

Town of Cortland
Town Hall
59 S. Somonauk Road
Cortland, IL 60112
Planning Commission
Regular Meeting
March 7, 2024
7:00 PM

Call to Order/Pledge of Allegiance/Roll Call

Mr. Hedrick called the meeting to order at 7:07 p.m. The Pledge of Allegiance was recited. Deputy Clerk Kaity Siewierski called the roll showing as present, Commissioners Mark Hedrick, Vicky Torres, Brad Lawson, Robert Barnhart, and Joelle Morken. Shown as absent was Alexis Bower and Alex Haughee. Quorum was present. Also, present was Brandy Williams, Zoning Administrator.

Approval of the Agenda

Mr. Barnhart moved to approve the agenda as presented, seconded by Mr. Lawson. Voice vote carried the motion.

Public Comment

No public wishing to speak unrelated to the Public Hearing.

Approval of Minutes

Ms. Torres moved to approve the minutes of January 4, 2024, seconded by Mr. Barnhart. Voice vote carried the motion.

Public Hearing

Mr. Hedrick opened the Public Hearing at 7:09 p.m.

Deputy Clerk Kaity Siewierski read the Public Hearing Notice into the record, published in the *Daily Chronicle* on February 20, 2024, meeting the requirements of the law.

Mr. Hedrick swore in the individuals who wished to testify.

Applicant Testimony

Paul Bottum from Cultivate Power presented a PowerPoint presentation to the Commissioners. The presentation provided detailed information regarding Cultivate Power, its mission, the outline of the Aspasia Solar Project plan and its benefits. The Aspasia Solar Project, if approved, would be located on East Barber Greene Road in Cortland, IL. 103 acres of land with the project using 33 acres. The project would use ComEd for interconnection utility for a project size of 5 MW. The Aspasia Solar project is in compliance with the Town of Cortland ordinance requirements for solar energy systems.

Public Testimony

Dave Rediger, who owns multiple properties adjacent to town, stated his concerns to the commissioners and applicant.

Mr. Rediger asked, If the company decides to sell, how do we know the new company will have the same concerns and values as cultivate? Is Cultivate Power or Aspasia Solar willing

to mitigate any potential medium of high frequency interference from the transformers? If approved, where does Cortland draw the line for future solar farms?

Tamara McMahan, who owns property on the corner of Somonauk and Barber Greene, asked, why did the interconnection point change from Somonauk Road to Barber Greene Road?

Ms. Williams responded stating the interconnection point off Barber Greene Road to the ComEd line was better suited for this project.

Ms. McMahan stated she had concerns about the greenery facing Barber Greene, the runoff from this project and how the water goes towards her fields.

Laurie Dahlquist, who owns property near the proposed solar project, stated her concerns to the commissioners and the applicant. She asked the applicant where the energy produced from this project goes, about security fencing, as the project is in her backyard, and what happens to land values. She stated she does not believe these projects should be placed on the best farmland.

Rebuttal

Mr. Bottum addressed Mr. Rediger and his concern about the transfer of sale stating, Cultivate Power will collaborate with the new company and ensure everything is as it should be. Cultivate Powers' name stays on the record with the county.

Regarding the mitigation of frequency interference, Mr. Bottum stated they use smart grid inverters. The equipment pads are for transformers and inverters. The transformers run at approximately 60 htz which is no different than a cellphone or microwave.

Mr. Bottum addressed Ms. McMahan's question as to why the entrance location was changed. He stated, it made more sense to come straight down Barber Greene than turning down Somonauk. Regarding her runoff concern, the company provides pollinator friendly cover crops, which helps with sediment and erosion for water runoff control management.

Mr. Bottum addressed Ms. Dalquist's question as to where to energy goes. He stated the energy generated will go to ComEd customers here in Illinois and nowhere else.

Lastly, Mr. Bottum stated solar projects are more upcoming as coal is being phased out.

Mark Gershon, who represents Cultivate Power, touched on the questions as well. He stated, the Town of Cortland sets the standards as set forth in the Town of Cortland's Comprehensive Plan. The company addresses the primary focuses within the Comprehensive Plan.

Mr. Gershon addressed concerns about property values. He stated in addition to the studies provided, they have spoken with numerous assessors throughout Illinois, who agree there is little to no impact on such property values.

Further Questioning

Mr. Rediger asked how large the solar farms are, based on the studies mentioned above?

Mr. Gershon responded stating the studies are based on community solar projects like Cultivate Power and exceptionally large utility solar projects. Between 5 megawatts and 100 megawatts.

Mr. Rediger asked if there is a negative impact on the storm water discharge, will Cultivate Power mitigate the issue?

Mr. Gershon stated Cultivate will mitigate issues and the AIMA (Agriculture Impact Mitigation Agreement) sets requirements for storm water, drainage tile, etc.

Mr. Rediger asked if there are power frequencies, is that something Cultivate Power would mitigate?

Heli Shah, Engineer from Kimley Horn responded to Mr. Rediger's question stating there are none or will be no frequencies omitted that would have any effect.

Mr. Rediger restated his question, if there is any interference caused, will Cultivate Power mitigate the issue.

Mr. Bottum stated, yes.

Staff Report

Ms. Williams stated this project would not require additional utilities such as water or sewer; no service connections other than the utility connection to ComEd. Traffic is not a concern, with the exception of construction traffic. The project itself would be permitted as a Special Use Permit.

A full staff report was not provided.

Deliberation

Mr. Barnhart asked the applicant if there are future plans for the unused 2/3 of the subject property?

Mr. Bottum stated, not at this time.

Ms. Williams stated, the Special Use Permit is for the entire parcel(s) not just a portion of the parcel.

Mr. Lawson thanked the applicants for their presentation and thanked the community for their interest in this matter. He asked Mr. Bottum if the [customer] subscriptions would be capped at 1,100?

Mr. Bottum replied stating the subscriptions, as they pile up, take 12 to 15 months to fill the full subscription.

Mr. Lawson then asked what the benefit is to our community? Would Cortland be given first go around to consume the subscriptions?

Mr. Bottum replied stating that the Town of Cortland would be given a 60-day effort to try to retain subscriptions from the locals before offering the service to other areas. The retaining efforts would be by phone, email, and door to door solicitation.

Mr. Gershon stated the Town of Cortland should put forth in its conditions to carve out a 60-day period for these solicitation efforts.

Mr. Lawson asked, after bringing up academic studies, would the McMahan property see an impact on the property values? Mr. Lawson stated he believes a solar farm would indeed impact property values regardless of what academic studies show.

Mr. Gershon suggested referring to the county and township assessor's office for clarification on the tax breakdown.

Mr. Lawson asked, of the number of projects Cultivate Power has been associated with, how many have been transferred?

Mr. Bottum replied stating more than 50 percent of projects are transferred.

Mr. Barnhart asked if the transfer affects the subscription?

Mr. Bottum replied stating no, the subscription would stay with the utility company, in this case, ComEd. The transfer also does not change any of the agreements and conditions set forth.

Ms. Morken brought up her thoughts about taxing and how a solar farm would or would not benefit Cortland and the community. She believes property values would absolutely be affected by a solar farm.

Ms. Morken asked if a frequency would be omitted by these solar farms and what the effect is from the frequencies?

Mr. Barnhart asked about the size of the solar panels and transformers. Will it fit on a semi-truck trailer?

Mr. Bottum stated yes.

Ms. Moken stated, based on where this would be located, there would not be any issues or interference?

Mr. Gershon stated yes, and if there were to be any issues or interference, it is Cultivate Powers' commitment to mitigate those issues.

Mr. Hedrick asked Mr. Bottum why there is not a vegetation buffer on the west side of the project?

Mr. Bottum stated that the parcel being used is commonly crop dusted. Since the entirety parcel(s) are not being used for the solar farm, it is indicated that there could be crops planted in the future. The crop dusters could kill the buffer with the pesticide/herbicide they use.

Ms. McMahan stated she spoke with the applicant and suggested putting the buffer on the other side of Barber Greene for line of sight.

Mr. Barnhart suggested maximizing the utilization of the buffer

Motion to Close Public Hearing

With no further questions to be asked, Mr. Barnhart made a motion to close the public hearing, seconded by Ms. Torres. Voice vote carried the motion. The Public Hearing closed at 8:38 p.m.

Review of Standards for Special Use Permit (9-10-3)

Commissioners deliberated, discussed, and reviewed the standards associated with approval of a special use, which are as follows:

- A. The proposed structure or use at the particular location requested is necessary or desirable to provide a service or a facility which is in the interest of the public and will contribute to the general welfare of the neighborhood or community;
- B. The proposed structure or use will not have a substantial adverse effect upon the adjacent property, the character of the neighborhood, traffic conditions, utility facilities and other matters affecting the public health, safety and general welfare;
- C. The proposed structure or use will be designed, arranged and operated so as to permit the development and use of neighboring property in accordance with the applicable district regulations.
- D. Such other standards and criteria as are established by the ordinance for a particular special use as set forth in section 9-10-4 of this chapter and as applied to planned developments as set forth in chapter 7 of this title (Ord. 2008-03, 1-28-2008).

Findings of Fact

Upon deliberation of the relevant standards with respect to the proposed special use to operate a solar farm at the subject location, the Commissioners find as follows:

- A. The proposed structure or use at the particular location requested is **NOT** necessary or desirable to provide a service or a facility which is in the interest of the public and will **NOT** contribute to the general welfare of the neighborhood or community.
- B. The proposed structure or use **WILL** have an adverse effect upon the adjacent property, the character of the neighborhood, and other matters affecting the public health and general welfare.
- C. The proposed structure or use will be designed, arranged, and operated so as to permit the development and use of neighboring property in accordance with the applicable district regulations. **AGREE – NO CHANGE**
- D. Such other standards and criteria as are established by the ordinance for a particular special use as set forth in section 9-10-4 of this chapter and as applied to planned developments as set forth in chapter 7 of this title. **NOT APPLICABLE**

Ms. Torres made a motion to accept the above findings of fact, seconded by Ms. Morken.

Roll call vote as follows:

Yea: Commissioners Brad Lawson, Joelle Morken, Robert Barnhart, Mark Hedrick, and Vicky Torres.

Nay: None

Absent: Commissioners Alexis Bower and Alex Haughee.

Motion carried.

Recommendation

Mr. Barnhart made a motion to recommend the Town Board **DENY** the Special Use Permit on the Proposed Property PIN (09-17-200-023; 09-17-400-012) for the use of a solar farm, seconded by Mr. Lawson.

Roll call vote as follows:

Yea: Commissioners Brad Lawson, Joelle Morken, Robert Barnhart, Mark Hedrick, and Vicky Torres.

Nay: None

Absent: Commissioners Alexis Bower and Alex Haughee.

Motion carried, and the Recommendation of denial of the proposed special use shall be forwarded to the Town Board for consideration.

Chair Report

No report made.

Zoning Administrator Report

No report made.

Adjournment

Mr. Barnhart moved to adjourn, seconded by Mr. Lawson. Voice vote carried the motion. Meeting adjourned at 9:02 p.m.

Next Planning Commission Meeting is April 4, 2024

Respectfully submitted,

Kaity Siewierski
Deputy Clerk