



REPORT OF PROCEEDINGS

Date: January 27, 2025

PLAN COMMISSION/ZONING BOARD OF APPEALS VILLAGE OF SOUTH BARRINGTON - PUBLIC HEARING/MEETING

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PLAN COMMISSION/ZONING BOARD OF APPEALS
VILLAGE OF SOUTH BARRINGTON

PUBLIC HEARING/MEETING

Continuation of Public Hearing:

AC Power Solar Project

* * * * *

Held on Monday, January 27, 2025,
commencing at the hour of approximately 7:00 p.m. at
30 South Barrington Road, South Barrington, Illinois.

PLAN COMMISSION PRESENT:

Michael McCombie, Chairman
Anthony Abri, Commissioner
Shahzad Kazi, Commissioner

Julius Kwasek, Commissioner

Narayan Murarka, Commissioner

ALSO PRESENT:

Doug Roberts, Village Attorney

Michael Dropka, Village Administrator

Paula McCombie, Mayor of South Barrington

Carissa Smith, Gewalt Hamilton Associates

Damian Michalski, Building Officer

Members of the Public

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<p>1 CHAIRMAN MCCOMBIE: Okay. So I think it's 2 time we start. 3 This is a public hearing/meeting for 4 the Plan Commission Zoning Board of Appeals. 5 Roll call. 6 VILLAGE ADMINISTRATOR DROPKA: Commissioner 7 Abri? 8 COMMISSIONER ABRI: Aye. 9 VILLAGE ADMINISTRATOR DROPKA: Commissioner 10 Kazi? 11 COMMISSIONER KAZI: Yes. 12 VILLAGE ADMINISTRATOR DROPKA: Commissioner 13 Kwasek? 14 COMMISSIONER KWASEK: Here. 15 VILLAGE ADMINISTRATOR DROPKA: Commissioner 16 Murarka? 17 COMMISSIONER MURARKA: Here. 18 VILLAGE ADMINISTRATOR DROPKA: Chair 19 McCombie? 20 CHAIRMAN MCCOMBIE: Yes. 21 Okay. We have a quorum. 22 The first item on the agenda is the 23 minutes. Did everybody get a chance to read the 24 minutes from the October 23rd meeting?</p>	<p>1 minutes, then they put Fred Finn. You see that's the 2 template. It shouldn't have been on it for every 3 single one, so. 4 COMMISSIONER KWASEK: So we'll get it fixed. 5 CHAIRMAN MCCOMBIE: Yeah, we'll get it fixed. 6 So with that correction, is there 7 anything else? 8 (No response.) 9 CHAIRMAN MCCOMBIE: I'll take a motion to 10 approve. 11 COMMISSIONER ABRI: I make a motion. 12 CHAIRMAN MCCOMBIE: Second? 13 COMMISSIONER KWASEK: Second. 14 CHAIRMAN MCCOMBIE: Roll call. 15 VILLAGE ADMINISTRATOR DROPKA: Commissioner 16 Abri? 17 COMMISSIONER ABRI: Aye. 18 VILLAGE ADMINISTRATOR DROPKA: Commissioner 19 Kazi? 20 COMMISSIONER KAZI: Aye. 21 VILLAGE ADMINISTRATOR DROPKA: Commissioner 22 Kwasek? 23 COMMISSIONER KWASEK: Yes. 24 VILLAGE ADMINISTRATOR DROPKA: Commissioner</p>
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<p>1 I'll take a motion to approve. 2 COMMISSIONER KWASEK: Wait a minute. 3 CHAIRMAN MCCOMBIE: There's two minutes here, 4 one from October 23rd. 5 COMMISSIONER KWASEK: That's the one that has 6 all the top titles wrong. The one that says the 7 Finns the whole meeting. 8 We talked about that. 9 CHAIRMAN MCCOMBIE: We did. 10 COMMISSIONER KWASEK: You didn't want to 11 correct that? 12 CHAIRMAN MCCOMBIE: I figured you would 13 correct it, because you found it. 14 COMMISSIONER KWASEK: So it appears that 15 every page of the minutes refers to public comment re 16 solar project Fred Finn, even though the minutes also 17 cover Forest View and the driveways, and I think the 18 change happens at page 13. 19 So my not knowing what's normal, is 20 it normal for the entire set of minutes to just refer 21 to the public comment and not the other parts of the 22 meeting. We conducted actual business. 23 CHAIRMAN MCCOMBIE: Yeah, I think it was part 24 of the template that they put together for the</p>	<p>1 Murarka? 2 COMMISSIONER MURARKA: Yes. 3 VILLAGE ADMINISTRATOR DROPKA: Chairman 4 McCombie? 5 CHAIRMAN MCCOMBIE: Yes. 6 The next item is the minutes we 7 received by e-mail. Everybody got them, I believe, 8 for the January 7th meeting, which was really 9 impressive that we got those so quick. 10 So did everybody get a chance to 11 read them? 12 Motion to approve? 13 COMMISSIONER KWASEK: I have changes. 14 CHAIRMAN MCCOMBIE: Okay. 15 COMMISSIONER KWASEK: Wait. You don't even 16 ask if anyone has any corrections or changes. 17 CHAIRMAN MCCOMBIE: I'll ask now. 18 COMMISSIONER KWASEK: I have some changes. 19 Page 23, line 24, the last sentence: 20 There is people, that should be there are people. 21 Page 28, line 17, it says: They're 22 looking as a reading. It should say they're looking 23 for a reading. 24 Page 72, line 10, last word is</p>

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<p>1 dried. There should be a v in there, drives. 2 Aggregate drives. 3 Page 101, line 2: It's Ms. Couston, 4 and Ms. Couston is Elise, E-l-i-s-e, Couston. 5 Page 103, line 20, toward the end of 6 the sentence it says: Western boundary -- I'm sorry, 7 it says eastern boundary. It should say western 8 boundary. It's her client's western boundary. 9 Page 122, line 7, have mega buds. 10 It's have megabucks, b-u-c-k-s, like big dough. 11 And that's all I've got. 12 CHAIRMAN MCCOMBIE: Very good. 13 COMMISSIONER KWASEK: I just want to let you 14 know I read this stuff this time. 15 COMMISSIONER ABRI: So Mike I didn't receive 16 the, you know -- 17 CHAIRMAN MCCOMBIE: Oh, you didn't get it? 18 COMMISSIONER ABRI: I didn't get it. So I'm 19 going to withhold my right to pick up a copy and 20 review it and get back with you next meeting. 21 CHAIRMAN MCCOMBIE: Yeah, okay. 22 Mike, can you make sure that he gets 23 a copy of that? 24 COMMISSIONER KWASEK: Yes.</p>	<p>1 CHAIRMAN MCCOMBIE: Yes. 2 Okay. The next item on the agenda 3 is any public comment. We're having a meeting 4 tonight, as you're probably aware, for the AC Power. 5 There will be a time during that for public comment. 6 But if you would like to comment on anything else, 7 now is a good time to come up and talk. 8 (No response.) 9 CHAIRMAN MCCOMBIE: Okay. So the next item 10 on the agenda is the -- 11 COMMISSIONER KAZI: Mike, somebody -- 12 CHAIRMAN MCCOMBIE: I'm sorry, please. 13 (Witness sworn.) 14 CHAIRMAN MCCOMBIE: State your name. 15 MR. BETTS: John Betts, B-e-t-t-s, I'm at 16 1899 West Alder Drive, Hoffman Estates. 17 Thank you, Gentlemen, I appreciate 18 all of your effort. I know you had to scramble to 19 put this meeting together with all of your schedules 20 and everything, and I've been where you are, and I 21 understand and genuinely appreciate it. 22 I would like to start by reading a 23 copy of a letter that I received the other day, and 24 it's from Hoffman Estates. The letter is dated</p>
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<p>1 CHAIRMAN MCCOMBIE: Okay. Very good. Any 2 other comments? 3 (No response.) 4 CHAIRMAN MCCOMBIE: With those changes that 5 Julius mentioned, I would take a motion to approve 6 those changes. 7 COMMISSIONER KWASEK: So moved. 8 CHAIRMAN MCCOMBIE: Second? 9 COMMISSIONER KAZI: (Indicating.) 10 CHAIRMAN MCCOMBIE: Roll call. 11 VILLAGE ADMINISTRATOR DROPKA: Commissioner 12 Abri? 13 COMMISSIONER ABRI: I abstain. 14 VILLAGE ADMINISTRATOR DROPKA: Commissioner 15 Kazi? 16 COMMISSIONER KAZI: Yes. 17 VILLAGE ADMINISTRATOR DROPKA: Commissioner 18 Kwasek? 19 COMMISSIONER KWASEK: Yes. 20 VILLAGE ADMINISTRATOR DROPKA: Commissioner 21 Murarka? 22 COMMISSIONER MURARKA: Yes. 23 VILLAGE ADMINISTRATOR DROPKA: Chairman 24 McCombie?</p>	<p>1 January 21, 2025 to the Village of South Barrington 2 Plan Commission Zoning Board of Appeals. The reasons 3 and objections to the amendment to special use permit 4 landfill solar farm project, 541 East Mundhank Road. 5 Members of the Plan Commission 6 Zoning Board of Appeals, on behalf of the Village 7 Board of Hoffman Estates, I'm writing to express the 8 Village's formal objection to the proposed solar farm 9 project at 541 East Mundhank Road. 10 After review of the proposed 11 project, the Village of Hoffman Estates has 12 significant concerns regarding the compatibility of 13 this development with our established residential 14 neighborhood to the north. The proximity of the 15 proposed solar installation to residential properties 16 presents risks related to visual incompatibility, 17 safety considerations and potential other nuisances 18 all of which would negatively impact quality of life 19 for adjacent homeowners. 20 We respectfully request that the 21 Plan Commission Zoning Board of Appeals carefully 22 consider those concerns and recommend denial of the 23 request. 24 Thank you for your consideration.</p>

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<p style="text-align: right;">Page 10</p> <p>1 Sincerely, Eric Palm, Village Manager, with copies to 2 the Mayor, Board of Trustees, Mayor Paula McCombie of 3 South Barrington. 4 We have been coming here quite 5 consistently as residents, your next-door neighbors, 6 if you will, and I was curious about something, I 7 really want to ask -- This is for all of the 8 gentlemen on the Commission. With just a quick show 9 of hands, how many of you have solar panels installed 10 on your rooftops of your private residences? 11 Anybody? 12 (No response.) 13 MR. BETTS: Does anybody have an adjacent 14 property owner or homeowner next to your residence 15 that has solar panels on the roof of their homes? 16 Show of hands. 17 (No response.) 18 MR. BETTS: Nobody, okay. 19 Now, for my own education, if I'm a 20 resident of South Barrington, and I want to install 21 solar panels on the roof of my house or I want to put 22 them on stands in my yard, something of that nature, 23 would I need to come before the Zoning Commission 24 hearing to get a permit to do that? A zoning</p>	<p style="text-align: right;">Page 12</p> <p>1 of the subdivision where we live, there might be four 2 or five homes out of 60 that have solar panels. 3 There is not a lot of them. And aesthetics is a 4 serious concern. 5 The last meeting that we were here 6 two weeks ago, was it, you gentlemen had a 20/30 7 minute discussion beforehand in the meeting about 8 where we should or shouldn't park our boats to keep 9 them out of sight because of the aesthetics of 10 driving through the neighborhoods and seeing people's 11 boats out front. It was even mentioned that maybe we 12 should park them directly behind residence to keep 13 them out of sight, okay. So that is one mention of 14 it. 15 When we first started these 16 meetings, I think it was the very first or second 17 meeting, there was a family from South Barrington 18 here that was looking for a variance to put a 6 foot 19 fence around their yard. The reason for that fence 20 is they have a child who is autistic, and they wanted 21 to be sure when the child was outside, they could 22 secure the safety with a reasonable level of 23 confidence. They asked for a 6 foot fence. One of 24 the responses was maybe we should look at a 4 foot</p>
<p style="text-align: right;">Page 11</p> <p>1 ordinance? 2 CHAIRMAN MCCOMBIE: No. No. It's 3 already zoned. There's an ordinance that allows 4 residents to install solar panels on their houses, 5 and it was enacted several years ago. 6 MR. BETTS: Okay. So nobody would need to 7 come here and get an approval. 8 CHAIRMAN MCCOMBIE: Only if they're going to 9 have a change. Only if they want to have more panels 10 than they're allowed to have. 11 MR. BETTS: Okay. To the best of your 12 knowledge, how many homeowners in South Barrington 13 currently have solar panels on their rooftops of 14 residences? 15 CHAIRMAN MCCOMBIE: There's a lot of them. 16 MR. BETTS: There's a lot of them? 17 MR. MICHALSKI: I would say -- Damian 18 Michalski. 19 I would say it's about 35 to 45 20 percent. 21 MR. BETTS: 35 to 45 percent, okay. 22 My concern about that is this, 23 aesthetics has been playing a big part of these 24 conversations, all right, and the homeowners section</p>	<p style="text-align: right;">Page 13</p> <p>1 fence that wouldn't be so intrusive upon the 2 neighbors. And with the young man, who was sitting 3 here, his family had to get up and say well, wait a 4 minute, a 4 foot fence won't work because look, he's 5 6 feet tall. So aesthetics played apart in that 6 conversation as well. 7 The last meeting we were here, there 8 were a couple of gentlemen that wanted to install a 9 new business at the Arboretum, which is great, we 10 need business in the community. They want to put in 11 a car condo. After figuring out what a car condo 12 was, some of the questions were -- was approximately 13 how big was the footprint of this building going to 14 be, how much of an impact would it have. The cars 15 are on display in the building, are there windows to 16 the outside where people on the outside will be able 17 to see the cars. Again, we had a reference to the 18 aesthetics of the situation. So it does play a big 19 part. 20 Now, I would ask for a little bit of 21 empathy. Put yourselves in our shoes. Let's say the 22 solar field goes in, and a year-and-a-half, two years 23 from now it's a nice morning, it's May, the weather 24 breaks, it's been a long, cold winter, you go on your</p>

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<p>1 patio with a cup of coffee. Do you really want to</p> <p>2 look at something like that, an industrial look with</p> <p>3 35 acres of solar panels, somewhere between 12 and 14</p> <p>4 feet tall, 12,000 of them. I don't care to see that</p> <p>5 from my backyard like that.</p> <p>6 There was a gentleman that just</p> <p>7 spoke about the possible impact or our property</p> <p>8 values. One of the primary things, the reason we</p> <p>9 bought our house was because of the visual appeal of</p> <p>10 looking south on open fields. Okay. Personally, I</p> <p>11 have nothing against solar fields, but let's ask this</p> <p>12 question, are there other places we might better</p> <p>13 select, possibly. If we start installing commercial</p> <p>14 solar fields, what are we going to stand when someone</p> <p>15 wants to put in a wind turbine? Where do we go with</p> <p>16 that? So it's sort of opening up a little bit of a</p> <p>17 Pandora's box.</p> <p>18 Okay. So with that being said --</p> <p>19 you know, another thing is this: Something that came</p> <p>20 up is apparently AC Power is going to make a donation</p> <p>21 to South Barrington for how much is it, \$75,000?</p> <p>22 CHAIRMAN MCCOMBIE: I don't know what the</p> <p>23 final negotiation was.</p> <p>24 MR. BETTS: Pardon.</p>	<p>1 CHAIRMAN MCCOMBIE: No, they talked about it</p> <p>2 last time. You said you were here the last time.</p> <p>3 MR. BETTS: Yes.</p> <p>4 CHAIRMAN MCCOMBIE: Do you remember what they</p> <p>5 said?</p> <p>6 MR. BETTS: What did they say?</p> <p>7 CHAIRMAN MCCOMBIE: They said that if they</p> <p>8 had a conversation about it, they would not be able</p> <p>9 to negotiate it, because the conversation then would</p> <p>10 say everything that's going on.</p> <p>11 MR. BETTS: Okay.</p> <p>12 CHAIRMAN MCCOMBIE: Does that make sense?</p> <p>13 MR. BETTS: Yes.</p> <p>14 MS. ANTONIOLLI: As an attorney, I'll add</p> <p>15 that community resident agreements are commonplace</p> <p>16 for in infrastructure projects throughout the State</p> <p>17 of Illinois, especially -- and throughout the US, but</p> <p>18 it's not uncommon to see those.</p> <p>19 MR. BETTS: One other thing I wanted to ask</p> <p>20 the Village, Mr. Abri, you bought it up, if I</p> <p>21 remember correctly. Have you secured funding for the</p> <p>22 project yet, yes or no?</p> <p>23 MS. ANTONIOLLI: I think this is public</p> <p>24 comment stage, it's not a question-and-answer stage.</p>
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<p>1 CHAIRMAN MCCOMBIE: I don't know what the</p> <p>2 final negotiation was.</p> <p>3 MR. BETTS: It's being negotiated.</p> <p>4 Is there anything that this money is</p> <p>5 earmarked for?</p> <p>6 CHAIRMAN MCCOMBIE: Again --</p> <p>7 MR. BETTS: I'm just asking.</p> <p>8 CHAIRMAN MCCOMBIE: I don't know.</p> <p>9 MR. BETTS: Okay. Who initiated this, did</p> <p>10 South Barrington ask them for a donation or did they</p> <p>11 openly offer to make a donation?</p> <p>12 CHAIRMAN MCCOMBIE: I do not know.</p> <p>13 MR. BETTS: Okay. Then who have the</p> <p>14 conversations been with?</p> <p>15 CHAIRMAN MCCOMBIE: They have been with the</p> <p>16 Mayor -- I think with the Mayor and --</p> <p>17 VILLAGE ADMINISTRATOR DROPKA: The Village</p> <p>18 Attorney and the Village Administrator.</p> <p>19 MR. BETTS: Would there be a way to find that</p> <p>20 out?</p> <p>21 Because on the surface, it has the</p> <p>22 appearance of there's something going on that the</p> <p>23 people are not aware, and then there's no reason to</p> <p>24 keep it hidden or behind closed doors.</p>	<p>1 CHAIRMAN MCCOMBIE: Yeah. So I had asked for</p> <p>2 public comments. I said we're going to have a</p> <p>3 meeting on AC Solar later. If you want to re-engage</p> <p>4 when we have that --</p> <p>5 MR. BETTS: Okay.</p> <p>6 CHAIRMAN MCCOMBIE: -- people might be able</p> <p>7 to answer more of your questions. I don't know the</p> <p>8 answer to that. There's a lot of questions about</p> <p>9 financing, things like that, that we just don't get</p> <p>10 into that.</p> <p>11 And again, this is for a preliminary</p> <p>12 approval. It's not the final approval.</p> <p>13 MR. BETTS: Right.</p> <p>14 CHAIRMAN MCCOMBIE: They have to select</p> <p>15 someone and a lot more things they have to do.</p> <p>16 MR. BETTS: I appreciate that.</p> <p>17 And Gentlemen, I'm really very</p> <p>18 genuine and I appreciate all of your time and effort</p> <p>19 you're putting in this. It does have a very, very</p> <p>20 big impact on our neighborhood and our residential</p> <p>21 area and a lot of people are just genuinely very</p> <p>22 concerned about it.</p> <p>23 So thank you very much for your</p> <p>24 time.</p>

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<p>1 MR. MICHALSKI: If I can add something.</p> <p>2 Are you aware of the code in regard</p> <p>3 to the solar panels installation in Hoffman Estates?</p> <p>4 MR. BETTS: I'm sorry.</p> <p>5 MR. MICHALSKI: Are you aware of the building</p> <p>6 codes in regards to installation of the solar panels</p> <p>7 on main structures in Hoffman Estates?</p> <p>8 MR. BETTS: No, sir.</p> <p>9 MR. MICHALSKI: So it's posted online, and</p> <p>10 there's no restrictions on how many panels on the</p> <p>11 roof you can install. And if your neighbor wanted to</p> <p>12 install solar panels on their roof, it's regulated by</p> <p>13 the code, and they can do so.</p> <p>14 MR. BETTS: Thank you.</p> <p>15 CHAIRMAN MCCOMBIE: Thank you.</p> <p>16 Anybody else that would like to say</p> <p>17 anything?</p> <p>18 Please.</p> <p>19 MS. TRUITT: Excuse me, are you going to take</p> <p>20 this AC Power or during your public hearing or --</p> <p>21 CHAIRMAN MCCOMBIE: No. If this is going to</p> <p>22 be about AC Power and about this, that's during the</p> <p>23 public hearing.</p> <p>24 MS. TRUITT: Okay. Thank you. Sorry.</p>	<p>1 COMMISSIONER MURARKA: Yes.</p> <p>2 VILLAGE ADMINISTRATOR DROPKA: Chairman</p> <p>3 McCombie?</p> <p>4 CHAIRMAN MCCOMBIE: Yes.</p> <p>5 Okay. So there's a presentation, I</p> <p>6 understand.</p> <p>7 MS. ANTONIOLLI: Yes. I can open up the</p> <p>8 meeting.</p> <p>9 CHAIRMAN MCCOMBIE: So I know you're an</p> <p>10 attorney, but you still have to...</p> <p>11 (AC Power presenters</p> <p>12 sworn.)</p> <p>13 CHAIRMAN MCCOMBIE: Just state your name.</p> <p>14 MS. ANTONIOLLI: Amy Antonioli with Arent,</p> <p>15 Fox, Schiff.</p> <p>16 Good evening, Commissioners and</p> <p>17 Chairman, thank you for holding this special meeting</p> <p>18 tonight, which we hope concludes the public hearing</p> <p>19 on this application for the solar project at 541 East</p> <p>20 Mundhank Road in the Village of South Barrington.</p> <p>21 As I mentioned, I'm from Arent, Fox</p> <p>22 Schiff. We are here on behalf of AC Power, and I</p> <p>23 thought for tonight I could just reintroduce the team</p> <p>24 for AC Power. We can go through what's been</p>
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<p>1 CHAIRMAN MCCOMBIE: Okay. Anybody else?</p> <p>2 (No response.)</p> <p>3 CHAIRMAN MCCOMBIE: Okay. So let's move on</p> <p>4 to the continuation of the public hearing.</p> <p>5 The proposed amendment to a special</p> <p>6 use permit, landfill solar project on the property</p> <p>7 located at 541 East Mundhank Road, South Barrington.</p> <p>8 At this time we'll take a motion to</p> <p>9 public hearing.</p> <p>10 COMMISSIONER KAZI: I move that we open up</p> <p>11 the public hearing on AC Power.</p> <p>12 COMMISSIONER ABRI: I second.</p> <p>13 CHAIRMAN MCCOMBIE: Okay. Roll call.</p> <p>14 VILLAGE ADMINISTRATOR DROPKA: Commissioner</p> <p>15 Abri?</p> <p>16 COMMISSIONER ABRI: Aye.</p> <p>17 VILLAGE ADMINISTRATOR DROPKA: Commissioner</p> <p>18 Kazi?</p> <p>19 COMMISSIONER KAZI: Aye.</p> <p>20 VILLAGE ADMINISTRATOR DROPKA: Commissioner</p> <p>21 Kwasek?</p> <p>22 COMMISSIONER KWASEK: Yes.</p> <p>23 VILLAGE ADMINISTRATOR DROPKA: Commissioner</p> <p>24 Murarka?</p>	<p>1 exchanged and submitted since we last met, and then</p> <p>2 we can open it up for questions.</p> <p>3 Again, I think my only request is</p> <p>4 then to have a chance to give a closing remark before</p> <p>5 we close the hearing.</p> <p>6 So from AC Power, we have Gina</p> <p>7 Wolfman, she's the Team Leader and Senior Director of</p> <p>8 Project Development and the PM for this project, the</p> <p>9 Project Manager for this project. We also have from</p> <p>10 TRC, Mike Butler and Anne Rowley, both professional</p> <p>11 engineers in the State of Illinois.</p> <p>12 So although we're not affirmatively</p> <p>13 presenting additional witnesses tonight, I would like</p> <p>14 to just walk everyone through the additional</p> <p>15 information that we've provided, additional comments</p> <p>16 we received and then, you know, later give a short</p> <p>17 closing statement.</p> <p>18 So the first was at the request of</p> <p>19 this Planning Commission, an updated plan set dated</p> <p>20 January 15, 2025; a landscape revision memo dated</p> <p>21 January 16th, that was submitted to this Commission;</p> <p>22 and then TRC, on behalf of AC Power, this plan set</p> <p>23 does include these revised landscape plans that</p> <p>24 were -- that incorporated the request from the</p>

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<p style="text-align: right;">Page 22</p> <p>1 Commission and from the public. The revised plans 2 that specified several taller and more mature trees 3 around the project is part of the landscape plan. 4 Then we received Solar USA comments 5 to AC Power. Those were dated January 16th regarding 6 the December 13th submissions and AC Power's January 7 21, 2025 response to Solar USA's comments. So here 8 TRC responded to each of Solar USA's comments. Most 9 of the comments were previously discussed and agreed 10 upon. They were repeated for -- to keep those 11 comments moving forward in the record. Several of 12 the comments asked for information previously 13 submitted, and TRC was able to point -- to give 14 specific -- point to specific pages in the record 15 where that information could be found. But the 16 comments didn't require TRC to provide any new 17 information or analyses at that stage. And a revised 18 decommissioning plan and structural analysis will be 19 submitted prior to construction, so we were able 20 to include that as part of our response. 21 Then we did receive Gewalt, Hamilton 22 & Associates January 23, 2025 comments. That was 23 just received on Friday. GHA had no further comments 24 on stormwater issues. There were a number of</p>	<p style="text-align: right;">Page 24</p> <p>1 landfill. So where the houses are, the landfill is 2 literally right behind them. As of this point in 3 time, that landfill has mostly wildlife on it. There 4 is -- I know that there are coyotes that, you know, 5 occupy that whole area. We know that there are deer 6 that occupy that area. And we know that if you put 7 that -- the solar farm in there, where wild -- while 8 the actual vanes don't make any noise, the machinery 9 that's needed to run them does make quite a bit of 10 noise. But even more important than that, and I 11 don't know, I haven't been to the other meetings, 12 whether anybody has looked into the environmental 13 problems of putting those -- that solar farm on that 14 particular -- on the landfills. If they are ready to 15 do special things to the soil to make sure that the 16 ground water isn't contaminated. 17 I was under the impression that 18 whole area they didn't want that area to really be 19 disturbed, because when you get a little lower from 20 the surface, there is a lot of things going on down 21 there. I don't know if the company that's putting 22 these in has addressed that or not, but you know, 23 putting trees up is kind of sort of okay, but it's 24 kind of like putting a Band-Aid on the problem. So</p>
<p style="text-align: right;">Page 23</p> <p>1 recommendations to be addressed at the permit -- the 2 building permit issuance stage, and they were related 3 mostly to landscaping and wetlands, which AC Power 4 agrees to do. 5 Then there was another response from 6 Solar USA dated January 24, 2025 in response to AC 7 Power that we received yesterday or that was 8 yesterday -- Friday. Solar USA provided two 9 additional comments in writing, and they did not 10 contradict or object to any of AC Power's responses 11 but were -- there were additional questions or 12 clarifications made. 13 So with that additional information, 14 I'd just like to open it up now for questions, if you 15 have any. 16 CHAIRMAN MCCOMBIE: Okay. So at this point, 17 we'll do the public comments now, and then we'll ask 18 the Village consultants for comments, and then 19 questions and comments from the Commission. 20 So now would be the time. 21 (Witness sworn.) 22 CHAIRMAN MCCOMBIE: State your name. 23 MS. TRUITT: My name is Marla Truitt, I live 24 in Hoffman Estates in the property that abuts that</p>	<p style="text-align: right;">Page 25</p> <p>1 yeah, you know, put the trees up, they kind won't be 2 able to see it, but it's huge. You'll be able to see 3 it, and you'll be able to hear it, which is even 4 worse. It's right on top of the homes, so I don't 5 see how it makes any sense to put it there. There 6 has to be another piece of property that has no homes 7 around it so it doesn't impact them. 8 CHAIRMAN MCCOMBIE: Okay. I'll answer a 9 couple of the questions. The noise thing has been 10 done with engineers. They have reviewed it, and they 11 have stated that there will be no appreciable 12 increase in the noise level. I know that there has 13 been some discussion and whatnot about noise, and 14 that it would generate noise, this won't. 15 MS. TRUITT: How is this one different than 16 all of the other ones? 17 CHAIRMAN MCCOMBIE: They did an analysis of 18 it. They had an engineering team do it, and our 19 engineering team looked at what they were saying, and 20 they said that they were factual in their 21 presentation. 22 So I know when you read the 23 internet, because I went through the internet and 24 read a lot of stuff in there too. There is all sorts</p>

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<p>1 of noise in there about different fields and people 2 hearing things. This is not what this is about. 3 It's a different technology. So when we looked -- 4 when you were talking about the landfill and about 5 the whole discussion of that and the toxins and the 6 water system and all of that, there's a lot of 7 studies done on this. As a matter of fact, this is 8 our last meeting the information they gave us on 9 engineering studies on the things that are going on. 10 There is no question in my mind that they have 11 analyzed this completely and they know that this is 12 not going to be harmful to the landfill. 13 There is a huge clay cap on top of 14 that landfill, and they actually think that some 15 trees growing would help it. 16 Also, the runoff from the landfill 17 when they put this on the rest of it, because of the 18 grass they're going to be growing in between it and 19 the type of grass they're using, they'll be less 20 water runoff when this goes in than there is right 21 now. 22 MS. TRUITT: Okay. What about the wildlife, 23 because they have to go someplace. 24 CHAIRMAN MCCOMBIE: The wildlife I think they</p>	<p>1 everything that you wanted. I know I tried to go to 2 Planning and Zoning in Hoffman Estates, and they 3 limit me to three minutes. I mean, you talk about 4 people not accepting it. 5 And you know, they put up that -- 6 that whole huge facility data center there. They put 7 eight trees around it to protect the homeowners, 8 maybe 10. 9 MS. TRUITT: But that's a completely 10 different thing. 11 CHAIRMAN MCCOMBIE: No, that's Hoffman 12 Estates being next to South Barrington. 13 MS. TRUITT: I know where you're talking 14 about, but there are no homes that are right up -- 15 that literally about that piece of land. 16 MS. MICHALSKI: There was a home in there. 17 It was demolished last year, and they're looking into 18 developing that property. So unfortunately, their 19 price -- the value of their property went down 20 because of that data center. 21 Also, ma'am, as you -- Do you have a 22 fence around your home? 23 MS. TRUITT: Yes. 24 MR. MICHALSKI: So wildlife will probably go</p>
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<p>1 started in the forest preserve right across the 2 street probably. They are probably going to go back 3 to the wildlife in the forest preserve. 4 MS. TRUITT: They've been in that landfill 5 though for decades. They are not going to go -- They 6 have been there for decades. What they're going to 7 do is they're going to come forward right on the 8 other side of that landfill. They're going to come 9 forward into the neighbors. It's not like they just 10 hang out there. There's packs in there, and they've 11 been there forever. So by putting those in, you're 12 now going to displace them, and they are going to end 13 up roaming the neighborhoods, which is not going to 14 be good for us at all. 15 I don't see how this solar farm 16 helps us and does anything that would be beneficial 17 for the homes that -- on the other side. I realize 18 Hoffman Estates is not South Barrington, but because 19 they're so close, like literally next to one another, 20 I feel like we haven't been thought of at all. 21 CHAIRMAN MCCOMBIE: I think absolutely we've 22 thought of them completely. We've listened to your 23 comments. You've -- People have discussed things at 24 every one of our meetings. We've let you say</p>	<p>1 to the forest preserve rather than your house. 2 MS. TRUITT: I've seen those coyotes. They 3 can jump an 8 foot fence, and they have. And 4 we've -- As it is they do roam everywhere, but 5 they're not -- They don't take up residence in the 6 neighborhood because they go right to that -- They go 7 right to where that landfill is. 8 MR. MICHALSKI: How big is your parcel right 9 now? 10 MR. BUTLER: 108. 11 MR. MICHALSKI: And what percentage will the 12 solar farm will cover? 13 MS. ROWLEY: About a third. 14 MR. MICHALSKI: So your wildlife will have 15 two-thirds of the landfill and the forest preserve on 16 the other side of the road. 17 MS. TRUITT: And they think the solar farm 18 could be effective being that we have -- between the 19 snow and winds and the -- not a lot of sun, except 20 for the sun of day, they feel like that would be 21 worthwhile to put those in with all of that 22 considered? 23 MR. MICHALSKI: So this company specializes 24 in installing solar farms on decommissioned land.</p>

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<p>1 It's a decommissioned landfill. It's private 2 property. We need to realize a few things: This is 3 private property, it's privately owned. 4 Would you like somebody to come to 5 your house and say that, you know, they don't want 6 you to live there, because that's your property. 7 That's, you know -- even though that is your property 8 or build something on your property that your 9 neighbors may not like. Do you think people like 10 that have the right to say that? 11 I mean, how would you feel if you 12 wanted to build something on your property and your 13 neighbors will come in and say they don't want you to 14 build something? 15 MS. TRUITT: That happens. That is a fact of 16 life. We have that all of the time. 17 MR. MICHALSKI: Right. 18 MS. TRUITT: If somebody wants to remodel, it 19 has to go through, and people around the home have to 20 okay that. So it's not that uncommon. 21 MR. MICHALSKI: That's only required if it's 22 not complying with a zoning code. If that would be 23 within the zoning code or building codes, then it -- 24 they wouldn't have a hearing.</p>	<p>1 believe we delivered everything and answered 2 everything we possibly could. We even provided 3 screening and pushing that farm farther away from 4 your property line. Thank you. 5 MS. TRUITT: Okay. Thank you. 6 CHAIRMAN MCCOMBIE: Any other comments? 7 (No response.) 8 CHAIRMAN MCCOMBIE: Okay. Let's -- The 9 Village consultants. Do you want to do that first? 10 MS. SMITH: Sure. 11 (Witness sworn.) 12 MS. SMITH: So we reviewed their comments 13 about the landscaping. The landscape architect took 14 a look at it, made a couple comments, feel they're 15 conditional. We can work through that with 16 permitting. 17 Obviously, the Commission has their 18 own right to their opinions and what would be 19 required for landscaping, but as we stand right now, 20 we have no objections, and we only have just 21 conditional comments to be addressed once it gets 22 moved into permitting. 23 CHAIRMAN MCCOMBIE: Okay. Thank you. 24 (Witness sworn.)</p>
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<p>1 MS. TRUITT: If you expand -- If you expand 2 the footprint of your home -- Yeah, you could put 3 like things around it, but if you expand the 4 footprint of your home, that has to go through 5 planning, and that has to be approved by people who 6 live in the neighborhood. If you want to put up a 7 shed, it has -- There are certain things that you 8 have to -- 9 MR. MICHALSKI: So ma'am, I'm not here to 10 argue you. I apologize if you feel this way, but I 11 feel that if one-third of the landfill is being built 12 out right now. It's still decommissioned landfill. 13 There is earth movement. There will be earth 14 movement. Whatever may happen on the landfill, I'm 15 not a specialist, I don't know what may happen. They 16 spent so much time on calculating and engineering of 17 the design. They have been here multiple times. 18 It's been going on probably for more than six months 19 if I recall it properly. You know, I feel that we 20 have been a very good neighbors. We have heard you. 21 You had a voice. You guys stated your case. Some of 22 them were heated. Some of them were not pleasant. 23 However, we always listened to any of your comments, 24 and we do appreciate it. As a good neighbor, I</p>	<p>1 CHAIRMAN MCCOMBIE: State your name. 2 MR. BAJWA: Asad Bajwa, Solar USA. 3 So we have submitted our comments 4 based on the December 13th submittal we had from AC 5 Power, and the responses received on January 21st. 6 We agreed with most of the responses. We do have two 7 follow-up questions or comments, and both are related 8 to the amount in height of the solar panels. One of 9 the details shows a minimum 3 feet from the lowest 10 edge of the racking. At a 30 degree tilt, the 11 highest point would be 8 feet above that lowest 12 point. So if there is no maximum amount of height, 13 that means they can go 5 feet higher on the lowest 14 side. That would put the amount on the highest point 15 at 13 feet. So our comment is to make sure we add in 16 that situation when you do the line of sight 17 analysis. 18 CHAIRMAN MCCOMBIE: Yeah, when we had talked 19 to them about it, the 3 feet is the beginning number. 20 As long as the 3 foot number stays the same, the 21 height at the top of the panel should be -- based on 22 a 30 degree angle, should be about 10 foot 8. 23 MR. BAJWA: That's correct. It says minimum 24 3 feet. That means they can go up as high as the</p>

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<p>1 10 --</p> <p>2 CHAIRMAN MCCOMBIE: Oh, I see what you're</p> <p>3 saying. Yeah, we would like that to be the maximum.</p> <p>4 MR. BAJWA: Right. Exactly. If there is a</p> <p>5 maximum height of the lowest point, that would</p> <p>6 determine the maximum height on the highest point,</p> <p>7 and that should be used in the line of sight.</p> <p>8 CHAIRMAN MCCOMBIE: Right. Right. Right.</p> <p>9 So we would like the maximum and the minimum to be</p> <p>10 the same number, 3 feet.</p> <p>11 MR. BUTLER: I think you want a little wiggle</p> <p>12 room just because the terrain rolls a little bit.</p> <p>13 You're going to be 2 foot 8 in one spot and something</p> <p>14 more, but I generally, you know, understand.</p> <p>15 MR. BAJWA: Okay. The second comment was</p> <p>16 from MWRD. They made a statement the maximum height</p> <p>17 is 10 feet. Is that 10 feet at the lowest point or</p> <p>18 the highest point? Again, if it is on the lowest</p> <p>19 point, that means the highest point of the module</p> <p>20 will become 18 foot 6 inches, if you had 8 1/2 feet.</p> <p>21 MS. ROWLEY: It's just to the bottom of the</p> <p>22 panels. They clarified in the e-mail we distributed.</p> <p>23 MR. BAJWA: And then the last additional</p> <p>24 comment we had was related to the decommissioning</p>	<p>1 up over time. So you'll see a first bond in the</p> <p>2 amount of 10 percent, and then at five years or I</p> <p>3 think it's six years it increases to 50 percent, and</p> <p>4 it's fully covered at 10 years, when those panels</p> <p>5 have depreciated in value and they don't have as much</p> <p>6 resale value or value in the marketplace anymore.</p> <p>7 And that will be also provided in the form of a</p> <p>8 surety bond, which is specified in the</p> <p>9 decommissioning plan, which the company can provide a</p> <p>10 draft of that instrument before it's approved by the</p> <p>11 Village.</p> <p>12 MR. BAJWA: That's our recommendation as</p> <p>13 well.</p> <p>14 CHAIRMAN MCCOMBIE: Good. Thank you.</p> <p>15 Damian, do you have anything to add?</p> <p>16 MR. MICHALSKI: No. Thank you.</p> <p>17 CHAIRMAN MCCOMBIE: Okay. So at this time</p> <p>18 does anybody on the Commission have any questions or</p> <p>19 comments that they would like to bring forth?</p> <p>20 COMMISSIONER KWASEK: I have a question.</p> <p>21 Going back to the height. I</p> <p>22 understand the panel is tilted at a 30 degree angle.</p> <p>23 Perpendicular to that direction, the panels sit on a</p> <p>24 rising slope of the hill. Does each panel step up or</p>
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<p>1 plan. The concern was raised what if the entire</p> <p>2 solar array was abandoned within a year or two. So</p> <p>3 there's a decommissioning cost. The escrow amount</p> <p>4 should be calculated in. So the Village has a right</p> <p>5 to use that within 12 months if the solar array stays</p> <p>6 abandoned.</p> <p>7 CHAIRMAN MCCOMBIE: Yeah, I've seen quite a</p> <p>8 few numbers on it back and forth. If anybody guesses</p> <p>9 that right, they should probably be in the federal</p> <p>10 government right now.</p> <p>11 But I will say that I think that</p> <p>12 there's the basis for what they're doing made sense.</p> <p>13 That inflation thing we should tie to it something,</p> <p>14 and I assume that the Village will negotiate with</p> <p>15 them as to what that rate will be so that there's no</p> <p>16 risk for anybody.</p> <p>17 MR. BAJWA: Correct. That's all I have.</p> <p>18 CHAIRMAN MCCOMBIE: Thank you for your</p> <p>19 report.</p> <p>20 MS. ANTONIOLLI: I can also clarify just some</p> <p>21 of the details about the decommissioning financial</p> <p>22 assurance that's in the plan. Because the equipment</p> <p>23 and the modules have so much value when they're</p> <p>24 initially installed, the financial assurance it steps</p>	<p>1 are there a number of panels together that -- are the</p> <p>2 panels level or do they follow the slope?</p> <p>3 MR. BAXTER: A little bit of both. They will</p> <p>4 follow in some sections, but they will follow the</p> <p>5 slope, yes. What you're saying is will the panel at</p> <p>6 one end where it is downhill slide, will it sit at</p> <p>7 extra 10 feet off the ground, no, it will not, it</p> <p>8 follows the slope.</p> <p>9 COMMISSIONER KWASEK: So they are tipped.</p> <p>10 MR. BAXTER: The rack -- Yes, the racking</p> <p>11 follows the slope.</p> <p>12 COMMISSIONER KWASEK: And 3 foot, that's kind</p> <p>13 of a minimum for maintenance underneath.</p> <p>14 MR. BUTLER: Exactly.</p> <p>15 COMMISSIONER KWASEK: So what would you</p> <p>16 anticipate the variance would be from 3 foot to what?</p> <p>17 MR. BUTLER: I would expect it from just</p> <p>18 under 3 to maybe 4. It should be no more than 5 in</p> <p>19 many cases.</p> <p>20 COMMISSIONER KWASEK: So no more than 5.</p> <p>21 CHAIRMAN MCCOMBIE: Okay. I know we have to</p> <p>22 wait for the final engineering --</p> <p>23 MR. BUTLER: Part of that is all structural</p> <p>24 too, the wind load -- The more wind load you pick</p>

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<p>1 up --</p> <p>2 COMMISSIONER KWASEK: Yeah, but you do this</p> <p>3 all of the time. You have to decide what the sizes</p> <p>4 are.</p> <p>5 MR. BUTLER: Yep. But the racking</p> <p>6 manufacturer actually comes in when the time of</p> <p>7 purchase and does that full design of all of the</p> <p>8 pieces that are needed.</p> <p>9 CHAIRMAN MCCOMBIE: Let's talk about</p> <p>10 landscaping also right now, because that will be</p> <p>11 probably the last part, and then we can close it out</p> <p>12 and take a vote.</p> <p>13 So why don't you go ahead.</p> <p>14 COMMISSIONER KWASEK: Towards the end of the</p> <p>15 last meeting, I kind of gave them an indication of</p> <p>16 what it would take to get my vote. I'm concerned</p> <p>17 about the appearance.</p> <p>18 Unfortunately, this kind of item is</p> <p>19 like trying to hide a big box industrial warehouse</p> <p>20 that's 36 feet tall. Forget it, you're not going to</p> <p>21 hide it. You can break up the line, but you're not</p> <p>22 going to hide it.</p> <p>23 So I had mentioned that I thought</p> <p>24 what they had presented prior to that meeting was</p>	<p>1 docks, although truck docks villages really do make</p> <p>2 you do continuous landscaping, tall stuff with a</p> <p>3 berm, but you can't -- you can't really start messing</p> <p>4 with the height and berming on the cap, so... But I</p> <p>5 felt that this was reasonable. ---</p> <p>6 Now, when I did get the revised</p> <p>7 plans, it seemed like that existed on the north and</p> <p>8 the south. It seemed like they put the deciduous</p> <p>9 trees against the east property line mixed in with</p> <p>10 their cuttings, which confused our landscape</p> <p>11 architect. So they wanted to pull that back.</p> <p>12 So what I back up the whole thing to</p> <p>13 is exactly what I said, each one hundred foot of</p> <p>14 landscape buffer on the north and the east shall</p> <p>15 contain a minimum, I don't want to preclude more, a</p> <p>16 minimum of one 10 foot Evergreen tree, one 8 foot</p> <p>17 Evergreen tree, one 3 inch caliber desidious tree,</p> <p>18 one 2 inch caliber deciduous tree, all other</p> <p>19 Evergreen trees shall be 6 foot minimum, and</p> <p>20 obviously, that's in addition to what they already</p> <p>21 show. That is not in lieu of, that's in addition.</p> <p>22 CHAIRMAN MCCOMBIE: Yeah, and I think that</p> <p>23 when we did get the drawings, we finally saw that you</p> <p>24 added some trees in, and I think it makes the whole</p>
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<p>1 fairly consistent and fairly less than minimal. So I</p> <p>2 look at it, and I look at a hundred foot sections,</p> <p>3 that's what their plan describes. Each hundred foot</p> <p>4 of buffer has a certain number of plants, certain</p> <p>5 size of plants. So what seemed reasonable to me</p> <p>6 would be to have within each one hundred foot</p> <p>7 landscape buffer, and I'll clarify that landscape</p> <p>8 buffer on the north and the east. The south along</p> <p>9 Mundhank Road, when I drove there when this first</p> <p>10 came up, I couldn't see through it. All of -- you</p> <p>11 know, when they talk about mature trees, 40 foot, 50</p> <p>12 feet, yep, that's it. That's where you got it. It</p> <p>13 exists. So I don't get excited about trying to hide</p> <p>14 it from the south, because it exists.</p> <p>15 But each one hundred foot of</p> <p>16 landscape buffer shall contain one 10 foot Evergreen</p> <p>17 tree, one 8 foot Evergreen tree, one 3 inch caliber</p> <p>18 deciduous tree, one 2 inch caliber deciduous tree and</p> <p>19 all other Evergreen trees shall be a minimum of 6</p> <p>20 feet. They had presented 6 feet, 4 feet. So that's</p> <p>21 what I said I felt was reasonable to get my vote.</p> <p>22 Does it screen it, absolutely not.</p> <p>23 When you're talking about something</p> <p>24 like this or a data center or a multitude of truck</p>	<p>1 process a lot easier, because you're -- you are</p> <p>2 blocking off the things, and it will look a lot</p> <p>3 better.</p> <p>4 This is -- This is I think the last</p> <p>5 part to this. I think that the engineering that was</p> <p>6 done was always really well done. You guys did an</p> <p>7 excellent job of that.</p> <p>8 I think the landscaping suffered</p> <p>9 maybe from lack of direction. I think we didn't give</p> <p>10 good enough direction on what to do. I think Julius'</p> <p>11 break down is very good. And I respect the fact</p> <p>12 which we moved it -- They moved it 300 feet from</p> <p>13 Hoffman Estates where it was originally I think a</p> <p>14 hundred feet. And so they moved it 200 additional</p> <p>15 feet from Hoffman Estates at our request, and that</p> <p>16 was really something special. And also they moved it</p> <p>17 an additional I think 150 or 200 feet from the east</p> <p>18 line, so -- which was once again to get it farther</p> <p>19 away from the east and from the north. We spread it</p> <p>20 out more to the west than it was ever done before. I</p> <p>21 like the layout as it is right now. And I think that</p> <p>22 with all of the amenities that they are adding all of</p> <p>23 the trees and everything else, it's a thoughtful</p> <p>24 process.</p>

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<p>1 Again, putting landfills -- I don't 2 know, putting solar panels on top of landfills is 3 something that I think makes sense for the 4 environment, and I don't like the fact that they're 5 building this huge solar field to the south of the 6 city. That's all on farm fields. That is just -- 7 It's going to destroy farm fields which is wrong in 8 so many ways. 9 Sir? 10 (Witness sworn.) 11 MR. JASKOT: My name is Raymond Jaskot, South 12 Barrington. 13 Two questions comes up with -- 14 because I haven't seen the revised landscape plans. 15 Do those landscape plans contain 16 long-term maintenance and care to ensure those trees 17 that you plant grow? 18 Because those trees and things like 19 this require watering long term to ensure that they 20 continue growing. 21 CHAIRMAN MCCOMBIE: So there is part of the 22 whole procedure that they gave us, a maintenance plan 23 for the entire area. 24 MR. JASKOT: How long is that maintenance</p>	<p>1 CHAIRMAN MCCOMBIE: Okay. Thank you. 2 MR. BAJWA: It's not difficult to have 3 insurance. The contractor, who installs the solar 4 field, will have his own insurance to make sure they 5 are covered during the construction of the project. 6 CHAIRMAN MCCOMBIE: Okay. So all of the 7 contractors installing this stuff, they will have 8 insurance for -- in case there is any accident. 9 Now, if something happens 12 years 10 from now, we would have to prove negligence to go 11 after their insurance. But yes, they all have 12 insurance. 13 MR. JASKOT: What does that insurance cover? 14 Is that environmental or just construction? 15 Because there is different types of 16 insurance. 17 CHAIRMAN MCCOMBIE: So I would assume, 18 because -- I would assume that what they do is they 19 would have as part of it, have pollution and 20 engineering insurance. So I would assume that 21 pollution would be part of the insurance package. 22 And we can ask the Village to make 23 sure that is part of it. 24 MR. BUTLER: And Republic, BFI, that is the</p>
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<p>1 plan for? 2 CHAIRMAN MCCOMBIE: It's a yearly maintenance 3 plan for as long as it exists. 4 MR. JASKOT: Second is, we've talked about 5 all of the assurances for decommissioning and 6 everything. What is the protection or insurance in 7 case there is an accident in terms of penetrating the 8 cap. I know we talked about they're not going to do 9 it. Accidents happen. What is the -- Is there 10 insurance in place to clean up an accident? This 11 type of environmental damage would be significant. 12 Is there any insurance plan or anything like that 13 guaranteed in case an accident happens? 14 CHAIRMAN MCCOMBIE: I've seen nothing. 15 MR. JASKOT: Is that a concern? 16 Because accidents happen. If the 17 wrong person putting in these trees and goes too deep 18 and punctures the thing, as these trees get larger, 19 the root is going to be deeper. 20 Isn't that something that we should 21 consider that accidents happen and we should have a 22 contingency plan? 23 That is a question. That's all I've 24 got.</p>	<p>1 long-term owner of the landfill, itself, already has 2 all of that liability and owns all of that liability, 3 has proof of insurance, and it has to go through 4 those programs with the Illinois EPA for all the 5 operations that normally occur. There's waste 6 sitting in there long term. They install wells and 7 other things through there periodically. So they 8 already have all their insurance to cover that 9 pollution liability. It's well underway on that. 10 COMMISSIONER KWASEK: Can I ask a couple of 11 questions from our consultant? 12 Roughly, what's the diameter, you 13 know, how tall is the ball on a 10 foot Spruce tree, 14 24 inches, 28 inches? 15 MS. SMITH: I would say somewhere around 24 16 or less. It just depends on -- 17 COMMISSIONER KWASEK: So that's the biggest 18 one. 19 And the cap is supposed to be what, 20 5 feet? 21 MS. SMITH: I think the last planning 22 commission when the landfill engineer was here he 23 said it ranged anywhere from 5 to 12 feet. 24 COMMISSIONER KWASEK: Okay. For somebody to</p>

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<p>1 screw up, they have to be digging a 5 foot hole</p> <p>2 instead of a 2 foot hole.</p> <p>3 I mean, I had some landscapers</p> <p>4 install three deciduous trees, actually four. Three</p> <p>5 of them were 3 inch, and they didn't dig 1 inch more</p> <p>6 than they had to.</p> <p>7 Now, from our consultant for</p> <p>8 landfills, what happens if some idiot digs down 6</p> <p>9 feet and punctures the cap? What actually happens?</p> <p>10 MR. BAJWA: I'm not the expert on the</p> <p>11 landfill; however, the Village can protect themselves</p> <p>12 and put in a requirement in the contract during the</p> <p>13 design, that the contractor will be liable for any</p> <p>14 damage to the existing cap. And they will be -- They</p> <p>15 should be covered for that.</p> <p>16 COMMISSIONER KWASEK: Wouldn't they just --</p> <p>17 If they dug too deep, they won't just walk away.</p> <p>18 They would throw the dirt back, wouldn't they?</p> <p>19 MR. BUTLER: It's not a layer. It's not a</p> <p>20 thin layer. That's a compacted clay layer there too.</p> <p>21 They're not going to break through the cap. It's not</p> <p>22 a piece of plastic.</p> <p>23 CHAIRMAN MCCOMBIE: Okay. So are there any</p> <p>24 other questions?</p>	<p>1 guess we're sending to the Village Board for approval</p> <p>2 with the stipulations that Julius had mentioned for</p> <p>3 the landscaping.</p> <p>4 COMMISSIONER KWASEK: That I read twice.</p> <p>5 CHAIRMAN MCCOMBIE: Yes. And we have a court</p> <p>6 reporter, so we know we got it correct twice.</p> <p>7 MS. ANTONIOLLI: Can I ask if the vote for</p> <p>8 preliminary approval is the same as a vote to</p> <p>9 recommend approval to the Board or is there a</p> <p>10 difference between the two?</p> <p>11 COMMISSIONER KWASEK: We recommend. He just</p> <p>12 short formed it.</p> <p>13 CHAIRMAN MCCOMBIE: We recommend to the</p> <p>14 Village for approval.</p> <p>15 MR. BUTLER: Of the special use.</p> <p>16 CHAIRMAN MCCOMBIE: Yes, for the special use.</p> <p>17 MS. ANTONIOLLI: I didn't know if preliminary</p> <p>18 meant something different.</p> <p>19 CHAIRMAN MCCOMBIE: No. Okay. Which allows</p> <p>20 them -- you to finalize the design and then come</p> <p>21 before us one more time with the final design or just</p> <p>22 go to building -- go to building with the final,</p> <p>23 yeah.</p> <p>24 So is there a motion?</p>
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<p>1 (No response.)</p> <p>2 CHAIRMAN MCCOMBIE: Motion to close the</p> <p>3 public hearing?</p> <p>4 COMMISSIONER KWASEK: So moved.</p> <p>5 CHAIRMAN MCCOMBIE: Second?</p> <p>6 COMMISSIONER ABRI: I second.</p> <p>7 CHAIRMAN MCCOMBIE: Roll call.</p> <p>8 VILLAGE ADMINISTRATOR DROPKA: Commissioner</p> <p>9 Abri?</p> <p>10 COMMISSIONER ABRI: Aye.</p> <p>11 VILLAGE ADMINISTRATOR DROPKA: Commissioner</p> <p>12 Kazi?</p> <p>13 COMMISSIONER KAZI: Yes.</p> <p>14 CHAIRMAN MCCOMBIE: Commissioner Kwasek?</p> <p>15 COMMISSIONER KWASEK: Yes.</p> <p>16 VILLAGE ADMINISTRATOR DROPKA: Commissioner</p> <p>17 Murarka?</p> <p>18 COMMISSIONER MURARKA: Yes.</p> <p>19 VILLAGE ADMINISTRATOR DROPKA: Chairman</p> <p>20 McCombie?</p> <p>21 CHAIRMAN MCCOMBIE: Yes.</p> <p>22 So at this time we can make a motion</p> <p>23 to grant them preliminary approval -- to make a</p> <p>24 recommendation to give them preliminary approval. I</p>	<p>1 COMMISSIONER ABRI: I make a motion.</p> <p>2 CHAIRMAN MCCOMBIE: Second?</p> <p>3 COMMISSIONER KWASEK: Second.</p> <p>4 CHAIRMAN MCCOMBIE: Roll call.</p> <p>5 VILLAGE ADMINISTRATOR DROPKA: Commissioner</p> <p>6 Abri?</p> <p>7 COMMISSIONER ABRI: Aye.</p> <p>8 VILLAGE ADMINISTRATOR DROPKA: Commissioner</p> <p>9 Kazi?</p> <p>10 COMMISSIONER KAZI: I abstain.</p> <p>11 VILLAGE ADMINISTRATOR DROPKA: Commissioner</p> <p>12 Kwasek?</p> <p>13 COMMISSIONER KWASEK: Yes.</p> <p>14 VILLAGE ADMINISTRATOR DROPKA: Commissioner</p> <p>15 Murarka?</p> <p>16 COMMISSIONER MURARKA: I abstain.</p> <p>17 VILLAGE ADMINISTRATOR DROPKA: Chairman</p> <p>18 McCombie?</p> <p>19 CHAIRMAN MCCOMBIE: Yes.</p> <p>20 COMMISSIONER KWASEK: Now you remember from</p> <p>21 the past, an abstention counts as a yes.</p> <p>22 CHAIRMAN MCCOMBIE: Okay. So at this point</p> <p>23 then do we have any old business?</p> <p>24 (No response.)</p>

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1 CHAIRMAN MCCOMBIE: Any new business?
2 (No response.)
3 CHAIRMAN MCCOMBIE: Take a motion to adjourn.
4 COMMISSIONER KWASEK: So moved.
5 COMMISSIONER ABRI: Second.
6 CHAIRMAN MCCOMBIE: All those in favor aye.
7 (Chorus of ayes.)
8 CHAIRMAN MCCOMBIE: Any opposed?
9 (No response.)
10 CHAIRMAN MCCOMBIE: Hearing none, we are
11 adjourned.
12 Thank you.
13 (The meeting adjourned
14 at 7:51 p.m.)
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24

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1 STATE OF ILLINOIS)
2)
3 COUNTY OF COOK)
4
5 I, DEBORAH R. SANTI, Certified Shorthand
6 Reporter, of the State of Illinois, do hereby certify
7 that I reported in shorthand the proceedings had in
8 the aforesaid matter, and that the foregoing is a
9 true, complete and correct transcript of the
10 proceedings had as appears from the stenographic
11 notes so taken to the best of my ability.
12
13
14
15 DEBORAH R. SANTI, CSR
16 CSR # 084-004107
17
18
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22
23
24

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