

MINUTES
LIVINGSTON COUNTY ZONING BOARD OF APPEALS
Livingston County Historic Courthouse
112 W. Madison St., Pontiac, Illinois

Regular Meeting
7:00 p.m.

December 5, 2019

The meeting came to order and roll call was taken.

Members Present: Richard Kiefer, Richard Runyon, William Flott, Joe Stock, Neil Turner and Joan Huisman.

Members Absent: None

Agenda:

Chair Huisman noted the agenda for this meeting. Richard Kiefer moved, seconded by Joe Stock, that the agenda for this December 5, 2019 meeting be approved as presented. This motion was approved by a unanimous vote.

Approval of the Minutes: Will take place at a future meeting.

Business:

Case SU-11-18 - Review - DG Illinois Solar

These zoning cases pertain to a proposal to develop a Community Solar Farm on property to be located in the Northeast Quarter of Section 2 of Eppards Point Township. The zoning administrator commented about the copies of information provided to the zoning board of appeals members as part of this one year review this case, in that an one year was a condition of the approval of this zoning case. Comments on the State of Illinois lottery system in approving community solar projects were made.

Representing these zoning cases is Adam Siegelstein, 4790 Condes Circle, Palm Beach Gardens, Florida representing Next Era Energy Resources, the indirect owner of DG Illinois Solar LLC. He explained about the relationship of the companies and their plans to develop community solar. He requested an extension of the special use permit for this project. He made a brief update on this proposed 4 MW project, composed of 2 2 MW projects. He explained about how these projects were entered into the lottery, but neither of these projects was awarded state approval, and became part of a wait list. These projects are ranked 113 and 209 on this wait list. They have a four year easement option with the property owners, the Watson's, and they are committed to building this project, as they wait for the adjustable block program to be updated approved and funded. So tonight's request is to extend the permits to allow time for the adjustable block program to be updated, approved and funded. They would prefer a two year extension, however he understands the county's one year extension practice.

Questions from the board were in regard to potential changes in the application. Mr. Siegelstein replied that nothing will change except for the in service date. The design would remain the same.

The substantial completion date should also be moved out per the extension time line, one year in this case. In regard to the interconnect agreement, they let it pass and they will reapply when they have a viable program. The review in November of next year was discussed. The questioned about newly proposed projects, and how they would fit in with the state rankings. Mr. Siegelstein indicated that new projects would go to the end of the line. He believes that there were 433 projects on the wait list in the Com Ed area. The wait list is a state generated list. The state wait list was then discussed.

No other interested parties were present.

Mr. Siegelstein in his closing comments thanked the zoning board for their time tonight, and he is looking forward to eventually developing this project in Livingston County.

William Flott moved, seconded by Neil Turner, that Livingston County Zoning Case SU-11-18 - Review, be approved to allow for the continued planned development of a 2 MW Community Solar Farm on property to be located in the Northeast Quarter of Section 2 of Eppards Point Township, with this zoning case to be reviewed again in November of 2020.

This motion was approved by roll call vote.

Kiefer	-	Yes	Runyon	-	Yes
Flott	-	Yes	Stock	-	Yes
Turner	-	Yes	Huisman	-	Yes

SU-5-18 – Review – Borrego – Weller

An explanation was given that the following zoning case is also a Borrego project, and some of the information provided in the first zoning case will also apply to the second zoning case. This zoning case pertains to a proposal to develop a Community Solar Farm on property to be located in Northwest Quarter of Section 7 in Nevada Township. The zoning administrator commented about the copies of information provided to the zoning board of appeals members as part of this one year review this case, in that an one year was a condition of the approval of this zoning case. This information included a copy of the power point presentation made on November 13, 2018.

Justin Hard and Alex Yager, representing Borrego Solar presented testimony relative to this zoning case. Alex Yager commented that this is the Dorothy Weller property and they have worked with her son Bob Weller on this project. This also did not win an award in the lottery, but they still want to develop this project. They are waiting for a program update sometime in the next year. Justin agreed with the comments that the last applicant made, still applies to their two applications. They replied to a zoning board question that they did not pay a fee to stay in line with Com Ed. Alex Yager noted in part this is because ComEd needs to restudy all of the projects, depending on the awards. Their application remains the same for the development. The Com Ed interconnect options was discussed.

No interested parties presented testimony relative to this zoning case.

No closing statements were made in regard to this zoning case.

William Flott moved, seconded by Richard Runyon, that Livingston County Zoning Case SU-5-18-Review, be approved to allow for the continued planned development of a 2 MW Community Solar Farm on property to be located in the Northwest Quarter of Section 7 of Nevada Township, with this zoning case to be reviewed again in November of 2020.

This motion was approved by roll call vote.

Kiefer	-	Yes	Runyon	-	Yes
Flott	-	Yes	Stock	-	Yes
Turner	-	Yes	Huisman	-	Yes

SU-12-18 – Review – Borrego – Beckman

This zoning case pertains to a proposal to develop a Community Solar Farm on property to be located in Southwest Corner of the Southwest Quarter of Section 2 in Reading Township. The zoning administrator commented about the copies of information provided to the zoning board of appeals members as part of this one year review this case, in that an one year was a condition of the approval of this zoning case. This information included a copy of the power point presentation made on November 13, 2018.

Justin Hard, Senior Project Developer, 1 N. State St, Suite 1500, Chicago, IL. And Alex Yager, Associate Project Developer, 1 N. State St., Chicago, IL. representing Borrego Solar presented testimony relative to this zoning case. Justin Hard related that this is another 2 MW project connecting to the distribution system. This is location is next to the Streator Landfill making this an ideal location. This project did not make the cut of the lottery and it is also on the wait list, and will require future legislation to move forward. So they are asking for an extension on this permit.

No interested parties presented testimony relative to this zoning case.

No closing statements were made relative to this zoning case.

Richard Kiefer moved, seconded by Richard Runyon, that Livingston County Zoning Case SU-12-18 - Review, be approved to allow for the continued planned development of a 2 MW Community Solar Farm on property to be located in the Southwest Corner of the Southwest Quarter of Section 2 of Reading Township, with this zoning case to be reviewed again in November of 2020.

This motion was approved by roll call vote.

Kiefer	-	Yes	Runyon	-	Yes
Flott	-	Yes	Stock	-	Yes
Turner	-	Yes	Huisman	-	Yes

Case SU-2-15 – Review - Pflibsen

The applicants were unable to be present for this zoning meeting. The zoning board was informed that the road commissioner has agreed to use the alley for a drive up window access, though that approval is not in writing. The zoning board stated that it is their practice to have an applicant present for the zoning board review of zoning cases. This zoning case will now be reviewed at a future meeting, probably in February of 2020.

Case SU-8-18 – Review - Sember

The applicants were unable to be present for this zoning meeting. The zoning board was informed that the gaming machines for this business have just arrived, so they have not yet been in operation, except for a couple of picnics. No additions have taking place. Health Dept. compliance issues were discussed. The zoning board stated that it is their practice to have an applicant present for the zoning board review of zoning cases. This zoning case will now be reviewed at a future meeting, probably in February of 2020.

Case SU-3-19- Pontiac Flying Service LLC

This zoning case pertains to a review of a request for a special use for private use airport and for commercial liquefied fertilizer storage and distribution, proposed to be located in the West Half of Section 16 of Saunemin Township, in an AG, District. The zoning administrator presented reports, exhibits and other information relative to this zoning case, including the findings of the Livingston County Regional Planning Commission.

Scott Peterson, 15801 E – 2000 North Rd., Pontiac, IL owner and Kris Peterson, 9092 E – 2500 North Rd., Cornell, IL, son of Scott Peterson and an employee of the business, as applicant representatives in this zoning case, presented testimony relative to this zoning case. The zoning board chair asked that the applicant walk through a review of the report material that was part of the application. Kris Peterson stated that he as a condensed version of their report, that he planned to walk through making the explanation easier. It was considered a supplement to the original application. Kris Peterson stated that pages 4, 5, 9, 11 and 12 were not part of their original application explanation, and are new part of this supplement. Kris Peterson then commented on Pontiac Flying Service being a family owned aerial application business for 22 years. He went on to explain agriculture aerial product application. He then related that they are currently at the Pontiac Municipal Airport north of town. Kris Peterson explained that they applied for a special use permit for a private airport and for commercial liquefied fertilizer storage and distribution facility, and Ag chemical facility. The private use airport is for their seasonal aerial application business, using agriculture aircraft, and some small aircraft used for business matters. The proposed airport will not have scheduled take offs and landings, it will be a seasonal operation. Outside of their season they will have about 5 takeoffs and landings a month. Their season is May through October, with 95% of their season being 4 to 6 weeks in July and August, with a 2 to 3 week peak season. During their peak season they will have 10 to 14 aircraft, as in the past, with then potentially having 100 to 120 flights a day. This airport will be regulated by the Illinois Department of Transportation, Division of Aeronautics. Kris Peterson then referred to page one of his handout, a map with the green area being a proposed runway and the yellow box being the area where the building site would be. The runway is proposed to be 4600 feet in length running north and south, 120 feet wide.

It will in part be a turf or grass construction with 2200 to 2600 feet being hard asphalt surfaced. This will allow continue operations in case of a heavy rain. IDOT has made a site visit and they have written a letter to them indicating that this site is suitable. This letter is the last page of the applicant's handout given this evening. Their aircraft will be regulated by the FAA and their code of regulations. Parts of these regulations are on pages 4 and 5 of this meetings handout. In regard to minimum safe altitudes they will generally need to maintain an altitude of 500 feet, or 1000 feet over congested areas. They do not normally fly over towns. They will be below the 500 feet for takeoffs and landings, and during dispensing maneuvers. Kris Peterson related that this airport can meet county zoning requirements. Kris Peterson then referred to page 3 of this meetings new handouts for a map with a possible second runway marked on this document. This may not become a reality, but he wanted to bring it to the attention of the board. The second runway would increase safety and efficiency. It will have no effect on the amount of aircraft or traffic at this site. Kris Peterson then addressed the agricultural chemical portion of the application, referring to page 6 of the handout presented at this meeting. This facility will be regulated by the Illinois Department of Agricultural, the application for this facility would also be reviewed by the IEPA. This Ag chemical facility would be similar to Nutrien, FS and Graymont Coop Ag chemical facilities. Page 8 of the handout is a plan view made by Frank and West Environmental Engineers. Pesticide storage will be inside under roof and the entire site will be contained, to prevent any spills from spreading out of the containment areas. The plane loading areas also have containment features to collect and reuse spills. Kris Peterson noted that the location of the Saunemin Nutrien facility being located as close to some houses their proposed Ag chemical facility. Kris noted that their parcel of land is located $\frac{3}{4}$ of a mile west of the Rt. 47 / Rt. 116 intersection on the north side of the road. Kris Peterson noted that they have been at the Pontiac Airport facility for 22 years. Now they need more room and infrastructure, and they have had talks with the City of Pontiac. The Saunemin site is new, having come up this past fall. They have family connections to the subject property, to give them an opportunity to purchase the property. Saunemin is also an Ag friendly community. Putting this facility on the subject property, also adds financial security, in that they would not have ownership of buildings at the Pontiac Airport. This new site would secure their future. They are in good terms with the city, but staying may not be a smart business choice to them. The rural area will increase their safety in that only their aircraft will be flying at this airport. This site gives them better flexibility and control over airport construction and improvements. The Pontiac Airport could be shut down for maintenance during their busy season. In addressing questions from the meeting the other evening, Kris Peterson related that they will not have much more congestion on 116 and 47 with them being highways. The property lie well for the proposed runway, and it is hard to find property that lays this nice. Property drainage was discussed. Kris Peterson said that it would be hard to find a similar site in the county. They are on a hard road for delivery. Burdens on the local fire department were discussed, in that they have had fire department group training, as to how to approach an aircraft accident. They operate in 20 to 23 counties, so they are dependent on several fire departments in case of an accident. They have had zero takeoff and landing accidents in 22 years. Kris Peterson then commented about wells and water supplies, that may need more study. They could use up to 60,000 gallons of water a day during their peak season, and they plan on having storage for a two day supply. A well driller mentioned a well north of town produced 60 gallons a minute. Kris Peterson then commented about the shallow bedrock system and sand and gravel system map that was part of his handout tonight. No wells had been drilled on the subject property yet. In comparison the Village of Saunemin uses about 30,000 gallons of water a day, for 10 to 11 million gallons. Pontiac Flying would use 1 to 1.6 million gallons a year. They also will collect rain water within their outside loading pad areas, and recycle it for use. In regards to Ag accidents, nationwide there were 53 Ag accidents in 2019, with 3 being in Illinois.

Kris Peterson then discussed noise, in that they have had few noise complaints at the Pontiac Airport. In regard to property values, it is unknown how they will be affected. Two new homes have been built near the Pontiac Airport, and one has sold twice with no complaints about the airport. It was sold once because of concerns of a proposed solar farm to be located near it. Kris Peterson then discussed drainage off of the runway and a need to maintain a drainage way on the property. They will address that with a culverts and a drainage study. They cannot have a wet farm for their aircraft, so they hope to improve the area drainage.

Scott Peterson commented that their peak season is July and August, with July being their biggest month. In comparison to an entire year their peak period lasts about 6 % of the time. They will have more limited operations before and after their peak time.

Kris Peterson then commented about potential conditions that may be placed on the facility if it would be approved. He wanted to point out that besides their Ag aircraft they have two small aircraft that they use for business and pleasure. They are used by family and business. In regard to lighting at the airport they may have a few lights in case someone comes in late. They would be turned off most of the year. In regards to flying lessons, they want to maintain the right to teach their children or relatives to fly, but they would not have a flight school. They do not plan on having any parachute jumping.

The zoning board began asking questions starting with the property, and as to if the property was family owned. Kris Peterson said that part of the property is owned by his brother in laws family. No home sites are part of the subject property. Kris Peterson noted that the west side of the subject property is best for the layout of a runway. Kris Peterson said that that it takes less than a minute to get off the ground, and that they plan on almost always taking off to the north. The number of the 10 to 14 planes mentioned was questioned as to how many are owned by Pontiac Flying Services. They own 5 planes, with the other subcontracted from other areas in the general Midwest, with only their own planes stored on this property. Kris Peterson then commented on the different airport classifications from IDOT, with the first one being a restricted landing area, with stipulations that can't be done. The next classification is for the private airport they are applying for because of them doing commercial maintenance on the property, as they take care of their own aircraft and a couple other Ag aircraft based in Illinois. Kris Peterson confirmed that their shop area will include a hanger area. He pointed out the proposed building location on one of this exhibit maps. Kris Peterson commented about the containment system in the loading area, with also exists at the Pontiac Airport. They do service about 23 counties, using the Pontiac airport, and airport in Edgar County down by Paris, and a turf strip near Fithian. In the past they have used the Morris and LaSalle Peru airports. The majority of their work is in 12 to 15 counties. In regard to a question as to how much chemical is stored on the property, some of the product comes directly from the manufacture, and some comes from area suppliers, with some chemicals being stored year round. Water usage during the peak season was discussed. During their off peak season they spray wheat in May for 20 to 30 flights. Kris Peterson also goes to Kansas that time of year to help friends, and sometimes they go to Arkansas and Minnesota. A discussion of the peak 100 to 120 flights a day. A discussion on the engines used for these planes was inquired about. Kris Peterson replied that they use Pratt and Whitney engines, of different sizes. A question on the number employees then was asked. Kris Peterson, replied that they have 6 full time employees, 8 seasonal employees, plus three additional pilots seasonal, so they average 17 employees. Options were discussed, including the Pontiac Airport, and the area being discussed. They have limited options of seeking other areas in the county. Kris Peterson believes that any other area in the count would have the same issues as this site with houses within 2 miles or less. The run way lights were then discussed, with the applicant being unsure as to how many lights they may use.

Probably lights on the end and some on the side. During summertime when the crops are maturing, is when the lights would be on, so depending on the crop the lights will generally not be seen.

Question on what is just east of the subject property is a home site. They do fly seven days a week during the peak season, only on Sunday's if need be with late starts on Sunday. Their Pontiac facility with their tanks stored outside was then discussed. They store aircraft outside during the season, with 3 stored in Rantoul during the off season. They are licensed mechanics, and they currently use city water. Water concerns were discussed, and how some water could be trucked to their proposed site.

Ed Wiebers and Jane Wiebers 18780 N – 2600 East Rd., area residents and property owners provided testimony relative to this zoning case. Mr. Wiebers indicated where his house is on a map, with his house being 815 feet west of the runway. Mr. Wiebers gave a history of his family ownership of the property and how long they have lived in the house, raising their family on the property. Mr. Wiebers noted their service to the community, and how they have been good neighbors. Mr. Wiebers then commented about being informed about this special use proposal for a private use airport and commercial fertilizer facility, which directly adjoins his property. He believes that this facility is not necessary at this location, in that they have an option at the City of Pontiac. His concerns are that it will destroy their peaceful setting and view of nature, that is enjoyed in the country. He is opposed to runway lights, as the lights on the wind turbines sometimes. It will invade their privacy and security. One of their biggest concerns is the hazards and emissions the planes can cause. His wife Jane has a clinically suppressed immune system, and they worry about contamination of their groundwater. He wants to know who would hold Pontiac Flying Services accountable for all the regulations they are to meet. They are also concerned about their water supply and potential water usage by the applicant, of up to 60,000 gallons a day. They are conservative with their water use out their well. Wells are concern in their area. Drainage issues are a farm land concern, with surface and tiles draining the subject property and surrounding area. Mr. Wiebers question why this should be placed on this property when they have the option to stay on the Pontiac Airport. Why should they destroy their peaceful rural life, and that this does not seem to be a wise environmental decision. He believes that they could find another area in the county were homes are not established, or expand existing airstrips. Mr. Wiebers is concerned about their potential growth. Mr. Wiebers believes that July and August, the proposed flying service peak season, is when they want to be outside enjoying the peace and quiet. Mr. Wiebers does not want to watch planes, as he does not the planes that fly over him now. He believes that more information should be provided to the area residents. Mr. Wiebers commented about the flight pattern being near his home, and close to many neighbors. They are concerned about the lack of compassion shown by the subject property owners and the applicants. Mr. Wiebers thinks the presentation by Pontiac Flying Services sound attractive if you do not live next or near to it. Mr. Wiebers related it may not affect their farm business but it will ruin their harmony of peace and comfort. Living next door to the proposal is not Mr. Wiebers passion, it is Pontiac Flying Services passion, and he finds it hard to think this could happen as no one on the board lives near this site. They do not want Pontiac Flying Services to be successful at their expense. He does not want the Saunemin School and the Village of Saunemin to gain from their expense. He wants the decent thing to do be done instead of monetary profit. Mr. Wiebers noted article 11 section 2 of the Illinois State Constitution that each person has a right to a healthful environment. The United States preamble states that domestic tranquility is noted and they do not want their domestic tranquility to be disturbed by the proposal, asking for a no vote on the special use permit, or at least for it to be tabled for further investigation. Mr. Wiebers commented as to how the proposed use could adversely affect more citizens in comparison to those seeking this permit.

Mr. Wiebers was then questioned by the board, beginning as to if he farms in the area. Mr. Wiebers related that his son in law now farms his property. Mr. Wiebers has 80 acres next to the airstrip and 80 acres across the road from the proposed airstrip to the north. Mrs. Wiebers suppressed immune system was discussed in relation to existing chemical spraying on fields. They are more concerned about accidents happening. Accidents happening on tank land applied spraying can also happen. The airport lighting was then discussed, Mr. Wiebers would not have an issue if airport lights are shut off, or when the crops are up. In regards to tabling this issue Mr. Wiebers was asked as to if he has anything specifically that he wants researched. Mr. Wiebers would like more information on the water situation. They seem to think of something every day they would like to ask. Mr. Wiebers wants to know as to how if he wants to build a new building how that would be affected. He is concerned about the short notice they had on this project. Mr. Wiebers thanked the board for their time and attention. Water issues were then discussed again, with concerns during dry systems. The Map provided by the applicant on the sand and gravel system and the shallow bedrock system, with Wiebers being close to the line between the two systems. Scott Peterson said that the Saunemin area only came to their attention after the spraying season this year, so this proposed site just happened.

Donald Schmidt, 29836 E – 1900 North Rd., Saunemin, and area resident and property owner provided testimony relative to this zoning case. Mr. Schmidt confirmed his location on a map in relation to the proposed airstrip. Mr. Schmidt stated that he is opposed to this in part because of the water issue. He moved in in 2005 and replaced his well in 2011 or 2012, so area water supply is a concern. He built a nice house in 2005 and he is concerned about property values on top of the taxes he pays on the property. Mr. Schmidt then questioned if the applicant would expand their operations in the future. Mr. Schmidt lives with his wife and daughter, and they just put in an in ground pool. So the proposed special uses busy season will be their busy season for using their pool.

Roger Gerdes, 17802 North – 2500 East Rd., an area resident and property owner provided testimony relative to this zoning case. Mr. Gerdes noted the location of this property. Mr. Gerdes noted that they have been on the property for 43 years, and their grandkids enjoy their property. They have a swimming pool, and the proposed special use will cause undue stress on them and the families in the area. He has a couple of questions, as to if looked into purchasing property near the airport. Kris Peterson related that the FAA would not allow them to build a new airstrip near the public use airport of the Pontiac Airport. Up to 120 flights a day on busy days would be 240 total passes with takeoffs and landings. Mr. Gerdes tried to compare a Harley Davidson passing by a house 240 days a year. Mr. Gerdes and Scott Peterson discussed plane noise. Mr. Gerdes stated that he believes this would be a deterrent to their way of life. He is concerned about planes dumping their loads, creating chemical exposure. Mr. Gerdes is concerned about undue stress on the whole area. Mr. Gerdes related that more research into the water issue needs to take place, with information in writing. Mr. Gerdes does not want his way of life taken away from him, and he believes that this zoning case should be denied or tabled to allow time for more information. Mr. Gerdes wants the matter tabled with questions on the water supply and noise pollution. Mr. Gerdes well is about 200 feet deep.

Duane Kiesewetter, 27075 E – 1900 North Rd., and area resident and property owner presented testimony relative to this zoning case. The location of Mr. Kiesewetter's property was confirmed. Mr. Kiesewetter discussed property taxes, noting that with chemical facilities they have preferential pollution control assessments. He used assumed numbers of \$300,000 – would have a \$10,000 normal tax, but with the pollution control preference figured in it would have a tax of \$1,600. So there may not be as much tax money being provided as some have anticipated.

Mr. Kiesewetter's then expressed his concerns for his neighbor's Ed and Jane Wiebers, with noise pollution and health issues. His well is about 75 feet deep, and it is not good when he is feeding his cattle and they are washing clothes. In reply to a zoning board of appeals question, Mr. Kiesewetter said that the taxes on the runway and hanger building would not be affected with the preferential rate. Kris Peterson noted that a new house near the Pontiac Airport had pretty high taxes. In regards to the noise level Kris Peterson said that their planes are certified under noise level protocols. Noise pollution is the area in which Mr. Kiesewetter would like to see further research.

John Vitzthum, 24313 E – 1800 North Rd., asked about taxes, and how some grain elevators taxes have doubled, so taxes discussed now can go up. Mr. Vitzthum then asked if the special use could be reviewed from time to time, and if new ownership would need to be approved, as a point to note to the people present at this meeting. These two points were confirmed as potential conditions. Roger Gerdes then inquired as to if a professional realtor has looked at what property values would be, which is something the zoning board would do. Mr. Gerdes noted that they did not have time to research this area.

Barbara Frantz, whom has interest in properties at 25751 E -1800 North Rd., and 19182 N – 2500 East Rd., presented testimony relative to both of these zoning cases. The 1800 address location was noted on one of the maps, the other location is off the map in the next mile. At the 1800 location there is a residence they hope to get back to. This site has a well over 180 feet deep. They have things stored at the 1800 site. Barbara Frantz noted the flight pattern, proposed at the regional planning commission meeting, indicated the flight path going close to up and down the lane. This was her parents' home and they hope to return to the property, and they do not want planes going over them every 5 minutes or so during the peak season, sunup to sundown, from 5 am in the morning to late at night. It would no pleasant to be awoken at 5 am with aircraft noise. Pontiac Flying is seeking to impose upon the area something that has not existed in the area, with continuous flights during the peak season, with is something they are not used to, and it has never been in the area before, and she cannot imagine how it will affect them. The plane noise is something that they cannot get away from, even with quieter planes, but is still noise. She lives in the country, to stay away from the noise. They already have lights from the towers in the area. The noise will be in a period when people want to be out, the rural like is a way of life that they enjoy. Those near the Pontiac Airport, have chosen to be near there. They have no studies on the well and water issue, as to if they can get a well, if a well will produce enough water, and if they need to bring water in, were are the agreements from where that water coming from. Their family wells are in the sand and gravel, but that does not mean it is a great well. They have had sufficient water, but they went to Saunemin to fill a pool that was on their property at one time. They have been careful with water during dry years, and all in the area should be careful. It would be a great expense for families to put in new wells or to haul in water. In regard property values, there should be time to investigate the matter, and an airport may adversely affect the sale of an area home. A water study is important, and some more information on noise may be helpful. Barbara Frantz then expressed that she feels it should be denied outright, in reviewing the planning commission answers on their report. With may answers be negative or questionable. There are plenty of complaints, there is no doubt about the water, and noise will have an effect, even it is not a highly populated area. The people in the area were there first. They have a location already, and she is concerned about expanding the business. But, if initially approved it is easier to expand. The local fire department may not be prepared to deal with an airplane accident. In regard to drainage it is not a given, if properly done it is not a problem, but they have no guarantee that it will be properly done. Barbara Frantz noted a drainage study would help identify changes. She believes it is remote that a permit would be revoked.

Barbara Frantz then further commented about drainage issues, about her family property drains to the east, and she does not want the runway to adversely affect the waterway that takes the area water away. It is already hard to drain her family property, so she wants proper drainage installed. She noted that during an expansion lessons, lighting and parachuting may be allowed. She noted the applicant has a viable place now, it is just that the terms may not suit them. They live in the subject area, where their operations are and they want to maintain that. They are here because of family interest in the land, and that they have not investigated other properties to place the proposed airport. Barbara Frantz's primary request is to have this application denied, secondarily it be tabled in part for the applicant's to do a water study, including any other sources with agreements that may need to provide water. Scott Peterson asked when was the last time their family property was occupied, probably in 2015 or 2016.

James Schultz, 23073 E – 1700 North Rd., commented that he is not adjacent to the property. He did not come here to talk, but he has heard a lot of comments made and he wants to share his. He stated that he knows the Sancken family, and he loves airplanes. He would like to be adjacent to the subject property. So he could listen to and watch the airplanes land. He goes to the Pontiac airport on a regular basis to watch. So he is confounded by some of the things said tonight. It regards to the water issue, Mr. Schultz noted that water in the area could be tough, but it would add just ten semis a day if they bought water from Pontiac, and it would not be noticed with the traffic that exists on 116. He noted he can hear trains, grain dryers and motorcycles where he lives. He mentioned that the people living in Saunemin have had to hear the grain elevator dryers for a couple of months without complaining knowing the noise will go away. On a given day semis hauling gravel go past his corner, of which he accepts. He praised the dream of Kris Peterson, of what he wants to make it go. He was an electrician, and he worked at the airport. He takes his grandchildren to see the planes at Pontiac. Mr. Gerdes asked if he would be willing to have the airport on his property, of which he would but, he does not have proper flat property.

Bryan Frantz, he has similar interest on the properties his sister Barbara Frantz, had in at 25751 E -1800 North Rd., and 19182 N – 2500 East Rd. Bryan Frantz, he has resided at both places over the years. He believes that no decision should be made tonight since the packet they have does not have enough information for an informed decision. Because for one, the amount of water proposed to be used. Second, with issues related to the Pontiac Airport, they are the only company there, so why can't those parties involved come to an agreement. Third, the applicant has not noted their negative benefits, such as rate changes if they move to Saunemin affecting the farmers that use their services. Rates can go up to pay for the airport. Their water plan does not show they plan on collecting water coming off of their 120 foot shed, that could help during dry years. There is a negative impact, they may not return to the farm if the airport is developed. They would like the landing pattern moved to the right, away from their family property in case of emergency situations. Power lines border the north and south areas of subject property, causing issues if they land short if they have a problem. The well in Saunemin is owned by a private company. There is not enough information here for making a good decision. Bryan Frantz does not believe it is a good area for air planes. The Saunemin well is owned by Illinois American Water.

Bob Fox, 27222 E - 2000 North Rd., he had no opinion at first, though his wife did. He noted he does not want people telling him to do with his ground, but he does not like a lot of noise either, which is a reason to live in the country. Mr. Fox then related about Ed and Jane Wieber's house being 800 feet from the runway is not acceptable. You can't be a good neighbor and expect someone to put up with the airport, because it would be awful close unless they want to buy the Wieber house. Mr. Fox has been in the plumbing and heating business for 40 years and if you 10 gallons a minute from an area well you are doing well.

There is not a lot of volume there. They will need to haul water. Area water well depth and production was discussed further. His biggest concern is his neighbor.

The chair pondered closing the meeting to testimony and just working on closing statements at a future meeting or leaving it open for more testimony. It was decided to leave the meeting open.

A future meeting date was discussed, with the zoning board agreeing to meet on January 13th, 2020 at 7 pm to further discuss this zoning case.

William Flott moved, seconded by Richard Kiefer, that his public hearing for Livingston County Zoning Case SU-3-19, Pontiac Flying LLC be continued to January 13th, 2020 at 7:00 pm.

This motion was approved by a voice vote of all ayes.

Other Business: None

Approval of the Findings of Fact and Decision:

Neil Turner moved, seconded by William Flott, that the findings of fact and decision for Livingston County Zoning Case SU-11-18 - Review and SU-5-18 – Review and SU-12-18- Review meeting be approved. This motion was approved by a unanimous voice vote.

Public Comments: None

Report of Officers: None

General Discussion and Informational Update:

The 2020 regular scheduled meetings list for the zoning board of appeals, was noted as being part of the handout to the zoning board members this evening.

Mr. Kiefer will be gone to Florida during the month February

The next regular meeting for the zoning board of appeals is scheduled for January 9, 2020, at 7:00 pm.

Then Richard Kiefer moved, seconded Joe Stock, that this meeting be adjourned. This motion was approved unanimously.

This meeting was adjourned at 10:15 p.m.

Material regarding these proceedings is on file in the Livingston County Regional Planning Commission Office, in the Livingston County Historic Courthouse, 112 W. Madison St., Pontiac, Illinois.

Respectfully submitted,

Charles T. Schopp, Secretary
Livingston County Regional
Planning Commission