

**APPROVED MINUTES**  
**VILLAGE OF ANTIOCH**  
**PLANNING AND ZONING BOARD – REGULAR MEETING**  
**Municipal Building: 874 Main Street, Antioch, IL 60002**  
**March 6, 2024**

**A. CALL TO ORDER**

Chairwoman Henning called the March 6, 2024 regular meeting of the Planning and Zoning Board to order at 7:00 pm at the Antioch Municipal Building.

**B. PLEDGE OF ALLEGIANCE**

The Planning and Zoning Board led the Pledge of Allegiance.

**C. ROLL CALL**

Roll call indicated the following Commissioners were present: Ryan\*, Sanfilippo, McCarty, and Turner. Also present were Chairwoman Henning, Community Development Director Garrigan, Attorney Vasselli and Recording Secretary Thiel. Absent: Commissioners Carstensen and Madigan.

*\*indicates attendance via Zoom*

Commissioner McCarty moved, seconded by Commissioner Turner, to allow Commissioner Ryan to attend remotely via Zoom.

Upon roll call, the vote was:

**YES: 5:** Ryan, Sanfilippo, McCarty, Turner, and Henning.

**NO: 0.**

**ABSENT: 2:** Carstensen and Madigan.

**THE MOTION CARRIED.**

**D. ANNOUNCEMENTS AND CORRESPONDENCE**

None.

**E. APPROVAL OF THE FEBRUARY 7, 2024 PLANNING & ZONING BOARD SPECIAL MEETING MINUTES AS PRESENTED**

Commissioner McCarty moved, seconded by Commissioner Turner, to approve the February 7, 2024 Planning and Zoning Board meeting minutes as presented.

Upon roll call, the vote was:

**YES: 5:** Ryan, Sanfilippo, McCarty, Turner, and Henning.

**NO: 0.**

**ABSENT: 2:** Carstensen and Madigan.

**THE MOTION CARRIED.**

**F. PUBLIC COMMENT**

There was no public comment prior to the public hearings.

**G. OLD BUSINESS**

**1. PZB 23-18 – Consideration of a Special Use, Variance and Site Plan for a Solar Farm to be located at the property commonly known as 650 E North Avenue; PIN 02-03-300-027 (remanded from Village Board)**

Attorney Vasselli advised the board to make a motion to limit debate and discussion to new findings and facts.

Commissioner McCarty moved, seconded by Commissioner Turner, to limit debate and discussion only to new findings and facts pertaining to PZB 23-18.

Upon roll call, the vote was:

**YES: 5:** Ryan, Sanfilippo, McCarty, Turner, and Henning.

**NO: 0.**

**ABSENT: 2:** Carstensen and Madigan.

**THE MOTION CARRIED.**

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Attorney Vasselli swore in those wishing to testify.

Nikki Georgia, resident of Antioch, was sworn in by Secretary Thiel and provided testimony in support of the solar farm project.

Samuel Beard, resident of Chicago, was sworn in by Secretary Thiel and provided testimony in support of the solar farm project.

Director Garrigan stated a revised staff report was submitted which contains a series of proposed recommendations with highlighted stipulations, as well as findings of fact, in support of the proposed project.

Brian Madigan, Director of Permitting with Renewable Properties, stated that they would like to address previous concerns expressed by the board with regard to the proposed solar farm not being consistent with the visual character of the estate district, the potentially negative impact on ecological areas including the Redwing Slough, and potentially negative impact on home values. He introduced other members of the team. Mr. Madigan further stated they have been actively trying to get input from members of the community by conducting surveys and having representatives going door to door collecting signatures.

Mr. Madigan continued by addressing concerns related to community character. He provided a brief explanation of the potential use of agrivoltaics. He added that following the last meeting, he spoke with a representative from the Illinois Department of Natural Resources who stated a solar farm would reduce stormwater runoff, improve habitat quality, and provide an opportunity for the soil to regenerate. The use of agrivoltaics will allow the land to maintain agricultural value. Agrivoltaics are not currently a part of the application at this time, but the applicant is open to adding it. Mr. Madigan added they would be open to adding a white fence along North Avenue to maintain consistency with the "equestrian vibe" of the area.

Mr. Madigan explained that they introduced a Host Community Benefit Agreement. The agreement would provide the Village with \$7,000 per megawatt which would be due to the Village at the time of commercial operation.

Chairwoman Henning asked Mr. Madigan to elaborate on how the Village will benefit monetarily and how many Antioch residents will be able to benefit from this particular solar farm.

Mr. Madigan stated the project will generate enough electricity for 528 homes.

Chairwoman Henning asked if that would be 528 residences in Antioch or 528 ComEd customers.

Ben Jacobi, counsel for the applicant, clarified that any resident within ComEd's distribution network can subscribe to the use of this solar farm. It would not be exclusive to Antioch residences. He added that the municipality will benefit from the property tax increase and explained how that will be calculated. He gave additional explanation of the Community Benefit Agreement which would be a contract between the developer and the Village. If the Village grants the zoning entitlement, then the Village will receive a one-time donation fee in the amount of \$19,950.

Mr. Madigan explained they worked with Embold Research to conduct a survey of residents' opinions on solar energy and this particular project. They received approximately 300 responses, and the results showed that a plurality of residents support community solar in Antioch. Those who support tend to be younger residents, those with a college degree, and democrats. Those who were opposed were most likely opposed due to concerns that the project would have an adverse effect on local wildlife and farmland. Mr. Madigan added that they had representatives also going door to door to understand local perspective, and they have submitted a petition of supporters to the record.

Attorney Vasselli added that the board and staff did not see the survey questions, nor did the Village have any input as to what was in the survey and where the petitions were circulated.

Mike Butler, professional engineer and civil engineer with TRC, reviewed the decommissioning plan. He shared that when the project reaches the end of its life, everything will be removed, but if Renewable Properties is no longer around to execute the decommissioning plan, the Village will have a bond to cover the costs to disassemble and remove all the materials. The plan will be covered by an Agricultural Impact Mitigation Agreement that will be between Renewable Properties, the property owner, and governed by the Department of Agriculture. He further provided an

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explanation of the stormwater management guidelines that must be met and the permit that is required by the EPA. The permit remains in effect until the vegetation is established. Once the vegetation is established, there will be a ten to twenty percent decrease in run-off volume and velocity. Mr. Butler explained that most jurisdictions are not considering solar panels impervious because the run-off has enough area to infiltrate. The rows between the panels will be grass. Compaction from vehicles driving on the grass is not a concern because maintenance in the facility will be minimal.

Karl Kosciuch, wildlife program manager with Tetra Tech, started by presenting his conclusions regarding the project's effect on birds in and around the proposed solar farm. He explained that the project will likely increase the bird species diversity, not impact bird utilization of the Redwing Slough and other nearby wetlands, and specific characteristics of the project will greatly reduce risks to birds. The IDNR has recommended that there be no work on the project during bird breeding season and if the recommendations are adopted, impacts to protected species are unlikely. Mr. Kosciuch further presented studies that support his conclusions.

Mr. Jacobi asked Dr. Kosciuch to share his experience of studying the impacts of infrastructure on birds. Dr. Kosciuch shared that he received his PhD in 2006, has been a consultant in the field since receiving his PhD, and has published two studies on avian mortality and diversity at PV solar and a paper about sage-grouse occurring at a photovoltaic facility.

Attorney Vasselli asked if sheep are used for vegetation maintenance, will it have any affect on birds. Dr. Kosciuch stated that sheep grazing can be compatible with wildlife. Attorney Vasselli asked if increased diversity will also cause an increase in predatory birds. Dr. Kosciuch explained that returning the land to a more natural landscape will be more beneficial to the wildlife and the ecosystem.

Commissioner McCarty asked how it can be called a natural landscape when there are solar panels mounted above it.

Attorney Vasselli asked if migration patterns will be affected by a solar farm. Dr. Kosciuch answered that based on available data, there is not a lot of mortality risk and he would not expect any disruption of flight patterns.

Commissioner McCarty asked for clarification on the affects the solar farm could have on the amount of birds that are in the area or use the area for migratory purposes. Dr. Kosciuch stated there is no study or evidence to suggest that birds would be displaced, but it is possible.

Mr. Jacobi stated that Dr. Kosciuch's report has been submitted to the record. He read aloud one of the bullet points from Dr. Kosciuch's report that stated, "Birds that use the Red Wing Slough and other nearby wetlands will likely move over the project area and continue using the Red Wing Slough and other wetlands. We do not expect birds to avoid the area after the project is constructed."

Andrew Lines, local appraiser, gave a brief explanation of his experience in impact studies, specifically on renewable energy projects. He provided his findings on the impacts of solar farms on horse farms and stables, agricultural land and estate homes. He further provided sales data for homes that are being built in an Indiana subdivision immediately adjacent to a solar farm with no screening, which showed homes within the same subdivision but further from the solar farm were selling for less than those closer to the solar farm.

Chairwoman Henning asked Mr. Lines if, in the current market, people would be more willing to purchase a home near a solar farm. Mr. Lines stated that when studies are done, they are very sensitive to time because they want to ensure that the market conditions are the same during the first sale in the survey and the last sale in the survey. He further gave an example of a group of four homes, located north of the Twin Cities, that are surrounded by a solar farm on four sides. One of the homes is a split-level on a 10-acre homestead and it sold at the highest amount per square foot than any other split-level home in that county. He reiterated there is no evidence that solar farms have a negative impact on property value and sales.

Mr. Jacobi gave a review of the elements the applicant is requesting be considered for the variance and special use. He provided the applicant's version of the findings of fact and highlighted staff's findings noted in the staff report that support the applicant's variance and special use requests.

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Commissioner Turner moved, seconded by Commissioner Sanfilippo, to open deliberation on PZB 23-18.

Upon roll call, the vote was:

**YES: 5:** Ryan, Sanfilippo, McCarty, Turner, and Henning.

**NO: 0.**

**ABSENT: 2:** Carstensen and Madigan.

**THE MOTION CARRIED.**

Commissioner Ryan asked if the project is viable without subsidies. He has concerns that the project will cost the tax payers money.

Commissioner Turner asked for clarification on the buffer. He further asked how many of the 300 survey responses were in favor of the solar farm. Mr. Madigan explained that it was roughly split, but there was a plurality of support.

Commissioner Turner stated there still seems to be some confusion about “who gets the power” and asked for further clarification on who can enroll in the program to utilize the solar farm. Mr. Jacobi explained that businesses can enroll in the program, but no more than 40% of the electricity can be sold to any one off-taker. Consumers of this project will be customers within ComEd’s distribution grid.

Commissioner Turner asked if this solar farm will make Antioch more resilient during a power outage. Mr. Jacobi answered that having a solar farm will reduce Antioch’s susceptibility to power outages. He added that upgrading substation costs fall back on utility customers, but upgrades for the solar farm will be absorbed by the solar company.

Chairwoman Henning asked Mr. Jacobi to share his knowledge of Hawthorne versus the Village of Olympia Fields. Mr. Jacobi shared that the case was related to a daycare, which is an allowed use in Olympia Fields. However, Olympia Fields enacted an ordinance that prevented a daycare from being able to be located within the Village. The appellate court found that it was exclusionary zoning, and struck the requirement from the zoning ordinance. He further explained that Village of Antioch’s current zoning ordinance pertaining to solar farms has setback requirements that make it difficult for a solar farm to be constructed within the Village without a variance, and could be considered exclusionary zoning.

Commissioner Turner moved, seconded by Commissioner McCarty, to close discussion regarding PZB 23-18.

Upon roll call, the vote was:

**YES: 5:** Ryan, Sanfilippo, McCarty, Turner, and Henning.

**NO: 0.**

**ABSENT: 2:** Carstensen and Madigan.

**THE MOTION CARRIED.**

Commissioner McCarty moved, seconded by Commissioner Sanfilippo, to sustain the prior recommendation of denial of the proposed Variance for PZB 23-18.

Upon roll call, the vote was:

**YES: 3:** Ryan, Sanfilippo, and McCarty.

**NO: 2:** Turner, and Henning.

**ABSENT: 2:** Carstensen and Madigan.

**THE MOTION CARRIED.**

Commissioner McCarty moved, seconded by Commissioner Sanfilippo, to sustain the prior recommendation of denial of the proposed Special Use for PZB 23-18.

Upon roll call, the vote was:

**YES: 3:** Ryan, Sanfilippo, and McCarty.

**NO: 2:** Turner, and Henning.

**ABSENT: 2:** Carstensen and Madigan.

**THE MOTION CARRIED.**

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Commissioner McCarty moved, seconded by Commissioner Sanfilippo, to sustain the prior recommendation of denial of the proposed solar farm for the property commonly known as 650 E North Avenue. Upon roll call, the vote was:

**YES: 3:** Ryan, Sanfilippo, and McCarty.

**NO: 2:** Turner, and Henning.

**ABSENT: 2:** Carstensen and Madigan.

**THE MOTION CARRIED.**

### **H. NEW BUSINESS**

**1. PZB 24-02 – Comprehensive Zoning Map Update**

Director Garrigan stated no changes were made to the zoning map.

Commissioner McCarty moved, seconded by Commissioner Turner to recommend approval of the Comprehensive Zoning Map as presented.

Upon roll call, the vote was:

**YES: 5:** Ryan, Sanfilippo, McCarty, Turner, and Henning.

**NO: 0.**

**ABSENT: 2:** Carstensen and Madigan.

**THE MOTION CARRIED.**

**2. PZB 24-02 – Proposed concept for a Vehicle Reconditioning and Wholesale Auction Facility located at the property commonly known as Antioch Corporate Center at Route 173 and Brookfield Drive**

Director Garrigan informed the board that the applicant has withdrawn their petition.

### **I. ADJOURNMENT**

There being no further discussion, the Planning and Zoning Board regular meeting adjourned at 8:56 pm.

Respectfully submitted,

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Rachel Thiel  
Recording Secretary