

MINUTES OF THE LIVINGSTON COUNTY
REGIONAL PLANNING COMMISSION MEETING
HELD ON DECEMBER 5, 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 7:02 p.m.

Roll call was taken.

Those present were: Dean Wahls, Joel Barickman, Michael Haberkorn, Rudy Piskule, Jerry Gaspardo, Keith Bahler, Dee Woodburn, and Verne Taylor

Those absent were: Scott Sand, Shane Long, and Ed Hoerner

APPROVAL OF THE AGENDA:

The agenda to this meeting was mentioned by Haberkorn. Dee Woodburn moved, seconded by Verne Taylor that the agenda for this meeting be approved as presented for this December 5th, 2022 meeting. This motion was unanimously approved by a roll call vote.

APPROVAL OF MINUTES

Minutes from the October 3rd, 2022 meeting were then mentioned by Haberkorn. Rudy Piskule moved, seconded by Jerry Gaspardo that the minutes be approved as presented.

BUSINESS:

Case SU-13-22 – CPV Prairie Dock Solar

This zoning case pertained to the review of a proposed 300 MW solar farm development encompassing approximately 2,000 acres in an AG, Agriculture, District located in unincorporated Pontiac.

The assistant zoning administrator gave a brief overview of the case.

David Rieser, an attorney representing the applicants, then introduced himself and his client to the planning commission.

Micah Fuchs, a representative of the applicant, then introduced himself and his company by providing a history of the company and its active projects.

Micah then presented a PowerPoint presentation to the planning commission going into more detailed information on the project such as the panels, community benefits, location, site plan, screening, property values, and other aspects of the project. Micah also added that construction was anticipated to begin in Q3 of 2025 with a completion date of Q4 2026.

During Michah's presentation, it was mentioned that they held an open house for this project. A planning commission member asked when that was held. Micah answered that it was held on November 9th. A planning commission member noted that it would be nice to know about the open houses. Further, the planning commission asked Micah how many people attended the open house and if it was positive. Micah related that approximately 30 people attended the open house and that it was mostly positive.

There was then a question about waterways and flooding within the project. Micah explained that they have done their research on this matter and that there are not any flood plains in the project's footprint. A follow-up question was asked about what would happen if there was flooding within the project. Micah stated that as long as the water didn't reach the panels, the inverters or substation equipment, there would be no issues.

A planning commission member then related his concern over this project taking 2,000 acres out of production while only producing 300 MW of power when 100 wind turbines that only use approximately 1 acre each, producing around 3 MW each, would only need 100 acres of land for the same output.

A question was then asked about how many employees would be hired for this project. Micah stated that during construction, around 250 employees would be utilized. However, once construction is complete, there would be two or three full time employees that would manage the project.

There was then a question about the locality of the participating landowners. Micah explained that around half of the total acreage belonged to the Scullys who are not local, but the rest of the ground involved in the project were local land owners.

A planning commission member then noted that they did not believe that this project was consistent with the comprehensive plan with respect to the amount of farm ground that is being proposed to be taken out of production and that they did not believe that the size of this project is consistent with the spirit of the original solar ordinance.

There was then a question about how the ground is restored at the end of the project's life and how much grading work is done during construction. Micah answered that there is minimal grading and that grading is typically only needed for the substation and for access roads within the project.

The floor was then opened up for public comment.

Kevin Gayan spoke as an interested party. Kevin voiced his concerns about how property values would be affected in the area of the project and asked if there would be any property value guarantees like what was done for the landfill. Micah explained that there would not be property value guarantees offered, but assured Kevin that property values would not be impacted based off of property value studies that had been completed for this project.

Wayne Gayan then spoke as an interested party. Wayne related his concerns over noise that may be generated from the solar farm due to wind or other features. Wayne also wanted to know whether or not chainlink fences would be installed around the project. Micah responded to Wayne's concerns by explaining that the solar farm would not generate any noise other than from the inverters which are only able to be heard if one is standing very close to the inverters. Micah compared the noise of

the inverter to a running refrigerator. Micah stated that in his 7 years of experience with solar, he has never heard of panels generating noise from wind traveling across the panels.

Richard Kieft then spoke as an interested party. Richard stated that he retired from his job and bought the house that he currently resides in that is near the project. Richard related that he does not want to sit outside of his home and look into a field of solar panels rather than a field of corn or soybeans. Richard also voiced his concerns over potential low levels of radiation caused by the solar farm since there are currently no sources of radiation in the area. Lastly, Richard stated that he retired from a job where he used to haul hazardous materials including silica sand and that he knows the solar panels are made of silica crystals which would become a hazardous material if they are damaged. Micah responded to Richard's concerns by stating that he could produce studies that have shown there to be no negative health issues caused by solar farms.

John Mackinson then spoke as an interested party. John stated that he grew up in the area and had recently moved back. John stated his concerns over this project being a misuse of farmland along with negatively impacting property values.

There was then a question by a planning commission member how the planning commission's decision would affect the process. The assistant administrator explained that the planning commission's decision does not alter the process, but that their recommendation is passed along throughout the rest of the process.

Lynne Allen then spoke as an interested party. Lynne stated that her property would be surrounded by the project and that the negative aspects of this project outweigh the positives. Lynne agreed with previous testimony that this is a bad use of land and that there is no regional benefit for this project being developed. Further, Lynne communicated her concerns over property value impacts as well as the impact to the marketability of her property if they chose to sell it.

Mike Fogarty then spoke as an interested party. Mike emphasized the tax benefits that would come as a result of this project being approved and constructed. Mike also wanted to know where the county was at with the solar moratorium and how this project was being reviewed in relation to that. The assistant administrator explained that the applicants in this case turned in an application before the moratorium was voted into place and therefore is being held to the original ordinance.

Kim Condon then spoke as an interested party. Kim also voiced her concerns about property values and the marketability of her property if this project were to be developed. Kim was also curious as to why Livingston County was chosen and whether or not any other counties were considered for this project. Micah explained that they looked at the state and Midwest as a whole and that placing a project like this came down to where there was space available on the powerlines and where the land was available.

Cory Umgelder then spoke as an interested party. Cory stated his concerns about the project surrounding his house and that there are plenty of other places to develop this project where there are not as many houses. Micah responded to Cory's concerns by stating that the location was chosen due to its proximity to the transmission lines and that he could work with Cory on additional screening for his residence.

Craig Monson then spoke as an interested party. Craig explained his concerns about there being carcinogens in the panels and whether or not damaged panels would be stored on-site or off-site. Craig further pointed out the recyclability of the panels and equipment by citing studies out of California where solar panel equipment is ending up in landfills because recycling the panels and other material is not cost effective. Craig also wanted to know whether or not union labor would be utilized for the construction of the project. Micah responded to Craig's concerns by saying that the company is not opposed to using union labor and that it is always their goal to be able to recycle all materials once they are no longer in use. Micah added that he would need to check on where damaged panels would be stored.

Lastly, Eric Mund spoke as an interested party. Eric explained that the project surrounds his family's farm on 2 sides and that he does not have a position on solar farms. Eric explained that his family has signed up with another large solar developer who plans to connect to the same substation as this project. Eric stated that he believed that all solar farm applications that are currently awaiting hearings should be held off until the new ordinance is in place so that all the new solar farms are on the same level.

There were no further questions or discussion. Rudy Piskule made a motion, seconded by Joel Barickman to not recommend this zoning case for approval. Joel explained that he seconded the motion because he believes that the project does not align with the comprehensive plan and that it also is not aligned with the spirit of the ordinance when it was created. Joel further explained that the public relies on the county to not alter land use away from agriculture use to an industrial-type use.

It was then clarified to planning commission members that a "yes" vote meant agreeing to not recommend the case for approval.

The motion carried by roll call vote:

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

OTHER BUSINESS:

The assistant zoning administrator then informed planning commission members of their next meeting in January.

PUBLIC COMMENT: None

ADJOURNMENT:

Joel Barickman moved, seconded by Verne Taylor, that the meeting be adjourned. This motion was unanimously approved by a roll call vote.

This meeting was then adjourned at 8:44 p.m.

Respectfully submitted,

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