TAZEWELL COUNTY LAND USE COMMITTEE AGENDA

Chairman, Kim Joesting McKenzie Building – 3rd Floor Jury Room Tuesday, August 13, 2024 at 5:00 p.m.

- 1. Call to Order.
- 2. Roll Call.
- 3. Approval of Minutes: July 9, 2024
- 4. Public Comment.
- 5. New Business.
 - a. Cases:

LU-24-13	Case No. 24-27-S	Unsicker 1, LLC	Special Use	Morton Twp.
LU-24-14	Case No. 24-28-S	Unsicker 2, LLC	Special Use	Morton Twp.
LU-24-15	Case No. 24-29-S	Unsicker 3, LLC	Special Use	Morton Twp.
(Petitioner's i	equest for an Extension	on)		
LU-24-16	Case No. 23-42-S	Taz Co IL S1, LLC	Special Use	Delavan Twp.
LU-24-17	Case No. 24-32-A	Amendment 70		

- b. Plats and Subdivisions: None
- c. Resolutions:
- d. Discussion.

CCS - Updates

Class A – Extension Requests

IGA - Peoria Co. Soil and Water

- 6. Unfinished Business.
- **7. Staff Report:** Review Year to Date Revenue and Building Activity
- **8. Next Meeting:** Tuesday, September 10, 2024 at 5:00 p.m.
- 9. Recess.

Members: Chairman - Kim Joesting, Vice Chairman - K. Russell Crawford, Mark Goddard, Jay Hall,

Kaden Nelms, Eric Schmidgall, Greg Sinn



COUNTY OF TAZEWELL

COMMUNITY DEVELOPMENT DEPARTMENT

Jaclynn Workman, Administrator

11 South 4th Street, Room 400, Pekin, Illinois 61554

Phone: (309) 477-2235 / Email: zoning@tazewell-il.gov

TO: Land Use Committee

FROM: Jaclynn Workman, Administrator

DATE: August 8th, 2024

SUBJECT: Unsicker 1, LLC / Unsicker 2, LLC / Unsicker 3, LLC

Members of the Land Use Committee -

As you will notice in the reports provided, your Zoning Board of Appeals has recommended denial of the three aforementioned cases. These three cases were continued from the July 2nd, 2024 ZBA hearing due to opposition by the Village of Morton. Morton opposed the proposed special use, as it would not allow for orderly development of the Village to the west. Before making a decision, ZBA requested that Morton provide additional information related to the desired growth in this vicinity.

On behalf of Morton, Mayor Jeff Kaufmann, and Trustee Steven Leitch appeared at the August 6th, 2024 ZBA hearing. Please find attached the visual aids provided by Morton as reference during discussion. To summarize, Morton anticipates continued industrial growth in this area and as such, a 25-40 year land lease immediate adjacent to the Village boundary could have a significant impact on such growth. The Village has invested in roads and infrastructure in the area with the vision to encompass, least of all, to the Unsicker Road boundary.

As you will also notice, the ZBA adopted the finding of fact provided by Tri-County Regional Planning. The findings were 11 positive, 1 negative and 2 N/A. The ZBA felt the single negative finding of fact was significant enough to justify a recommendation to deny all three cases.

Additionally, please find attached a letter presented by the petitioner's legal counsel during closing statements.

The full video of both the July 2nd and August 6th testimony can be found at; https://tazewell-il.gov/agendas-and-minutes/ Please feel free to contact me at your convenience if you any questions.

JW

120 NORTH MAIN STREET • P.O. BOX 28 • MORTON, ILLINOIS 61550-0028 PHONE (309) 266-5361 FAX (309) 266-5508

JEFFREY L. KAUFMAN
President

TRUSTEES:
Rod Blunier
Craig Hilliard
Steve Leitch
Brad Menold
Kenneth Newman
Nate Parrott

VILLAGE CLERK: Zo Evans

To whom it may concern:

Concerning the following cases:

Case No. 24-27-S Unsicker Sun 1, LLC Case No. 24-28-S Unsicker Sun 2, LLC Case No. 24-29-S Unsicker Sun 3, LLC

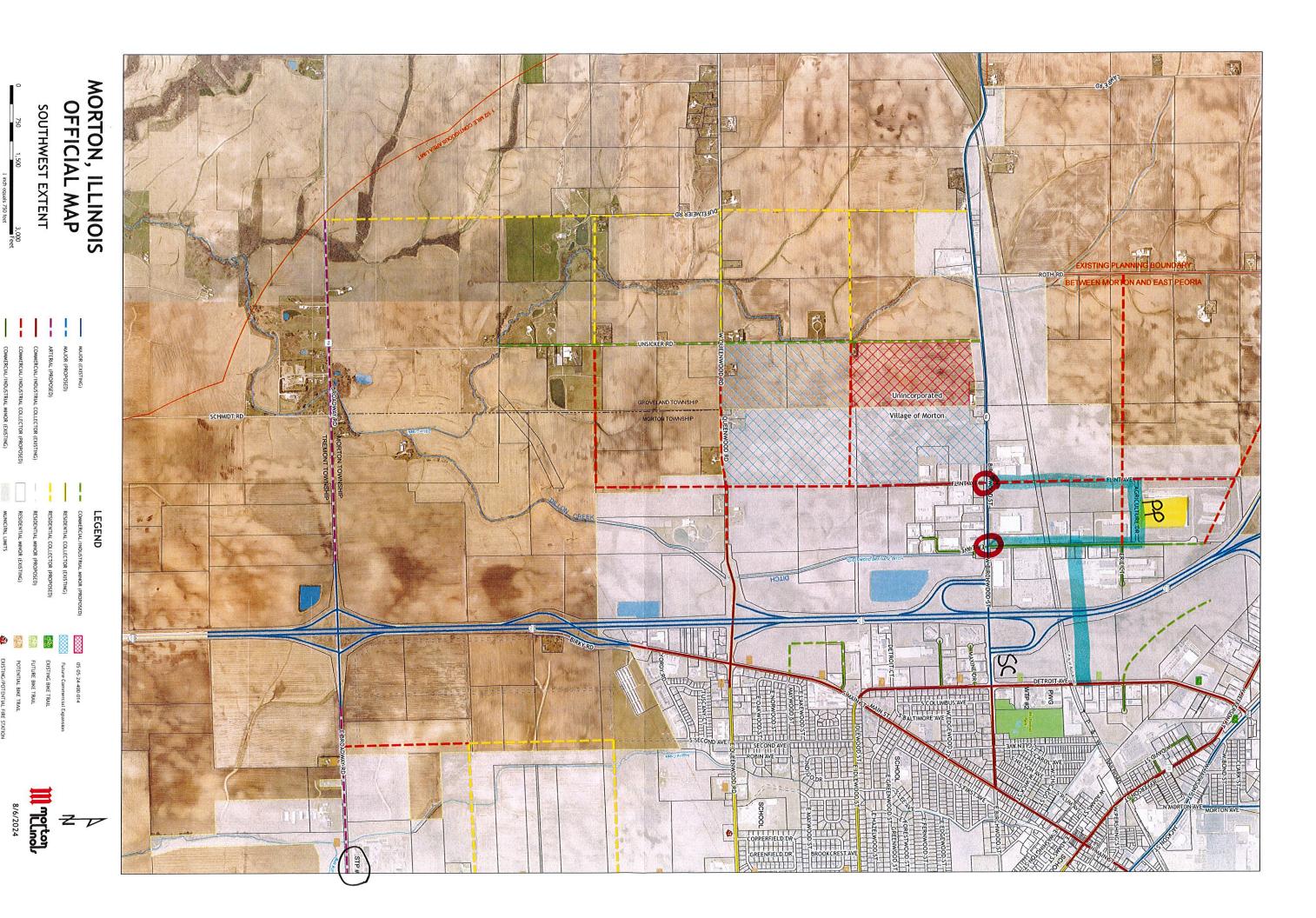
The Village of Morton <u>opposes</u> the award of a Special Use permit on this site. The award of a Special Use permit to allow a solar farm conflicts with the intended plan for the orderly development within the 1.5 mile radius of the Village of Morton addressed in our Comprehensive Plan. The Comprehensive Plan calls for this corridor to be committed to industrial uses in conformity with the Village of Morton's zoning ordinances. A solar farm is not a use permitted in the Village of Morton within that zoning district. As such, awarding a Special Use permit would impede the intended planned and orderly development of the Village of Morton.

Please see the attached documentation supporting our reasoning for the opposition.

Respectfully,

Zack Davis
Zoning & Code Enforcement Officer
Village of Morton
120 N. Main St.
Morton, IL 61550
zdavis@morton-il.gov
309-266-5361 Ext. 2239







70 W. Madison Street Suite 5400 Chicago, IL 60602 Main (312) 345-5700 Fax (312) 345-5701 www.schainbanks.com

August 5, 2024

Tazewell County
Tazewell County Board
Tazewell County Zoning Board of Appeals
11 S. 4th Street
Pekin, IL 61554

Re: Unsicker Sun Community Solar Energy Projects

Dear County Board and Zoning Board of Appeals members:

Unsicker Sun 1, LLC, Unsicker Sun 2, LLC and Unsicker Sun 3, LLC have applied to Tazewell County for special use permits for community solar energy projects. All three projects are located on property in unincorporated Tazewell County and within 1.5 miles of the Village of Morton. The Village of Morton has objected to the projects on the basis that development of the property with solar energy projects is inconsistent with the Morton comprehensive plan for future industrial development.

The property is zoned agricultural by Tazewell County, and Tazewell County has jurisdiction over the zoning of the property and the special use applications.

State law, 55 ILCS 5/5-12020, requires that counties allow solar energy projects in all districts zoned for agricultural or industrial uses. For solar projects, this requirement applies in all unincorporated areas of a county, without any exception. By contrast, for wind energy projects, 55 ILCS 5/5-12020(b) limits county regulation to areas "outside of the zoning jurisdiction of a municipality and that are outside the 1.5 mile radius surrounding the zoning jurisdiction of a municipality." No such geographical limitation exists for solar projects in the state law. Accordingly, unincorporated areas located within 1.5 miles of a municipality are not excluded from the application of the state siting law for solar projects, and therefore a county must allow solar projects in areas zoned for agricultural or industrial use within 1.5 miles of a municipality.

In addition, a county may not include requirements for commercial solar energy projects "that are more restrictive than specified in this Section." 55 ILCS 5/5-12020(b).

The state law does not include any restriction or limitation relating to municipal comprehensive plans. Accordingly, a county cannot adopt or enforce a requirement that solar energy projects be consistent with a municipal comprehensive plan. Such a zoning requirement would be "more restrictive" than those regulations allowed under 55 ILCS 5/5-12020, and therefore not valid and cannot be used to justify denial of a solar project application.

Although the Village of Morton has objected to the Unsicker solar projects, it should be noted that the projects are located in an area Morton proposes to be zoned for future industrial use, and the Morton zoning ordinance allows solar energy projects as a special use in the I-2 industrial zoning district. (Morton Zoning Ordinance §10-4-16(F)). Accordingly, there is a compelling argument that the solar projects are consistent with the comprehensive plan of Morton. However, under Illinois state law, consistency with a municipal comprehensive plan is not a permissible standard or requirement and cannot form the basis for Tazewell County to deny the Unsicker solar projects.

Sincerely,

James R. Griffin

James R. Griffin
Attorney for Unsicker Sun 1, LLC,
Unsicker Sun 2, LLC and Unsicker Sun 3, LLC

JRG/tm

cc: Tazewell County State's Attorney (kjohnson@tazewell-il.gov)

DECISION AND FINDINGS OF FACT OF THE ZONING BOARD OF APPEALS ON PROPOSED SPECIAL USE

(Zoning Board Case No. 24-27-S)

The Zoning Board of Appeals of Tazewell County, Illinois makes the following report of its action on the case indicated herein, after a public hearing on July 2, 2024 and August 6, 2024, and pursuant to notice given in accordance with law:

A. DESCRIPTION OF CASE

SUBJECT MATTER: Special Use

LOCATION AND/OR PROPERTY INVOLVED:

Current Owner of Property: Getz Land Trust, c/o Douglas S. Getz, 1400 Parkside Ave., Unit 140, Morton, IL 61550

Access through P.I.N. 05-05-24-400-007; an approximate 4.46 acre parcel; and

P.I.N. 05-05-24-400-014; an approximate 20.02 +/- acres utilized of an existing 71.25 acre parcel located in part of the E 1.2 of the SE ¼ of Sec 24, T25N, R4W of the 3rd P.M., Groveland Twp., Tazewell Co., IL;

located in a field at the SE corner of the intersection of Unsicker Rd. and W. Birchwood St. (II. Rte 98), Morton, IL.

REQUESTED BY: Unsicker 1, LLC

PROPOSAL: The petition of Unsicker Sun 1, LLC for a Special Use to allow the construction of a 5

Mega Watt Commercial Solar Farm in an A-1 Agriculture Preservation District

PARTIES OF RECORD: James Griffin, Attorney on behalf of Petitioner

Matt Walsh, NexAmp, on behalf of Petitioner

Carl Broberg, Stantec, on behalf of Petitioner (7/2/24 Only)

Mike MaRous, MaRous & Co, On behalf of Petitioner (7/2/24 Only)

Jeffrey Kaufman, Village of Morton, Objector (8/6/24 Only) Steven Leitch, Village of Morton, Objector (8/6/24 Only)

B. JURISDICTION

NOTICE OF HEARING: A notice of the proposed Special Use thereon was published in the

Tazewell Chronicle on May 29, 2024 and a copy of the publication was mailed to the petitioner within five working days after publication.

AGENCY COMMENTS: The Tazewell County Land Use Planner submitted a report

recommending approval of the proposed Special Use request.

Tazewell County Health Department submitted a report regarding the proposed Special Use request stating portable toilets and portable handwashing stations must be provided during construction.

Tazewell County Soil & Water Conservation District submitted a report regarding the proposed Special Use request recommending

denial.

Tazewell County Farm Bureau made no comment regarding the proposed Special Use request.

Dan Parr, Tazewell County Highway Engineer made no comment regarding the proposed Special Use request.

Mike Rosenthal, Groveland Township Road District submitted a report regarding the proposed Special Use request recommending approval.

Michael Harris, IDOT submitted a report regarding the proposed Special Use request stating no objection if no entrance proposed on to IL Route 98, as well as no drainage directed to IL Route 98.

Zack Davis, Village of Morton submitted a report regarding the proposed Special Use request stating opposition as it conflicts with the Village Comprehensive Land Use Plan.

C. FINDINGS OF FACTS

The Zoning Board of Appeals adopted the following findings of fact relating to the action proposed:

- 1. The Special Use shall, in all other respects, conform to the applicable regulations of the Tazewell County Zoning Ordinance for the district in which it is located.
 - (Positive) The construction of a solar farm is permitted special use within an A-1 Agricultural District. Therefore the proposed special use conforms to Tazewell County Code.
- 2. The Special Use will be consistent with the purposes, goals, objectives, and standards of the officially adopted County Comprehensive Land Use Plan and these regulations, or of any officially adopted Comprehensive Plan of a municipality with a 1.5 mile planning jurisdiction.
 - (NEGATIVE) The proposed special use does not contradict any of the purposes, goals, objectives and standards of Tazewell County's comprehensive plan. But the proposed special use is located within the Village of Morton's 1.5-mile planning jurisdiction and conflicts with their comprehensive plan. Morton has identified this corridor for industrial uses and such zoning districts under Morton code do not permit solar farm development.
- 3. The petitioner has met the requirements of Article 25 of the Tazewell County Zoning Code.
 - (POSITIVE) Per the application, the requirements of Article 25 of the Tazewell County Zoning Code have been met.
- 4. The Site shall be so situated as to minimize adverse effects, including visual impacts on adjacent properties.
 - (POSITIVE) According to the site plan there will be a 311 ft setback from the nearest residential properties which exceed Tazewell County's setback requirement. Along with the setback the proposed site will also include vegetative screening.
- 5. The establishment, maintenance or operation of the Special Use shall not be detrimental to or endanger the public health, safety, morals, comfort or general welfare of the neighboring vicinity.

(POSITIVE) To project the general welfare of the neighboring vicinity, the proposed special use will be secured by a 7ft chain-linked fence to limit access, vegetative screening, and meet or exceed the required setbacks set by Tazewell County.

6. The Special Use shall not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted.

(POSITIVE) The proposed special use incorporates the following safety measures: a 7ft fence, vegetative screening, and required setbacks. The incorporation of these measures helps protect the enjoyment of the other properties in the immediate vicinity.

7. The Special Use shall not substantially diminish and impair property values within the neighborhood.

(POSITIVE) There is no evidence that consistently guarantees that the development of a solar farm will diminish property values for there are studies that support and refute this claim. But efforts are being made to mitigate any impacts to property values such as following Tazewell County Zoning Code, having 7ft fence surrounding the property, and meeting the setback requirements.

8. That adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.

(POSITIVE) Per the application, all utilities and necessary facilities will be provided.

9. Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion and hazard on the public streets.

(POSITIVE) The proposed special use will temporarily increase traffic during the construction phase. During construction impact to the roads will minimal since the applicant will not use oversize truck loads. After construction the traffic generated to and from the site will occur during the scheduled on-site maintenance visits.

10. The evidence establishes that granting the use, which is located one-half mile or less from a livestock feeding operation, will not increase the population density around the livestock feeding operation to such levels as would hinder the operation or expansion of such operation.

Not Applicable

11. Evidence presented establishes that granting the use, which is located more than one-half mile from a livestock feeding operation, will not hinder the operation or expansion of such operation.

Not Applicable

12. Seventy-five percent (75%) of the site contains soils having a productivity index of less than 125.

(POSITIVE) The applicant has entered into an Agricultural Impact Mitigation Agreement (AIMA), which protects the underlying soils and ensures that he soil can be returned to crop production after the project is decommissioned.

13. The Special Use is consistent with the existing uses of property within the general area of the property in question.

(POSITIVE) The immediate area surrounding the property in question are mostly A-1 districts or farmland in the Village of Morton. Under Tazewell County code the construction of a solar farm is permitted through special use. Therefore, the proposed special use is consistent with the surrounding uses of property.

14. The property is suitable for the Special Use as proposed.

(POSITIVE) The property in question is currently zoned A-1, which permits the construction of a solar farm as a special use. Therefore, the property in question is suitable for the proposed special use.

D. DECISION

Having considered the information contained in the petition herein, and the testimony given and statements made at the public hearing on said proposal, the Zoning Board of Appeals hereby, based on the findings of fact set forth above, recommends DENIAL of the proposed Special Use request, however should the request be approved, the Zoning Board of Appeals recommends the following conditions be established:

- 1. The fence style shall be chain-link with steel post, in accordance with the height requirements of § 156.06 (B)(1)(f).
- 2. The Facility Owner shall ensure that all vegetation growing within the perimeter of the Facility and all land outside of the perimeter fence identified in the agreement as a part of the lease is properly and appropriately maintained. Maintenance may include, but not be limited to, mowing, trimming, chemical control, or the use of livestock as agreed to by the Landowner.
- 3. Emergency and non-emergency contact information shall be kept up to date with the Community Development Department and be posted in a conspicuous manner at the main entrance to the facility and also visible from the public roadway.
- 4. Vegetative screening, such as a species of pine tree, shall be 3-5' at planting as proposed in the application and in any other location as determined desirable by the Community Development Administrator.
- 5. Cover crop, such as wheat/rye/oats, shall be established prior to construction to prevent sediment and erosion control issues during the construction phase and assist provide ground cover will the required pollinators are being established.

Ayes: 0

Nays: 6 –Bong, Cupi, Fehr, Lapsley, McClanahan and Chairman Lessen

Absent: 1 – Vaughn

Dated this 6th day of August, 2024.

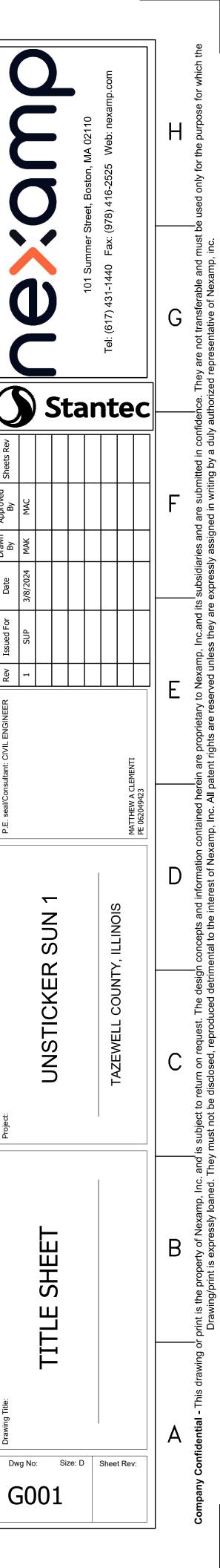
/s/ DUANE LESSEN

Chairman, Zoning Board of Appeals Tazewell County, Illinois

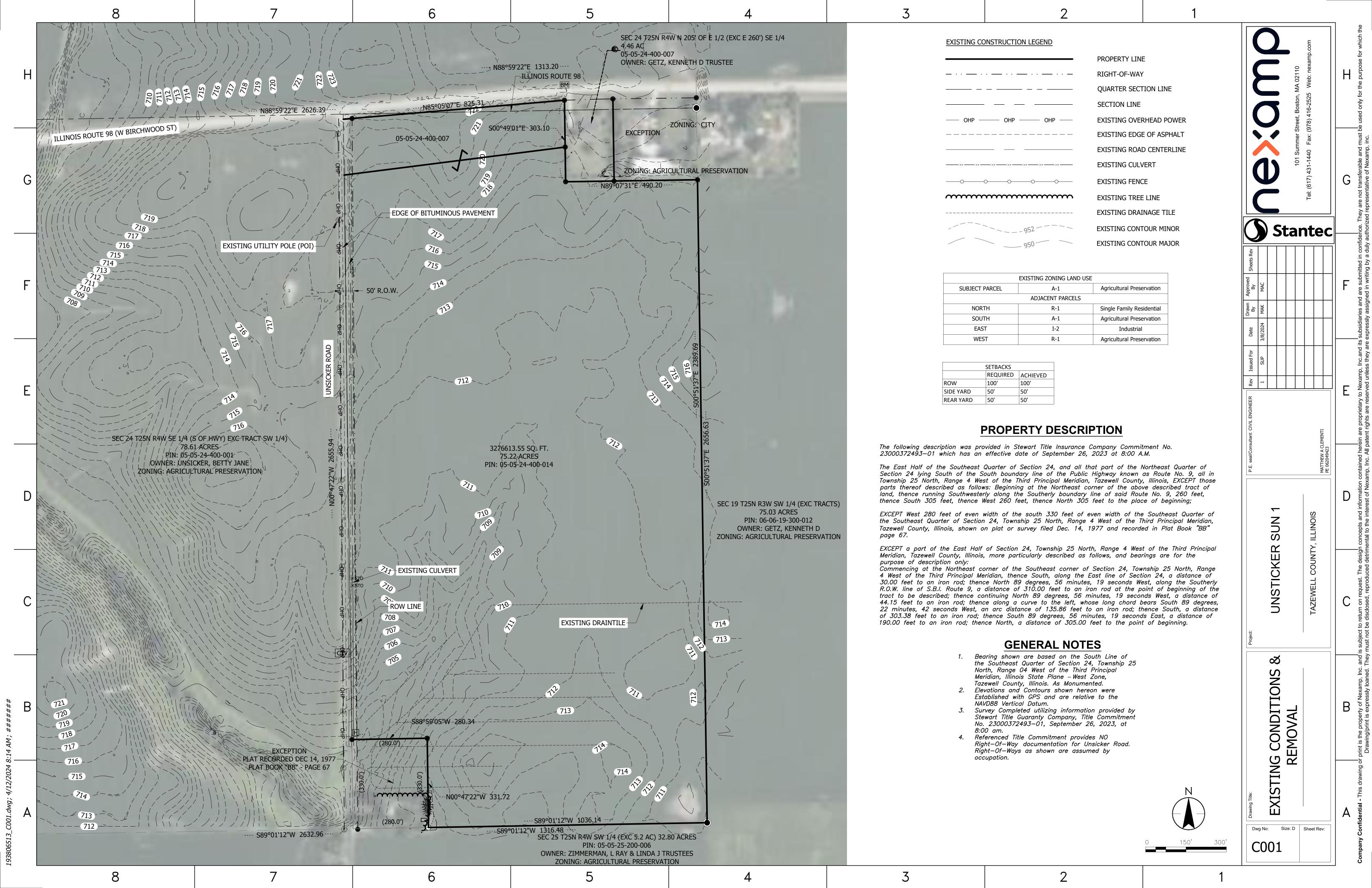
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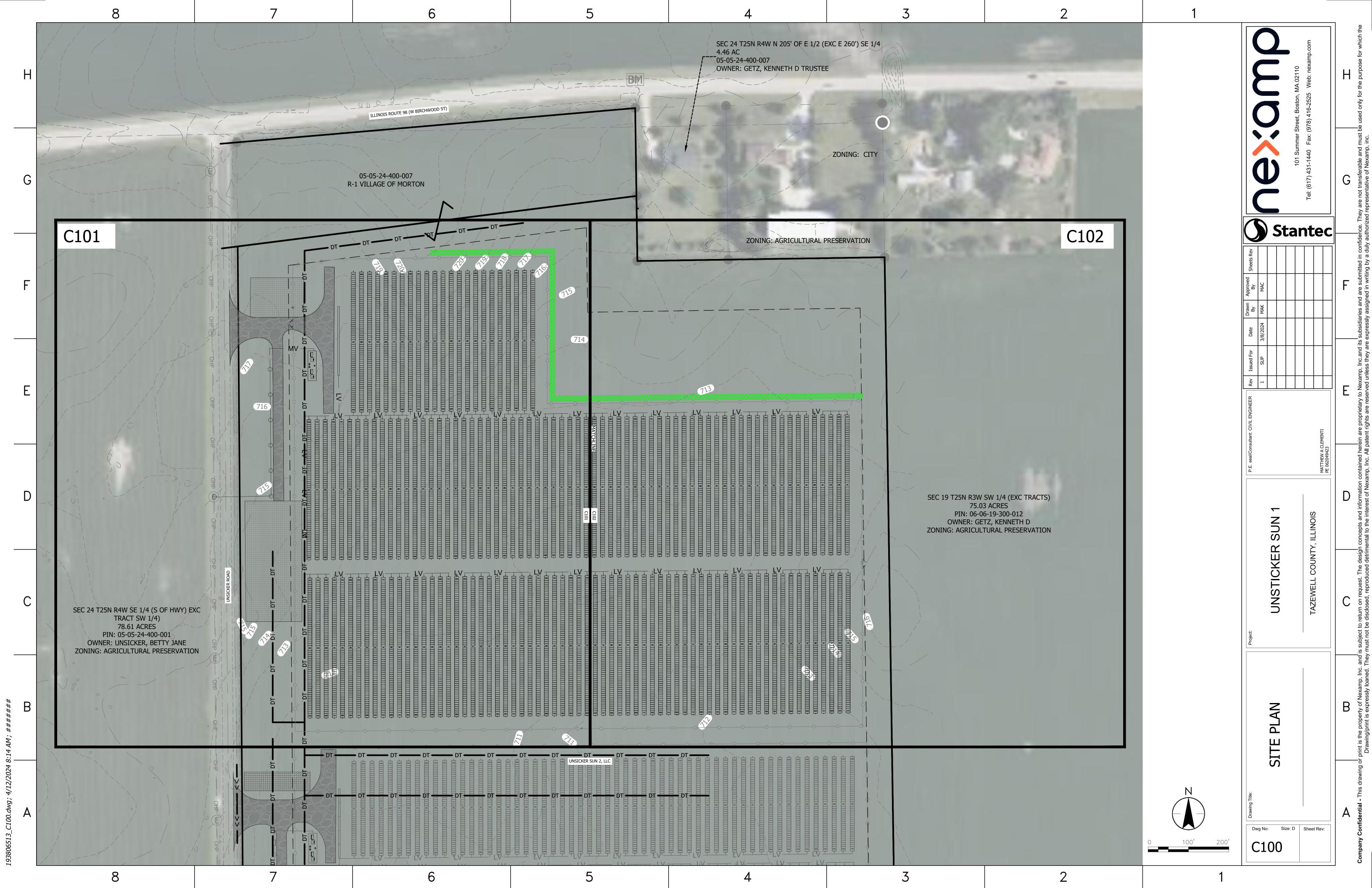
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Sheet Number	Sheet Title						
G001	TITLE SHEET						
G002	GENERAL NOTES						
C001	EXISTING CONDITIONS & REMOVAL						
C100	SITE PLAN						
C101	SITE PLAN						
C102	SITE PLAN						
C200	EROSION CONTROL						
C201	EROSION CONTROL						
C202	EROSION CONTROL						
C801	ENGINEERING DETAILS						
C802	ENGINEERING DETAILS						
L100	PRELIMINARY LANDSCAPE PLAN						
L101	PRELIMINARY LANDSCAPE DETAILS						
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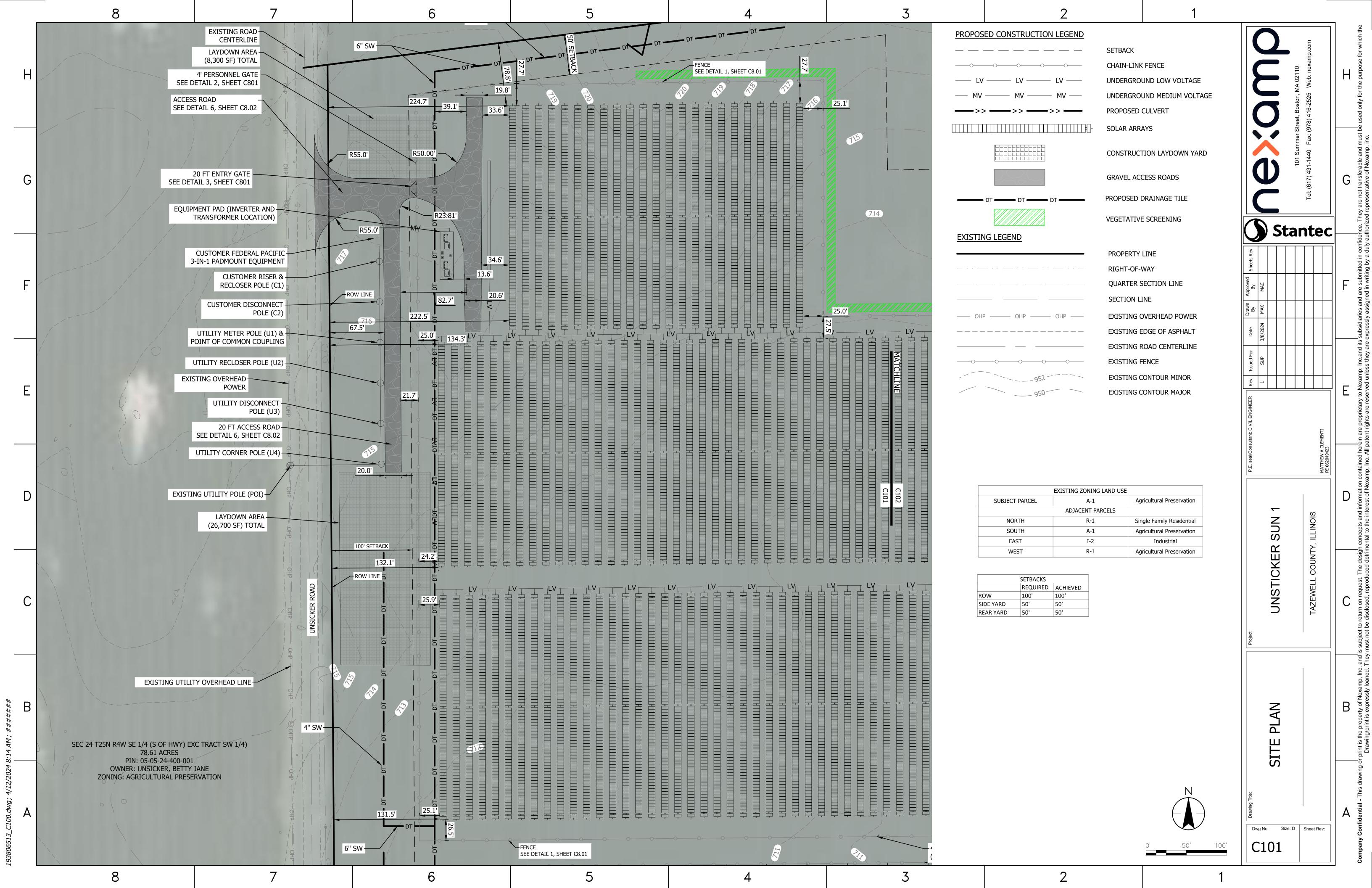
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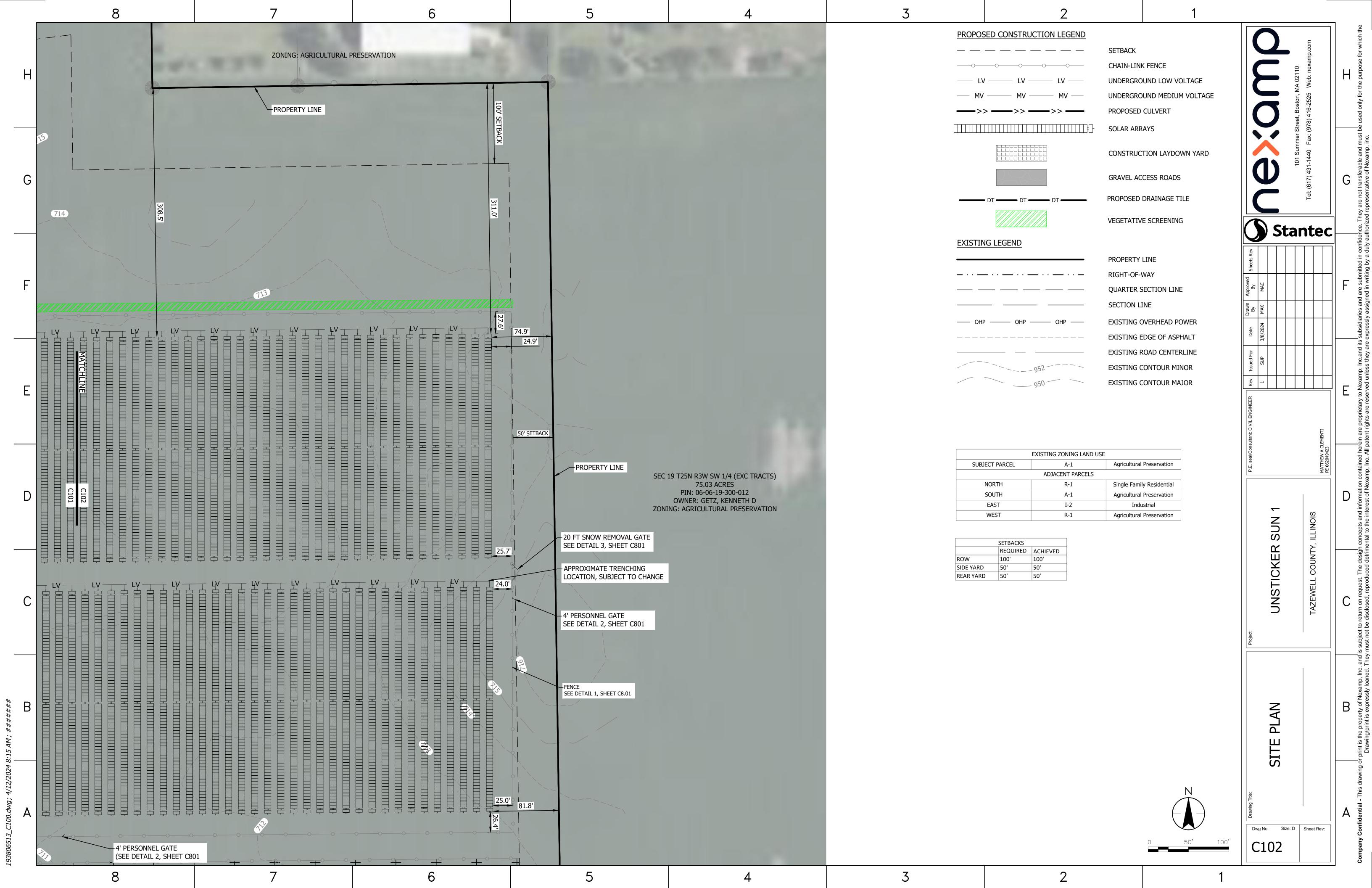


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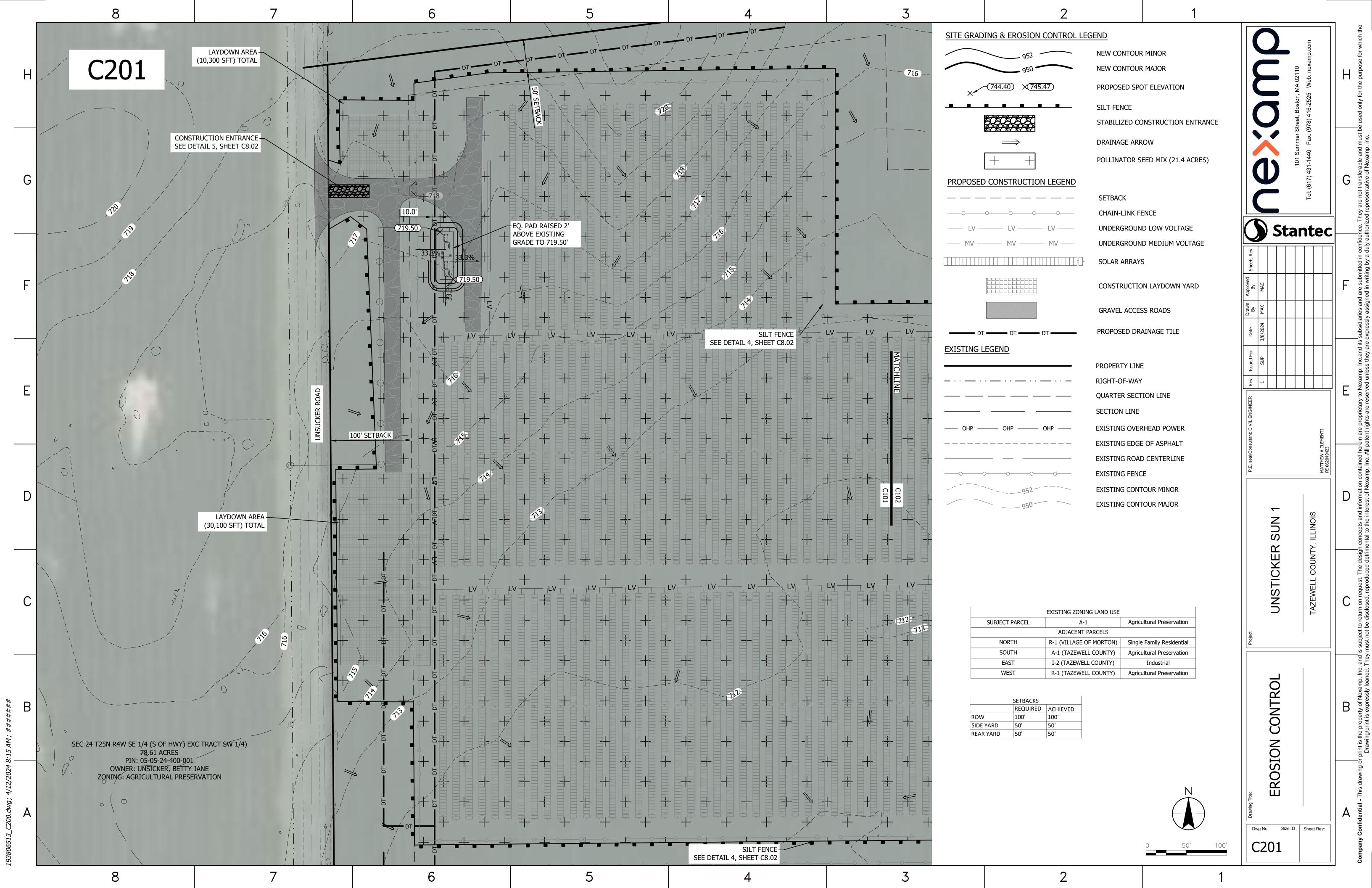


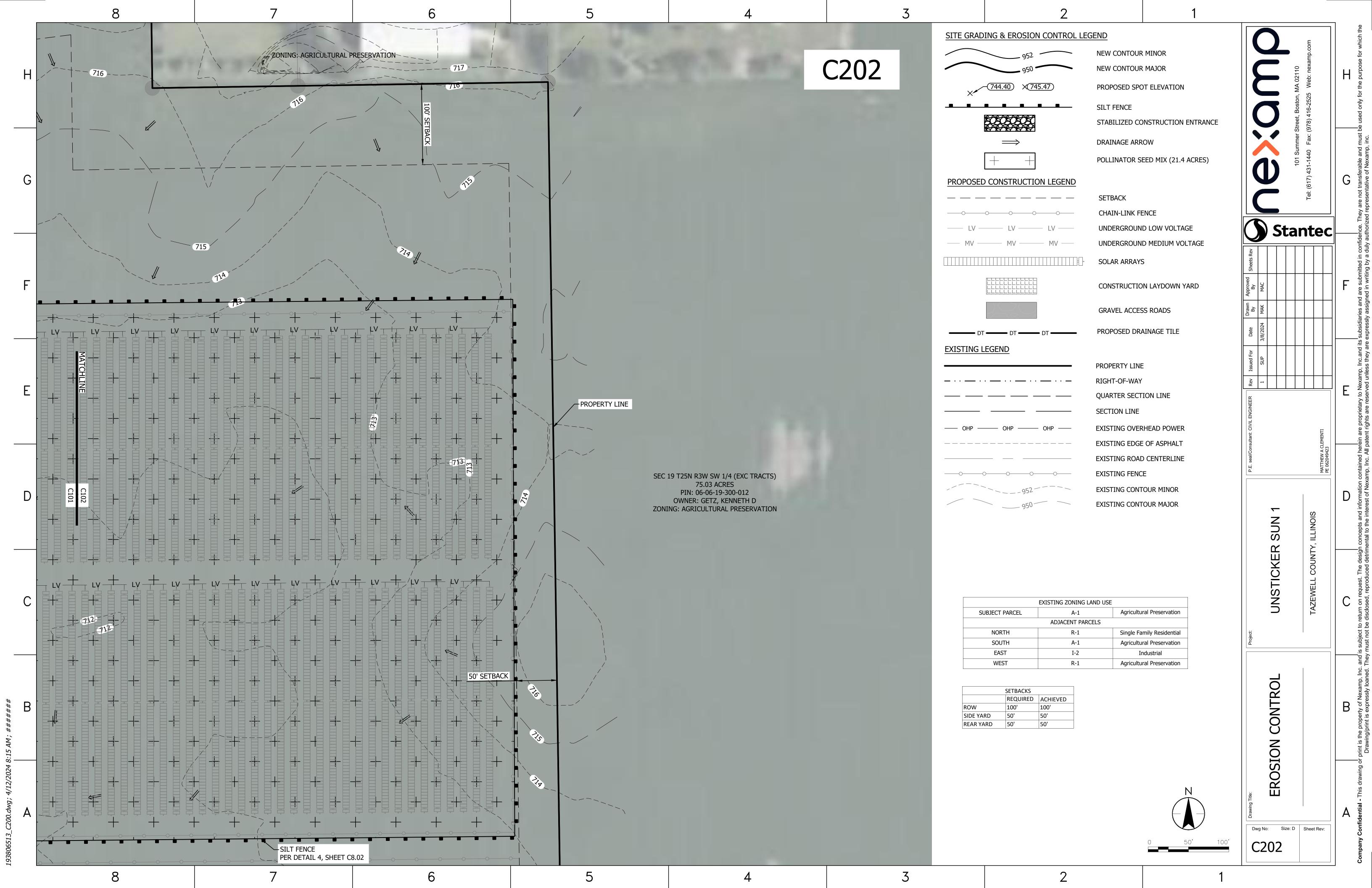


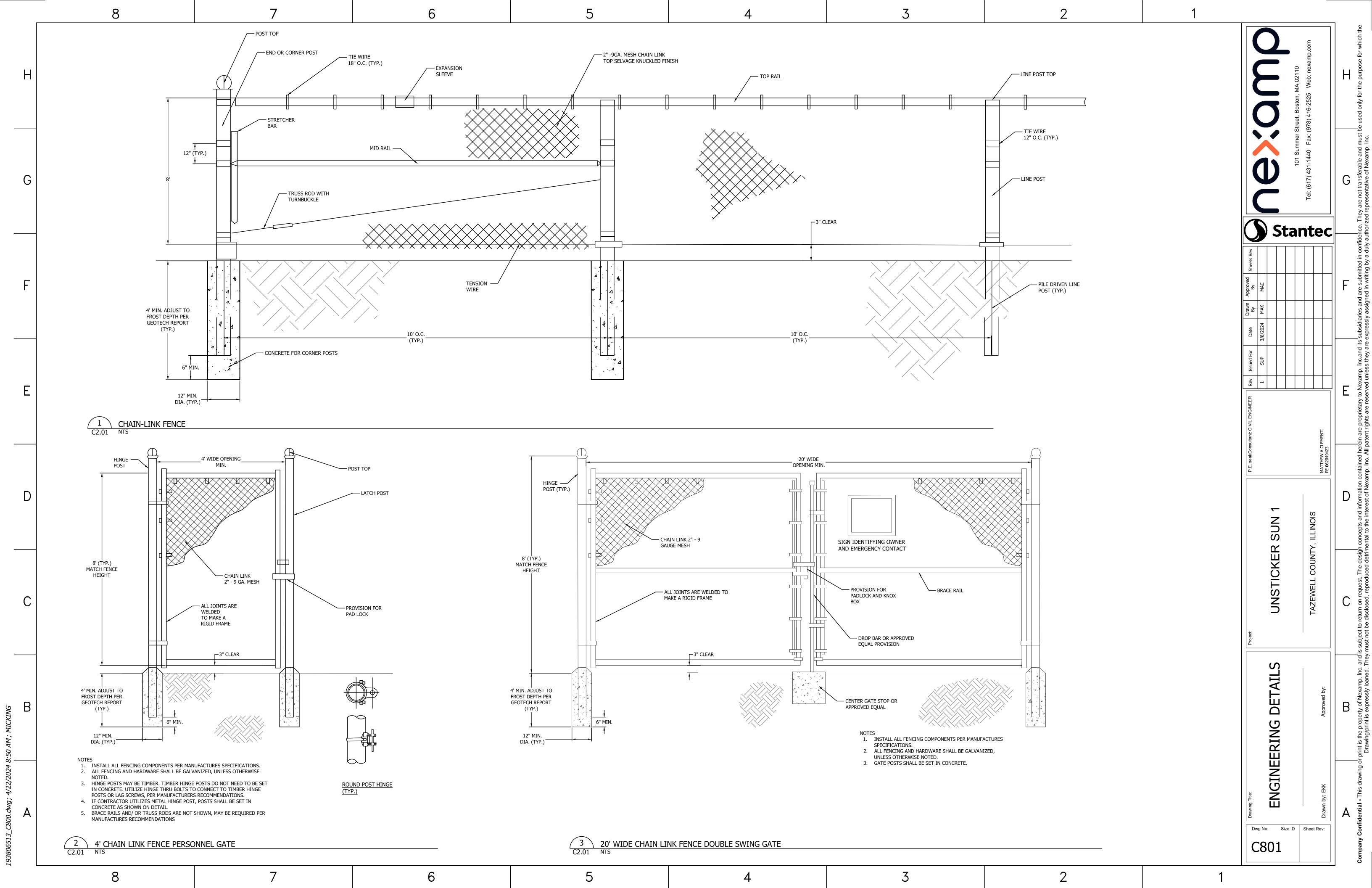


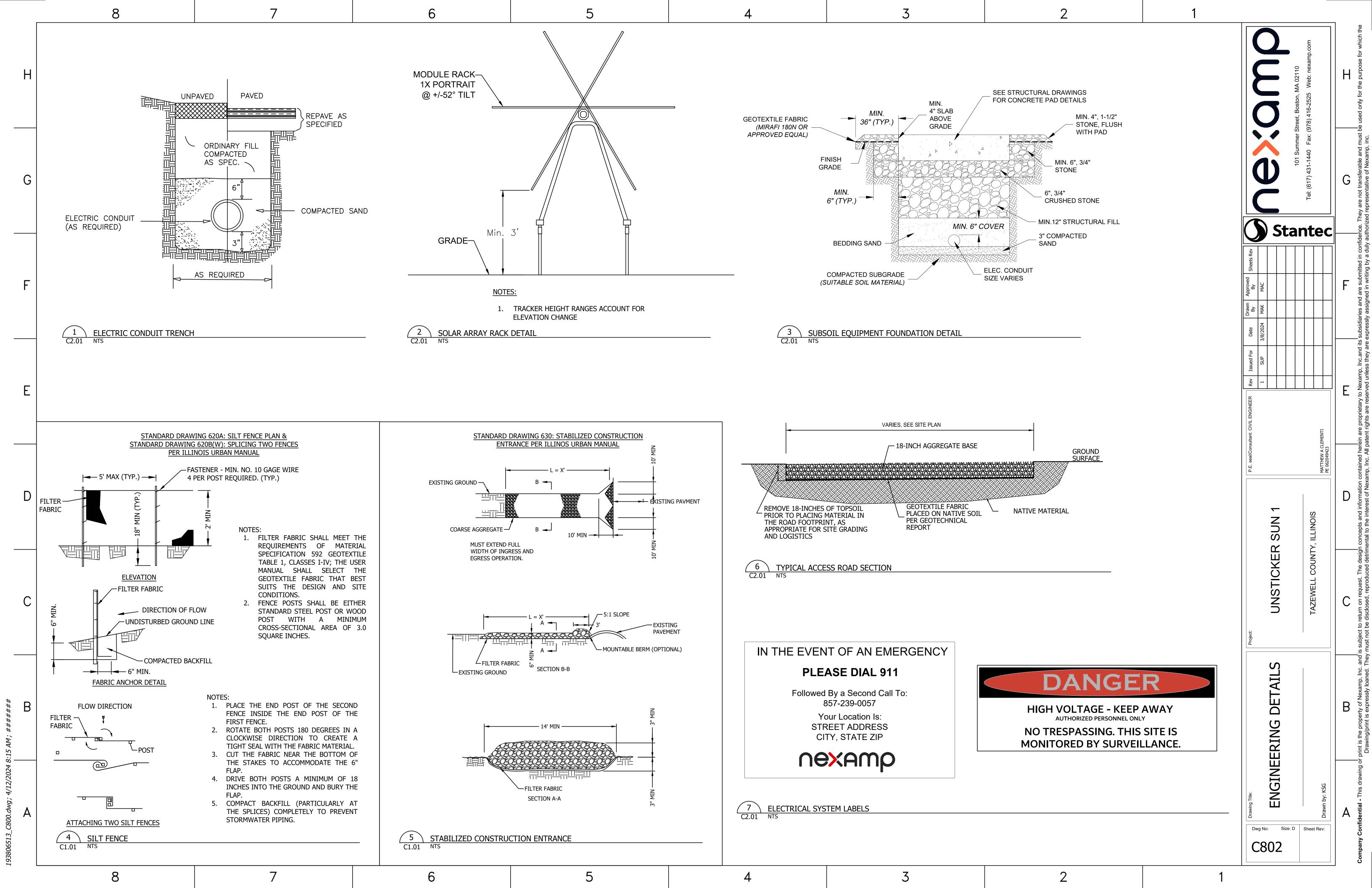












DECISION AND FINDINGS OF FACT OF THE ZONING BOARD OF APPEALS ON PROPOSED SPECIAL USE

(Zoning Board Case No. 24-28-S)

The Zoning Board of Appeals of Tazewell County, Illinois makes the following report of its action on the case indicated herein, after a public hearing on July 2, 2024 and August 6, 2024, and pursuant to notice given in accordance with law:

A. DESCRIPTION OF CASE

SUBJECT MATTER: Special Use

LOCATION AND/OR PROPERTY INVOLVED:

Current Owner of Property: Getz Land Trust, c/o Douglas S. Getz, 1400 Parkside Ave., Unit 140, Morton, IL 61550

Access through P.I.N. 05-05-24-400-007; an approximate 4.46 acre parcel; and

P.I.N. 05-05-24-400-014; an approximate 20.02 +/- acres utilized of an existing 71.25 acre parcel located in part of the E 1.2 of the SE ¼ of Sec 24, T25N, R4W of the 3rd P.M., Groveland Twp., Tazewell Co., IL:

located in a field at the SE corner of the intersection of Unsicker Rd. and W. Birchwood St. (II. Rte 98), Morton, IL.

REQUESTED BY: Unsicker 2, LLC

PROPOSAL: The petition of Unsicker Sun 2, LLC for a Special Use to allow the construction of a 5

Mega Watt Commercial Solar Farm in an A-1 Agriculture Preservation District

PARTIES OF RECORD: James Griffin, Attorney on behalf of Petitioner

Matt Walsh, NexAmp, on behalf of Petitioner

Carl Broberg, Stantec, on behalf of Petitioner (7/2/24 Only)

Mike MaRous, MaRous & Co, On behalf of Petitioner (7/2/24 Only)

Jeffrey Kaufman, Village of Morton, Objector (8/6/24 Only) Steven Leitch, Village of Morton, Objector (8/6/24 Only)

B. JURISDICTION

NOTICE OF HEARING: A notice of the proposed Special Use thereon was published in the

> Tazewell Chronicle on May 29, 2024 and a copy of the publication was mailed to the petitioner within five working days after publication.

AGENCY COMMENTS: The Tazewell County Land Use Planner submitted a report

recommending approval of the proposed Special Use request.

Tazewell County Health Department submitted a report regarding the proposed Special Use request stating portable toilets and portable

handwashing stations must be provided during construction.

Tazewell County Soil & Water Conservation District submitted a report regarding the proposed Special Use request recommending

denial.

Tazewell County Farm Bureau made no comment regarding the proposed Special Use request.

Dan Parr, Tazewell County Highway Engineer made no comment regarding the proposed Special Use request.

Mike Rosenthal, Groveland Township Road District submitted a report regarding the proposed Special Use request recommending approval.

Michael Harris, IDOT submitted a report regarding the proposed Special Use request stating no objection if no entrance proposed on to IL Route 98, as well as no drainage directed to IL Route 98.

Zack Davis, Village of Morton submitted a report regarding the proposed Special Use request stating opposition as it conflicts with the Village Comprehensive Land Use Plan.

C. FINDINGS OF FACTS

The Zoning Board of Appeals adopted the following findings of fact relating to the action proposed:

- 1. The Special Use shall, in all other respects, conform to the applicable regulations of the Tazewell County Zoning Ordinance for the district in which it is located.
 - (Positive) The construction of a solar farm is permitted special use within an A-1 Agricultural District. Therefore the proposed special use conforms to Tazewell County Code.
- 2. The Special Use will be consistent with the purposes, goals, objectives, and standards of the officially adopted County Comprehensive Land Use Plan and these regulations, or of any officially adopted Comprehensive Plan of a municipality with a 1.5 mile planning jurisdiction.
 - (NEGATIVE) The proposed special use does not contradict any of the purposes, goals, objectives and standards of Tazewell County's comprehensive plan. But the proposed special use is located within the Village of Morton's 1.5-mile planning jurisdiction and conflicts with their comprehensive plan. Morton has identified this corridor for industrial uses and such zoning districts under Morton code do not permit solar farm development.
- 3. The petitioner has met the requirements of Article 25 of the Tazewell County Zoning Code.
 - (POSITIVE) Per the application, the requirements of Article 25 of the Tazewell County Zoning Code have been met.
- 4. The Site shall be so situated as to minimize adverse effects, including visual impacts on adjacent properties.
 - (POSITIVE) According to the site plan there will be a 311 ft setback from the nearest residential properties which exceed Tazewell County's setback requirement. Along with the setback the proposed site will also include vegetative screening.
- 5. The establishment, maintenance or operation of the Special Use shall not be detrimental to or endanger the public health, safety, morals, comfort or general welfare of the neighboring vicinity.

(POSITIVE) To project the general welfare of the neighboring vicinity, the proposed special use will be secured by a 7ft chain-linked fence to limit access, vegetative screening, and meet or exceed the required setbacks set by Tazewell County.

6. The Special Use shall not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted.

(POSITIVE) The proposed special use incorporates the following safety measures: a 7ft fence, vegetative screening, and required setbacks. The incorporation of these measures helps protect the enjoyment of the other properties in the immediate vicinity.

7. The Special Use shall not substantially diminish and impair property values within the neighborhood.

(POSITIVE) There is no evidence that consistently guarantees that the development of a solar farm will diminish property values for there are studies that support and refute this claim. But efforts are being made to mitigate any impacts to property values such as following Tazewell County Zoning Code, having 7ft fence surrounding the property, and meeting the setback requirements.

8. That adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.

(POSITIVE) Per the application, all utilities and necessary facilities will be provided.

9. Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion and hazard on the public streets.

(POSITIVE) The proposed special use will temporarily increase traffic during the construction phase. During construction impact to the roads will minimal since the applicant will not use oversize truck loads. After construction the traffic generated to and from the site will occur during the scheduled on-site maintenance visits.

10. The evidence establishes that granting the use, which is located one-half mile or less from a livestock feeding operation, will not increase the population density around the livestock feeding operation to such levels as would hinder the operation or expansion of such operation.

Not Applicable

11. Evidence presented establishes that granting the use, which is located more than one-half mile from a livestock feeding operation, will not hinder the operation or expansion of such operation.

Not Applicable

12. Seventy-five percent (75%) of the site contains soils having a productivity index of less than 125.

(POSITIVE) The applicant has entered into an Agricultural Impact Mitigation Agreement (AIMA), which protects the underlying soils and ensures that he soil can be returned to crop production after the project is decommissioned.

13. The Special Use is consistent with the existing uses of property within the general area of the property in question.

(POSITIVE) The immediate area surrounding the property in question are mostly A-1 districts or farmland in the Village of Morton. Under Tazewell County code the construction of a solar farm is permitted through special use. Therefore, the proposed special use is consistent with the surrounding uses of property.

14. The property is suitable for the Special Use as proposed.

(POSITIVE) The property in question is currently zoned A-1, which permits the construction of a solar farm as a special use. Therefore, the property in question is suitable for the proposed special use.

D. DECISION

Having considered the information contained in the petition herein, and the testimony given and statements made at the public hearing on said proposal, the Zoning Board of Appeals hereby, based on the findings of fact set forth above, recommends DENIAL of the proposed Special Use request, however should the request be approved, the Zoning Board of Appeals recommends the following conditions be established:

- 1. The fence style shall be chain-link with steel post, in accordance with the height requirements of § 156.06 (B)(1)(f).
- The Facility Owner shall ensure that all vegetation growing within the perimeter of the Facility and all land outside of the perimeter fence identified in the agreement as a part of the lease is properly and appropriately maintained. Maintenance may include, but not be limited to, mowing, trimming, chemical control, or the use of livestock as agreed to by the Landowner.
- 3. Emergency and non-emergency contact information shall be kept up to date with the Community Development Department and be posted in a conspicuous manner at the main entrance to the facility and also visible from the public roadway.
- 4. Vegetative screening, such as a species of pine tree, shall be 3-5' at planting as proposed in the application and in any other location as determined desirable by the Community Development Administrator.
- 5. Cover crop, such as wheat/rye/oats, shall be established prior to construction to prevent sediment and erosion control issues during the construction phase and assist provide ground cover will the required pollinators are being established.

Aves: 0

Nays: 6 -Bong, Cupi, Fehr, Lapsley, McClanahan and Chairman Lessen

Absent: 1 – Vaughn

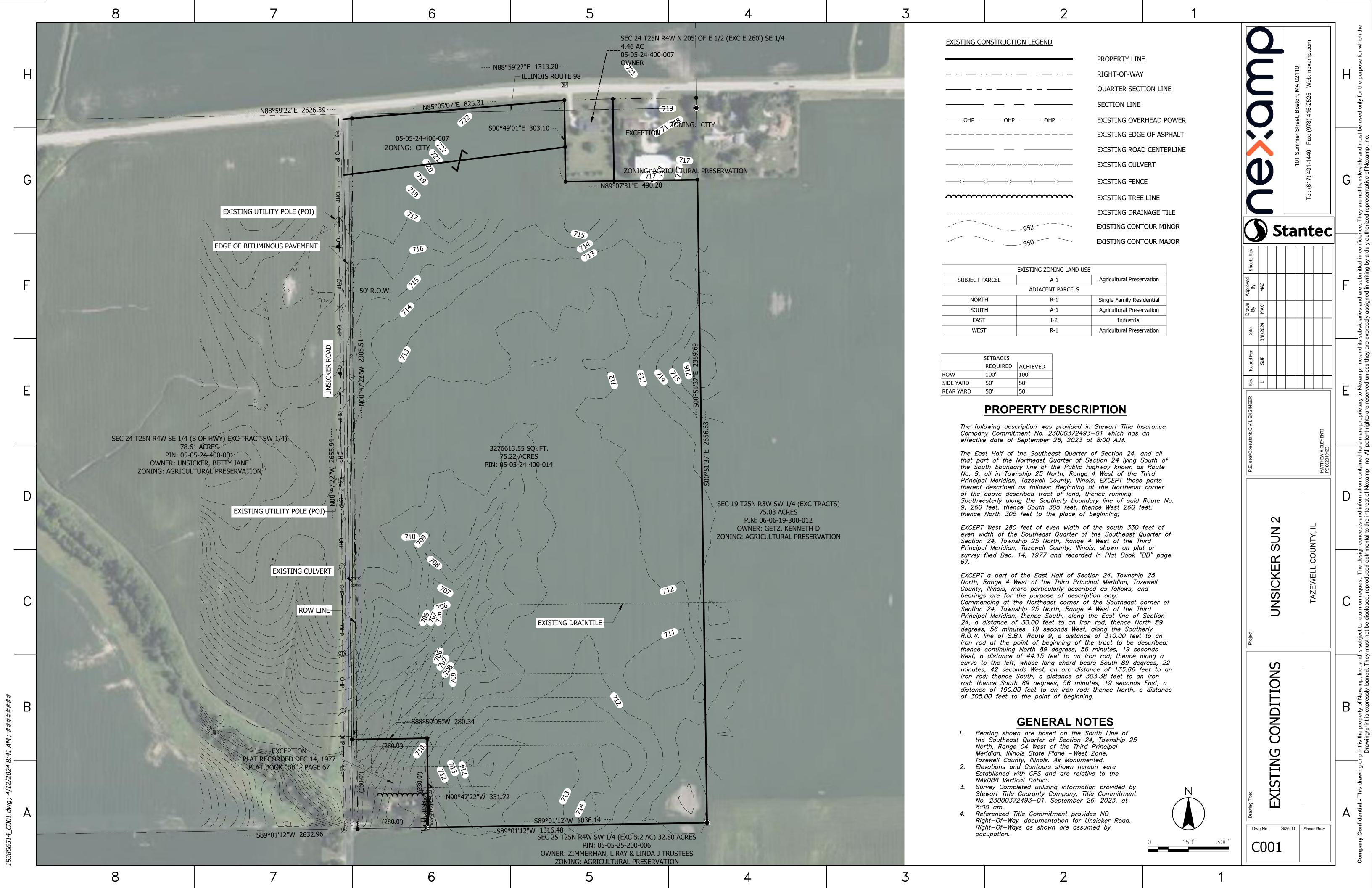
Dated this 6th day of August, 2024.

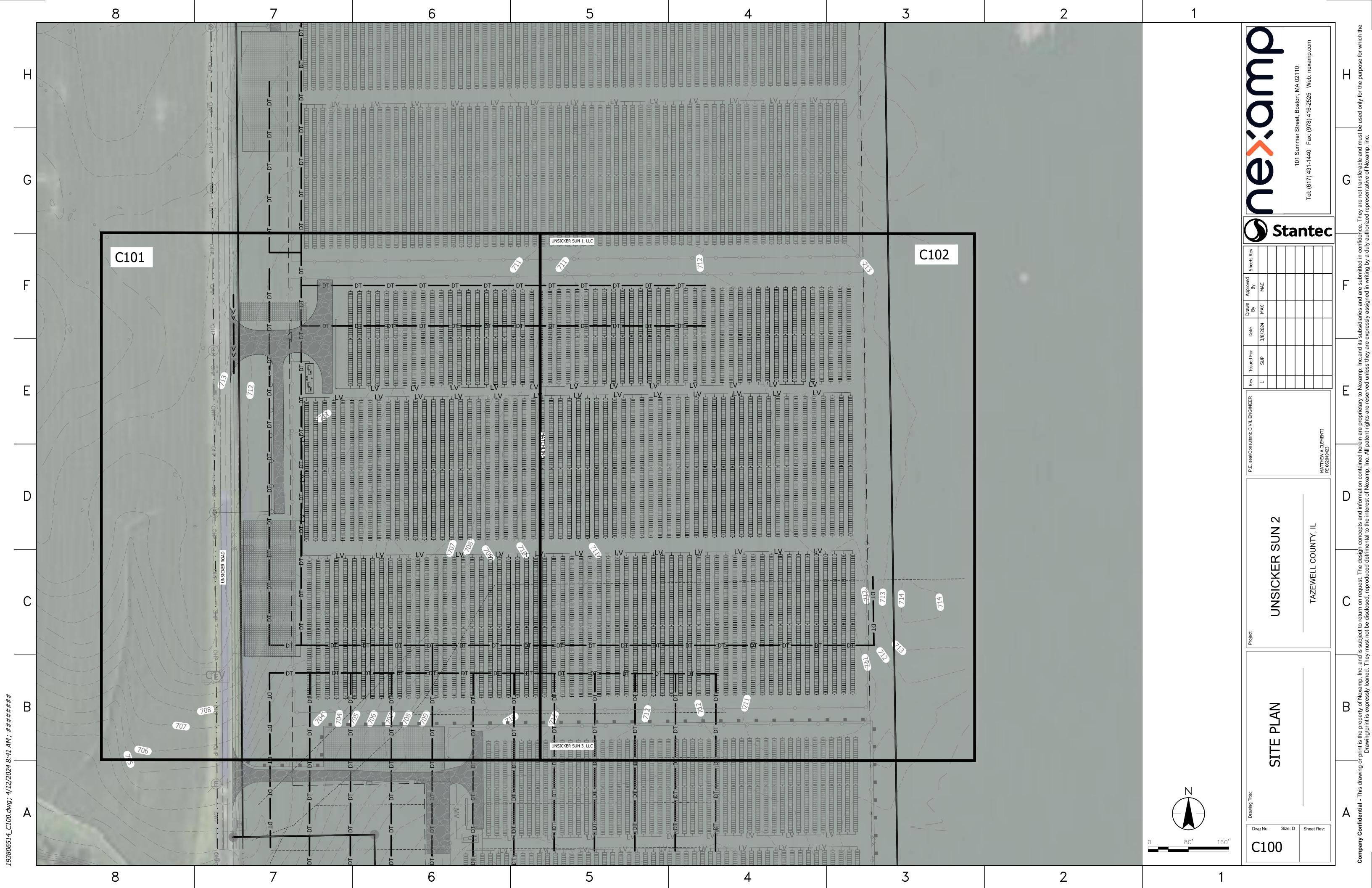
/s/ DUANE LESSEN

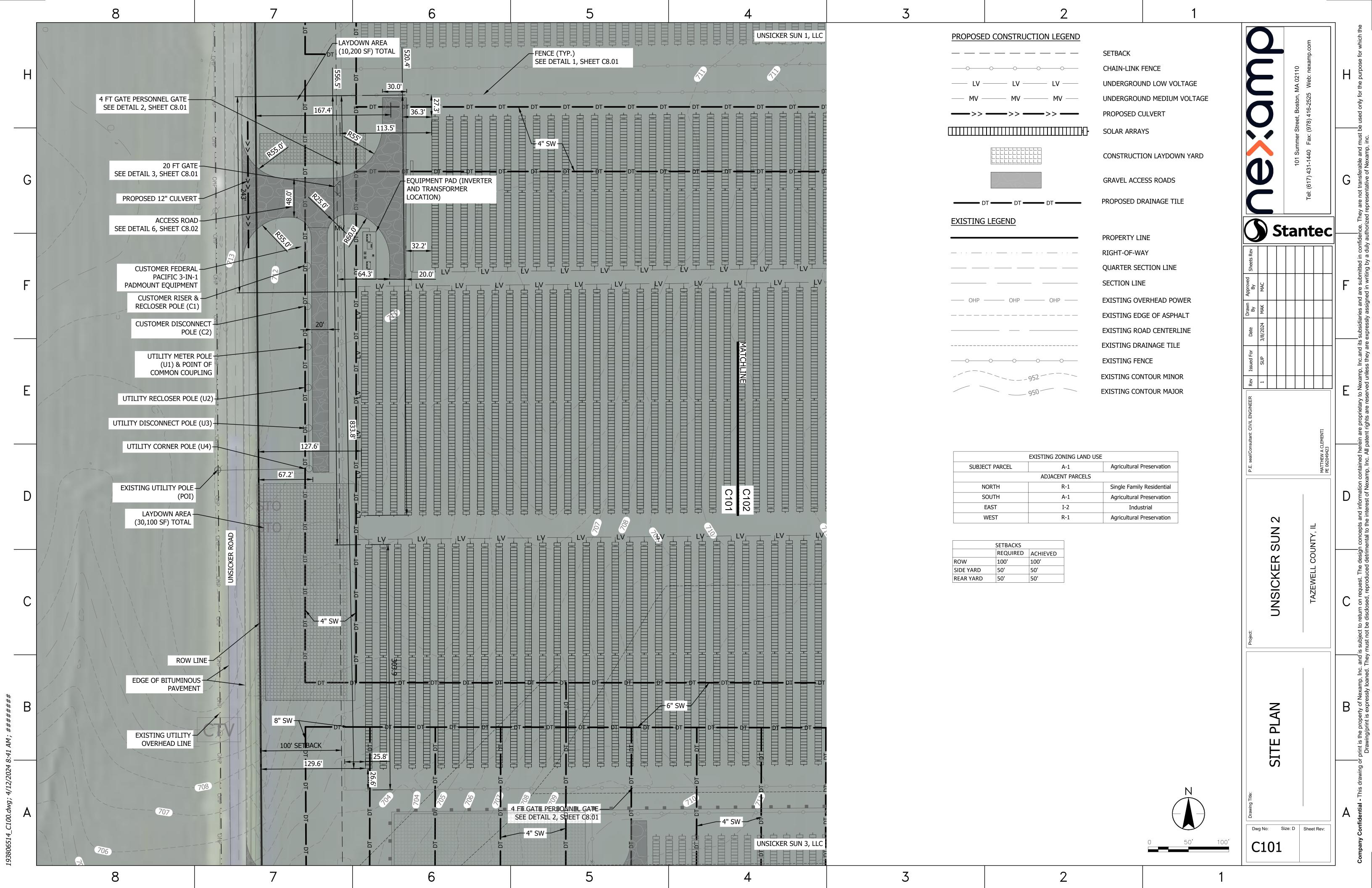
Chairman, Zoning Board of Appeals Tazewell County, Illinois

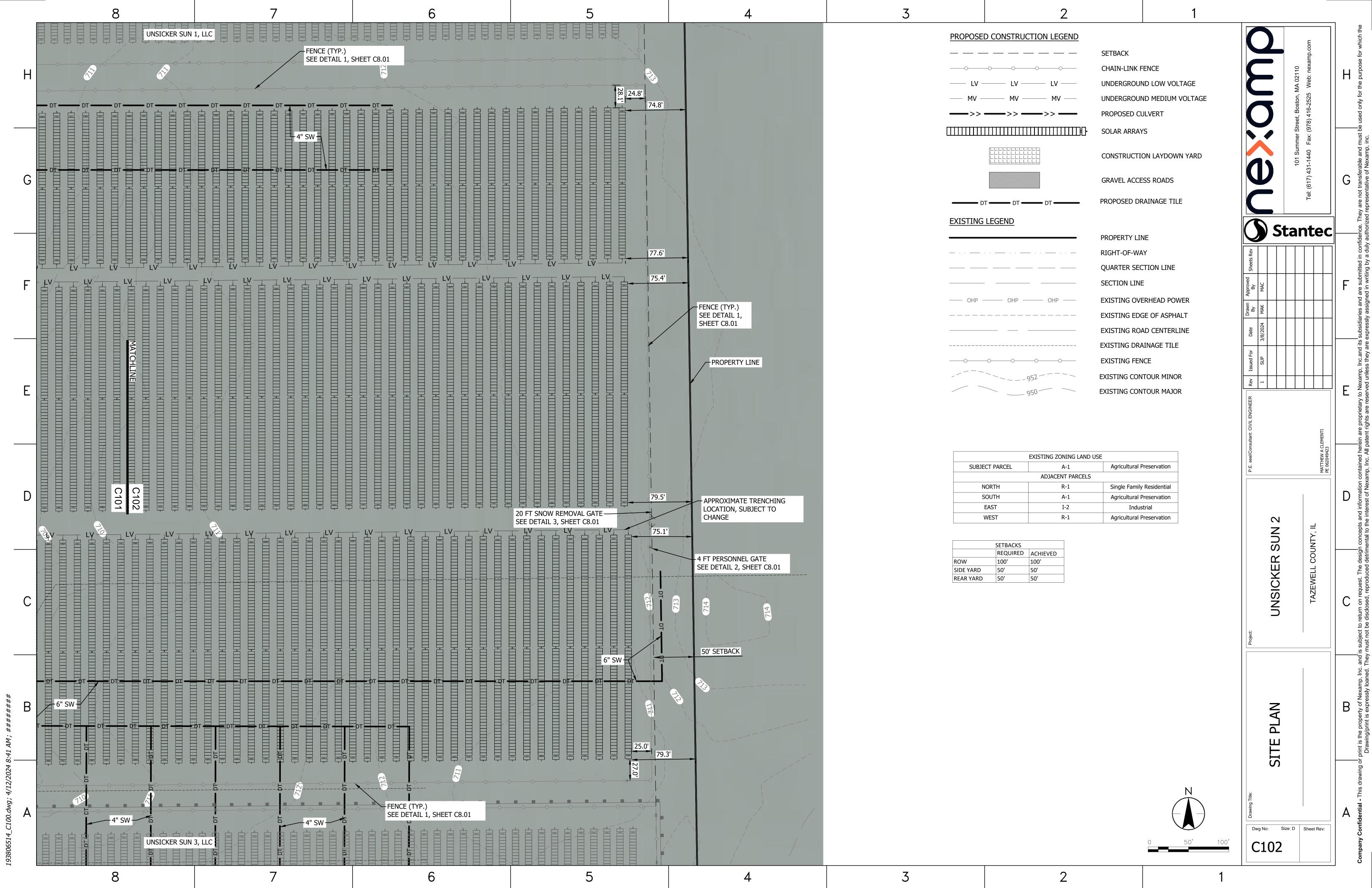
SPECIAL USE PERMIT PLANS FOR UNSICKER SUN 2 5 MW (AC) **LOCATED AT** W. BIRCHWOOD STREET and UNSICKER RD **Stantec** MORTON, ILLINOIS 61550 APPLICANT/PROJECT OWNER **LOCATION MAP** UNSICKER SUN 2, LLC (NEXAMP) (NOT TO SCALE) 101 N WACKER DR, SUITE 200 SHEET INDEX CHICAGO, IL 60606 SHEET **CONTACT: MATT WALSH** SHEET TITLE NUMBER **CIVIL ENGINEER** TITLE SHEET G001 G002 **GENERAL NOTES** STANTEC CONSULTING SERVICES C001 **EXISTING CONDITIONS** 12080 N CORPORATE PARKWAY PROJECT SITE C100 SITE PLAN **MEQUON, WI 53097** C101 SITE PLAN **SURVEYOR** C102 SITE PLAN STANTEC CONSULTING SERVICES C200 **EROSION CONTROL** 209 COMMERCE PARKWAY **EROSION CONTROL** C201 COTTAGE GROVE, WI 53527 C202 **EROSION CONTROL** C801 CONSTRUCTION DETAILS **SOLAR CONSULTANT** C802 CONSTRUCTION DETAILS NEXAMP, INC. 101 N WACKER DRIVE, SUITE 200 CHICAGO, ILLINOIS 60606 **CONTACT: MATT WALSH** STATE OF ILLINOIS PHONE: (847)212-1585 PRELIMINARY DRAWING FOR SUP (NOT TO SCALE) APPLICATION. NOT FOR CONSTRUCTION **TAZEWELL** COUNTY SITE INFORMATION SHEET PARCEL ZONING AGRICULTURAL PRESERVATION (A-1) PROJECT DESCRIPTION PROJECT PARCEL IS 75.22 AC. FENCED ACREAGE OF PROJECT SITE IS 22.45 AC. MODULE MODEL: HELIENNE156HC M10SL (565-585) MOUNTING SYSTEM: 1P ATI WITH YELLOW JACKET INVERTER MODEL: (20) SOLECTRIA XGI 1500 250kW G001

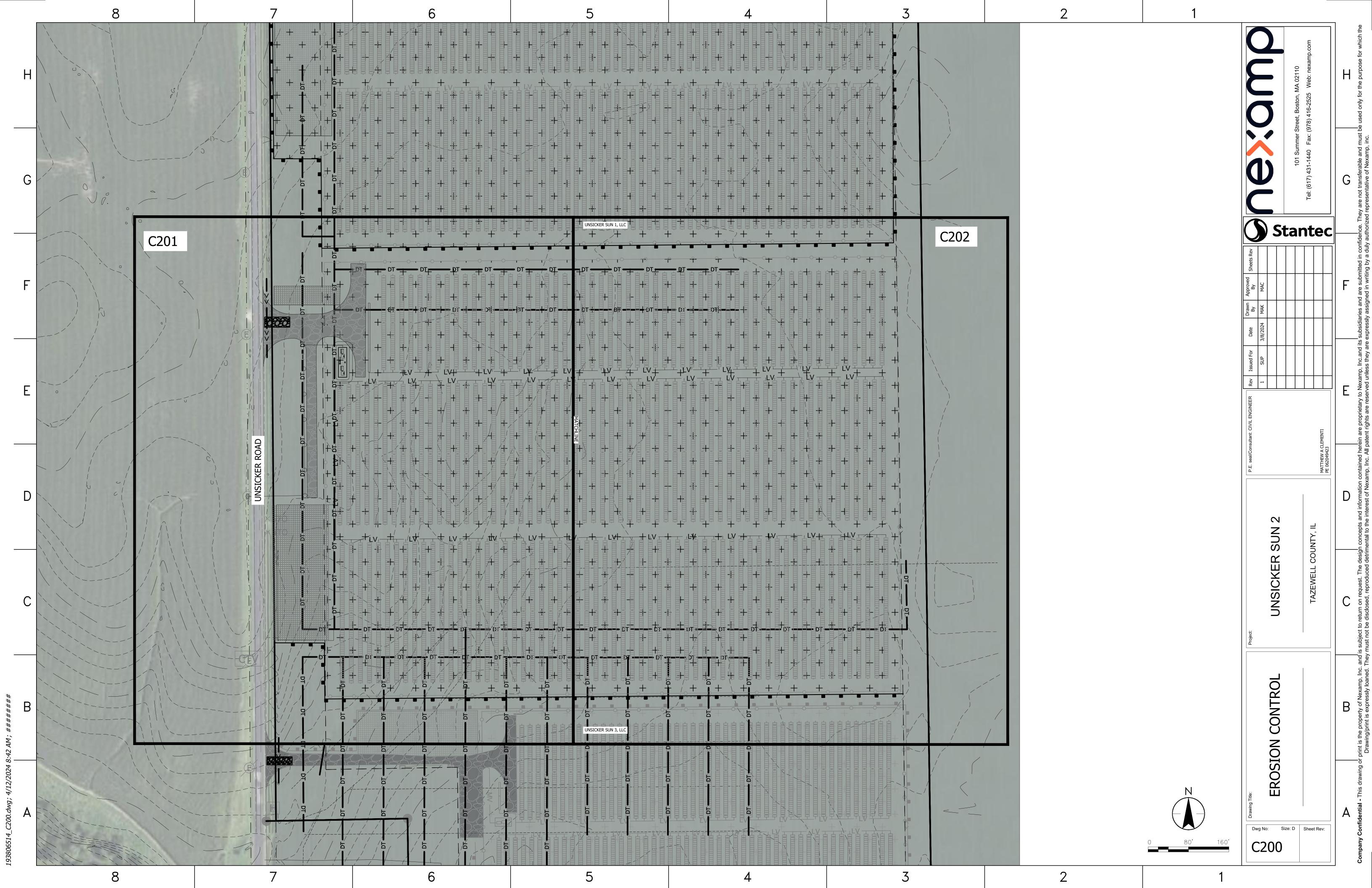
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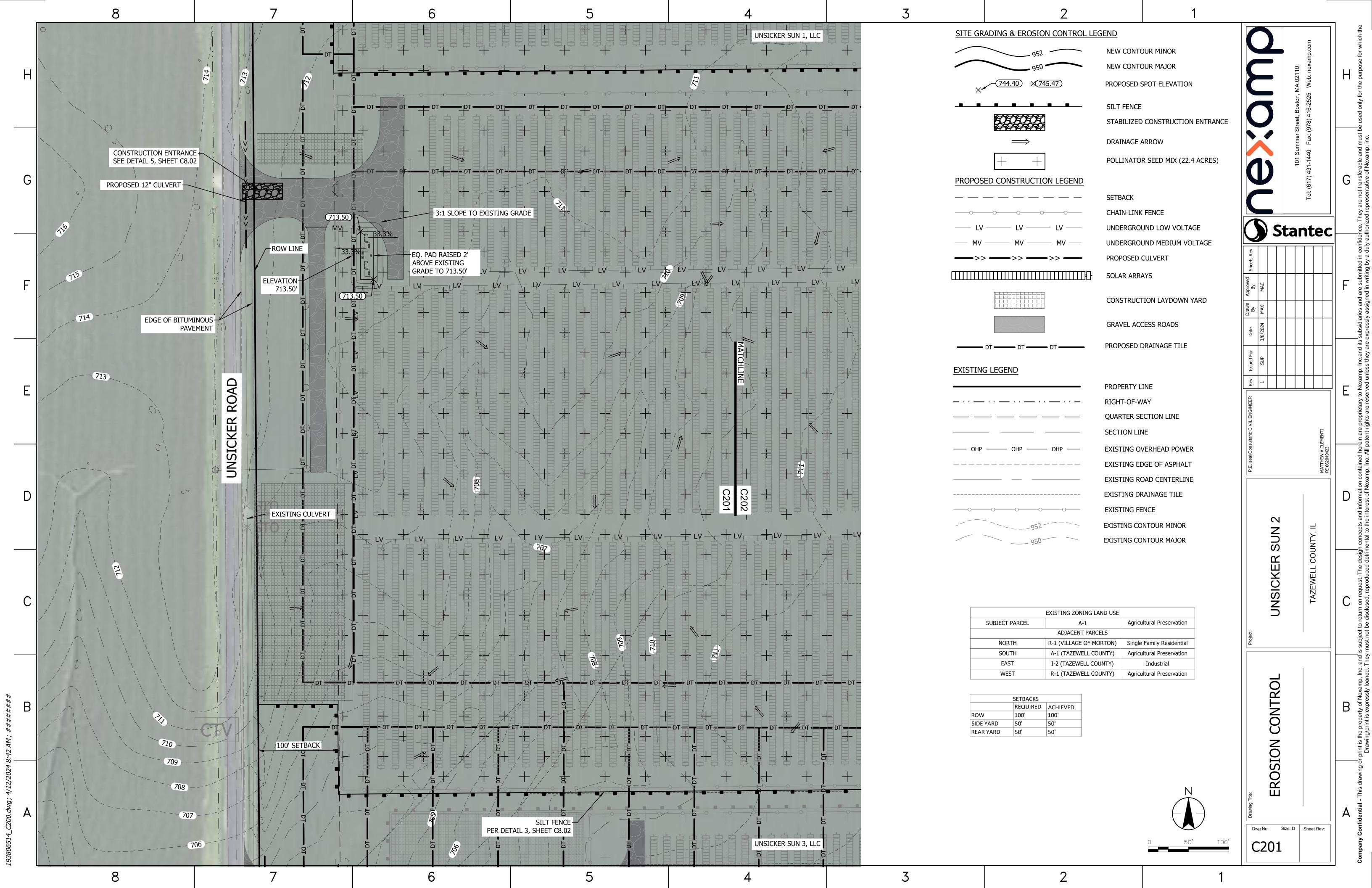


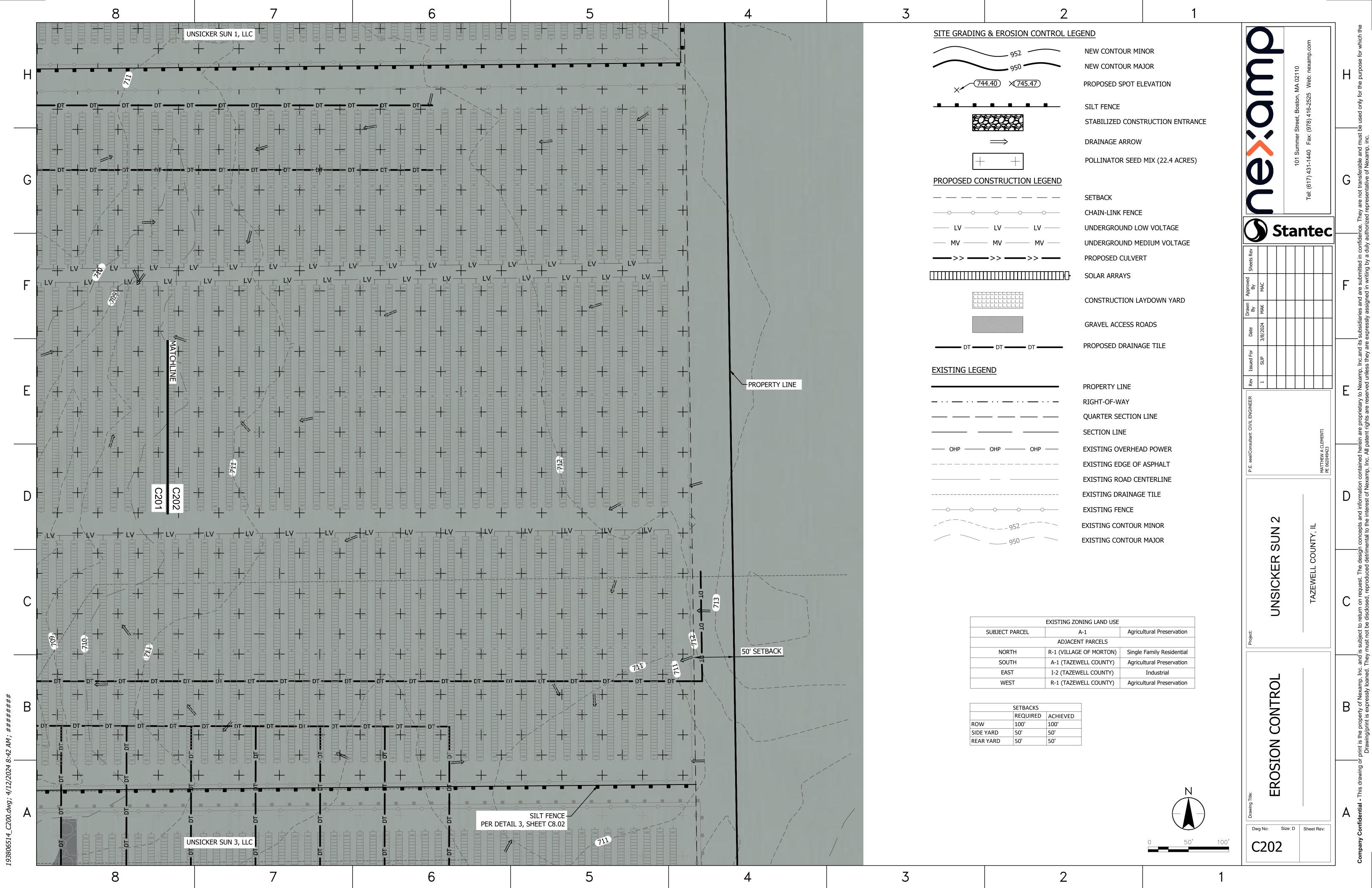


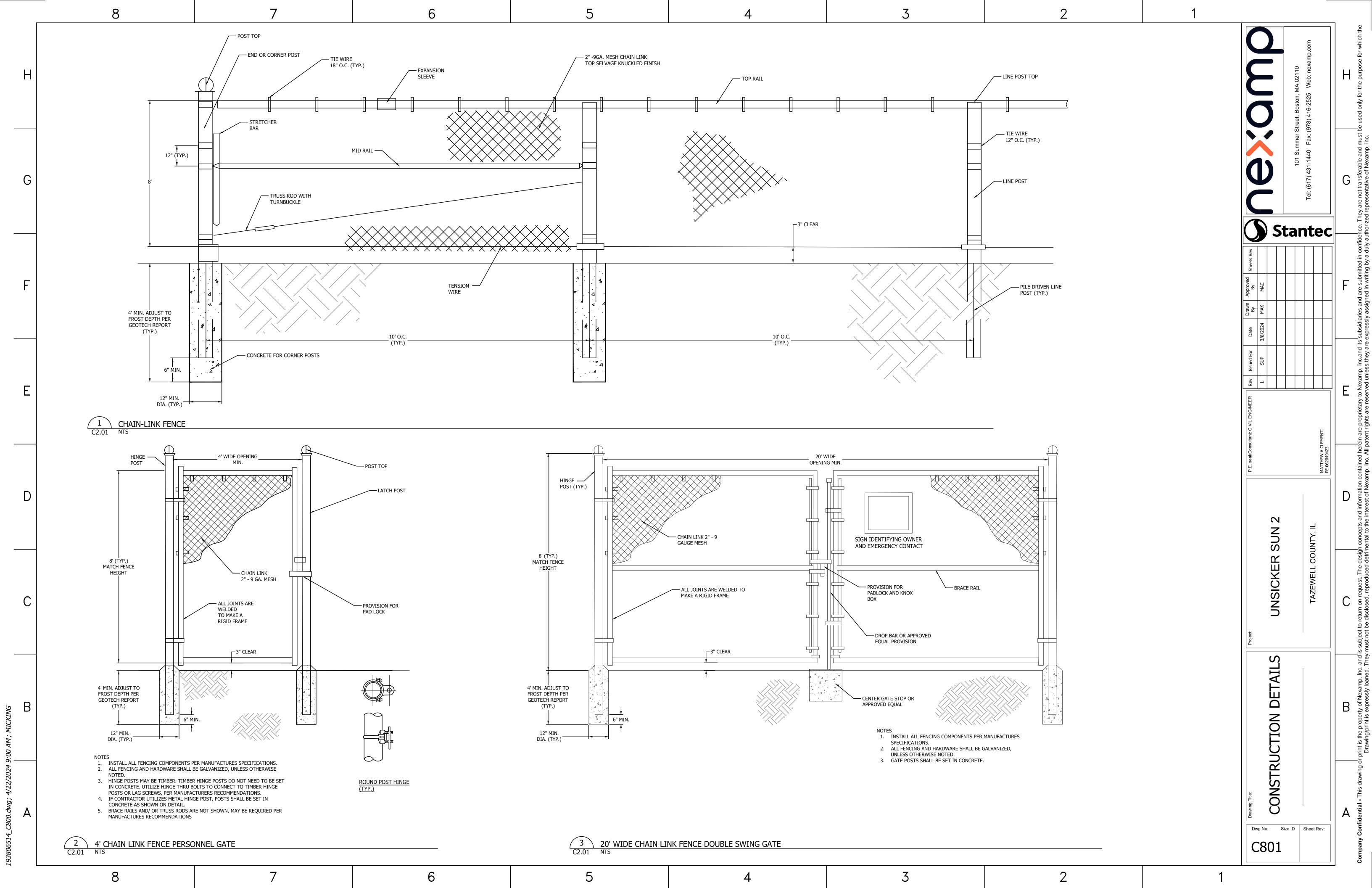


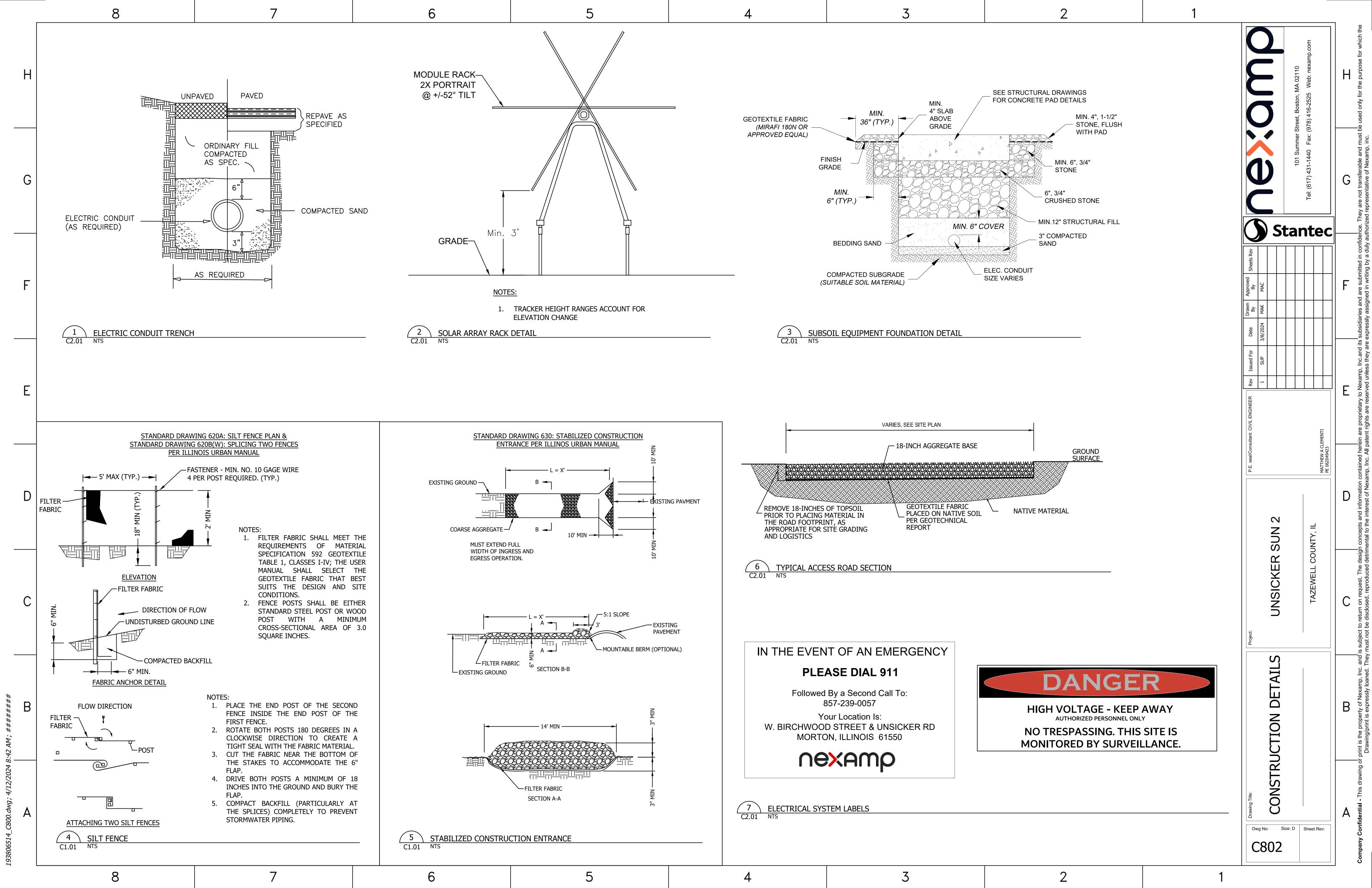


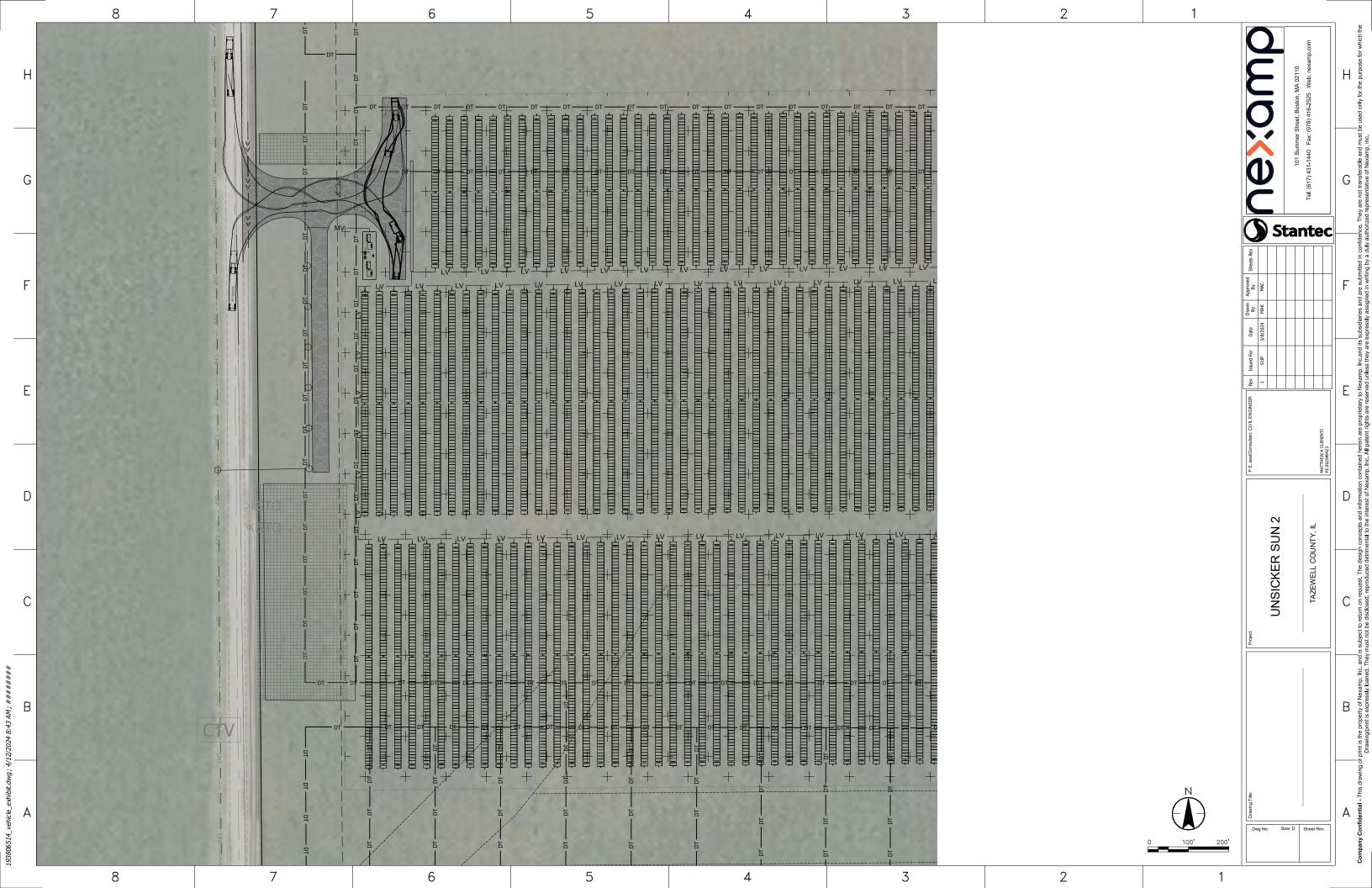






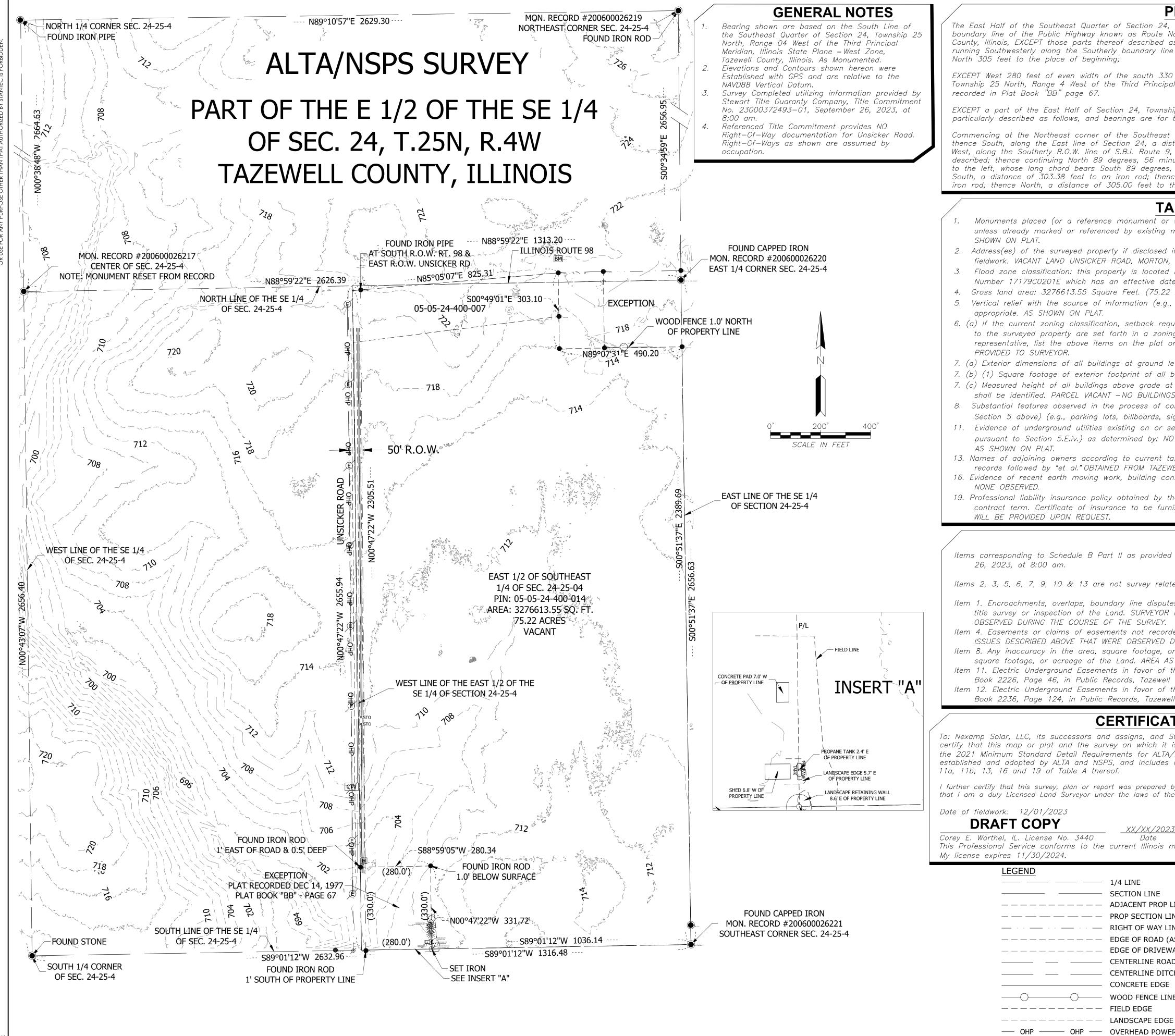






ATTACHMENT C

ALTA/NPSP Survey



PROPERTY DESCRIPITON

The East Half of the Southeast Quarter of Section 24, and all that part of the Northeast Quarter of Section 24 lying South of the South boundary line of the Public Highway known as Route No. 9, all in Township 25 North, Range 4 West of the Third Principal Meridian, Tazewell County, Illinois, EXCEPT those parts thereof described as follows: Beginning at the Northeast corner of the above described tract of land, thence running Southwesterly along the Southerly boundary line of said Route No. 9, 260 feet, thence South 305 feet, thence West 260 feet, thence North 305 feet to the place of beginning:

EXCEPT West 280 feet of even width of the south 330 feet of even width of the Southeast Quarter of the Southeast Quarter of Section 24, Township 25 North, Range 4 West of the Third Principal Meridian, Tazewell County, Illinois, shown on plat or survey filed Dec. 14, 1977 and recorded in Plat Book "BB" page 67.

EXCEPT a part of the East Half of Section 24, Township 25 North, Range 4 West of the Third Principal Meridian, Tazewell County, Illinois, more particularly described as follows, and bearings are for the purpose of description only:

Commencing at the Northeast corner of the Southeast corner of Section 24, Township 25 North, Range 4 West of the Third Principal Meridian, thence South, alona the East line of Section 24, a distance of 30.00 feet to an iron rod; thence North 89 degrees, 56 minutes, 19 seconds West, along the Southerly R.O.W. line of S.B.I. Route 9, a distance of 310.00 feet to an iron rod at the point of beginning of the tract to be described; thence continuing North 89 degrees, 56 minutes, 19 seconds West, a distance of 44.15 feet to an iron rod; thence along a curve to the left, whose long chord bears South 89 degrees, 22 minutes, 42 seconds West, an arc distance of 135.86 feet to an iron rod; thence South, a distance of 303.38 feet to an iron rod; thence South 89 degrees, 56 minutes, 19 seconds East, a distance of 190.00 feet to an iron rod; thence North, a distance of 305.00 feet to the point of beginning

TABLE "A" OPTIONAL ITEMS

- 1. Monuments placed (or a reference monument or witness to the corner) at all major corners of the boundary of the surveyed property, unless already marked or referenced by existing monuments or witnesses in close proximity to the corner. MONUMENTS FOUND OR SET AS
- 2. Address(es) of the surveyed property if disclosed in documents provided to or obtained by the surveyor or observed while conducting the fieldwork. VACANT LAND UNSICKER ROAD, MORTON, IL.
- 3. Flood zone classification: this property is located in Zone "X" (area of minimal flood hazard) according to FEMA Flood Insurance Rate Map Number 17179C0201E which has an effective date of February 17, 2017.
- 4. Gross land area: 3276613.55 Square Feet. (75.22 Acres)
- 5. Vertical relief with the source of information (e.g., ground survey, aerial map), contour interval, datum, with originating benchmark, when appropriate. AS SHOWN ON PLAT.
- 6. (a) If the current zoning classification, setback requirements, the height and floor space area restrictions, and parking requirements specific to the surveyed property are set forth in a zoning report or letter provided to the surveyor by the client or the client's designated representative, list the above items on the plat or map and identify the date and source of the report or letter. NO ZONING REPORTS PROVIDED TO SURVEYOR.
- 7. (a) Exterior dimensions of all buildings at ground level. PARCEL VACANT NO BUILDINGS.
- 7. (b) (1) Square footage of exterior footprint of all buildings at ground level. PARCEL VACANT NO BUILDINGS.
- 7. (c) Measured height of all buildings above grade at a location specified by the client. If no location is specified, the point of measurement shall be identified. PARCEL VACANT - NO BUILDINGS.
- 8. Substantial features observed in the process of conducting the fieldwork (in addition to the improvements and features required pursuant to Section 5 above) (e.g., parking lots, billboards, signs, swimming pools, landscaped areas, substantial areas of refuse). AS SHOWN ON PLAT.
- 11. Evidence of underground utilities existing on or serving the surveyed property (in addition to the observed evidence of utilities required pursuant to Section 5.E.iv.) as determined by: NOTE, SURVEYOR NOT PROVIDED UTILITY MAPPING, UTILITIES AS SHOWN FROM OBSERVATION. AS SHOWN ON PLAT.
- 13. Names of adjoining owners according to current tax records. If more than one owner, identify the first owner's name listed in the tax records followed by "et al." OBTAINED FROM TAZEWELL COUNTY ILLINOIS GIS MAPPING.
- 16. Evidence of recent earth moving work, building construction, or building additions observed in the process of conducting the fieldwork.
- 19. Professional liability insurance policy obtained by the surveyor in the minimum amount of \$100,000,000 to be in effect throughout the contract term. Certificate of insurance to be furnished. STANTEC CARRIES PROFESSIONAL LIABILITY INSURANCE, CERTIFICATES OF INSURANCE WILL BE PROVIDED UPON REQUEST.

SCHEDULE B - PART II

Items corresponding to Schedule B Part II as provided in Stewart Title Guaranty Company, Title Commitment No. 23000372493-01, September 26, 2023, at 8:00 am.

Items 2, 3, 5, 6, 7, 9, 10 & 13 are not survey related and are not addressed herein.

- Item 1. Encroachments, overlaps, boundary line disputes, or other matters which would be disclosed by a current, accurate and complete land title survey or inspection of the Land. SURVEYOR HAS MADE A GOOD FAITH EFFORT TO DISCLOSE ANY ISSUES DESCRIBED ABOVE THAT WERE OBSERVED DURING THE COURSE OF THE SURVEY.
- Item 4. Easements or claims of easements not recorded in the Public Records. SURVEYOR HAS MADE A GOOD FAITH EFFORT TO DISCLOSE ANY ISSUES DESCRIBED ABOVE THAT WERE OBSERVED DURING THE COURSE OF THE SURVEY.
- Item 8. Any inaccuracy in the area, square footage, or acreage of Land described in Schedule A. The Company does not insure the area, square footage, or acreage of the Land. AREA AS MEASURED SHOWN ON THE SURVEY. Item 11. Electric Underground Easements in favor of the Central Illinois Light Company dated April 21, 1978, and recorded July 19, 1978, in
- Book 2226, Page 46, in Public Records, Tazewell County, Illinois. REFERENCED EASEMENT DOES NOT AFFECT SUBJECT PARCEL. Item 12. Electric Underground Easements in favor of the Central Illinois Light Company dated May 20, 1978, and recorded August 22, 1978, in Book 2236, Page 124, in Public Records, Tazewell County, Illinois. REFERENCED EASEMENT DOES NOT AFFECT SUBJECT PARCEL.

CERTIFICATION

To: Nexamp Solar, LLC, its successors and assigns, and Stewart Title Insurance Company: This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2021 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1, 2, 3, 4, 6a, 7a, 7b1, 7c, 8, 11a, 11b, 13, 16 and 19 of Table A thereof.

further certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Illinois.

Date of fieldwork: 12/01/2023

DRAFT COPY

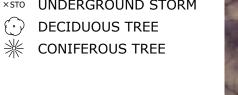
XX/XX/2023

This Professional Service conforms to the current Illinois minimum standards for a boundary survey.

LEGEND	
	– 1/4 LINE
	- SECTION LINE
	 ADJACENT PROP LINE
	 PROP SECTION LINE
<u> </u>	 RIGHT OF WAY LINE
	 EDGE OF ROAD (ASPHALT)
	EDGE OF DRIVEWAY (GRAVEL)
	 CENTERLINE ROAD
	 CENTERLINE DITCH
	 CONCRETE EDGE
——————————————————————————————————————	 WOOD FENCE LINE
	- FIELD EDGE

----- OHP --- OVERHEAD POWER

- SECTION CORNER
- SET MONUMENT FOUND MONUMENT
- BM BENCH MARK POWER POLE
- CTV CABLE PEDESTAL H FIBER OPTIC HANDHOLD
- PROPANE TANK **YSTO UNDERGROUND STORM**





-PARCEL LOCATION



193806513

1 of 1

DECISION AND FINDINGS OF FACT OF THE ZONING BOARD OF APPEALS ON PROPOSED SPECIAL USE

(Zoning Board Case No. 24-29-S)

The Zoning Board of Appeals of Tazewell County, Illinois makes the following report of its action on the case indicated herein, after a public hearing on July 2, 2024 and August 6, 2024, and pursuant to notice given in accordance with law:

A. DESCRIPTION OF CASE

SUBJECT MATTER: Special Use

LOCATION AND/OR PROPERTY INVOLVED:

Current Owner of Property: Getz Land Trust, c/o Douglas S. Getz, 1400 Parkside Ave., Unit 140, Morton, IL 61550

Access through P.I.N. 05-05-24-400-007; an approximate 4.46 acre parcel; and

P.I.N. 05-05-24-400-014; an approximate 20.02 +/- acres utilized of an existing 71.25 acre parcel located in part of the E 1.2 of the SE ¼ of Sec 24, T25N, R4W of the 3rd P.M., Groveland Twp., Tazewell Co., IL;

located in a field at the SE corner of the intersection of Unsicker Rd. and W. Birchwood St. (II. Rte 98), Morton, IL.

REQUESTED BY: Unsicker 3, LLC

PROPOSAL: The petition of Unsicker Sun 3, LLC for a Special Use to allow the construction of a 2

Mega Watt Commercial Solar Farm in an A-1 Agriculture Preservation District

PARTIES OF RECORD: James Griffin, Attorney on behalf of Petitioner

Matt Walsh, NexAmp, on behalf of Petitioner

Carl Broberg, Stantec, on behalf of Petitioner (7/2/24 Only)

Mike MaRous, MaRous & Co, On behalf of Petitioner (7/2/24 Only)

Jeffrey Kaufman, Village of Morton, Objector (8/6/24 Only) Steven Leitch, Village of Morton, Objector (8/6/24 Only)

B. JURISDICTION

NOTICE OF HEARING: A notice of the proposed Special Use thereon was published in the

Tazewell Chronicle on May 29, 2024 and a copy of the publication was mailed to the petitioner within five working days after publication.

AGENCY COMMENTS: The Tazewell County Land Use Planner submitted a report

recommending approval of the proposed Special Use request.

Tazewell County Health Department submitted a report regarding the proposed Special Use request stating portable toilets and portable handwashing stations must be provided during construction.

handwashing stations must be provided during construction.

Tazewell County Soil & Water Conservation District submitted a report regarding the proposed Special Use request recommending

denial.

Tazewell County Farm Bureau made no comment regarding the proposed Special Use request.

Dan Parr, Tazewell County Highway Engineer made no comment regarding the proposed Special Use request.

Mike Rosenthal, Groveland Township Road District submitted a report regarding the proposed Special Use request recommending approval.

Michael Harris, IDOT submitted a report regarding the proposed Special Use request stating no objection if no entrance proposed on to IL Route 98, as well as no drainage directed to IL Route 98.

Zack Davis, Village of Morton submitted a report regarding the proposed Special Use request stating opposition as it conflicts with the Village Comprehensive Land Use Plan.

C. FINDINGS OF FACTS

The Zoning Board of Appeals adopted the following findings of fact relating to the action proposed:

- 1. The Special Use shall, in all other respects, conform to the applicable regulations of the Tazewell County Zoning Ordinance for the district in which it is located.
 - (Positive) The construction of a solar farm is permitted special use within an A-1 Agricultural District. Therefore the proposed special use conforms to Tazewell County Code.
- 2. The Special Use will be consistent with the purposes, goals, objectives, and standards of the officially adopted County Comprehensive Land Use Plan and these regulations, or of any officially adopted Comprehensive Plan of a municipality with a 1.5 mile planning jurisdiction.
 - (NEGATIVE) The proposed special use does not contradict any of the purposes, goals, objectives and standards of Tazewell County's comprehensive plan. But the proposed special use is located within the Village of Morton's 1.5-mile planning jurisdiction and conflicts with their comprehensive plan. Morton has identified this corridor for industrial uses and such zoning districts under Morton code do not permit solar farm development.
- 3. The petitioner has met the requirements of Article 25 of the Tazewell County Zoning Code.
 - (POSITIVE) Per the application, the requirements of Article 25 of the Tazewell County Zoning Code have been met.
- 4. The Site shall be so situated as to minimize adverse effects, including visual impacts on adjacent properties.
 - (POSITIVE) According to the site plan there will be a 311 ft setback from the nearest residential properties which exceed Tazewell County's setback requirement. Along with the setback the proposed site will also include vegetative screening.
- 5. The establishment, maintenance or operation of the Special Use shall not be detrimental to or endanger the public health, safety, morals, comfort or general welfare of the neighboring vicinity.

(POSITIVE) To project the general welfare of the neighboring vicinity, the proposed special use will be secured by a 7ft chain-linked fence to limit access, vegetative screening, and meet or exceed the required setbacks set by Tazewell County.

6. The Special Use shall not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted.

(POSITIVE) The proposed special use incorporates the following safety measures: a 7ft fence, vegetative screening, and required setbacks. The incorporation of these measures helps protect the enjoyment of the other properties in the immediate vicinity.

7. The Special Use shall not substantially diminish and impair property values within the neighborhood.

(POSITIVE) There is no evidence that consistently guarantees that the development of a solar farm will diminish property values for there are studies that support and refute this claim. But efforts are being made to mitigate any impacts to property values such as following Tazewell County Zoning Code, having 7ft fence surrounding the property, and meeting the setback requirements.

8. That adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.

(POSITIVE) Per the application, all utilities and necessary facilities will be provided.

9. Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion and hazard on the public streets.

(POSITIVE) The proposed special use will temporarily increase traffic during the construction phase. During construction impact to the roads will minimal since the applicant will not use oversize truck loads. After construction the traffic generated to and from the site will occur during the scheduled on-site maintenance visits.

10. The evidence establishes that granting the use, which is located one-half mile or less from a livestock feeding operation, will not increase the population density around the livestock feeding operation to such levels as would hinder the operation or expansion of such operation.

Not Applicable

11. Evidence presented establishes that granting the use, which is located more than one-half mile from a livestock feeding operation, will not hinder the operation or expansion of such operation.

Not Applicable

12. Seventy-five percent (75%) of the site contains soils having a productivity index of less than 125.

(POSITIVE) The applicant has entered into an Agricultural Impact Mitigation Agreement (AIMA), which protects the underlying soils and ensures that he soil can be returned to crop production after the project is decommissioned.

13. The Special Use is consistent with the existing uses of property within the general area of the property in question.

(POSITIVE) The immediate area surrounding the property in question are mostly A-1 districts or farmland in the Village of Morton. Under Tazewell County code the construction of a solar farm is permitted through special use. Therefore, the proposed special use is consistent with the surrounding uses of property.

14. The property is suitable for the Special Use as proposed.

(POSITIVE) The property in question is currently zoned A-1, which permits the construction of a solar farm as a special use. Therefore, the property in question is suitable for the proposed special use.

D. DECISION

Having considered the information contained in the petition herein, and the testimony given and statements made at the public hearing on said proposal, the Zoning Board of Appeals hereby, based on the findings of fact set forth above, recommends DENIAL of the proposed Special Use request, however should the request be approved, the Zoning Board of Appeals recommends the following conditions be established:

- 1. The fence style shall be chain-link with steel post, in accordance with the height requirements of § 156.06 (B)(1)(f).
- The Facility Owner shall ensure that all vegetation growing within the perimeter of the Facility and all land outside of the perimeter fence identified in the agreement as a part of the lease is properly and appropriately maintained. Maintenance may include, but not be limited to, mowing, trimming, chemical control, or the use of livestock as agreed to by the Landowner.
- 3. Emergency and non-emergency contact information shall be kept up to date with the Community Development Department and be posted in a conspicuous manner at the main entrance to the facility and also visible from the public roadway.
- 4. Vegetative screening, such as a species of pine tree, shall be 3-5' at planting as proposed in the application and in any other location as determined desirable by the Community Development Administrator.
- 5. Cover crop, such as wheat/rye/oats, shall be established prior to construction to prevent sediment and erosion control issues during the construction phase and assist provide ground cover will the required pollinators are being established.

Ayes: 0

Nays: 6 –Bong, Cupi, Fehr, Lapsley, McClanahan and Chairman Lessen

Absent: 1 – Vaughn

Dated this 6th day of August, 2024.

/s/ DUANE LESSEN

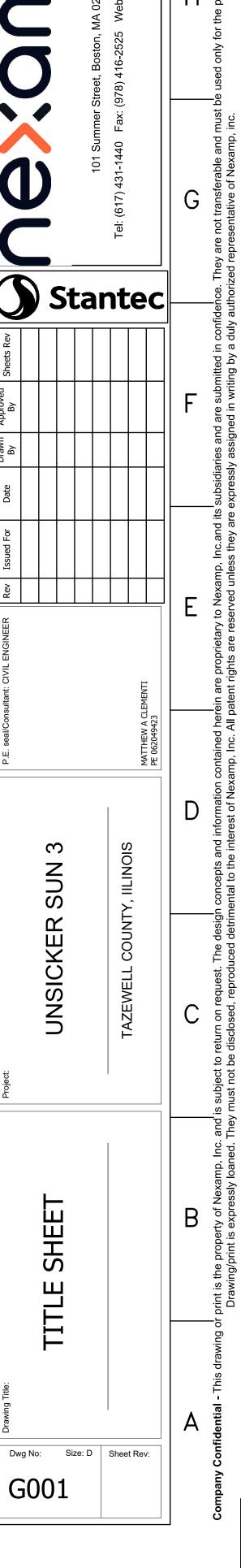
Chairman, Zoning Board of Appeals Tazewell County, Illinois

PARCEL ZONING

PROJECT DESCRIPTION

FENCED ACREAGE OF PROJECT SITE IS 8.91 AC. MODULE MODEL: HELIENE 156HC M10 SL (565-585) MOUNTING SYSTEM: 1P ATI WITH YELLOW JACKET INVERTER MODEL: (8) SOLECTRIA XGI 1500 250kW

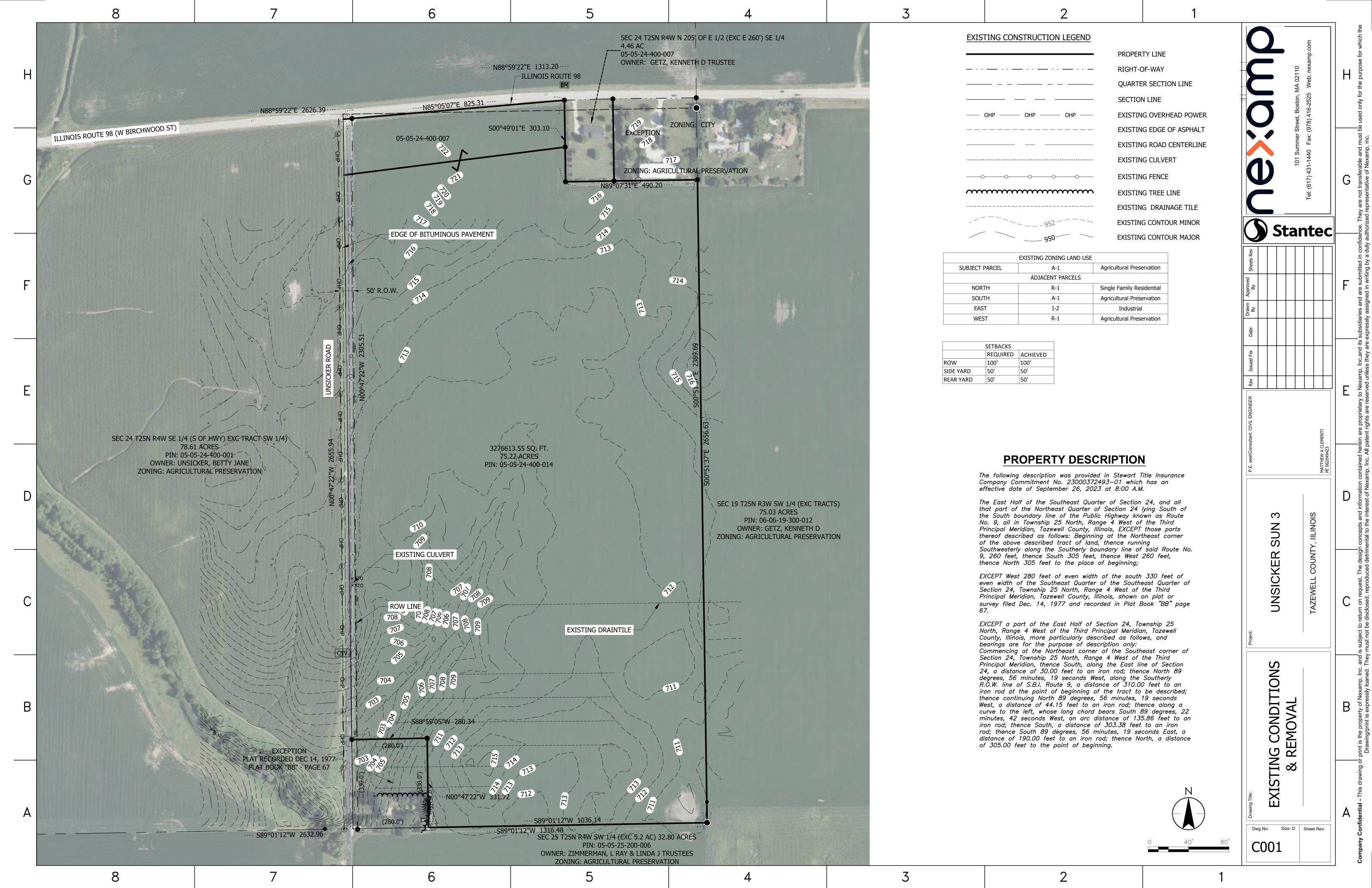
STATE OF ILLINOIS (NOT TO SCALE)			
TAZEWELL COUNTY			

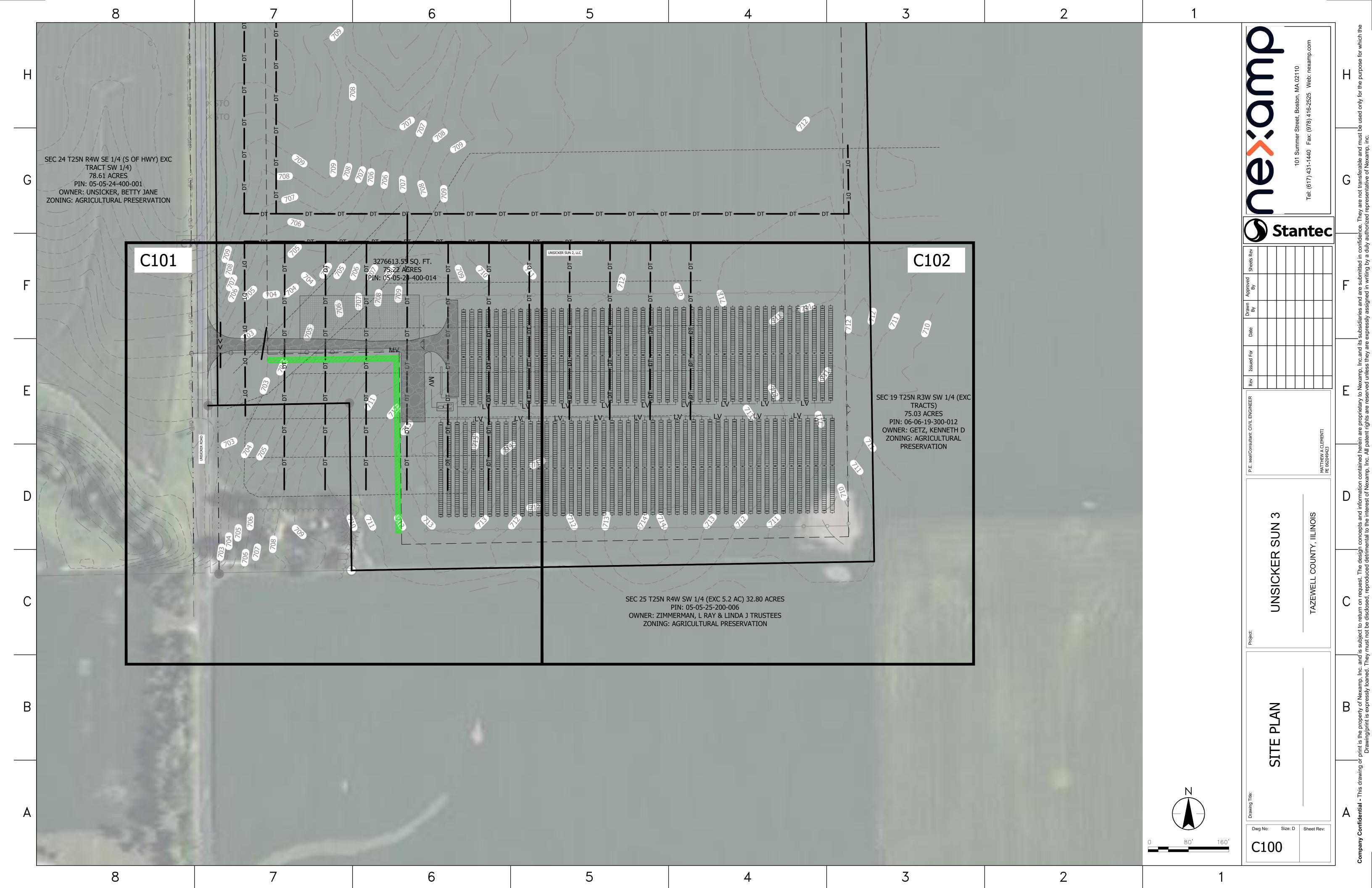


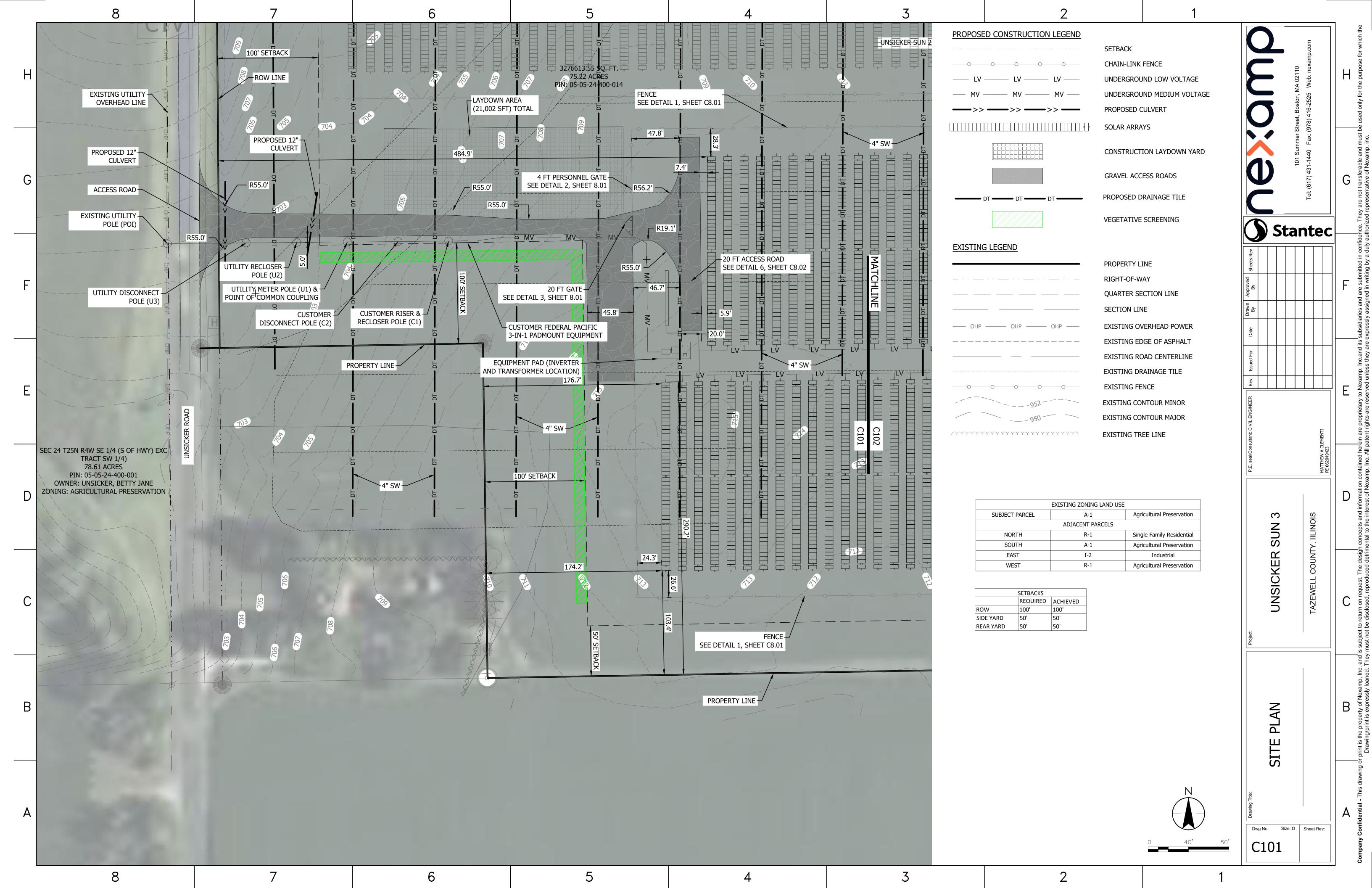
AGRICULTURAL PRESERVATION (A-1)

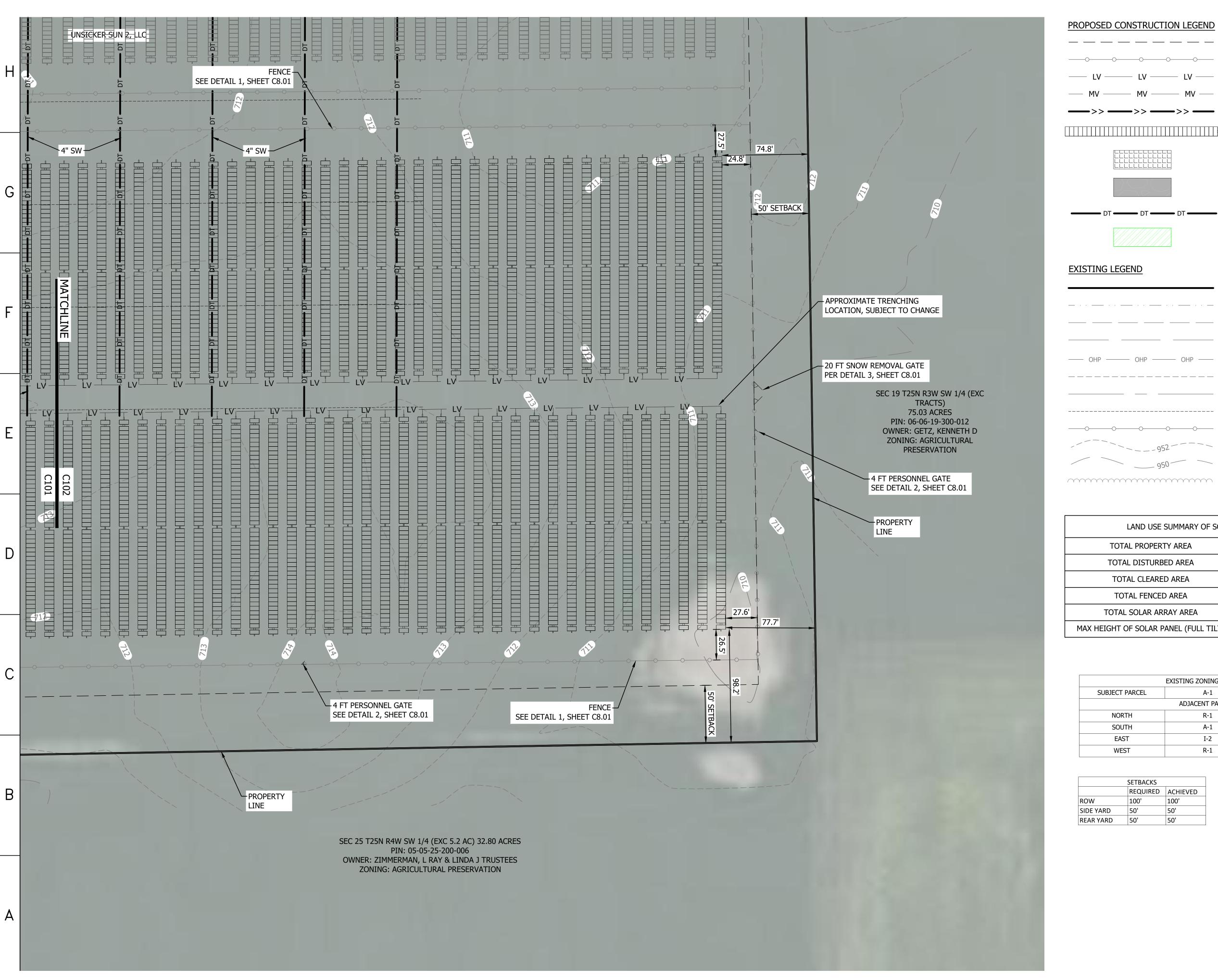
PROJECT PARCEL IS 71.25 AC.

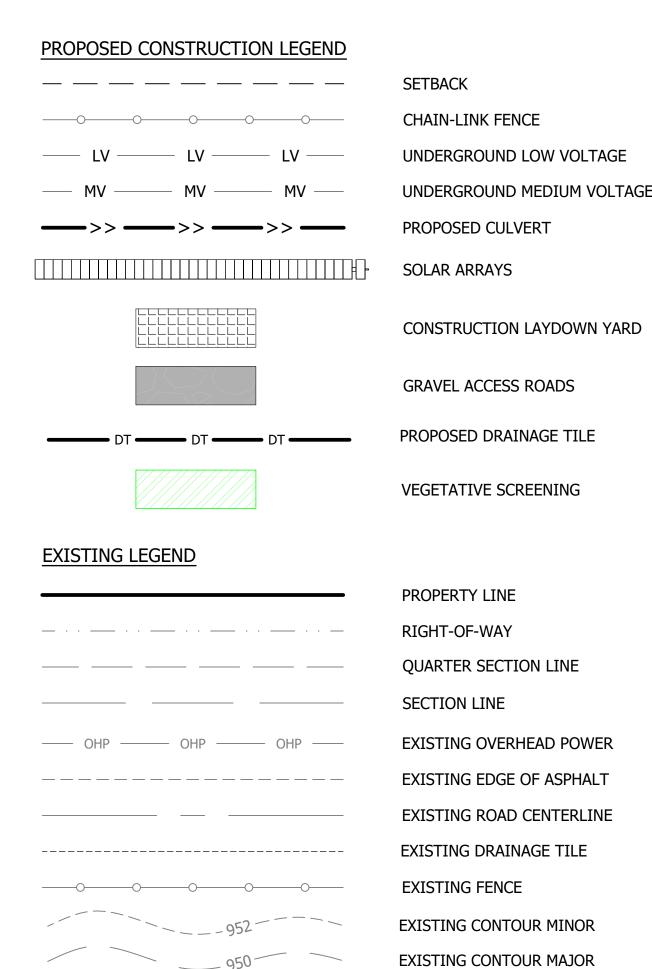
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		OWNER AND THE MUNICIPALITY FORTY-EIGHT ISTRUCTION. THE CONTRACTOR SHALL APPLY	11. DUST SHALL BE CONTROLLED BY SPRINKLING C NECESSARY, OR AS DIRECTED BY THE OWNER OR		REQUIRED BY EROSION CONTROL PERMIT AND ORDINA	ANCE.		PROPERTY LINE		xamp.cc	
Н	ALSO PAY ALL FEES AND POST ALL	STRUCTION PERMITS. THE CONTRACTOR SHALL BONDS ASSOCIATED WITH THE SAME, AND	12. CARE SHALL BE EXERCISED SO AS TO PREVENT MIGRATING OUTSIDE THE LIMIT OF WORK.		 INSTALL LANDSCAPING, IF APPLICABLE. REMOVE ALL TEMPORARY EROSION CONTROL BMP'S (ONLY AFTER DISTURBED AREAS		SETBACK CHAIN-LINK FENCE		A 021 LU Web: ne	He purpo
	COORDINATE WITH THE ENGINEER AS 2. THE CONTRACTOR SHALL INDEMN	IIFY THE OWNER, THE ENGINEER, THE	13. ADDITIONAL EROSION CONTROL SHALL BE LOCAL AS DIRECTED BY THE OWNER OR REPRESENTATIVE	TED AS CONDITIONS WARRANT OR	ARE PERMANENTLY STABILIZED AND NO LONGER SUSC		LV LV	UNDERGROUND LOW VOLTAGE		.2525	only for t
		FROM ALL LIABILITY INVOLVED WITH THE ESTING OF THE WORK ON THIS PROJECT.	14. CLEAN AND MAINTAIN EROSION CONTROL		11. REFER TO THE TURF ESTABLISHMENT PROCEDURES D	URING THE WARRANTY PERIOD.	MV MV MV	UNDERGROUND MEDIUM VOLTAGE		treet, bu	pesn e
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	IMPORT/EXPORT PROHIBITIONS.	N MEANS AND METHODS SHALL BE THE SOLE	UNDERGROUND UTILITY LOCATIONS ARE BASED (•	1. PROVIDE CRIBBING AS NECESSARY TO PROTECT EXCONSTRUCTION.	ISTING UTILITY LINES DURING		SOLAR ARRAYS		101 Ju 31-1440	able and
G	RESPONSIBILITY OF THE CONTRACTOR.		DESCRIPTION OR SITE LOCATE BY UTILITY OF TOPOGRAPHIC SURVEY. LOCATIONS ARE APPROXIMENCING SITE WORK IN ANY AREA, CONTACT.	OXIMATE AND ASSUMED. BEFORE	2. SEED SHALL BE SOWN IN SEASONAL CONDITIONS AS SURVIVAL, OR AT SUCH TIMES AS APPROVED BY THE C			CONSTRUCTION LAYDOWN YARD	W	(617) 43	G transfer
	5. ANY ALTERATION TO THESE DRAWING SHALL BE RECORDED BY THE CONTRACT	S MADE IN THE FIELD DURING CONSTRUCTION TOR ON RECORD DOCUMENTS.	ACCURATELY LOCATE UNDERGROUND UTILITI UTILITIES OR STRUCTURES SHALL BE THE CO	ES. ANY DAMAGE TO EXISTING DNTRACTOR'S RESPONSIBILITY. NO	3. REPAIR AND RE-ESTABLISH GRADES IN SETTLED, ER	RODED AND RUTTED AREAS TO		GRAVEL ACCESS ROADS		Tel:	y are not
	6. ANY AREA OUTSIDE THE LIMIT OF WO	ORK THAT IS DISTURBED SHALL BE RESTORED OST TO OWNER.	EXCAVATION SHALL BE DONE UNTIL UTILITY (PROPERLY NOTIFIED IN ADVANCE.	COMPANIES AND THE OWNER ARE	FINISHED GRADE. ALL AREAS GRADED TO DRAIN. 4. ALL PLANT MATERIALS SHALL BE GUARANTEED FOR C	ONE YEAR FOLLOWING DATE OF	DT DT	PROPOSED DRAINAGE TILE	(Sta	ntec	Le. They
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	8. THE CONTRACTOR IS RESPONSIBLE F	FOR VERIFYING SOIL CONDITIONS PRIOR TO	THE PROPOSED IMPROVEMENTS SHOWN ON THE F KNOWN EXISTING OR OTHER PROPOSED IMPRO DISCOVERED, THE CONTRACTOR SHALL NOTIFY	OVEMENTS. IF ANY CONFLICTS ARE	5. THE LANDSCAPE CONTRACTOR SHALL CLEAN UP AND I SITE CAUSED BY THE LANDSCAPE CONTRACTOR.	REMOVE ANY DEBRIS FROM THE	952	NEW CONTOUR MINOR NEW CONTOUR MAJOR	Sheets R		nitted in
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	9. THE CONTRACTOR IS RESPONSIBLE FO	R EXAMINING ALL SITE CONDITIONS PRIOR TO	3. ALL WORK PERFORMED AND ALL MATERIALS FURILINES, GRADES AND OTHER SPECIFIC REQUIREM		REQUIRED ON TEMPORARY STOCKPILES WITHOUT ORGANICS BUT MUST PROVIDE SEDIMENT CONTROLS	SIGNIFICANT SILT, CLAY OR	950	EXISTING CONTOUR MAJOR	Drawn / By		les and
		FY ENGINEER IMMEDIATELY IF EXISTING SITE	PROJECT AS SHOWN ON THE PLANS.	TIME OF SECTET CALLONS FOR THE	IDOT CLASS 7 TEMPORARY EROSION CONTROL MIXTU PERENNIAL RYEGRASS 50 LBS/A		(744.40) (745.47)	PROPOSED SPOT ELEVATION	Date		 subsidiar
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	ORDINANCES.	BLE FOR COMPLIANCE WITH COUNTY CODE OF	6. THE CONTRACTOR SHALL PROTECT ALL UNDER	RGROUND DRAINAGE, SEWER AND			 	POLLINATOR SEED MIX	Iltant: CIVII	MENTI	in are pr
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	15. SPOT ELEVATIONS AND CONTOURS OTHERWISE INDICATED.	S REPRESENT FINISHED GRADES UNLESS	8. WETLANDS ARE TO REMAIN UNDISTURBED. NO E NOTED ON PLANS.	NCROACHMENT PERMITTED UNLESS				SECTION LINE	<u></u>	SIOIS	ls and in
		THE MOST RECENT EDITION OF THE FEDERAL N UNIFORM TRAFFIC CONTROL DEVICES.	9. THE CONTRACTOR SHALL SCHEDULE HIS WORK T ELEVATIONS TO DRAIN PROPERLY WITHOUT C				— OHP — OHP — OHP —		SUN	, IILIN	concept
	EROSION CONTROL AND SEDIMENTATION N	<u>OTES</u>	ALLOW WATER TO ESCAPE ANY SUBCUT AREAS FINISH SUBGRADE AND/OR SURFACE TREATMEN DRAINAGE AS REQUIRED.					EXISTING ROAD CENTERLINE	ER	OUNT	e design
	AN EROSION CONTROL BARRIER SHAL PRIOR TO THE COMMENCEMENT OF DEI	L BE INSTALLED AS INDICATED IN THE PLAN MOLITION OR GROUND DISTURBANCE.	LAYOUT AND MATERIALS NOTES					EXISTING TREE LINE		ELL C	luest. Th
C	2. THE CONTRACTOR SHALL MAINTAIN ENTIRE CONSTRUCTION PERIOD.	ALL EROSION CONTROL MEASURES DURING	1. ALL LINES AND DIMENSIONS ARE PARALLEL OR PI					EXISTING DRAINAGE TILE		AZEW	
	3. ANY SEDIMENT TRACKED ONTO PUBLI	C RIGHT-OF-WAY SHALL BE REMOVED AT THE	WHICH THEY ARE MEASURED UNLESS OTHERWISE 2. THE CONTRACTOR SHALL REPORT SIGNIFICANT C								t to retur
	END OF EACH WORKING DAY.4. ALL STOCKPILE AREAS SHALL BE LOC	CATED WITHIN LIMITS OF DISTURBANCE AND	ENGINEER FOR RESOLUTION.	CHILLOIS TO THE OWNER AND THE					Projec		s subjec
	STABILIZED TO PREVENT EROSION.	PREPARATION ACTIVITIES SHALL BE LEGALLY	PROTECT EXISTING PROPERTY MONUMENTS AN CONSTRUCTION ACTIVITIES.	D ABUTTING PROPERTIES DURING							nc. and
	DISPOSED OF OFF SITE.	PREPARATION ACTIVITIES SHALL BE LEGALLY	CONSTRUCTION SEQUENCING						Sil		l ,dmexe
В	6. SITE ELEMENTS TO REMAIN MUST BE P	ROTECTED FOR DURATION OF PROJECT. HE LIMITS OF THE PROPOSED PERMANENT AND	INSTALL CONSTRUCTION ENTRANCE, SILT FENCE BEST MANAGEMENT PRACTICES AS SHOWN ON	•					 		B sh of Ne
	TEMPORARY ACCESS ROADS AND EQU SPREAD OVER PROJECT SITE AS INDICA	JIPMENT PAD AREA SHALL BE STRIPPED AND ATED ON PLANS. TOPSOIL PILES SHALL REMAIN	MAINTAIN AS NECESSARY DURING CONSTRUCTION						Z		Te prope
	SEGREGATED FROM EXCAVATED SUBSU 8. STABILIZED CONSTRUCTION ENTRANC	RFACE SOIL MATERIALS. E TO BE INSTALLED AND MAINTAINED AT ALL	 INSTALL STABILIZED CONSTRUCTION ENTRANCE. INSTALL STORM DRAIN INLET PROTECTION ON EX 	ISTING INDICATED STODM INLETS							print is t
		R INGRESS TO SITE TO PREVENT TRACKING OR	 INSTALL STORM DRAIN INLET PROTECTION ON EX. BEGIN CLEARING AND GRUBBING OF SITE, IF APPL 								wing or
	•	MANENT DITCHES, CHANNELS, EMBANKMENTS WILL BE EXPOSED FOR AN EXTENDED PERIOD	5. STRIP TOPSOIL AND TEMPORARILY STOCKPI						Title:		This dra
Α	OF TIME SHALL BE STABILIZED AS REQU	JIRED.	DISTURBANCE ACTIVITIES OCCUR.						Drawing 1		Yential -
	MAINTAINED ON A DAILY BASIS [ONTROL MEASURES SHALL BE INSPECTED AND DURING CONSTRUCTION TO ENSURE THAT CLEAR OF DEBRIS AND THAT THE EROSION	6. INSTALL INTERNAL ACCESS ROADWAYS.7. BEGIN INSTALLATION OF SOLAR PANEL TRACKER A	VND B∇CKING VCCEMΒI Λ					Dwg No: Size: D	Sheet Rev:	y Confic
	CONTROL BARRIERS ARE INTACT.		/. DEGIN INSTALLATION OF SOLAR PANEL TRACKER A	AND IMPORTING ASSEMBLT.					G002		ompan
	8	7	6	5	4	3	2	1			







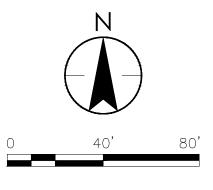




LAND USE SUMMARY OF SOLAR FACILITY PARCELS			
TOTAL PROPERTY AREA	±40 AC		
TOTAL DISTURBED AREA	±14 AC		
TOTAL CLEARED AREA	±0 AC		
TOTAL FENCED AREA	±12 AC		
TOTAL SOLAR ARRAY AREA	±9 AC		
MAX HEIGHT OF SOLAR PANEL (FULL TILT)	NOT TO EXCEED 20'		

EXISTING ZONING LAND USE				
SUBJECT PARCEL	SUBJECT PARCEL A-1			
ADJACENT PARCELS				
NORTH	R-1	Single Family Residential		
SOUTH	A-1	Agricultural Preservation		
EAST	I-2	Industrial		
WEST	R-1	Agricultural Preservation		

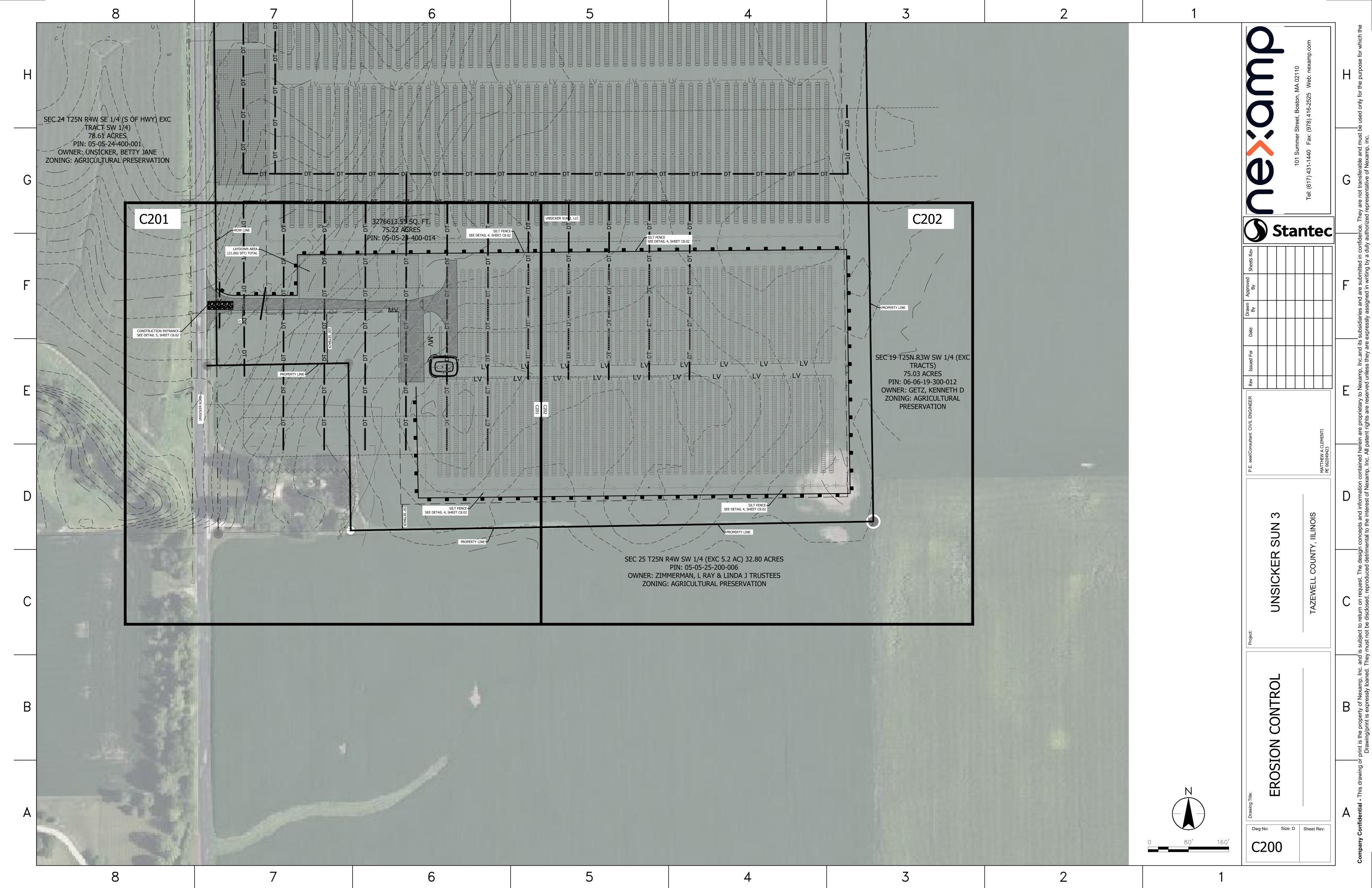
SETBACKS				
REQUIRED ACHIEVED				
ROW	100'	100'		
SIDE YARD	50'	50'		
REAR YARD	50'	50'		

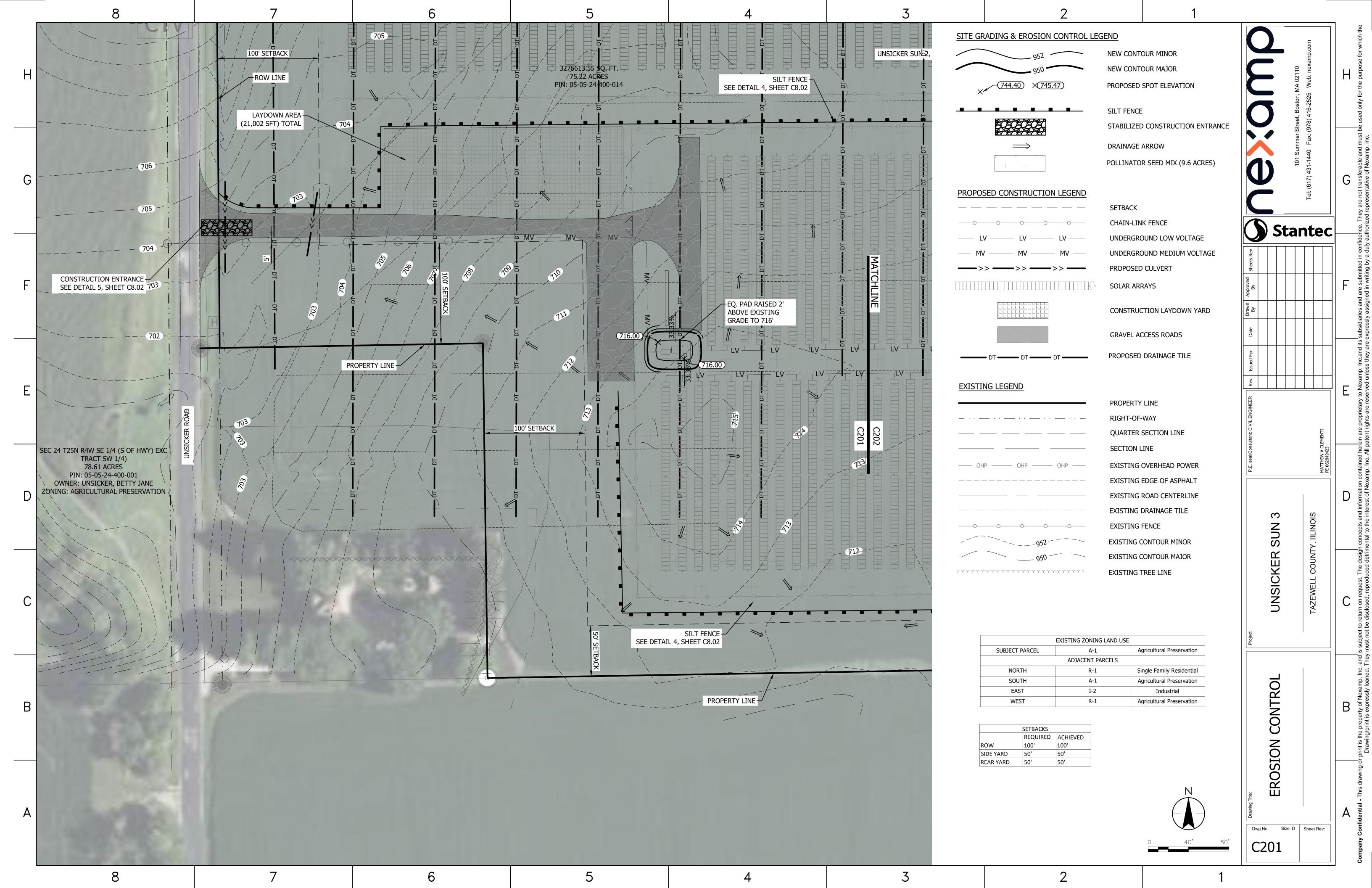


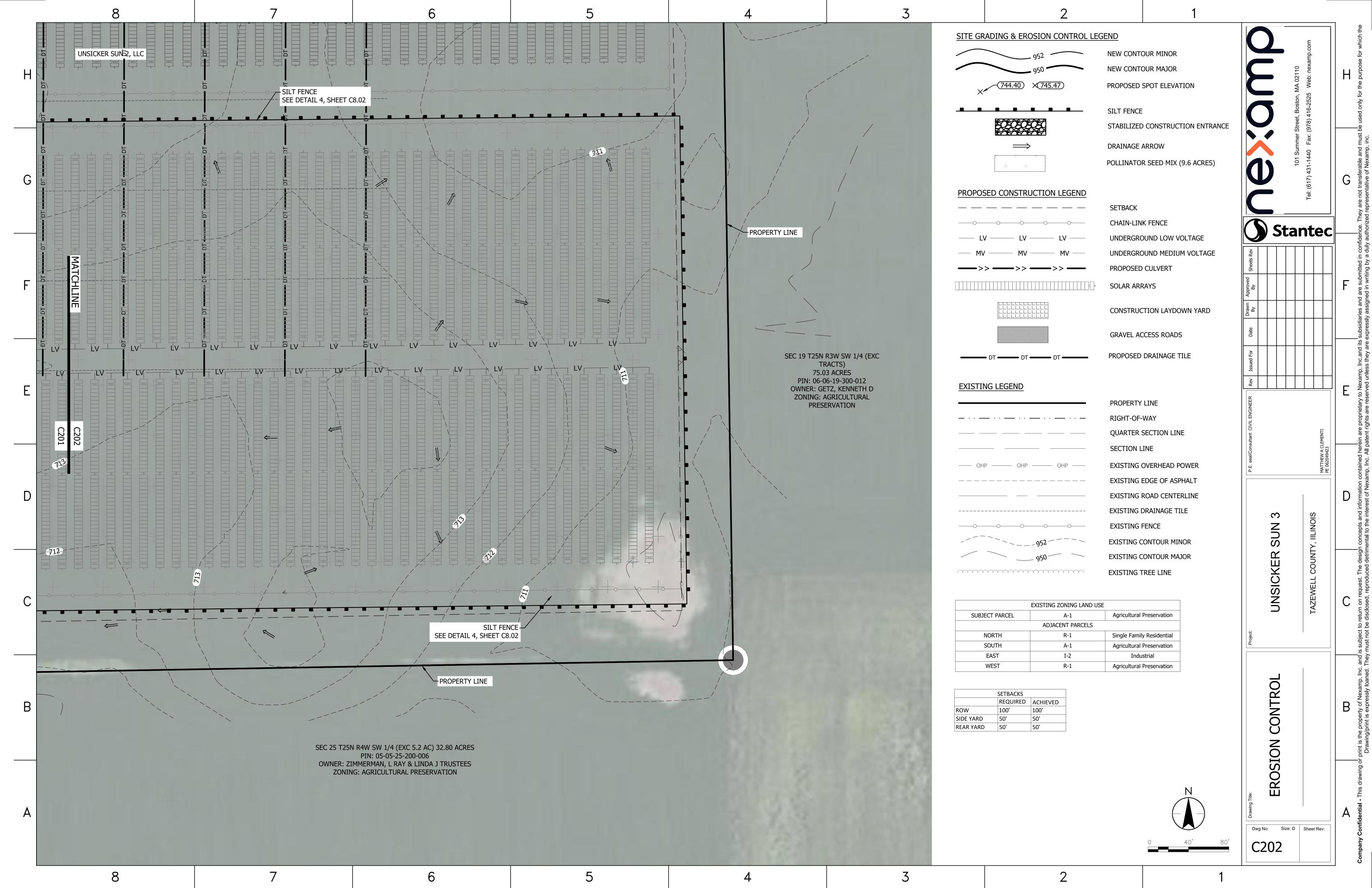
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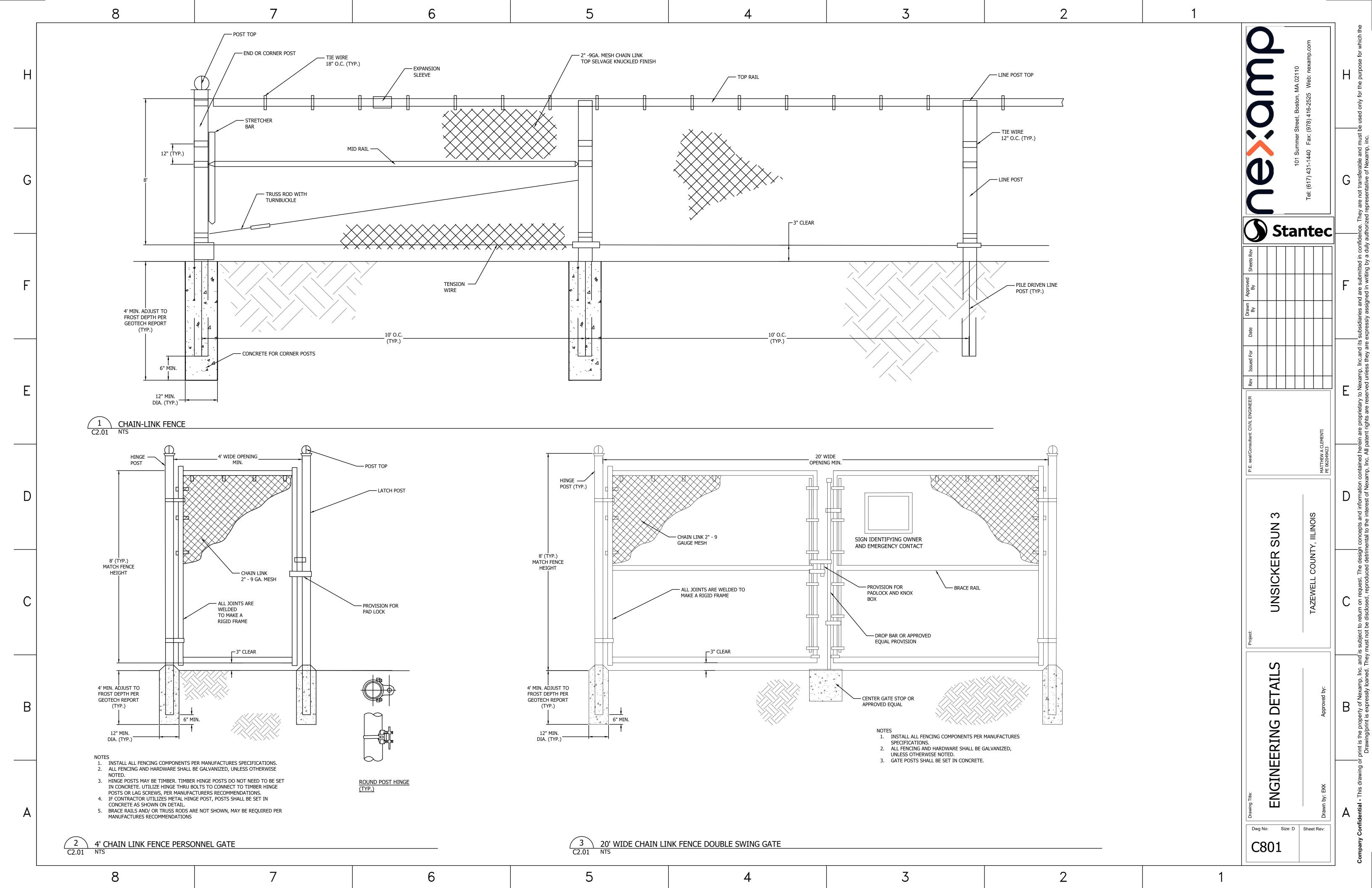
SITE

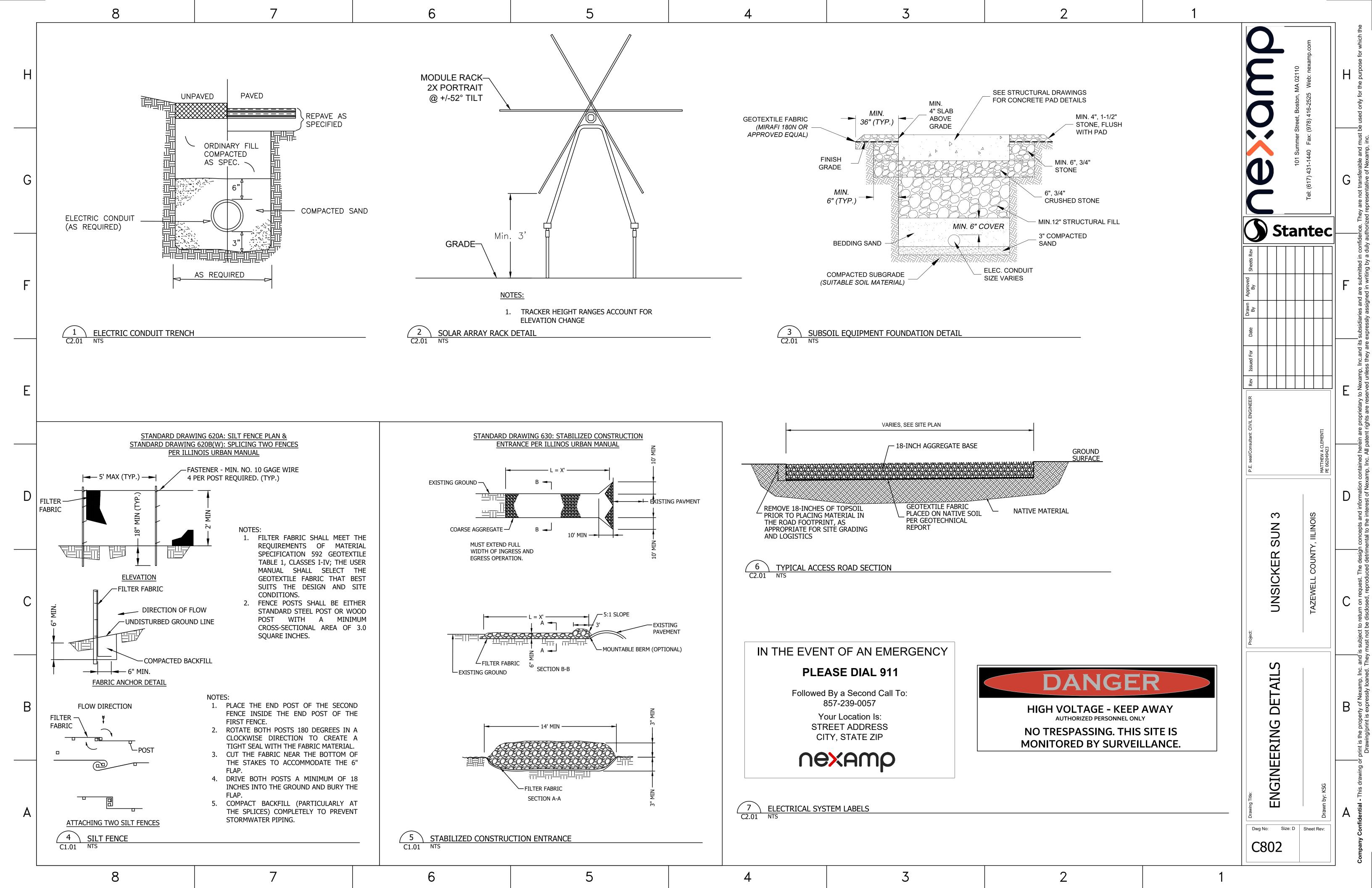
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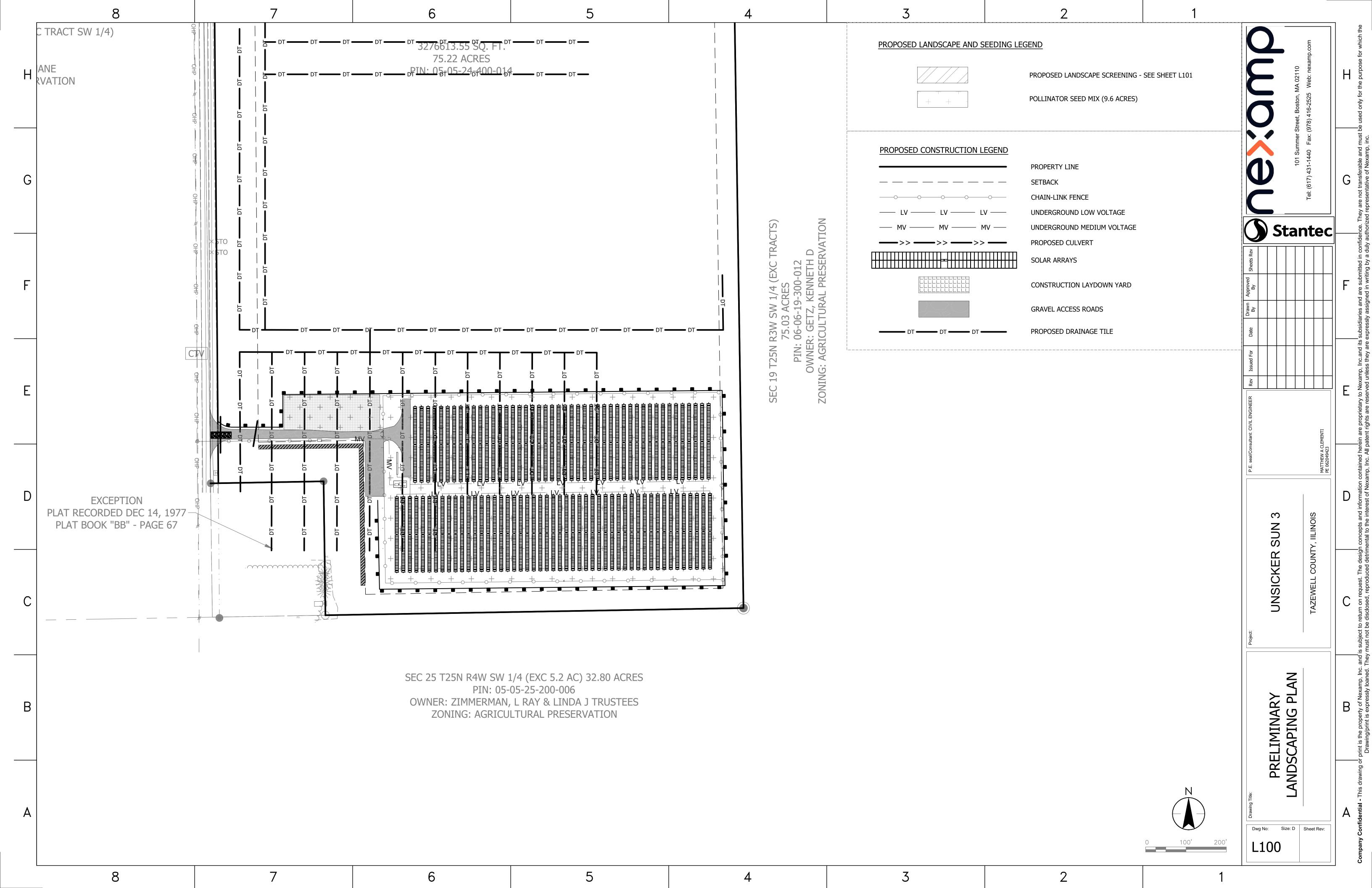


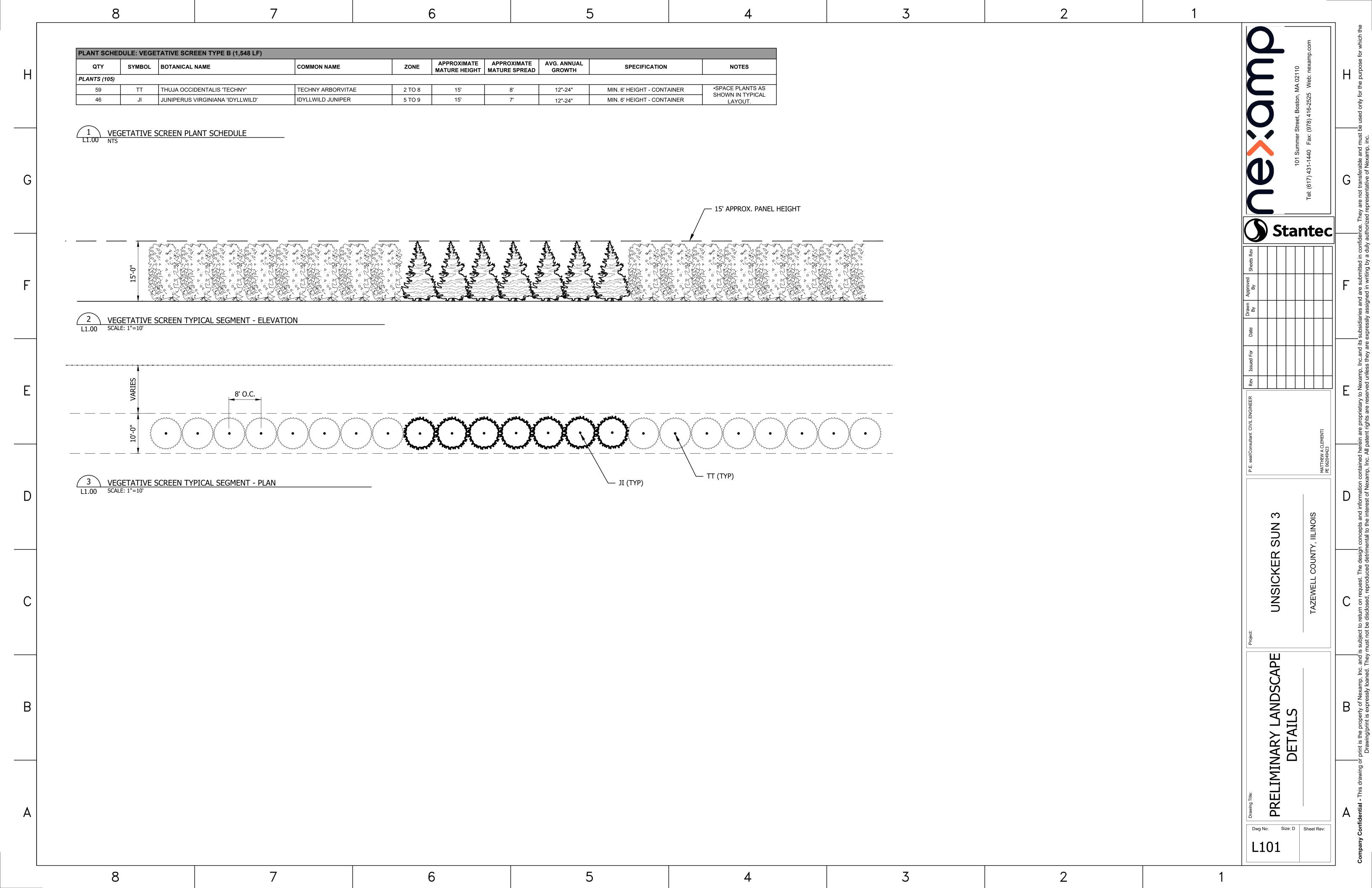


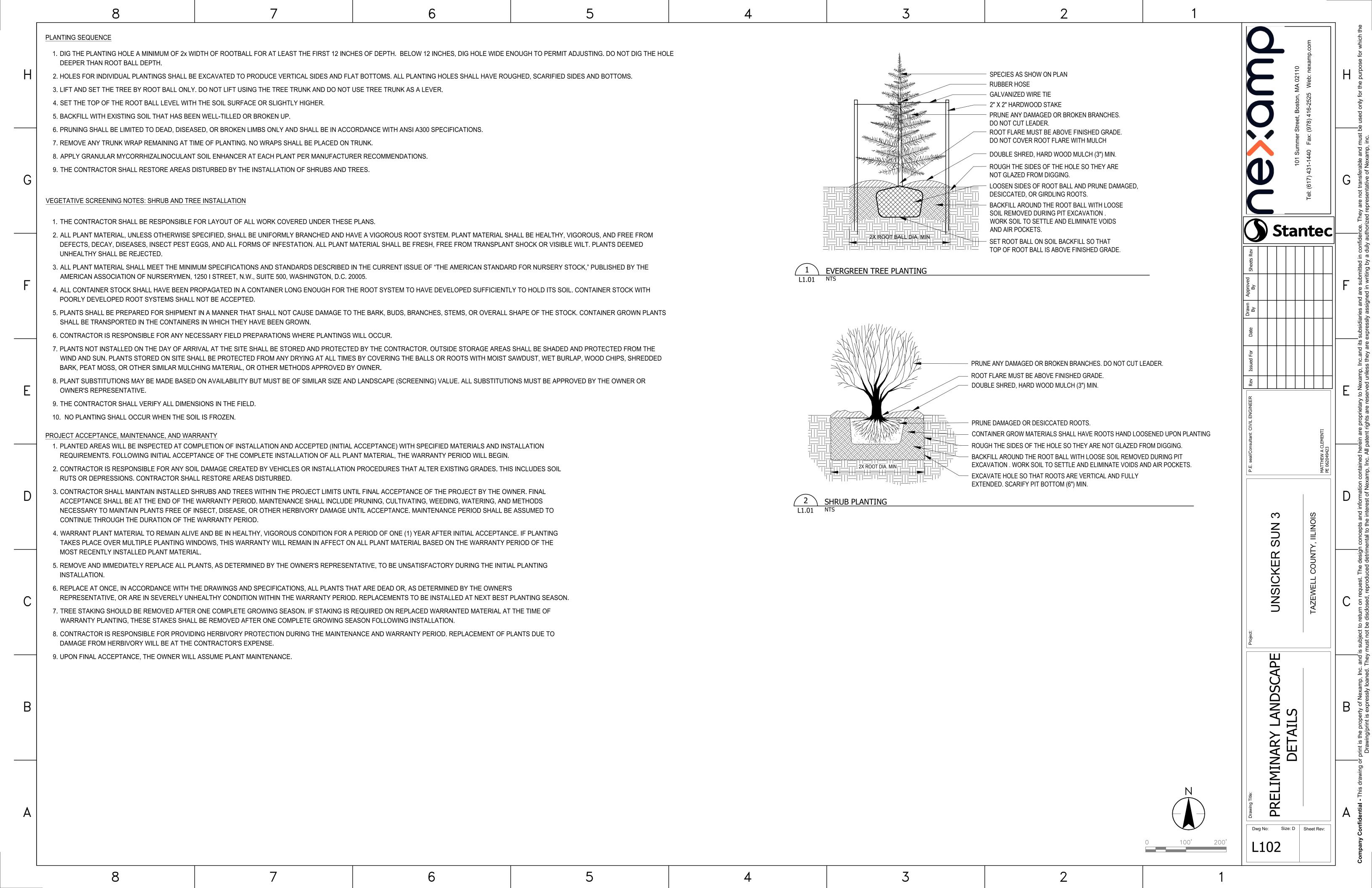


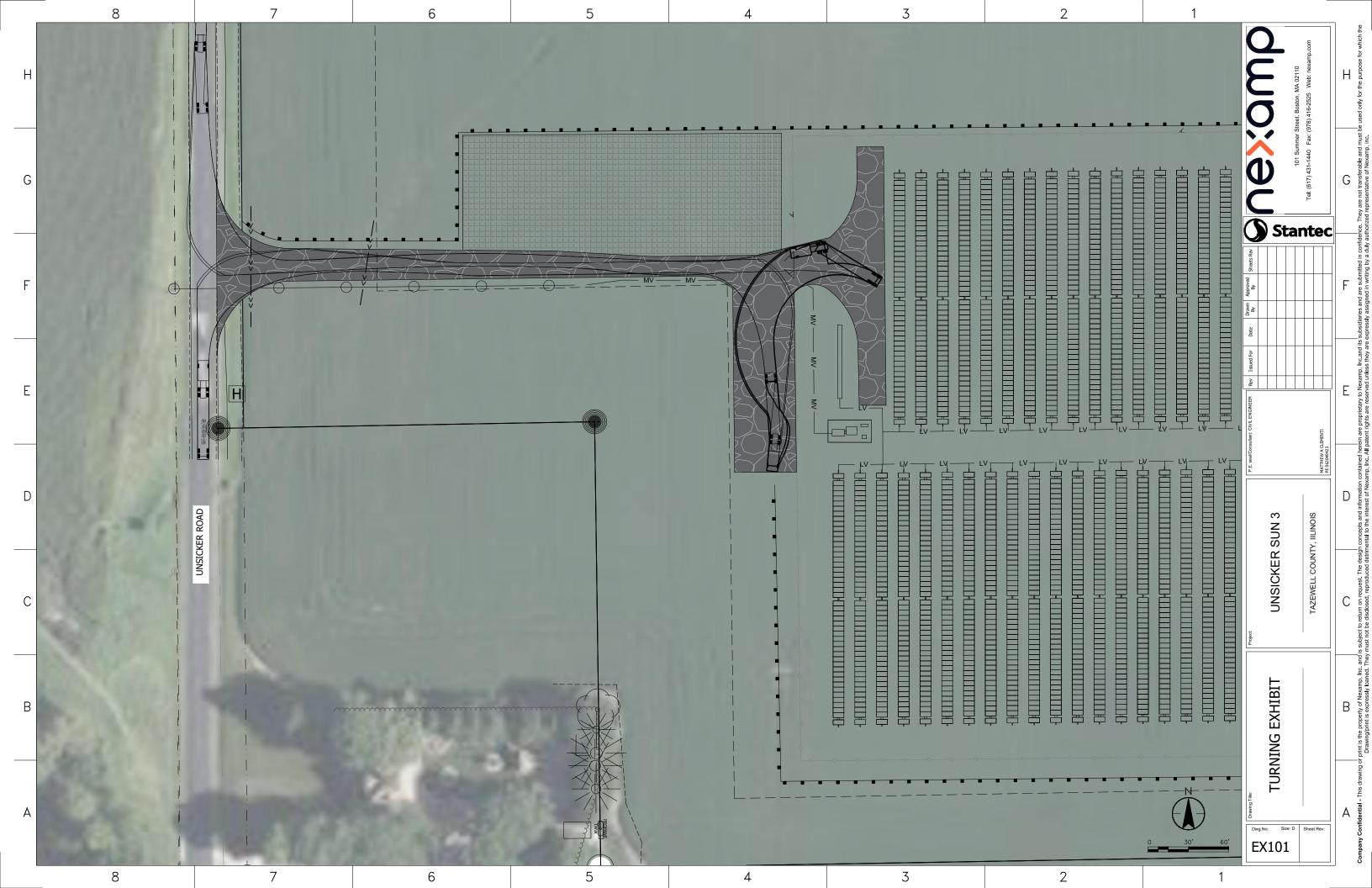


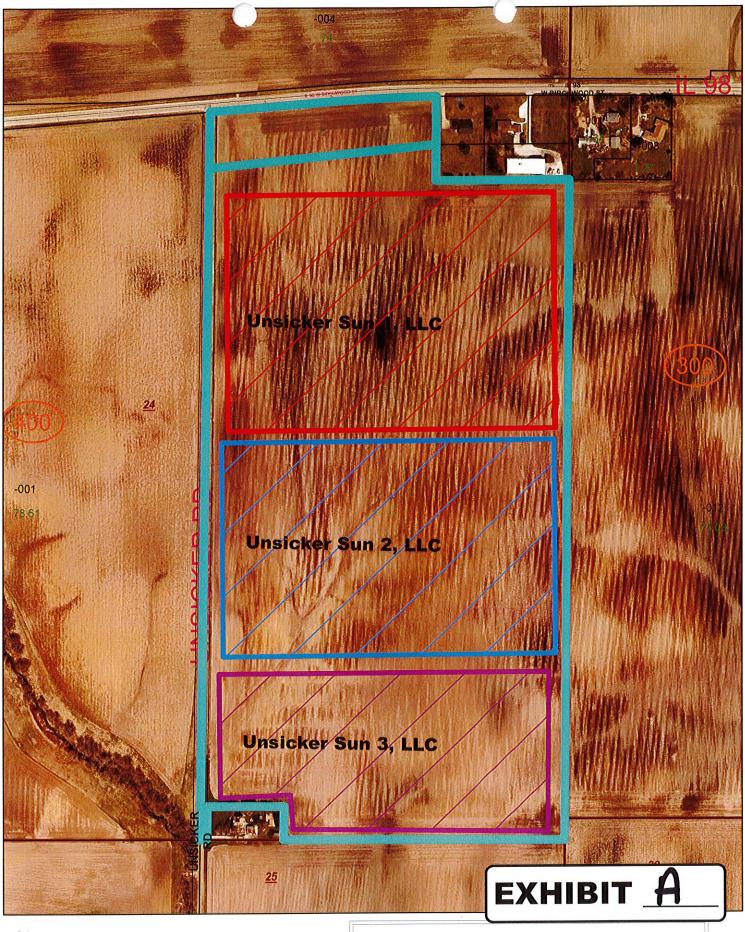






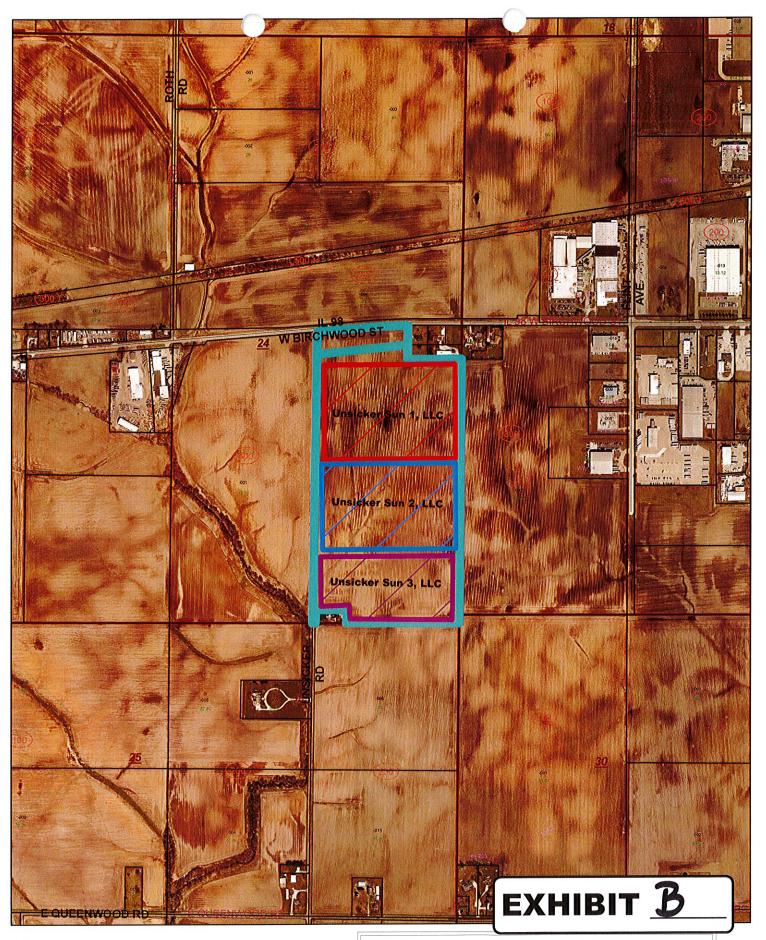






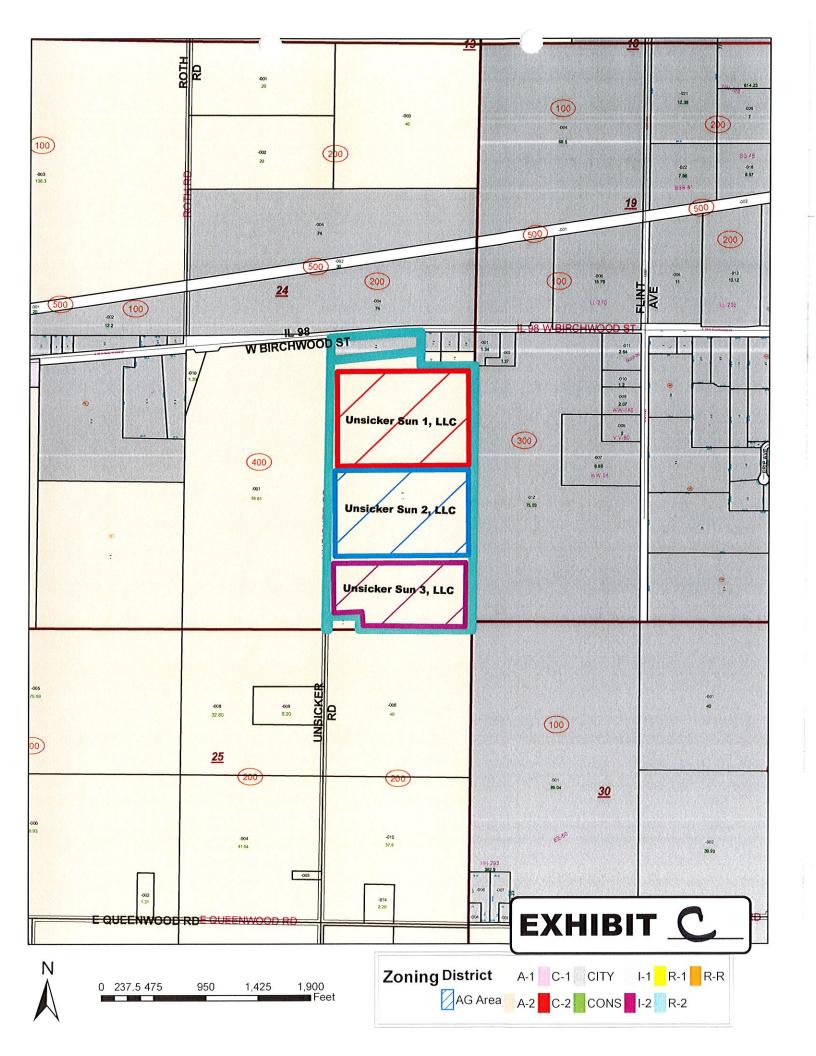


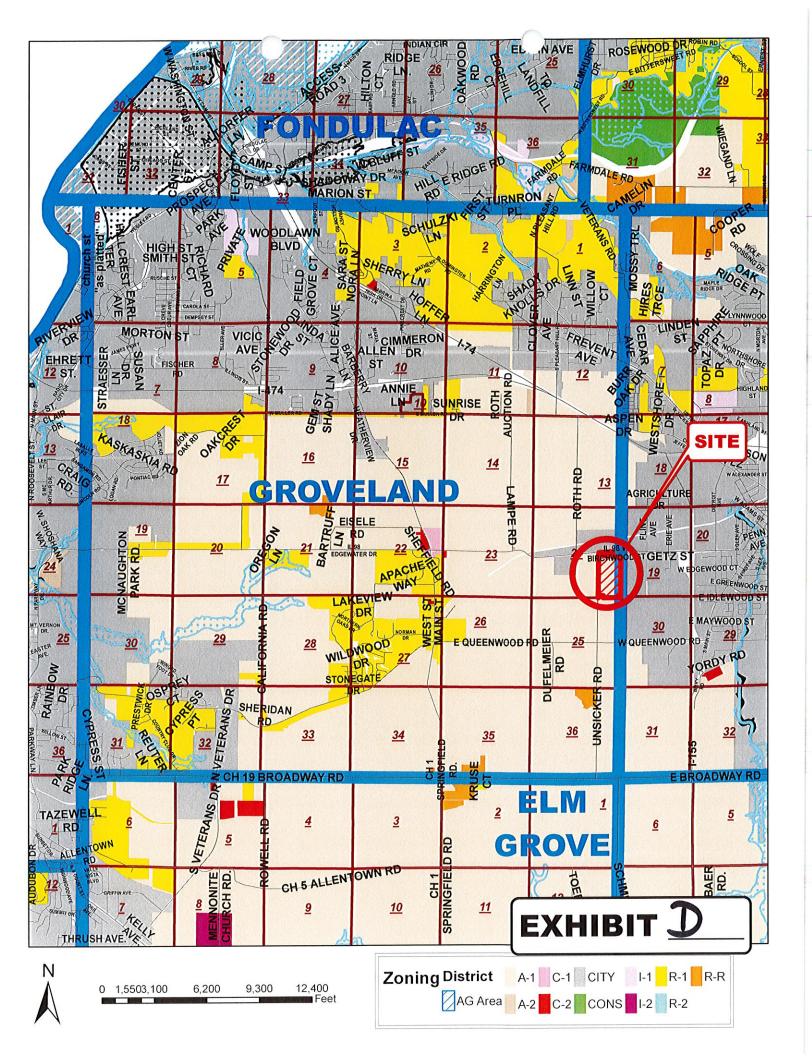
0 95 190 380 570 760 Feet





0 237.5 475 950 1,425 1,900 Feet





DECISION AND FINDINGS OF FACT OF THE ZONING BOARD OF APPEALS ON PROPOSED SPECIAL USE

(Petitioner's Request for an Extension) (Zoning Board Case No. 23-42-S)

The Zoning Board of Appeals of Tazewell County, Illinois makes the following report of its action on the case indicated herein, after a public hearing on August 6, 2024, and pursuant to notice given in accordance with law:

A. DESCRIPTION OF CASE

SUBJECT MATTER: Special Use, Request for Extension

LOCATION AND/OR PROPERTY INVOLVED:

Current Owner of Proposed Property: Sean, Jenna & Wita R. Halsey, 713 Riverview, Alton, Illinois 62002

P.I.N. 21-21-11-100-002; 13 acres to be utilized of an approximate 80 acre parcel located in East Half of the Northwest Quarter of Section 11, Township 22 North, Range 4 West of the Third Principal Meridian, Delavan Township, Tazewell County, Illinois:

located at 21373 IL Route 122, Delavan, Illinois.

REQUESTED BY: Tazewell County IL S1, LLC d/b/a SolAmerica Energy, LLC

PROPOSAL: The petition of Tazewell County IL S1, LLC d/b/a SolAmerica Energy, LLC for an Extension of a Special Use (as approved 8/30/2023) to allow construction of a 2

Mega Watt Commercial Solar Farm (originally approved under expired Case No. 18-

18-S on June 5, 2018) in an A-1 Agriculture Preservation District

PARTIES OF RECORD: Tyler Badertscher, SolAmerica Energy, LLC, on behalf of Petitioner

B. JURISDICTION

NOTICE OF HEARING: A notice of the proposed Special Use extension thereon was

published in the Tazewell Chronicle on July 3, 2024 and a copy of the publication was mailed to the petitioner within five working days after

publication.

AGENCY COMMENTS: The Tazewell County Land Use Planner submitted a report

recommending approval of the proposed Special Use request, with

no new findings regarding the extension.

Tazewell County Health Department submitted a report regarding the proposed Special Use request stating during construction portable toilets and handwashing stations shall be provided during the course of construction, with no new comments regarding the extension.

Tazewell County Soil & Water Conservation District submitted a report regarding the proposed Special Use extension request

recommending denial.

Tazewell County Farm Bureau made no comment regarding the proposed Special Use extension request.

Dan Parr, Tazewell County Highway Engineer made no comment regarding the proposed Special Use extension request.

Michael Harris, IDOT submitted a report regarding the proposed Special Use extension request stating an access permit must be applied for prior to construction.

City of Delavan made no comment regarding the proposed Special Use extension request.

C. DECISION

Having considered the information contained in the petition herein, and the testimony given and statements made at the public hearing on said proposal, the Zoning Board of Appeals hereby recommends approval of the Special Use extension request with the following conditions:

- 1. The terraces on the property shall be protected. Crossing of terraces shall be bored (not trenched) and any soil conservation structures or underground drainage tile shall not be damaged.
- 2. The Facility Owner shall explore every option, including above ground raceways or the like installation methods, in an effort to prevent additional trenching on site. Where trenching cannot be prevented the Facility Owner, or their designee, shall provide written documentation outlining the necessity and inability to prevent the required trenching.
- 3. The fence style shall be chain-link with steel post, in accordance with the height requirements of § 156.06 (B)(1)(f).
- 4. The Facility Owner shall ensure that all vegetation growing within the perimeter of the Facility and all land outside of the perimeter fence identified in the agreement as a part of the lease is properly and appropriately maintained. Maintenance may include, but not be limited to, mowing, trimming, chemical control, or the use of livestock as agreed to by the Landowner.
- 5. Emergency and non-emergency contact information shall be kept up to date with the Community Development Department and be posted in a conspicuous manner at the main entrance to the facility and also visible from the public roadway.
- 6. Vegetative screening, such as a species of pine tree, shall be 3-5' at planting as proposed in the application and in any other location as determined desirable by the Community Development Administrator.
- 7. Cover crop, such as wheat/rye/oats, shall be established prior to construction to prevent sediment and erosion control issues during the construction phase and assist provide ground cover will the required pollinators are being established.
- 8. Decommissioning Plan compliant with the current standards of the Tazewell County Solar Energy Ordinance.

Ayes: 6 –Bong, Cupi, Fehr, Lapsley, McClanahan and Chairman Lessen

Nays: 0

Absent: 1 – Vaughn

Dated this 6th day of August, 2024.

Is/ **DUANE LESSEN**Chairman, Zoning Board of Appeals
Tazewell County, Illinois

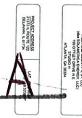


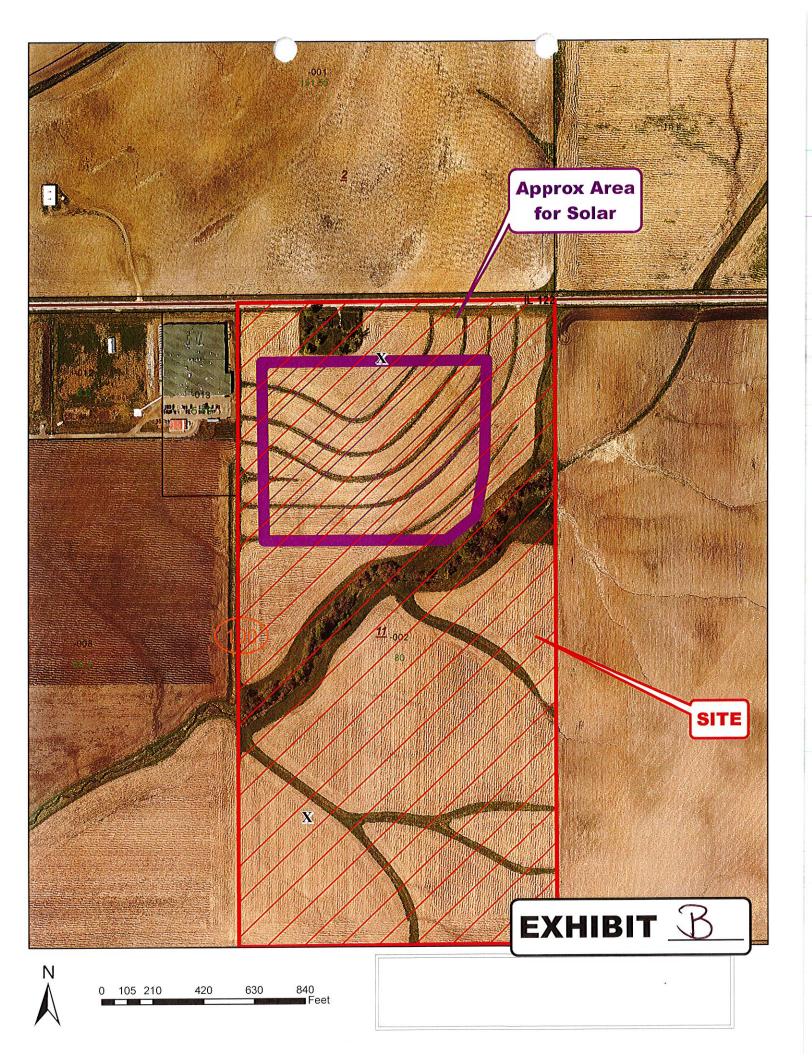


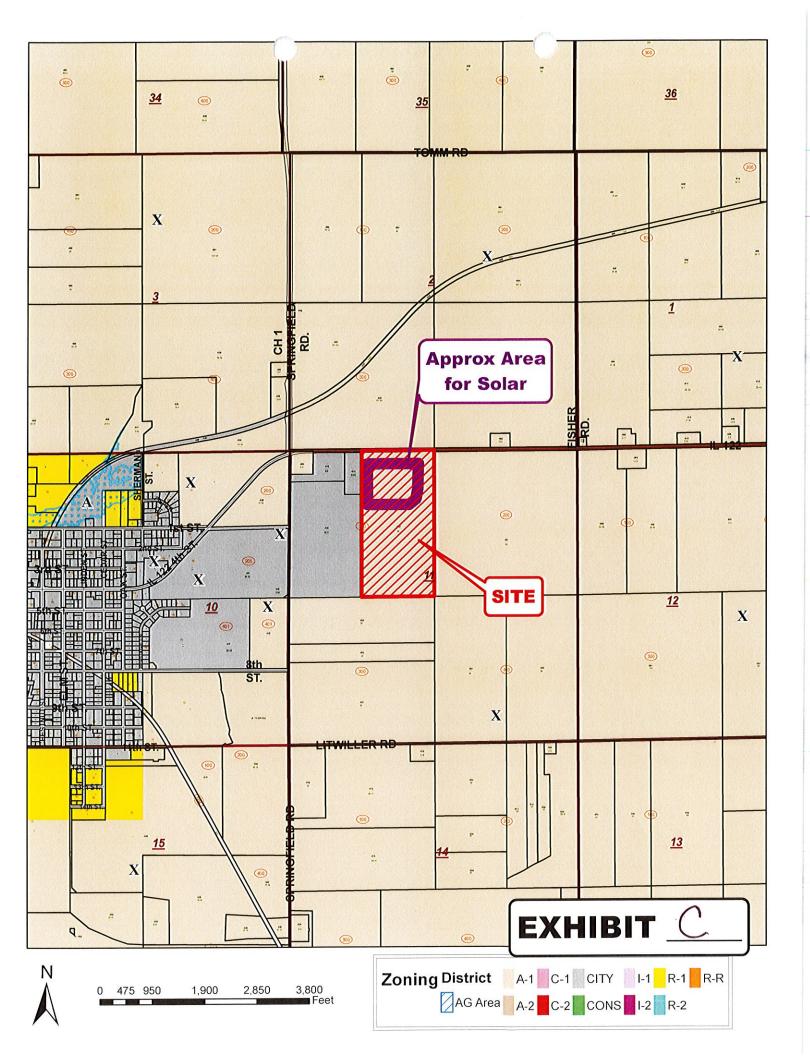
APPLICANT
TAZEWELL COUNTY IL S1, LLC
(dba SOLAMERICA ENERGY, LLC)

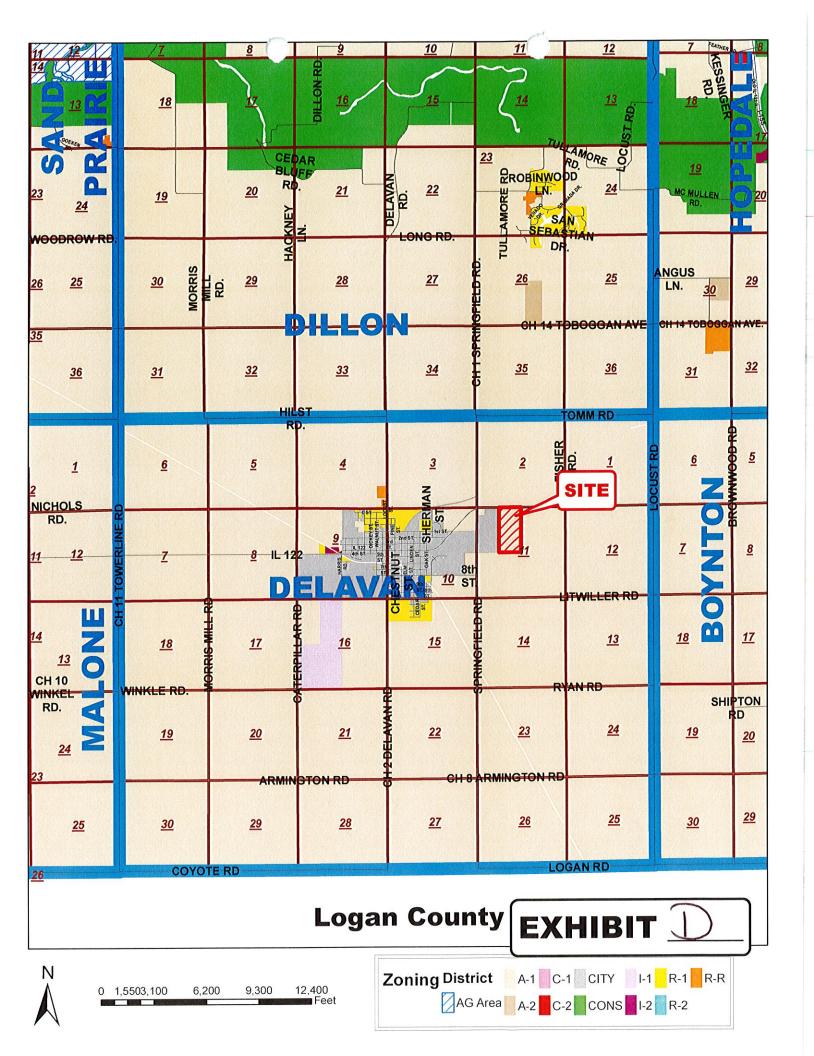












REPORT OF ZONING BOARD OF APPEALS TO TAZEWELL COUNTY BOARD ON PROPOSED AMENDMENT TO TITLE XV - CHAPTER 157

(Zoning Board Case No. 24-32-A)

TO THE TAZEWELL COUNTY BOARD:

The Zoning Board of Appeals of Tazewell County, Illinois makes the following report of its action on the case indicated herein, after a public hearing on August 6, 2024, pursuant to notice given in accordance with law:

A. DESCRIPTION OF CASE

SUBJECT MATTER: TITLE XV – CHAPTER 157

REQUESTED BY: Tazewell County Land Use Committee

PROPOSAL: Proposed Amendment No. 70 to the Tazewell County Zoning Code referred for hearing by the Tazewell County Land Use Committee to amend the following:

SECTION 1 (A-1) AGRICULTURE PRESERVATION DISTRICT

§157.087 SPECIAL USES.

- (O) Commercial Solar Energy Facility, subject to all regulations as found is §§ 156.01 though 156.99; and
- (JJ) Wind energy conversion systems, subject to all regulation as found in §§ 153.01 through 153.08 153.11

<u>SECTION 2</u> (A-2) AGRICULTURE DISTRICT

§157.107 SPECIAL USES.

- Commercial Solar Energy Facility, subject to all regulations as found is §§ 156.01 (R) though 156.99; and
- Wind energy conversion systems, subject to all regulation as found in §§ 153.01 (JJ) through 153.08 153.11

SECTION 3 (I-1) LIGHT INDUSTRIAL DISTRICT

§157.227 SPECIAL USES.

- Commercial Solar Energy Facility, subject to all regulations as found is §§ 156.01 (K) though 156.99; and
- (AA) Wind energy conversion systems, subject to all regulation as found in §§ 153.01 through 153.11

SECTION 4 (I-2) HEAVY INDUSTRIAL DISTRICT

§157.247 SPECIAL USES.

- (K) <u>Commercial Solar Energy Facility, subject to all regulations as found is §§ 156.01 though 156.99; and</u>
- (X) Wind energy conversion systems, subject to all regulation as found in §§ 153.01 through 153.11

SECTION 5 CONSERVATION DISTRICT

§157.267 SPECIAL USES.

- (E) <u>Commercial Solar Energy Facility, subject to all regulations as found is §§ 156.01 though 156.99; and</u>
- (Q) Wind energy conversion systems, subject to all regulation as found in §§ 153.01 through 153.11

SECTION 6

This amendatory ordinance shall take effect immediately, upon passage as provided by law.

NOTICE OF HEARING: A notice of the proposed Amendment thereon was published in the

Tazewell Chronicle on July 3, 2024.

AGENCY COMMENTS: Tazewell County Health Department submitted a report having no

comment regarding the proposed Amendment.

Tazewell County Soil & Water Conservation District submitted a report having no comment regarding the proposed Amendment.

Tazewell County Farm Bureau made no comment regarding the

proposed Amendment.

Dan Parr, Tazewell County Highway Engineer made no comment

regarding the proposed Amendment.

Jon Oliphant, City of Washington submitted a letter stating support of

the proposed Amendment.

Nic Maquet, City of Pekin submitted a report having no concern

regarding the proposed Amendment.

All municipalities were notified however no other comments were

received regarding the proposed Amendment.

C. FINDINGS OF FACT

The Zoning Board of Appeals makes the following findings of fact relating to the action proposed:

1. The proposed amendment shall not be detrimental to the orderly development of Tazewell County.

POSITIVE. The proposed amendment provides clarity and consistency between the Tazewell County Zoning Code and the Tazewell County Solar Ordinance.

2. The proposed amendment shall not be detrimental to or endanger the public health, safety, morals or general welfare of Tazewell County.

POSITIVE. The proposed amendment provides clarity and consistency between the Tazewell County Zoning Code and the Tazewell County Solar Ordinance.

D. RECOMMENDATION

Having considered the information contained in the petition herein, and the testimony given and statements made at the public hearing on said proposal, the Zoning Board of Appeals hereby recommends, based on the findings of fact set forth above, that the petition be approved with the following amendments:

Ayes: 6 – Bong, Cupi, Fehr, Lapsley, McClanahan and Chairman Lessen

Nays: 0

Absent: 1 – Vaughn

Dated this 6th day of August, 2024.

/s/ DUANE LESSEN

Chairman, Zoning Board of Appeals Tazewell County, Illinois

Permit Summary Report Fees

12/01/2022	TO 07	/31/2023
Fee Name	Count	Cost Total
911 Addressing Subdivision	0	\$0.00
Adjudication Fine	11	\$830.00
Change-In-Use: Comm/Ind	1	\$200.00
Change-In-Use: Res & Ag Use	1	\$100.00
Commercial - Addition/Alterations	1	\$750.00
Commercial - Electrical	5	\$320.00
Commercial - HVAC - Cooling	1	\$100.00
Commercial - HVAC - Heating	1	\$100.00
Commercial - New Construction	0	\$0.00
Commercial - Plumbing	2	\$110.00
Communication Co-Locate	7	\$8,750.00
Demolition	7	\$700.00
Erosion - Site Specific	3	\$750.00
Erosion - Standard	10	\$1,750.00
Fence	25	\$1,250.00
Flood Plain Development	1	\$200.00
Home Occupation	1	\$200.00
Home Occupation RENEWAL	21	\$945.00
Inspection Fine	0	\$0.00
Move A Structure	0	\$0.00
NO CHARGE AG STRUCTURE	13	\$0.00
Plumbing Permits-Water Heater	1	\$15.00
Pool - Above Ground	22	\$2,200.00
Pool - In-Ground	11	\$1,925.00
Residential - Accessory		
Structure/Addition To	68	\$18,095.00
Residential - Deck Attached/Detached	24	\$2,865.00
Residential - Dwelling *NEW*	12	\$8,000.00
Residential - Dwelling Addition	13	\$4,700.00
Residential - Dwelling Remodel/Alteration	8	\$2,250.00
Residential - Electrical Addn/Access	297	\$13,225.00
Residential - Electrical NEW	18	\$935.00
Residential - HVAC - Cooling	24	\$1,255.00
Residential - HVAC - Heating	27	\$1,505.00
Residential - Plumbing	37	\$2,025.00
Residential - Plumbing Per Add. Fixture	4	\$255.00
Residential - Renewal	2	\$617.00
Sign	0	\$0.00
Solar Energy System	165	\$52,650.00
Stormwater Combo	0	\$0.00
Subdivision - Final Plat	0	\$0.00
Subdivision - Modification/Road Waiver	2	
		\$400.00
Stormwater Combo	0	\$0.00
Subdivision - Final Plat	0	\$0.00
Subdivision - Modification/Road Waiver	0	\$0.00
Subdivision - Preliminary Plat	0	\$0.00
Temp Comp Cert	1	\$75.00
Temporary Use	3	\$600.00
Tract Survey Review	37	\$1,100.00
Washington Contractural	1	\$3,112.50
ZBA - Incidentals	0	\$0.00
ZBA - Publication Fee	32	\$1,081.28
ZBA - Rezoning	5	\$3,150.00
ZBA - Special Use	15	\$7,050.00
ZBA - Special Use - Chickens	4	\$1,200.00
ZBA - Variance	15	\$4,500.00
Totals:	972	\$152,490.78

12/01/2023	TO 07	/31/2024
Fee Name	Count	Cost Total
911 Addressing Subdivision	2	\$400.00
Adjudication Fine	8	\$4,027.95
Change-In-Use: Comm/Ind	1	\$200.00
Change-In-Use: Res & Ag Use	0	\$0.00
Commercial - Addition/Alterations	1	\$0.00
Commercial - Electrical	16	\$1,375.00
Commercial - HVAC - Cooling	1	\$190.00
Commercial - HVAC - Heating	1	\$190.00
Commercial - New Construction	4	\$3,375.00
Commercial - Plumbing	1	\$55.00
Communication Co-Locate	7	\$8,750.00
Demolition	10	\$1,000.00
Erosion - Site Specific	3	\$750.00
Erosion - Standard	15	\$2,450.00
Fence	25	\$1,250.00
Flood Plain Development	0	\$0.00
Home Occupation	3	\$600.00
Home Occupation RENEWAL	22	\$990.00
Inspection Fine	12	\$1,125.00
Move A Structure	1	\$100.00
NO CHARGE AG STRUCTURE	4	\$0.00
Plumbing Permits-Water Heater	0	\$0.00
Pool - Above Ground	13	\$1,300.00
Pool - In-Ground Residential - Accessory	9	\$1,575.00
Structure/Addition To	60	\$16,000.00
Residential - Deck Attached/Detached	10	\$1,305.00
Residential - Dwelling *NEW*	14	\$8,400.00
Residential - Dwelling Addition	16	\$5,250.00
Residential - Dwelling Remodel/Alteration	4	\$1,150.00
Residential - Electrical Addn/Access	290	\$12,960.00
Residential - Electrical NEW	22	\$1,155.00
Residential - HVAC - Cooling	20	\$1,005.00
Residential - HVAC - Heating	22	\$1,315.00
Residential - Plumbing	36	\$1,925.00
Residential - Plumbing Per Add. Fixture	7	\$345.00
Residential - Renewal	2	\$400.00
Sign	1	\$110.00
Solar Energy System	149	\$44,600.00
Stormwater Combo	3	\$3,000.00
Subdivision - Final Plat	1	\$425.00
Subdivision - Modification/Road Waiver	1	\$200.00
Stormwater Combo	3	\$3,000.00
Subdivision - Final Plat	1	\$425.00
Subdivision - Modification/Road Waiver	1	\$200.00
Subdivision - Preliminary Plat	1	\$300.00
Temp Comp Cert	2	\$150.00
Temporary Use	2	\$400.00
Tract Survey Review	30	\$950.00
Washington Contractural	0	\$0.00
ZBA - Incidentals	1	\$10,000.00
ZBA - Publication Fee	23	\$1,145.99
ZBA - Rezoning	2	\$1,300.00
ZBA - Special Use	16	\$16,743.00
ZBA - Special Use - Chickens	2	\$600.00
ZBA - Variance	13	\$3,900.00
Totals:	929	\$165,736.94