

**VILLAGE OF MANTENO**  
**PLANNING COMMISSION MEETING**  
July 11, 2017

The meeting was called to order at 6:00 p.m.

Roll Call: Present: Todd Creek, Dan McGowan, Jerry Dole, and John Fetherling, and Francis Smith  
Absent: Emily Fisher-Gentry and Melvyn Marshall

Attendance: Chris LaRocque, Village Administrator and Ryan Marion, Building & Zoning Official; Trustee Diane Dole; Geoff Aggen, Village Engineer; Court Reporter with Eunice Sachs and Associates

Pledge of Allegiance – Chairman Smith

MOTION: A motion was made by Fetherling, seconded by McGowan, to waive reading of the minutes of April 11, 2017 and June 13, 2017 and accept them as presented. Motion approved 5-0. Gentry and Marshall absent.

Chairman Smith opened the Public Hearing portion of the meeting.

**PUBLIC HEARINGS:**

**1. PC-TEXT 17-01** – A request by the Village of Manteno to require a special use permit to site a gun dealer or a shooting range in the C-1 and C-2 commercial zoning districts. This item was continued from the June 13, 2017 meeting.

Mr. LaRocque, Village Administrator, stated that it was found that we have different requirements in different zoning categories. This change will allow the same requirements in all zoning classifications.

Commissioner Creek asked if the existing gun dealer would be affected by this change. Mr. LaRocque stated that the current gun dealer would be considered grandfathered in as he was legal when his business was opened.

There were no comments from the public.

**2. PC-SUP 17-01** – A request by James Williams for a special use permit to allow the installation of solar panels on his property located at 511 Peacock Place.

Court Reporter swore in Paula Stanczik, 510 Peacock Place. She presented a petition with 30 signatures from the neighborhood against the solar panels. The petition was presented to the clerk to be included in the file.

Mr. LaRocque asked to speak as a resident. He lives at 537 Peacock Place and lives next door to the petitioner. The panels will be located on the back of the home and as a resident in this neighborhood he sees no issue with the installation of the panels.

Court Reporter swore in Mr. Mike Nicolosi, Rethink Electric. Mr. Nicolosi was present to answer any questions concerning the solar panels as his company would be the installer of those that are being requested.

Mr. Niolosi stated that the system is being installed on the back of the home. Most neighbors will not be able to see the panels. They will be all black with a black frame. All wiring and racking is hidden under the panels.

Ms. Stanczik asked how many homes in Manteno have solar panels at this time.

Mr. Nicolosi stated that there are new state laws in effect:

- 1) Solar Access Law which allows for installation of solar panels on roof tops.
- 2) Future Energy Jobs Act – effective in June of 2017, which helps ComEd and Ameren get to the required 20% diversified energy sources by 2020.

Mr. LaRocque asked to clarify the new state law that states that homeowner's associations may not deny a homeowner from installing solar panels, but they may put restrictions on the placement of the panels. The new law does not speak to municipalities and local village regulations.

The Village's ordinance was adopted in 2009. The Village proactively put this process in place.

Ms. Stanczik asked why notices were not sent to the entire neighborhood. Mr. LaRocque stated per state requirements, all properties located within 250 feet of the subject property were sent notices.

Chairman Smith stated that the clerk does have proof that the required notices were mailed.

Commissioner McGowan asked how far the panels will be off the roof. Mr. Nicolosi stated that the panels will be 6" off the roof.

Commissioner McGowan asked about location of panels. Mr. LaRocque stated that the village ordinance does not specify the location, but the discovery process helps to make sure the panels are not disturbing neighbors and/or how they might change the neighborhood.

Commissioner Fetherling stated that using the Special Use Permit process allows the Commission to view each request.

Commissioner Creek stated that the technology has changed even since 2009 allowing for less obtrusive panels.

Mr. Nicolosi stated that the state has a 25% tax credit incentive for homeowners to install solar panels and the federal government has a 30% tax credit incentive. This incentive comes through ComEd and Ameren not through tax payers. The system is warranted for 25 years, will not rust, or corrode. Industry standards have minimum requirements that include a 30 pound snow load; panels that can withstand a 1" piece of hail at 100 mph and racking that is engineered for a 120 mph wind gust.

There were no further comments from the public or commission members.

**3. PC-VAR 17-01** – A request by Countryside Investment Group, LLC, for a ten-foot variance to the rear yard setback requirement in the C-2 commercial zoning district to allow for an addition to the building located at 333 South Creek Drive.

Mr. LaRocque addressed the commission as one of the owners of the South Creek Animal Hospital, which is the business located at 333 South Creek Drive. There is a sixteen foot sewer easement that runs through the middle of the lot and the building was placed behind the easement. The Animal Hospital would like to add on an eighteen foot addition for boarding facilities, but with the building being set back so far that addition would not fit without a variance to the rear yard setback requirements.

There were no comments from the public.

Commissioner Creek asked about the dotted line on the plan. The current fencing would be where the addition would go. The addition would be used for overnight boarding.

There were no further comments from the commission members.

Chairman Smith closed the public hearing portion of the meeting.

### **OLD BUSINESS:**

**MOTION:** A motion by Fetherling, second by Creek, to approve Plan Commission Recommendation 17-01, A Recommendation approving an amendment to the Manteno Zoning Ordinance to add a Special Use Permit requirement for Gun Dealers or Shooting Ranges in the C-1 and C-2 Commercial Districts. Motion approved 5-0. Gentry and Marshall absent.

Mr. Curwick is asking to develop Eagles Landing Unit 4 in two parts; that is why this is a partial approval for 16 lots, even though this plat was originally approved in 2004. The Village Engineer has reviewed the plat taking in any new ordinances and requirements. Lot 26 did have a section that was to have a half of a road dedicated for the next subdivision. The village has requested that this be removed.

Commissioner Fetherling questioned about covenants for this development. Mr. LaRocque stated that there are no requirements in the annexation agreement on types of homes. The village does not regulate covenants for each subdivision only items listed in the annexation agreement.

**MOTION:** A motion by Creek, seconded by McGowan, to approve Plan Commission Recommendation 17-02, A Recommendation to approve the Final Plat of Subdivision for Eagles Landing Subdivision, Phase Four (partial) subject to final approval from the Village Engineer. Motion approved 5-0. Gentry and Marshall absent.

**NEW BUSINESS:**

**MOTION:** A motion by Fetherling, seconded by Dole, to approve Plan Commission Recommendation 17-03, a Recommendation to approve a Special Use Permit to allow for the installation of Solar panels on James Williams property located at 511 Peacock Place, Manteno, Illinois. Motion approved 5-0. Gentry and Marshall absent.

**MOTION:** A motion by Dole, seconded by Creek, to approve Plan Commission Recommendation 17-04, a Recommendation to approve a Variance from Title 9, Zoning, Chapter 8, Commercial Districts, Article B-8, Site and Structure Requirements, in the C-1 Commercial District, for the property known as 333 South Creek Drive, Manteno, Illinois. Motion approved 5-0. Gentry and Marshall absent.

**Comments:**

No comments.

**MOTION:** A motion by McGowan, seconded by Fetherling to adjourn the meeting at 6:42 p.m. Voice vote: all ayes.

*Minutes respectfully submitted by Darla Hurley, Deputy Village Clerk*