

**DRAFT COPY - SUBJECT TO COMMITTEE APPROVAL**

**BOARD:** TAZEWELL COUNTY

**COMMITTEE:** LAND USE

**DATE/TIME:** Tuesday, April 9, 2024, at 5:00 p.m.

**PRESENT:** Greg Sinn, Mark Goddard, Jay Hall, Kaden Nelms, and Chairman Kim Joesting

**ABSENT:** Randi Krehbiel, Russ Crawford and Sierra Smith

**STAFF PRESENT:** Jaclynn Workman, Community Development Administrator; Matt Drake, Assistant States Attorney; and Melissa Kreiter, Community Development Chief Deputy

**OTHERS PRESENT:** Eric Schmidgall, Elton Rocke, Pastor James Schoonover, various members of Victorious Life Bible Church, Matt Hoffman, Carol Vance, Joe Genard, Necia Schablow and Tim Baer and family

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**CALL TO ORDER:** Chairman Joesting called the meeting to Order at 5:02 p.m.

**PUBLIC COMMENT:** Mr. Elton Rocke, Tazewell County Stop the Pipeline appeared with comments. Mr. Rocke stated there are concerns with Alto as they are in a poor financial state and he felt they are trying to build an injection well in order to keep the company afloat. Mr. Rocke said the pipeline issue has been known since August of 2023 and said the committee needs to act or be pro-active by getting something on the books for sequestration. Mr. Rocke added he had experts ready and willing to speak to the committee regarding the dangers of these pipelines and wells at no cost to the county.

Pastor James Schoonover, Victorious Life Bible Church appeared with comments regarding Catmint Solar. Pastor Schoonover stated the Catmint Solar development would land lock the development of the City of East Peoria and it would be a mistake to allow Catmint to develop.

Assistant States Attorney reminded those in attendance, Public Comment was not to be used as an opportunity to present new evidence in support of or in opposition of a case.

Matt Hoffman appeared with comments regarding Catmint Solar. Mr. Hoffman stated items were not completed prior to the submittal of the solar application and plans need revised. Mr. Hoffman said Catmint does not have financing and there are many details that need addressed. Mr. Hoffman asked the committee to deny the request.

Carol Vance appeared with comments regarding Catmint Solar. Ms. Vance was in opposition and stated the renewal request is a bad idea. Ms. Vance noted County Board Member Atkins referencing LaSalle-Sinclair factors for reasoning to approve or deny a case and proceeded to go through each factor and her reasons for denial.

Assistant States Attorney reminded those in attendance, Public

Comment was not to be used as an opportunity to present new evidence in support of or in opposition of a case. Mr. Drake also reminded the public that the Catmint case was for an extension only and the LaSalle-Sinclair factors were not being re-considered.

Carol Vance continued with comments regarding the LaSalle-Sinclair factors for reasoning to deny the request.

Joe Genard appeared with comments regarding Catmint Solar. Mr. Genard stated he was in opposition and was the closest to the site. Mr. Genard said the ZBA and the Land Use Committee both recommended denial of the request originally and should deny once again.

Assistant States Attorney reminded those in attendance, Public Comment was not to be used as an opportunity to present new evidence.

Joe Genard continued with comments regarding his reasons for why the Catmint project should be denied.

Necia Schablow, Tazewell County Stop the Pipeline appeared with comments. Ms. Schablow stated these pipelines are wrong and dangerous. Ms. Schablow said the companies are LLC's where they take no liability. Ms. Schablow added that the air pumped below ground will eventually escape and there was a risk for puncturing the storage pockets with well drilling. Ms. Schablow stated she does not trust the federal government to do the right thing.

**MINUTES:**

Moved by Sinn, seconded by Hall, to approve the minutes of the March 12, 2024 Land Use Meeting. On voice vote, **motion declared carried.**

**NEW BUSINESS**

**CASES:**

**LU-24-06**

**Case No. 23-38-S**

Catmint Solar - Extension

Chairman Joesting presented the petition of Catmint Solar, LLC requesting a two (2) year extension on said Special Use application as originally approved by the Zoning Board of Appeals on May 31, 2023 to allow the construction of a 5 Mega Watt Commercial Solar Farm in an A-1 Agriculture Preservation District.

Member Greg Sinn stated the development company submitted for 2 projects originally and conceded to withdrawing 1 project as a good faith effort for the neighbors. Mr. Sinn said ZBA requested additional screening. Mr. Sinn added this project was ultimately passed, and there was no reason not to approve an extension.

Administrator Workman stated if the committee were to recommend denial of the extension, a finding of fact would be needed to support the denial.

Following discussion, moved by Hall, seconded by Goddard to recommend approval of LU-24-06, Case No. 23-38-A to the Tazewell County Board.

On voice vote, **motion declared carried, unanimously.**

**LU-24-07**

**Case No. 24-11-Z**

Stanley & Jennifer Koch

Chairman Joesting presented the petition of Stanley and Jennifer Koch for a Map Amendment to the Official Elm Grove Township Zoning Map of Tazewell County to change the zoning classification of property from an A-1 Agriculture Preservation District to a R-R Rural Residential Zoning District.

Member Greg Sinn stated concern of the zoning classification change limiting their ability to raise the farm animals on the property as they have historically done. Mr. Sinn questioned if a plat review meeting would be needed if the property were further divided.

Administrator Workman gave an overview of the overall reasoning for the rezoning request. Ms. confirmed there would be no effect on the Koch families farming practices or raising of animals. Ms. Workman stated that the animal units outlined in the Code are from the Department of Ag and if there were a concern the Department of Ag would be the agency tasked to ensuring the care for the animals.

Following discussion, moved by Sinn, seconded by Nelms to recommend approval of LU-24-07, Case No. 24-11-Z to the Tazewell County Board.

On voice vote, **motion declared carried, unanimously.**

**DISCUSSION:**

**Proposed Amendment 69**

Administrator Workman stated this was brought about from Clay Moushon that was present at the March committee meeting and his desire for the Agritainment/Agritourism industry for his property. Ms. Workman said historically these types of businesses have been approved as an Ag Relation Business use. Ms. Workman added the definitions and verbiage would be added to the code define the various types of potential businesses. Ms. Workman stated the proposed amendment could be re-worked so that Agritainment type businesses would require Special Use approval on their own and not be correlated under the Ag Related Business use.

Member Greg Sinn stated his concern with allowing an Agritainment type use as a permitted use in an I-2 business. Mr. Sinn said allowing possible uses with family and children targeted in an industrial area would not be cohesive. Mr. Sinn was agreeable to reworking the amendment as discussed.

Member Mark Goddard stated the Agritainment use should be codified in the code. Mr. Goddard was agreeable to changing the amendment to allow Agritainment as a Special Use on its' own and not in relation to an Ag Related Business use.

It was the consensus of the committee to send the proposed Amendment to Public Hearing on May 7, 2024 with the changes as discussed.

**COUNTY FARM**

Administrator Workman stated Ameren was proposing running transmission lines through property in the area of the Tremont campus and she wanted the Land Use committee to be aware, however, it would be the property committee who will make the decision. Ms. Workman said that Tim Baer had approached the County regarding allowing Ameren to cross the county farm property to minimize the amount of farmland that would be impacted by the installation of 3 new towers on land his family has historically farmed.

Member Greg Sinn stated the County did not farm land on the West side of the drainage ditch and did not see where it would create an issue as well as the location would help with the aerial spraying of the fields.

Tim Baer stated his family had concerns with farm implements coming into contact with transmission lines and stated their appreciation if the County would allow the lines across their property.

**STAFF REPORT**

Administrator Workman presented the Committee a Staff Report detailing revenues, expenses and other office related activity for the month and year to date. This item was for discussion purposes only. No action was taken.

**UNFINISHED BUSINESS:**

Member Greg Sinn asked for an update on the search for a new building inspector.

Administrator Workman stated there have been 3 applicants thus far, none hold the required certificates, noting there was 1 year allotted for an individual to obtain the required certifications upon being hired.

**NEXT MEETING:**

The next meeting of the Land Use Committee will be held on **TUESDAY, May 14, 2024 at 5:00 p.m.**

**RECESS:**

There being no further business, the meeting recessed at 6:34p.m.

***Jaclynn Workman, Secretary***