



**Proposed 4.99-Megawatt AC Ground-Mount Community Solar Facility**  
McHenry County, Illinois

**TPE IL MH680 LLC, LLC**  
c/o TurningPoint Energy, LLC  
7272 E. Indian School Road, Suite 540  
Scottsdale, AZ 85251

Development Manager: Bill Carleton  
Phone: 303-514-0855  
Email: bcarleton@tpoint-e.com

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## 1.0 INTRODUCTION

### 1.1 Project Overview

TurningPoint Energy, LLC d/b/a TPE Development (TPE) through its affiliated entity TPE IL MH680, LLC (the Applicant), proposes the development of a 4.99-megawatt (MW) AC solar photovoltaic system on a parcel of land at S. Crystal Lake Road in McHenry County, Illinois (the Project). The Project will consist of a single axis tracking ground-mounted solar array, associated electrical equipment, an access driveway, and fencing covering approximately 32 acres of the 113-acre host parcels (ID's 14-09-300-005, 14-09-300-006, 14-09-400-002).

The Project intends to participate in the Illinois Adjustable Block Community Solar Program and will power the equivalent of approximately 800-850<sup>1</sup> homes. Community Solar allows residents of Illinois to purchase credits for locally generated clean electricity at a discount to current electric rates without having to install panels on their roof.

The Project's host parcel is located in the A-1 (Agricultural) zoning district within unincorporated McHenry County. The McHenry County Unified Development Ordinance (Ordinance) allows for the construction and operation of commercial solar energy facilities by Conditional Use Permit (CUP) in the A-1 District. The Project is designed to comply with all setbacks prescribed in the Ordinance to ensure a sufficient buffer is maintained between the array and neighboring property lines and rights-of-way. The Project is therefore seeking approval of a CUP to construct, operate and maintain a 4.99 MW AC solar photovoltaic system in the A-1 zoning district.

If approved, the Project would bring significant and consistent benefits to McHenry County and the community surrounding the Project. The Project would create approximately 50-75 jobs during the approximately 12 to 18-month development period, generating property tax revenue that is estimated to be more than \$650,285 over 25 years and \$978,534 over 40 years. Property tax revenue in Year 1 of Project Operations is expected to over 25 times what the property currently generates now in tax revenue to the local taxing jurisdictions. Unlike nearly all other forms of development (residential, commercial, or industrial), the local community would benefit from the significant economic benefits mentioned above without stressing community infrastructure – no new children in schools, no use of water and sewer systems, extremely limited use of roads, and little to no need for police or fire departments.

### 1.2 About TurningPoint Energy

Formed in 2014, TPE is a privately held, independent company transforming our energy future by creating freedom to choose a smarter, cleaner, more flexible way forward through community solar. As a privately held and independent company, TPE customizes projects to the unique needs of each client. Its team has financed and/or built over 2 Gigawatts (GW) of the solar projects operating in the U.S. today. Since 2017, TPE has focused these services on the expanding community solar market in states including Illinois, Maine, Maryland, Delaware, Pennsylvania, New Mexico, Texas, and Rhode Island. TPE's development and

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<sup>1</sup> Calculation based on data provided by the U.S. Energy Information Administration (EIA):  
<https://www.eia.gov/energyexplained/use-of-energy/electricity-use-in-homes.php>

investment portfolio now includes over 169 MW of community solar projects in construction or operation, with an additional 840 MW in solar projects under development.

TPE is a “triple bottom line” company; we believe that our business should create financial, environmental, and community value in every project we create. Our intent is to be long-term members of the communities where our projects are developed. Upon successful permitting and utility interconnection, TPE donates to local charities and/or non-profits that support those in need.

## **2.0 SITE LOCATION & EXISTING CONDITIONS**

TPE, in coordination with its engineering consultant, Kimley-Horn and Associates Inc (Kimley-Horn), has prepared and compiled information from many sources to form the basis of design for the proposed Project. A summary of existing conditions and the design elements that avoid and or minimize impact to the environment and surrounding community is presented in the following subsections.

### **2.1 Existing Conditions**

The proposed Project will occupy approximately 32 acres of the 113 acres of agricultural land on the parcels off S Crystal Lake Rd in McHenry County, Illinois. The location of the host parcel is east of S Crystal Lake Rd opposite of Rain Tree Drive. A map showing the Project’s footprint is included in **Appendix C**. The site is surrounded on all sides by agricultural fields. Based on the results of a Level 2 Wetland delineation of the subject site, the host parcel contains a small farmed wetland in the middle of the agricultural field of the east parcel. The solar array has been laid out to avoid the wetland and maintain a 30’ buffer around it. The property is currently farmed with row crops. There are no major surface features identified in aerial imagery. Generally, the Project area drains to the southeast with a stream to the east and south including a flood zone located outside the Project limits. Per the Natural Resources Conservation Services, the onsite soils consist of type B/D silt loams soils.

#### **2.1.1 Site Control**

The landowner and TPE IL MH680, LLC entered into a Real Estate Lease Option Agreement on May 22, 2024. The Agreement grants permission to the Applicant to construct, operate and maintain a solar photovoltaic system on the host parcel.

### **2.2 Natural Resources and Consultations with State and Federal Authorities**

#### **2.2.1 Natural Resource Inventory (“NRI”)**

Kimley-Horn submitted the Natural Resource Inventory (NRI) packet on August 20, 2024, to the McHenry-Lake County Soil & Water Conservation District (“SWCD”). The NRI report was finalized on September 10, 2024. A copy of the report is included as **Appendix H**. The report notes a LESA score of 93.6 out of 100, putting it in the Prime Farmland category. However, the SWCD acknowledges that the NRI report in no way indicates that a certain land use is not possible. See **Appendix N** for the beneficial effects of a commercial solar energy facility.

### 2.2.2 Wetlands and Floodplain

A Level 2 Wetland Delineation has been completed and identified three wetlands within the study area consisting of one farmed wetland, one ephemeral stream, and one perennial stream. Only the perennial stream is anticipated to be U.S. Army Corps of Engineers (“USACE”) jurisdictional. The Project is anticipated to avoid these areas. During the pre-building permit phase, the Project will apply for a Site Development Permit to account for any development activities that may occur within the McHenry County required wetland buffer, if necessary. Please see **Appendix D** for additional information.

Per FEMA FIRM Map Panel 17111C0220J (effective date November 16, 2006), the majority of the development is in Zone X, which is considered an area of minimal flood hazard. Refer to **Appendix P** for a copy of the FEMA FIRM Map.

### 2.2.3 U.S. Fish & Wildlife Service (“USFWS”)

The Project will be designed such that no federally listed species will be significantly impacted. Solar projects typically impose only minimal impacts on wildlife species. The Project’s potential to impact federally protected species was evaluated as part of an Environmental Constraint Memorandum, which is included as **Appendix E**. The assessment indicated that 5 federally listed species should be considered in an effects analysis for the Project, including the federally endangered northern Long-Eared Bat (*Myotis septentrionalis*), the Whooping crane (*Grus americana*), the candidate Monarch butterfly (*Danaus plexippus*), the federally endangered Rusty Patched Bumble Bee (*Bombus affinis*), and the threatened Eastern Prairie Fringed Orchid (*Platanthera leucophaea*). Due to the highly disturbed nature of the existing use (farmland), minimal preferred habitat was identified, so no impacts are anticipated.

Prior to construction, consultation with the USFWS will occur to confirm a “No Effect” determination.

### 2.2.4 Illinois Department of Natural Resources (IDNR) State Ecological Review

The Applicant consulted with IDNR for potential impacts to state threatened or endangered species. This consultation is conducted pursuant to IDNR’s Ecological Compliance Assessment Tool (“EcoCAT”). The Applicant submitted an EcoCAT review request to IDNR in September 2024. The review concluded that the state-listed Blanding’s Turtle and the federally listed Rusty Patched Bumble Bee are in the vicinity of the project. The IDNR provided recommendations for exclusionary fencing prior to March 1<sup>st</sup> to limit impacts to the Blanding’s Turtle. The IDNR must be notified if the management practices are adopted. No adverse effects are anticipated if the management practices are implemented. Refer to **Appendix F** for a copy of the IDNR EcoCAT.

### 2.2.5 Illinois State Historic Preservation Office

Under the Illinois State Agency Historic Resources Protection Act, the State Historic Preservation Office (“SHPO”) division at IDNR is responsible for studying possible Project effects on archaeological and/or architectural (cultural) resources. Agencies requiring SHPO evaluation concurrent with their review include the Illinois Environmental Protection Agency, IDNR, and the USACE. The Applicant submitted a SHPO project review form for agency review. SHPO has concluded their review and provided a response letter dated October 15, 2024. The SHPO response letter indicated that “A portion of the project area is within a zone adjacent to an unnamed tributary of Sleepy Hollow Creek with a high probability of containing significant archaeological resources.” Additionally, the letter indicated that “the four (4)

properties listed above, within the area of potential indirect and visual effects, to be eligible for listing on the National Register of Historic Places.” The Applicant will order a Phase 1 archaeological reconnaissance survey for the Project prior to construction. Refer to **Appendix G** for a copy of the SHPO response letter.

### **2.2.6 Illinois Department of Agriculture (IDOA)**

The Illinois Counties Code (ILCS 5/5-12020(c)) requires the owner of a commercial solar energy facility to enter into an Agricultural Impact Mitigation Agreement (AIMA) with the Illinois Department of Agriculture prior to the date of any required public hearing for the Project’s permits. The intent of the AIMA is to preserve and/or restore the integrity of affected agricultural land during construction and decommissioning activities. TPE received a countersigned AIMA agreement from the Department of Agriculture dated September 26, 2024, which is included as part of **Appendix A**.

### **2.3 Community Outreach & Benefits**

TPE likes to proactively engage the communities in which we work early in the process to determine what questions and concerns potential neighbors might have and give us adequate time to educate and address them prior to the public process.

We typically place calls, send letters and door knock on adjacent properties to our planned community solar site as well as meet with local officials.

Community solar projects such as TPE IL MH680, LLC enable residents to receive savings on their electricity bills from signing up to participate in a community-scale solar project without installing solar on their rooftops.

In 2018, the State of Illinois enacted a statute that imposes a standardized state assessment of a fair cash value for solar energy projects covering both the improvements and the land. As a result, once fully constructed this Project will pay property taxes of more than \$650,000 over 25 years split among McHenry County and applicable school, fire, and other taxing authorities.

The Project would create approximately 50-75 jobs during the approximately 12 to 18 months prior to the start of Project operations. A regional operations and maintenance firm will service the facility over its working lifecycle.

Unlike nearly all other forms of development (residential, commercial, or industrial), the community would benefit from the significant economic benefits mentioned above without stressing community infrastructure – no new children in schools, no use of water and sewer systems, limited use of roads, and little to no need for police or fire departments.

### **2.4 Existing Drain Tiles**

The Applicant has retained Tom Huddleston with Huddleston McBride Professional Land Drainage Services (Drain Tile Consultant) to consult on drain tile issues. Huddleston will complete an existing drain tile survey prior to construction and work closely with the Applicant to ensure proper drainage and maintain and/or improve the existing surface and subsurface drainage to the extent practicable. Huddleston will work closely with the Applicant to remove and replace any drain tiles within the solar array footprint while ensuring proper drainage and maintaining the existing and subsurface drainage.

## **2.5 Conservation Plan**

As required by the McHenry-Lake County Soil & Water Conservation District (“SCWD”) at the time of Site Development and/or Building Permit application, the Project will submit a Conservation Plan for review. The conservation plan will address conformance with the AIMA, inspection schedule, soils, plantings/vegetations, drainage, and maintenance.

## **3.0 PERFORMANCE STANDARDS AND SOLAR SITING ORDINANCE REQUIREMENTS**

### **3.1 Project Description & Design Standards**

The Project will consist of a 4.99 MW ground-mounted solar array. The solar array will be comprised of Tier 1 graded solar panels attached to single-axis trackers installed on top of driven steel pier foundations or ground screw foundations, depending on the subsurface composition. An Illinois licensed engineer will certify the foundation and design of the solar racking system is suitable to meet local soil and climate conditions. At full tilt, the racking system with modules attached will not exceed fifteen feet (15’) in height. The point of interconnection for the Project will be located at S Crystal Lake Rd. Please refer to the site plan in **Appendix C** for additional detail.

The potential equipment manufacturers include, but are not limited to, Silfab Solar, Heliene, AE Solar, or other Tier 1 module manufacturers.

The Project will be constructed by a licensed Engineering Procurement and Construction (“EPC”) Contractor. The design and construction process will comply with all federal, state, and local applicable building, electrical and fire codes, as well as the National Electrical Code (“NEC”). All modules, inverters, combiners, and disconnects will have Certificates of Compliance from Underwriters Laboratories (“UL”) or an equivalent third party. The EPC Contractor shall also possess all professional and trade licenses required by the state and local authorities.

The EPC Contractor will create and maintain a health and safety manual in accordance with OSHA requirements which establishes appropriate rules and procedures concerning workplace safety.

All solid waste related to the construction, operation and maintenance of the Project shall be removed from the site promptly and disposed of in accordance with all federal, state, and local regulations.

Any hazardous materials related to the construction, operation and maintenance of the Project will be handled, stored, transported, and disposed of in accordance with all applicable local and state laws. The Project will comply with the existing septic and well regulations required by the McHenry County Health Department and the Illinois Department of Public Health. Noise from construction activities will be managed in accordance with all applicable local and state regulations.

There is no proposed lighting for this Project.

The inverter and transformers will be located on one or more concrete pads or piles. Utility poles at the point of interconnection will be above ground. The solar array will cover approximately 29.7 acres and the total project area will cover approximately 32.2 acres. The panels will be surrounded by a seven (7) foot-high fence for safety and security purposes, as well as a landscape buffer to provide vegetative screening



using native, pollinator-friendly plants. Entry into the fenced areas will be through gates with Knox Boxes for emergency access.

The Project design and planning has focused on minimizing any potential impacts to the surrounding neighborhood, in compliance with the Environmental Performance Standards listed in Section §16.60.040 of the Ordinance. The Project will produce electricity without requiring any combustion of materials. As a result, the community solar array will not cause or emit odors, dust, gas, smoke, or fumes. Further, the Project will have very few moving parts and will generate electricity primarily in a passive manner – collecting the sun’s rays and converting energy associated with the rays into electricity. There will be no vibrations generated by the solar panels or racking during the operating period of the Project. There may be de minimis vibrations produced by the inverter, and any such vibrations will not extend beyond the host parcel’s property lines. The array was designed to meet all required setbacks from neighboring properties and rights of way in compliance with the Ordinance.

A warning sign shall be provided at the facility entrance and along the perimeter fence including the facility’s 911 address and a 24-hour emergency contact number. No outdoor storage is planned for the Project at this time. In the event outdoor storage is needed, the Project will apply for the necessary approvals for the contemplated storage.

The scope of work for construction of the Project will include, but is not limited to:

- Preservation of existing topsoil onsite;
- Construction of a gravel access road;
- Construction of project equipment pads;
- Construction of a temporary staging area(s); and
- Installation of solar panels and associated support equipment and structures
- Landscape work including pollinator plants, native plants, and landscape buffers.

### **3.2 Noise**

The Project will operate in accordance with the applicable noise limits of the Illinois Pollution Control Board (IPCB). Solar panels themselves do not produce any noise. The only components in the array that generate noise are the inverters and transformers. The inverter pad location and design will ensure that any noise emitting components will be positioned at a sufficient distance and directed away from neighboring parcels. Kimley-Horn prepared a noise study that evaluated the projected sound levels generated by the string inverters that are likely to be deployed for the Project. Please see **Appendix ZZ** for the Noise Study. The Noise Study concludes that the Project will more than comply with the IPCB’s noise limitations. The equipment pad, which will host the inverters – the only noise-generating equipment associated with the Project – will be located over 1,000 feet from the nearest non-participating residence, which will allow the Project to easily comply with the IPCB’s rules. Final inverter placement and system configuration will ensure continued compliance with Illinois Pollution Control Board standards. Accordingly, the Project, as designed, will more than comply with the IPCB’s noise limits, and likewise the final placement for the equipment pad and system configuration will ensure continued compliance with the IPCB’s noise limitations.

### 3.3 Vibration

There will be no vibrations generated by the solar panels or racking during the operating period of the Project. There may be de minimis vibrations produced by the inverter, but any such vibrations will not extend beyond the host parcel's property lines. The Project's comprehensive maintenance plan includes routine inspections to assess and correct any malfunctioning equipment.

### 3.4 Environmental Impact

The Project will not emit any air pollution of any of the kinds identified in the performance standards. It will in fact provide a net environmental carbon benefit. According to the EPA Clean Energy Equivalencies Calculator, the Project will avoid the environmental equivalent of 8,011 metric tons of carbon annually, comparable to:

- Carbon sequestered by 9,553 acres of forest
- 901,377 gallons of gasoline consumed each year
- 1,783 passenger vehicles removed from our streets

A commitment to wildlife-sensitive construction and operation practices will allow for increased local biodiversity. TPE proposes to use pollinator-friendly ground cover underneath the Project and native plantings around the perimeter. These include clover and grass species that promote the establishment and long-term health of bee populations by providing bee and small mammal populations a new pollinator friendly habitat. The Project will not use any pesticides for vegetation management.

### 3.5 Toxic substances

There are no toxic substances in the panels. The Project will incorporate Tier 1 silicon-based panels, which have been analyzed as follows by North Carolina State University:

Well over 80% (by weight) of the content of a PV panel is the tempered glass front and the aluminum frame, both of which are common building materials. Most of the remaining portion are common plastics, including polyethylene terephthalate in the back sheet, EVA encapsulation of the PV cells, polyphenol ether in the junction box, and polyethylene insulation on the wire leads. The active, working components of the system are the silicon photovoltaic cells, the small electrical leads connecting them together, and to the wires coming out of the back of the panel. The electricity generating and conducting components makeup less than 5% of the weight of most panels. The PV cell itself is nearly 100% silicon, and silicon is the second most common element in the Earth's crust. The silicon for PV cells is obtained by high-temperature processing of quartz sand (SiO<sub>2</sub>) that removes its oxygen molecules. The refined silicon is converted to a PV cell by adding extremely small amounts of boron and phosphorus, both of which are common and of very low toxicity.

Please see **Appendix N** for the full report.

### 3.6 Fire Safety

The solar panels and racking, which comprise most of the Project's equipment, are not flammable. Tempered glass offers protection from heat and the elements, and the panels are designed to absorb heat as solar energy. From a study by North Carolina State University:

...Concern over solar fire hazards should be limited because only a small portion of materials in the panels are flammable, and those components cannot self-support a significant fire. Flammable components of PV panels include the thin layers of polymer encapsulates surrounding the PV cells, polymer back sheets (framed panels only), plastic junction boxes on rear of panel, and insulation on wiring. The rest of the panel is composed of non-flammable components, notably including one or two layers of protective glass that make up over three quarters of the panel's weight.

Please see **Appendix N** for the full report.

### 3.7 Glare and Heat

As explained in the Fire Safety **Section 3.6**, there is no heat generated by the Project.

A glare study was not performed by TPE as the site is 1700' from the closest neighbor and over 2000' from S Crystal Lake Rd and residences west of the road.

### 3.8 Setback Compliance, Landscape & Buffering Plan

The Project proposes to conform with all applicable McHenry County setbacks from neighboring properties and public rights-of-way. The solar panels will be located more than 50 feet from the nearest edge of the public right-of-way and more than 50 feet from adjacent properties not included in the subject property. As indicated by the Zoning Site Plan (**Appendix B**), the panels are anticipated to be set back more than 2,000' from the centerline of S Crystal Lake Road. The Zoning Site Plan also shows that the panels are also anticipated to be located more than 1,700 feet from the outside wall of any dwelling unit or occupied community building. The area underneath the solar array and buffer area will be seeded with a native pollinator friendly seed mix and comply with the Illinois Pollinator-Friendly Solar Site Act (525 ILCS 55/). Pollinator seed mixes are intended to provide food and shelter for wildlife and will attract a variety of pollinators and songbirds. The wildflowers and grasses in the mix will provide an attractive display of color from spring to fall and will provide nectar and food for pollinators and their larva. The Project will also maintain all areas within the leasing area, including those outside the Project footprint and within the buffer areas, in accordance with the Ordinance.

Per §16.56.030PP, any part of the facility that is within 500 feet of a nonparticipating residence, or a road right-of-way, shall be landscaped with an arrangement of native shrubs, subject to approval by the County Board. This project site is 1,700 ft from the nearest dwelling, but we will include some landscape buffering along S Crystal Lake Rd as shown in the site plan.

### **3.9 FAA Filing**

The Project filed using the Notice Criteria Tool with the FAA and the results indicated the project did not exceed the Notice Criteria. As a result, no additional filings are required with the FAA Please see **Appendix M** for a copy of the filing.

### **3.10 Safety and Security**

The solar arrays will be enclosed by a 7-foot-high security fence and locked gates, as required by the Ordinance and the National Electrical Code (NEC). Emergency access to the fenced areas will be through Knox-Boxes to provide the required 24-hour access. The gravel drives have been designed to allow emergency vehicle access, including fire trucks.

Emergency responders will be provided with the key/code for the Knox-Boxes.

An Emergency Service Plan which describes the means of shutting down the system is included as **Appendix Y**.

### **3.11 Interconnection**

The proposed Project will interconnect to an existing 12kV ComEd feeder on the distribution system. The utility will install approximately 150' of 12kV line extension along with multiple poles for metering and pole-top equipment. A copy of the redacted System Impact Study demonstrating that the Project filed required interconnection service applications with ComEd and is in the interconnection queue is included as **Appendix L**.

### **3.12 Operation and Maintenance**

The Operation and Maintenance Plan including a comprehensive vegetative management plan for the Project is included as **Appendix J**, with allowances for sheep grazing as a means of vegetative management. Preventive maintenance will be conducted on a schedule based on manufacturer's recommendations and industry best practices and standards of care. Regular maintenance will include vegetation control, fence inspection and physical inspection of all system components. A mowing and rotational grazing schedule will be followed, based on the plant species in the seed mix, that is properly timed to balance avoiding the disturbance of wildlife and native pollinator-friendly vegetation with the need to avoid the establishment of weeds. This balance is enabled by the approval of the variance requests.

Vegetation underneath and between the solar panels will be well-maintained in the defined lease area to keep vegetation below the low edge of the solar panels at maximum tilt angle. Management should comply with any local ordinances or conditions of approval. Mowing, grazing, and weed management schedules will be adjusted as needed to allow for flexibility based on based on the establishment of the seed mix, rainfall and vegetation growth. Any chemical control shall be used in accordance with Illinois noxious weed regulations. The Project will be monitored continuously for system failures via a Supervisory Control and Data Acquisition (SCADA) system and/or Data Acquisition System (DAS) system. Qualified and insured technicians will be dispatched to address any system failures.

### **3.13 Deconstruction and Decommissioning Plan**

A Decommissioning Plan has been included as **Appendix K**, which has been designed to meet the standards specified in the AIMA as well as the Ordinance. Upon review and approval of the decommissioning cost estimate by the Zoning Enforcement Officer, the required Financial Assurance documentation to cover the estimated costs of decommissioning and site reclamation of the Project will be provided to the McHenry County Department of Planning and Development; a new engineer's estimate will be provided and approved every ten (10) years and the financial assurance amount updated, in accordance with the AIMA and the Ordinance.

Decommissioning will include removal of all structures (including panels, equipment, poles, piles, foundations, conduits, fencing, and roads) and restoration of soil and vegetation, to comply with the Ordinance. At the end of the operational life of the Project, the Project will be safely dismantled using conventional construction equipment. The Project consists of numerous materials that can be resold or recycled for significant scrap value, including steel, aluminum, glass, copper, and plastics. The solar panels are not considered hazardous waste. The panels used in the Project will contain silicon, glass, and aluminum, which have value for recycling. Often, current market salvage values of a Project exceed estimated decommissioning and site restoration expenses.

The site will be restored and reclaimed to approximately the pre-construction condition in conformance with the site lease agreement and the AIMA. It is assumed that the site will be returned to agricultural use after decommissioning and appropriate measures will be implemented to easily transition back to a use for agricultural purposes.

### **3.14 Avoidance and Mitigation of Damages to Public Infrastructure**

**Roads:** Roadways improved in preparation for and during the construction of the commercial solar energy facility will be repaired and restored as required by McHenry County's revised solar ordinance at the reasonable cost of the Project if the roadways have degraded or were damaged as a result of construction-related activities.

**Drainage Systems:** A drain tile survey will be completed as required by the AIMA. The Project will ensure no permanent adverse impact to existing mutual drains and drainage patterns. Within the footprints of the solar array, the Project will endeavor to maintain or improve drainage over that which currently exists on site by rerouting drainage networks within the project footprint around footprints where necessary and by repairing or replacing damaged drain tiles.

### **3.15 Pre-Construction Meeting**

Prior to submission of the building permit application, a pre-construction meeting will be held. McHenry County Staff, elected officials, McHenry County Farm Bureau staff, McHenry-Lake County Soil & Water Conservation District, and other interested parties as determined by Land Use staff and/or the facility owner will be invited. The seed mix selections for both temporary and long-term mixes will be determined at the time of the pre-construction meeting.

## 4.0 CONDITIONAL USE REVIEW CRITERIA

### 4.1 Approval Standards for Conditional Use. The Project will meet all applicable standards as follows:

#### UDO §16.56 (Use Standards)

- The land shall be used or occupied in conformity with the regulations for the zoning district in which it is located.
- The Project shall comply with the requirements of the McHenry County Stormwater Management Ordinance, McHenry County Public Health Ordinance, and McHenry County Access Control and Right-of-Way Management Ordinance.
- The Project shall comply with any applicable state and federal laws and regulations.
- An EcoCAT is included with this submission.
- A site plan is included with this submission showing all improvements, including structures, fencing, power lines (above and below ground), lighting, and landscaping, at a detail sufficient to understand the location, height, appearance, and area.
- The proposed solar panels, structures, and electrical equipment, excluding fences and power lines for interconnection, will be erected no less than fifty (50) feet from any lot line and no less than one hundred and fifty (150) feet from any residence.
- None of the proposed structures, excluding power lines for interconnection, will exceed fifteen (15) feet in height. Power lines will be placed underground to the maximum extent possible.
- There is no lighting planned for the Project.
- The proposed solar panels will have a surface that minimizes glare. A study was not performed as the project is over 1,700 feet from the nearest residence.
- The Project is situated to minimize impacts to woodlands, savannas, wetlands, drainage tiles, and encroachment into flood plains. The Project will comply with the Stormwater Management Ordinance. Any damaged drainage tiles shall be repaired.
- In order to prevent erosion, manage run-off, and provide ecological benefit, the Project will be planted with “low-profile” native prairie species, using a mix appropriate for the region and soil conditions.
- The proposed fencing complies with the National Electrical Code.
- Any part of the Project that is within five hundred (500) feet of a residence, other than a residence on the same ownership parcel, or road right-of-way, shall be landscaped with an arrangement of native shrubs, subject to approval by the County, unless the facility is screened from view by existing vegetation.
- Prior to construction, the Project LLC shall prepare a landscape monitoring and maintenance plan to ensure the establishment and continued maintenance of the native prairie species, all installed landscape screening, and all existing vegetation that provides required landscape screening.
- As discussed in Section 2.3.6 above, the Project has submitted a signed Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture (IDOA), as required by the Illinois Counties Code.

- Prior to construction, the Project LLC shall prepare an emergency management plan acceptable to the County and the local fire district and shall be responsible for training of emergency personnel, as needed.
- A sign shall be posted providing the name of the operator and a phone number to be used in case of an on-site emergency.
- Access shall be granted, provided appropriate advance notice, for periodic inspection of the site by the County or the local fire district.
- Damaged solar panels shall be removed, repaired, or replaced within sixty (60) days of the damage. The ground shall remain free of debris from damaged solar panels at all times.
- The solar farm shall be considered abandoned if the operator fails to pay rent as specified in the Agricultural Impact Mitigation Agreement, or it ceases to generate electricity for a period of twelve (12) consecutive months. Reports of electrical power production shall be provided to the County upon request. If abandoned, the Project will be decommissioned and removed within twelve (12) months from the time it is deemed abandoned.
- Decommissioning and removal of the solar farm shall be the responsibility of the Project upon abandonment or revocation of the conditional use permit.
- With this application, the Project has submitted a decommissioning plan that includes removal of all solar panels, electrical equipment, poles, piles, foundations, conduits (above and below ground), access roads, fencing, groundcover, and landscaping. Upon review and approval by the Zoning Enforcement Officer of the decommissioning cost estimate, the operator shall obtain a bond, letter of credit, or other form of surety acceptable to the County to be held by the Department of Planning and Development in the amount of one hundred percent (100%) of the estimate. An updated engineer's decommissioning cost estimate will be provided and approved every ten (10) years and the financial assurance amount updated, in accordance with the AIMA and the Ordinance.

#### UDO §16.60 (Site Development Standards)

- No dwelling units or buildings are proposed for the Project.
- The parcel fronts on a public street.
- The Project complies with all setback rules.
- The Project does not require any encroachments.
- No lighting is proposed for the Project.
- No parking lot is required for the Project.
- No heat, light, glare, or odors will be produced by the Project. Dust will be mitigated during construction and operation. Solar panel waste is not considered hazardous, and the Project will comply with all waste removal best practices. The Project will comply with best practices regarding any potential fire or panel damage.
- No new streets are proposed for the Project.