

MINUTES OF THE LIVINGSTON COUNTY
REGIONAL PLANNING COMMISSION MEETING
HELD ON APRIL 3RD, 2023, 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: Jerry Gaspardo, Joel Barickman, Ed Hoerner, Dee Woodburn, Keith Bahler, Verne Taylor, and Rudy Piskule

Those absent were: Shane Long, Dean Wahls, and Michael Haberkorn

Also Present: Zoning Administrator Jesse King, Assistant Zoning Administrator Trish Merlino, Attorney Andrew Keyt (Heyl Royster), and Julie Russow

APPROVAL OF THE AGENDA:

Due to the fact that Chair Haberkorn was absent, the vice chair Gaspardo assumed the chair position for the meeting.

The agenda to this meeting was mentioned by Chair Gaspardo. Taylor moved, seconded by Bahler that the agenda for this meeting be approved as presented for this April 3rd, 2023 meeting. This motion carried by a unanimous voice vote.

APPROVAL OF MINUTES

Minutes from the March 6th, 2023 meeting were then mentioned by Gaspardo. Barickman moved, seconded by Piskule that the minutes be approved as presented. The motion carried by a unanimous voice vote.

BUSINESS:

Case ZT-3-23 – Livingston County Board

This case pertained to the review of a new proposed solar farm ordinance to bring the county in compliance with the new state law. King introduced this case and reminded the commission of the reasoning that this text amendment was necessary.

A planning commission member then pointed out that there was a minimum acreage requirement for solar farms but no maximum and was curious as to why that was. It was explained to the commission member that limiting the amount of acreage would violate the new state law by being more restrictive than the new law.

There was some questions about living buffers and earth berms. It was explained that living buffers must be planted at the start of construction and that earthen berms cannot be required by the county, but may be established by developers if they choose to do so.

Keyt, an attorney representing the county on this issue, then discussed the new proposed solar ordinance to the commission.

A commission member then asked Keyt if there have been any challenges to the state regarding this new law. Keyt stated that he is not involved in efforts to challenge the state on the issue, therefore he did not know if there were any challenges.

Barickman then made a motion, seconded by Hoerner that case ZT-3-23 be recommended for approval. The motion carried by a unanimous roll call vote.

ZT-4-23 – Livingston County Board

This zoning case pertained to the review of a new wind farm ordinance to bring the county into compliance with the new state law. King introduced this zoning case to commission members.

Keyt then discussed the proposed language to the planning commission members.

A question by a planning commission member was asked about whether private airports would be affected due to the height restriction being changed to only needing a designation of no hazard from the FAA. It was explained that private airports would be part of the no hazard designation process.

There was then discussion and clarification about the application fee for wind farms as well as the liability insurance requirements.

Russow then spoke as an interested party. She wanted clarification on discussion she thought she had heard about wind developers rarely failing. Keyt clarified the point that was being made during that part of the discussion. Russow also mentioned how wind projects are frequently sold and transferred to other wind developers. Keyt clarified the logistics of how those matters work as it relates to the county's involvement.

Piskule made a motion, seconded by Bahler that zoning case ZT-4-23 be recommended for approval. The motion carried by a unanimous roll call vote.

Camping Facility Definition Update Discussion

King mentioned to commission members his intentions to propose an update to the county's ordinance regarding what is considered a campground in the county. King noted that the current definition of a campground in the county is very restrictive by saying that simply having 2 or more camping apparatuses on a single piece of property constitutes a campground in an AG district which would require a special use permit from the county. King suggested to commission members that the county should lineup its definition of a campground with the state's definition that allows camping on property for up to 5 calendar days in a year without needing special approval from the county as the state's definition of a campground requires 6 or more camping days in a calendar year to meet the threshold for being considered a campground. King noted to commission members that

they are not taking action on this item, but just wanted to see if the commission had any comments or concerns with the new language.

OTHER BUSINESS:

Gaspardo thanked Russow for the information on solar farms that was passed onto them.

PUBLIC COMMENT: None

ADJOURNMENT:

Taylor moved, seconded by Wahls, that the meeting be adjourned. This motion carried by a voice vote of all ayes.

This meeting was then adjourned at 7:48 p.m.

Respectfully submitted,

Jesse J. King, Administrator
Livingston County Regional
Planning Commission