

**VILLAGE OF MACKINAW
ZONING BOARD OF APPEALS
Wednesday – July 1, 2020**

MINUTES OF THE REGULAR MEETING OF THE ZONING BOARD OF APPEALS HELD AT
THE MACKINAW MUNICIPAL BUILDING AT 7:00 P.M.

The meeting of the Zoning Board of Appeals was called to order at 7:00p.m.
This was a regularly scheduled meeting.

I. **CALL TO ORDER:** @ 7:00 p.m.

II. **PLEDGE OF ALLEGIANCE**

III. **ROLL CALL:**

Present: 5 – Board Chairman: Ted Laidig **Board Members:** Craig Kilby, Tad Myers, Steve Powell Sr. and Todd Smith

Also Present: Recording Secretary Amanda Schmidgall, Zoning Officer Joe McGrath, Greg Lara and Jack McGrath

Absent: 2 – Board Member: Kraig Kamp and Chuck Lowery

IV. **CONSENT AGENDA ITEMS:**

A. Approval of March 4, 2020 meeting minutes Myers moved, seconded by Smith to approve the minutes of the regular meeting minutes of March 4, 2020 as submitted. On a roll call, the vote was:

Ayes: 5 – Board Chairman: Ted Laidig **Board Members:** Craig Kilby, Tad Myers, Steve Powell Sr. and Todd Smith

Nays: 0

Absent: 2 – Board Member: Kraig Kamp and Chuck Lowery

There being five affirmative votes, the **motion carried**

V. **PUBLIC COMMENT:** Mr. Greg Lara came before the board to request the board rethink their decision to not allow solar ground mount arrays in the corporate limits of the Village of Mackinaw in residential districts. Mr. Lara is currently working with Michelle Knox who owns WindSolarUSA. Ms. Knox sent a presentation to the Zoning Board to review the ramifications of disallowing solar ground mount arrays to her customer Greg Lara. Mr. Lara's property has a Cottonwood tree located on village owned property that currently shades a portion of his roof and would reduce the efficiency of a solar roof mount array. Mr. Lara discussed with the board his concerns and upon pulling up the GIS map showed the board where his solar ground mount array would be located on the south east border of his property. Board Member Smith asked Mr. Lara if by placing the ground mount in such close proximity to his neighbors would be bothersome to them. Mr. Lara stated he had not spoken with his neighbors but if the board would allow the solar ground mount array he would discuss with them before

having it placed in that location. The board asked Mr. Lara if the cottonwood tree was no longer there to shade his roof what the difference in the solar access weighted by kWp would be. Mr. Lara stated he did not have a shading report that showed what the difference would be between the roof mount and ground mount. Mr. Lara asked the board to consider the financial gains to customers with solar ground mount arrays vs. solar roof mount arrays and not their feelings on aesthetics of the village. Mr. Lara was informed that the Zoning Board of Appeals is a recommendation only board and that the Village Board of Trustees would have the final decision on the ordinance that is being suggested. Zoning Officer McGrath explained after being asked that if the solar ground mount array was placed before the ordinance passed that we have included a section stating that if any systems were found that were noncompliant with the voted upon ordinance that all noncompliant systems would have to be removed and that fines could be imposed upon the land owner. Mr. Lara asks the board to again consider that not all parameters make sense for each individual property and that making a blanket decision could hurt the residents that are unable to only do solar roof mount arrays. Mr. Lara was informed that he could approach the village regarding the removal of the cottonwood on the village property at his cost and not at the cost of the village. Board Member Smith thanks Mr. Lara for coming before the board and giving the information and that the board would consider this information before making a decision.

Mr. Lara left the meeting at 7:27 pm

VI. BUILDING PERMIT REPORT: Zoning Officer McGrath presents the board with the recent building permits. McGrath is currently working on closing out all open permits. Smith moved, seconded by Kilby to approve the building permit report as submitted. On a roll call, the vote was:

Ayes: 5 – Board Chairman: Ted Laidig **Board Members:** Craig Kilby, Tad Myers, Steve Powell Sr. and Todd Smith

Nays: 0

Absent: 2 – Board Member: Kraig Kamp and Chuck Lowery

There being five affirmative votes, the **motion carried**

VII. PAVEMENT PERMIT REPORT: Zoning Officer McGrath presents the board with the recent pavement permits. Myers moved, seconded by Powell Sr. to approve the pavement permit report as submitted. On a roll call, the vote was:

Ayes: 5 – Board Chairman: Ted Laidig **Board Members:** Craig Kilby, Tad Myers, Steve Powell Sr. and Todd Smith

Nays: 0

Absent: 2 – Board Member: Kraig Kamp and Chuck Lowery

There being five affirmative votes, the **motion carried**

VIII. ZONING CODE ADDITIONS/UPDATES:

- A. Review Changes Made to Solar Panel Ordinance: The board was presented with a new draft of the Solar Energy Systems ordinance with the changes recommended by Village Attorney Pat McGrath.
- B. Request for Ground Array Solar Panels: The board discussed the information that was given during public comment. The consensus of the board that the ordinance would be presented as it was written not allowing solar ground mount arrays at the public hearing scheduled for July 8, 2020 at 7:35 pm at the Mackinaw Municipal Building.

IX. NEW BUSINESS: None

X. ADJOURNMENT: 7:40 PM.

There being no further business to come before the Board, Board Member Smith moved, seconded by Board Member Kilby to adjourn. **Motion Carried.**

Amanda Schmidgall
Recording Secretary
Posted: August 11, 2020