

**Planning and Development Committee
Meeting Minutes for December 6, 2018**

Members Present:

Mick Madison, Chairman
Phillip Chapman
Dalton Gray
David Michael
Nick Petrillo
Robert Pollard
Larry Trucano
Ray Wesley

Members Absent:

None.

Others Present:

Matt Brandmeyer	Diane Noll	Ted Armstrong
Andi Campbell Yancey	Gary Noll	Jodi Hunt
Breana Buncher	Russ & Linda Klueter	Dan Jordan
Karen Langendorf	Duane Meyer	Rick Ritter

Call of Meeting to Order and Roll Call:

Chairman Madison called the regular meeting of the Planning and Development Committee to order at 5:00 p.m. and conducted roll call.

Approval of Minutes:

Mr. Wesley made a motion to approve the minutes from November 15, 2018. Seconded by Mr. Gray. Voice vote. All ayes. Motion approved.

Zoning Petitions and Subdivision Overview (*addressing agenda items 1-6 and 13*):

Mrs. Yancey introduced Resolution Z18-0070, petition of Sherrill Associates, applicant, on behalf of Gregory Goode, owner of record, requesting variances in order to create two tracts of land that will be 1.60 and 1.23 acres in size instead of the required two acres. Mrs. Yancey stated that this request is similar to ones that we have had in the past in that the lots are already configured as separate parcels and Sherrill Associates is looking to separate them so they could be used independently of one another. Zoning Board of Appeals (ZBA) recommended unanimous approval.

Mrs. Yancey discussed Resolution Z18-0073, petition of Venice Govan, applicant, on behalf of Canaan Galilee Missionary Baptist Church, owner of record, requesting a variance in order to construct a church sign that will be 21 square feet in size instead of the allowable 2 square feet. Also a variance in order for the proposed sign to have a 15 inch X 78 inch, full-color, LED message board. ZBA recommended approval with the conditions to the LED sign and Mrs. Yancey read the conditions to the committee.

Mrs. Yancey introduced Resolution Z18-0075, petition of Timothy and Christine Domagalski, owners of record, requesting variances in order to have a 6-foot, solid-board fence and swimming pool in the front yard setback area. Mrs. Yancey stated that three sides of their lots are considered the front yard setback area. Mrs. Yancey stated that the fence blew down during a storm and they expanded the fence which created the need for the variance. ZBA recommended approval unanimously. Mrs. Yancey stated that the existing swimming pool was added to the request to ensure that they wouldn't have an issues if they need to replace it in the future.

Mrs. Yancey discussed Resolution Z18-0076, petition of Sarah Gieselmann, owner of record, requesting a variance to locate a swimming pool in the front yard setback area. Mrs. Yancey stated that it is another situation with an interesting lot

configuration with a roadway running along a good portion of the property leaving the applicant with a limited rear yard area.

Mrs. Yancey introduced Resolution Z18-0077, petition of Larry Bell, owner of record, requesting a variance in order to construct an addition to an existing dwelling that will be 15 feet from a private roadway easement instead of the required 50 feet. Mrs. Yancey stated there was no opposition to the request and the private roadway only serves 3 lots and ZBA recommended approval unanimously.

Mrs. Yancey discussed Resolution Z18-0078, petition of Jonathan Sparks requesting a variance to construct a dwelling that will be 30 feet from the east and west property lines instead of the required 50 feet. Mrs. Yancey said that Mr. Sparks is trying to capture as much as his rear yard as possible which pushes the house up on the lot and given the pie shape characteristic of the lot it makes the side yard setbacks 30 feet instead of 50 feet. Mrs. Yancey said the ZBA recommended unanimous approval.

Citizens Wishing to Address the Committee (*addressing agenda items 1-6 and 13*):

Chairman Madison asked the public if anyone wanted to speak in regard to agenda items 1-6 or 13. None wished to speak.

New Business (*addressing agenda items 1-6 and 13*):

Chairman Madison asked for a motion to approve agenda items 1-6 and items 13. Mr. Gray made a motion to approve Resolution Z18-0070, Resolution Z18-0073, Resolution Z18-0075, Resolution Z18-0076, Resolution Z18-0077 and Refund Request for B18-1097 & B18-1098 to James Markland. Seconded by Mr. Wesley. Roll-call vote. All ayes. Motion approved.

Zoning Petitions and Subdivision Overview (*addressing agenda items 7-12*):

Mrs. Yancey stated that each of the following six agenda items are requests for two-megawatt solar proposals and each are roughly 15 to 20 acres of fenced area which will contain solar panels to create electricity for citizens in the area as per a state mandate. Mrs. Yancey discussed the site details for Resolution Z18-0071. Mrs. Yancey stated that they did receive feedback from residents that live along Stetson Road indicating their concerns are the change in view and land-use from agriculture to solar panels. Mrs. Yancey stated the applicants decided to address their issues by providing additional tree screening. ZBA recommended approval with conditions of approval and additional screening. Mr. Chapman asked to have a condition added that ensures underground electrical lines to the panels.

Mrs. Yancey discussed Resolution Z18-0074 and said that there was a lot of opposition at the hearing from the surrounding property owners and ZBA recommended denial based on the feedback from citizens. Mr. Chapman said he received several phone calls about the request and said that his constituents were told the location of the solar panels were at one place but when they attended the hearing, the location of the panels had moved.

Mrs. Yancey discussed Resolution Z18-0079 and Resolution Z18-0080 together because they are contiguous proposals. Mrs. Yancey stated that staff did not receive any feedback from Marine in regard to the request and ZBA recommended approval with our standard conditions on both requests. Mr. Michael asked if they are tied to their proposed site plan and Mrs. Yancey stated that was the case.

Mrs. Yancey provided the site details to Resolution Z18-0082 and said that SRE Solar Origination, LLC retooled their site plan based on feedback from nearby residents. Mrs. Yancey stated that the Village of St. Jacob was opposed to the request. Mr. Wesley asked if the ZBA denial was prior to moving the location of the panels and said the ZBA denial was based on the original proposal, which had the panels along Ellis Road.

Citizens Wishing to Address the Committee (*addressing agenda items 7-12*):

Duane Meyer, spoke in regard to Z18-0074. Mr. Meyer stated that his concerns were about the aesthetics of the solar panels and if you put a solar farm on the edge of town, it makes it prohibitive for Hamel to grow because no one can build on the lot for 25 years. Mr. Meyer stated that being on Southwestern Electric, he will not be able to utilize the solar power. Mr. Wesley asked if Mr. Meyer would still be opposed if the proposal were to be moved to the north and he said he did not want to close in Hamel with solar panels. Chairman Madison asked if there was any screening condition proposed on the request and Mrs.

Yancey stated that since it was denied there were not any conditions but that the applicants had proposed screening on their site plan.

Diane Noll spoke in regard to Z18-0074. Ms. Noll said that she lives nearby and was upset about the request when she saw where it was being proposed because it's not where she was originally told it would be placed. Ms. Noll stated her concerns were about wildlife and aesthetics.

Karen Langendorf spoke in regard to Z18-0085. Ms. Langendorf said that her concerns were aesthetics and that if one property is approved for industrial or solar panels that they will all be able to have that land use.

Rick Ritter spoke in regard to Z18-0082. Mr. Ritter said he is a resident and Plan Commissioner of St. Jacob. Mr. Ritter said that the Mayor of St. Jacob asked him to attend the meeting to indicate that the Village is not in favor of the development going in outside of St. Jacob. Mr. Ritter said that solar panel proposal was discussed in the Village of St. Jacob board meeting the previous night and no one was in favor of the proposal. Mr. Ritter stated that there have not been any residents that are in favor of the request. A discussion ensued about the opposition of the request.

Ted Armstrong, Dr. Drake's local counsel, said that quite a few people mentioned that since Dr. Drake has a lot of land and that the proposals should go elsewhere and that Dr. Drake does not know about solar power and the science of it and that SRE Solar Origination, LLC are the experts that do. Mr. Armstrong said that there are scientific reasons as to why the properties were selected and Dr. Drake does not control that.

Dan Jordan, Operations Manager for Summit Ridge Energy, said that the choice of the site depends on quite a few things such as being able to lease the land, suitability for interconnection, and solar resources. Mr. Jordan stated that they are just trying to work with the community to make it more suitable. A discussion ensued about the lottery system, solar panel benefits to the community, and structural details of the solar panels.

Mr. Wesley asked what happens to the land-use after 25 years of the community solar contract is up and Mrs. Yancey stated that it will remain agriculture and it will be agriculture in the interim with a special use permit for the use. Mr. Brandmeyer stated that the approval of community solar does not leave any industrial implications on the properties.

Mr. Pollard stated that he understands solar energy but he does not want to see the whole area overflowing with solar panel developments and he can understand why people do not want to look at them but he is trying to be supportive of the request. A discussion ensued about the deadline for the applications to the state.

Pre-Application Presentation:

None.

Unfinished Business:

None.

New Business (*addressing agenda items 7-12*):

Mr. Chapman made a motion to approve Resolution Z18-0071, Resolution Z18-0079, and Resolution Z18-0080. Seconded by Mr. Petrillo. Roll-call vote. All ayes. Motion approved.

Mr. Chapman made a motion to approve Resolution Z18-0074. Seconded by Mr. Wesley. Mr. Chapman stated that the people do not want community solar there and his constituents have reached out to help indicating that they do not want it and he encouraged his colleagues to vote for denial. Roll-call vote. All ayes. Motion approved.

Mr. Michael made a motion to approve Resolution Z18-0082. Seconded by Mr. Petrillo. Mr. Michael stated that he is pro solar projects however knowing that the local municipalities are not for the project he thinks that the Board should support them and asked his colleagues to vote to deny the request. Mr. Wesley said that he does not have a hard time voting against the denial because the proposal is not nearby people and the applicant has made the effort to move the project 3,000 feet away from one of the objectors. Mr. Wesley stated that if they were going to approve any solar projects, this would be the best one

to approve. Mr. Gray asked how close to municipal limits the project is and Mrs. Yancey stated that it is 1.17 miles away. Mr. Michael said that the project is located on a country road and that the road could easily become an asphalted road because it is the road most traveled when traveling between St. Jacob and Highland. Roll-call vote. Ayes to the motion, Mr. Chapman, Mr. Gray, Mr. Michael, Mr. Petrillo, Mr. Pollard, and Mr. Trucano. Nays to the motion, Mr. Wesley. Motion approved.

Mr. Chapman made a motion to postpone Resolution Z18-0072 to the January 3rd Planning and Development Committee meeting. Seconded by Mr. Pollard. Voice vote. All ayes. Motion approved.

Administrator's Report:

Mr. Brandmeyer said staff is opening up the process for the environmental grants in December and it closes in January and the approval of the grants should be on the January or February Planning and Development Committee agenda. Mr. Brandmeyer discussed the Stormwater and Flood Prevention Request for Qualifications (RFQ) that has been created for professional services and stated that it is something that has been ongoing. Mr. Brandmeyer said that usually HeartLands is used but it has to be bid out as an RFQ.

Adjournment:

Mr. Wesley made a motion to adjourn the meeting. Seconded by Mr. Gray. Voice vote. All ayes. Motion approved.

Meeting adjourned.