

Village of River Hills

IN THE MATTER OF THE APPEAL OF BRADLEY GOSE, 675 W DEAN RD, REGARDING THE BUILDING INSPECTOR'S DENIAL OF A BUILDING PERMIT APPLICATION FOR INSTALLATION OF A SOLAR ARRAY WITH A SIDE YARD SETBACK OF 65 FEET AND A FRONT YARD SETBACK OF 31 FEET.

The meeting of the Village of River Hills Board of Appeals was called to order May 5, 2020 at 3:00 p.m. by Chairman Steve Spector, with Board Members Billie Smith, and Don Daugherty present pursuant to a notice duly published and posted. Also present were Building Inspector Tod Doebler and Deputy Clerk Stephanie Waala.

Homeowner Bradley Gose updated the board on the additional information the board requested at the February 10, 2020 meeting.

- Contacted Integrity Landscape Services to come and look at the back yard about the lawn drainage. The company informed him it would be difficult to guarantee the lawn would stay dry.
- The neighbor to the West (777 W Dean Rd, Melody Halstrom) has given full verbal support of the project and a letter from the neighbor to the North (730 W Dean Rd, Robert Reagan) was dropped off at village hall and presented to the board.
- Justin of All Energy spoke with engineers and they would not recommend the array be installed in wet soil or wet areas

Board of Appeals members Billie Smith presents the following questions

- The difference in the locations show only a difference of 3% of sun difference between the proposed location and a location in the back yard.
 - Homeowner Bradley Gose explains the second reading that shows 95% sun access is taken in the back yard by the fence which is still North of the wetland area.
- The cost proposal for landscape installation of trees in the back yard to hide the array does not make it a hardship
- The cost to do the grade beams in the backyard would only cost an additional \$2,500. The project would be doable but more difficult.
 - Justin of Solar Array agrees it can be done but does not advise it due to the frost heaving that would occur. This could cause the concrete to become cracked, costs in the future, as well as damage to the structure.
- When a viewing of the property was done there didn't seem to be much of a wetland area.
- Homeowner Bradley Gose clarifies that yes currently because of winter ending there is not cattails, but throughout the summer and fall there is when more water starts to accumulate.

- Integrity Landscape Service states in their letter they do not have the equipment or expertise to solve the wet area problem. If the grade beams are installed then would work from Integrity be needed?
 - Justin of Solar Array clarifies that the landscaping service would move soil to build up the area for the array to sit on as well as trench for the conduit that goes from the power meter to the solar energy system.
- When walking along Dean Rd there are large pines but there are gaps and the array would be visible.
 - Homeowner Bradley Gose feels the highway is in the same visual field when driving by so wonders how noticeable it really would be.

Board of Appeals chairman Steve Spector presents the following questions

- Who is Isaac Lindstrom that has written the letter to the village and has he ever been to the property?
 - Justin of Solar Array clarifies that Isaac is no longer with the company and Justin himself is the representative of this project. Engineering Site Visit Technician Carter viewed the property on November 25, 2019 where he took site photos and data which was then delivered to Isaac and the application was made.

Board of Appeals member Don Daugherty presents the following questions.

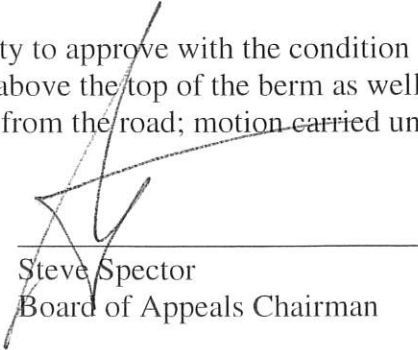
- Clarification on size and proposed location of the solar array.
 - Documents from the packet were shown to answer these questions.
- Can conditions be put with the approval for installation of shrubbery or trees to hide the array.
 - Chairman Steve Spector explains conditions have been put on projects before

Board of Appeals chairman Steve Spector review the hardships that are being claimed

- The area in the back yard would be too soggy
- Additional cost is needed to install grade beams
- Sunshine access would be less in the backyard

Homeowner Bradley Gose proposes moving the array down off the berm 5 feet South so that it will be partially blocked by the berm and shrubbery can be installed on the backside to help with the concealment.

Motion by Smith and seconded by Daugherty to approve with the condition that the array be moved down the berm to not exceed 5 feet above the top of the berm as well as landscaping be done on the Dean Rd side to block all view from the road; motion carried unanimously.



 Steve Spector
 Board of Appeals Chairman


 Tammy LaBorde
 Village Manager/Clerk/Treasurer