

MINUTES OF THE LIVINGSTON COUNTY
REGIONAL PLANNING COMMISSION MEETING
HELD ON OCTOBER 3, 2022, STARTING AT 7:00 PM
IN THE LIVINGSTON COUNTY HISTORIC COURTHOUSE
112 W. MADISON ST. PONTIAC, ILLINOIS

The meeting was called to order at 7:00 p.m.

Roll call was taken.

Those present were: Michael Haberkorn, Rudy Piskule, Jerry Gaspardo, Keith Bahler, Shane Long, Dee Woodburn, and Scott Sand

Those absent were: Verne Taylor, Joel Barickman, Dean Wahls, and Ed Hoerner

APPROVAL OF THE AGENDA:

The agenda to this meeting was mentioned by Haberkorn. Dee Woodburn moved, seconded by Jerry Gaspardo that the agenda for this meeting be approved as presented for this October 3rd, 2022 meeting. This motion was unanimously approved by a roll call vote.

APPROVAL OF MINUTES

Minutes from the August 29th and September 12th meetings were then mentioned by Haberkorn. The assistant zoning administrator noted a correction that had already been made that was not reflected in the minutes in the packet regarding a member's attendance. Rudy Piskule moved, seconded by Scott Sand that the minutes be approved as amended.

BUSINESS:

Case SU-10-22 – Oxeye Solar

This zoning case pertained to the review of a proposed special use to allow for the development of a 4 MW solar farm on property located in an AG, Agriculture, District located in unincorporated Pontiac near Rowe.

The assistant zoning administrator then gave a brief overview of the project to commission members.

Kiersten Sheets then gave a presentation of the project to commission members by covering the site plan, vegetative screening, equipment, and tax revenue from the project among other things.

There was then a question by a commission member as to why the project was using fixed-tilt arrays rather than mobile-tilt that follows the sun throughout the day. Ms. Sheets explained that the project site was deemed to generate more energy from fixed-tilt arrays rather than mobile-tilt arrays with the size of the subject property being smaller.

The floor was then open for public comment.

Julie Russow then spoke as an interested party in the matter. Julie asked if the county has done a study on solar energy. It was related to Julie that they have not. Julie then asked how many solar projects have been approved by the county and constructed. It was clarified to Julie that approximately 11 have been approved with 1 currently being constructed out at Enbridge. Julie then discussed the potential upcoming solar farm moratorium with commission members. Julie then mentioned batteries as they relate to solar farms and whether or not Trajectory Energy was proposing any batteries. Kiersten explained that they are not proposing the installation of batteries at any of their project sites. Julie then voiced her concerns about the impact that solar farms have on the health of nearby homeowners, the effect on property values, and her concern about the amount of tillable acreage being taken out of production. Julie supported her concerns with some internet research that she had done as well as minutes from a past meeting where the comprehensive plan was discussed.

Seth Uphoff then rebutted the statements made by Julie by explaining that this particular parcel of land is an ideal location as well as being a smaller parcel of land. Seth then displayed a pie graph chart showing the impact that the subject parcel being taken out of production would have on the total tillable acreage available in Livingston County.

Julie then spoke again and mentioned her concerns on the potential effects on the soil that a solar farm would cause which included the removal of the topsoil layer, the compaction of the soil, and the soil temperature effects.

Seth then responded to Julie's additional concerns by stating that the topsoil would not be removed during the construction of this project and that since the main piece of equipment that would be used during construction would be a skid loader, there would also be limited compaction of the soil. Seth added that due to the length of the project life, any compaction that would occur from the skid loader would be corrected over that time period. Seth also discussed drainage from the subject property.

Julie was then provided with a folder of information on the project and was directed to various items in the folder by Kiersten.

Rebekah Fehr then spoke as an interested party in the matter. Rebekah asked how many projects Trajectory Energy has in the county and how big they are. Kiersten explained that they applied for four different project locations and then explained the size of each of them.

There was then discussion amongst planning commission members about the potential upcoming moratorium as it relates to this project. It was explained that since this application was filed prior to any moratorium going into effect, it would fall under the existing ordinance requirements.

With there being no further questions or comments from the planning commission and no public comment, Keith Bahler moved, seconded by Rudy Piskule that this case be recommended for approval to the zoning board of appeals.

The motion carried by a roll call vote:

Jerry Gaspardo –	Yes	Dean Wahls -	Absent – No Vote
Michael Haberkorn –	Yes	Dee Woodburn -	Abstain
Shane Long –	No	Scott Sand -	Yes
Ed Hoerner -	Absent – No Vote	Joel Barickman -	Absent – No Vote
Verne Taylor -	Absent – No Vote	Rudy Piskule -	Yes
Keith Bahler -	Yes		

Case SU-12-22 – Grani’s Acres

This zoning case pertained to the review of a proposed special use to allow for two adjoining parcels of land in an AG, Agriculture, District to be used as an event venue, decoration & practical use item rental, and limited camping offered during the annual “Prairie Dirt Classic” at the Fairbury American Legion Speedway.

The assistant zoning administrator provided an overview of the case to planning commission members.

Amy Randazzo was present at the meeting as a representative of this zoning case and requested that the case be tabled for 90 days so that she could have more time to put together everything she needs for the case.

Shane Long then made a motion, seconded by Keith Bahler that the planning commission recommend this case be tabled until the January meetings.

The motion carried by a roll call vote:

Jerry Gaspardo –	Yes	Dean Wahls -	Absent – No Vote
Michael Haberkorn –	Yes	Dee Woodburn -	Yes
Shane Long –	No	Scott Sand -	Yes
Ed Hoerner -	Absent – No Vote	Joel Barickman -	Absent – No Vote
Verne Taylor -	Absent – No Vote	Rudy Piskule -	Yes
Keith Bahler -	Yes		

Case ZT-2-22 – Livingston County Board

This zoning case pertained to the review of a proposed zoning text amendment requested by the Livingston County Board for a temporary moratorium on solar farm applications to be put in place until March of 2023.

The assistant zoning administrator provided an overview of the case to planning commission members.

There was then discussion about the specifics of the requested text amendment in relation to existing projects as well as how it would affect future projects. It was explained to the planning commission that any applications received by the county prior to a moratorium being put in place would still be held to the existing solar farm ordinance. There were questions about whether existing approved solar farms would need to comply with potential future changes to the solar farm ordinance. It was explained that the county cannot retroactively impose a new ordinance on an already approved project. There was then discussion on the end date of the temporary moratorium and whether that would be enough time to come up with and implement a new solar farm ordinance. The planning commission discussed options on whether or not that date could be extended further to allow for more time. The assistant administrator explained that it was a legal issue that would need to be discussed with the attorney that the county has hired regarding solar farm matters.

Rudy Piskule then made a motion, seconded by Scott Sand that this case be recommended for approval.

The motion carried by roll call vote:

Jerry Gaspardo –	Yes	Dean Wahls -	Absent – No Vote
Michael Haberkorn –	Yes	Dee Woodburn -	Yes
Shane Long –	Yes	Scott Sand -	Yes
Ed Hoerner -	Absent – No Vote	Joel Barickman -	Absent – No Vote
Verne Taylor -	Absent – No Vote	Rudy Piskule -	Yes
Keith Bahler -	Yes		

OTHER BUSINESS:

The assistant zoning administrator then informed planning commission members that the 2,000 acre utility solar farm has filed an application and is expected to start their hearings in December of this year. The assistant zoning administrator also pointed out that the zoning office was contact by a representative of the Heritage Prairie wind farm project about starting the process of sending out notices for their open house which would take place approximately 90 days prior to hearings beginning.

PUBLIC COMMENT:

Rebekah Fehr asked the assistant zoning administrator about the wind farm project that was projected to come into Livingston County from Woodford County. The assistant zoning administrator stated that the zoning office has not heard from that company since they asked for an increased tip height in the county that was rejected months ago.

ADJOURNMENT:

Shane Long moved, seconded by Michael Haberkorn, that the meeting be adjourned. This motion was unanimously approved by a roll call vote.

This meeting was then adjourned at 8:31 p.m.

Respectfully submitted,

Jesse J. King, Assistant Administrator
Livingston County Regional
Planning Commission