



MINUTES

Carbondale Planning Commission
Wednesday, July 17th, 2024
Room 108, 6:00 p.m.
City Hall/Civic Center

Ms. Litecky called the meeting to order.

Members Present: Litecky, Allee, Sheffer, Lilly, Love, Carrier, Shukites, Doherty (ex-officio)

Members Absent: None

Staff Present: Lenzini, Becker, Gibson

1. Approval of Minutes:

There were none.

2. Citizen Comments or Questions

There were none.

3. Report of Officers, Committees, Communications

There were none.

4. Public Hearings/Plan Review

PC 25-01: Applicant Wild Cat Solar 9 LLC, a subsidiary of New Energy Equity LLC, on behalf of property owners Erica & Harold Visser, has submitted an application requesting a Special Use Permit to develop a 1 Megawatt (MW) solar project at 800 Charles Road, which is zoned General Agriculture (AG).

Ms. Litecky declared Public Hearing PC 25-01 open and asked Ms. Becker to read the staff report. Ms. Becker read Part A and Part B of the staff report.

Ms. Litecky asked if the Commissioners had questions for staff

There were none.

Ms. Litecky asked if the applicant was present and would like to speak.

Mr. Jesse Dimond of New Energy Equity LLC was present and spoke in favor of the application.

Mr. Dimond stated he is willing to answer any questions about the proposed project. Mr. Dimond stated he requested that Mr. Visser, property owner of the proposed site, reach out to his neighbor to determine whether they would like an additional planted buffer created to prevent the neighbor from being able to view the solar array.

Ms. Litecky asked if there were questions for the applicant.

Mr. Sheffer asked for details about the panels' reflectivity and whether or not the nearby airport would be impacted at all by reflection from the panels.

Mr. Dimond stated all of the panels have a non-reflective surface. Mr. Dimond stated that he can run an FAA study that includes a "No Hazard Letter" and a glare study to ensure there would be no impact to local air traffic.

Mr. Sheffer asked for details regarding the State's program to provide solar energy to low income households.

Mr. Dimond provided detail about the Illinois Solar for All Program and the Illinois Shines Program. Mr. Dimond stated that the Illinois Solar for All Program is usually used for low income households, but that New Energy Equity tends to not use this program on their projects due to cost feasibility. Mr. Dimond stated that the company is open to conditions regarding power being provided to lower income subscribers being made through the special use permit process opposed to following one of the State's programs directly. Mr. Dimond stated that he would like to work to ensure that at least 50% of the energy subscribers would be members of the community. Mr. Dimond stated that the Illinois Shines Program is likely the program that the company would use, and that the program does not include requirements of providing energy to low or moderate income households, but that he would like to have this added as a condition for the special use permit.

Mr. Lenzini provided insight and clarified the difference between accessory use solar arrays and principal use solar arrays. Mr. Lenzini also stated that presently there is nothing codified related to community solar or the energy created by community solar to be provided to the community.

Mr. Sheffer expressed his favorable opinion on solar overall and stated that his line of questioning lies in wanting to ensure that the community is given back to in some capacity.

Mr. Sheffer asked the term of the contract between New Energy Equity and Ameren.

Mr. Dimond stated that he was not aware of an expiration date on the contract with the utility company (Ameren), but that the lease between New Energy Equity and the landowners is for 35 years.

Ms. Litecky asked who the electricity is being sold to.

Mr. Dimond stated that the electrons will go into the distribution network of Ameren's grid, and stated that if a community member was utilizing a different utility provider that they would not

be able to receive savings.

Ms. Becker discussed the difference between the transmission and distribution of energy, and the policies and categorization of energy. Ms. Becker stated that companies such as New Energy Equity focus more on the supply, policy, and categorization side of energy, while companies like Ameren are in the realm of the transmission and distribution of energy.

Mr. Carrier asked for clarification: New Energy Equity produces the energy, they use Ameren's lines to deliver it, the subscriber is billed by New Energy Equity.

Mr. Dimond stated that generally the subscriber would receive two bills. The first bill would be from the energy company (such as Ameren) and look like a normal energy bill, and the second bill would show energy usage at a reduced rate with credits applied. Mr. Dimond stated that he believes it would be handled this way here.

Mr. Carrier asked how New Energy Equity would find subscribers in Carbondale.

Mr. Dimond stated that New Energy Equity usually uses a third party company called Arcadia that reaches out to gain subscribers for their projects.

Mr. Carrier asked to clarify that subscribers will receive a minimum of 10% discount, and that the Commission can choose to approve the application under the condition that 50% of the power that is created be for low income subscribers.

Mr. Dimond confirmed, low to moderate income subscribers.

Mr. Carrier asked to clarify that the Commission can choose to approve the application under the condition that if the company sees savings beyond that 10% that they would be required to be passed along to low to moderate income subscribers.

Mr. Dimond stated that New Energy Equity is open to conditions like the example being put on the special use permit as long as their legal team saw no issues with the condition.

Mr. Carrier asked that whatever program the company was part in, that they planned on passing the savings received along to subscribers.

Mr. Dimond stated that yes, generally in 10% increments that the savings would be passed along to low to moderate income subscribers.

Ms. Allee asked how New Energy Equity would ensure that those in the moderate income category would not take up a larger percentage of those receiving savings than those in the low income category. Ms. Allee asked if there was a definitive percentage that would be going to low income.

Mr. Dimond stated that there are ways to specify with their third party, who obtains subscribers, who they are aiming to serve. Mr. Dimond stated they are able to focus on areas that are more

likely to have larger portion of low to moderate income to ensure they are providing to these households.

Mr. Doherty stated that the case being heard is regarding land use, and that business operations had been being discussed for the last 35 minutes. Mr. Doherty stated that to approve a special use with conditions on things from a business aspect rather than purely zoning, is comparative to contract zoning. Mr. Doherty stated the focus should be on the land use issue, not business operation.

Ms. Litecky asked how the electricity would be transmitted to Ameren.

Mr. Dimond stated it would go directly into the Ameren distribution network and flow to the substation.

Ms. Litecky asked if the panels are movable.

Ms. Dimond stated the panels do rotate with the sun.

Ms. Litecky asked if anyone would like to speak in favor.

Mr. Visser, landowner for the proposed project, stepped forward and spoke in favor of the application.

Ms. Litecky asked if anyone would like to speak in opposition.

There were none.

Ms. Litecky asked Ms. Becker to read Part C and Part D of the staff report.

Ms. Becker read Part C and Part D of the staff report, with a recommendation of approval.

Ms. Litecky asked if the Commissioners had questions of staff.

There were none.

Ms. Litecky asked if there were questions from anyone to anyone.

Ms. Becker asked that if Ameren was able to provide a consolidated bill option, so that subscribers would receive one bill instead of two, if that is something that New Energy Equity would be open to.

Mr. Dimond stated that yes, they would definitely be open to a one bill system, as one bill is easier than two.

Ms. Litecky declared PC 25-01 closed and asked for a motion on the findings of fact.

Mr. Sheffer moved that Part A and B of the staff report, that the applicant was present, and that one person spoke in favor, zero people spoke in opposition, and there were no letters or petitions of support for applicant to be acceptable as a finding of fact, seconded by Ms. Allee.

The motion was passed with a unanimous voice vote.

Ms. Litecky asked whether the commissioners wished to vote on the 7 criteria together as one or individually.

Mr. Sheffer moved that the Commission vote on all 7 criteria as one, seconded by Ms. Lilly.

Roll Call Vote:

Yes – 7 (Litecky, Allee, Sheffer, Lilly, Love, Carrier, Shukites)

No – 0

The vote was passed unanimously.

Ms. Litecky asked for a motion on whether all 7 criteria had been met.

Mr. Sheffer made a motion that the applicant met all 7 criteria, seconded by Ms. Lilly.

Roll Call Vote:

Yes – 7 (Litecky, Allee, Sheffer, Lilly, Love, Carrier, Shukites)

No – 0

The vote was passed unanimously.

Ms. Litecky asked for a motion on the recommendation of granting the special use permit for PC 25-01.

Mr. Sheffer moved that the Planning Commission recommend approval of special use permit for PC 25-01, seconded by Ms. Lilly.

Roll Call Vote:

Yes – 7 (Litecky, Allee, Sheffer, Lilly, Love, Carrier, Shukites)

No – 0

The vote was passed unanimously.

PC 25-03: The City of Carbondale Planning Commission has proposed a text amendment to Title 15 of the Carbondale Revised Code relative to the reduction of the minimum square footage of residential buildings in R-1-5, Low-Density Residential, Districts.

Ms. Litecky declared Public Hearing PC 25-03 open and asked for Ms. Gibson to read the staff report. Ms. Gibson read Part A and Part B of the staff report.

Ms. Litecky asked if the Commissioners had questions for staff

There were none.

Ms. Litecky asked if the applicant was present and wished to speak.

City staff was present and willing to answer any questions.

Ms. Litecky asked if there were any questions for the applicant.

There were none.

Ms. Litecky asked if anyone wished to speak in favor.

There were none.

Ms. Litecky asked if anyone wished to speak in opposition.

There were none.

Ms. Litecky asked if the Commissioners had questions for staff.

There were none

Ms. Litecky asked if the applicant would like to make a statement.

City staff was present and did not wish to make a statement.

Ms. Litecky asked if anyone would like to speak in favor.

There were none.

Ms. Litecky asked if anyone would like to speak in opposition.

There were none.

Ms. Litecky asked Ms. Gibson to read Part C of PC 25-03.

Ms. Gibson read Part C of the staff report for PC 25-03, with a recommendation of approval.

Ms. Litecky asked if the commissioners had questions for staff.

There were none.

Ms. Litecky asked if there were questions from anyone to anyone.

Mr. Carrier wanted to state that his wife and he own a cabin in Pomona that he designed that is 530 square feet, and he would not consider it a tiny home by any means. Mr. Carrier stated that it was designed after the spaces they use in their own home but scaled down, and in many ways the cabin is more efficient than their primary residence. Mr. Carrier stated that it is possible to design and live in homes that are small, and they can even be more effective and better than existing housing stock.

Ms. Litecky commented that she believes that a 500 square foot home would look out of place in certain R-1 districts, such as the historic district she resides in.

Ms. Litecky declared PC 25-03 closed and asked for a motion on the findings of facts.

Mr. Sheffer moved that Part A and B of the staff report, that the applicant was present, and that zero people spoke in favor, zero people spoke in opposition, and there were no letters or petitions of support for applicant to be acceptable as a finding of fact, seconded by Ms. Allee.

The motion was passed with a unanimous voice vote.

Ms. Litecky asked for a motion on the recommendation to City Council.

Mr. Sheffer moved to recommend City Council to approve PC 25-03, seconded by Ms. Allee.

Roll Call Vote:

Yes – 7 (Litecky, Allee, Sheffer, Lilly, Love, Carrier, Shukites)

No – 0

The vote was passed unanimously.

5. Old Business

Mr. Doherty provided an update on recent City Council business.

6. New Business

Mr. Lenzini provided an update on the Carbondale Comprehensive Plan.

A Nominating Committee was formed to make nominations for Commission Officers. Mr. Love, Ms. Lilly, and Mr. Sheffer volunteered to makeup the committee. The Nominating Committee

met at the conclusion of the Planning Commission meeting, and a report will be available at the following Planning Commission meeting.

7. Adjournment

Ms. Allee moved to adjourn the meeting, seconded by Mr. Love. The meeting was adjourned with unanimous voice vote.