



**VILLAGE OF PINGREE GROVE  
RESOLUTION NO. 2024-R-23**

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**A RESOLUTION OPPOSING THE SPECIAL USE APPLICATION  
FOR A COMMERCIAL SOLAR FACILITY AT BIG TIMBER ROAD AND ROUTE 72 INTERSECTION  
FOR THE VILLAGE OF PINGREE GROVE, KANE COUNTY, ILLINOIS**

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PASSED BY THE PRESIDENT AND BOARD OF TRUSTEES  
OF THE VILLAGE OF PINGREE GROVE, KANE COUNTY, ILLINOIS  
THIS 18TH DAY OF NOVEMBER 2024

PUBLISHED IN PAMPHLET FORM BY AUTHORITY  
OF THE PRESIDENT AND BOARD OF TRUSTEES  
OF THE VILLAGE OF PINGREE GROVE, KANE COUNTY, ILLINOIS  
THIS 18TH DAY OF NOVEMBER 2024

## **RESOLUTION No: 2024-R-23**

### **A RESOLUTION OPPOSING THE SPECIAL USE APPLICATION FOR A COMMERCIAL SOLAR FACILITY AT BIG TIMBER ROAD AND ROUTE 72 INTERSECTION FOR THE VILLAGE OF PINGREE GROVE, KANE COUNTY, ILLINOIS**

**WHEREAS**, the Village of Pingree Grove (the "Village") is not a home rule municipality within Article VII, Section 6A of the Illinois Constitution and pursuant to the powers granted to it under 65 ILCS 5/1-1-1, et. seq.; and,

**WHEREAS**, the Big Timber Solar Facility, LLC has filed a petition for a special use permit for a commercial solar facility with the County of Kane, for the subject property located at the south-east corner of Big Timber Road and Route 72, bearing PIN Number 02-22-400-014 (the "Subject Property"), bearing Petition No. 4644 (the "Petition"); and

**WHEREAS**, the subject property lies within one and a half (1.5) miles of the corporate limits of the Village of Gilberts and is also contiguous with the Village of Pingree Grove's planning area; and

**WHEREAS**, pursuant to Section 25-5-4-9(M) of the "Kane County Zoning Ordinance, the County Board may approve a Commercial Solar Energy Facility Special Use Permit Application, if it finds the evidence comply with state and federal law and regulations, and with the standards of this zoning code including the factors listed in Article IV. Administration and Enforcement Section 25-4-8: Special Uses"; and

**WHEREAS**, one of the Special Use Factor standards under Section 25-4-8 of the Kane County Zoning Ordinance is that the Kane County Zoning Board of Appeals and the Kane County Board must find as being satisfied is "that the establishment of the special use will not impede the normal and orderly development and improvement of surrounding property for use permitted in the district"; and

**WHEREAS**, the construction of a commercial solar facility on the subject property would prevent and impede the normal and orderly development of the subject property and the entire Route 72/Big Timber Road subarea contiguous with the Village of Pingree Grove's planned development area; and

**WHEREAS**, the proposed commercial solar facility will likely operate for decades into the future, may negatively impact the community's aesthetics, and directly impede the future development of this entire area, eliminating the potential for the critical developments for the residents of both the Village of Gilberts and the Village of Pingree Grove, along with Kane County as a whole, including additional housing options; and

**WHEREAS**, the subject property is located at the corner of two critical regional roadways that are subject to significant vehicular traffic, making the subject property more suitable to commercial and residential development area, not an industrial use like a solar facility; and

**WHEREAS**, in addition to the clear and direct impediment to the normal and orderly development of the surrounding area, the design of the proposed commercial solar facility described in the petition suffers from several other deficiencies and flaws, as more fully described in Exhibit A attached hereto and incorporated herein; and

**WHEREAS**, for the reasons set forth in this Resolution, the Corporate Authorities of the Village of Pingree Grove hereby state their objection, protest to the petition, and urge the Kane

County Board to deny the petition.

**NOW, THEREFORE, BE IT RESOLVED** by the President and Board of Trustees of the Village of Pingree Grove, Kane County, Illinois, as follows:

**Section 1. Recitals.** The recitals set forth above are hereby incorporated into this Resolution as if set forth in full herein.

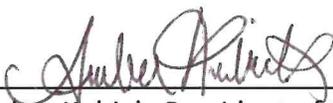
**Section 2. Objection to the Petition.** The Village of Pingree Grove hereby states its objection and protest to the petition and urges the Kane County Board to deny the petition.

**Section 3. Authorization.** The Village President and the Village Manager are hereby authorized and directed to provide a copy of this Resolution to the Kane County Zoning Board of Appeals and the Kane County Board. The Village President and Village Manager are further authorized to take further actions to oppose the Petition, including, but not limited to, providing further correspondence to Kane County specifying the Village's objections to the Petition, testifying at the hearing before the Kane County Zoning Board of Appeals, and providing comment to the Kane County Board.

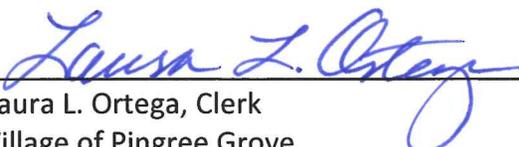
**Section 4. Effective Date.** This Resolution shall be in full force and effect on and after its passage, as provided by law.

**PASSED AND APPROVED** by the President and Board of Trustees of the Village of Pingree Grove, Kane County, Illinois this 18<sup>th</sup> day of November 2024 by roll call vote.

	<u>Aye</u>	<u>Nay</u>	<u>Absent</u>	<u>Abstain</u>
President Amber Kubiak	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Trustee Joseph Hirschbein	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Trustee Luke Hall	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Trustee Adam Hagg	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Trustee Ed Tarnow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Trustee Brook Carey	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Trustee Kevin Pini	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

  
Amber Kubiak, President of the Board of Trustees  
Village of Pingree Grove

ATTEST:

  
Laura L. Ortega, Clerk  
Village of Pingree Grove



**EXHIBIT A**  
**Objections to the Petition**

- The property proposed for the commercial solar facility is already designated for future commercial business.
- Development of this site as a solar facility will prohibit the planned commercial and development from moving forward for the duration of solar development, which could be decades.
- Development of a solar facility at subject property will deter commercial development any benefits those developments would bring to Pingree Grove residents. Benefits of those developments include bringing additional residents, businesses, jobs, and community amenities.
- The property proposed for this development is located at the corner of two highly traveled and regional roadways.
- Commercial and residential land uses would receive more of a benefit from being directly adjacent to these roadways the proposed solar facility.
- The access points off Big Timber Road and Route 72 are intended to be used to access the subject property and those directly adjacent to it as part of the larger development of the area.
- Development of this site as a solar facility will prohibit these planned ROW dedications necessary for the planned development of adjacent properties.
- The proposed development contemplates landscaping on west side of the property and portions of the northern side.
- The submitted Special Use Application alludes to security lighting, however no photometric plans with locations or illumination details were provided.
- Without knowing the location, type, and measurements of any lighting fixtures on the property, staff cannot verify whether or not the lights will shine into the public ROW or into adjacent properties and homes.
- The development proposes a gravel drive and parking lot to be used as access to the solar farm's service panels.
- The Village's design standards and best development practices call for solid paved and dustless surface for any vehicular areas, not crushed gravel or similar surfaces.
- The proposed development has an industrial character as power generation.
- This contrasts with the agricultural and residential character of the surrounding area.
- The term "solar farm" implies a connection to agriculture; however, this land use does not account for the cultivation of plant life or the rearing of animals as the surrounding agricultural areas do.
- The property the development is intended to go on is within 100ft of residential properties.
- It is best practice that residential uses be buffered by uses that compliment them and ease the transition into industrial uses. The only buffers proposed for this development include the existing Big Timber Road and the ambiguous landscape screening.
- Kane County's Zoning Code section 25-4-8-2 stipulates that certain Findings of Fact must be true and accurate in order for the Zoning Board of Appeals to recommend approval of a

Special Use Permit.

- Requirement B stipulates that "That the special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood."
- This development has the potential to be injurious to the enjoyment of nearby residential properties by introducing an unaesthetically inviting view in the solar panels and fixed-knot fence.
- Requirement C stipulates that "That the establishment of the special use will not impede the normal and orderly development and improvement of surrounding property for use permitted in the district."