

# VILLAGE OF ORLAND PARK

14700 Ravinia Avenue  
Orland Park, IL 60462  
[www.orland-park.il.us](http://www.orland-park.il.us)



## Meeting Minutes

Monday, September 20, 2010

6:00 PM

Village Hall

### Development Services & Planning Committee

*Chairman James V. Dodge, Jr.  
Trustees Brad S. O'Halloran and Patricia A. Gira  
Village Clerk David P. Maher*

## CALL TO ORDER/ROLL CALL

The meeting was called to order at 6:25 PM.

**Present:** 3 - Trustee O'Halloran; Chairman Dodge and Trustee Gira

## APPROVAL OF MINUTES

### **2010-0478 Approval of the August 16, 2010 Development Services and Planning Committee Minutes**

I move to approve the Minutes of the Regular Meeting of the Development Services and Planning Committee of August 16, 2010.

**A motion was made by Trustee Patricia Gira, seconded by Trustee Brad O'Halloran, that this matter be APPROVED. The motion CARRIED by the following vote:**

**Aye:** 3 - Trustee O'Halloran, Chairman Dodge, and Trustee Gira

**Nay:** 0

## ITEMS FOR SEPARATE ACTION

### **2010-0058 2010 Land Development Code Amendment-Section 6-314 Environmental Technology Standards**

Director of Development Services Karie Friling reported that on March 23, 2010 the Plan Commission voted 5-0 to recommend to the Village Board to approve the proposed Land Development Code Amendments titled "Section 6-314 Environmental Technology Standards", the Land Development Code Amendments in Section 6-404 Easements, and the proposed definitions, titled "Definitions" at the end of the proposed Section 6-314 for Section 2-102 Definitions, prepared by the Development Services Department and dated February 23, 2010 and March 23, 2010 subject to the following:

1. That the changes outlined in this report replace the respective proposed original amendments in the proposed Section 6-314; and
2. That a consolidated report is provided to the Committee of Trustees.

Since the Plan Commission recommendation the proposed Section 6-314 Environmental Technology Standards were revised further for technical adjustments to the code. These were provided at the August 16, 2010 Committee meeting for review. However, a summary of the technical adjustments can be found at the end of this report in the subsection titled "Technical Adjustments Summary". No specific concerns were expressed at the public hearing regarding the items that are proposed for minor changes.

At the August 16, 2010 Committee meeting, Committee members discussed how

potential renewable energy systems could be reviewed by the Village. The Committee was principally focused on the idea that the public, and in particular residents, should be notified when a renewable energy system is proposed near or in their neighborhood-especially residents that live near commercial areas.

The following solution is proposed for each renewable energy system as it relates to the development review process and public notification.

### **Proposed Review Process**

Section 6-314.C was rewritten to include a new Environmental Clean Technology (ECT) review and notification process. A petitioner must submit a petition to install an ECT to the Development Services Department. The section states that an ECT review is a review at Plan Commission that requires the notification of all residents within 330 feet of the proposed system, except for geothermal systems (which are underground and not visible).

The public notification requirements follow existing requirements used for public hearings, except that in this case newspaper notices and sign postings are not necessary. A certified mailing to residents within a 330 foot buffer area will ensure that everyone potentially and directly impacted by the proposed system will be notified.

Included with this report are two maps that indicate notification radii for 330 and 500 foot buffers for ECT reviews in a typical R-3 neighborhood. Residential uses proposing renewable energy systems like wind turbines represent the most conservative application of the notification requirements.

In a 330 foot notification buffer, approximately 30 to 40 residential uses would be notified. The average cost for certified mailing in a 330 foot buffer would typically be below \$100.

At the previous Committee meeting a 500 foot notification buffer was discussed as a potential option. To compare, in a 500 foot notification buffer approximately 70-80 residential uses would be notified. The average cost for certified mailing in such a buffer would typically be between \$100 and \$200.

### **WECS Reviews**

For RESWECS an ECT review at Plan Commission is required.

For MINIWECS, an ECT Review is required if within 330 feet of residential uses, otherwise it would be an appearance review in the BIZ, COR, MFG and ORI districts. (These are small rooftop systems typically).

For SWECS, a special use is required if located within 500 feet of residential uses, otherwise a site plan and elevation review at Plan Commission is required.

For UWECS, a special use is required in the MFG and ORI districts and within 150 feet of I-80. UWECS are not permitted in the remaining zoning districts or within 500 feet of a residential use.

### **Solar Energy System Reviews**

For all three types of solar energy systems-PV, SLH, SAH-- an ECT review is required. If the proposed systems are not within 330 feet of residential uses, notification requirements are not necessary but a review still occurs at Plan Commission.

### **Geothermal Energy System Reviews**

No changes were proposed to the review process proposed for these systems, since they are underground and not visible.

## **TECHNICAL ADJUSTMENTS SUMMARY (Recap from August 16, 2010)**

### **Revisions to the WECS Section**

In Section 6-314.D an exception was added to the rule regarding the prohibition of lattice or guyed towers to allow lattice towers under 30 feet, towers with a rotor diameter of five feet or less and towers that generate power for pond aerators or farm well pumps.

The second revision made was increasing the allowable height of RESWECS from 7 feet to 12 feet beyond the roofline of a residential building. This was a technical adjustment in favor of optimal performance for most marketed rooftop turbines.

The last adjustment in the WECS section dealt with the height of Small Wind Energy Conversion Systems. The Plan Commission reviewed the height of the SWECS towers at 100 feet. The technical adjustment increased the height of the SWECS towers to 120 feet. The additional 20 feet is meant to clear wind obstacles (trees, buildings etc.) and provide optimal performance conditions. One-hundred-twenty feet is still less than the tallest wireless communication towers in the Village.

Other revisions in the WECS include language clarifications for the requirement of automatic braking systems, 20 feet as the minimum distance between the ground and any protruding blades of a WECS, and clarifications regarding interconnectivity and transmission. Tower colors were changed to "white, gray or another non-reflective, unobtrusive color." Finally a provision was added requiring WECS to follow FAA rules and regulations.

### **Revisions to the SES Section**

In Section 6-314.E clarification was added in the height sections in each of the solar technologies (photovoltaic, solar liquid heating, solar air heating). The clarification was that the solar technology could not increase the visual height of a building. The provision allows for higher applications of the technologies so long as it is not visible from the public right-of-way or neighboring properties. This change was made in order to allow flat roof buildings to properly angle solar panels for optimal performance. Likewise, gabled roof buildings can angle panels for optimal performance as long as the angle does not increase the visual height of the building.

### **Revisions to the GES Section**

In Section 6-314.F the depth regulations of a GES were changed from 30 feet to 600 feet underground. This is a technical adjustment because in already-built environments it is easier to dig geothermal wells narrowly and deeper than it is to build them shallowly and wider. Six-hundred feet is also the most common depth used in the Midwest for geothermal wells.

Other changes in the GES section included renaming "Hydrothermal Heat Pump Systems" to "Irrigated Geothermal Heat Pump Systems." The name is changed to avoid any confusion with hot water springs or steam below ground, which are typically not present in the Midwest. The new name also better defines the original intent, which was to describe a geothermal system used in a storm water detention pond or accessing aquifers.

Finally, multi-family home developments were added to the permissible types of land uses that can employ Small Scale Geothermal District Heating and the section regarding geothermal exploration was eliminated from the text since geotechnical studies are required in order to plan for geothermal energy systems per 6-314.F.3.e.

### **Sections 2-102 and 6-404**

No changes were made to the proposed definitions found at the end of proposed Section 6-314, which are to be added to Section 2-102 Definitions of the Land Development Code.

Also, no changes were made since Plan Commission to the proposed amendments for Section 6-404 Easements, which include new provisions for wind, solar and geothermal access easements that are similar to the existing easement provisions of the section.

This case is now before the Development Services/Planning Committee for review prior to being sent to the Board of Trustees for final review/approval.

Trustee Patricia A. Gira recommends that the policy require notifying the public for geothermal systems and to remove the depth limit for geothermal energy systems

so that engineers may determine what is necessary.

Trustee O'Halloran recommends that that 330 foot public notification requirement change to 500 feet when commercial uses proposing renewable energy systems are adjacent to residential uses.

Chairman James Dodge agreed with the recommended amendments to the policy and would like for staff to present the policy to the full board.

I move to recommend to the Village Board to approve the proposed amendments to the Land Development Code Sections outlined in this report as amended and as fully referenced in the below motion.

**THIS SECTION FOR REFERENCE ONLY (NOT NECESSARY TO BE READ)**

I move to recommend to the Village Board to approve the proposed amendments to the Land Development Code Sections 2-102, 6-314 and 6-404 as written in the attached exhibit titled "Section 6-314: Environmental Technology Standards" and "Section 6-404. Easements", prepared by the Development Services Department.

**A motion was made by Trustee Brad O'Halloran, seconded by Trustee Patricia Gira, that this matter be APPROVED. The motion CARRIED by the following vote:**

**Aye:** 3 - Trustee O'Halloran, Chairman Dodge, and Trustee Gira

**Nay:** 0

**ADJOURNMENT - 6:32 PM**

**A motion was made by Trustee Brad O'Halloran, seconded by Trustee Patricia Gira, that this matter be ADJOURNED. The motion CARRIED by the following vote:**

**Aye:** 3 - Trustee O'Halloran, Chairman Dodge, and Trustee Gira

**Nay:** 0

/mp

APPROVED:

Respectfully Submitted,

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**David P. Maher, Village Clerk**