

**St. Clair County Zoning Board of Appeals  
Minutes for Meeting  
At the Courthouse – 7:00 P.M.  
June 4, 2018**

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**Members Present:** Chairman Scott Penny, George Meister, Patti Gregory  
Alexa Edwards, Steven Howell & Marcy Deitz

**Members Absent:** Kent Heberer

**Staff Present:** Anne Markezich, Zoning Director  
Dave Schneidewind, Zoning Attorney  
Mark Favazza, Zoning Attorney

**County Board  
Members Present:** Bob Trentman, County Board District #14  
Nick Miller, County Board District #4  
Michael O'Donnell, County Board District #22

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**Pledge of Allegiance**

**Call to Order**

The meeting was called to order by Chairman, Scott Penny.

**Roll Call and Declaration of Quorum**

The roll was called and a quorum declared present.

**Approval of Minutes**

**MOTION** by Edwards to approve minutes of the May 7, 2018 meeting. Second by Deitz. Motion carried.

**MOTION** by Deitz to approve minutes of May 14, 2018 meeting. Second by Deitz. Motion carried.

**Public Comment**

There were no comments from the public.

There were no comments from the public.

**New Business – Case #1**

Subject Case #2018-07-ABV – Dan Weissert, 1204 Belleville Street, Lebanon, Illinois, owner and Linda Berberich, 65 Harmon Drive, Lebanon, Illinois, owner. This is a request for an Area/Bulk Variance to allow the construction of a 3,200 square foot accessory building instead of the 900 square foot allowed in a “SR-3” Single-Family Residence Zone District, on property known as 1221 Belleville Street, Lebanon, Illinois in O’Fallon Township.

**Dan Weissert/Linda Berberich, Owners/Applicants**

- Mr. Weissert stated he would like to build a 40’ x 60’ pole barn type on this property.
- Mr. Weissert presented pictures to the board of the property.
- Ms. Weissert stated they would eventually build a home on this property.
- Mr. Weissert stated they could possibly build an earth home those plans are not finalized at this time.

**Discussion**

- Chairman Penny stated the summary of the case asks for a 40’ x 80’ pole building. (Mr. Weissert corrected his statement that his request is for a 40’ x 80’ pole building because he will not be certain of the size until the excavating of the property is done. The applicant stated the maximum size would be 40’ x 80’.)
- Chairman Meister asked what the purpose of building the shed prior to the home is, on an unsupervised property. (Mr. Weissert explained he lives diagonal to this property currently, so he would put his vehicles and other items in the building. He stated he would put up cameras on the property. Ms. Berberich explained she and Mr. Weissert are not married yet, and that they are preparing to build the house after they are married.)
- Chairman Penny asked what type of items would be placed in this shed. (Mr. Weissert stated he has a 1969 Camaro, a 2010 Pace Car, a 57 Chevy, motorcycles, tractor, lawn mowers, etc.)
- Ms. Edwards asked the timeline and size of the proposed home. ( Mr. Weissert stated they are proposing a 1,600 square foot home in the next 3 to 5 years.)
- Ms. Edwards stated the pole barn would be twice the size of the home. (Ms. Berberich stated the pole barn will be down and will not be visible from the road, you may only see the roof of the shed.)

- Mr. Meister asked the occupation of Mr. Weissert. (Mr. Weissert stated he is the boss at a machine shop in Woodriver.)
- Chairman Penny asked the occupation of Ms. Berberich. (Ms. Berberich stated she is a claims analyst and works in Swansea.)
- Chairman Penny asked if there are any similar structures in the neighborhood. (The applicant stated this is not really a neighborhood, it is on the shortcut of Belleville Street and there is a bank right across the street, a wrestling center and a State Farm.)
- Ms. Gregory asked what type of materials, the structure would be made of. (The applicant stated he will most likely build a metal building but will price a framed garage as well.)
- Ms. Edwards stated generally the applicant has an established home and then they want to do a pole barn larger than size because of different needs and here we are going from a pole barn and backing into a home and the integrity of the community is at stake. She explained the board wants to protect property values of existing residents in the area. She stated you may decide in the future, you don't want to build your home here and now we have this large pole barn and now there's a hardship with this property and this large pole barn without a house, so now someone wants to run a business on the property or be able to rent out space in this building. She stated she feels this board should not make a decision regarding this request or deny the request. (Ms. Berberich stated as far as the aesthetics, that would be based on price and they cannot make that decision until after the excavating. She explained after the excavating they will decide where the actual home will be built.)
- Ms. Edwards stated she has been on the board for a long time and she feels this request is backward with too many uncertainties.
- Ms. Gregory stated she also has a problem with a 3,200 square foot pole barn that would be twice as small as the residence. Ms. Gregory stated all you would see is the pole barn because it is huge. (Mr. Weissert stated that pole building will be down a hill and will not be seen.)
- Mr. Meister asked what the maximum size building in this zone district would be. (Ms. Markezich stated the maximum size building in this district is 900 square feet.)
- Mr. Meister stated he is a farmer and he has a building this size and it is a machine shed, not a garage.

### Public Testimony

- Bill Bennett, 1229 Belleville Street stated he has lived at his residence for 30-years and this is his neighborhood. He stated he is devastated with what the applicant has done to the property since he has purchased it let along what he plans to do.
- Michelle Ellowitz, 1213 Belleville Street stated she is a neighbor and this is a neighborhood, she stated she just bought her home less than one-year ago and this property is zoned residential for a reason and she feels like putting a large metal industrial building would be a detriment to the community and the little neighborhood.
- Patty Bennett, 1229 Belleville Street stated she lives next door to the property and is concerned about the noise coming from the property if the applicant wants a 3,200 square foot building with cars, tractors, mowers or whatever the noise will resonate through the hillside.

### Further Testimony

County Board Member, Nick Miller stated he echo's the comments made from Ms. Edwards. He stated there have been concerns raised from the O'Fallon Township Zoning Board at their hearing last week. Mr. Miller stated given the area it would be more prudent to start with the home and consider the larger facility at a later date. Mr. Miller suggests the board take no action or deny the request this evening.

Ms. Edwards stated they have a letter sent from Sherry Heil at the O'Fallon Township office dated May 31, 2018. The letter states the Planning Committee met regarding this hearing and the committee voted against this proposal due to the following: The property did not explain or show any type of building drawing in size and shape; they could not determine the planned use of the building; they could not determine where and how the final plat would look and drainage especially; the person requesting the project was not present to represent him or her; several neighbors and adjoining property owners were in attendance and voiced concerns and were against this based upon the information given to them and the Township and they could not ask any questions of the property owner about the project since no one was there, so the Committee voted against it. (The applicants stated they were not contacted to attend this hearing or they would have been there to present their testimony.)

Chairman Penny asked the applicants if they would like to withdraw their case.

Mr. Berberich stated they would like to withdrawn this case.

**Old Business - Case #2**

Subject Case #2018-05-SP – Corby Valentine & Sharon Valentine, 6505 Schiermeier Road, Freeburg, Owners and Maria Matthews, 611 Johnny Drive, Maryville, Illinois, Applicant. This is a request for a Special Use Permit for a Planned Building Development pursuant to Section 40-9-3(H)(3) to allow a Hippotherapy (Horse Therapy) Center in an “A” Agricultural Industry Zone District on property known as 6505 Schiermeier Road, Freeburg, Illinois in Smithton Township. (Parcel #13-14.0-300-013)

This case was continued from May 7, 2018.

**Discussion**

- Ms. Edwards asked if there is public water on the property. (The applicant stated there is currently a well on the property and the Village of Freeburg is in the process of bringing water to this area.)
- Ms. Edwards asked the Zoning Attorney if the Zoning Board could put a stipulation on the request that the applicants will connect to public water when it becomes available. (Mr. Schneidewind stated the Zoning Board has done that in the past. He explained connecting to public water may force the applicants to Annex into the Village.)
- Ms. Edwards stated the board typically requires a business to connect to public water for the public to be well served and the general welfare of the community.
- Mr. Schneidewind confirmed that Patti Gregory listened to the previous hearing and stated she can make an informed decision on this case.
- Mr. Schneidewind asked the applicant who will own the property. (Ms. Matthews answered the property will be owned by Hope Ranch which is a sister ministry under Dance Again Ministries.)
- Ms. Markezich asked who will occupy the home. (Ms. Matthews stated the caregiver of the horses will occupy the home.)
- Ms. Gregory asked if a 501(c)(3) has to be registered in the State that the business is being conducted. (Mr. Schneidewind stated they will have to register with the Illinois Attorney General’s Office.)

### Public Testimony

- Karl Sturm, 6465 Schiermeier Road, Freeburg stated he is concerned with this property being corporate owned. Mr. Sturm also commented there will be nine horses and questioned if there is enough pasture for this amount of horses. (Mr. Valentine stated typically you deal with the pasture you have and bring in hay if that is necessary.)

### Discussion

Mr. Valentine stated he currently has a 501(c)(3) on the property and was in the process of turning this property into a Hippotherapy Center with his own funds. He stated he had a few clients that came in and enjoyed the animals.

Ms. Matthews stated she has no intention of changing the property. She stated this business will start out slowly and if it outgrows the property, there will be another ranch open at another location.

**MOTION** by Edwards:

In the matter of 2018-05-SP, I hereby move to recommend approval of this Special Use Permit based on the following facts, conclusions, and conditions:

The property is currently zoned agricultural and is comprised of approximately 10 acres more or less that has a residence and at least 4 outbuildings and fenced in areas that are currently used for the keeping and raising of horses.

The applicant plans to operate a not-for-profit business on the property that will utilize Hippotherapy to treat patients who are suffering from conditions like autism. The not-for-profit will be part of or a sister ministry to Dance Again Ministries, a 501(c)(3) corporation, of Ballwin, Missouri. The applicant plans to operate between the hours of 9:00 a.m. and 8:00 p.m., possibly up to 7 days a week. The applicant will use licensed therapists certified by the American Hippotherapy Association to provide private therapy sessions to patients. No more than 3 therapy sessions will be taking place upon the property at any one time. Therapy sessions will consist of the therapist, patient, and 3 other volunteers who will serve as walkers or assistants. The applicant may have up to 6 to 7 horses on the property that are utilized in therapy services. The applicant would also like to provide therapeutic riding sessions, but not open riding lessons to the general public. There will be no additional buildings built on the parcels and no additional lighting installed.

The residence on the property will be utilized by a person, and his immediate family, hired by the applicant or the non-for-profit business to take care of the horses and the property. However, the basement of the home will be utilized by the applicant or non-for-profit business to provide counseling services to the parents of the patients, while the patients are undergoing therapy.

The operation of proposed Hippotherapy facility will not negatively affect the public's health, safety and welfare, given that horses have in the past and are currently being kept on the property, and the number of persons coming to the property for treatment and the providing of the services will not be so great to negatively impact the public's health, safety and welfare.

While the Comprehensive Plan is designated this area as residential, the property will still contain a residence and be utilized as such. The addition of the Hippotherapy program will not negatively impact the Comprehensive Plan as there will be no additional buildings or structures built upon the property to transform this property into a commercial development. The applicant has stated they will utilize the currently existing buildings to provide therapy sessions.

The Special Use Permit will not adversely affect the value of neighboring property as no commercial type structures will be built and the applicant will utilize the current structures that are on the property, which are in harmony with the surrounding neighborhood.

There will be no appreciable effect on public utilities, as the property is currently serviced by a well and private sewage disposal system. The roadways in the area are adequate to handle typical passenger vehicle travel, and while the proposed Special Use would add some additional passenger vehicle travel such will not be of a significant nature to negatively impact traffic circulation.

There are no facilities such as schools or hospital in close proximity to the proposed Special Use that require special consideration.

The proposed Special Use will not be adding any additional buildings or structures, and will utilize current buildings and structures on the property in providing Hippotherapy, through the use of horses, which are and have been previously kept on the property for pleasure purposes. Thus, given that the Hippotherapy will be carried out using current buildings and structures and no alterations of the landscape will occur the proposed Special Use is compatible with adjacent uses, and uses in the general vicinity.

However, the Special Use shall be limited as follows:

- (1) No therapy sessions shall occur after 1:00 p.m. on Saturdays, and no therapy sessions shall occur on Sundays.
- (2) There shall be no larger than a 2 ft. x 2ft non-lighted signed erected advertising the Hippotherapy.
- (3) The use is limited to Hippotherapy and therapeutic riding sessions, there shall be no general horse riding lessons provided to the public or the keeping and boarding of horses not utilized in the Hippotherapy program.
- (4) The Special Use is limited to the applicant in conjunction with Dance Again Ministries or a not-for-profit entity that the applicant is control of. This Special Use is non-transferable, and will terminate when the property is no longer being utilized as a Hippotherapy facility by applicant in conjunction with Dance Again Ministries and Hope Ranch.
- (5) No additional buildings or structures shall be constructed upon the property for use in the providing of Hippotherapy and therapeutic riding. If the applicant desires to construct additional buildings or structures it must petition the Zoning Board of Appeals for modification of this Special Use Permit.
- (6) No more than 9 horses shall be kept on the property at any time.
- (7) No more than 3 concurrent running therapy sessions shall take place at any time.
- (8) Ms. Gregory added a stipulation that the 501(c)(3) be in good standing with the State of Illinois.

Second by Gregory.

|                 |                |     |
|-----------------|----------------|-----|
| Roll call vote: | Gregory -      | Aye |
|                 | Deitz -        | Aye |
|                 | Howell -       | Aye |
|                 | Meister -      | Aye |
|                 | Edwards -      | Aye |
|                 | Chairman Penny | Nay |

This case has been granted and will go before the County Board for final consideration.

**Old Business – Case #3**

Subject Case #2018-03-SP – Cathleen Lindauer TR, 5600 Douglas Road, Belleville, Illinois, owners and South Belleville Solar LLC, 7650 Edinborough Way – Ste. 725, Edina MN, applicants. This is a request for a Special Use Permit to allow a 4 MW Solar Farm Energy System on 40-acres in an “A” Agricultural Industry Zone District on property known as 2200 State Street Road, Belleville, Illinois in Smithton Township. (Parcel #13-04.0-200-011)

**Ben Adamich – Geronimo Energy**

- Mr. Adamich explained he presented his testimony for the Solar Farm at the previous hearing and is seeking approval.
- Mr. Adamich stated the project meets all the provisions of the Solar Ordinance and St. Clair County Code.
- Mr. Adamich stated he will answer any questions presented by the board.

**Discussion**

- Mr. Schneidewind confirmed Ms. Gregory has heard testimony from the previous case and is comfortable rendering a decision in this case. (Ms. Gregory stated that is correct.)
- Chairman Penny asked if the board members wanted to take a moment to examine the solar panel on display. (Board Members examined the solar panel.)
- Chairman Penny asked if the applicant found out if there are potential hazardous materials contained if the panel is shattered or ruptured. (The applicant submitted a study from NC State University regarding solar panels and the study concluded there is no anticipated affect on public health as a result of solar technology and as an added statement, the project will be built to withstand weather conditions.)
- Mr. Meister asked if a big wind storm comes along, it looks like the panels could lean possibly, and what is the corrective action. (The applicant stated tests are done on the site to determine the geo-technical classification of the soils that are being built on, and that determines the how deep the piles have to be. He stated the company will do due

diligence items to make sure the piles are deep enough to ensure no movement.)

- County Board Member Bob Trentman asked if the applicant is the developer or the builder. (The applicant stated Geronimo Energy is developing the project and will own and operate the project. He stated the construction is competitively bid out to engineering/procurement contractors. He stated they will build to Illinois standards.)
- Mr. Howell asked how long the construction would take on a project this size. (The applicant stated approximately 4 to 6 months.)

### Public Testimony

- Gene Cheatham – 2501 S. Illinois Street, Belleville asked if any of the board members have been to O'Fallon, Missouri to look at Ameren's solar farm that sits on 25-acres. Mr. Cheatham presented pictures and stated there is no comparison to the real life property. (The applicant stated he visited this site and the difference is these farms have a grass mix under the modules compared to gravel under the solar modules.)
- Donald Schulte – 124 Pecan Lake Drive, Belleville stated his 40-acre tract takes in all of the stormwater in the area. He stated he fears the current culvert will not be able to handle all the additional runoff from the property. (Chairman Penny asked if he is concerned due to not working the land as farmland.) (George Meister added the applicant will have to hire a watershed expert to engineer the watershed retention for the property. He stated technically there should be no further watershed runoff.) (The applicant stated there will no impact to stormwater runoff.)
- Donald Schulte – 124 Pecan Lane Drive, Belleville also stated he is also concerned with what they spray the weeds with because that will flow into his lake. (The applicant stated they will have less pesticides than an adjacent Agricultural use.)
- Greg Bergmann – 224 Pecan Lake Drive stated he will live directly by this project along with two others that physically look at this project every day for 25-50-years. He invited the board to come to his home and look from his property at the site.

- June Cheatham stated she agrees with Mr. Bergmann, the solar farm would be right in her side yard and she does not want to look at this project every day. Ms. Cheatham stated she has been living in this home for 30-years and does not want to look at the solar panels. Ms. Cheatham stated she also does not know how property values will not be affected by this site.
- Keith Sturgis – 2030 State Street Road, Millstadt stated since last months meeting he stated there are different regulations every day. Mr. Sturgis said he signed up to attend a Chicago Solar Seminar on Thursday, June 21<sup>st</sup>. He stated there will be State of Illinois personnel and Ameren officials present.
- Mr. Sturgis questioned the placement of the solar farm. (Ms. Markezich gave Mr. Sturgis an updated site plan.)
- Jim Stramm – 3509 N Illinois Street stated the Zoning laws are set to protect the residents, so any variance or special condition or change should be considered. Mr. Stramm supports renewable energy but in proper format and context as long as it is laid out properly. Mr. Stramm is concerned with property values and wants the County to be careful where the solar panels will be located.

#### **Further Discussion**

- Ms. Edwards asked when the State of Illinois begins permitting. (The applicant stated the first block is anticipated in the Fall. He added the plan has been approved by the Illinois Commerce Commission.)
- Mr. Howell asked how many months the project will take to build. (The applicant stated approximately 4-6 months.)
- Ms. Edwards asked the County Board representatives at the meeting if they are ready for the Zoning Board to put this decision in their hands. (Michael O'Donnell, County Board District #22 stated this is a good project that is close to the substation and there are not a lot of homes around, but stated he is interested in seeing the farm in O'Fallon, Missouri before making a decision. (The applicant stated with all due respect a project with gravel under it and a project with grass under it are not comparable.)
- Ms. Edwards asked County Board Member Bob Trentmann his view. (Mr. Trentmann stated he is not an expert on solar farms by any means but stated a solar farm is not temporary unlike crops, so whatever decision the Zoning Board makes will be effective for a long time in the future.)

- Ms. Edwards stated she would like to continue this case again to allow the board to visit the site in O'Fallon, MO.
- Mr. Meister stated the site in Missouri will have asphalt under the panels not daisies.
- Mr. Meister asked the distance from the fence to the closest house. (The applicant stated to the nearest house it will be 450 – 500 ft.)
- Mr. Meister asked when the application has to be submitted to the State of Illinois. (The applicant stated as soon as possible.)
- Mr. Meister asked when is the first day to file. (The applicant stated the file date has not been released yet, it could be July, it could be October.)
- Ms. Edwards expressed that she is not ready to vote on this issue, she stated if anyone else wants to make a motion they can but she is personally not ready.
- Mr. Schneidewind asked along Pecan Lane and maybe to the East that fronts 159, will there be any type of fencing or a berm or shrubbery plan for that area that would shield more than a chain link fence that you can see through. (The applicant stated they could look at screening along those edges but did not want to materially change anything on the application. He stated on the eastern edge they could propose one single row of Cardinal Dogwood shrubs that are a heartier shrub.)
- Ms. Edwards stated the board has heard from two County Board Members who are not ready to vote and feels the board should not rush to judgement because the State hasn't done anything yet. Ms. Edwards stated she does not want to start a precedent and wants a well laid foundation, buffering, proper verbage and words so that the County is protected, the property owners are protected.

**MOTION** by Edwards to continue this case until July 9, 2018

Second by Meister.

|                 |                |     |
|-----------------|----------------|-----|
| Roll call vote: | Gregory -      | Aye |
|                 | Deitz -        | Aye |
|                 | Howell -       | Aye |
|                 | Meister -      | Aye |
|                 | Edwards -      | Aye |
|                 | Chairman Penny | Aye |

**This case will be continued on July 9, 2018.**

Old Business – Case #4

2018-06-SP -- Robert L. & Nancy L. Reifschneider, James Reifschneider Declaration of Trust dated June 6, 2008, 2728 South Illinois Street, Belleville, Illinois, Owners and Innovative Power Systems, Inc., 2670 Patton Road, Roseville MN, Applicants. This is a request for a Special Use Permit to allow a 4 MW Solar Farm Energy System on 32-acres in an "A" Agricultural Industry Zone District, on property known as XXXX Mulligan Lane, Belleville, Illinois, in Smithton Township. (Parcel #13-04.0-400-002 & 13-04.0-402-002)

Evan Carlson, IPS, Inc.

- Mr. Carlson identified himself as representing Innovative Power Systems, Inc.
- Mr. Carlson reminded the board that this is a different case than the prior and is hoping to get a different outcome.
- Mr. Carlson asked to direct the attention of the Zoning Board to the Ordinance. Mr. Carlson asked where the Ordinance came from. (Chairman Penny stated the Ordinance was drafted by the legal team.)
- Mr. Carlson stated a lot was done to draft this Ordinance and his company took their time to check all of the boxes in the Ordinance. Mr. Carlson stated this case should be approved based on those facts. (Chairman Penny stated as he recalls there was a question from facility to nearest residential structure which was unanswered, questions on berms, fences or shrubbery, so the board is not quite there yet and the board will not be rushed to judgment.)

Discussion

- Chairman Penny stated the board has been burning up their keyboards researching Solar Farms and was not aware there was one in O'Fallon, Missouri. He stated he would like to go visit this site even though it may be slightly different from their project. (The applicant stated that is not their project and stated that project is not relevant to whether his project satisfies the Ordinance.)
- Chairman Penny asked the applicant linear distance to a residential structure and berms and fencing. (The applicant stated in the event that they receive credit for both projects they will be within a few hundred feet of the nearest residence. The applicant stated he was looking into a berm but ran into issues with drainage, he explained that is the current path of the drainage. He explained it looks more realistic to put in trees and will offer that as a condition to the permit.)

- Ms. Deitz asked where the closest project similar to this project. (The applicant stated the closest would be at a high school in Minnesota.)
- Mr. Meister asked how the permits will be issued by the State. (The applicant explained his limited understanding is: A) Has the County signed off on the application. B) Has a permit been issued by Ameren.)
- Mr. Schneidewind asked if the company has ever used slatted fences as a barrier or something you cannot see through. (The applicant stated slatted fences have been used and do a good job.)
- Mr. Schneidewind confirmed the applicant is not opposed to slatted fencing. (The applicant stated that is correct.)

### Public Testimony

- Mr. Cheatham stated slats in fencing look fine but weather and time deteriorate them.
- Rick Morton, 2534 Mulligan Lane, Belleville stated his house is adjacent to this parcel. He stated the project according to the plat submitted is 50 ft. from his garage. Mr. Morton stated no amount of shrubs will hide the project from his property.
- Tom Montgomery – 3224 Roan Hill Drive, Belleville thanked the board for going to visit the site in O'Fallon, MO. The applicant stated this project would have a serious impact on the area. Mr. Montgomery asked if the transmission lines will be overhead or underground. (The applicant stated they are not doing transmission from the array to the sub-station. He explained community solar is a way for people to offset their power liability, it's a distribution network. He explained they have to plug into the distribution network and rely on the infrastructure that Ameren has. (Chairman Penny asked if they will come off the property above ground or underground.) (The applicant answered above ground.)
- Mr. Montgomery stated Belleville has a history of mine subsidence. He asked the applicant if that happens would that kill the project. (The applicant answered that mine subsidence could potentially kill the project.)
- Keith Sturgis, 2030 State Street Road, Belleville stated the County adopted a procedure for Solar Farms however it still has to go through the public. Mr. Sturgis stated the March 24, 2018 minutes state no one was present against the code amendment, because no one knew about the meeting. (Attorney Schneidewind stated that is incorrect, the meeting was published in the paper.)
- Jim Stamm – 2509 S Illinois Street, Belleville stated the Ordinance is out there and people will be flocking to take advantage of it. The attention now needs to be on the execution of the projects. Mr. Stamm suggests there be a Renewable Energy Committee to execute this Ordinance. He stated St.

Clair County can be a model county or an embarrassment of a County. Mr. Stamm stated the board should look at the big picture.

- James Reifschneider submitted some pictures he took of some Solar Farms in Tennessee.
- Mark Favazza, Attorney asked the applicant to explain in the site plan there is a proposed new security fence 6 ft. high and in the revised application it says a 7 ft. chain link fence with 1 ft. of barbed wire on top. (The applicant stated the fence will be 6 ft. with 1 ft. of barbed wire.)

### Further Testimony

The applicant stated it is always hard being the first, however time is of the essence and being cautious is good, but this could stifle his development.

Ms. Edwards stated she is not concerned with the Ordinance, the problem is if this project is compatible with the area; does it protect the public health, safety, and general welfare, would it be injurious to the surrounding property.

Mr. Schneidewind stated it all boils down to this request is still a Special Use Permit and you still have follow the requirements Ms. Edwards reiterated along with the Solar Code. He stated you may meet these provisions but the request is still a Special Use Permit that has to be passed on by the board and meet the conditions of the board.

**MOTION** by Edwards to take this case under continuance until July 9, 2018.

Second by Gregory.

|                 |                |     |
|-----------------|----------------|-----|
| Roll call vote: | Gregory -      | Aye |
|                 | Deitz -        | Aye |
|                 | Howell -       | Aye |
|                 | Meister -      | Aye |
|                 | Edwards -      | Aye |
|                 | Chairman Penny | Aye |

This case has been continued until the July 9, 2018 meeting.

**Old Business – Case #5**

Subject Case #2018-07-SP -- Robert L. Reifschneider, Jennifer Reifschneider Lafontaine, Aaron J. Reifschneider, Ryan J. Reifschneider, Karen J. Jackson TR, Jean G. Lensch Family TR, & Julie Reifschneider, 2728 South Illinois Street, Belleville, Illinois, Owners and Innovative Power Systems, Inc., 2670 Patton Road, Roseville MN, Applicants. This is a request for a Special Use Permit to allow a 4 MW Solar Farm Energy System on 32-acres in an "A" Agricultural Industry Zone District, on property known as XXXX S Illinois Street, Belleville, Illinois, in Smithton Township. (Parcel #13-03.0-300-004 & 008)

**MOTION** by Edwards to take this case under continuance until July 9, 2018.

Second by Gregory.

|                        |                       |            |
|------------------------|-----------------------|------------|
| <b>Roll call vote:</b> | <b>Gregory -</b>      | <b>Aye</b> |
|                        | <b>Deitz -</b>        | <b>Aye</b> |
|                        | <b>Howell -</b>       | <b>Aye</b> |
|                        | <b>Meister -</b>      | <b>Aye</b> |
|                        | <b>Edwards -</b>      | <b>Aye</b> |
|                        | <b>Chairman Penny</b> | <b>Aye</b> |

This case has been continued until the July 9, 2018 meeting.

**Old Business – Case #6**

Subject Case #2018-08-SP -- Robert L. Reifschneider, Nancy L. Reifschneider, James Reifschneider and Donna L. Reifschneider Declaration of Trusts dated June 6, 2008, 2728 South Illinois Street, Belleville, Illinois, Owners and Innovative Power Systems, Inc., 2670 Patton Road, Roseville MN, Applicants. This is a request for a Special Use Permit to allow a 4 MW Solar Farm Energy System on 32-acres in an "A" Agricultural Industry Zone District, on property known as XXXX S Illinois Street, Belleville, Illinois, in Smithton Township. (Parcel #13-03.0-100-024)

Ms. Edwards asked who the nearest neighbor to this parcel is. (Chris Keller, 2446 South Illinois Street, Belleville.)

Mr. Schneidewind asked the applicant if he has met with Mr. Keller to move the access road. (The applicant stated the issue has been resolved and the access road has been relocated.)

**MOTION** by Edwards to take this case under continuance until July 9, 2018.

Second by Gregory.

|                        |                       |            |
|------------------------|-----------------------|------------|
| <b>Roll call vote:</b> | <b>Gregory -</b>      | <b>Aye</b> |
|                        | <b>Deitz -</b>        | <b>Aye</b> |
|                        | <b>Howell -</b>       | <b>Aye</b> |
|                        | <b>Meister -</b>      | <b>Aye</b> |
|                        | <b>Edwards -</b>      | <b>Aye</b> |
|                        | <b>Chairman Penny</b> | <b>Aye</b> |

This case has been continued until the July 9, 2018 meeting.

**MOTION** to adjourn by Meister, second by Deitz. Motion carried.