

APPROVED MINUTES

**VILLAGE OF ANTIOCH
PLANNING AND ZONING BOARD – REGULAR MEETING
Municipal Building: 874 Main Street, Antioch, IL 60002
March 1, 2023**

A. CALL TO ORDER

Chairwoman Henning called the March 1, 2023 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 Trustees were present: Ryan, Sanfilippo, McCarty, Carstensen, Madigan and Turner. Also present were Chairwoman Henning, Community Development Director Garrigan, Attorney Vasselli and Recording Secretary Thiel.

D. ANNOUNCEMENTS AND CORRESPONDENCE

None.

E. APPROVAL OF THE FEBRUARY 1, 2023 PLANNING & ZONING BOARD MEETING MINUTES AS PRESENTED

Commissioner Madigan moved, seconded by Commissioner Sanfilippo, to approve the February 1, 2023 Planning and Zoning Board meeting minutes as presented.

Upon roll call, the vote was:

YES: 6: Sanfilippo, McCarty, Carstensen, Madigan, Turner and Henning.

NO: 0.

ABSTAIN: 1: Ryan.

ABSENT: 0.

THE MOTION CARRIED.

F. PUBLIC COMMENT

There was no public comment prior to the public hearings.

G. OLD BUSINESS

None.

H. NEW BUSINESS

1. PZB 23-01 – Consideration of a text amendment to Section 10-5-14 establishing an ordinance for commercial solar farms

Director Garrigan reviewed the proposed text amendment that would provide general parameters and guidelines for potential future solar farms that will protect them and protect the Village. Currently solar farms are only permitted as special use within estate districts and the proposed amendment continues to reflect that. Also proposed is a minimum threshold of 5 acres. Solar farms would have specific setbacks and be exempt from the estate district setbacks. Director Garrigan further explained height, buffering, lighting and signage requirements. These requirements are intended to prevent negative impacts to surrounding properties. Solar farm applicants will be required to submit a site plan, surety bond for long-term decommissioning and a \$10,000 escrow.

Commissioner Ryan asked how the proposed ordinance will address future energy storage. Director Garrigan explained that a storage structure, by definition, will be required to go through the building permit process and be subject to a site plan review.

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Commissioner Sanfilippo asked what type of eight-foot fencing would be required. Director Garrigan explained that on a commercial/industrial basis a chain link fence could be used, but it would have to have one hundred percent opacity. Commissioner Sanfilippo asked for clarification on the landscaping requirements. Director Garrigan responded that landscaping requirements will be based on the board's discretion. Commissioner Sanfilippo asked what type of equipment is typically stored on solar farms. Director Garrigan said there is generally a smaller building for electrical equipment and, based on previous presentations, there's racking systems, solar panels, and other electrical support design elements.

Commissioner McCarty expressed continued concerns about wetland areas. He would like the ordinance to have language about keeping solar farms away from sensitive wetland areas by at least a half a mile. Commissioner McCarty further expressed concerns about the look and visibility of a solar farm. Additionally, he would like there to be better language pertaining to the surety bond requirements and have a higher minimum requirement for decommissioning. Director Garrigan stated that surety bonds are generally set on a case-by-case basis, but the minimum bond requirement would be \$1,000 per acre.

Commissioner Carstensen agreed with the wetland concerns expressed by Commissioner McCarty. She clarified this ordinance will act as general guidelines and the board will still be able to say yes or no to applicants.

Commissioner Turner stated he sells solar for a living. He commented that it is important for the Village to have an ordinance because solar isn't going anywhere. He mentioned he did not see any language in the ordinance about glare. He further recommended clarifying if electrical interconnections will be required to be buried or not. Director Garrigan advised there is language stating it does have to be buried except where it connects to a transmission line. Commissioner Turner recommended looking into language pertaining to telecommunication interference. He would also like to have language stating that the Village would be able to see agreements made between the landowners and solar farm owners. He added he would like to see clear language about emergency vehicles having access to the inverters within the solar field.

Commissioner Ryan inquired if there is enough access between rows for an emergency vehicle to be able to go down and asked that there be language in the ordinance reflecting that.

Chairwoman Henning suggested Commissioner Turner meet with Director Garrigan to review and refine the ordinance.

Commissioner McCarty asked if the Village has an ordinance addressing commercial rooftops. Director Garrigan stated that would be a separate standalone ordinance that is in the works.

Commissioner Madigan asked if there could be a list of local contractors included in the ordinance. Attorney Vasselli advised the Village is non-home rule community so we cannot place local bid requirements in the ordinance.

Commissioner McCarty moved, seconded by Commissioner Madigan, to continue PZB 23-01 to the April 5, 2023 meeting.

Upon roll call, the vote was:

YES: 7: Ryan, Sanfilippo, McCarty, Carstensen, Madigan, Turner and Henning.

NO: 0.

ABSENT: 0.

THE MOTION CARRIED.

2. PZB 23-02 – Consideration of a text amendment to Sections 10-19-3 and 10-19-7 prohibiting cannabis lounges as part of any conditional/special use for any cannabis uses within the Village of Antioch

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Director Garrigan noted that this is a public hearing pursuant to state statute. He reviewed the proposed text amendment that would prohibit cannabis dispensaries from having lounges for the consumption of cannabis on site.

Commissioner Carstensen stated she believed this could not be separated out. Attorney Vasselli stated the cannabis regulations with regards to use would have to comply with the Smoke-Free Illinois Act. He requested that he and Director Garrigan meet to discuss additional technical language. He added this will always be considered a Special Use. Commissioner Carstensen asked if the text amendment isn't adopted, would the request for a lounge from an applicant still be considered a Special Use. Director Garrigan answered any type of cannabis dispensary will still have to apply for a Special Use. Attorney Vasselli explained that the Village Board directed staff to present this amendment to the Planning and Zoning Board.

Commissioner Madigan read item "C" of the ordinance that states, "At least seventy five percent (75%) of the floor area of any tenant space occupied by a dispensing organization shall be devoted to the activities of the dispensing organization as authorized by the Act." She asked if the applicant for the former Antioch Packing House was only using fifty percent of the building. Director Garrigan confirmed that the applicant only identified a portion of the building as being used as a dispensary.

Commissioner Sanfilippo asked if this could be considered alienation of the applicant. Director Garrigan stated the applicant was aware the Village Board was not in support of a cannabis lounge so they were aware the amendment would be made.

Commissioner Turner stated he supports the amendment as long as an applicant can still request a variance in the future.

Chairwoman Henning stated she also supports the amendment.

Commissioner Sanfilippo asked if other local dispensaries have consumption lounges. Director Garrigan confirmed there are other local dispensaries that have consumption lounges. Commissioner Sanfilippo expressed concern that if we do not allow lounges, people will pass up the Antioch dispensary to go to other dispensaries that do have consumption lounges. Director Garrigan responded that was a policy issue that the Board would have to establish.

Commissioner Madigan moved, seconded by Commissioner Turner, to continue PZB 23-02 to the April 5, 2023 meeting.

Upon roll call, the vote was:

YES: 7: Ryan, Sanfilippo, McCarty, Carstensen, Madigan, Turner and Henning.

NO: 0.

ABSENT: 0.

THE MOTION CARRIED.

3. **Comprehensive Zoning Map Update**

Director Garrigan presented the zoning map update and stated there were no changes.

Commissioner Sanfilippo moved, seconded by Commissioner Madigan, to make a recommendation to the Village Board to approve the Comprehensive Zoning Map as presented.

Upon roll call, the vote was:

YES: 7: Ryan, Sanfilippo, McCarty, Carstensen, Madigan, Turner and Henning.

NO: 0.

ABSENT: 0.

THE MOTION CARRIED.

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IX. ADJOURNMENT

There being no further discussion, the Planning and Zoning Board regular meeting adjourned at 7:55 pm.

Respectfully submitted,

Rachel Thiel
Recording Secretary