

MINUTES OF THE LIVINGSTON COUNTY  
REGIONAL PLANNING COMMISSION MEETING  
HELD ON MAY 7, 2018, STARTING AT 7:00 PM  
IN THE LIVINGSTON COUNTY HISTORIC COURTHOUSE  
112 W. MADISON ST. PONTIAC, ILLINOIS

Chairman Mike Haberkorn called the meeting to order and roll call was taken.

Those present were: Jerry Gaspardo, Mike Haberkorn, Rudy Piskule, Verne Taylor, Scott Sand, Shane Long, Luke Bartlett, Scott Cranford and John Slagel

Those absent were: Eddie Hoerner, Keith Bahler, Dean Wahls and Dee Woodburn

APPROVAL OF THE AGENDA:

Chairman Haberkorn mentioned the agenda to this meeting. With no recommendations for additions or amendments to the agenda for this May 7, 2018 meeting, Luke Bartlett moved, seconded by Jerry Gaspardo, that the agenda for this meeting be approved as presented. This motion was unanimously approved by voice vote.

APPROVAL OF MINUTES:

Minutes of the March 5, 2018 meeting were mentioned by Chairman Haberkorn. Verne Taylor then moved, seconded by Shane Long, that these minutes be approved as presented. This motion was unanimously approved by voice vote.

BUSINESS:

Case SF-2-18 - This zoning case pertains to a review of the proposed Reedville Subdivision. The zoning administrator reviewed his report in regard to this proposal to subdivide property in the Southwest Quarter of Section 5 of Eppards Point Township. This subdivision is a proposal to divide the subject property as part of an estate. The proposed lots configurations were explained. Dawn Cotter and Jeff Cotter represented the estate and they commented about the planned lot divisions. The proposed lot sizes were discussed. It was confirmed that the road fronting the subject property is a township road, with the road in front of the subject property being hard surfaced. Jeff Cotter confirmed the location of existing culverts accessing the township road. No one was present to object to this proposed subdivision. Rudy Piskule moved, seconded by John Slagel, that the Livingston County Regional Planning Commission recommend the approval of Livingston County Zoning Case SF-2-18 – Reedville Subdivision as it is being proposed. This motion was approved by a unanimous voice vote.

Case SF-3-18 – This zoning case pertains to a review of the proposed Tredennick/Bittner Subdivision. The zoning administrator reviewed his report in regard to this proposal to have a two lot subdivision in the Southwest Quarter of Section 30 of Forrest Township. Mr. Bittner explained that he had helped his daughter Sara Tredennick purchase this property and that his accountant advised that the property be subdivided so that some of the property would be in each of their names for financial reasons. The location of the house was verified, as well as to what structures would be located on each lot. The lot to the east has the house located on it. The lot areas on an aerial photo was then confirmed.

John Slagel moved, seconded by Luke Bartlett, that the Livingston County Regional Planning Commission recommend the approval of Livingston County Zoning Case SF-3-18 – Tredennick/Bittner Subdivision as it is being proposed. This motion was approved by a unanimous voice vote.

Case SF-4-18 – This zoning case pertains to a review of the proposed Stone Lakes Subdivision Phase 2 Subdivision. The zoning administrator reviewed his report in regard to this proposed subdivision. The planning commission members discussed this proposed division of property. It was confirmed that the proposed lots would all have lake areas as part of their lots, and that a homeowners association had jurisdiction on the private right of ways, lake use access etc. The zoning administrator explained about a person who has an interest in building in this area. Access areas was discussed, along with the out lot areas. The zoning administrator remarked about the unique issues with this proposal. Luke Bartlett moved, seconded by Shane Long, that the Livingston County Regional Planning Commission recommend the approval of Livingston County Zoning Case SF-4-18 – Stone Lake Subdivision Phase 2 as it is being proposed. This motion was approved by a unanimous voice vote.

Case SU-2 -18 – This zoning case pertains to a review of a request by Cypress Creek Renewables, LLC for a special use pertaining to the proposed Threshermen Solar, LLC, solar energy facility, in an AG, Agriculture, District. The subject property in this zoning case is a tract of land approximately 30 acres in size, located in Section 26 of Esmen Township. It was noted that Planning Commission member Dee Woodburn is one of the owners of the subject property in this zoning case.

Case SU-3-18 - This zoning case pertains to a review of a request by Cypress Creek Renewables, LLC for a special use pertaining to the proposed Miacomet Solar, LLC, solar energy facility, in an AG, Agriculture, District. The subject property in this zoning case is a tract of land approximately 25 acres in size, located in Section 21 of Newtown Township.

The review of cases SU-2-18 and SU-3-18 took place at the same time because of the similarities in these zoning cases. The zoning administrator noted that he had previously provided the planning commission members with application information about these two sites. The zoning administrator presented and the planning commission members took time to review the Livingston County Soil and Water Conservation Reports on these two propose special use cases. Property tax issues were discussed, in part regarding pending state bills pertaining to equalized assessment for solar energy. David Tanner, an attorney from Polsinelli Law, representing the applicants, Cypress Creek Renewables, and Matt Kaufman representing Cypress Creek Renewables introduced themselves. Matt Kaufman presented a power point presentation on this matter. This presentation included information on Cypress Creek Renewables, on how solar energy is becoming more popular in Illinois, and the Illinois future energy jobs act. Mr. Kaufmann described how the state will address the procurement of solar power. Mr. Kaufman showed a solar fixed array picture, while discussing how the projects are constructed, and that they are low impact developments. Mr. Kaufman then showed a photo of a tracking array. Mr. Kaufman commented that the solar panels are about 3 X 5, and that a convertor and a transformer will be part of the development. Mr. Kaufman commented about the wiring. Then Mr. Kaufmann addressed the impacts on the land, and they believe that solar is a consistent use in an agricultural district, in that the permeable nature of the land is maintained, and he discussed how grasses control erosion. Mr. Kauffman remarked about how they will work to avoid the drainage tiles during construction. Mr. Kauffman then showed pictures of some of their Indiana projects that are already developed. Mr. Kaufman noted that solar energy projects have low impact with minimal sound, and with the inverter and transformer planned to be in the middle of the project, they will be over 150 feet from property lines, with about 150 feet being the distance any noise would travel from the inverter and transformer. The sites are dark at night and low impact during the day. Mr. Kaufman made mention of the engineering going into these systems.

Mr. Kaufman then addressed the specific projects, with power point slides, reviewing their application overview material. Mr. Kaufman then showed the site map for the Threshermen Solar site. The distance from area residents was discussed, and the owners of the subject properties were mentioned. How they will work around the pipeline on the Threshermen site. The planning commission members and Mr. Kaufman then discussed these plans, including the fence locations and the transformer locations. Mr. Kaufman then presented slides on the proposed Miacomet site. The interconnection point for this project was discussed, being a small substation on the corner of this project. John Defenbaugh the closest resident to this site, other than the subject property owner, related as to where his property and house is located, referencing the old railroad property and creek, and he has some questions he would like addressed, when it would be appropriate. The location of Mr. Defenbaugh's property location was confirmed. Mr. Kaufman mentioned that they have proposed a double row of vegetation along the old rail road property shielding the solar site, taking Mr. Defenbaugh's property into consideration. Mr. Appel, the subject property owner, noted that he and Mr. Defenbaugh have had differences in the past. The zoning administrator mentioned the consideration of a living screen along Route 17. Drainage tile issues were discussed, of which Mr. Appel mentioned his knowledge about the drainage tiles on his property, and he addressed the common sense flooding from the creek bordering the south edge of the property. Mr. Appel related that the solar panel area does not flood, Mr. Kaufman indicated that they will further evaluate the drainage prior to construction. The old rail road area was further discussed.

John Defenbaugh, then asked some questions. He asked about any property value guarantees that may be offered, he is concerned about noise, lighting and the movement of the solar panels. Mr. Defenbaugh is concerned about weed control, the view, gamma rays that could cause cancer. If the project is accepted will he be given any compensation such as a 12 foot berm between his property and the solar panels, down the line of the old railroad. He questioned as to how complaints would be handled. Mr. Kaufman indicated that they are leaning towards tracking arrays. Mr. Defenbaugh's property and the vegetation barrier were discussed, along with the existing land conditions. Mr. Defenbaugh questioned who to contact if the trees would die from disease. Mr. Defenbaugh related that he denied solar projects on some of this other farm land. Mr. Appel noted that leasing the property is better than cash renting the property for farming. Mr. Appel commented about how his family had farmed the property for several years, and he values farmland, but this is the best land use decision for him. Energy subsidizing was discussed. Mr. Kaufman explained that they do not believe that the area property value will not be reduced. Mr. Defenbaugh was invited to attend the upcoming zoning board of appeals meeting to become better informed about this solar farm proposal. Mr. Defenbaugh had more questions on the proposed evergreens. Noise concerns were discussed, along with weed control. Construction for 12 to 16 weeks would take place for the proposed projects. The tracking motorized system was discussed. The increase in the tax base was discussed, potentially \$7,000 per megawatt per year. Expansion would require another special use project. Fence placement issues were then discussed. Conditions to address complaints were then discussed. Where the electricity would go was then discussed. Then number of projects for solar in the area were discussed.

John Slagel then suggested that the planning commission members go through the checklist in the comprehensive plan. The planning commission members went through the comprehensive plan checklist, of which became part of their recommendation document, as attached to these minutes.

The differences and the comprehensive plan checklist for SU-3-18 – Miacomet Solar was discussed, with the checklist comments remaining the same for this zoning case.

After reviewing this comprehensive plan checklist Luke Bartlett moved, seconded by Scott Crawford, that the Livingston County Regional Planning Commission recommend the approval of Livingston County Zoning Case SU-2-18 – Threshermen Solar LLC as it is being proposed. This motion was approved by a unanimous voice vote.

After noting these comprehensive plan checklist comments will remain the same, Scott Cranford moved, seconded by Luke Bartlett, that the Livingston County Regional Planning Commission recommend the approval of Livingston County Zoning Case SU-2-18 – Threshermen Solar LLC as it is being proposed. This motion was approved by a unanimous voice vote.

Case SU-5-18 – This zoning case pertains to a review of a request for a solar farm to be developed by Borrego. The zoning administrator distributed to the planning commission members application information pertaining to proposal. This special use is planned to be reviewed at a future meeting.

OTHER BUSINESS:

PUBLIC COMMENT: None

INFORMATIONAL UPDATE:

The planning commission members present were informed that their next meeting is scheduled for Monday June the 4<sup>th</sup>. at 7:00 pm.

ADJOURNMENT:

Luke Bartlett moved, seconded by Jerry Gaspardo, that the meeting be adjourned. This motion was unanimously approved.

This meeting was then adjourned at 9:10 p.m.

Respectfully submitted,

Charles T. Schopp, Secretary  
Livingston County Regional  
Planning Commission