

LIVINGSTON COUNTY BOARD
AGRICULTURE, ZONING AND EMERGENCY SERVICES COMMITTEE
MINUTES OF THE May 3, 2023 MEETING

Committee Chair Gerald Earing called the meeting to order at 6:01 p.m.

Present: Paul Ritter, Gerald Earing, Michael Haag, Joel Barickman, Jack Vietti, Rebekah Fehr and Steven Lovell

Absent:

Also Present: Zoning & Planning Administrator Jesse King, Assistant Administrator Patricia Merlino, and Executive Director Alina Hartley, Attorney Andrew Keyt (Heyl Royster), Megan Dassow

Earing called for any additions or corrections to the agenda with none requested. Motion by Ritter, second by Haag to approve the agenda as presented. **Motion carried with all ayes.**

Business:

Case ZT-3-23- Livingston County Board

Keyt explained the process of approval and explained options for sending recommendations to the County Board.

A committee member asked Keyt if the Zoning Board of Appeals must use evidence when making changes and the answer was yes. Keyt then went through the changes that were made at the Zoning Board of Appeals meeting on April 6, 2023.

Discussion took place regarding noise testing and it was recommended that the requirement for testing at least every twenty-four months be replaced with testing upon complaint.

Keyt recommended removing all language pertaining to revoking special use permit to be directed to the remedy section instead and the committee agreed to do so.

Dassow explained the IDNR Solar Site Score Card and how it works.

In reviewing the biodiversity section, the committee recommended changing the minimum score of 50 to achieve recognition as a "Pollinator Friendly Solar Site" to 85 to be consistent with the IDNR Solar Site Score Card.

Building permit fees were also discussed amongst committee members, and it was recommended that the \$5,000.00 per megawatt (mw) of nameplate capacity be changed back to \$10,000.00. Keyt also mentioned that that the last part of subsection (7) should be removed relating to liens because it is not enforceable and would be covered under the remedies section of the ordinance.

It was recommended after going through the Application and Requirements section that the location of any subsurface drainage tiles requirement be removed and made as a requirement on the application process prior to issuance of a building permit and the committee agreed to so.

Motion by Lovell, second by Ritter to recommend approval with the committee's recommendations for Case ZT-3-23 to the County Board. **Motion carried with all ayes on roll call vote.** Ayes: Earing, Vietti, Lovell, Haag, Barickman, Ritter, and Fehr

Case ZT-4-23 – Livingston County Board

This zoning case pertained to the review of a proposed zoning text amendment to revise Chapter 56, Article VIII of the Livingston County Code of Ordinances regarding wind farms.

Keyt then went through the changes that were made at the Zoning Board of Appeals meeting on April 10, 2023.

The committee members discussed the building permit fees section and made a recommendation to increase the \$5,000.00 per megawatt (MW) of nameplate capacity back to \$10,000.00 and per kilowatt fee to \$10.00.

Also, the committee recommended that the \$100.00 yearly administrative fee paid to the sheriff's office for a permit to solicit homeowners be added back in.

Motion by Barickman, second by Ritter to recommend approval with the committee's recommendations for Case ZT-4-23 to the County Board. **Motion carried with all ayes on roll call vote.** Ayes: Earing, Vietti, Lovell, Haag, Barickman, Ritter, and Fehr

Public Comment:

The floor was open for public comment.

Adjournment:

Motion by Vietti, second by Fehr to adjourn the meeting. **Motion carried with all ayes.**

The meeting was adjourned at 7:53 p.m.

Patricia Merlino, Assistant Administrator
Livingston County Regional
Planning Commission