

MINUTES OF THE LIVINGSTON COUNTY
REGIONAL PLANNING COMMISSION MEETING
HELD ON JANUARY 29, 2024, STARTING AT 7:00 PM
IN THE LIVINGSTON COUNTY HISTORIC COURTHOUSE
112 W. MADISON ST. PONTIAC, ILLINOIS

The meeting was called to order at 7:05 p.m.

Roll call was taken.

Those present were: Michael Haberkorn, Verne Taylor, Dee Woodburn, Rudy Piskule, Joel Barickman, Jim Davis, and Marvin Hilti

Those absent were: Shane Long, Ed Hoerner, Keith Bahler, and Dean Wahls

Board Members Present:

Also Present: Zoning Administrator Brittney Miller, Executive Director Alina Hartley, Attorney Seth Uphoff, Tom Ryan (New Leaf Energy), Matt Kwiatkowski and Matt Clementi (Nexamp)

APPROVAL OF THE AGENDA:

Haberkorn requested to amend the agenda to show that Pontiac Renewables is requesting a 4.99 MW solar farm, rather than a 1.998 MW solar farm. Motion by Barickman, second by Woodburn to approve the agenda as amended. The motion carried by a unanimous voice vote.

APPROVAL OF MINUTES

The Minutes from the January 2, 2024 meeting were reviewed. Motion by Piskule, second by Barickman to approve the minutes as presented. The motion carried by a unanimous voice vote.

BUSINESS:

Case SU-19-23 – 1400 East Solar 1, LLC

This zoning case pertains to the review of a proposed special use to develop a 5 MW solar farm on approximately 30 acres of a 104.3-acre tract of land in an AG, Agricultural District located near Blackstone.

Miller gave an overview of the case to RPC members.

Tom Ryan a representative for New Leaf Energy, gave a project site overview and introduced the company. Seth Uphoff, attorney for New Leaf Energy, and Ryan presented the case to the committee, stating that the applicant requests to remove the gravel road from the site plan as well as to replace the living evergreen buffer with native grass and shrubs. Ryan stated that sheep will be used to graze the property in lieu of mowing, noting that the soil will benefit from the

sheep herding and the solar farm itself upon returning to the original use of farm land. Ryan stated that the project will bring a substantial amount of tax revenue in the amount of approximately \$470,254 over 20 years and that a letter of support was given from Adam Dontz of the Greater Livingston County Economic Development Council, as well as Scott Cameron, the Superintendent from Streator High School.

A member of the committee asked to clarify if the neighbors to the project were notified, Ryan advised that a presentation on the project was available to the public and the County's neighbor notices were sent out. Ryan noted that the only concern from a resident was the visibility of the solar farm, to which Ryan expressed that a screening would prevent any visibility.

A committee member stated that the solar farm appears to be located in the wettest spot of the property with the most tile, to which Ryan stated that the location passed soil tests and were allowable. Ryan also mentioned that the area of the tile on the property means that farm use was limited and would be the best spot for the solar farm. A concern was raised regarding too many livestock killing the native plants, to which Ryan stated that limited grazing allows the plants to grow correctly.

A question was raised regarding batteries, to which it was noted that this project does not have a request for a battery energy storage system.

Motion by Davis, second by Woodburn that zoning case SU-19-23 be recommended for approval. Motion carried on roll call vote. **Ayes:** Haberkorn, Barickman, Taylor, Woodburn, Piskule, Davis, and Hilti **Nays:** None **Absent:** Long, Wahls, Hoerner, and Bahler

Case SU-20-23 – 2700 East Solar 1, LLC

This zoning case pertains to the review of a proposed special use to develop a 5 MW solar farm on approximately 35.3 acres of a 113.97-acre tract of land in an AG, Agricultural District located in unincorporated Dwight.

Miller gave an overview of the case to RPC members.

Uphoff and Ryan gave a project site overview, noting that New Leaf Energy also owns this project and is identical to the previous project. Uphoff and Ryan stated that the neighbors were notified and that only the eastern neighbor had expressed concern of the view. Ryan assured that a landscape screening would prohibit any views of the solar farm. Uphoff indicated that the other closest neighbor is far enough away that any view would be minimal, however, a landscape screening would still be provided.

Ryan indicated that the drain tile survey shown was not finalized and that the company will get a complete drain tile survey completed and make any necessary adjustments to the site plan.

Ryan stated that the company is proposing to use native grass and shrubs as the living buffer, rather than evergreens, however stated that evergreens will be used in the event of denial.

Ryan stated that sheep will be used to graze the property in lieu of mowing, noting that the soil will benefit from the sheep herding and the solar farm itself upon returning to the original use of farm land. Ryan stated that the project will bring a substantial amount of tax revenue in the amount of approximately \$506,818 over 20 years and that a letter of support was given from Adam Dontz of the Greater Livingston County Economic Development Council and Dwight Public School.

A question was raised regarding a signed agreement with a neighbor to the east stating that a visual buffer will be in place. Ryan stated that an agreement has not been created, as the ordinance states that a living buffer is required, however, a legal agreement can be created to appease the neighbors as requested.

A committee member questioned why the project is facing east to west, rather than the normal north to south, to which Ryan stated that the engineer that ran studies showed that more solar was generated with the layout going east to west.

Larry Hanson, the farmland neighbor to the west, stated that he was not properly notified by the company, to which Ryan stated that the company only contacted the neighboring houses rather than the farmland owners.

Motion by Davis, second by Barickman to recommend approval of zoning case SU-20-23. Motion carried on roll call vote. **Ayes:** Haberkorn, Barickman, Taylor, Woodburn, Piskule, Davis, and Hilti **Nays:** None **Absent:** Long, Wahls, Hoerner and Bahler

Case SU-1-24 – Pontiac Renewables, LLC

This zoning case pertains to the review of a proposed special use to develop a 4.99 MW solar farm on approximately 30.5 acres of a 46.6-acre tract of land in an AG, Agricultural District located near Pontiac.

Miller gave an overview of the case to RPC members.

Matt Kwiatkowski, representative for Nexamp, introduced the company and gave a project site overview. Matt Clementi the engineer for Nexamp, stated that the access road is off E. 1800 N. Road and that the applicant is requesting an additional temporary access road to allow for equipment to be stored during construction. Clementi stated that the wires will be buried 5 feet underground except for the point of interconnect, where the wires will be above ground to connect to the existing grid.

The original site plan was updated to allow for the battery energy system storage unit to be placed in a new area to abide by the new solar BESS ordinance. Kwiatkowski discussed the lithium ion battery energy storage system and how it works. Kwiatkowski stated that in the event of a fire, the fire will be contained and that each layer of the BESS reduces any fire from spreading. Kwiatkowski stated that the material is made of non-combustible material and that gravel will be placed around the BESS unit so that flames don't jump. Kwiatkowski noted that Chief Campbell of the Pontiac Fire Department has been notified and does not see any concerns. Kwiatkowski stated that the company agrees to comply with the new BESS ordinance.

Clementi proposed to utilize the existing line of evergreen trees in conjunction with new planting in order to meet the requirements of the living vegetative buffer surrounding the project, however, if denied is willing to plant a new vegetative buffer. Kwiatkowski stated that the perimeter of the parcel outside the fence will have a wildflower dominator mix and that inside the fence, heavier greenery will be grown to allow for sheep to graze. Kwiatkowski proposed that the living buffer will be 8 feet at planting time and will grow to be 20 feet.

A question was asked regarding neighbor notices, to which Kwiatkowski stated that the Phoenix Apartment manager was notified and was only concerned of the visibility. Kwiatkowski stated that the owners of the condos were given flyers and that the Jehovah Witness Kingdom Hall was notified and saw no concerns.

A committee member noted that this project is across the street from another approved solar project and questioned if the grid was able to hold 10 megawatts, to which it was stated that the interconnect agreement with ComEd assured that the grid could hold 10 megawatts. It was then questioned if the wires would be abandoned after the project has reached its capacity and it was stated that a decision would be made at time of decommissioning.

A committee member questioned a well in the site plan and Clementi stated that the well will be drilled for the sheep. A question was raised regarding the life of the cell for the battery, to which it was stated that the cell will have to be replaced overtime, just unsure of how long before replacement will occur.

Motion by Davis, second by Taylor that zoning case SU-1-24 be recommended for approval. Motion carried by on roll call vote. **Ayes:** Haberkorn, Barickman, Taylor, Woodburn, Piskule, Davis, and Hilti **Nays:** None **Absent:** Long, Wahls, Hoerner, and Bahler

OTHER BUSINESS:

None

PUBLIC COMMENT:

The floor was open for public comment.

ADJOURNMENT:

Motion by Davis, second by Barickman to adjourn the meeting. Motion carried by voice vote with all ayes.

This meeting was adjourned at 8:36 p.m.

Respectfully submitted,

Brittney Miller, Zoning Administrator
Livingston County Regional
Planning Commission