

AGRICULTURE, ZONING AND EMERGENCY SERVICES COMMITTEE

MINUTES OF THE OCTOBER 13, 2020 MEETING

The committee chair called the meeting to order at 6:00 pm at the Livingston County Historic Courthouse, 112 W. Madison St., Pontiac, Illinois and roll call was taken.

Present: Jason Bunting, Paul Ritter, Gerald Earing, Patrick Killian, Steven Lovell, Tim Shafer and John Slagel.

Absent: None.

Others Present: Additional County Representatives included: County Board chair Kathy Arbogast, Non committee County Board Members Jim Blackard, Mark Runyon, Linda Ambrose and Marty Fannin. County Executive Director Alina Hartley, County Network Computer Systems Administrator Jon Sear, regional planning commission assistant administrator Jesse King, Steve Carroll and attorney Alan Schrock representing the proposed Carrol Subdivision, and interested citizen Rebekah Fehr.

Committee Chair Jason Bunting commented about the agenda for this October 13, 2020 meeting. Mr. Bunting. Paul Ritter then moved, seconded by Gerald Earing, that this agenda be approved as amended. This motion was approved by a roll call vote; Bunting-Yes, Ritter-Yes, Earing-Yes, Killian-Yes, Lovell-Yes, Shafer-Yes, Slagel-Yes.

Committee Chair Jason Bunting then referred to the minutes of the September 8, 2020 committee meeting. John Slagel moved, seconded by Patrick Killian, that these meetings minutes be approved as presented. This motion was approved by a roll call vote; Bunting-Yes, Ritter-Yes, Earing-Yes, Killian-Yes, Lovell-Yes, Shafer-Yes, Slagel-Yes.

Business:

Review of the Proposed Carroll Subdivision:

This is a proposal pertaining to the review of a final plat of subdivision to allow for a two lot subdivision, with this zoning case being referred to as Livingston County Zoning Cases SF-3-20 . This is subdivision that is being proposed to allow for a house to be divided off from the farm buildings, creating a two lot subdivision, with one lot for the house and one lot for the farm buildings. The report for this proposed subdivision was reviewed, and it was noted that the Livingston County Regional Planning Commission is recommending the approval of this subdivision, after their public hearing on this case, held on October 5, 2020. A comment was also made that the Livingston County Zoning Board of Appeals approved a variance to allow for proposed Lot 1 of the Carroll Subdivision to have a lot width of 30 feet, at their October 8, 2020 meeting. This 30 foot area of Lot 1 was discussed, with Carroll's attorney Alan Schrock commenting on the reasoning for the placement of this lot area, that could provide access to Lot 1 if need be. At this point Lot 1 with the farm buildings will continue to be accessed by the lane that goes through the proposed Lot 2, with Lot 1 having an easement to use this existing lane as access. Mr. Schrock then explained the history of this property, and how at this time they plan to sell the house to the next generation, and with financial institutions not wanting farm buildings on residential property, a need for this subdivision was create, which will also allow for the farm buildings to remain on a separate tract.

Since all of the property will be remaining in the family the well and electric power on the property will continue to be shared at this time. They could be separated if need be in the future, as the property ownership would dictate.

Patrick Killian moved, seconded by Paul Ritter, that this committee recommend that Livingston County Zoning Case SF-3-20, be approved allowing for the subdivision to be approved as proposed. This motion was approved by a roll call vote; Bunting-Yes, Ritter-Yes, Earing-Yes, Killian-Yes, Lovell-Yes, Shafer-Yes, Slagel-Yes.

Solid Waste Report – Review of a synopsis of solid waste related documents:

Printed copies monthly synopsis document reviews were presented to and reviewed with the committee members. These reports and discussion on these reports for Livingston Landfill focused on reports regarding the landfill gas system, NPDES reports, groundwater testing reports relating to the Livingston Landfill. A copy of a printed Deigan and Associates report on their review of landfill documents was also provided. Monthly host fee information was also provided to the committee. A comment was made construction on cell D9N is now proceeding.

Recycling Update:

A conversation then continued as to where the next electronic recycling event to take place in Pontiac may be held at. Options for this event will be explored for an event to take place in November. Tire recycling programs were discussed, and they will be researched as to their status.

Wind Energy Update:

Copies of the zoning and planning office research the wind energy regulations relating to wind energy turbine tower heights and setback distances in area counties were presented to the committee members. Committee Chair Bunting began the committee discussion pertaining to wind tower heights noting that no decisions have been made on this matter and that it is being presented for an open discussion at this evenings meeting. The process of reviewing and text amendments was reviewed and agreed it would take several months. Mr. Bunting remarked on the different heights for wind towers that was found the informational packet on this matter. The reasoning for this discussion pertaining to the changing wind energy and turbine technology is now being proposed to place turbines on taller towers. Proposals are having fewer of the larger turbine and tower structure planned, in comparison to the current area turbines. 3.6 to 4 megawatt turbines compared to the existing 2 megawatt turbines. A proposed Woodford County project was used as an example, of which could be expanded into one township in Livingston County. The committee chair remarked any considerations for a change in wind tower heights would be for the entire county, not for just one township. A discussion then took place as to how existing turbines could be retooled to the new heights, and how such retooling proposals would create more issues to be evaluated such as setbacks. Committee member John Slagel then reviewed history of the review of wind energy regulations that had started in 2014, that lasted for months that went into years. Mr. Slagel commented on the time and cost that had gone into this review. This review included feedback on the ordinance, an ad hoc committee and many meetings. In the end a compromise was made on the amendments that became the current county wind regulations. One compromise allows 30 hours of shadow flicker instead of no shadow flicker being allowed on residences. If tower height proposed changes are to be made, then other proposed changes could be discussed, questioning how any changes would affect the compromise. With the new wind energy regulation being in place for 3 years, from 2017, this may not be the right time to discuss any wind energy amendments. If the wind energy regulations were to be opened up for an amendment discussion, pandemonium may take place in those discussions as wind energy remains a controversial issue in Livingston County.

Therefore, it may be best to leave the wind regulations as they are. Other committee members commented as to how moving forward with wind energy amendments is not warranted at this time, and comments pertaining to setting a precedent to change the regulations for changing technology now, may create further reviews of the regulations as the technology continues to evolve. Mark Runyon commented about his experience on the ad hoc committee, and how the Pleasant Ridge proposal and amendments to the wind energy regulations a few years ago created conflict within communities and sometimes within families and it is time to let wounds heal and leave the wind regulations as they are. Marty Fannin agreed that the wind regulations should remain as they are. Linda Ambrose related that people do not want to go through the pain again that could happen if amending wind regulations comes up again as it would open the door regarding for all wind regulations. James Blackard agreed with what already has been commented on. Patrick Killian and Paul Ritter commented on their concerns of what may happen if the wind energy regulations are opened up again. Interested citizen Rebekah Fehr commented on the 3 blades that have recently broken on the new Chenoa area wind farm, which creates concerns. She commented about how she thought that the Livingston County wind regulations were settled upon, and about how opening up discussion on wind tower height regulations could lead into discussion on other wind energy regulations that lead to more turmoil regarding the county's wind energy regulations. Paul Ritter then moved, seconded by Patrick Killian, that the Livingston County zoning regulations regarding wind energy remain as they are, and that they not be changed as discussed at this meeting. This motion was approved by a roll call vote; Bunting-Yes, Ritter-Yes, Earing-Yes, Killian-Yes, Lovell-Yes, Shafer-Yes, Slagel-Yes.

Solar Energy Update:

The committee was informed that the solar projects approved for Livingston County are scheduled for a status review at the November Zoning Board of Appeals meeting.

Update on County Zoning Regulations Related to Airports: None

Other Issues to Come Before the Committee:

The committee was informed that two zoning map amendment cases will be coming before them at future meetings pertaining to the Renner property in South Streator and the Saunemin Dollar General project. The zoning board of appeals has conducted a public hearing on these zoning map cases. Reappointments of members of the regional planning commission were also noted.

Public Comment:

Options on how to recycle tires was discussed.

Inquiries will also be made regarding the cleaning of some of the existing wind turbine towers in Livingston County, that have leaked fluids with blowing dust and dirt soiling the turbine towers.

Review and Approval of Bills: None

Adjournment:

Patrick Killian moved, seconded by Paul Ritter, that this meeting be adjourned. This motion was approved by a roll call vote; Bunting-Yes, Ritter-Yes, Earing-Yes, Killian-Yes, Lovell-Yes, Shafer-Yes, Slagel-Yes.

This meeting was adjourned at 7:00 pm.

Charles T. Schopp, Administrator
Livingston County Regional
Planning Commission