

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

Recessed Meeting
6:00 p.m.

April 27, 2023

The meeting came to order at 6:07 p.m.

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

Others Present: Zoning Administrator Jesse King, Assistant Zoning Administrator Trish Merlino, Attorney Andy Keyt, Attorney Seth Uphoff, Micah Fuchs, Sam Lambert Jr., Kevin Roe, Clay Robinson, Peter Berthelsen, Nancy Norton, Craig Monson, Richard Kieft, Brandon Sancken, Julie Russow and Rebekah Fehr

Present Via Zoom: Andrew Lines, Ed Hemmersbach, Nadine Scully, Charles Askey, and David Casey

Members Absent: None

Approval of Minutes:

Huisman noted the minutes of the April 6th and April 10th meetings and suggested moving approval of the minutes to the end of the meeting.

Business to be reviewed:

Huisman pointed out that the ZBA should hear the special use portion of this zoning case before the variance portion.

Case SU-13-22 – CPV Prairie Dock Solar

This case pertained to the review of a proposed special use to develop a 300 MW solar farm in unincorporated Livingston County near Cayuga.

King gave an overview of the case to ZBA members.

Uphoff and Fuchs then introduced themselves, the project, and the company to ZBA members.

Uphoff and Fuchs then gave a presentation of the project to ZBA members covering things such as the site plan, site information, and information about the panels themselves.

Fehr then asked Fuchs for clarification about whether the silicon in the panels is located in the solar cells. Fuchs confirmed that there is silicon in the solar cells of the panels.

Monson then asked Fuchs if only Odell and Pontiac Fire would be receiving training for responding to incidents within the solar farm. Fuchs stated that the training would be open to other fire departments who wished to have the training as well.

Kieft then voiced his concerns about a potential negative impact to his property value. Huisman responded by saying that this portion of the meeting was for questions only. Kieft did not have any questions.

Scully then presented as a participating landowner in the project. Scully discussed the importance of reducing dependence on fossil fuels and that a solar farm would help with that. Scully also argued that a solar farm would encourage wildlife development due to the biodiversity that would exist in and around the project. Scully also talked about the benefit to the county that this project would produce.

Hemmersbach then spoke as a participating landowner. Hemmersbach also discussed the benefits to the county that the project would have and also stated that a solar farm is not as much of a nuisance as other uses that could potentially be developed on the same land. Further, Hemmersbach argued that the power grid needs to be supplemented with additional energy now that coal plants are starting to shut down and felt that a solar farm would do that.

There was then a question about whether tax revenue is based on energy output or if it stays the same. Fuchs stated that the tax revenue is not based on output. A follow up question was asked as to whether or not Competitive Power Ventures have ever protested their taxes. Fuchs did not know if the company has ever protested their taxes.

Roe then spoke as a participating landowner. Roe emphasized the tax benefit to local schools that this project would have and discussed the significant benefit that the wind farm had when it was built. Russow asked for clarification on a statement that Roe made that the project would benefit “all” schools in the county. The applicants clarified that the tax benefit would only apply to the school districts that are taxing bodies within the project footprint.

Sancken then spoke as a participating landowner. Sancken talked about the financial benefit to his family that this project would have and spoke about the tax revenue benefit to the county and school districts as well.

Lambert Jr. then spoke as a participating landowner and talked about how the soil within the project has low productivity. He also talked about how Pontiac High School will need work in the future and that the increased tax revenue from this project would supplement the cost of those future projects.

Norton, a member of the Grundy County Economic Development Council then spoke about her own experience in working the Competitive Power Ventures in a natural gas plant that is being built

by them up in Grundy County. Norton explained that Competitive Power Ventures has been great to work with. Norton also attested to the tax revenue benefits to the county and explained what size of a logistics warehouse it would take to generate the same amount of tax revenue. Norton related that information by stating that a solar farm is a less intrusive use than a logistics warehouse.

Huisman then called a break at 7:38 p.m.

Huisman called the meeting back to order at 7:55 p.m.

Askey then presented information about grid constraints and explained his analysis process. Askey also provided a summary of his findings regarding a study he did on the grid within Livingston County. A question was asked if the grid capacity that Askey discussed included wind and natural gas energy production, Askey stated that it did.

Monson, a member of the public, then asked if the 400-500 acres left for new energy production included previously approved projects. Askey stated that it only relates to utility-scale projects.

Casey then gave a presentation about field tiling and his expertise in the field.

Lines then gave a presentation about a property value study that he conducted for this project and concluded that based on his study, there was no indication that this project would have a negative impact to property values.

Berthelsen then gave a presentation regarding pollinator covers for this project and explained that the proposed seed mix for this project would have a score of “excellent” on IDNR’s scorecard rating system. There was a question by a ZBA member about how often the site would be checked to ensure proper maintenance. Berthelsen stated that he would recommend that the site be inspected annually. There was then a question about the scale of the scorecard. Berthelsen explained that a score of 85 meets the standards and a score of 110 or more is considered “exceptional”.

There was then a motion by Turner, seconded by Randolph that this meeting be recessed.

The motion carried by a roll call vote.

Kiefer –	Yes	Runyon –	Yes
Flott –	Yes	Stock –	Yes
Randolph-	Yes	Turner –	Yes
Huisman -	No		

After discussion, it was determined that the meeting would be recessed until May 31, 2023 at 6 p.m.

This meeting was recessed at 9:04 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,

Jesse J. King, Administrator
Livingston County Regional
Planning Commission