



RESOLUTION No. 03-11-24-1

A RESOLUTION OBJECTING TO AN APPLICATION BEFORE THE  
LAKE COUNTY ZONING BOARD OF APPEALS FOR A COMMERCIAL SOLAR  
ENERGY SYSTEM LOCATED AT 25428 N. FAIRFIELD ROAD, PIN# 14-04-300-002,  
AMONGST DEVELOPED RESIDENTIAL AND PARKLAND PROPERTIES IN AND  
ADJACENT TO THE VILLAGE OF HAWTHORN WOODS

WHEREAS, the County of Lake, a governmental unit located in Lake County, Illinois, is in receipt of an application and plans from RPIL Solar 3, LLC with a business address in San Francisco, California, for a Conditional Use Permit to establish a Commercial Solar Energy System at the subject property located at 25428 N. Fairfield Road, Lake Zurich, Illinois, PIN #14-04-300-002, in unincorporated Lake County, consisting of approximately 38 acres. The subject property is currently zoned Estate under Section 151.050 of the Lake County Zoning Ordinance; and is designated as Single Family in the approved Village of Hawthorn Woods Comprehensive Plan, and

WHEREAS, the present use of the subject property is Residential and Agriculture; and lies within the 1.5 mile jurisdictional planning area of the Village of Hawthorn Woods; and

WHEREAS, the subject property currently has a designation of Residential Single-Family, Forest/Grassland/Beach and Agricultural as defined in the 2010 Land Use Plan of Lake County; and

WHEREAS, the subject property is immediately surrounded by, and sharing a property line with the developed residentially zoned subdivisions in the Village of Hawthorn Woods consisting of White Birch Meadows immediately to the west, White Birch Lakes immediately to the south, Legend Knolls across Fairfield Road to the east, as well as the Lochanora subdivision, located in unincorporated Lake County, immediately to the north; and Heritage Oaks Park in Hawthorn Woods located across Fairfield Road to the east; and

WHEREAS, although the application was received by Lake County before August 4, 2023, it was not until March 1, 2024, that Lake County informed the Village of Hawthorn Woods of the application for a Conditional Use for a Commercial Solar Energy System and the pending public hearing before the Lake County Zoning Board of Appeals on March 21, 2024; and

WHEREAS, the final decision on the approval of the Commercial Solar Energy System lies with the Zoning Board of Appeals, and is not referred to the full corporate authorities of Lake County; and

WHEREAS, the application is for an approximately 5 MW (AC) ground-mounted distributed generation community solar facility; and

WHEREAS, identified in a Memorandum of Lease on the subject property, the original term of the Lease will be approximately twenty (20) years, with three (3) options for the Lessee to

extend the term of the Lease, each for a five (5) year period, which Lessee may exercise in its sole discretion; and

WHEREAS, the application being considered by the Lake County Zoning Board of Appeals identifies the fencing around the property to be constructed of wooden posts with woven wire galvanized agricultural fencing seven feet (7') in height, the solar panels can reach a height of twenty feet (20') measured from grade to the highest point of the solar arrays, and the setback of the solar panels from the affected surrounding residential structures is of great concern as fences are not permitted in Hawthorn Woods; and

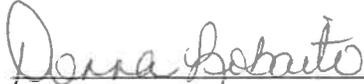
WHEREAS, when the Commercial Solar Energy System has run its useful life, the application contemplates the Facility Owner shall complete a Decommissioning Plan that will outline the deconstruction of the Facility not immediately, but within twelve (12) months after the end of the useful life of the Facility, and any financial assurance by the Facility Owner to ensure the deconstruction of the facility is not to be fully funded at 100% until the eleventh (11<sup>th</sup>) anniversary of the Commercial Operation Date; and

WHEREAS, the Village of Hawthorn Woods is not opposed to renewable energy; however, the location and placement of such facilities, and the impact of surrounding properties needs to be considered and taken into account when developing such sites so as to not impose a negative impact on the surrounding properties.

NOW, THEREFORE, BE IT RESOLVED that the Village Board of Trustees, on behalf of the residents of Hawthorn Woods, exercising our rights to plan, regulate and influence the 1.5 mile municipal jurisdictional sphere outside of the Village's municipal boundary as allowed by Illinois law, hereby objects wholeheartedly to the application before the Lake County Zoning Board of Appeals for a Commercial Solar Energy System. Such use clearly does not meet the standards required to be met for approval and will negatively impact the health, safety and welfare of the residents of the Village of Hawthorn Woods, and it will have a negative effect and is contrary to property values, zoning, planning, drainage and stormwater management functions of the Village of Hawthorn Woods which will all be directly and adversely impacted by the proposed use of a Commercial Solar Energy System on the subject property.

The foregoing resolution was adopted unanimously by the Board of Trustees of the Village of Hawthorn Woods, Illinois on March 11, 2024.

  
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Dominick DiMaggio  
Mayor

  
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Donna Lobaito  
Village Clerk