Members Present:
Mick Madison, Chairman
Phillip Chapman
Dalton Gray
David Michael
Nick Petrillo
Robert Pollard
Larry Trucano
Ray Wesley

Members Absent:
Philip Chapman
David Michael

Others Present:
Andi Campbell Yancey
Diann & Gary Noll
Richard Schiefer
Breana Buncher
Karen Langendorf
Sherry Radae
Chris Doucelf
John Molitor
William Sheely
Susan Zobrist
Vic Buehler
Duane Meyer
Sandy & Nancy Autry
Larry Bloemker
Dwayne Krager
Preston Hall
Montt Beckett
Sheila Hamlin
William Jarman
Ron Albrecht
Kerri Neary
Lynn Scherer
Andrew Weber

Call of Meeting to Order and Roll Call:
Chairman Madison called the regular meeting of the Planning and Development Committee to order at 5:00 p.m. and conducted roll call.

Approval of Minutes:
Mr. Pollard made a motion to approve the minutes from December 6, 2018. Seconded by Mr. Wesley. Voice vote. All ayes. Motion approved.

Zoning Petitions and Subdivision Overview:
Mrs. Yancey introduced Resolution Z18-0083, petition of M & M Service Company requesting a special use permit to continue utilizing the site for the storage and sale of anhydrous ammonia. Mrs. Yancey stated that adjoining property owners and the Mayor of Marine spoke out in opposition about safety and odor concerns on the site. Mrs. Yancey said that ZBA recommended approval 3-1 and that David Michael spoke with the Mayor and they discussed having a condition of approval that the site be equipped with security cameras.

Mrs. Yancey discussed Resolution Z18-0084, petition of Michael McCartney requesting a variance in order to construct an accessory structure in the front yard setback area. Mrs. Yancey stated that the applicant does have some hardships due to the configuration of the lot and that the previous garage was demolished due to foundation issues and he would like to rebuild the structure. Mrs. Yancey said that ZBA recommended approval unanimously.

Mrs. Yancey introduced Resolution Z18-0085, petition of Herman Williams requesting a zoning map amendment to rezone approximately one acre from "M-2" General Manufacturing District to "B-4" Wholesale Business District in order to
operate a used car dealership on site. Mrs. Yancey stated that it is a down zoning proposal and there are not any retail uses in the Industrial district so he is changing the zoning so he can do used car sales.

Mrs. Yancey discussed Gueldener Subdivision, a minor subdivision plat. Mrs. Yancey said that they are subdividing 2 acres off of the larger tract of property with a 50 feet access easement and it meets all of the minimum zoning requirements.

**Pre-Application Presentation:**

None.

**Citizens Wishing to Address the Committee (addressing agenda items 1-4 of New Business):**

Lynn Scherer spoke in regard to Z18-0083. Mr. Scherer said that part of their business is located within the Village of Marine and that he is speaking on behalf of the citizens of Marine in regard to safety issues. Mr. Scherer stated that M&M should consider annexation into the village. Mr. Scherer said that he would like to see security cameras at the property and that the tanks can blow up and it happens all the time. Mr. Scherer asked that the petition be tabled.

John Molitor, Mayor of Marine spoke in regard to Z18-0083. Mr. Molitor stated that he would like to have security cameras installed on site because it is something that could kill the whole town if something blew up. Mayor Molitor said that it would be good to have the site monitored at their police department because tapes disappear and it would be good for the police to have it. Mr. Molitor said that their police chief voiced the same concerns at their village meeting. Mr. Molitor stated that their fire department has been called to the site and at the Pocahontas intersection because a small tank was rolled over when it was being towed.

Sandy Autry spoke in regard to Z18-0083. Mr. Autry said that he has a petition with 60 signatures stating that they do not want another tank brought in on the property. Mr. Autry stated that people were evacuated from their homes because there were valves that were not closed and the citizens do not want it.

Montt Beckett spoke in regard to Z18-0083. Montt said that their employees are well trained and are safety conscious of potential hazards that come with handling anhydrous ammonia. Mr. Beckett said that the employees are trained yearly and the facility has automatic shut-off valves to prevent the release of anhydrous ammonia. Mr. Beckett said that to his knowledge there are not any reportable releases of anhydrous on site. Mr. Beckett said that the tank that rolled over was not anhydrous ammonia, it was an additive that is put in with anhydrous. Mr. Beckett said that the company is proactive in getting all their equipment into compliance with anhydrous ammonia regulations which is why they are requesting the replace the tank.

Dwayne Krager spoke in regard to Z18-0083. Mr. Krager said that if the chemical is handled properly it is safe and that they do not live around the chemical but they work around it almost every day and they take the health and safety of their employees seriously. Mr. Krager said that the Department of Agriculture inspects yearly and that if you can smell the chemical, it is not a reportable quantity it takes very little to smell the odor because there is an odorant added for safety. Mr. Krager explains the safety procedure when there is a reportable leak.

Will Jarman spoke in regard to Z18-0083. Mr. Jarman said that he is the site manager and he does not put his employees or anyone in town in harm’s way and they do all they can to make sure everyone is safe. Mr. Madison asked how old the longest tank is and Mr. Jarman said that the tanks were installed in 1964. A discussion ensued in regard to fencing the property.

Mr. Wesley asked the applicants if there is an odor from fertilizing the field and they confirmed that there is on the outside of the farmland. Mr. Wesley asked if they have a site safety plan and if it is communicated to the community via village hall and Mr. Beckett said that they have and Mr. Wesley said they should supply the village with emergency numbers. Mr. Wesley continued to ask the applicants about anhydrous ammonia transfers, site safety plan, security cameras on site, employee and emergency response personnel training, Department of Agriculture inspections, and fencing on site.
New Business:
Chairman Madison asked for a motion to approve agenda items 2, 3, and 4. Mr. Gray made a motion to approve Resolution Z18-0084, Resolution Z18-0085, and Resolution Z18-0086. Seconded by Mr. Trucano. Roll-call vote. All ayes. Motion approved.

Mr. Pollard made a motion to approve Resolution Z18-0083 with the staff provided conditions as well as a condition that the site be equipped with security cameras within 120 days of approval. Seconded by Mr. Gray. Roll-call vote. All ayes. Motion approved.

Citizens Wishing to Address the Committee (addressing agenda items 1-3 of Unfinished Business):
Kerri Neary, SRE Solar Origination, LLC, spoke in regard to Z18-0072. Ms. Neary said that the petition was recommended for approval from the ZBA but that there had been concerns in regard to the sign being posted and SRE Solar Origination wanted to re-advertise the petition and did additional mailings to farther out residents. Ms. Neary said that the site is at the southernmost portion of the parcel and is 700 feet from the nearest resident and they have proposed a 100% tree screening.

Andrew Weber, SRE Solar Origination, LLC, spoke in regard to Z18-0072. Mr. Weber discussed how SRE Solar Origination worked with the community to discuss and tried to make himself available to everyone to address concerns. Ms. Neary said that the property owner said that if the project were to get selected that he would annex that portion of the project into the Village of Worden.

Ms. Neary discussed Z18-0074 and said that the site location changed to further north on the property and they would like the opportunity to keep working with the land owners before the County Board meeting on January 16th. Ms. Neary said the new site is further away from the residents and they are going to provide a 100% tree screening.

Ms. Neary discussed Z18-0082 and said that the village was not interested in learning more about their project and there are no further updates on the project.

Ron Albrecht spoke in regard to Z18-0082. Mr. Albrecht said that the company representative spoke with him about the proposal and that he did not have anything to say for or against the development and he was later told by his neighbor that the representative said that he was all for the development. Mr. Albrecht said that the location is changing and has questions about the safety of the development. Mr. Albrecht said to the committee to think of it as them looking out their front door to it and asked that they not be treated as second class citizens and deny the request.

Sheila Hamlin spoke in regard to Z18-0082. Ms. Hamlin said it is not clear where they are proposing site because it has changed from 50 feet from her property to 500 or 700 feet to her property. Ms. Hamlin discussed the notice signage concerns and concerns about SRE Solar Origination being straight forward with the proposal. Ms. Hamlin said that she is also concerned about her well.

Vic Buehler spoke in regard to Z18-0072. Mr. Buehler is on the Village Board for 8 years and within 8 years he has only received two complaints until the last month and a half. Mr. Buehler said that his constituents are concerned about property values and where exactly the proposal will be placed.

Sherry Radae spoke in regard to Z18-0072. Ms. Radae said she received notice of the proposal by having something posted on her door about solar energy but threw it away because she did not want it and has reliable energy. Ms. Radae said that it is the main entrance to their community and she wants to know who is going to maintain the property and make it look nice. Ms. Radae said that solar energy is not reliable, high cost, subsidized energy, and lowers property values and it is no benefit to the village of Worden.

William Sheely spoke in regard to Z18-0072. Mr. Sheely said that he lives within the Wildewood subdivision and can see the subject property from his house. Mr. Sheely stated his concerns about property values.
Preston Hall, Mayor of Worden, spoke in regard to Z18-0072. Mr. Hall said that he is concerned that the people of Worden would only hear about the project when dirt had started to be moved and that he wanted the people to be aware of the development and then he would be able to form his opinion on the matter based on the voters of Worden think. Mr. Hall said that the development is at entrance of Worden and that since it is within the mile and half development zone he does not understand why he does not have a say and Chairman Madison said that the committee does take in consideration what he is saying and that if they have a zoning board, they could provide their comments in regard to development within the mile and half.

Larry Bloemker, Mayor of Hamel, spoke in regard to Z18-0074. Mr. Bloemker said that it was contingent upon the petitioner to come up with a proposal that met the concerns of the citizens and the citizens have not seen that as of yet. Mayor Bloemker said that at 3pm he received an email saying that the new plan met everyone’s concerned and everything was fine from the representatives from the company. Mayor Bloemker stated there are communication issues with the company since the beginning and he asked the committee to reaffirm the negative vote.

Chairman Madison said that Z18-0074 and Z18-0082 were placed back on the agenda because they were postponed at the County Board meeting and Chairman Madison said that he thought the worst that could happen was that the Village of Hamel could work with the company and get something worked out with the residents and mayor and if that did not happen the denial could be reaffirmed.

Duane Meyer, spoke in regard to Z18-0074. Mr. Meyer said he lives west of the proposal in Hamel and they already have a site approved in Hamel. Mr. Meyer stated that his concern solar farm on the edge of town, it makes it prohibitive for Hamel to grow because no one can build on the lot for 25 years. Mr. Meyer said that he is totally opposed to the request.

Karen Langendorf spoke in regard to Z18-0074. Ms. Langendorf said that the proposed location is right at the beginning of the town and if she wanted to live by an industrial use she would have moved by one. Ms. Langendorf said that Hamel is a bedroom community and the property owner has a lot of other properties to use and she is opposed to it.

Diane Noll spoke in regard to Z18-0074. Ms. Noll said that she lives nearby and was upset about the request when she saw where it was being proposed because it’s not where she was originally told it would be placed. Ms. Noll stated her concerns were about wildlife and aesthetics.

Sue Zobrist spoke in regard to Z18-0074. Ms. Zobrist stated her concerns are about the runoff, where the surger line would be, and the shooting range and she is opposed to the request.

Rick Ritter spoke in regard to Z18-0082. Mr. Ritter said he is a resident and Plan Commissioner of St. Jacob. Mr. Ritter said that St. Jacob is not in favor of the request and the new proposed plan is a step backwards from what the village would want. Mr. Ritter said that if it was closer to the original proposal would be more beneficial and that the village is still opposed.

Richard Schaefer, Mayor of St. Jacob, spoke in regard to Z18-0082. Mayor Schaefer said that over the past couple of months they have been dealing with the applicants and they keep telling them that they do not want to project and they keep asking them what they can do to make them in favor of the project and that if they wanted to change their mind that they would build St. Jacob a water tower and that did not go over well. Mayor Schaefer said that the proposal does not fit in with their planning map that they drew up recently and that they keep telling the applicants that they do not want it.

**Unfinished Business:**
Mr. Pollard made a motion to deny Resolution Z18-0072. Seconded by Mr. Petrillo. Mr. Wesley asked if there was public opposition to the request and Mrs. Yancey stated that was the case. Mr. Petrillo asked how many solar arrays have been approved and Mrs. Yancey said there was one just outside of St. Jacob. Mr. Petrillo asked about the lottery process. Mrs. Yancey explained that when a special use permit is issued, the applicant is held to the submitted site plan. Mr. Petrillo asked questions about the landscaping proposed and Mrs. Yancey stated that the applicant would have to maintain it with compliance of their submitted site plan. A discussion ensued about the location of the solar panels.
Roll-call vote. All ayes. Motion approved.

Mr. Petrillo made a motion to deny Resolution Z18-0074. Seconded by Mr. Wesley. Mr. Wesley asked where they are proposing placing the solar panels and Mrs. Yancey showed the committee where it is proposed to be placed on an aerial photo.

Roll-call vote. Ayes to the motion; Mr. Petrillo, Mr. Gray, Mr. Pollard, and Mr. Trucano. Nayes to the motion; Mr. Wesley. Motion approved.

Mr. Pollard made a motion to deny Resolution Z18-0082. Seconded by Mr. Trucano. Mr. Wesley asked where the solar panels are being proposed and Mrs. Yancey indicated on the southern part of the property. A discussion ensued about who was opposed to the request. Mr. Petrillo stated that since the mayor and community have spoken out in regard to the petition and that they need to consider their opposition. Mr. Wesley said that property owners have rights to their properties and they can do what they want with them and it is incumbent of the committee to not get government involved in the decision because it does not impact other people.

Roll-call vote. Ayes to the motion; Mr. Petrillo, Mr. Pollard, and Mr. Trucano. Nays to the motion; Mr. Wesley and Mr. Gray. Motion approved.

**New Business:**
Mr. Wesley made a motion to approve the Purchase Order Report. Seconded by Mr. Pollard. Roll-call vote. All ayes. Motion approved.

**Administrator’s Report:**
None.

**Adjournment:**
Mr. Pollard made a motion to adjourn the meeting. Seconded by Mr. Wesley. Voice vote. All ayes. Motion approved.

Meeting adjourned.