

MINUTES OF THE LIVINGSTON COUNTY
ZONING BOARD OF APPEALS
HELD ON APRIL 4, 2024, STARTING AT 6:00 PM
IN THE LIVINGSTON COUNTY HISTORIC COURTHOUSE
112 W. MADISON ST. PONTIAC, ILLINOIS

The meeting was called to order at 6:04 p.m.

Roll call was taken.

Members Present: Joan Huisman, Dave Randolph, Richard Kiefer, and Richard Runyon

Members Absent: Joe Stock, William Flott

Others Present: Board Members: Bob Weller, James Carley, Zoning Administrator
Brittney Miller, Executive Director Alina Hartley, Ben Schneider,
Kevin Betts (AES Clean Energy)

Approval of the Agenda:

Chair Huisman called for any amendments or corrections to the revised agenda. Motion by Kiefer, second by Randolph to approve the revised agenda. **Motion carried on roll call vote.**

Ayes: Randolph, Runyon, Kiefer, and Huisman **Nays:** None **Absent:** Stock, Flott

Approval of Minutes:

Chair Huisman called for approval to amend the previously adopted minutes from the February 1, 2024 meeting. Motion by Kiefer, and with no second, the motion failed. Hartley stated that they the ZBA should take the advisement of the State's Attorney in this matter, noting that the State's Attorney advised that the minutes and Findings of Fact be amended to reflect Randolph's absence with no re-appointment necessary.

Chair Huisman called for any additions or revisions to the minutes from the March 7, 2024 meeting. Motion by Runyon, second by Kiefer to approve the minutes as presented. **Motion carried on roll call vote.** **Ayes:** Randolph, Runyon, Kiefer, and Huisman **Nays:** None **Absent:** Stock, Flott

Business to be reviewed:

V-2-24 Schneider Airport

This zoning case pertains to the review of a proposed variance to bypass the fencing and living buffer requirements on a proposed airport located in unincorporated Flanagan.

Miller gave an overview of the zoning case to the ZBA members and read Sections 56-688, 56-689, and 56-690, to which the applicant is varying from.

Ben Schneider, owner and operator of airport, reported that the Federal Aviation Administration determined that the project is considered a Restricted Landing Area, therefore, the airstrip will be private use and will be used recreationally. A question was raised regarding the necessary length of the approach, to which Schneider indicated that the FAA advised that the airstrip be located approximately 320 feet from his residence, as to not interfere with obstacles such as power lines, trees, and buildings, triggering a variance. Schneider stated that the approach must be a half mile on each side of the airstrip, according to FAA regulations.

A member questioned if an aircraft would be stored on the property, to which Schneider stated that he owns his own aircraft and will use the back portion of his yard as a taxiway to store his aircraft.

The floor was opened to the public.

Motion by Runyon, second by Randolph to recommend approval of the variance as presented.

Motion carried on roll call vote with all ayes. Ayes: Runyon, Kiefer, Randolph, and Huisman
Nays: None **Absent:** Flott, Stock

SU-3-24 Schneider Airport

This zoning case pertains to the review of a special use to operate an airport on a 20-acre tract of land located in an AG, Agricultural District in unincorporated Flanagan.

Miller gave an overview of the case to ZBA members.

Schneider reported that the Illinois Department of Transportation inspected the site and issued a letter of approval with stipulations to be in compliance with the IDOT regulations.

Discussion took place regarding the different types of airport classifications and how the FAA and IDOT regulate the classifications. Schneider reiterated that he will be classified as an RLA, with a 5 aircraft restriction.

Schneider noted that he is required to install a windsock, runway markers, and L-shaped pavers in each corner of the runway, highlighting that he will not have any markers or lights that will interfere with other aviation.

The floor was open to the public.

Motion by Randolph, second by Kiefer to recommend approval of the airport. Discussion took place regarding reviewal, to which the motion was amended to add reviewal of this case in 18 months. **Motion carried on roll call vote with all ayes. Ayes:** Randolph, Runyon, Kiefer, and Huisman **Nays:** None **Absent:** Stock, Flott

Vermillion Solar II- Review of Decommissioning Plan

This zoning case pertains to the review of a decommissioning plan of a previously approved special use to develop a 2 MW solar farm on approximately 20 acres of a 76-acre tract of land in an AG, Agricultural District located in unincorporated Pontiac.

Miller gave an overview of this case to the members of the ZBA.

Kevin Betts, representative for AES Clean Energy, reported that the 10-year decommissioning cost estimate with salvage totals less than the \$135,000 bond that was approved at the special use hearing. Discussion took place regarding the decommissioning plan and \$135,000 bond, to which Betts indicated that the decommissioning plan will earn the company money with salvage.

Betts stated that Comed has signed the interconnection agreement and that production shall start in August 2024. Betts mentioned that the updated products have reduced in size, making the project around ½ an acre smaller than originally approved. Huisman advised the company update the SPECS for County Board approval.

The floor was open to the public.

Motion by Randolph, second by Runyon to recommend approval of the decommissioning bond as presented. **Motion carried on roll call vote with all ayes.** **Ayes:** Randolph, Runyon, Kiefer, and Huisman **Nays:** None **Absent:** Flott, Stock

Other Business: N/A

Findings of Fact and Decision:

Motion by Kiefer, second by Runyon to approve the amended findings of fact. **Motion carried on roll call vote.** **Ayes:** Huisman, Runyon, Kiefer, and Randolph **Nays:** None **Absent:** Stock, Flott

Report of Officers: N/A

General Discussion:

Discussion took place regarding the airport definitions and ordinances be changed to differentiate each airport type, giving each airport type their own codes.

The committee discussed property nuisances throughout the county that need to be inspected.

Adjournment:

Motion by Randolph, second by Kiefer to adjourn the meeting. **Motion carried on roll call vote.** **Ayes:** Runyon, Kiefer, Randolph, and Huisman **Nays:** None **Absent:** Stock, Flott

The meeting was adjourned at 7:04 p.m.

Materials regarding these proceedings are on file at the Livingston County Regional Planning Office, located in the Livingston County Historic Courthouse, 112 W. Madison St., Pontiac, Illinois.

Respectfully submitted,

Brittney Miller, Zoning Administrator
Livingston County Regional
Planning Commission