

**VILLAGE OF LAKEWOOD
PLANNING AND ZONING COMMISSION
PUBLIC HEARING MINUTES
DECEMBER 4, 2017**

The Meeting was called to order at 7:00 p.m. at RedTail Golf Club. Members present were Chairman O'Hara; Commissioners Hansen, Hopkins, Knapp, Miller, and Mula. Also present were Village Clerk Janice Hansen; Village Attorney Michael Smoron; and a few members of the public.

APPROVAL OF MINUTES FROM THE NOVEMBER 13, 2017 MEETING: Commissioners Knapp, seconded by Commissioner Hopkins, moved to approve the November 13, 2017 meeting minutes as corrected. Voice vote: All Ayes. Nays: None. Motion declared carried.

PUBLIC HEARING: TO CONSIDER A TEXT AMENDMENT TO THE LAKEWOOD ZONING CODE TO MODIFY THE VILLAGE ZONING CODE AND ADD SOLAR ENERGY SYSTEMS AS A SPECIAL USE WITHIN THE AGRICULTURAL DISTRICT:

Village Clerk Janice Hansen confirmed that the public notice was re published in the Northwest Herald on November 17, 2017.

Commissioner Mula, seconded by Commissioner Miller, moved to open the Public Hearing. Voice Vote: All Ayes. Nays. None. Motion declared carried. The Public Hearing opened at 7:11 p.m.

Attorney Smoron commented that this Ordinance and Public Hearing is just an introduction to allowing solar energy into the Village. The Commissioners and Board of Trustees can develop the proposed Ordinance to meet Village guidelines. Mr. Kolze, owner of Kolze Country Gardens, has approached the Village to use a portion of his property as a solar energy farm. He would like the Commissioners to look into this concept with an open mind and begin a rigorous conversation allowing solar energy systems on Mr. Kolze's property.

Chairman O'Hara stated that the Commissioners should focus on solar energy.

Chief Administrative Officer Jeannine Smith expressed concern about recommending the solar energy text tonight. She wants to look into how this impacts the Village and would like to ensure that all factors are considered.

Bob Kolze, owner of Kolze Country Gardens, commented that the location of his property is desirable due to the fact that the electric substation is across the road. He plans on fencing the area to protect the solar field equipment. There are no environmental issues related to solar panels. After much research, Mr. Kolze has found no negative issues with this project.

Tom Latos of 10740 Foster Road commented on modifying zoning codes within the Village of Lakewood. He asked if Lakewood would like to get into the power business. The Village has an

obligation to get an idea of the expenses incurred by the project to the residents. He suggested a power plant review, energy storage, battery plant management and inspections of the energy plant. He also asked if the Village will receive any revenues from this project.

The Commissioners had a general discussion regarding solar energy standards. Noted comments from the Commissioners were: expenses to the Village; any consulting engineer fees will be paid by the petitioner; solar farming will be exclusive to agriculture land; erosion and vegetation issues under the solar panels; decommission plan approvals, maintenance, and removal; what will be the benefits to Village residents; effects on the Village; and site inspections.

Chairman O'Hara wants the Commissioners to consider this in separate sections to differentiate between farms and solar panels to power residential or business properties. He also stated that there are two factors, utility and accessory use. Utility Use should include fencing, electrical review, stormwater ordinance obligations, erosion control, buried cables, enclosure for batteries, and permit compliance. Accessory Use should include coverage, mounting expense pass through, electrical review, and permit compliance.

It was the general consensus of the Commissioners to focus on Utility Use first and have the opportunity to enhance solar energy special use as time permits.

Discussion will continue with an amended Ordinance at a later date. Commissioners would like to research other communities that permit solar energy usage. This would give the Commissioners an opportunity to study the pros and cons for project.

Commissioner Knapp, seconded by Commissioner Miller, moved to close the Public Hearing. Voice Vote: All Ayes. Nays. None. Motion declared carried. The Public Hearing closed at 7:49 p.m.

PUBLIC HEARING CONTINUANCE: TO CONSIDER THE PETITION OF BRYAN E. YOUNGE, AS TRUSTEE OF BRYAN E. YOUNGE AND SHELBY R. YOUNGE TRUST, TO GRANT VARIATIONS FROM THE LAKEWOOD ZONING CODE FOR PROPERTY COMMONLY KNOWN AS 6915 INVERWAY. REQUESTED VARIATIONS ARE TO CONSTRUCT AN IN-GROUND SWIMMING POOL AND ASSOCIATED POOL APPURTENANCES OUTSIDE THE BOUNDARIES OF THE FOOTPRINT OF THE PRINCIPAL BUILDING ON EACH OF THE PROPERTIES:

This Public Hearing is continued from November 13, 2017.

Attorney Smoron stated that the petitioner needs to purchase a portion of property to the west in order to accommodate the proposed pool. There is a need to obtain a petition from owner of record to request zoning relief. The owner of the land west of the petitioner must give written permission to subdivide his land.

Petitioner Bryan Younger stated that his residence is located on a cul de sac which will require the placement of the proposed pool on the side yard; there are three 100 year old trees in the back

of his home and he does not want them removed. Also, the purpose of this proposed pool is for his son who has leukemia and wants to swim. The pool will require a specialized filtration system due to his condition.

Petitioner Younge is purchasing the home and property on lots 18 and 19. This residence is a short sale and he expects this transaction to take about thirty days.

Chairman O'Hara questioned the easements and the title of ownership of property. If Mr. Younge purchases the proposed property, he will only need a variance to construct the pool on his side yard.

Commissioner Miller, seconded by Commissioner Hansen, moved to recommend to the Board of Trustees a variance from Section 7.6.A and Section 10.2-7.2 of the Zoning Ordinance of the Village of Lakewood to allow an in-ground swimming pool placed within the side yard setback known as 6915 Inverway Drive. Petitioner must vacate any easements and will not have any relief from the Village of Lakewood's Zoning Ordinance. Voting Aye: Chairman O'Hara; Commissioners Hansen, Hopkins, Knapp, Miller, and Mula. Voting Nay: None. Motion declared carried.

UPDATE ON PLANNING, ZONING AND DEVELOPMENT ISSUES: Attorney Smoron commented that there is an error in the Village's Zoning Code regarding swimming pools. Currently in-ground swimming pools are designated a special use in R-1, R-3, and AG. This will be amended to read In-ground swimming pools will be permitted in R-1, R-2 B-2 and AG.

This amendment will be published and voted on in the near future when the Planning and Zoning Commission meets again.

Tom Latos of 10740 Foster Road would like to discuss the Village's Special Use issues, and would like to bring them in line with McHenry County's code.

Nate Shanklin of Wolcott Energy Group highlighted his renewable energy development strategy. He commented that his firm favors ground mounted panels on agricultural property. He offers leasing and purchasing agreements. They agree to decommission the land after usage and they are subject to municipal sales tax. The solar panel project functions as a business. The solar energy offsets peak usage loads. His firm plants sale tolerant plants and grass under the panels within the Illinois Department of Agriculture specifications. There is a gutter system under the panels to channel out water. They comply with the McHenry Country Stormwater Codes.

With nothing further to discuss, Commissioner Miller, seconded by Commissioner Hopkins, moved to adjourn the Meeting. Voting Aye: Chairman O'Hara and Commissioners Hansen, Hopkins, Knapp, Miller, and Mula. Voting Nay: None. Motion declared carried. The meeting adjourned at 9:38 p.m.

Janice S. Hansen
Village Clerk