

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

Regular Meeting
6:00 p.m.

August 31, 2023

The meeting came to order at 6:03 pm

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

Members Absent: None

Board Members Present: Bob Weller, Steven Lovell, Mike Haag and Gerald Earing

Others Present: Interim Zoning Administrator Jordan Uselding, Assistant Zoning Administrator Trish Merlino, County Board Executive Director Alina Hartley, Attorney Nick Standiford (Schain Banks), Benjamin Sych and Tom Ryan (New Leaf Energy)

Approval of the Agenda:

Chair Huisman called for any additions or corrections to the agenda with none requested. Motion by Randolph, second by Flott to approve the agenda as presented. **Motion carried on roll call vote with all ayes.**

Approval of Minutes:

Chair Huisman called for approval of the meeting minutes from the July 6, 2023 meeting. Motion by Randolph, second by Stock to approve the minutes as presented. **Motion carried on roll call vote.** **Ayes:** Stock, Flott, Kiefer, Runyon, Randolph, Turner, Huisman **Nays:** None

Chair Huisman called for approval of the meeting minutes from the August 10, 2023 meeting. Motion by Stock, second by Runyon to approve the minutes as presented. **Motion carried on roll call vote.** **Ayes:** Stock, Flott, Kiefer, Runyon, Randolph, Turner **Nays:** None **Abstain:** Huisman

Business to be reviewed:

Case SU-10-23– North Road Solar 1, LLC

This zoning case pertained to the review of a proposed special use to develop a 5 MW solar farm on approximately 26.5 acres of a 117.83-acre tract of land in an RA, Rural Residence, District located in unincorporated Pontiac.

Uselding mentioned before the case started that Becky Taylor from Livingston County Soil & Water Conservation District would not be present to testify at the meeting, noting that the NRI Reports were not yet available for review. Chair Huisman asked if they were submitted and Uselding stated that they were submitted but she was not completed with them yet as she has 30 days from her date of payment. Huisman stated that they wouldn't be able to make a recommendation on any of the cases before them until the NRI Reports could be presented and after discussion with Standiford and the board members it was decided that a brief introduction to each case would be allowed and then each case would be tabled to an unknown date.

Uselding gave an overview of the case to ZBA members.

Sych a representative of the applicant, then gave a brief explanation of the project which included information about their company as well as the site plan and location of the project.

Motion by Randolph, second by Kiefer to table case SU-10-23 – North Road Solar 1, LLC to an unknown date. **Motion carried on roll call vote with all ayes. Ayes:** Stock, Flott, Kiefer, Runyon, Randolph, Turner, Huisman **Nays:** None

Case SU-8-23 – Esmen Solar 1, LLC

This zoning case pertained to the review of a proposed special use to develop a 5 MW solar farm on approximately 33 acres of a 40.37-acre tract of land in an AG, Agricultural, District located in unincorporated Pontiac.

Uselding gave an overview of the case to ZBA members.

Sych a representative of the applicant, then gave a brief explanation of the project which included information about their company as well as the site plan and location of the project.

Motion by Stock, second by Turner to table case SU-08-23 – Esmen Solar 1, LLC to an unknown date. **Motion carried on roll call vote with all ayes. Ayes:** Stock, Flott, Kiefer, Runyon, Randolph, Turner, Huisman **Nays:** None

Case SU-9-23 – Esmen Solar 2, LLC

This zoning case pertained to the review of a proposed special use to develop a 4.99 MW solar farm on approximately 32.9 acres of a 40.3-acre tract of land in an AG, Agricultural, District located in unincorporated Pontiac.

Uselding gave an overview of the case to ZBA members.

Sych a representative of the applicant, then gave a brief explanation of the project which included information about their company as well as the site plan and location of the project.

Motion by Stock, second by Randolph to table case SU-9-23 – Esmen Solar 2, LLC to an unknown date. **Motion carried on roll call vote with all ayes. Ayes:** Stock, Flott, Kiefer, Runyon, Randolph, Turner, Huisman **Nays:** None

Other Business:

King mentioned that Heritage Prairie Wind should be submitting an application for a wind farm at the end of September. King stated he reserved the Pontiac High School Auditorium for November 1, 2023 and November 2, 2023 at 6:00 p.m. to host the hearings.

Findings of Fact and Decision:

Motion by Flott, second by Kiefer to approve the findings of fact from last month’s meeting. **Motion carried on roll call vote. Ayes:** Stock, Flott, Kiefer, Runyon, Randolph **Nays:** None **Abstain:** Huisman, Turner

Public Comment: None

Report of Officers: N/A

General Discussion: N/A

Adjournment:

Motion by Kiefer, second by Stock that the meeting be adjourned. **Motion carried on roll call vote with all ayes.**

This meeting was adjourned at 6:42 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,

Trish Merlino, Assistant Administrator
Livingston County Regional
Planning Commission