

1	McLEAN COUNTY	1	1	I N D E X	3
2	ZONING BOARD OF APPEALS		2		
3				PAGE	
4	HEYWORTH RENEWABLES II, LLC by)		3		
5	Nexamp, Inc.)	CASE NUMBER	4	Introduction of case by Mr. Dick	4
6)	SU-18-19	5	Questioning of the panel by the Board	7
7	APPLICATION for special use to allow)		6	Motion to approve with stipulations as	16
8	a solar power generating facility in)		7	articulated	
9	the Agriculture District on property)				
10	in Randolph Township immediately)				
11	south of 100 North Road approximately)				
12	.45 miles east of U.S. Highway 51)				
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21	PATKES REPORTING SERVICE				
22	(217)652-6395				
23	lpatkes@comcast.net				
24	REPORTER: LAUREL A. PATKES, CSR #084-001340				
1	BOARD MEMBERS:	2	1	PROCEEDINGS	4
2	JULIA TURNER, Acting Chair		2	ACTING CHAIR TURNER: Okay. We'll	
3	DRAKE ZIMMERMAN		3	move on to the next one.	
4	MICHAEL KURITZ		4	You guys can stay where you	
5	RICK DEAN		5	are.	
6	BRIAN BANGERT		6	Case Number SU-18-19 that we	
7	CHRIS CARLTON		7	alluded to here.	
8	MARY BETH TAYLOR		8	Phil, you want to go ahead and	
9	PHIL DICK		9	do your stuff here?	
10	Secretary		10	MR. DICK: This is Case Number	
11	SAMANTHA WALLEY		11	SU-18-19, application of Heyworth Solar Renewables	
12	Assistant State's Attorney		12	II, LLC by Nexamp, Inc. for a special use to allow	
13	LUKE HOHULIN		13	solar power generating facility in the Agriculture	
14	Assistant County Engineer		14	District on property in the Northwest Quarter of	
15	APPEARANCES:		15	Section 10, Township 21 North, Range 2 East of the	
16	BARTON PITTS		16	Third Principal Meridian located in Randolph	
17	4620 Downers Drive		17	Township immediately south of 100 North Road	
18	Downers Grove, Illinois		18	approximately 4.5 miles east of U.S. Highway 51.	
19	-and-		19	Public notice of this hearing	
20	JUSTIN CRABLE		20	was published in the Pantagraph on August 18, 2018	
21	1245 East Diehl Road		21	as provided by law. All the other required	
22	Suite 100		22	notifications have been made, and the applicant has	
23	Naperville, Illinois 60563		23	paid the publication costs.	
	-and-				
	DAVID KOSTURIK				
	440 Swan Boulevard				
	Deerfield, Illinois 60015				
	on behalf of the Applicant.				

<p style="text-align: center;">5</p> <p>1 And I will hold onto the</p> <p>2 application. I submitted one of these to each of</p> <p>3 you, and it included an IDNR consulting</p> <p>4 communication. It included a health department</p> <p>5 letter and also Historic Preservation communication.</p> <p>6 It also included a site plan</p> <p>7 which I will hold onto, and it did not include a</p> <p>8 plat map which I will pass, and it didn't include</p> <p>9 the zoning map which I will pass, and it didn't</p> <p>10 include a Soil and Water Conservation District which</p> <p>11 is identical to the one that was completed in the</p> <p>12 previous case, and it included a health department</p> <p>13 permit, a letter that I will not pass.</p> <p>14 I will go through the photos</p> <p>15 of this property which are the same as the previous</p> <p>16 case.</p> <p>17 This is the Township 100 North</p> <p>18 Road to the west and to the east and the crop</p> <p>19 production facing to the southeast, and you can see</p> <p>20 the waterway, if you lift the camera up high, you</p> <p>21 can see it back there, and this is the house that's</p> <p>22 to the east.</p> <p>23 And this is the east edge of</p>	<p style="text-align: center;">7</p> <p>1 south of the creek.</p> <p>2 ACTING CHAIR TURNER: Has anybody</p> <p>3 thought of any additional questions they want to ask</p> <p>4 on this one?</p> <p>5</p> <p>6 QUESTIONING OF THE PANEL</p> <p>7 BY THE BOARD:</p> <p>8 MR. DEAN: So on the inside of the</p> <p>9 solar arrays, you have a transformer, something to</p> <p>10 change the power.</p> <p>11 Is there a similar thing at</p> <p>12 the power line or is it just the wires that go up?</p> <p>13 MR. PITTS: There is additional</p> <p>14 equipment at the point of interconnection, and I</p> <p>15 don't know, Justin, if you have that.</p> <p>16 MR. CRABLE: I'm sorry. I'm not an</p> <p>17 electrical engineer, but, I mean, we have a</p> <p>18 transformer and inverter for each portion of the</p> <p>19 project. So there's a transformer and inverter down</p> <p>20 here for this portion and one for the northern</p> <p>21 portion, and there's additional equipment that</p> <p>22 Barton had mentioned.</p> <p>23 MR. DEAN: Over the power line,</p>
<p style="text-align: center;">6</p> <p>1 the corn crop that's on the subject property and the</p> <p>2 railroad that's on the west edge of the property and</p> <p>3 the power lines that the property or that the</p> <p>4 special use will access, and then you can see the</p> <p>5 property facing southeast.</p> <p>6 For the record, I'm going to</p> <p>7 include the staff report as I did in the previous</p> <p>8 case but I will not read all the way through it, but</p> <p>9 it is the same as the last one and the conditions</p> <p>10 attached to it are the same.</p> <p>11 If any of you would like me to</p> <p>12 read through the whole thing, I will do that.</p> <p>13 ACTING CHAIR TURNER: I think we're</p> <p>14 good as tantalizing as it is.</p> <p>15 MR. DICK: Thank you very much.</p> <p>16 That concludes my report.</p> <p>17 ACTING CHAIR TURNER: Thank you,</p> <p>18 Phil.</p> <p>19 Would you guys like to add</p> <p>20 anything for this portion?</p> <p>21 MR. PITTS: I don't think so. I</p> <p>22 mean, it's the exact same presentation other than</p> <p>23 it's on the southern piece of the property just</p>	<p style="text-align: center;">8</p> <p>1 there will be a structure of some kind to send the</p> <p>2 power up?</p> <p>3 MR. PITTS: Actually, the equipment</p> <p>4 is just up on the pole, and it's metering equipment</p> <p>5 and additional...</p> <p>6 MR. DEAN: Okay. Thank you.</p> <p>7 MR. ZIMMERMAN: I've got a</p> <p>8 question.</p> <p>9 Why didn't you run the road</p> <p>10 down by the railroad alongside the side there?</p> <p>11 MR. CRABLE: If I could maybe speak</p> <p>12 to that one.</p> <p>13 One of the main reasons is you</p> <p>14 have a wetland right there. You have a stream</p> <p>15 crossing and you also have a wetland.</p> <p>16 I know it's difficult to see,</p> <p>17 but the little trapezoidal kind of square box there</p> <p>18 at the midpoint of the stream, that is the wetland</p> <p>19 area, so our goal would be not to impact that.</p> <p>20 ACTING CHAIR TURNER: Does staff</p> <p>21 have any questions?</p> <p>22 MR. DICK: No.</p> <p>23 ACTING CHAIR TURNER: Anyone from</p>

9

1 the audience have any questions?
2 State your name.
3 MR. SWARTZ: Michael Swartz, 2242
4 Westgate Drive, Bloomington, Illinois 61705.
5 ACTING CHAIR TURNER: Okay. Go
6 ahead.
7 MR. SWARTZ: Swear me in or
8 anything or...
9 ACTING CHAIR TURNER: You're just
10 asking questions at this point, right?
11 MR. SWARTZ: That is correct, yes.
12
13 QUESTIONING OF PANEL BY MICHAEL SWARTZ
14 MR. SWARTZ: So I'm not here to
15 refute, gentlemen. I'm just here asking questions,
16 in particular when it comes to decommissioning
17 costs.
18 I see in your application that
19 there was a net positive gain after salvage costs.
20 I guess what's alarming to me
21 the most and having the privilege, my staff and I,
22 of seeing several of these applications come
23 through, is that your decommissioning cost for labor

10

1 is extremely low considering it's a two-acre farm
2 with probably hundreds of modules that are there.
3 Your labor costs are slightly under \$7,400.
4 I don't know if -- could you
5 explain that, why your costs are so low for
6 decommissioning?
7 MR. PITTS: Dave, do you want to
8 jump in on this?
9 MR. KOSTURIK: Bear with me as I
10 pull up our spreadsheet.
11 Can you please refer me to
12 which line item you're looking at specifically?
13 MR. SWARTZ: I wish I could pull up
14 the page, but looking at the website I don't have
15 the privilege here.
16 Page 19 is what it shows, page
17 19 out of 37, and I'm just looking at your -- you
18 have material/labor cost as 25,900. Then you
19 actually have a salvage cost of labor of \$7,339.
20 I'm looking at the bottom
21 line, that decommissioning total.
22 MR. KOSTURIK: Are you referring to
23 I or II?

11

1 MR. SWARTZ: Number II.
2 I assume, based upon our
3 research, that there's only about a \$3,000
4 difference between I and II, but since we're on II,
5 I'm dealing with II.
6 MR. KOSTURIK: Yeah. I mean,
7 that's what we have estimated as the terms of labor
8 cost based on the total equipment that we would be
9 removing.
10 We have limited equipment in
11 terms of the pile driven. You know, we have no
12 concrete. There's no grading. There would be no
13 reestablishment to return the property other than
14 the vegetation. There's no in-fill to replace other
15 than what we would be removing from the steel work
16 being driven down if there's any holes that we need
17 to fill up.
18 But that is in terms of what
19 we have estimated on similar sites. You know, a lot
20 of our projects are in the eastern portion of the
21 United States. In Massachusetts, we've done a lot
22 of our projects. This is what we've seen as a
23 similar decommissioning estimate based on some of

12

1 the equipment, the labor that we expect.
2 So based on that estimate
3 that's provided, we see that as something that we
4 would rely upon as being accurate.
5 MR. SWARTZ: I just looked at it
6 and thought it was unusually low for those things
7 and particularly even for labor costs.
8 I have no preference, but is
9 this a union job or is this going to be independent?
10 MR. PITTS: I don't think that's
11 been determined yet. Typically it's a bit of each.
12 MR. SWARTZ: Thank you.
13 ACTING CHAIR TURNER: I would just
14 like to note that you guys have in your notes out to
15 the side your breakdown of how many piles, how many
16 piles per hour and how many dollars per hour you're
17 putting out there.
18 MR. KURITZ: I have one.
19 In that \$7,400 estimate or
20 7,900, whatever it was, that cannot include removal
21 of that box culvert if you're going to put in your
22 additional concrete box culvert. That would eat up
23 that \$7,900 and then some real quick-like.

13

1 MR. PITTS: Yeah, and I think
2 that's a good point. I don't think the culvert was
3 in the decommissioning plan so we could make a note
4 of that.

5 Also, you know, we're still
6 going to be governed by whatever that AIMA agreement
7 is on the sort of total value of this, so, you know,
8 these are our estimates, but, you know, what we have
9 to put up in the form of financial security really
10 will be based more on what that AIMA agreement
11 dictates.

12 ACTING CHAIR TURNER: Okay. And I
13 do again want to point out that you have material
14 and labor costs which totals about \$30,000 on this
15 and then labor on just the salvage side of things.

16 So I assume that just means
17 getting it to salvage is about 36-, 37 hundred
18 dollars?

19 MR. PITTS: Yeah, I think that's
20 right.

21 ACTING CHAIR TURNER: Anyone in the
22 audience have any questions?

23 Okay. Seeing none, anyone in

14

1 the audience like to testify regarding this case?
2 Seeing none, would you guys
3 like to make a closing statement at all?

4 MR. PITTS: No. Thank you.

5 ACTING CHAIR TURNER: All right.
6 We'll walk through this one quickly.

7 A.
8 B.
9 C.
10 D.
11 E.
12 F.
13 G.

14 And we would like to note that
15 the stipulations are the same with the addition of
16 the down to five feet tacked onto No. 8.

17 MR. KURITZ: Do we think we need to
18 include that box culvert removal as an additional
19 item because it's not an underground. It's a
20 structure.

21 ACTING CHAIR TURNER: I think
22 that's a good point.

23 MR. DEAN: I would think that would

15

1 be up to the landowner. Probably it would be an
2 asset.

3 MR. KURITZ: Yeah. Agree.

4 ACTING CHAIR TURNER: I wondered
5 about that if it would be an asset.

6 MR. DEAN: I believe it would be
7 and not necessary to remove that.

8 MR. ZIMMERMAN: And right now,
9 we're not counting that it's going to be an asset.
10 We're just trying to get the cost for the removal,
11 and we've noted the cost per hour and other things.
12 This is 20 years in the future. They're looking at
13 30 bucks an hour for a lot of the work which might
14 be high at that point. It might be low, but
15 fundamentally, we're going to have a significant
16 amount of a bond or something there, and that will
17 be under review every ten years.

18 So if we have high inflation,
19 prices go up, they have to post a larger bond, where
20 if the prices remain low, we'll do whatever, so I
21 think we could leave this amount in here or increase
22 it.

23 Mr. Kuritz, you have a comment

16

1 on this?

2 MR. KURITZ: The only thing I would
3 think is if the owner desires to keep it, he should
4 have that option. I agree with that. But if he
5 wants it gone, then there needs to be ample money
6 set aside to take it out.

7 So how you put it in that it's
8 at the landowner's discretion, you know, and yet
9 have a contingency to cover it.

10 MR. DICK: I presume that it would
11 stay unless we knew otherwise, but I don't think
12 that there's any understanding that it would be
13 removed.

14 ACTING CHAIR TURNER: Can we put
15 that they have an agreement with the landowner that
16 it stays or else include the cost to remove it in
17 their decommissioning cost?

18 MR. DICK: Yes.

19 ACTING CHAIR TURNER: Does that
20 sound good?

21 MR. KURITZ: That sounds good.

22 ACTING CHAIR TURNER: Okay.

23 MR. ZIMMERMAN: I move that we pass

17

1 Case Number SU-18-19 with the stipulations as
2 articulated.

3 MR. KURITZ: Second.
4 ACTING CHAIR TURNER: Roll call.
5 MR. DICK: Bangert?
6 MR. BANGERT: Yes.
7 MR. DICK: Kuritz?
8 MR. KURITZ: Yes.
9 MR. DICK: Dean?
10 MR. DEAN: Yes.
11 MR. DICK: Turner?
12 ACTING CHAIR TURNER: Yes.
13 MR. DICK: Zimmerman?
14 MR. ZIMMERMAN: Yes.
15 MR. DICK: Carlton?
16 MS. CARLTON: Yes.
17 MR. DICK: Taylor?
18 MS. TAYLOR: Yes.
19 MR. DICK: This will be on the
20 consent agenda unless one of the County Board
21 members takes it off of the consent agenda for
22 discussion at the meeting in two weeks from this
23 morning, and you can call our office or you can

18

1 attend the meeting just to see how it plays out.
2 ACTING CHAIR TURNER: Okay. Thank
3 you.
4 (Whereupon the foregoing
5 proceedings adjourned at 8:10
6 p.m.)
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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
18
19
20
21
22
23

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