

## **Minutes of the ZBA Meeting Held on Monday February 6<sup>th</sup> 2023**

Meeting was called to order at 6:30 p.m. Roll call was taken showing Zoning Board Members Clark VanBuskirk and Paul Skoog, Beaver Miller in attendance. Alternate ZBA members Steve Dykstra and Kevin Reibel (to be appointed). Representing the county was Jeremy Hughes and Christopher the Assistant States Attorney. Also present was William Iske of District 3 Carroll County Board, Kay Davis (Carroll County Resident) and two representatives of Bluestem Energy Solutions.

Notice for this public hearing circulated in the Mirror Democrat the week of January 25<sup>th</sup> 2023. Mailing notifications were sent to all adjacent land owners within 250 ft of the subject properties.

First on the agenda was Special Use 2023-006. The petitioner, Justin Kehl, is seeking special use approval for a dog kennel business for his property addressed 19579 Timberlake Rd Mt. Carroll, IL. The brief legal is SE ¼ SEC. 21 Salem Township. Parcel ID 07-09-21-400-001.

Exhibits introduced included a mailing list, notification letter, the public notice that circulated by paper, an aerial map of the property and photos taken on site of the property.

Justin was unable to attend the meeting and no representative was present to discuss the application. Jeremy introduced that the owners have a facility on site to which they will use for the dog kennel business. The kennel business will have multiple components including breeding, sales, training, boarding, and grooming.

There was no one at the meeting to speak in objection. No letters or comments were received from the notifications.

There was discussion by the ZBA on the issues of possible future nuisances including dogs barking. The current setback distance of the kennel structure to the nearest home is 485 feet. There was a question called on limitations on future restrictions of growth of the dog kennel business including how many buildings and/or how many dogs. The intention of the question was to set preemptive guidelines rather than coming back to the matter in the future and try to deal with restricting a growing business.

There was discussion on Chapter 700-21.05 "Non-compliance/Revocation of Special Use Permits" which stipulates that the county has powers to address SUP that develop ordinance violations or operate outside of a condition placed upon said SUP.

The finding of fact was executed, noting no special concerns for the standards of issuing a special use. A motion was made and seconded that the ZBA recommends that the County Board approve the special use application. No conditions or restrictions were included. The vote passed 4-0.

The second item on the agenda was Special Use 2023-008. The applicant Bluestem Energy Solutions, LLC, with approval from the property owner Herbert Tautz, is seeking a special use permit for a Solar Farm in the Agricultural District. The property in question will be addressed as 9965 Mill Rd. Mt. Carroll, IL. The site is directly south of 10055 Mill Rd. The brief legal is the NW ¼ of the SE ¼ of Sec. 13 Mount Carroll Township. Parcel ID 05-08-13-400-006.

Exhibits were introduced, including maps and photos, notification documents. This site had previously received approval for a Solar Farm in 2018 through special use permit S.18-05-500. It was presented that the permit granted had recently expired and that the applicants were seeking to renew for the purpose of submitting the location for approval for construction with the IL Power Agency. The solar farm fits a special program with Jo-Carroll Energy for solar power plants that are less than 2.0 megawatts. The total size of the field would be 14 acres and 1.95 megawatts in size. It was discussed that this company had recently completed installation of a similar facility in Carroll County at 13965 Meyers Road Mt. Carroll, IL.

Jamie Goldenberg and Kyle , representatives of Bluestem Energy Solutions were present at the meeting. They spoke upon the request introducing the site. The fence plan would be a 6 ft chain link around the perimeter. The vegetation plan would be to mow the site for several year while working to establish a native plant and pollinating cover. The facility would be a tracking system that tilts with the sun during the day. The AMIA (Agricultural Impact Mitigation Agreement) was discussed. This is an agreement that a facility builder/owner/operator must enter with the IL Department of Ag. It stipulates the requirements for decommission of the site at the end of life. This includes the financial bonding of money for deconstruction and putting the site back into pre-development condition.

Kay Davis, a local a resident, was present at the meeting to ask several questions about aesthetics and the vegetation plan.

The finding of fact was executed, noting no special concerns for the issuance of a special use permit of a Commercial Solar Farm. A motion was made and seconded to recommend approval to the County Board. No conditions or restrictions were included. That motion passed 4-0.

The final topic on the agenda was Zoning Board of Appeals Educational Review and Presentation, "Best Practices for Boards." Jeremy discussed a few items from the presentation, but instead asked to use the time to discuss the topic of HB 4412. Jeremy plans to bring the presentation for a future meeting. The new state law was signed on January 27<sup>th</sup> 2023, providing 120 days for counties to adopt the new Commercial Solar and Wind standards. The public act and other documents relating to the bill have been posted on the website for review. The biggest take away is that counties are required to hold a public hearing, using the standards set by the state which stipulate nothing else is to be used or considered when reviewing commercial wind/solar projects. It also states that Counties shall approve when an application is in compliance with the state

standards. Depending on other ZBA agenda items, it is likely that a meeting will be held to address the text amendment requirement of the state law on April 3<sup>rd</sup> or May 1<sup>st</sup> 2023.

The meeting was adjourned at 7:32 pm.