

RESOLUTION NO. #18-70

**Special Use Permit #18-214
Illinois River Solar 2, LLC**

WHEREAS, the Marshall County Zoning Board of Appeals held a Public hearing on July 19, 2018, for ZBA #18-214 Application for Special Use requested by Illinois River Solar 2, LLC (the "Applicant"), a limited liability company indirectly owned by Trajectory Energy Partners, LLC ("Trajectory"), submitting on behalf of the landowners, Jerry Read, for development of a 2 MW community solar energy project. The Applicant proposes to develop a 2 MW community solar project on previously cultivated land on an approximately 14.84 acre tract on parcel 03-04-300-005, 03-04-300-003 which is located in an AG Zoning District and parcel 03-40-004-006, which is located in an I-2 Heavy Industrial District. A variance to exceed the maximum lot coverage area and timeline of construction in an AG District and I-2 Heavy Industrial District is requested.

WHEREAS, the Marshall County Zoning Board of Appeals voted to recommend approval of ZBA #18-214 Application for Special Use and Variances; This is a substitute of the original Illinois River Solar 2, LLC and if it is approved it will take the place of the original petition. If it is denied then the original still stands.

NOW, THEREFORE, BE IT ORDAINED that the Marshall County Board hereby approves the Special Use Permit and Variances #18-214 to Illinois River Solar 2, LLC,.

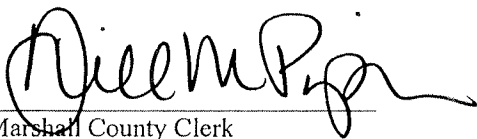
Passed and Adopted at Lacon, Illinois, Marshall County, Illinois on this 9th day of August 2018, by a vote of 9 ayes, 0 nays, and 0 abstain.

3 - Absent



Gary Kroesch, Chairman
Marshall County Board

ATTEST:



Jill Piper, Marshall County Clerk

**Marshall County Zoning Board of Appeals Public Hearing
July 19, 2018 –
Marshall County Courthouse – 7:00pm
ZBA # 18-214 Application for Special Use Permit and Variance**

Zoning Board of Appeals Members Present: Acting Chairman, Ken McKee, Rebecca Donna, Allen Toepper, Chuck Volker and Tim Gensler.

Members Absent: Chairman, Kyle Schumacher and Dennis Bogner.

Others present: Andy Stash, Chairman of Zoning Committee, Gary Smith, Peoria Journal Star, Pat Sloan, Zoning Administrator, Susie Simmons, Secretary and interested individuals (see attendance sheet attached).

The hearing was called to order at 8:36 pm by Acting Chairman, Ken McKee.

The individuals that wished to speak were sworn in by Acting Chairman, Ken McKee.

The Zoning Administrator, Pat Sloan received a call from Trajectory and the owner of the Illinois River Solar 2, LLC to expand their original petition. This is a substitute of the original and if it is approved will take the place of the original petition. If it is denied then the original one still stands.

Zoning Administrator, Pat Sloan presented ZBA # 18-214 was received on June 22, 2018. Application for Special Use and Variance requested by Illinois River Solar 2, LLC (the “Applicant”), a limited liability company indirectly owned by Trajectory Energy Partners, LLC (“Trajectory”), submitting on behalf of the landowner, Jerry Read, for development of a 2 MW community solar energy project. The Applicant proposes to develop a 2 MW community solar project on previously cultivated land on an approximately 14.84 acre tract on parcels 03-04-300-005, 03-04-300-003 which is located in an Ag Zoning District and parcel 03-04-004-006 which is located in an I-2 Heavy Industrial District. A variance to exceed the maximum lot coverage area and construction scheduled in an Ag District and Heavy Industrial District is requested.

Pat Sloan stated that he will not repeat the criteria of the Special Use Permit findings of facts but they are the same as the last two times he stated them tonight.

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In the statement by the petitioner, John Carson stated that this hearing is a substitute for the Illinois River Solar 2, LLC. The original project was to keep this in the dry corner of this parcel. In working with Ameren the circuit is larger than what we thought and can handle a larger project so we talked to the land owner and decided to make it a 2 megawatt project. His plan is to adjust his irrigator to allow for the larger site. It is on two different zoning districts and we brought this to Pat and decided to substitute it for the first project.

Questions form the ZBA Members:

Question: This is just an expansion of the previous project?

Answer: Yes

Pat Sloan addressed the ZBA and audience that the other folks that were worried about expansions it would have to have a new ZBA Hearing to get approval from the county and this is a good example of that.

Question: Is this all on the east side of the rail road tracks.

Answer: Yes it is. We do still have the project that is going to be on the west side of the tracks and this is the substation. There are three circuits at the Henry substation and now all three will have a project on them. One line goes east and that is the one that this project will go. Another line goes west and then north up to Putnam and that's what Illinois River Solar 1 is on. The third has a spur that goes west and we have the project called Henry Solar on that one. This one will not need a rail road crossing easement.

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Communications Received by the Zoning Office:

Pat Sloan stated no phone calls or written statements received at the zoning office.

Testimony or Questions from Others:

None

Any more Questions from the ZBA or Others?

None

Petitioner's Closing Statement: John Carson said he had nothing else to add.

The ZBA declined hearing the standards again.

Board discussion and identification of findings inconsistent with the Standards in the Ordinance.

Acting Chairman, Ken McKee stated no conditions are inconsistent with the Standards in the Ordinance.

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Acting Chairman, Ken McKee asked for a motion to this hearing.

After determining that the application meets the Standards for Special Use Permit a motion was made to recommend to the Marshall County Board to grant Special Use Permit and Variances ZBA #18-214 by Rebecca Donna and seconded by Chuck Allen Toepper. A vote was called, All Ayes. Motion carried.

Allen Toepper made a motion to adjourn the ZBA #18-214 hearing at 8:45 pm. Allen Toepper seconded the motion. All Ayes, motion carried.