

1	McLEAN COUNTY	1	1	I N D E X	3
2	ZONING BOARD OF APPEALS		2		
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4	HEYWORTH RENEWABLES I, LLC by Nexamp, Inc.)		3	Introduction of case by Mr. Dick	4
5	)	CASE NUMBER	4	Narrative testimony by Barton Pitts	19
6	)	SU-18-18	5	Questioning of panel by the Board	29
7	APPLICATION for special use to allow a solar power generating facility in the Agriculture District on property in Randolph Township immediately south of 100 North Road approximately .45 miles east of U.S. Highway 51.		6	Deliberations by the Board	33
8	)		7	Motion to recommend approval with stipulations as listed	36
9	)		8		
10			9	Motion carried	36
11	Hearing held, pursuant to notice, on Tuesday, September 4, 2018 at the hour of 7:10 p.m. at Government Center, 115 E. Washington Street, Bloomington, Illinois.		10		
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1	BOARD MEMBERS:	2	1	<u>PROCEEDINGS</u>	4
2	JULIA TURNER, Acting Chair		2	ACTING CHAIR TURNER: We'll call	
3	DRAKE ZIMMERMAN		3	Case SU-18-18, Heyworth Renewables.	
4	RICK DEAN		4	Okay. I'll have Phil go ahead	
5	BRIAN BANGERT		5	and present the case, and then we'll introduce and	
6	CHRIS CARLTON		6	swear you guys in.	
7	MARY BETH TAYLOR		7	MR. DICK: Just for your	
8	PHIL DICK		8	information, the next two cases are on the same	
9	Secretary		9	larger farm tract but are separate solar farms, and	
10	SAMANTHA WALLEY		10	they're on separate pieces of this farm, and we'll	
11	Assistant State's Attorney		11	explain exactly which part is on which part of the	
12	LUKE HOHULIN		12	farm as we go through.	
13	Assistant County Engineer		13	So the photos will be the same	
14	APPEARANCES:		14	for both of them, and the standards will be very	
15	BARTON PITTS		15	similar to them, so it sounds like it's the same	
16	4620 Downers Drive		16	case because they're on the same farm but they're in	
17	Downers Grove, Illinois		17	really separate cases, and the applicant chose to do	
18	-and-		18	this for their own particular reasons, and we	
19	JUSTIN CRABLE		19	obliged them with that.	
20	1245 East Diehl Road		20	In some cases in the past,	
21	Suite 100		21	what we've done is we've issued one solar farm on	
22	Naperville, Illinois 60563		22	one 4-megawatt solar farm, and this is two	
23	-and-		23	2-megawatt solar farms.	
	DAVID KOSTURIK				
	440 Swan Boulevard				
	Deerfield, Illinois 60015				
	on behalf of the Applicant.				

<p style="text-align: center;">5</p> <p>1 So this first one is Case  2 Number SU-18-18, application of Heyworth Solar  3 Renewables I, LLC by Nexamp, Inc. for special use to  4 allow a solar powered generating facility in the  5 Agriculture District on property in the Northwest  6 Quarter of Section 10, Township 21 North, Range 2  7 East of the Third Principal Meridian located in  8 Randolph Township immediately south of the 100 North  9 Road approximately 4.5 miles east of U.S. Highway  10 51.  11 Public notice of this hearing  12 was published in the Pantagraph on August 18, 2018  13 as provided by law. All the other required  14 notifications have been made, and the applicant has  15 paid the publication cost.  16 I'm not going to pass the  17 application since I distributed one to each of you.  18 I'll pass the plat and just as  19 a reminder to show you where this property is  20 located.  21 I'm not going to pass the site  22 plan either because I've also distributed that to  23 each of you.</p>	<p style="text-align: center;">7</p> <p>1 This is a blowup of the  2 property. You see that little waterway that goes  3 southeast through the property. This first case is  4 north of that waterway. The second case is south of  5 that waterway, and all of it is in the north half of  6 that property.  7 This is the township road to  8 the north facing west, and there's a railroad which  9 is at the edge of this property.  10 And this is the other  11 direction on the public road.  12 And this is angling across,  13 and if you then lift your camera real high, you can  14 see...go ahead.  15 If you look there, you can  16 probably look through the camera and kind of see  17 where the waterway is where the two different fields  18 are.  19 And this is the east edge of  20 the property this house sits on, and this is the  21 east edge of the cornfield on which this solar farm  22 is going to be located.  23 This is the railroad</p>
<p style="text-align: center;">6</p> <p>1 I will distribute a zoning map  2 showing where this property is located, and we'll  3 show you an aerial photo where this zoning map is  4 located.  5 The Soil and Water  6 Conservation District did a soil score on the land  7 evaluation site assessment, and I did the report on  8 it, and they did an IDNR which was part of the  9 application that you probably already saw, and I  10 just copied this out of it so I won't distribute it,  11 but that's in your application file.  12 There's also a copy of this  13 communication from the health department in your  14 file indicating that they're okay with it, and  15 there's a copy of this letter to the Illinois  16 Historic Preservation Agency in your file too, and I  17 have it listed as a separate exhibit. I will show  18 you aerial photos at this time.  19 You can see where this  20 property is located. You see where Heyworth is  21 located. You can see Heyworth in the distance from  22 this solar farm. It's south of Heyworth just north  23 of the county line.</p>	<p style="text-align: center;">8</p> <p>1 right-of-way that is to the west of the property,  2 and you can see the power lines to the right which  3 go along the west edge of the property, and as you  4 can see, there's larger power lines there that are  5 also accessible.  6 And then if you're looking to  7 the left, you can see those power lines and that  8 railroad right-of-way there.  9 And the aerial photo of the  10 property.  11 The topography is relatively  12 flat and the drainage is to a waterway that runs  13 southeast through the property. The vegetation is  14 crop production. The public road is 100 North Road  15 which is oil and chip 17 feet in width. The  16 property is surrounded by land in the Agriculture  17 District.  18 On this first case, which is  19 the property on the north edge of that farm field,  20 to the north is crop production and a single family  21 dwelling. To the south is crop production. To the  22 east is crop production and a single family  23 dwelling, and to the west is crop production and a</p>

<p style="text-align: center;">9</p> <p>1 single family dwelling.</p> <p>2                   The land evaluation and site</p> <p>3 assessment has a score of 89.78 points for the soil</p> <p>4 and a score of 162 points for the site giving a</p> <p>5 total score of 251.78 points out of a maximum of 300</p> <p>6 points. A total LESA score of 230 points and above</p> <p>7 means that the property is of high value for</p> <p>8 agricultural land protection.</p> <p>9                   The staff report according to</p> <p>10 the standards in the zoning ordinance is as follows:</p> <p>11                   a) The proposed special use will</p> <p>12 not be detrimental to or endanger the health,</p> <p>13 safety, morals, comfort, or welfare of the public.</p> <p>14 This standard is met. The applicant proposes to</p> <p>15 establish a 2-megawatt soil powered generating</p> <p>16 facility on this property which will meet all the</p> <p>17 county setback requirements and use standards for a</p> <p>18 solar power generating facility.</p> <p>19                   The applicant indicates that</p> <p>20 this facility will contain rows of photovoltaic cell</p> <p>21 panels mounted on posts set in the ground. These</p> <p>22 rows of panels are referred to as solar arrays.</p> <p>23 Nexamp Solar Energy Solutions will mount the solar</p>	<p style="text-align: center;">11</p> <p>1 submitted a letter to the Illinois Historic</p> <p>2 Preservation Agency.</p> <p>3                   b) The proposed special use</p> <p>4 will not be injurious to the use and enjoyment of</p> <p>5 other property in the immediate vicinity for</p> <p>6 purposes already permitted or substantially diminish</p> <p>7 property values in the immediate area. This</p> <p>8 standard is met.</p> <p>9                   The proposed solar farm is</p> <p>10 surrounded by land in crop production which will</p> <p>11 continue to be desirable for such use. Groundcover</p> <p>12 that encourages pollination recommended by the</p> <p>13 McLean County Soil and Water Conservation District</p> <p>14 will need to be installed and the solar arrays will</p> <p>15 be designed with an anti-reflective coating.</p> <p>16                   The proposed special use will</p> <p>17 not impede the orderly development of the</p> <p>18 surrounding property for uses permitted in the</p> <p>19 district. This standard is met. Nearby property</p> <p>20 that is currently in crop production will continue</p> <p>21 to be desirable for such use.</p> <p>22                   Adequate utilities, access</p> <p>23 roads, drainage and/or other necessary facilities</p>
<p style="text-align: center;">10</p> <p>1 arrays on a tracking system which allows them to</p> <p>2 follow the sun throughout the day. The solar arrays</p> <p>3 will be designed with an anti-reflective coating,</p> <p>4 and the applicant indicates the solar arrays will be</p> <p>5 a maximum of 12 feet in height.</p> <p>6                   The applicant submitted EcoCat</p> <p>7 communications from the Illinois Department of</p> <p>8 Natural Resources which indicates that there is no</p> <p>9 record of state-listed threatened or endangered</p> <p>10 species, Illinois Natural Area Inventory sites,</p> <p>11 dedicated Illinois Nature Preserves or registered</p> <p>12 Land and Water Reserves in the vicinity of the</p> <p>13 project location.</p> <p>14                   A decommissioning plan that</p> <p>15 includes an Agricultural Impact Mitigation Agreement</p> <p>16 with the Illinois Department of Agriculture and</p> <p>17 financial assurance acceptable to the county needs</p> <p>18 to be provided.</p> <p>19                   A contact person for the</p> <p>20 applicant will need to be kept on file with the</p> <p>21 Department of Building and Zoning for issues and</p> <p>22 complaints upon completion of the facility.</p> <p>23                   And the applicant has</p>	<p style="text-align: center;">12</p> <p>1 have been or will be provided. This standard is</p> <p>2 met.</p> <p>3                   The property has approximately</p> <p>4 1,180 feet of frontage of the south side of 100</p> <p>5 North Road. The Randolph Township Fire District</p> <p>6 will provide fire protection for the subject</p> <p>7 property. Pre-development drainage patterns will be</p> <p>8 retained as much as possible. The applicant will</p> <p>9 provide certified plans for storm water</p> <p>10 detention/retention before a permit is issued for</p> <p>11 the proposed power generating facility.</p> <p>12                   The applicant will need to</p> <p>13 have all field tile damaged in the construction</p> <p>14 process repaired by a competent contractor with</p> <p>15 experience in such repair during the life of the</p> <p>16 solar farm. The applicant has obtained a signoff</p> <p>17 from the County Health Department.</p> <p>18                   Adequate measures have been or</p> <p>19 will be taken to provide ingress and egress so</p> <p>20 designed as to minimize traffic congestion in the</p> <p>21 public streets, and this standard is met.</p> <p>22                   It appears that safe site</p> <p>23 distance can be provided at the proposed entrance.</p>

<p style="text-align: center;">13</p> <p>1 The applicant has been in communication with the  2 County Highway Department and the Randolph Township  3 Road Commissioner about creating a road use  4 agreement for the proposed solar farm before an  5 entrance permit would be obtained.</p> <p>6 The establishment, maintenance  7 and operation of the special use will be in  8 conformance with the intent of the district in which  9 it is located, and this standard is met.</p> <p>10 The preamble states, "Provide  11 for the location and govern the establishment and  12 operation of land uses which are compatible with  13 agriculture and are such a nature that their  14 location away from residential, commercial and  15 industrial areas is most desirable."</p> <p>16 g) The proposed special use  17 in all other respects conforms to the applicable  18 regulations of the districts in which it is located.  19 And this standard is met.</p> <p>20 According to the zoning  21 ordinance, the Land Evaluation and Site Assessment  22 System has been designed to provide a rational  23 process for assisting officials in making farmland</p>	<p style="text-align: center;">15</p> <p>1 recommends that this application meets all the  2 standards set forth in Article VIII Section 350-56  3 (Standards for Special Use Permits), provided  4 compliance with the following stipulations:  5 1) An entrance permit shall  6 be obtained from the Randolph Township Road  7 Commissioner before a construction permit is issued.  8 2) The applicant shall  9 provide certified plans for storm water  10 detention/retention before a construction permit is  11 issued.  12 3) The applicant shall  13 complete consultation with the Illinois Historic  14 Preservation Agency before a construction permit is  15 issue issued.  16 4) The applicant shall have  17 all field tile damaged in the construction process  18 repaired by a competent contractor with experience  19 in such repair during the life of the solar farm.  20 5) The solar panels shall be  21 installed with an anti-reflective coating.  22 6) Groundcover that  23 encourages pollination that is recommended by the</p>
<p style="text-align: center;">14</p> <p>1 conversion decisions through the local zoning  2 process. Although this property has a high LESA  3 score, the applicant indicates that it is committed  4 to landscaping best practices that stabilizes the  5 soil to add strength and durability for the  6 long-term success of the project and health of the  7 land.</p> <p>8 Native grasses will be grown  9 and maintained on the site, and the prime soils will  10 be preserved as long as the solar power generating  11 facility is operational.</p> <p>12 After the subject property is  13 returned to its original condition as required by  14 the zoning ordinance, the land can return to crop  15 production.</p> <p>16 It was reported that up to 35  17 percent of corn grown in McLean County was used to  18 make ethanol. Harvesting the sun to produce  19 electricity in the Agriculture District with solar  20 farms is similar and another way to produce  21 significant value from farmland in addition to  22 producing corn and soybean crops.</p> <p>23 In conclusion, staff</p>	<p style="text-align: center;">16</p> <p>1 McLean County Soil and Water Conservation District  2 needs to be installed.</p> <p>3 7) A contact person for the  4 applicant will need to be kept on file with the  5 Department of Building and Zoning for issues/  6 complaints upon completion of the facility.  7 8) As a condition of  8 receiving a permit from the County, the company must  9 pay the cost of hiring an Illinois registered  10 professional engineer to provide a certified  11 estimate of decommissioning costs. The company  12 shall provide decommissioning security financing for  13 the estimated cost of decommissioning in the amount  14 determined by the engineer or \$50,000 (25,000 per  15 megawatt), whichever is greater. Security financing  16 must be in the form of an irrevocable letter of  17 credit or cash escrow unless the County Board in its  18 sole discretion agrees to accept a performance bond.  19 The decommissioning cost estimate will be reviewed  20 and revised when needed, but estimate review must  21 occur at least every ten years.  22 9) The company must provide  23 an Agricultural Impact Mitigation Agreement signed</p>

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1 by the company and the Illinois Department of  
2 Agriculture prior to the issuance of a permit to  
3 construct from the County and must certify that it  
4 will comply with all of the terms of the Agreement.  
5 Nothing in the Agricultural Impact Mitigation  
6 Agreement will preclude the County from establishing  
7 any standards that exceed those contained in the  
8 Agreement.

9                   And as part of the  
10 stipulation, the applicant is recommended to have to  
11 remove everything to five feet below grade as was  
12 recommended in our previous special use.

13                   10) Development shall follow  
14 the plans and documents submitted with the  
15 application and with zoning regulations including  
16 Article VI, Section 350 of the Zoning Ordinance.  
17                   Respectfully submitted.  
18                   Thank you.

19                   ACTING CHAIR TURNER: Thank you,  
20 Phil.  
21                   I'll go ahead and swear you  
22 guys in.  
23                   Is it okay to be sworn in or

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1 would you rather be affirmed?  
2                   Swearing in is fine? Okay.  
3                   (Whereupon the witnesses were  
4 sworn by the Acting Chair.)  
5                   ACTING CHAIR TURNER: Okay. And  
6 the microphone is the bottom right hand.  
7                   And if you'll all give your  
8 names and address.

9                   MR. PITTS: I'm Barton Pitts, the  
10 business development manager at Nexamp Solar.  
11 Address is 4620 Downers Drive in Downers Grove,  
12 Illinois.  
13                   MR. CRABLE: My name is Justin  
14 Crable. My firm is Atwell. My office address is  
15 1245 East Diehl Road, Suite 100. That's in  
16 Naperville, Illinois 60563. We're the civil survey  
17 and landscape architectural consultant on the  
18 project.  
19                   ACTING CHAIR TURNER: Could you  
20 spell your name, please?  
21                   MR. CRABLE: It's J-u-s-t-i-n, and  
22 my last name is Crable spelled C-r-a-b-l-e.  
23                   MR. DICK: And can you state your

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1 address again, please?  
2                   MR. CRABLE: 1245 East Diehl Road.  
3 That's spelled D-i-e-h-l, and that's in Naperville,  
4 Illinois 60563.  
5                   MR. KOSTURIK: My name is David  
6 Kosturik. That's K-o-s-t-u-r-i-k, Business  
7 Development Associate with Nexamp. The address is  
8 440 Swan Boulevard, Deerfield, Illinois 60015.  
9                   ACTING CHAIR TURNER: Okay. And  
10 just a point. We can't have any more than three of  
11 these on at one time just so you guys know or they  
12 don't work.  
13                   So with that, we will let you  
14 go ahead and.  
15                   Present whatever you'd like on  
16 the case.  
17                   NARRATIVE TESTIMONY  
18 BY BARTON PITTS:  
19 All right. I'm going to try  
20 to get through this relatively quickly in respect of  
21 everyone's time here. I know you've been through a  
22 couple of these already, but for the benefit of the  
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1 public, I want to talk a little about who Nexamp  
2 Solar is, a little bit about the Future Energy Jobs  
3 Act, which is why we're here, and then we'll get  
4 down into the details of the project.  
5                   So a brief overview of Nexamp.  
6                   We were founded in 2007 by two  
7 Iraqi war veterans. They built out a small solar  
8 installer in Boston. They have grown the company  
9 over the last decade plus to the point where we've  
10 developed and built hundreds of megawatts of solar  
11 mostly in Massachusetts, New York, Rhode Island and  
12 elsewhere on the east coast, and we do specialize in  
13 community solar which is one of the things that the  
14 Future Energy Jobs Act is bringing to Illinois.  
15                   In particular, what makes us a  
16 little different is we have our own community solar  
17 sales team, and what that means to the community is  
18 once we build this project and subscribers start  
19 signing up for the projects, you'll be working with  
20 us.  
21                   We have a large industrial  
22 partner that has taken a large equity position in  
23 our company which allows us to hold these projects

<p style="text-align: center;">21</p> <p>1 on the books for long-term, so, you know, we plan to  2 be here for the full 30 plus years of the project  3 which is slightly different than some of the other  4 developers that are coming into Illinois who plan to  5 develop and then sell.</p> <p>6                   So with that, the Future  7 Energy Jobs Act was signed in 2016 by Governor  8 Rauner. It was intended to really firm up the  9 renewable portfolio standard which dictates that 25  10 percent of the power generated in Illinois needs to  11 be from renewable sources by 2025.</p> <p>12                   We have a long way to go to  13 get there, so this bill sort of outlines different  14 mechanisms to incentivize wind and large scale  15 utility solar projects as well as small residential  16 and then community solar.</p> <p>17                   The maximum size on a  18 community solar project is two megawatts, so as Phil  19 alluded to earlier, the bill allowed us to co-locate  20 two 2-megawatt projects on the same parcel, but in  21 order to submit those into the program when it opens  22 up in January, we think we're going to need two  23 different special use permits which is why we're</p>	<p style="text-align: center;">23</p> <p>1 residential neighborhood.</p> <p>2                   So it is a little bit of a  3 balancing act, and the last part of that is it's got  4 to be sort of adjacent to three-phase power lines,  5 which is this.</p> <p>6                   So as a result of all those  7 criteria, we really like this site.</p> <p>8                   So getting into the sort of  9 project details, you know, as Phil alluded to, the  10 solar farms are arrays of panels that are lined up  11 on steel racking systems. We plan to use trackers  12 here, and the trackers -- actually, we've got a good  13 picture of this if I can pull it up here.</p> <p>14                   So this picture shows you sort  15 of what a tracker looks like. It's got one long  16 vertical access running through sort of the middle  17 of it, and the panels tilt towards the east in the  18 morning, you know, rotate so that they're flat and  19 facing the sky at noon, and then rotate to face the  20 west in the evening, and then they rotate back the  21 following morning.</p> <p>22                   And this ability to track the  23 sun across the sky during the daylight hours</p>
<p style="text-align: center;">22</p> <p>1 doing this as two 2-megawatt projects instead of one  2 4-megawatt project.</p> <p>3                   Just for the benefit of the  4 public, what community solar is, in this case, it  5 will be a 2-megawatt solar farm, and we'll connect  6 that farm to the grid, and all that power will be  7 sold to mostly small subscribers, mostly residents,  8 at a discount to what they're currently paying now.</p> <p>9                   So it's not only a good thing  10 for the community but we'll get into some of the  11 other benefits as we get further along into the  12 project details.</p> <p>13                   One thing to note about this  14 site is it's located, for community solar, you need  15 to have the site located in the Ameren service  16 territory, so we've gotten some questions about why  17 aren't we putting these way out in the middle away  18 from towns.</p> <p>19                   There's a balancing act here  20 in the Ameren territory to be close enough to a town  21 that you're in the Ameren service territory and not  22 out in a co-op and yet far enough away from  23 residents that you're not, you know, in a</p>	<p style="text-align: center;">24</p> <p>1 increases the efficiency as opposed to having a  2 fixed tilt system which obviously would not do that.</p> <p>3                   So these are trackers. Again,  4 they're lined up on a steel and aluminum racking  5 system. The posts you see are driven in generally  6 around ten feet into the ground. There's no  7 concrete used in the construction of these other  8 than there will be a concrete pad about ten feet by  9 ten feet out in the middle of each array where the  10 inverter boxes will go. That's the electrical  11 equipment that takes the DC current from the panels,  12 changes it into AC that gets then sent out to the  13 grid in usable form.</p> <p>14                   We take the wiring from each  15 one of these arrays and run all of the wires  16 underground trenched at two to three feet of depth  17 up to the inverter boxes, and from there, they're  18 connected through a series of additional electrical  19 equipment to the grid.</p> <p>20                   We'll have roughly six poles  21 for each array. Three of those will be Ameren's  22 poles with their equipment on it. Three of them  23 will be our poles with our equipment on it, and some</p>

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1 of this equipment is sort of redundant but it's the  
2 way Ameren and ComEd and all utilities want these  
3 things set up.

4                               Underneath the panels -- this  
5 picture is probably not the greatest example so I'm  
6 going to go back -- we plant sort of native grasses  
7 or meadow mix. We can work with the County on if  
8 there's preferences to one type or another.

9                               The idea here is we want it to  
10 be low growth so the grass doesn't grow up and shade  
11 the panels.

12                              We will have an O&M -- we have  
13 an O&M plan, basically a team of people that come in  
14 and do the mowing, weeding and make sure the site is  
15 kept looking good but also to mow the grass and make  
16 sure it's not getting too long.

17                              And then surrounding all of  
18 the panels will be a seven-foot chain link fence.  
19 Obviously you don't want strangers wandering into an  
20 array of solar panels, especially while it's sunny  
21 out and generating power.

22                              So the construction process,  
23 it's about four to five months per 2-megawatt site;

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1 actually, three to four months I would think. If we  
2 do two of these together, we'd get some efficiencies  
3 in bringing the equipment in. So it may be more  
4 like six months to build two of them.

5                              We are committed to repairing  
6 any drain tile as a condition of this construction  
7 process. We do have a drain tile consultant that  
8 we've already engaged. He's not done a survey of  
9 this property yet. We got to that too late. The  
10 crops were already in the ground so we're going to  
11 wait until this fall and we'll do that survey.

12                              And essentially, you know,  
13 it's a repair as you go. Hopefully the survey will  
14 tell us mostly where the drain tile is. We know  
15 that there's a risk that we'll miss or not miss and  
16 hit some drain tile as we're driving poles in the  
17 ground, so that will be, we know, a condition of the  
18 approval to repair that as we go.

19                              And then as far as  
20 decommissioning goes, there's been a lot of  
21 discussion around this AIMA bill. Obviously, before  
22 we can apply for a construction permit, we need to  
23 sign that AIMA agreement, and, you know, we're

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1 committed to following whatever conditions there are  
2 as far as financial security that are required by  
3 that bill.

4                              I know there's been some  
5 conversations around letters of credit or cash or  
6 bond. I think we, like most developers, would  
7 prefer to use some type of performance bonds for  
8 this.

9                              So I just want it to be on  
10 record that that is our wish, and we'll comply with  
11 whatever we need to comply with.

12                              And then the last couple  
13 things, you know, the benefits to the community  
14 there was another bill that was passed this summer  
15 that talks about valuing these systems at \$218,000  
16 per megawatt, so that, you know, translates into a  
17 decent amount of tax revenue for the county.

18                              We've talked a little bit  
19 about the value of bringing community solar to the  
20 neighborhood and lowering electric bills for any  
21 residents that sign up. We think each 2-megawatt  
22 system can support around 300 homes, to put in  
23 perspective the size of these and how many people

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1 this will benefit.

2                              And then there is some limited  
3 job opportunities here. Obviously there's some  
4 ongoing maintenance both in the upkeep of the meadow  
5 mix but also in the electrical systems for local  
6 workers, and then in the construction process,  
7 obviously there will be a lot of temporary  
8 construction jobs that go into building each one of  
9 these.

10                              So with that, I figure I'll  
11 open it up to questions, and then we'll turn it over  
12 to Justin and get to a couple of details of the  
13 project.

14                              MR. ZIMMERMAN: Where do you sell  
15 the power? Will that just be in Heyworth or...so  
16 two megawatts would be about 300 homes...or does it  
17 go to Ameren generally?

18                              MR. PITTS: It's connected to  
19 Ameren.

20                              In theory, we can sell it  
21 anywhere within the Ameren service area, but we'd  
22 like to, you know, obviously give the local  
23 residents an opportunity to buy that power first.

<p style="text-align: center;">29</p> <p>1 QUESTIONING OF PANEL</p> <p>2 BY THE BOARD:</p> <p>3 MR. ZIMMERMAN: How much of a</p> <p>4 discount compared to regular bills are they?</p> <p>5 MR. PITTS: We think ours is going</p> <p>6 to be a 15 percent discount on the supply rate.</p> <p>7 So in other words, if you look</p> <p>8 at the supply line on your bill, that's the portion</p> <p>9 that we will offset and discount.</p> <p>10 The rest of the transmission</p> <p>11 parts of your bill is going to be the same.</p> <p>12 ACTING CHAIR TURNER: I have more</p> <p>13 of a question on the location of it given the stream</p> <p>14 that runs through and the wetlands that are close</p> <p>15 and stuff.</p> <p>16 How does that work with</p> <p>17 flooding and is there a concern with that?</p> <p>18 MR. CRABLE: So there are wells</p> <p>19 that we identified in our critical issues analysis.</p> <p>20 However, they're not within our project area. Maybe</p> <p>21 we can take you over to the site plan here.</p> <p>22 Here we go.</p> <p>23 So at the northwest corner,</p>	<p style="text-align: center;">31</p> <p>1 entire system, so certainly, all the steel and</p> <p>2 aluminum, upon decommissioning, there's salvage</p> <p>3 value to that that we would want to realize.</p> <p>4 And then all the wiring, you</p> <p>5 know, if it's at that two- to three-foot level,</p> <p>6 yeah, we'd want to take that all out and restore the</p> <p>7 land to farmland.</p> <p>8 ACTING CHAIR TURNER: Does staff</p> <p>9 have any questions?</p> <p>10 MR. DICK: How would you get from</p> <p>11 one side of that waterway to the other as far as</p> <p>12 transporting equipment and that kind of thing?</p> <p>13 MR. CRABLE: So you can see we do</p> <p>14 have a 12-foot wide gravel path shown crossing the</p> <p>15 creek to get to Phase II. That would require some</p> <p>16 sort of box culvert or something similar to get</p> <p>17 across from the first part of the project, the</p> <p>18 northern part to the southern part of the project,</p> <p>19 so it would be a very small crossing. We expect to</p> <p>20 permit that under the nationwide permit if we need</p> <p>21 to do that, if we need to cross at that location.</p> <p>22 So that would be something we</p> <p>23 would do under the Army Corps authority and under</p>
<p style="text-align: center;">30</p> <p>1 there's a hatched area. That's the construction</p> <p>2 laydown area.</p> <p>3 Right below that, there's a</p> <p>4 dashed area next to the stream itself that's mostly</p> <p>5 within the stream area within the banks that are</p> <p>6 existing there today. That's where that wetland</p> <p>7 exists, and you'll see kind of on Phase II that our</p> <p>8 arrays are outside of that wetland area.</p> <p>9 So we do have a buffer there,</p> <p>10 but our arrays and our fencing are well past that</p> <p>11 area.</p> <p>12 ACTING CHAIR TURNER: You're not</p> <p>13 concerned with any flooding or anything like that?</p> <p>14 MR. CRABLE: The site does not have</p> <p>15 any floodplains associated with it per the FEMA map,</p> <p>16 so no, we don't have any concern with that.</p> <p>17 ACTING CHAIR TURNER: And then</p> <p>18 would you, on decommissioning, would you plan on</p> <p>19 taking out the wiring or the cables or leaving them</p> <p>20 in?</p> <p>21 MR. PITTS: Yeah, I heard some</p> <p>22 comments about a five-foot limit.</p> <p>23 We would plan to take out the</p>	<p style="text-align: center;">32</p> <p>1 the permit requirements of the National Permit 51.</p> <p>2 ACTING CHAIR TURNER: Would you</p> <p>3 leave that there?</p> <p>4 MR. CRABLE: I guess I'm not</p> <p>5 following the question.</p> <p>6 ACTING CHAIR TURNER: If you</p> <p>7 install that, would you leave it across the wetland</p> <p>8 area or...</p> <p>9 MR. CRABLE: Yeah, that would be a</p> <p>10 permanent gravel drive there for the operations of</p> <p>11 the facility.</p> <p>12 MR. DICK: Would you be able to</p> <p>13 drive semi trucks across it?</p> <p>14 MR. CRABLE: Yes. That would be</p> <p>15 the intent. If these are constructed sequentially,</p> <p>16 we definitely need to be able to get equipment</p> <p>17 across there to install the panels.</p> <p>18 ACTING CHAIR TURNER: Any other</p> <p>19 questions from the board?</p> <p>20 Would anyone from the audience</p> <p>21 have any questions of the witnesses, of the</p> <p>22 applicants I should say?</p> <p>23 Would anyone from the audience</p>

33

1 want to provide any testimony on this case?

2 Okay. Seeing none, we're

3 getting off easy tonight.

4 With that, would you guys like

5 to make any closing statements?

6 MR. PITTS: No. We're all set.

7 Thanks.

8 ACTING CHAIR TURNER: All right.

9 We will walk through the standards number by number,

10 and please comment or bring up any issues that you

11 may have.

12 Now we've got letters. We

13 went back to letters.

14 What about a) or No. 1, the

15 proposed special use will not be detrimental to or

16 endanger the health, safety, morals, comfort or

17 welfare of the public.

18 MR. KURITZ: I agree with Phil's

19 assessment.

20 ACTING CHAIR TURNER: b) The

21 proposed special use will not be injurious to the

22 use and enjoyment of other property in the immediate

23 vicinity.

34

1 c) Will not impede orderly

2 development of the surrounding property.

3 MR. ZIMMERMAN: Looks good here.

4 ACTING CHAIR TURNER: d) Adequate

5 utilities, access roads, drainage or other necessary

6 facilities have been or will be provided.

7 MR. KURITZ: I'd agree with that.

8 ACTING CHAIR TURNER: Adequate

9 measures have been or will be taken to provide

10 ingress or egress designed as to minimize traffic.

11 That looks fine on there.

12 f) Establishment, maintenance

13 and operation of the special use will be in

14 conformance with the intent of the district in which

15 the special use is proposed to be located.

16 We're good there.

17 And g) The proposed special

18 use in all other respects conforms to the applicable

19 regulations of the district in which it's located.

20 Okay.

21 And then we have all of our

22 stipulations in there.

23 Were there any stipulations

35

1 that needed to be added other than the down to five

2 feet?

3 We're good with the amount?

4 And I suppose we should clarify our recommendation

5 as to cash escrow letter of credit or bond.

6 Last time, we stuck with the

7 cash escrow or letter of credit.

8 Any thoughts or any need to

9 change?

10 MR. BANGERT: I'd leave it as it's

11 written in the stipulations.

12 MR. DEAN: And the only thing would

13 be if the County Board changed that, right?

14 ACTING CHAIR TURNER: Correct.

15 So we want to leave our

16 recommendation the same.

17 MR. ZIMMERMAN: And with that

18 cleared up down to five feet be stipulation No. 11

19 on this, just so we get our numbering right?

20 MR. DICK: I think we included it

21 last time in No. 8. We just added it to the end of

22 No. 8.

23 MR. ZIMMERMAN: Fine with me.

36

1 MR. KURITZ: I move that we

2 recommend approval of SU-18-18 with the stipulations

3 as listed.

4 MR. BANGERT: Second.

5 ACTING CHAIR TURNER: Roll call

6 vote.

7 MR. DICK: Bangert?

8 MR. BANGERT: Yes.

9 MR. DICK: Kuritz?

10 MR. KURITZ: Yes.

11 MR. DICK: Dean?

12 MR. DEAN: Yes.

13 MR. DICK: Turner?

14 ACTING CHAIR TURNER: Yes.

15 MR. DICK: Zimmerman?

16 MR. ZIMMERMAN: Yes.

17 MR. DICK: Carlton?

18 MS. CARLTON: Yes.

19 MR. DICK: Taylor?

20 MS. TAYLOR: Yes.

21 MR. DICK: This will go as a

22 recommendation to the County Board. It will be on

23 the consent agenda. It will go to the County Board

1 the third Tuesday of the month two weeks from this  
2 morning. It will be at 9 o'clock in the morning.

3 And we'll hear this next case  
4 then which you're also involved in.

5 ACTING CHAIR TURNER: And just so  
6 you know, they don't allow any testimony or anything  
7 at the County Board meetings.

8 MR. PITTS: Okay.

9 MR. DICK: You don't need to attend  
10 but you may.

11 MR. PITTS: Okay. Thank you.

12 (Whereupon the foregoing  
13 proceedings adjourned at 7:50  
14 p.m.)

15  
16  
17  
18  
19  
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21  
22  
23

1 STATE OF ILLINOIS )  
 )SS.  
2 COUNTY OF SANGAMON)

3  
4 CERTIFICATE

5 I, Laurel A. Patkes, Certified Shorthand  
6 Reporter in and for said County and State, do hereby  
7 certify that I reported in shorthand the foregoing  
8 proceedings and that the foregoing is a true and  
9 correct transcript of my shorthand notes so taken as  
10 aforesaid.

11 I further certify that I am in no way  
12 associated with or related to any of the parties or  
13 attorneys involved herein, nor am I financially  
14 interested in this action.

15 Dated September 9, 2018.

16  
17 **Laurel A. Patkes**  
Certified Shorthand Reporter

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22  
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<b>\$</b>	<b>5</b>	<b>additional</b> [1] - 24:18 <b>address</b> [5] - 18:8, 18:11, 18:14, 19:1, 19:7 <b>adequate</b> [2] - 11:22, 34:8 <b>Adequate</b> [2] - 12:18, 34:4 <b>adjacent</b> [1] - 23:4 <b>adjourned</b> [1] - 37:13 <b>aerial</b> [3] - 6:3, 6:18, 8:9 <b>affirmed</b> [1] - 18:1 <b>Agency</b> [3] - 6:16, 11:2, 15:14 <b>agenda</b> [1] - 36:23 <b>agree</b> [2] - 33:18, 34:7 <b>agreement</b> [2] - 13:4, 26:23 <b>Agreement</b> [5] - 10:15, 16:23, 17:4, 17:6, 17:8 <b>agrees</b> [1] - 16:18 <b>agricultural</b> [1] - 9:8 <b>Agricultural</b> [3] - 10:15, 16:23, 17:5 <b>Agriculture</b> [5] - 5:5, 8:16, 10:16, 14:19, 17:2 <b>agriculture</b> [1] - 13:13 <b>ahead</b> [3] - 7:14, 17:21, 19:14 <b>AIMA</b> [2] - 26:21, 26:23 <b>allow</b> [2] - 5:4, 37:6 <b>allowed</b> [1] - 21:19 <b>allows</b> [2] - 10:1, 20:23 <b>alluded</b> [2] - 21:19, 23:9 <b>aluminum</b> [2] - 24:4, 31:2 <b>Ameren</b> [7] - 22:15, 22:20, 22:21, 25:2, 28:17, 28:19, 28:21 <b>Ameren 's</b> [1] - 24:21 <b>amount</b> [3] - 16:13, 27:17, 35:3 <b>analysis</b> [1] - 29:19 <b>angling</b> [1] - 7:12 <b>anti</b> [3] - 10:3, 11:15, 15:21 <b>anti-reflective</b> [3] - 10:3, 11:15, 15:21 <b>applicable</b> [2] - 13:17, 34:18 <b>applicant</b> [17] - 5:14, 9:14, 9:19, 10:4, 10:6, 10:20, 10:23, 12:8, 12:12, 12:16, 13:1, 14:3, 15:8, 15:12, 15:16, 16:4, 17:10 <b>applicants</b> [1] - 32:22 <b>application</b> [6] - 5:2, 5:17, 6:9, 6:11, 15:1, 17:15 <b>apply</b> [1] - 26:22 <b>approval</b> [2] - 26:18, 36:2 <b>architectural</b> [1] - 18:17 <b>Area</b> [1] - 10:10 <b>area</b> [10] - 11:7, 28:21, 29:20, 30:1, 30:2, 30:4, 30:5, 30:8, 30:11, 32:8 <b>areas</b> [1] - 13:15 <b>Army</b> [1] - 31:23 <b>array</b> [3] - 24:9, 24:21, 25:20 <b>arrays</b> [9] - 9:22, 10:1, 10:2, 10:4, 11:14, 23:10, 24:15, 30:8, 30:10 <b>Article</b> [2] - 15:2, 17:16 <b>assessment</b> [3] - 6:7, 9:3, 33:19 <b>Assessment</b> [1] - 13:21 <b>assisting</b> [1] - 13:23 <b>Associate</b> [1] - 19:7 <b>associated</b> [1] - 30:15 <b>assurance</b> [1] - 10:17 <b>attend</b> [1] - 37:9 <b>Atwell</b> [1] - 18:14 <b>audience</b> [2] - 32:20, 32:23 <b>August</b> [1] - 5:12 <b>authority</b> [1] - 31:23	<b>benefit</b> [3] - 19:23, 22:3, 28:1 <b>benefits</b> [2] - 22:11, 27:13 <b>best</b> [1] - 14:4 <b>bill</b> [7] - 21:13, 21:19, 26:21, 27:3, 27:14, 29:8, 29:11 <b>bills</b> [2] - 27:20, 29:4 <b>bit</b> [3] - 20:2, 23:2, 27:18 <b>blowup</b> [1] - 7:1 <b>BOARD</b> [1] - 29:2 <b>bond</b> [3] - 16:18, 27:6, 35:5 <b>bonds</b> [1] - 27:7 <b>books</b> [1] - 21:1 <b>Boston</b> [1] - 20:8 <b>bottom</b> [1] - 18:6 <b>Boulevard</b> [1] - 19:8 <b>box</b> [1] - 31:16 <b>boxes</b> [2] - 24:10, 24:17 <b>brief</b> [1] - 20:5 <b>bring</b> [1] - 33:10 <b>bringing</b> [3] - 20:14, 26:3, 27:19 <b>buffer</b> [1] - 30:9 <b>build</b> [2] - 20:18, 26:4 <b>Building</b> [2] - 10:21, 16:5 <b>building</b> [1] - 28:8 <b>built</b> [2] - 20:7, 20:10 <b>business</b> [1] - 18:10 <b>Business</b> [1] - 19:6 <b>buy</b> [1] - 28:23 <b>BY</b> [2] - 19:19, 29:2
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