation of Solar Panels in a B-1 Commercial/Business District and a Request for a Special Use Permit to Install Solar Panels at Prairieview School Located at 103 E. Belvidere adjourned at 7:27 p.m.

Respectfully submitted,



Kathy Metzler, RMC, CMC
Village Clerk