

VILLAGE OF NORTH UTICA
248 W. Canal St, North Utica, IL 61373
Planning Commission Meeting
October 26, 2023
www.utica-il.gov

AGENDA

- I. **5:30 p.m.** - Call to Order
- II. Pledge of Allegiance
- III. Roll Call
- IV. **5:30 - Public Hearing:**
 1. For the purpose of considering and hearing Public Comment and Testimony regarding the Petition of Legacy Solar, LLC, as Petitioner and Jason Harmon, as Owner. Petitioner is seeking a Special Use under Section 10-19-1 et. seq. of the Village of North Utica Code, to allow the installation and operation of a ground-mounted solar energy system, intended to provide an alternative source of energy to a private residence, on property located at 3213 E. 9th Road, Utica, IL; Property is zoned R-1.
 - A. It is proposed that the Petitioners be granted a Special Use under Section 10-19-1 et. seq. of the Village of North Utica Code, to allow the installation and operation of a ground-mounted solar energy system, intended to provide an alternative source of energy to a private residence, on property located at 3213 E. 9th Road, Utica IL 61373. The property is zoned R-1.
 - B. Such other relief that is necessary to allow Petitioners' intended use of the property
 2. Discussion and Possible Recommendations of the Planning Commission regarding such Hearing.
- V. Consideration and Possible Action on Planning Commission Meeting Minutes: 08-24-2023
- VI. Old / New Business
- VII. Public Comment
- VIII. Adjournment

POSTED 10-20-2023

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MINUTES

At 5:30 pm the meeting of the Planning Commission was called to Order by Village Clerk Laurie Gbur who then led the Pledge of Allegiance. Village Clerk Gbur recorded the meeting attendance. Present at the meeting were Planning Commission Members Bill Zens, Andy Skoog, Mark MacKay, Mike Brown and Doug Gift. Also present were Village Attorney Herb Klein, Village Engineer Kevin Heitz and Public Works Director Curt Spayer. Chairman Tom Guttilla and Member Warren Munson were absent from the meeting.

It was motioned by Member Zens, seconded by Member MacKay to nominate Member Gift to Chair the meeting.

All in Favor
Motion Carried

Attorney Klein provided a brief summary regarding the Petition of Legacy Solar, LLC, as Petitioner and Jason Harmon, as Owner. Petitioner is seeking a Special Use under Section 10-19-1 et. seq. of the Village of North Utica Code, to allow the installation and operation of a ground-mounted solar energy system, intended to provide an alternative source of energy to a private residence, on property located at 3213 E. 9th Road, Utica, IL; Property is zoned R-1.

Village Exhibit #1 Legal Notice published on October 9, 2023

Petitioner's Exhibit #1 Petition and 10 pages of additional documents

Attorney Klein reminded everyone that Mr. Harmon had entered into a pre-annexation agreement with the Village in 2011. The property, located at 3213 E. 9th Road, Utica, is subject to Village Ordinances and will be annexed into the Village once the land becomes contiguous.

Village Ordinance 2023-21 does allow for ground-mounted solar to be installed in the residential zoning district, subject to the property being at least three (3) acres or more.

Mr. Jake Rutan, Legacy Solar, LLC and Mr. Jason Harmon, property owner, were sworn in to provide Testimony.

Mr. Harmon stated that he would like to install a ground-mounted solar energy system on his property. The solar panels would face south and they would be located approx. 20 yards from the south lot line. He does not want to install the panels on his roof due to the high winds that he receives regularly on his property. Mr. Harmon also stated that his neighbor, Mr. Steve Grubar, also has a ground-mounted solar energy system on his property.

Mr. Rutan stated that the ground-mounted solar panels are installed approximately 60" down into the ground and they are rated for up to 115 mph winds.

Attorney Klein asked Mr. Rutan if there is a lot of noise associated with the panels.

Mr. Rutan answered, "No, other than during the day of installation."

Chairman Gift asked if anyone had any questions for Mr. Rutan or Mr. Harmon.

Village Engineer Heitz stated that the proposed plan that was submitted for the solar energy system was well laid out and that he appreciated all of the information that was provided for the project.

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Mr. Rutan stated that his company has installed several ground-mounted solar energy systems. Mr. Harmon stated that his neighbor, Mr. Grubar, had utilized the same company and he was very happy with the installation of his solar energy system.

Chairman Gift stated that the property is a good size and it's located outside of town, more in a country setting.

Attorney Klein asked Mr. Harmon where the installation will be located on the property.

Mr. Harmon stated that the solar panels will be installed in the side yard of the property facing south.

Mr. Harmon also stated that there is not a sufficient area on the roof of his home to be able to install the solar panels facing south.

Member Zens stated that the proposed location of the ground-mounted solar energy system in the side yard of the property is good.

Chairman Gift then asked if there was anyone present to speak in favor of the Petition; There was no one present who asked to speak.

Chairman Gift then asked if there was anyone present to speak in opposition of the Petition; There was no one present who asked to speak.

The Public Hearing was closed at 5:48 pm; Motioned by Member MacKay, seconded by Member Zens.

5 Yes

Motion Carried

Attorney Klein then presented the Findings of Fact to be considered by the Planning Commission, as follows:

1. Is necessary or desirable to provide a service which is in the interest of public convenience.
2. Will cause no additional threat to public health, safety, or welfare or creation of a nuisance.
3. Will cause no additional public expense for flood protection, fire rescue or relief operations, policing, or repairs to roads, utilities, or other public facilities.
4. Will not unduly increase traffic congestion on public roads and highways.
5. Will not alter the essential character of the property or neighborhood in question.
6. Meets other requirements of this title, such as parking and landscaping.
7. Is consistent with the purpose and intent of the comprehensive plan.

It was then motioned by Member Brown, seconded by Member Zens to recommend approval of granting a Special Use for the installation of a ground-mounted solar energy system as presented. With no additional discussion, the Clerk recorded the roll call vote.

5 Yes

Motion Carried

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It was then motioned by Member Zens, seconded by Member Brown to approve the Meeting Minutes from the 8-24-23 Planning Commission meeting as presented.

All in Favor
Motion Carried

Old Business / New Business: NONE

Public Comment: NONE

With no additional business, the meeting was adjourned at 5:51 pm; Motioned by Member Zens, seconded by Member Skoog.

All in Favor
Motion Carried

Respectfully submitted,

Laurie A. Gbur
Village Clerk