

# Ogle County Regional Planning Commission

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## REGIONAL PLANNING COMMISSION REPORT JULY 21, 2022

The regular monthly meeting of the Ogle County Regional Planning Commission was held on Thursday, July 21, 2022 at 6: 00 P.M. in the Old Ogle County Courthouse, Third Floor County Board Room #317, 105 S. Fifth St., Oregon, IL.

### 1. ROLL CALL AND DECLARATION OF A QUORUM

Four members of the Regional Planning Commission were present: Reeverts, Franklin, Reising, and White. Probasco, Flanagan, Callant were absent.

### 2. READING AND APPROVAL OF JUNE 23, 2022 REPORT AS MINUTES

Mr. Reising moved and Mr. Reeverts seconded to approve the report of June 23, 2022. The motion carried unanimously via voice vote.

### 3. UNFINISHED BUSINESS (CONSIDERATION AND POSSIBLE ACTION)

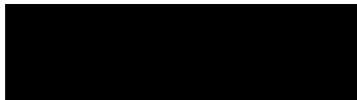
There was no unfinished business for consideration.

### 4. NEW BUSINESS

Mr. White stated we have three petitions by US Solar LLC for three different locations. I will have a US Solar LLC make a presentation on all three and then move on from there. Mr. Ryan Magnoni was present for US Solar LLC Corporation.

Mr. Magnoni stated US Solar Corporation is based out of Minneapolis, MN and also has offices in Chicago. I will briefly present these petitions today to get a better understanding of what we are proposing and will go into more detail at the ZBA. These petitions are for community solar gardens to be installed near a community so they may benefit by having a local renewable energy supply source. Once we have a permit in hand, we would then submit it to the State of IL and, if awarded, we would build that project. These projects will have battery storage in case of a power outage or rolling blackouts so power continues to be sent to the grid. We do not want to take away farmland in Illinois. These projects will have a maximum size of 5 mega-watts which can support 1,100 homes. These three projects will cover are less than 100 acres of the 27 million acres of farmland in IL which is a very small percentage of farm land to use for electricity.

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Mr. Magnoni state the first project is USS Conger Solar which is a 5 megawatt project with 900 feet along IL Rte. 72. The panels will be located in the least productive area of the farm and will be almost impossible to see from the road. Placement of the panels so to not affect the property owner's ability to use his irrigator was closely considered.

The next project is USS Montague Solar which is located east of Baileyville and is positioned to be tucked near Leaf River and in existing trees making it difficult to see. This is a 4 megawatt project which can produce power for 800 homes for 22 to 23 years.

Both of these projects abide by the current solar farm conditions as the sites are zoned AG-1 Agricultural District.

The next project is USS Galena Trail Solar which is located West of the City of Polo. This is a 5 megawatt project that can support most of the residents in Polo. This site is currently against the solar conditions as it is zoned residential and would need to be rezoned AG-1 Agricultural District. The City of Polo has designated this site for residential use but it is currently vacant land.

The intent of these projects is to not take away farmland but to be temporary and dual purpose for the land owner and the community.

Mr. Reising asked if there is still a lottery system for choosing applications with the State. Mr. Magnoni stated effective July 19, 2022, the Illinois Block Program, which is where our submittals go, signed a long term renewable plan. Projects are still submitted to a block but will have an opening every single year to ensure more projects are chosen. If a project is dual use, those projects get bumped up in the queue based on points assigned. We feel each project presented today will be constructed under these new terms. This goes into effect on November 1<sup>st</sup> and if these petitions are approved, they would be submitted to the program at that time.

Mr. Reising asked about the no less than 7 feet for fencing. Mr. Magnoni stated all of our projects have an 8 foot fence and those things will be addressed during the permitting process. Mr. Reising asked about decommission insurance and pollution liability. Mr. Magnoni stated I would have to ask our attorney and those questions would be addressed during the permitting process. Discussion ensued regarding commercial liability and workman's compensation insurance coverage of the contractors for the project. Mr. Magnoni stated I can provide you with more insurance information regarding that coverage during the permitting process.

Mr. Franklin asked where are the panels being manufactured. Mr. Magnoni stated with supply chain issues now, we are trying to get panels from wherever. Right now the best panels

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available are from the United States and we are buying panels for projects to start next year. We will determine a supplier once awarded the project from the state. Mr. Franklin asked is US Solar a domestic or foreign LLC. Mr. Magnoni answered domestic. Mr. Franklin asked how long are these solar farms productive. Mr. Magnoni stated the contract is for 20 years. After 20 years, if the project is still producing electricity and producing money, we can go an additional 10 years, or up to 30. After 30 years, the project would be decommissioned and the land returned to the prior use/condition.

Mr. Franklin stated regarding the solar farm conditions, there are lots of concerns regarding run off and effect on ground water. Do these panels typically leak. Mr. Magnoni stated there is nothing that can leak or is toxic in the panels. They are silicone and have a semi-conductor. People may think the transformer may leak but the transformers used for these size of projects do not use oil at all. Discussion ensued. Mr. Franklin asked can these projects be expanded. Mr. Magnoni answered no. Larger projects would require a change in how the project is connected to distribution feed vs. transmission feed.

Mr. White asked about the leasing of more land than needed. Mr. Magnoni stated we are only leasing the project site area and the roadway easements for the utility. Mr. White state the RPC must follow what is in the solar farm conditions document adopted by Ogle County and cannot make any variations. We would expect you to follow those conditions as well. Is the land owner aware that if all else fails, they are responsible for decommissioning. Mr. Magnoni answered yes, that is why the bonding condition is in place. Discussion ensued regarding the decommissioning process.

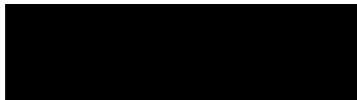
Mr. Reeverts asked regarding the land slope on the projects, is there any comprehensive drainage plan or discussion with owners regarding surface run off. Mr. Magnoni stated the drain patterns will not be changed and the native habitat under the panels, we believe, will cause less run off. The exact storm water management plan will be provided during the permitting process if the project is approved.

Mr. Reeverts asked have you met with the Soil & Water Conservation as required in the solar farm conditions. Mr. Magnoni answered yes and it is referenced in the staff report.

Mr. Reeverts stated regarding logistics of the projects, if all goes through, will you be working with local contractors. Mr. Magnoni answered we would want to use a local contractor and are openingly looking. May not be from Ogle County but would be from Illinois.

Mr. Reeverts asked what is the life span of the infrastructure of the projects. What is the efficiency of the project and could they withstand an expansion. Mr. Magnoni state the panels

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have a 40 year warranty. If the land owner decides to extend, we would never go over 40 years. Every study done to date states that after 40 years the productivity is reduced.

A. DECISIONS (CONSIDERATION AND POSSIBLE ACTION)

**#004-22 SPECIAL USE -- USS Conger Solar, LLC, 100 N. 6<sup>th</sup> St., Suite 410B, Minneapolis, MN 55403** for a Special Use Permit in the AG-1 Agricultural District to allow a Community Solar Garden on the property described as follows and being leased by the petitioner(s):

Part of the West (W1/2) of the Northeast Quarter (NE1/4); and part of the Northwest Quarter (NW1/4) of the Southeast Quarter (SE1/4) of Section 35 Byron Township 25 North, Range 10 East of the 4<sup>th</sup> P.M., Ogle County, IL, 94.5 acres, more or less

Property Identification Number(s): Part of 04-35-200-003 and part of 04-35-400-025

Common Location: 1500 Block of E. IL Rte. 72

Mr. Miller read letters from IDOT which stated there are no objections to the request and noted that the petitioner must apply to them for an entrance off of IL Rte. 72. Signed Masood Ahmed, P.E. Region Two Engineer. A letter from the Highway Department stated that 1) Ogle County Comprehensive Stormwater Management Ordinance provisions will apply to this request; and 2) the applicant would need to contact IDOT for an entrance of IL Rte. 72. Signed Jeremy Ciesiel, P.E. County Engineer. The EcoCat Natural Resource report states the Gravel Chub may be in the vicinity of the project. Mr. Miller reviewed the Staff Report which was provided to the RPC members in advance of the meeting. The LESA score of 190.2 indicates a low rating for protection (LE = 79.2; SA = 111). A letter from Byron Township states the Byron Township Planning Commission met on July 12 and all present voted to deny as does not meet the goals of the existing comprehensive plan. The Board of Trustees met on July 14, 2022 and voted 4-0 to uphold the Byron Township's Planning Commission's recommendation to deny the petition. Signed Terry Reeverts, Byron Township Supervisor

Mr. White asked if there was anyone opposed to the petition. Mr. Charles Winterton, an adjacent land owner to Byron project, was present. Mr. Winterton stated I was approached by the same company as Mr. Ross and discussed it with Mr. Ross. While the money is good, I decided in the long run that food was more important. The proposed field is 525 acres of our combined landed. The site for this would be right in the middle of this 525 acres and I am opposed to this site.

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Mr. White stated I would ask that the committee would take under consideration that the Township of Byron is opposed to this project and under the Ogle County Special Use conditions for Solar Farms, B-3 states these projects shall not be located within a mile and half of a municipality that has a zoning ordinance unless the municipality has adopted a resolution approving the special use. Please take that into consideration.

Mr. Reeverts stated under 5.38 under the goals, objectives, and policies of the Ogle County Comprehensive Plan updated in 2012, it states prime farmland needs to be protected and preserved. Mr. Reeverts read the goals, objectives and policies of the Ogle County Comprehensive Plan regarding land protection. When we discuss these projects, we set a precedent with every vote that we make about the projects that we put forward to the ZBA and then eventually to the County Board. I understand that this year it may be only 92 acres in Ogle County for solar use, but next year, once we set this precedent, it could be 150 acres. The Ogle County productivity index is 123 points and for this Conger site it is 126 points which is above average. I understand the LESA score states a low rating for protection but, from an agricultural perspective, it is above average. Discussion ensued.

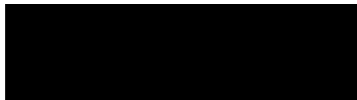
Mr. Reeverts made a motion to deny #004-22SU as the request does not fit the comprehensive plan under goals, objectives and policies and the petition does not meet the special use conditions for solar farms adopted in 2018 that we have to follow to site a solar farm in Ogle County. Seconded by Mr. Franklin. Mr. Reising would like to add that Byron Township has denied the project. Mr. White stated and we have not received a resolution of change from the City of Byron. Motion to deny carries via roll call vote 4-0.

**#005-22 SPECIAL USE -- USS Montague Solar, LLC, 100 N. 6<sup>th</sup> St., Suite 410B, Minneapolis, MN 55403** for a Special Use Permit in the AG-1 Agricultural District to allow a Community Solar Garden on the property described as follows and being leased by the petitioner(s):

Part of the West (W1/2) of G.L. 2 of the Northwest Quarter (NW1/4) Fractional Section 4 Forreston Township 25 North, Range 8 East of the 4<sup>th</sup> P.M., Ogle County, IL, 44.53 acres, more or less  
Property Identification Number(s): Part of 02-04-100-003  
Common Location: 12500 Block of W. Montague Rd.

Mr. Miller read a letter from the Highway Department which states 1) the applicant shall be advised of the Ogle County Comprehensive Stormwater Management Ordinance

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which will apply to this request; and 2) the applicant will need to contact Stephenson County Highway Department for an access permit off of Montague Rd. Signed Jeremy Ciesiel, P.E. County Engineer. EcoCat report states there is no record of state-listed threatened or endangered species and the consultation is terminated. Mr. Miller reviewed the Staff Report which was provided to the RPC members in advance of the meeting. The LESA score of 219.2 indicates a high rating for protection (LE = 84.2; SA = 135). Mr. White asked if there were any objections from the township. Mr. Miller answered none.

Mr. White asked if there were any objectors. There were none. Mr. White stated there are no objections from the township or municipality within a mile and half and the site does have a high LESA score. The farm ground produces 182.4 for corn and 57.4 for beans. Mr. Reeverts stated productivity index according to per acre value is 131 points which is above average.

Mr. Reeverts made a motion to deny #005-22SU as the request does not fits the Ogle County Comprehensive plan goals and objectives as stated in section 5.38, the high LESA score, and the high productivity of the site. Seconded by Mr. Reising. The motion to deny carries via roll call vote 4-0.

**#007-22 MAP AMENDMENT & #006-22 SPECIAL USE -- USS Galena Trail Solar, LLC, 100 N. 6<sup>th</sup> St., Suite 410B, Minneapolis, MN 55403** to 1) rezone from R-2 Single-Family Residential District to AG-1 Agricultural District; and 2) a Special Use Permit in the AG-1 Agricultural District to allow a Community Solar Garden on the property described as follows and being leased by the petitioner(s):

Part of the East Half (E1/2) of the Northeast Quarter (NE1/4); and part of the West Half (W1/2) of the Northeast Quarter (NE1/4) of Section 17 Buffalo Township 23 North, Range 8 East of the 4<sup>th</sup> P.M., Ogle County, IL, 29.5 acres, more or less

Property Identification Number(s): Part of 14-17-276-008

Common Location: 13000 Block of W. Milledgeville Rd.

Mr. Miller read a letter from Buffalo Township and Buffalo Township Road District dated July 15, 2022 which states while Buffalo Township and Buffalo Township Road District is in favor of solar energy, we are not in favor of the proposed location. We feel there are more suitable locations in Buffalo Township for this project. A letter from the City of Polo dated July 7, 2022 states the city heard several concerns from certain citizens that

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this proposed solar farm would directly affect. City of Polo is opposed to the rezoning of this property to allow for a solar farm. Signed Douglas E. Knapp, Mayor.

A letter from the County Highway Department states 1) the applicant shall be advised that the Ogle County Comprehensive Stormwater Management Ordinance provision will apply to this request; 2) the applicant and property owner will need to contact the Ogle County Highway Department for an access permit off of Milledgeville Road; 3) the applicant will need to coordinate with the property owner at 13021 W. Milledgeville Rd. and the local post master on the relocation of existing mailboxes. This may require the construction of a new mailbox turnout. Signed Jeremy Ciesiel, P.E., County Engineer.

Mr. Miller reviewed the Staff Report which was provided to the RPC members in advance of the meeting. The LESA score of 173.3 indicates a low rating for protection (LE = 82.3; SA = 91).

Mr. White asked if there were any objectors to the project. Mr. Randy Schoon was present and stated I live on Milledgeville Blacktop, am an alderman in ward 3 and vice president of Polo Economic Development Committee (PEDC). We have been working with state representative Tom Denver to expand our district in size and in time. This area is proposed for residential growth in our comprehensive plan and would significantly devalue the existing adjacent homes. Just this week, Polo was awarded a grant to update our comprehensive plan that expires in 2024. Polo needs residential development, not a solar farm. The City Council, Buffalo Township, Road District and PEDC have sent letters of opposition. The petitioner has stated they worked with the city to find a site for this proposed project. That is not true. Our first contact was April 15<sup>th</sup> via phone and the second was on June 6<sup>th</sup> in which they told us where they wanted to put this farm. We were never asked about a proposed site or if we even wanted this type of project. We over 70 signatures from adjacent property owners opposing this project. We have read reports in Forbes magazine regarding decommissioning in California and are very concerned with how the panels are disposed and what the final costs could be. This process has been very hard on the adjacent residents.

Mr. White stated under the general conditions of the Ogle County Comprehensive Plan, this site is within a mile and half of the City of Polo and does not fit the Polo Comprehensive plan. We have letters from the City of Polo and from the Buffalo Township asking for the request to be denied. Mr. Reeverts stated productivity index is 124 points which is above the county average of 123 points. Mr. White stated 174.4 for corn and 55.1 for beans. Mr. Reeverts asked if the map amendment is denied, do we

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have to vote on the special use. Mr. White stated no, if the map amendment is denied, the special use is a mute point.

Mr. Reeverts made a motion to deny #007-22AM as the request does not meet the comprehensive plan section 5.38 regarding land protection, the opposition from the City of Polo and Buffalo Township, and the productivity index regarding acre value. Seconded by Mr. Reising. Motion to deny carries via roll call vote 4-0.

- 5. OTHER BUSINESS (CONSIDERATION AND POSSIBLE ACTION)
- 6. PUBLIC COMMENT

Mr. Miller stated we have no petitions for August so the next meeting will be September 22, 2022 at 6:00 P.M. Third Floor County Board #317, 105 S. Fifth St., Oregon, IL

Mr. Smith asked what is the status of comprehensive plan review. Mr. Miller stated I have meet with Dan Payette of the Blackhawk Hills Regional Council and will be applying for a grant for funding. We are waiting for that quote and looking to start the process in September.

- 7. ADJOURN – 7:14P.M.