

**St. Clair County Zoning Board of Appeals
Minutes for Meeting
At the Courthouse – 7:00 P.M.
October 1, 2018**

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

Members Absent: Kent Heberer & Patti Gregory

Staff Present: Stephanie Allen, Zoning Director
Dave Schneidewind, Zoning Attorney

**County Board
Members Present:** Michael O'Donnell, District #22

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 August 6, 2018. Second by Deitz.
Motion carried.

MOTION by Edwards to approve Minutes of September 10, 2018. Second by Meister. Motion carried.

Public Comment

There were no comments from the public.

New Business – Case #1

Subject Case #2018-10-ABV – Dylan T. Mueller & Samantha E. Mueller, 2227 Stephen Court, St. Louis, Missouri, owners and applicants. This is a request for an Area/Bulk Variance to allow an existing lot with 27.7 ft. of frontage on a cul-de-sac instead of the 35 ft. required in a “Sr-3” Single Family Residential Zone District on property known as 8815 Troon, Belleville, Illinois in Stookey Township. (Parcel #07-10.0-310-025)

Dylan Mueller, Owner/Applicant

- Mr. Mueller stated he purchased this property with 27.7 ft. of frontage and the governing code is 35 ft.
- Mr. Mueller stated the lot was originally drawn up as a full front lot, but to facilitate simultaneous sales between himself and his neighbor the front lot was split in half. He explained half was given to him and half was given to his neighbor resulting in this small frontage. He explained they are both short 7 ¾ feet of frontage.
- Mr. Mueller stated this shortage does nothing to limit the entrance onto his property or limit the enjoyment thereof.
- Mr. Mueller stated without the variance he will not be able to get a building permit.
- Mr. Mueller stated granting the variance will allow him to fully utilize the land he purchased.

Discussion

- Mr. Howell asked if this parcel has already been cut out. (The applicant stated that is correct, he explained at some point prior to his purchasing the property someone dug a walk-out basement, so he filled the basement in to be able to drive over the property.)
- Ms. Deitz asked if there are homes built on both sides of his property. (The applicant stated there is a home built on one side.)
- Mr. Meister stated many years ago the Zoning Board granted a golf course subdivision and the golf course never developed. (The applicant explained the golf course was developed into larger lots and the main part of the subdivision has ¾ to 1-acre lots.)
- Ms. Edwards asked if the applicant has a desire to divide up his 25-acres in the future. (The applicant stated he does not have a desire to divide the property further.)
- Ms. Deitz asked how many vacant lots are in the subdivision. (The applicant stated there are not many lots that are vacant.)

- Mr. Meister asked if the adjacent neighbor was granted a variance for his frontage. (The applicant stated his neighbor has not pursued a variance.)
- Mr. Meister asked if the larger acre lots are being developed. (The applicant stated most of the larger parcels have buildings on them.)
- Mr. Meister questioned whether the board would be starting precedence by granting this variance.
- Ms. Edwards stated this hardship was self-inflicted and feels there is a good chance in the future, there will be more property owners asking for divisions.
- Chairman Penny asked the applicant if it is his intention to only build one single-family home on the property. (The applicant stated that is correct.)
- Chairman Penny asked if the Zoning Board can bind or limit the property to only one residence. (Mr. Schneidewind stated Zoning does not typically enter into a binding document with a property owner, he explained the Zoning Code is binding and the Board can impose special conditions and restrictions upon the premises benefitted by the variance.)
- Chairman Penny explained the concern by the board members is that if someone gets permission to have an access route into the property and in the future decides they have all this excess land, it only makes good sense to develop it into some type of housing or subdivision. He suggested maybe the board could regulate that to everyone's satisfaction.
- Mr. Schneidewind stated this lot has mixed Zoning of partly, "A" Agricultural, "RR-3" Rural Residential and "SR-3" Single-Family Residence.

Public Testimony

- Paul Lee – 1103 Winged Foot, Belleville presented a petition with 42-signatures opposed to the variance request. Mr. Lee stated allowing the applicant to have 27.7 feet instead of the 35 ft. will throw the subdivision off. He explained the subdivision as it currently stands is already hodge podge, as you can see from the aerial photos. Mr. Lee stated he is concerned that this variance will start precedence for others to do the same thing. Mr. Lee stated the members of the subdivision will eventually adopt a new HOA and stipulate new regulations.
- Astrid Wake stated she owns the property at 8811 Troon Road, Belleville which is the property that is adjacent to applicant's property. Ms. Wake stated when she purchased the property it was a single-family lot that the owner divided in half. She explained she had no idea that they had to have 35 ft. of frontage; she was buying 52-acres to have a single-family home on large acreage. Ms. Wake asked what can they do, they cannot build their dream home because of a rule of negative 7 feet.
- Steven Wake, 8811 Troon Drive, Belleville neighbor stated both their plans are to have their houses so far back that they will not be seen from the road. The homes will not be a visual impairment to anyone.

- Astrid Wake stated their driveway will be over 1,200 feet long.
- Mr. Meister asked Ms. Wake how long ago she purchased the property. (Ms. Wake stated she purchased the property in 2015. Mr. Mueller stated he purchased his property in 2015, as well.)
- Mr. Meister asked if this was a 75-acre tract and someone divided it to create these two tracts. (The applicant stated he believes it was a 700-acre tract that was divided. He explained it was the golf course that the developer broke off into these chunks of property and his piece was marketed as 30-acres.)
- Terry Ollis, 1060 Tillinghast, Belleville asked what the purpose of the 35 ft. of frontage is. (Mr. Meister stated when it comes to a cul-de-sac you have the curve and the stacked houses, so your frontage is narrower. He stated this is strange because of the large tracts where the golf course never developed. Now, basically these two people are saying they will not build their house next to the cul-d-sac but their driveways will go through those lots and their homes will be ¼ mile away from the cul-de-sac.)
- Mr. Meister asked if the covenants require concrete driveways. (The applicant stated not as described at the time of purchase.)
- Ms. Ollis stated there are several lots with gravel driveways going back to the acreage; all of the homes however, have concrete driveways.
- Ted Pierce, 8810 Troon, Belleville stated he is amazed that two people can buy property that has no legal access for a road and wonders how the developer sold this property to these people that cannot be built on.
- Ted Pierce stated if there is a way that it can be stated that only one home can built on these properties and that it will be set back a certain amount, that may be a solution to the adjacent homeowners, because their desire is not to keep these people from building their homes.
- Kevin Carlton, 8804 Prestick, Belleville stated this gentlemen's property and his property adjoin, as was mentioned prior. He explained, he is the one that bought an entire lot to have the Zoning to build on his 8.5-acres. He explained he has a lot and a half lot where his driveway goes through. Mr. Carlton personally does not have a problem with the 27-feet for the driveway to build a single-family home back there; his question is the next request for the business.
- Denise Carlton, 8804 Prestwick, Belleville stated she and her husband had the same issue with their lot, it was their dream to purchase the land but luckily the builder told them to come to Zoning and check the setbacks and they did and found out they had to purchase the additional lot for frontage. She stated she also does not have a problem with the 27-feet variance.
- James Hendricks, 1038 Tillinghast, Belleville stated that this subdivision is a residential neighborhood combined with a bit of Agriculture, so we expect that but Mr. Ramirez for the last year has a lot of Industrial equipment that is back there such as bull dozers. Mr. Hendricks stated he is not opposed to him having a home but wants the neighborhood to be uniform even if that is with

the required variances. He also stated as a neighborhood they have had to fight with Stookey Township to even get lighting, there are only 5 or 6 street lights, and the roadways are already buckling in some areas, so he is concerned with his big equipment going back and forth and feels Mr. Ramirez is downgrading the neighborhood. (The applicant stated the equipment going in is Mr. Ramirez's equipment.)

- Paul Lee stated Mr. Ramirez owns a construction company and he is in the process over the last 2 plus years of building a home back there, he just works on it when he has time and every now and then he goes back there to get a trailer or whatever to take to a job site and he will bring it back.
- Mr. Mueller stated he does own a tractor that he has on his land, it has a cab and is not a huge tractor but a general use farm tractor, and he will use to clear the area that is not wooded.
- Joe Findley, 8814 Troon, Belleville stated he is the neighbor and owns the adjacent lot. He stated he does not have an issue with the driveway, but if it is concrete that would be great. Mr. Findley would like a distance from his property line and make sure there is no erosion or washout creating an issue on his land directly next to it. He also stated he has no issue with it being gravel as long as it is well maintained. He stated there are other gravel driveways in the neighborhood and there are no issues with them, they have a bib in the front that runs to a gravel driveway.
- Kevin Carlton, 8804 Prestwick, Belleville stated his driveway is about 35 ft. of concrete that connects to the sidewalk and then it continues to the gravel. Mr. Carlton stated he has never received any complaints.

Further Testimony

- Mr. Howell suggested the Zoning Board require a concrete driveway. (Ms. Edwards stated she is in favor of that stipulation.)
- Ms. Edwards stated she is in favor of the first 40 ft. off the cul-de-sac to be concrete. She stated it will cut down on dust and noise for the adjacent neighbors. (Mr. Meister stated he would like to see the entire "SR-3" zoned area to be concrete.)
- Chairman Penny asked the adjacent neighbor Mr. Findley if he would be in favor of 35 ft. driveway apron. (Mr. Findley stated as long as there is an easement between the two pieces of properties and it is well-maintained.)
- Mr. Meister recommended the applicant center the driveway.
- Mr. Schneidewind explained the board is not giving out easements.

MOTION by Edwards to grant the request as follows: The utilities are public water and septic; the Comprehensive Plan calls for the area to be residential; as discussed in this hearing there has been many different scenarios in this subdivision; the existing approval has deviated much from the plan. I recommend

the following stipulations: That the 27.7 ft. of frontage on the cul-de-sac would be for a single-family residence only and that the first 30 ft. would be concrete in length and the rest of the driveway to the single-family home would be well maintained throughout the use of the driveway; the restriction will run with the land; and if the property is ever sold these variance with these contingencies will continue with the land and not the owner.

Meister seconds.

A roll call vote:

Meister	-	Aye
Deitz	-	Aye
Howell	-	Aye
Edwards	-	Aye
Chairman Edwards-		Aye

This case has been approved by this board. Chairman Penny asked the applicant to coordinate with the Zoning Administrator regarding setbacks of the driveway.

New Business - Case #2

Subject Case #2018-17-SP – Dylan T. Mueller & Samantha E. Mueller, 2227 Stephen Court, St. Louis, Missouri, owners and applicants. 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 Carpenter Shop/Powered Woodworking Shop in a “RR-3” Rural Residential Zone District, on property known as 8815 Troon, Belleville, Illinois in Stookey Township. (Parcel #07-10.0-310-025)

Dylan Mueller, Owner/Applicant

- Mr. Mueller stated based on the discussion at the previous hearing he understands and accepts that he cannot run a business from the property; however he will build a shed and not run a business. Mr. Mueller stated he will have a personal hobby shop.
(Mr. Schneidewind stated the applicant will have to comply with the zoning regulations and further stated there ultimately can be no business ran from the building.)

Mr. Mueller withdrew his application for Subject Case 2018-17-SP.

New Business Case #3

Subject Case 2018-01-ZA – Weiss Monuments Works, 9904 W Main Street, Belleville, Illinois, and Chad & Tracey Voegelé, 7067 Oak Avenue, Belleville, Illinois, Owners & Applicants. This is a request for a Zoning Amendment to change the zone district classification of certain tracts of land from “MHP” Manufactured Home Park District to “I-1” Research & Assembly Industrial Zone District on property known as 1120 N 79th Street and 7901 St. Clair Avenue, East St. Louis, Illinois in Canteen Township. (Parcel #02-23.0-400-003 & 004)

Phillip Weiss, Applicant

- Mr. Weiss explained he has a monument business currently at 9904 West Main Street where they engrave and run installation trucks out to cemeteries.
- Mr. Weiss stated the purchase of property is contingent upon Zoning.
- Mr. Weiss stated they plan to store blank granite on this property that they receive from the quarries.
- Mr. Weiss stated they receive about one semi-truck delivery once a week and daily run smaller trucks for installations at the cemeteries.
- Mr. Weiss stated they will fence the perimeter of the parcel and rock the entirety of the two parcels.
- Mr. Weiss stated the two parcels are overgrown now with weeds and trees and he will completely clear the parcels.

Discussion

- Chairman Penny asked the height of the fence. (The applicant stated he would like a 6 ft. tall fence with barbed wire at the top.)
- Ms. Edwards asked if there is flooding on the property. (The applicant stated there is not flooding on the property.)
- Chairman Meister asked on a typical day how often employees would be in and out of the property. (The applicant answered 3 to 4 times possibly.)
- Chairman Meister asked if the stones are lifted with a tow motor or a lift off of a truck. (The applicant answered generally a large tow motor.)
- Chairman Meister asked if the tow motor will be inside of a building. (The applicant stated possibly in the future but will be stored outside at the present time.)
- Ms. Edwards asked if there were plans to build a building on the property. (The applicant stated there are no plans to build a building in the immediate future.)

- Mr. Schneidewind reminded the board that the request is to rezone to "I-1" Industrial. He explained the applicant will have to comply with the fencing regulations which state between the residential and Industrial zone district there will have to be a visual screening fence of 6 ft. high. Mr. Schneidewind stated outdoor storage is permitted in an "I-1" however, it has to be located 25 ft. from the public frontage street and 10 ft. from any abutting frontage street.
- Mr. Meister asked if the property has 250 ft. of frontage. (The applicant stated they have frontage along 79th Street.)
- Chairman Penny stated he is not inclined to give the Zoning Amendment without a building.
- Mr. Schneidewind stated he is not sure why the Zoning Office suggested Industrial zoning when "B-2" allows for warehouse storage yards for bulk material, supplies & equipment. (The applicant stated he was told to rezone to and that is what he applied for.)
- Chairman Penny asked if there is any residential use in this area. (The applicant stated abutting them to the North is a storage building for amusement equipment in the winter time, it is fenced as well and to the East there is Agricultural property, to the West is a sewer company and a rigging company.)
- Mr. Schneidewind asked if the granite will be cut at this site. (The applicant explained the granite is cut to size when ordered.)
- Mr. Schneidewind asked if the granite will be engraved at this site. (The applicant stated the granite will not be engraved at this site, the engraving will continue to be done at their office on Main Street in Belleville.)
- Mr. Meister stated the Industrial is a very heavy request and he is concerned with the church adjacent to this property.
- Chairman Penny stated he drove by the property today and granting a zoning amendment would be an improvement for the neighborhood because the property is overgrown and abandoned at this time.
- Chairman Penny asked the applicant how much of the property will be rocked. (The applicant stated he will rock the entire 5-acres of property.)
- Mr. Schneidewind stated the applicants will have to comply with the drainage laws and if they develop they would have to put in silt fences.

Public Testimony

- Phillip W. Weiss, 9904 West Main Street, Belleville stated he is the father of the applicant. He stated on the West side of 79th Street there is a business with 15 vehicles stores outside, same 6 ft. fence with barbed wire and they have no issue with theft.

- Frank Dorris stated he owns the agricultural land in the area. Mr. Dorris stated there has been flooding problems in that area recently, and the water from the bluffs in Fairview Heights all comes down to this area and there has been a foot of water standing in the fields in that area. Mr. Dorris stated if the applicant puts rock and asphalt on the lot it will affect the runoff immensely and is concerned. (Chairman Penny stated he does not feel rocking this property will affect the neighboring properties, because the property is flat and the entire area already floods.)
- Mr. Tart stated he is representing the adjacent church on 17-acres with some agricultural. He stated his concern is the large vehicles entering and exiting California Drive; he is also concerned with the operation infringing upon his agricultural or infringing upon the church operation. (The applicant stated they get one semi-truck load of granite a week, it could go up to two a week, but it is daily and the trucks will come directly off 79th Street to the property. He stated all traffic will be contained at 79th Street and the frontage road.)
- Cynthia Doris stated school buses fly down 79th Street, Delmonte, 81st Street and it is a constant. Ms. Doris stated the big trucks are going to tear the roads up. Ms. Doris stated Canteen Township does not maintain the roads in that area. (Chairman Penny stated 79th Street is maintained by the St. Clair County Highway Department and is built to a better standard.) (The applicant stated the front gate will be within 200 ft. of the property line there, so they are not going North on 79th Street, the trucks will be contained to the beginning of the property.)

Further Testimony

Chairman Penny stated he feels the “B-2” zone district is applicable to what the applicant wants to do on the property.

Mr. Schneidewind stated “B-2” allows warehousing and storage yards for bulk material, supplies and equipment. He stated as Chairman Penny stated he likens the business to a carpentry shop of what you are doing on the inside would be just simply engraving and nothing more than that.

Chairman Penny asked the applicant if he is agreeable as part of the application to put in an angular entrance where the trucks will not have a hard turn coming in and out of the property. (The applicant stated he is agreeable to that stipulation.)

The applicant asked Chairman Penny to downgrade his Zoning request from “I-1” Industrial to “B-2” General Business Zone District.

MOTION by Meister to approve the request for the following reasons: The applicant downgraded his Zoning request from "I-1" Industrial to "B-2" General Business Zone District.

Second by Howell.

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

This case has been approved by this board and will now go before the County Board for final consideration.

New Business – Case #4

Subject Case #2018-20-SP – LeChein & LeChein LTD/Carol & Floyd Schlueter, 601 Obstweg Drive, Belleville, Illinois, owners and St. Clair Solar 4 LLC, 1536 Wynkoop Street – Suite 400, Denver, Colorado, Applicants. This is a request for a Special Use permit to allow a 4 MW Solar Farm Energy System on 19.80-acres in an "A" Agricultural Industry Zone District, on property known as XXXX State Rte 159, Freeburg, Illinois in Smithton Township. (Parcel #13-22.0-100-015)

Liz Reddington, MicroGrid Energy

- Ms. Reddington presented a power-point presentation.
- Ms. Reddington stated her company was founded in 2009. The current headquarters are in Denver, Colorado with offices in Chicago and St. Louis.
- Ms. Reddington stated her company's area of focus for solar development is roof top for commercial and industrial customers, small utility systems and community scale systems.
- Ms. Reddington stated to date her company has installed over 250 solar projects across nine states. She stated her company does all of the development and construction management, asset management and owner management all in-house with the company.
- Ms. Reddington stated her company intends to be the owner and operator of this system for the life of the system.
- Ms. Reddington showed the board some examples of their solar projects.
- Ms. Reddington stated this system will be developed in order to participate in the community solar garden program that has been set forward by the State of Illinois. The State of Illinois passed the future energy jobs act,

which allows for clean energy installation and long-term job growth in Illinois.

- Ms. Reddington explained community solar is a good option for people that cannot build solar on-site or on their own roof tops. She explained it allows for an electric customer to subscribe to the gardens energy that is generated without having to put up any up-front capital costs to their own home or business, they can just subscribe to the energy they are generating from their system. She stated as a subscriber to the garden, there are no up-front costs and you will start saving on your electricity bill once the system starts generating electricity.
- Ms. Reddington stated they are the solar developer and will own and operate the system. She stated they in turn will have an agreement with Ameren Illinois to put their electricity on their grid and there will also be an agreement between them and their subscribers for bill credits.
- Ms. Reddington stated they are developing 19-sites in the northern area of Illinois and there are 36 Ameren sites under development, four of which are in St. Clair County.
- Ms. Reddington explained the State of Illinois has passed property tax legislation on how to tax these types of gardens and solar developments which are based on system size. Ms. Reddington stated they anticipate being taxes \$11,000 a year per the assessment and approximately \$170,000 dollars of tax revenue from this project footprint.
- Ms. Reddington stated her company will hire local labor. She explained they will need \$388,000 worth of electrical labor and mechanical labor and over the course of the operations there will be mowing of the site, cleaning of the panels and annual electrical inspections of the site.
- Ms. Reddington explained the site plan. She stated the access will be off of Country School Lane. The solar footprint will be about 13-acres in size. There will be a 7 ft. chain-link fence which is required by the National Electrical Code. At the access gate there will be a knox box and only the local fire department, the utility and the owners will have access to the code.
- Ms. Reddington stated they are proposing a vegetation strip on the west side of the array which is the residence facing portion of the array to provide a visual buffer of the view shed.
- Ms. Reddington stated the system size will be 2.7 MW, which will be the equivalent of powering about 450 homes.
- Ms. Reddington stated access will be on the South side of the project boundary off of Country School Lane and the point of interconnection to the Ameren distribution lines will also be off of that same road.
- Ms. Reddington stated the equipment that is being installed will be tier one panels which is a non-reflective technology that absorbs sunlight rather

than produce glare. The materials used do not endanger public health and by definition this technology is good for the environment by producing good renewable energy.

- Ms. Reddington stated the materials of the panels are mostly glass, polymer, aluminum, copper and semi-conductor materials that will ultimately be recycled after the useful life of the system.
- Ms. Reddington stated this site is being specified for string invertors which are a smaller technology that cannot be heard from outside of the fence. There will be a tracker racking system meaning throughout the day the tracker will move the panels from East to West to follow the sun. She explained this will be placed on a driven pile foundation so it will not require a concrete footing. The tracking motors also, cannot be heard outside of the project fence.
- Ms. Reddington stated there will be one equipment pad that will house the utility transformer and the A/C disconnect system, so it is the larger of the equipment that is being installed and will be on a concrete pad.
- Ms. Reddington presented pictures during construction and explained construction will take approximately 4 months.
- Ms. Reddington stated they are proposing to plant a seed mix of native vegetation and pollinator friendly, which has a deep root with a low growth height. This vegetation will be in support of habitat for bees and butterflies and different insects that are of the pollinator species. She stated this seed mix also helps with stormwater permitting so that there will be no impact to the adjacent farmland of this site.
- Ms. Reddington explained during the operation after the system is built it will be very quiet and outside of the fence it will not be heard. She stated the system will be monitored by the weather station and will also have security, so the site can be remotely monitored 24-hours a day.
- Ms. Reddington stated there will be no additional lighting installed on the property to negatively impact any neighbors.
- Ms. Reddington stated the maintenance and mowing will be done approximately 2 to 4 times per year, so there will be low traffic once the system is installed.
- Ms. Reddington stated her company will train local fire department and emergency personnel so they know how to properly come to the site in the event of an emergency and require access to the fence.
- Ms. Reddington stated her company has initiated a solar AIMA which is the Agricultural Impact Mitigation Act. Based on the AIMA the system will be decommissioned to those terms set by the State of Illinois, where any materials will be salvaged and recycled and ultimate disposed of according to any standards. The site will be returned to its original state by the terms of the AIMA and the lease agreement.

Discussion

- Chairman Penny asked the applicant why they are only asking for 2 MW of Solar Energy. (The applicant explained mostly due to land constraint.)
- Mr. Schneidewind asked what the useful life of this facility is. (The applicant explained the equipment is warranted for 25-years and the agreement with the State is 15-years for the incentive amount, the agreement with Ameren will be approximately 25-years. She further explained that in the event that they want to continue the operation, the lease agreement has an extension.)
- Mr. Schneidewind asked where the visual buffer will be on the property. (The applicant explained the visual buffer will be in the Southwest corner and is indicated in green on the site plan.)
- Mr. Schneidewind asked what the vegetation buffer will consist of. (The applicant stated the vegetation buffer is a shrub nature and in its immaturity phase it would be about 3-ft. in height and they would chose a species that would grow up to 6 ft.)
- Mr. Schneidewind asked why the site was not continued up North along the side of the residential. (The applicant explained the reason is because that area is close to residential homes.)
- Mr. Schneidewind asked if the remaining farm land will continue to be farmed. (The applicant explained the landowner will continue farming.)
- Chairman Penny asked what would happen if the company were to file bankruptcy, what would happen to the equipment on the property. (The applicant stated in that event it would have to be removed per the AIMA Act of the State of Illinois. She explained whichever decommissioning plan is more strict, the State of Illinois or St. Clair County that is the plan they have to adhere to.)
- Chairman Penny stated at prior hearings it was stated that there is no guarantee that this project will be permitted by the State of Illinois. (The applicant stated all Community Solar Gardens being put forward throughout the State are now subject to a lottery with the Illinois Power Agency and because there is such a large demand from the Industry, it has created an overcapacity of the available incentive amounts available. She stated the lottery will be held on January 15th, 2019 for all community solar gardens to see who will ultimately get the funding from the State.)
- Chairman Penny asked how many Community Solar Gardens are anticipated in the State of Illinois. (The applicant explained in ComEd there are over 500 community solar garden applications and in Ameren they have received over 300 applications. She stated the block amount will be approximately 60 projects per block and there will be possibly 3 blocks.)

- Mr. Schneidewind asked the applicant to explain the vendor deadline. (The applicant explained all solar developers, contractors and anybody who has interest in building a solar system are subject to submitting an approved vendor registration and application for the Illinois Power Agency program administrator to review credentials. She stated the review will begin on November 1, 2018.)
- Mr. Meister asked how close is the nearest solar project developed by her company. (The applicant stated they have roof top installations in St. Louis but the closest ground mount would be in Maine and the current 18 MW community solar portfolio being developed is in Colorado. Her company is also doing an installation at the Mt. Rushmore parking lot which will be a carport/canopy at the national park. She explained solar gardens are a new market in Illinois)

Public Testimony

- John Slocomb, 3402 Robin Lane, Freeburg stated he owns the lot to the West of this property where he just built his home one year ago. He stated he has a couple of concerns. Mr. Slocomb asked the applicant how the farmer will farm his ground. He explained the farmer currently access his property through this property in question. (The applicant stated the farmer could access from 159 or through the setback of the panels from the property line.)
- John Slocomb stated he disagrees with this land being flat, he stated the runoff comes in his direction. (The application stated the native vegetation will have a similar root system to the field crops that are already planted. This vegetation will be all throughout under the panels and the only impervious material would be the concrete pad for the equipment, which is the size of a parking space. The applicant stated the stormwater calculations, drainage and erosion calculations will not negatively impact the drainage, it will only help it.)
- Kathey Janik – 3530 State Rte 159, Belleville stated she is North of Mr. Slocomb. Ms. Janik stated she was told that the access to the Solar Farm would be through the little strip. She stated otherwise, there would be no way for the farmer to enter off of 159. (The applicant showed Ms. Janik the site plan and where the fence will be located on the property, she stated there appears to be enough space for farm equipment but access for the solar array will be off of Country School Lane and there is still an open section here that is wide enough for large farming equipment.)
- Ms. Janik asked how wide the space is between the buffer and the fence line around the array. (The applicant stated there is more than 50 ft. in that space.) Mr. Schneidewind asked the property owner if he will continue to

farm the remainder of the property. (Mr. Schlueter stated the farming will continue.)

- Ms. Janik stated her major concern is that there still be access to the farmland at the rear of her property. (The applicant asked if the Zoning Board could add a stipulation that the site plan be approved by the tenant farmer, once the case has been approved to ensure that whatever equipment he has would be able to access the acres in question.)
- Mr. Meister asked how far it is from the property line to the closest part of the array. (The applicant stated it is 125 ft. from the closest part of the array to the closest residence.)
- Chairman Penny asked Mr. Schlueter how wide of an easement would be required to get modern farm equipment through there. (Mr. Schlueter stated you have to get the equipment down the highway but at least 20 ft. for ease and comfort.) (The applicant stated there will be an access of 20 ft. on all sides of the project fence. She stated the remaining farm ground will continue to be used for Agriculture for the transportation of equipment to adjacent properties owners, and a minimum of 20-feet.)
- Mr. Janik stated 20 ft. is not near enough room to for the large equipment, he stated some of the equipment is 40 ft. wide. (Mr. Schlueter stated the large equipment is brought in on a vehicle.)
- Mayor Raymond Klein, Mayor of Smithton stated he is opposed to the Special Use Permit. He explained the people along Hwy 159 are annexed into the Village and this section is in the County. Mayor Klein believes there will be an access problem for the farmer to get to their fields behind their homes. He stated once they put that header on the combine they will keep it on and he is not sure if there will be enough access or not. He also stated, the Village of Smithton has put over one million dollars worth of waterline for future development on the 159 corridor because this is a future business district for the Village of Smithton. Mayor Klein also stated Country School Lane is a private Lane and he is not sure there is access from that lane and if that is the case, the applicant would have to get approval from IDOT.
(Chairman Penny confirmed the Mayor is concerned because this parcel could be developed for commercial purposes in the future.)
Mr. Schneidewind asked Mayor Klein if anyone has approached his office regarding this piece of property in question. (Mayor Klein stated he has not been contacted.)
Mr. Schneidewind asked if the properties across the street have been annexed into the Village. (Mayor Klein stated that is correct.)
- Mr. Schlueter stated the access would be off of State Rte 159 and there is plenty of width. Mr. Schlueter stated he feels this is a good use for the property.

- Mayor Klein stated the Village of Smithton has been approached as well for a community solar farm.
- Kathy Janik stated as a property holder she has to agree that she sees it as an alternative crop issue and she is highly in favor of the pollinator mix and feels this is a great way to stay agriculture and is also moving technologically forward. Ms. Janik stated she would prefer to see this in her backyard rather than more homes in the area. Ms. Janik agreed that County School Road is private and she wonders if there is access off of 159.
- Tom Vale, 3601 State Rte. 159, Belleville, Illinois asked how tall are the grids. (The applicant explained the fence is 7 ft. high and the system itself at its highest tilt would not exceed 12 ft.)
- Mike Janik asked how deep the underground wiring going from the grid to the panels will be. (The applicant answered approximately 30 inches.)
- Mike Janik asked the applicant to confirm one final time the distance between the solar arrays and the property lines because he feels his property will potentially be landlocked with regard to farm machinery. (The applicant explained the fence is 176ft. from the residential property line.) (Chairman Penny asked the applicant if she can guarantee 50 ft. as a condition to the Special Use Permit. The applicant confirmed.)

Further Discussion

County Board Member, Michael O'Donnell stated he is not opposed to this Special Use Permit request as long as the project takes the easement into consideration for the farmers.

Mr. Schneidewind asked the applicant if they will access the project from State Rte. 159 or Country School Lane. (The applicant stated they would get an easement of access off of Country School Lane. She stated they were told that 159 was not workable because of the tenant farmer, so the access was changed.)

Ms. Edwards stated she will not make a motion to approve this case. Ms. Edwards feels like there should not be an encumbrance put on one person for the benefit of somebody else.

MOTION by Edwards to take this case under continuance until the applicant can check to see if Country School Road is a private lane and if it does in fact have access to the property for the tenant farmers or an alternate solution off of State Rte. 159. The properties adjacent to this property should not have detrimental effects put on them as the consequence of a solar farm.

Second by Meister.

Chairman Penny asked the applicant to present a schematic of the route of the farm machinery and how it will travel to the farm properties.

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

This case has been taken under continuance until October 15, 2018.
No further notices will be given.

MOTION to adjourn by Meister, second by Howell. Motion carried.