

VILLAGE OF NORTH UTICA
248 W. Canal St, North Utica, IL 61373
Planning Commission Meeting
November 21, 2024
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 Gerhard Ward, Patricia Ward, and Hawk-Attollo, LLC, as Petitioner and Contract Purchaser of property owned by Covia Solutions, Inc. (formerly Unimin Corporation). Petitioners are seeking a Special Use to install and operate a Ground Mounted Solar Energy System on property consisting of approximately 226 acres, more or less, and generally located along the south side of 2803rd Rd, east and west of E. 11th Rd., in the Village of North Utica, IL 61373; The property is currently zoned A-1 (Agriculture District)
 - A. It is proposed that the Petitioners be granted the following:
 - 1) A Special Use to construct and operate a Ground Mounted Solar Energy System in the A-1 (Agricultural District) under the Zoning Ordinance, upon such conditions and Variances as requested and imposed on property consisting of approximately 226 acres, more or less, and generally located along the south side of 2803rd Rd, east and west of E. 11th Rd., in the Village of North Utica, 61373; and
 - 2) Such other relief as may be necessary to allow the 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: 10-15-2024
- VI. Old / New Business
- VII. Public Comment
- VIII. Adjournment

POSTED 11-19-2024

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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. The meeting attendance was recorded. Present at the meeting were Planning Commission Members Mike Brown, Andy Skoog, Mark MacKay, Warren Munson and Doug Gift. Village Attorney Herb Klein, Village Engineer Kevin Heitz, Public Works Director Curt Spayer were also present. Planning Commission Chairman Tom Guttilla and Member Bill Zens were unable to attend the meeting.

It was motioned by Member Skoog, seconded by Member Gift to nominate Member Brown as the Chairman Pro Tem for the meeting.

All in Favor
Motion Carried

Village Attorney: Attorney Klein provided a brief summary of the Petition of Gerhard Ward, Patricia Ward, and Hawk-Attollo, LLC, as Petitioner and Contract Purchaser of property owned by Covia Solutions, Inc. (formerly Unimin Corporation). Petitioners are seeking a Special Use to install and operate a Ground Mounted Solar Energy System on property consisting of approximately 226 acres, more or less, and generally located along the south side of 2803rd Rd, east and west of E. 11th Rd., in the Village of North Utica, IL 61373; The property is currently zoned A-1 (Agriculture District)

Village Exhibit #1 -	Legal Notice of Public Hearing published on November 4, 2024
Petitioner's Exhibit #1 -	Petitioner's Application including eleven pages
Petitioner's Exhibit #2 -	Map of Property and surrounding area

Mr. Gerhard Ward was sworn in to provide Testimony.

Mr. Ward stated that he added additional acreage to his original request to install a ground-mounted solar energy system on 226 acres. The total number of acres will be 317, however initially there will not be a solar energy system on that additional acreage.

Attorney Klein stated that the Legal Notice did not include the additional acreage, PIN # 19-14-400-000, therefore that acreage will not be considered at this Public Hearing.

Jason Hawksworth, Hawk-Attollo, LLC, was sworn in to provide Testimony.

Mr. Hawksworth stated that Hawk-Attollo, LLC is a Solar Energy Development Company. The company works with municipalities, schools and non-profit organizations to make solar energy systems an available option to achieve energy savings from an environmentally 'green' system.

Through a solar energy system, power generation goes into a grid system and is supplied to area residents. In a municipal setting, residents can subscribe to purchase their power at a lower community rate. Hawk Attollo, LLC would be installing multiple 5 mega-watt sites on the property, up to a total of 25 mega-watts.

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Following being granted approval to install the solar energy system, the company will reach out to Ameren to further discuss the inter-connection and to submit the application for the project. The entire project is completed in three phases; seeking approval from the municipality, followed by a project study to be completed, and finally the interconnection from Ameren and the installation of the system. In the short term, approximately one-half of the 226 acres will be used.

Mr. Ward and Mr. Hawksworth provided additional details about the proposed solar energy system; The construction of the system would be completed in an east and west track, with a maximum 12 ft. ht. and spaced 12 ft. apart with 15 ft. from post to post. The sound is produced by an electric motor and is not audible off-site. The electric infrastructure is underground and there will be a landscape of a low-growth pollinator habitat planted.

Mr. Ward then added that the construction and installation of the solar energy system will take place behind the existing tree line. He also stated, "This is not farmable land and would be a great use of the property."

Chairman Brown asked if there would be mulch in the landscape.

Mr. Hawksworth answered, "No, there will be only grass and flowers planted as a pollinator habitat."

Attorney Klein asked if there would be fencing around the property.

Mr. Hawksworth answered, "Yes, a 6 ft. high fencing will be installed surrounding the property.

Attorney Klein then asked if there would be emergency contact information posted on the property.

Mr. Hawksworth answered, "Yes, there will also be a lock box for the fire department to access if there is an emergency."

Attorney Klein then asked about the life span of a ground-mounted solar energy system.

Mr. Hawksworth answered, "The life span is approximately 35 years to 40 years."

Attorney Klein asked when the system would be constructed if approval is granted by the Village.

Mr. Hawksworth answered, "We could possibly break ground in 2025 however, the system would probably not be completed until sometime in 2026, as it takes approximately nine months to build a 5 mega-watt system"

Chairman Brown asked how close the solar energy system would be to the trails in the riding park.

Mr. Ward stated that the closest trail would be approx. ¼ mile away. The solar energy system will be a buffer between the trails and the privately owned properties in the area.

Attorney Klein asked if the existing tree line would remain on the property.

Mr. Ward answered, "Yes."

Attorney Klein then asked about the use of construction equipment.

Mr. Hawksworth stated that there will be a majority of small compact equipment used, such as a skid steer and a small bulldozer.

Village Engineer Heitz stated that the property that the solar energy system would be on is not farmable and would be a good place to install something like this.

Mr. Ward stated that there will be some grass and a variety of flowers planted to keep down the dust, but it is not farmable land.

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Chairman Brown asked if anyone would like to ask questions of the Petitioner.

Mr. Phil Gassman asked about the portion of property that will be used as a driveway to access the property.

Mr. Ward stated that he will be constructing a driveway on the property, east of the homes located on 2803rd Rd.

Mr. Gassman then asked Mr. Ward if residents can subscribe to purchase the power generated from the solar energy system.

Mr. Hawksworth answered, “Yes, anyone residing within the Village and Ameren Territory would be able to subscribe to purchase their electric supply at a discounted rate and their monthly electricity bill would be reduced.

Ms. Kayla Crowther asked if there is a cost to subscribe.

Mr. Hawksworth stated that there is no cost to subscribe, and it can also be transferred to a new homeowner if the property is sold.

Mrs. Diane Gassman asked about the acreage being considered for the solar energy system.

Mr. Hawksworth stated that there will be 226 acres available to install the system.

Mr. Ward stated that the property was not included in the riding park because it’s not good for riding.

Ms. Cheryl Illman asked Mr. Hawksworth the size of the largest solar energy system his company has installed.

Mr. Hawksworth answered, “We installed a solar energy system for a civic center.”

Ms. Illman asked if the system would be hooked up to the electrical station located on the south east corner of Rt. 6 and 9th Rd.

Mr. Hawksworth stated that it would be the responsibility of Ameren to run the power from the electrical station to the solar energy system.

Trustee Kylie Mattioda asked about the distance from the solar panels to the nearest home located along 2803rd Rd.

Mr. Hawksworth stated that there are guidelines requiring 150 ft. from the property and they will abide by that as well as to follow all State and Federal regulations.

Chairman Brown asked if there was anyone that would like to speak in favor of or in opposition of the Petition.

Ms. Kayla Crowther was sworn in to provide Testimony.

Ms. Crowther stated that she is in favor of the solar energy system but would like to have some information on the subscription available to residents.

Mr. Hawksworth stated that they can create a priority for residents living in the Hawksworth 61373 North Utica zip code and there would be a timeline to be able to subscribe, before it is released out to the surrounding community.

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The Public Hearing was then closed at 6:46 pm.; Motioned by Member MacKay, seconded by Member Skoog.

All in Favor
Motion Carried

Village Attorney Klein then presented the Findings of Fact to be considered.

In considering all appeals, all proposed special uses, and a review by the zoning enforcement officer, the commission shall, before recommending that the Village Board grant a Special Use in a specific case, first determine and make findings of fact that the proposed special use:

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 Skoog, seconded by Member MacKay to recommend approval to grant a Special Use to construct and operate a Ground Mounted Solar Energy System in the A-1 (Agricultural District) under the Zoning Ordinance, upon such conditions and Variances as requested and imposed on property consisting of approximately 226 acres, more or less, and generally located along the south side of 2803rd Rd, east and west of E. 11th Rd., in the Village of North Utica, 61373, subject to the following conditions:

1. Comply with State and Federal Laws and Regulations
2. 61373 shall be offered priority to be able to subscribe
3. The system shall not exceed 12' ft in height
4. A 6' ft fence shall be installed surrounding the solar energy system property
5. Landscape vegetation shall be installed on the property
6. Petitioner shall cooperate to meet the needs and requirements of Utica Fire Department and emergency services
7. There shall be at least two emergency contact numbers posted on the property
8. Petitioner shall work with the Village of North Utica and Utica Township regarding all construction and moving of construction equipment on area roads
9. Petitioner shall provide a Bond to the Village of North Utica

4 Yes (Members Skoog, MacKay, Munson, Gift)
Motion Carried

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Old Business / New Business: NONE

Public Comment: NONE

Adjournment: With no additional business, the meeting was adjourned at 6:53 pm; Motioned by Member Gift, seconded by Member Munson.

All in Favor
Motion Carried

Respectfully submitted,

Laurie A. Gbur
Village Clerk