

IN THE MATTER OF THE APPLICATION OF
TPE IL MH376, LLC, APPLICANT
FOR AN AMENDMENT OF THE UNIFIED DEVELOPMENT
ORDINANCE OF McHENRY COUNTY, ILLINOIS FOR A
CONDITIONAL USE

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Z25-0057

WHEREAS, your Petitioner, **TPE IL MH376, LLC**, as your Applicant, has filed a petition with the McHenry County Zoning Board of Appeals requesting the issuance of a Conditional Use as it relates to the McHenry County Unified Development Ordinance, as it relates to the real property more fully described as:

PART OF THE WEST HALF OF THE SOUTHWEST QUARTER AND PART OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 23, TOWNSHIP 44 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, BEING DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF THE SAID WEST HALF OF THE SOUTHWEST QUARTER; THENCE SOUTH 00 DEGREES 32 MINUTES 19 SECONDS EAST ALONG THE WEST LINE THEREOF, 179.42 FEET TO THE CENTERLINE OF U.S. ROUTE 14 PER PLAT OF DEDICATION RECORDED AS DOCUMENT NO. 1999R0076695; THENCE SOUTH 77 DEGREES 21 MINUTES 27 SECONDS EAST ALONG SAID CENTERLINE, 1892.40 FEET TO THE NORTHWEST CORNER OF THE LANDS DESCRIBED IN BOOK 429 OF DEEDS, PAGE 456; THENCE SOUTH 03 DEGREES 25 MINUTES 40 SECONDS WEST ALONG THE WEST LINE THEREOF, 90.85 FEET TO THE SOUTH LINE OF THE LANDS DESCRIBED AS PARCEL 1CV1018-B IN DOCUMENT NO. 2012R0041072 AND THE PLACE OF BEGINNING; THENCE NORTHWESTERLY 296.96 FEET ALONG SAID SOUTH LINE, BEING ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 2,340.00 FEET, THE CHORD OF WHICH BEARS NORTH 69 DEGREES 40 MINUTES 23 SECONDS WEST, FOR A LENGTH OF 296.76 FEET TO THE SOUTH LINE OF THE LANDS DESCRIBED IN DOCUMENT NO. 656860; THENCE NORTH 77 DEGREES 21 MINUTES 27 SECONDS WEST ALONG SAID SOUTH LINE, 26.71 FEET TO THE SOUTHWEST CORNER THEREOF; THENCE NORTH 12 DEGREES 35 MINUTES 32 SECONDS EAST ALONG THE WEST LINE THEREOF, 1.74 FEET TO THE SOUTH LINE OF THE LANDS DESCRIBED AS PARCEL 1CV1018-A IN DOCUMENT NO. 2012R0041072; THENCE WESTERLY 186.61 FEET ALONG SAID SOUTH LINE, BEING ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 2,340.00 FEET, THE CHORD OF WHICH BEARS NORTH 76 DEGREES 14 MINUTES 55 SECONDS WEST, FOR A LENGTH OF 186.56 FEET; THENCE ALONG SAID SOUTH LINE THE FOLLOWING 9 COURSES: (1) THENCE NORTH 78 DEGREES 32 MINUTES 04 SECONDS WEST, 288.51 FEET; (2) THENCE SOUTH 11 DEGREES 27 MINUTES 56 SECONDS WEST, 150.00 FEET; THENCE NORTH 78 DEGREES 32 MINUTES 04 SECONDS WEST, 60.00 FEET; (4) THENCE NORTH 11 DEGREES 27 MINUTES 56

SECONDS EAST, 150.00 FEET; (5) THENCE NORTH 78 DEGREES 32 MINUTES 20 SECONDS WEST, 92.84 FEET; (6) THENCE SOUTH 00 DEGREES 02 MINUTES 44 SECONDS WEST, 5.10 FEET; (7) THENCE NORTH 78 DEGREES 32 MINUTES 04 SECONDS WEST, 470.17 FEET; (8) THENCE NORTH 11 DEGREES 27 MINUTES 56 SECONDS EAST, 5.00 FEET; (9) THENCE NORTH 78 DEGREES 32 MINUTES 04 SECONDS WEST, 308.71 FEET TO THE EAST LINE OF THE LANDS DESCRIBED IN DOCUMENT NO. 2002R0030500; THENCE SOUTH 00 DEGREES 32 MINUTES 19 SECONDS EAST ALONG SAID EAST LINE, 209.67 FEET TO THE SOUTHEAST CORNER THEREOF; THENCE SOUTH 89 DEGREES 27 MINUTES 41 SECONDS WEST ALONG THE SOUTH LINE THEREOF, 160.00 FEET TO THE WEST LINE OF THE SAID WEST HALF OF THE SOUTHWEST QUARTER; THENCE SOUTH 00 DEGREES 32 MINUTES 19 SECONDS EAST ALONG SAID WEST LINE, 2,136.98 FEET TO THE SOUTHWEST CORNER THEREOF; THENCE NORTH 89 DEGREES 39 MINUTES 01 SECONDS EAST ALONG THE SOUTH LINE THEREOF, 1,311.29 FEET TO THE SOUTHEAST CORNER THEREOF; THENCE NORTH 00 DEGREES 33 MINUTES 18 SECONDS WEST ALONG THE EAST LINE THEREOF, 1,312.69 FEET TO THE SOUTHWEST CORNER OF THE SAID NORTHEAST QUARTER OF THE SOUTHWEST QUARTER; THENCE NORTH 89 DEGREES 51 MINUTES 48 SECONDS EAST ALONG THE SOUTH LINE THEREOF, 481.78 FEET TO THE WEST LINE OF SAID LANDS DESCRIBED IN BOOK 429, PAGE 456; THENCE NORTH 03 DEGREES 25 MINUTES 40 SECONDS EAST ALONG SAID WEST LINE, 630.07 FEET TO THE PLACE OF BEGINNING, IN MCHENRY COUNTY, ILLINOIS.

PIN 13-23-300-026

Commonly known as US Route 14, Woodstock, Illinois, in Dorr Township.

WHEREAS, the Petition requests no reclassification of the subject property from its present classification which is ***“A-1” Agriculture District***, but a Conditional Use be granted ***to allow for a Commercial Solar Energy Facility***.

WHEREAS, the subject property consists of approximately ***74.826 acres*** in which no reclassification is contemplated.

WHEREAS, a hearing on said petition was held before the Zoning Board of Appeals of McHenry County in the manner and the form as prescribed by the Ordinance and Statute; and

WHEREAS, as a result of said hearing, the taking of evidence, and the viewing of exhibits advanced thereat, the Zoning Board of Appeals of McHenry County ***did recommend, by a vote of 7 ayes and 0 nays, the granting of a Conditional Use to allow for a Commercial Solar Energy Facility, with the following conditions:***

1. **The Conditional Use shall have no time limit, unless the use is abandoned as specified in 16.56.030.PP.4 of the McHenry County Unified Development Ordinance.**

2. Site development shall be in substantial conformance with the site plan prepared by Kimley-Horn, dated May 28, 2025 (attached).
3. The Decommissioning Plan shall be applicable in part as well as in whole. If any portion of the commercial solar energy facility ceases to perform its intended function for more than twelve (12) consecutive months, that portion of the facility shall be decommissioned in compliance with all the terms of the Decommissioning Plan.
4. A McHenry County Stormwater Management Permit shall be secured prior to construction. Any damaged drainage tiles shall be repaired at the expense of the Petitioner and in a manner satisfactory to the Water Resources Division Manager.
5. A detailed Landscape Plan illustrating compliance with required landscape screening standards and Illinois Department of Natural Resources Pollinator Scorecard Standards and land management practices shall be approved by the Zoning Enforcement Officer prior to issuance of construction/building permit.
6. Fencing shall be provided in compliance with the National Electrical Code, as applicable. The use of barbed wire is prohibited. Setting fence posts in concrete is prohibited except for gate posts and where otherwise required for stability.
7. Recommendations made by the Illinois Department of Natural Resources in their January 15, 2025 letter to the applicants, with regard to protected resources in the vicinity of the project location, shall be followed.
8. All requirements of McHenry County Unified Development Ordinance §16.56.030.PP (as amended, subject to State of Illinois Public Act 102-1123 and Public Act 103-0580) shall be met or exceeded unless specifically amended by this Conditional Use Permit.
9. All other federal, state, and local laws shall be met.
10. The energy storage system shall be removed from the site plan prepared by Kimley-Horn, dated May 28, 2025.

WHEREAS, the McHenry County Board has considered the recommendation as submitted by the Zoning Board of McHenry County.

WHEREAS, the McHenry County Board has determined that the standards for a Conditional Use Permit as set forth in the McHenry County Unified Development Ordinance and the Illinois Compiled Statutes have been met.

NOW, THEREFORE BE IT ORDAINED, that the Unified Development Ordinance and the Zoning Maps of McHenry County, and such Ordinances and such maps as amended, be and the same are hereby amended to allow the ***issuance of a Conditional Use to allow for a Commercial Solar Energy Facility, with the following conditions:***

1. *The Conditional Use shall have no time limit, unless the use is abandoned as specified in 16.56.030.PP.4 of the McHenry County Unified Development Ordinance.*
2. *Site development shall be in substantial conformance with the site plan prepared by Kimley-Horn, dated May 28, 2025 (attached).*
3. *The Decommissioning Plan shall be applicable in part as well as in whole. If any portion of the commercial solar energy facility ceases to perform its intended function for more than twelve (12) consecutive months, that portion of the facility shall be decommissioned in compliance with all the terms of the Decommissioning Plan.*
4. *A McHenry County Stormwater Management Permit shall be secured prior to construction. Any damaged drainage tiles shall be repaired at the expense of the Petitioner and in a manner satisfactory to the Water Resources Division Manager.*
5. *A detailed Landscape Plan illustrating compliance with required landscape screening standards and Illinois Department of Natural Resources Pollinator Scorecard Standards and land management practices shall be approved by the Zoning Enforcement Officer prior to issuance of construction/building permit.*
6. *Fencing shall be provided in compliance with the National Electrical Code, as applicable. The use of barbed wire is prohibited. Setting fence posts in concrete is prohibited except for gate posts and where otherwise required for stability.*
7. *Recommendations made by the Illinois Department of Natural Resources in their January 15, 2025 letter to the applicants, with regard to protected resources in the vicinity of the project location, shall be followed.*
8. *All requirements of McHenry County Unified Development Ordinance §16.56.030.PP (as amended, subject to State of Illinois Public Act 102-1123 and Public Act 103-0580) shall be met or exceeded unless specifically amended by this Conditional Use Permit.*
9. *All other federal, state, and local laws shall be met.*
10. *The energy storage system shall be removed from the site plan prepared by Kimley-Horn, dated May 28, 2025.*

If any part, sentence, clause, or provision of this ordinance is adjudged to be unconstitutional or invalid, the remainder of this Ordinance shall not be affected thereby.

This Ordinance shall be in full force and effect from and after its passage as by law provided.

DATED this _____ day of _____, 2025.

Chairperson, McHenry County Board
McHenry County, Illinois

ATTEST:

County Clerk

NUMBER VOTING AYE: _____

NUMBER VOTING NAY: _____

NUMBER ABSTAINING: _____

NUMBER ABSENT: _____

ATTACHMENT: OFFICIAL SITE PLAN

MCHENRY COUNTY
ZONING BOARD OF APPEALS
MINUTES ● June 26, 2025

Zoning Hearing

County Board Conference Room

1:30 PM

667 Ware Rd, Woodstock, IL 60098

ZONING BOARD OF APPEALS REPORT TO THE MCHENRY COUNTY BOARD – Z25-0057

- 1. APPLICANT:** TPE IL MH376, LLC
- 2. REQUEST:** Conditional Use Permit to allow for a Commercial Solar Energy Facility
- 3. LOCATION AND SIZE OF PROPERTY IN QUESTION:** The property consists of approximately 74.826 acres and is located on the south side of U.S. Route 14, approximately one thousand five hundred (1,500) feet east of the intersection of Doty Road and U.S. Route 14, in Dorr Township, Illinois. PIN: 13-23-300-026
- 4. DATE AND TIME OF HEARING AND VOTING MEETING:** June 26, 2025 at 1:30 PM
- 5. LOCATION OF HEARING AND VOTING MEETING:** County Board Conference Room, 667 Ware Road, Woodstock, Illinois
- 6. PRESENT AT HEARING:**
 - A. ZBA Members: Linnea Kooistra – Chair, Vicki Gartner – Vice-Chair, Charles Eldredge, Kurt Schnable, Robert Kosin, Mary Donner, William Kurnik
 - B. Witness: Gloria Foxman - Turning Point Energy LLC, Ryan Solum – Licensed Professional Engineer, Project Manager with Kimley-Horn; Joseph Philip – Director of Engineering with Turning Point Energy; Bobby Ruiz – Fire Protection Consultant with Hiller; Andrew Hartigan – Real Estate Appraiser, MAI designated with CohnReznick
 - C. Attorney: Kyle Barry
 - D. Public: Kim Scharlow – County Staff; Kit GearhartSchinske – County Staff; Tiffany Umbarger; Joe Napolitano; Matt Hedges; Ronald Kurnowski
- 7. ITEMS OF EVIDENCE:** Power Point presentation

- 8. SUMMARY OF TESTIMONY:** Chair Kooistra opened the hearing. The board introduced themselves. Ms. Kooistra swore in the applicants, staff and the public.

Mr. Barry introduced himself and the applicants. Ms. Foxman introduced herself and the application. She discussed the benefits to McHenry County of the proposed solar farm. The benefits include: local jobs, opportunity for residents to subscribe and save on their electric bills, reduced greenhouse gas emissions, increased grid resiliency, pollinator habitat whose root structure improves soil structure.

Mr. Solum described the site plan and the site conditions. He stated that a drain tile study will be required and performed prior to construction. He stated that a wetland delineation was conducted and determined that they will not impact any federally jurisdictional wetlands on the site. He stated that they conducted a noise study which showed the noise level at forty-five (45) dBA. Mr. Kurnik asked if forty-five (45) dBA is quiet. Mr. Solum stated that it is comparable to the noise emitted by a refrigerator.

Mr. Phillip addressed the storage system proposed for the site. He stated that it is a twenty (20) megawatt hour storage system that will provide electricity to the grid in late afternoon, evening hours. The storage containers would be located near the entrance and co-located with the inverter and transformer away from housing and neighbors.

Mr. Ruiz addressed the safety of energy storage systems. He stated that he is a retired firefighter with forty-six (46) years of service, including as Fire Chief in Peoria, Arizona. Mr. Ruiz stated that energy storage systems are not new. He stated that they have evolved significantly over the past six (6) plus years. He further stated that there are over seven hundred (700) utility-scale energy storage facilities now operating in the U.S. Older facilities (2017-2019) had higher risk due to outdated materials (nickel, manganese, cobalt). He stated that newer technologies use safer materials like lithium iron phosphate. Mr. Ruiz stated that modern facilities have extensive sensors (heat, fire, gas) and ventilation systems to prevent and manage incidents. He stated that liquid cooling systems and deflagration panels improve safety and control. He stated that Battery Management Systems regulate voltage, monitor for abnormal heat, and can be shut down remotely; typically includes redundant monitoring systems. Mr. Ruiz discussed standards and testing. Facilities must comply with strict codes including International Fire Code, National Electric Code, and National Fire Protection Association 855 (specific to lithium-ion battery facilities). Underwriter's Laboratory (UL) 9540A testing requires batteries to undergo live burn tests to ensure fire does not propagate beyond a single container. He also stated that new facilities will have twelve (12) feet of spacing between containers, compared to only eight (8) inches in some older setups. He stated that recent incidents have proven that fires are being contained within individual containers.

Ms. Foxman stated that Hiller and project representatives are actively working with local fire departments, including recent meetings with Mr. Hedges, to ensure compliance and preparedness, and there would be ongoing training provided to firefighters and technical personnel.

Mr. Hartigan discussed property values. He stated that a general property impact study was included in the project application. He stated that the study was a Three-Pronged Research Approach:

- 1) Academic Studies including a 2024 Loyola University study focused on the Midwest (Illinois included). The Loyola study found utility-scale solar projects increased property values by 0.5% to 2%, largely due to increased tax revenue benefiting local schools and public services.
- 2) In-House Market Studies: CohnReznick has conducted over forty (40) studies nationwide comparing home sales near solar farms to similar homes farther away. Results show no consistent negative impact on property values near solar farms. Mr. Hartigan illustrated an example in Stephenson County, IL — two (2) test sales adjacent to a solar project showed a slight two (2) percent increase in property value compared to fourteen (14) control sales farther from the project. Test sales refer to homes sold within approximately one hundred twenty (120) feet of a solar farm.
- 3) Local Interviews conducted with brokers, county assessors, and township assessors. Feedback generally indicates no negative impact on property values from nearby solar farms. One broker shared that a buyer was unaware of a solar field across the street, implying no influence on purchase decision or value.

Mr. Kurnik asked if there is a concern about any potential contamination to the aquifer due to construction or operation. Mr. Solum stated that there is no reason for concern. He stated that during construction, there will be an erosion control plan in place that will be part of the stormwater pollution prevention plan and the National Pollutant Discharge Elimination System permit. He stated that the solar panels themselves are tier one (1). He stated that they are enclosed and do not pose a danger to the public. Ms. Foxman stated that planting pollinators under and around panels will improve the soil health and therefore water quality in the area.

Ms. Beverly asked if trees would be removed from the site. Ms. Foxman stated that they would not be removing trees near the road or in the big main grove. She stated that they would be removing areas of occasional trees.

Chair Kooistra opened the hearing to questions from the public. Mr. Kurnowski asked how much electricity is generated by the system. Ms. Foxman stated that it would generate enough electricity to power one thousand two hundred (1,200) to one thousand four hundred (1,400) homes.

Staff gave their report. The subject property is zoned “A-1” agriculture district. There is also “A-1” agriculture zoning to the east, west and south of the subject property. Staff stated that there is a solar farm under development within the City of Woodstock across the street to the North of the subject property. Staff stated that the subject property and the surrounding area is agricultural usage with the exception of the area to the Northwest which is residential use.

Ms. Kooistra asked Staff to address pollinator friendly landscaping. Staff stated that Planning and Development requires a landscape monitoring and maintenance plan at the time of building permit application. Staff reviews and approves the plan. She stated that Staff inspects the site annually or more frequently if needed to ensure that plantings are being established. Staff stated that it can take up to five (5) years for complete establishment of native plantings. Staff communicates with the project managers regarding any deficiencies or concerns.

Staff addressed the energy storage system. Staff stated that the Unified Development Ordinance does not currently list an energy storage system as a principal use, so Planning and Development would not allow for it as a standalone use on a property. It has been determined by the zoning enforcement officer that as an accessory use to a solar farm, it would be allowed just like any of the other equipment such as inverters. Staff stated it is supporting equipment.

Ms. Kooistra opened the floor to comments from the public. Mr. Kurnowski gave a comment.

Chair Kooistra closed the testimony portion of the hearing.

9. SOIL AND WATER CONSERVATION DISTRICT REPORT:

For further information refer to report number: 25-037-4698.

10. ILLINOIS DEPARTMENT OF NATURAL RESOURCES:

The consultation was received for this application.

11. SUMMARY OF VOTING MEETING DISCUSSION:

Chair Kooistra opened the voting meeting immediately following the hearing. She asked the board if they would allow her to not read the conditions into the record as her voice was failing. The board agreed.

Mr. Eldredge made a motion to add a condition to remove the energy storage system from the site plan. Ms. Beverly seconded the motion. Mr. Eldredge stated that he appreciates the information provided by the commissioner, but he would like a presentation from a disinterested, unrelated third-party expert before he could make a decision regarding energy storage systems.

Ms. Beverly stated that the IPA study indicates the need to get energy storage systems online and that they will reduce our energy costs. She stated that she would be more comfortable assessing proposals for energy storage systems once the Unified Development Ordinance has standards for siting, location and safety of energy storage systems.

Mr. Kurnik stated that the applicant has supplied an expert by experience and training who has given positive testimony regarding the safety of the energy storage systems. He stated that the technology has existed for ten (10) years. He stated that the energy storage systems are used in other applications. He stated that there is no difference in using the energy storage systems in the commercial solar energy system.

Ms. Kooistra stated that because the Unified Development Ordinance has not addressed the energy storage system, she would feel more comfortable voting on it after the Ordinance has standards for the board to assess.

The Zoning Board of Appeals asked Staff to provide a third-party independent expert to educate the board on the matter of energy storage systems. Motion carried (7-0).

Mr. Eldredge moved to accept the conditions as amended. Ms. Donner seconded the motion. Motion carried (7-0).

Mr. Eldredge moved to accept the petition subject to the conditions. Ms. Donner seconded the motion. He stated that the property in question is a semi-rural area between Woodstock and Crystal Lake along U.S. Route 14, directly across the street from another solar farm that is within the jurisdiction of the municipality of Woodstock. He stated that there is an earth extraction mine in the area, and it is a commercial corridor.

Ms. Kooistra stated that the standards have been met. Motion carried (7-0).

12. FACTS THAT SUPPORT RECOMMENDING APPROVAL OF THE REQUEST:

- The property is zoned "A-1" Agricultural District.
- The surrounding land use for the property is mainly agricultural.
- There is a commercial solar energy system in development to the North of the subject parcel and within the jurisdiction of the City of Woodstock.
- All county and state standards have been met.

13. FACTS THAT SUPPORT RECOMMENDING DENIAL OF THE REQUEST: None.

14. MOTIONS:

Mr. Eldredge made a motion to add a condition to remove the energy storage system from the site plan. Ms. Beverly seconded the motion. Motion carried (7-0).

Mr. Eldredge moved to accept the conditions as amended. Ms. Donner seconded the motion. Motion carried (7-0).

Mr. Eldredge moved to accept the petition subject to the conditions. Ms. Donner seconded the motion. Motion carried (7-0).

15. VOTE:

7 – AYES; 0 – NAYS; 0 – ABSTAIN

GOES TO COUNTY BOARD WITH ZBA RECOMMENDATION FOR Approval of the conditional use subject to the following conditions:

1. The Conditional Use shall have no time limit, unless the use is abandoned as specified in 16.56.030.PP.4 of the McHenry County Unified Development Ordinance.
2. Site development shall be in substantial conformance with the site plan prepared by Kimley-Horn, dated May 28, 2025 (attached).

3. The Decommissioning Plan shall be applicable in part as well as in whole. If any portion of the commercial solar energy facility ceases to perform its intended function for more than twelve (12) consecutive months, that portion of the facility shall be decommissioned in compliance with all the terms of the Decommissioning Plan.
4. A McHenry County Stormwater Management Permit shall be secured prior to construction. Any damaged drainage tiles shall be repaired at the expense of the Petitioner and in a manner satisfactory to the Water Resources Division Manager.
5. A detailed Landscape Plan illustrating compliance with required landscape screening standards and Illinois Department of Natural Resources Pollinator Scorecard Standards and land management practices shall be approved by the Zoning Enforcement Officer prior to issuance of construction/building permit.
6. Fencing shall be provided in compliance with the National Electrical Code, as applicable. The use of barbed wire is prohibited. Setting fence posts in concrete is prohibited except for gate posts and where otherwise required for stability.
7. Recommendations made by the Illinois Department of Natural Resources in their January 15, 2025 letter to the applicants, with regard to protected resources in the vicinity of the project location, shall be followed.
8. All requirements of McHenry County Unified Development Ordinance §16.56.030.PP (as amended, subject to State of Illinois Public Act 102-1123 and Public Act 103-0580) shall be met or exceeded unless specifically amended by this Conditional Use Permit.
9. All other federal, state, and local laws shall be met.
10. The energy storage system shall be removed from the site plan prepared by Kimley-Horn, dated May 28, 2025.

Full Comments for the above agenda items are included in the audio recording of this meeting, which can be found on the McHenry County Meeting Portal. Portions of this document were produced with the assistance of OpenAI (2025) GhatGPT-4o in compliance with the McHenry County Artificial Intelligence Appropriate Use Policy.

Linnea Kooistra:

Okay, we'll come back to order. Before we continue, I just have a question for Kim. I just want to ask you if you feel that the petitioner has addressed the county and the state standards, and if they meet those standards?

Kim Scharlow:

Yes, I do believe they've met them.

Linnea Kooistra:

Okay. All right. Go ahead with whatever you wanted to ask us.

Kyle Barry:

I think that was the only thing, that I would echo what Kim said. And we appreciate the opportunity for the lengthy discussions this afternoon, and we appreciate the air conditioning, and appreciate the probative questions. This was a good discussion. Thank you.

Linnea Kooistra:

Well, this board, I would say we're very diverse and I think we do our due diligence on behalf of the taxpayer. So at this time we will close the hearing portion of the meeting. We'll move on to the voting portion. Again, this is Petition Z25-0057. And again for our conditional use permit to allow for commercial solar energy facility. So I'm just going to bring up the question to Mr. Eldredge, because you asked to have an expert. Do you want to vote on this without this battery storage, or do you want to continue this until we get an expert? Because you're the one that asked staff about this.

Charles Eldredge:

Well, I don't really care. I mean if we're going to vote on it, I would like separate vote on the-

Linnea Kooistra:

Storage.

Charles Eldredge:

On the storage portion.

Linnea Kooistra:

But the request doesn't even include the storage portion.

Speaker X:

Yes.

Charles Eldredge:

Yeah. well-

Linnea Kooistra:

It's part of the site plan. So we could ask to have it eliminated off the site plan.

Charles Eldredge:

Yes. I mean what I would recommend is that we go ahead, vote on it. I will propose a condition that the battery storage be eliminated from the site plan, which I would be happy to reconsider, after we learn more about safety with regard to these.

Linnea Kooistra:

Okay. So staff has proposed nine conditions, and they're up on the screen. Does anyone on the board have any objection to me not reading through them, since...

Speaker X:

[inaudible 01:55:49].

Linnea Kooistra:

... my voice is kind of an issue? It's okay? All right. Do we have any other proposed conditions?

Charles Eldredge:

Yes, my proposed condition is the removal of battery storage from the site plan.

Linnea Kooistra:

Is there a second?

Jessica Beverly:

I'll second.

Linnea Kooistra:

It's been moved by Mr. Eldredge to add a condition to remove the battery storage. And seconded by Ms. Beverly. Discussion, Mr. Eldredge.

Charles Eldredge:

Well, I've already said what I have to say. I really appreciate the information that's been provided by the commissioner, but I don't believe I know enough, and I believe I need a presentation from the disinterested, unrelated third-party expert, before I would have a chance of knowing enough to vote in favor. My suspicion is that after such a vote, such a presentation, I'd be comfortable enough to vote in favor. But right now by their testimony, it has the possibility of explosion, the possibility of fire. And while there are safeguards, I've never known safeguards that can't fail under some circumstances. And given my limited knowledge, I simply can't vote in favor without knowing.

Linnea Kooistra:

Any other comments? I'll just go down that line. Mr. Kosin, do you have any other comments?

Robert Kosin:

Yes, as one who has already said that I'd be supporting questioning of the ESS, I am more than otherwise known as an early adopter for technology. But that is in my own life and with my own family, much to the dismay of members of my family. But this is an element that is written in our requirements of health, safety, and general welfare for public purposes. And at this point we've had a wonderful discussion of new technology, and the delivery of the company has already proven itself, but yet it is still vague to the standard of health safety, general welfare. And I would be supporting such [inaudible 01:58:24].

Linnea Kooistra:

Mr. Schnable?

Kurt Schnable:

My personal opinion is the state of Illinois has got a lot of government officials that are pushing these as part of their plan. I understand that and I get that, but I can tell you right now, if this was across the street from a residential subdivision, I would never vote to support the battery portion. And that's all I have to say right now.

Linnea Kooistra:

Ms. Beverly.

Jessica Beverly:

Yeah. It's my understanding that this is where the technology's going. We've had multiple developers present that we will expect to see these types of things in the future. And it's my understanding that there have been multiple failed bills in Springfield attempting to regulate them or introduce them into the market, similar to the Solar Sighting Act. And we have purposely put off in our UDO, regulating it ourselves while we wait for more guidance. And I'm not prepared to move forward with it until we get that guidance.

Linnea Kooistra:

Ms. Donner, any comments?

Mary Donner:

I am very conflicted for a number of reasons, but I will agree with the board's decision.

Linnea Kooistra:

Mr. Kurnik.

William Kurnik:

I too am conflicted, and I guess the first question I would ask, is Charlie, to address your issue about getting a disinterested third party.

Charles Eldredge:

How do we do that?

William Kurnik:

Any expert that's going to come and testify, that's retained by the petitioner is by definition, at least from my perspective, not disinterested, they're being paid by the petitioner.

Charles Eldredge:

I agree. I think the county needs to bring us somebody.

William Kurnik:

I don't know how we do that. So I guess your view is we continually deny these requests until the county acts?

Charles Eldredge:

Yes. That's my position.

William Kurnik:

My view is that I thought this was the first application of these battery storages with a solar panel. But being an alternate, I figured, well, maybe it's not the first time, I just was not in attendance. But I gather I'm correct that this was the first time the board has been...

Charles Eldredge:

Yes.

William Kurnik:

... presented with this. From my view, we have an expert by experience, if not by training, who's given positive testimony about the safety of these from my perspective. And this is as I understand the testimony, and you folks can correct me, this is just a different application of technology that is not new. These batteries I understand have been around for 10 years I think is the testimony. There's other applications for these batteries. I don't see how the battery being used in this application is any different than these types of batteries being used in other than solar farms. So while I'm conflicted, I think that based upon the testimony we've heard, and the safety aspects of it, that I'm not in favor of the amendment of removing this. For those reasons.

Mary Donner:

[inaudible 02:01:47].

Linnea Kooistra:

One sec. Go ahead.

Mary Donner:

As long as we're having a discussion and these are our statements, what do we do if we can find this third party that can come in and talk to us and tell us that everything is A okay, and these people are now out of that situation because we've approved it without it, now that they have to come back and say, "Now we want that battery to go back in," or "It is part of this petition." This is where I get conflicted. Where do we end up saying yes or no to that? And I understand exactly why we wouldn't,

but I also say now what happens if in the time it takes for you to actually get this moving, it's going to be a year before you get started or two years before you get started, and we get somebody in here or some other company comes in here and there have been the discussions and the presentations made?

Now we've told these people no and some other people two years from down the line when these are ready to go, we already know it's okay and we would approve somebody else. That's my conflict, is I just don't know how we say no to somebody and they're not even going to get started for another two years or a year. Isn't there a different kind of requirement or question or condition that we can have that would solve that? And I don't know how. I don't know that-

Linnea Kooistra:

Well, Mary, it is not part of this petition, as was stated by staff.

Mary Donner:

Okay.

Linnea Kooistra:

This is not part of the petition. It's an accessory use. So it was not asked for in the petition, it's just on the site plan.

Mary Donner:

Okay.

Linnea Kooistra:

And I will just say, just because we have not addressed it in the UDO, I would feel much more comfortable voting on it after our staff has set some standards for us to look at. And until that time, as a person who's not an expert, even though I appreciate the testimony of this man who's come forth, and I think he's really representing firefighters and just really wanting to protect them, and making sure that batteries are safe for them. But even with that excellent testimony, I just feel in our role as a zoning board, I just feel like we need some guidance in our UDO as to what we need to look at, before we say yes, it's safe, representing the interests of the public. And so I'll just agree with Mr. Eldredge, and when the county comes forth with, maybe they amend the UDO and add something for us to look at, then I'll be comfortable voting yes on that.

Charles Eldredge:

And I see no reason if that happens before they've constructed this, for them not to come back to us, [inaudible 02:04:53] asked to be added back in, then I certainly would consider that on top of that.

Linnea Kooistra:

I would as well.

Mary Donner:

Okay. Okay, that helps me out a lot.

William Kurnik:

Can I just ask one... I mean Kim, can staff do the necessary... Are they equipped to do investigation to do some research, and come up with-

Kim Scharlow:

We can certainly try. I know there are other jurisdictions that have added standards to their ordinance, I believe Will County added to their ordinance. They may have connections there. City of McHenry, I have a connection over there that possibly would be able to, because they have the standalone utility scale energy storage there, I might be able to reach out and see if there is somebody that would be willing to come and give more information.

Charles Eldredge:

Well, and somebody like Underwriters Laboratories or the National Fire Protection, or National Electricians whatever, undoubtedly have experts in this field. It's just a question of finding them.

Gloria Foxman:

We have to look [inaudible 02:06:06].

Charles Eldredge:

And then requiring probably some cost of having them come to talk us.

Gloria Foxman:

Right. I will have to look into that, but I can certainly do that.

Mary Donner:

Well, and so-

Linnea Kooistra:

I think it's something that we kind of need to be able to come back too. So I'll call for the vote on this new condition, this would be condition number 10. Mr. Eldredge?

Charles Eldredge:

Yes.

Linnea Kooistra:

Mr. Kosin?

Robert Kosin:

Yes.

Linnea Kooistra:

Mr. Schnable?

Kurt Schnable:

Yes.

Linnea Kooistra:

Ms. Beverly?

Jessica Beverly:

Yes.

Linnea Kooistra:

Ms. Donner.

Mary Donner:

Yes.

Linnea Kooistra:

Mr. Kurnik?

William Kurnik:

Yes.

Linnea Kooistra:

And I will vote yes. So this condition is approved, seven to nothing. At this time I would take a vote on all the conditions.

Charles Eldredge:

I move, acceptance of all the conditions as amended.

Mary Donner:

I'll second.

Linnea Kooistra:

It's been moved by Mr. Eldredge, second by Ms. Donner to approve the conditions. Any discussion? And I'll call for the vote. Mr. Eldredge?

Charles Eldredge:

Yes.

Linnea Kooistra:

Mr. Kosin?

Robert Kosin:

Yes.

Linnea Kooistra:

Mr. Schnable.

Kurt Schnable:

Yes.

Linnea Kooistra:

Ms. Beverly?

Jessica Beverly:

Yes.

Linnea Kooistra:

Ms. Donner.

Mary Donner:

Yes.

Linnea Kooistra:

Mr. Kurnik?

William Kurnik:

Yes.

Linnea Kooistra:

And I'll vote yes. So the conditions are approved, seven to zero. At this time I would-

Charles Eldredge:

Madam Chairman, I move acceptance of the petition subject to the conditions.

Mary Donner:

I'll second.

Linnea Kooistra:

It's been moved by Mr. Eldredge, seconded by Ms. Donner, to approve this request with the conditions attached to it. Discussion. Mr. Eldredge.

Charles Eldredge:

Yes, this is a semi-rural area between Woodstock and Crystal Lake along 14, which is a major US highway. It is directly across the street from another solar farm that is within the jurisdiction of the municipality of Woodstock. There's a gravel pit in the area, it is a commercial corridor that is gradually... Well, maybe not so gradually developing in various ways as Crystal Lake and Woodstock come closer to one another. In my view, this is a petitioner who has had a number of successful petitions for solar

farms. Heretofore, I think they do a wonderful job of preparation and presentation, and I am happy to approve of this now that the storage has been removed until we learn more, and I support the petition.

Linnea Kooistra:

Mr. Kosin?

Robert Kosin:

I can only echo the satisfaction of the presentation of the petition meeting the standards for it, with the expectation that it would be equivalent as well once such a presentation is given on the ESS, with the same kind of quality that the rest of the industry, who is likely to follow along Northwest Highway, from as far west as Boone County, I'm told, to arrive here in McHenry and fulfill such a standard.

Linnea Kooistra:

Mr. Schnable.

Kurt Schnable:

I agree with exactly what's been said so far.

Linnea Kooistra:

Ms. Beverly.

Jessica Beverly:

I agree with what's been said. I understand the IPA study saying that we have to get battery storage online, that it will reduce our bills. I've seen all that, I've seen the proposed bills. I would like to see our UDO reflect some sort of standard for siting and for location and for safety purposes before I'm going to be comfortable bringing in here. We have very intense fires in this area, we've had like four barn fires. I'm not comfortable introducing another massive fire risk to the area without staff having standards established.

Linnea Kooistra:

Ms. Donner.

Mary Donner:

[inaudible 02:10:32]. I agree with everyone who has spoken already. I hate pig in a poke. It's the first time. It's always hard to be the first one in and to see where it's going. And so we have to be very careful. This board is under huge scrutiny all the time, and so do not be as tight as we are in working on this, I have to go along with it. So I'm going to be voting, yes.

Linnea Kooistra:

Mr. Kurnik.

William Kurnik:

I have nothing to add.

Linnea Kooistra:

And I agree that the standards have been met. And with the public act passed by the state of Illinois, as long as their location standards are met, the county cannot deny a request. And the state standards have been met for siting this facility. So I'm in favor of the request. So I will call for the vote. Mr. Eldredge?

Charles Eldredge:

Yes.

Linnea Kooistra:

Mr. Kosin?

Robert Kosin:

Yes.

Linnea Kooistra:

Mr. Schnable?

Kurt Schnable:

Yes.

Linnea Kooistra:

Ms. Beverly?

Jessica Beverly:

Yes.

Linnea Kooistra:

Ms. Donner?

Mary Donner:

Yes.

Linnea Kooistra:

Mr. Kurnik?

William Kurnik:

Yes.

Linnea Kooistra:

And I'll vote yes. So this goes to the county with a seven to zero vote, approving the request. At this time, the hearing is closed.

This transcript was exported on Jul 03, 2025 - view latest version [here](#).

Kyle Barry:

[inaudible 02:11:47].

Speaker 5:

Thank you.

Speaker X:

Thank you.

Thank you.

Thank you.

There you go.

PART 4 OF 4 ENDS [02:11:51]

Staff Report for the McHenry County Zoning Board of Appeals

Application: #Z25-0057

PIN: #13-23-300-026

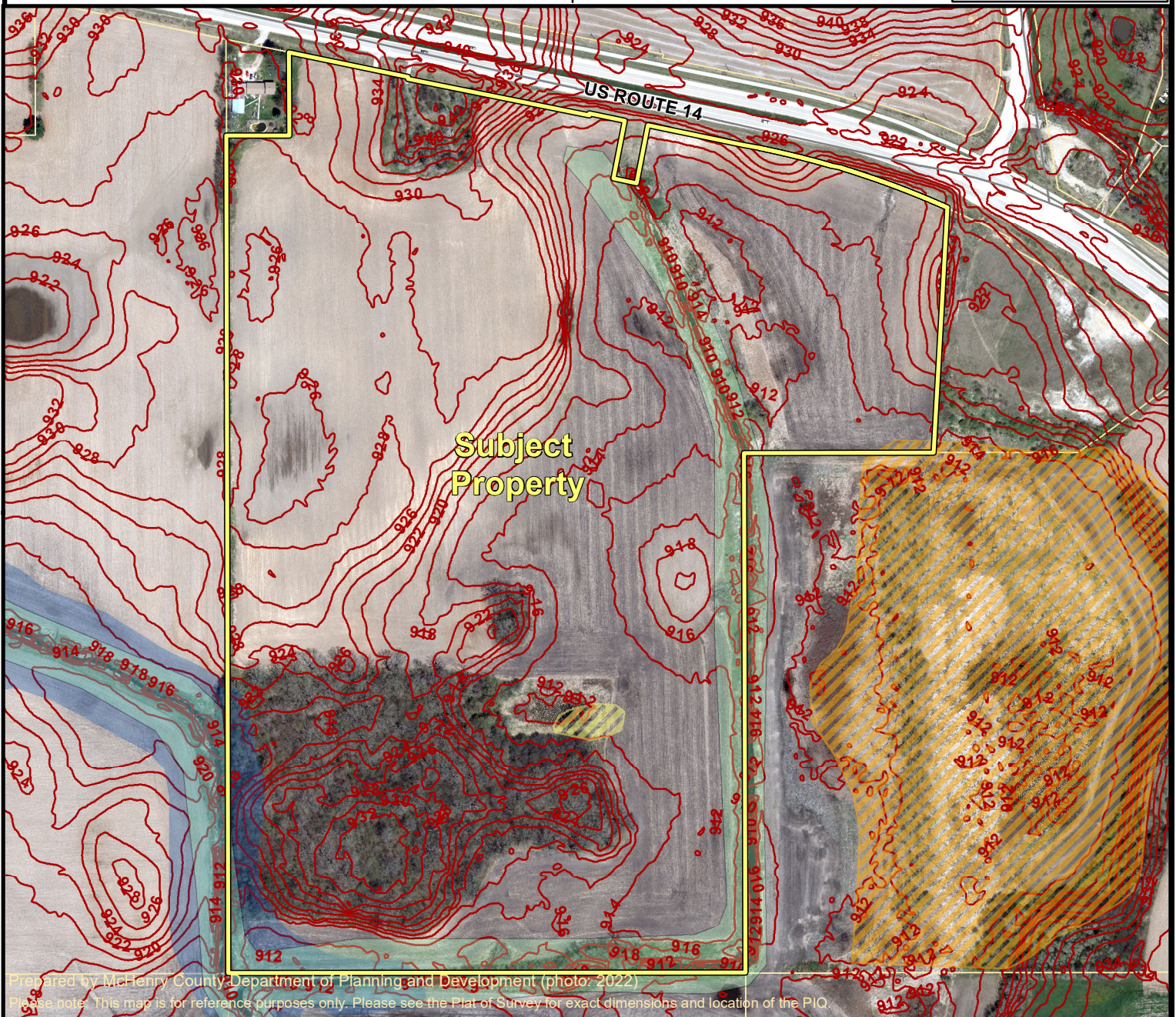
Location: The property consists of approximately 74.826 acres and is located on the south side of U.S. Route 14, approximately one thousand five hundred (1,500) feet east of the intersection of Doty Road and U.S. Route 14, in Dorr Township, Illinois.

Hearing: June 26, 2025

Applicant: TPE IL MH376, LLC

Request: Conditional Use Permit to allow for a Commercial Solar Energy Facility

Aerial Map



Elevation
(feet above sea level)
Contours

ADID Wetland Map 2005

- High Functional Value Wetland (hfw)
- High Quality Wetland (hqw)
- Wetland (w)
- Farmed Wetland (fw)

Historic Flood Zone



FEMA Flood Hazard Areas

- 0.2 % Annual Chance of Flood
- 1% Annual Chance of Flood
- Floodway

Feet
190 95 0 190 380
1 inch equals 375.7 feet



Staff Report for the McHenry County Zoning Board of Appeals

STAFF COMMENTS

The following comments and conclusions are based upon staff analysis and review prior to this hearing and are to be considered viable unless evidence is established to the contrary. Staff may have additional comments based upon the testimony presented during the public hearing.

BACKGROUND & REQUEST SUMMARY

The applicant is requesting a Conditional Use Permit to allow for a Commercial Solar Energy Facility. The subject property consists of approximately seventy-four and eight tenths (74.8) acres and is zoned A-1 Agriculture District. According to aerial photography, the subject property is currently in crop production, with a portion of the property in woodlands (approximately twenty-two (22) acres, as identified by the Soil and Water Conservation District). The proposed site plan indicates the majority of the woodlands will be avoided.

According to the narrative, the applicant is proposing a 4.99-megawatt commercial solar energy facility, enclosed by a seven (7)-foot security fence, per the regulations of the National Electric Code. The nearest adjacent residence on a nonparticipating parcel is over one-hundred fifty (150) feet from the proposed location of the solar array.

Note: On January 27, 2023, the State of Illinois passed Public Act 102-1123 (further modified under trailer bill P.A. 103-0580 on December 8, 2023), which modifies regulations for proposed commercial solar energy facilities. The County of McHenry has amended the Unified Development Ordinance, as of April 18, 2023, in order to comply with the State's regulations.

MCHENRY COUNTY UNIFIED DEVELOPMENT ORDINANCE

- The applicant must meet the Principal Use Standards for a Solar Farm, listed in County Code Section 16.56.030.PP of the UDO (*with the exception of any changes provided by Public Act 102-1123, as outlined above*).

STAFF ANALYSIS

Current Land Use & Zoning

The property is adjacent to Agricultural uses to the north, south, east and west, single-family residential use to the northwest, and vacant property to the east. The surrounding zoning consists of A-1 Agriculture District to the east, south and west and the City of Woodstock to the north.

2030 Comprehensive Plan Future Land Use Map

The proposed conditional use permit is somewhat consistent with the County's future land use designation of Office, Research, Industrial.

2030 Comprehensive Plan & 2030 and Beyond Analysis

The 2030 Comprehensive Plan and 2030 and Beyond Update support the construction of commercial solar energy facilities within existing agricultural areas. (*See analysis below*)

McHenry County 2030 and Beyond, Adopted October 18, 2016

Big Idea #1 Let's make our communities healthy, active, and green

"We can make it happen by preserving our groundwater aquifers, lakes, rivers, streams, and their natural functions." (p.11)

- The McHenry County Water Resources Division has determined that the panels will not be calculated as an impervious surface for the development permit. This is because the panels are proposed to be elevated above the ground several feet and supported by driven piles. The petitioner will be required to obtain a Stormwater Management Permit which will include calculations for all impervious areas, including but not limited to the piles, access drives, and equipment pads.

Big Idea #2 Let's build on our strengths

"We can make it happen by recognizing the economic and social importance of our agricultural industry." (p. 15)

- The McHenry County Soil and Water Conservation District's Natural Resources Inventory report (#25-037-4698) indicates that the LE score is 84 out of a possible 100 regarding soils for crop production. This is due, in part, to approximately 39.3% of the site containing prime farmland soils. The concerns that the development of solar facilities in the county will result in the loss of farmland, particularly prime farmland can be remediated because, unlike other forms of development, the land is preserved for future farming. Also, the proposed native vegetation may slow the velocity of runoff, capturing sediments or other pollutants and allowing water to infiltrate into the soil, thereby reducing potential for erosion and sedimentation and improving soil conditions.

Big Idea #3 Let's grow smarter

"The county should also be open to commercial enterprises in the unincorporated areas that are major generators of jobs or tax revenues for which no suitable municipal sites exist elsewhere in the county, or that are dependent upon a direct proximity to agriculture or open space and designed in harmony with these areas." (p. 17 & 21)

- Due to the size and scale of the project, undeveloped acreage is important to the siting and development of a commercial solar energy facility. The applicant should be prepared to address how the proposed use relates to the statement above regarding generation of jobs, tax revenues, and siting of the facility.

Big Idea #4 Let's expand our economy

"We can make it happen by improving infrastructure, including freight and commuter rail, access to major regional and interstate roadways, and access to high-speed internet services." (p.22)

- The proposed commercial solar energy facility will provide a renewable energy source to the electrical grid as an alternative to energy created from sources with a larger carbon footprint.

McHenry County 2030 Comprehensive Plan, Adopted April 20, 2010

Community Character & Housing

No applicable text.

Agricultural Resources

"Encourage owners of parcels with the greatest potential for productive agricultural use, such as parcels with an LE score of 80 or above that are in agricultural use and contiguous with other such parcels, to preserve their parcels for agricultural uses." (p. 38, #7)

- Commercial solar energy facilities typically have a life of approximately thirty (30) to forty (40) years and after that time the property may return to agriculture.

"Continue joint participation with the USDA Natural Resources Conservation Service and McHenry County Soil and Water Conservation District in educational programs regarding best soil conservation practices and improving rural water quality." (p. 38, #20)

- The McHenry-Lake County Soil and Water Conservation District recommends that areas between panels be planted to a native prairie mix to help increase water infiltration and reduce runoff from the site. It is recommended that a planting and maintenance plan be developed with the landowner to ensure that noxious weeds are controlled, and native plantings are properly installed and managed. The petitioner is encouraged to add pollinator species to this planting plan. The Soil and Water Conservation District also recommends, upon decommissioning, that if any underground lines are to remain, they should have at least five (5) feet of cover to adequately allow farming operations to commence after the facility's removal.

Greenways, Open Space & Natural Resources

"Protect environmentally sensitive areas from negative impacts of adjacent land uses." (p.57, #9)

- The IDNR identified protected resources may be in the vicinity of the project location, including Gladstone Fen Class III Groundwater Site and Blanding's Turtles. They provided recommended actions to be taken to avoid adversely impacting listed species and protected natural areas in the vicinity of the project. If these recommendations are adopted, the IDNR has determined impacts to the protected resources are unlikely.
- The Soil and Water Conservation District identifies approximately ten (10) mature Bur Oak trees within the proposed impact area. They recommend this area be avoided to preserve this valuable resource.

"Encourage the design of developments to achieve the broader sustainability of human and natural communities, including the social and economic dimensions of sustainability." (p. 57, #15)

- The proposed commercial solar energy facility will contribute to a broader sustainability objective in that it will produce clean energy as a replacement for energy produced by unsustainable means.

Water Resources

"Preserve and enhance the chemical, physical, biological, hydrologic integrity of streams, lakes and wetlands." (p.63)

"...land use and development should be carefully examined and regulated within sensitive groundwater recharge areas to ensure that the water quality, quantity, and natural recharge functions of the area are safely maintained." (p.67)

- The applicant will be required to obtain a Stormwater Management Permit prior to construction.

Economic Development

"Decrease the degree to which the residential sector in the County must pay for services." (p.87)

- The state legislature has approved standards that would regulate how commercial solar energy facilities are assessed for tax purposes. The standards would result in an increase from the current assessed value of agricultural land.

Infrastructure

"It is estimated that every 120 MW of solar power would eliminate 1.7 million tons of carbon dioxide emissions which is the equivalent of removing 310,000 vehicles from the nation's roadways annually. A 1,000 MW coal plant produces approximately 6 million tons of carbon dioxide per year." (p.116)

"Encourage all governmental units in the County to adopt and support ordinances that will enhance all segments of the areas electric grid." (p. 120, #5)

The proposed commercial solar energy facility is consistent with the *Comprehensive Plan* support of more sustainable energy sources.

STAFF ASSESSMENT

The 2030 Comprehensive Plan and the 2030 and Beyond Update both support the development of commercial solar energy facilities. Once the facility is constructed, there is very little to no traffic generated by the use. There is very minimal risk of noise, lighting, or other nuisances generated by this use. The proposed use is compatible with adjacent uses. As noted within Public Act 102-1123, a request for a Conditional Use Permit for a commercial solar energy facility shall be approved if the request is in compliance with the standards and conditions imposed within the Act, the zoning ordinance adopted consistent with this Code, and the conditions imposed under State and Federal statutes and regulations. A County may not adopt zoning regulations that disallow commercial solar energy facilities from being developed or operated in any district zoned to allow agricultural or industrial uses. All construction will be required to meet applicable codes and ordinances for: fire protection, commercial building and electrical construction, and stormwater management.

Staff offers the following conditions for consideration:

1. The Conditional Use shall have no time limit, unless the use is abandoned as specified in 16.56.030.PP.4 of the McHenry County Unified Development Ordinance.
2. Site development shall be in substantial conformance with the site plan prepared by Kimley-Horn, dated May 28, 2025 (attached).
3. The *Decommissioning Plan* shall be applicable in part as well as in whole. If any portion of the commercial solar energy facility ceases to perform its intended function for more than twelve (12) consecutive months, that portion of the facility shall be decommissioned in compliance with all the terms of the *Decommissioning Plan*.
4. A McHenry County Stormwater Management Permit shall be secured prior to construction. Any damaged drainage tiles shall be repaired at the expense of the Petitioner and in a manner satisfactory to the Water Resources Division Manager.
5. A detailed Landscape Plan illustrating compliance with required landscape screening standards and Illinois Department of Natural Resources Pollinator Scorecard Standards and land management practices shall be approved by the Zoning Enforcement Officer prior to issuance of construction/building permit.
6. Fencing shall be provided in compliance with the National Electrical Code, as applicable. The use of barbed wire is prohibited. Setting fence posts in concrete is prohibited except for gate posts and where otherwise required for stability.
7. Recommendations made by the Illinois Department of Natural Resources in their January 15, 2025 letter to the applicants, with regard to protected resources in the vicinity of the project location, shall be followed.
8. All requirements of McHenry County Unified Development Ordinance §16.56.030.PP (as amended, subject to State of Illinois Public Act 102-1123 and Public Act 103-0580) shall be met or exceeded unless specifically amended by this Conditional Use Permit.
9. All other federal, state, and local laws shall be met.

16.56.030 Principal Use Standards

PP. COMMERCIAL SOLAR ENERGY FACILITY. Conditional use permits for a COMMERCIAL SOLAR ENERGY FACILITY shall have no time limit, unless the use is abandoned as specified in subsection PP.4. below (COMMERCIAL SOLAR ENERGY FACILITY: Abandonment), or the permit is revoked in accordance with § 16.20.040I. (Revocation of Conditional Use Permits).

1. Application.

- a. A threatened and endangered species consultation (EcoCAT) from the Illinois Department of Natural Resources is required at the time of conditional use permit application for any site that is five (5) acres or greater in size and currently in agricultural use or undeveloped.
- b. A site plan shall be provided 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.
- c. All other application submittal requirements outlined in the *Planning and Development Department Zoning Application Packet* as published on the McHenry County Website.

2. Site design.

- a. Solar panels, structures, and electrical equipment, excluding fences and power lines for interconnection, shall be erected no less than fifty (50) feet from any lot line and no less than one hundred fifty (150) feet from any residence, other than a residence on the same ownership parcel.
- b. No structures, excluding power lines for interconnection, may exceed twenty (20) feet in height. Power lines shall be placed underground to the maximum extent possible.
- c. Lighting must comply with § 16.60.020 (Exterior Lighting).
- d. Solar panels shall have a surface that minimizes glare and shall comply with § 16.60.040D. (Lighting and Glare).
- e. The facility shall be situated as to minimize impacts to woodlands, savannas, wetlands, drainage tiles, and encroachment into flood plains. All site development shall comply with the Stormwater Management Ordinance. Any damaged drainage tiles shall be repaired.
- f. In order prevent erosion, manage run-off, and provide ecological benefit, the facility shall be planted with "low-profile" native prairie species, using a mix appropriate for the region and soil conditions per Illinois Department of Natural Resources (IDNR) standards, as amended from time to time.
- g. Fencing shall be provided in compliance with the National Electrical Code, as applicable. The use of barbed wire must comply with § 16.56.050H.1.c. of this Ordinance.
- h. Any part of the facility that is within five hundred (500) feet of a NONPARTICIPATING RESIDENCE, or road right-of-way, shall be landscaped with an arrangement of native shrubs, subject to approval by the County Board, unless the facility is screened from view by existing vegetation.
- i. Prior to building permit issuance, the operator 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.
- j. Prior to scheduled public hearing, the operator shall enter into an Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture (IDOA), as required by that department.
- k. Prior to building permit issuance, the operator shall provide an executed road use agreement between the Applicant and the appropriate governing road and highway jurisdictions or the Illinois Department of Transportation (IDOT), showing approved entrances.

3. Safety.

- a. Prior to construction, the operator 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.
- b. 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.
- c. Access shall be granted, provided appropriate advance notice, for periodic inspection of the site by the County or the local fire district.
- d. 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.

4. Abandonment.

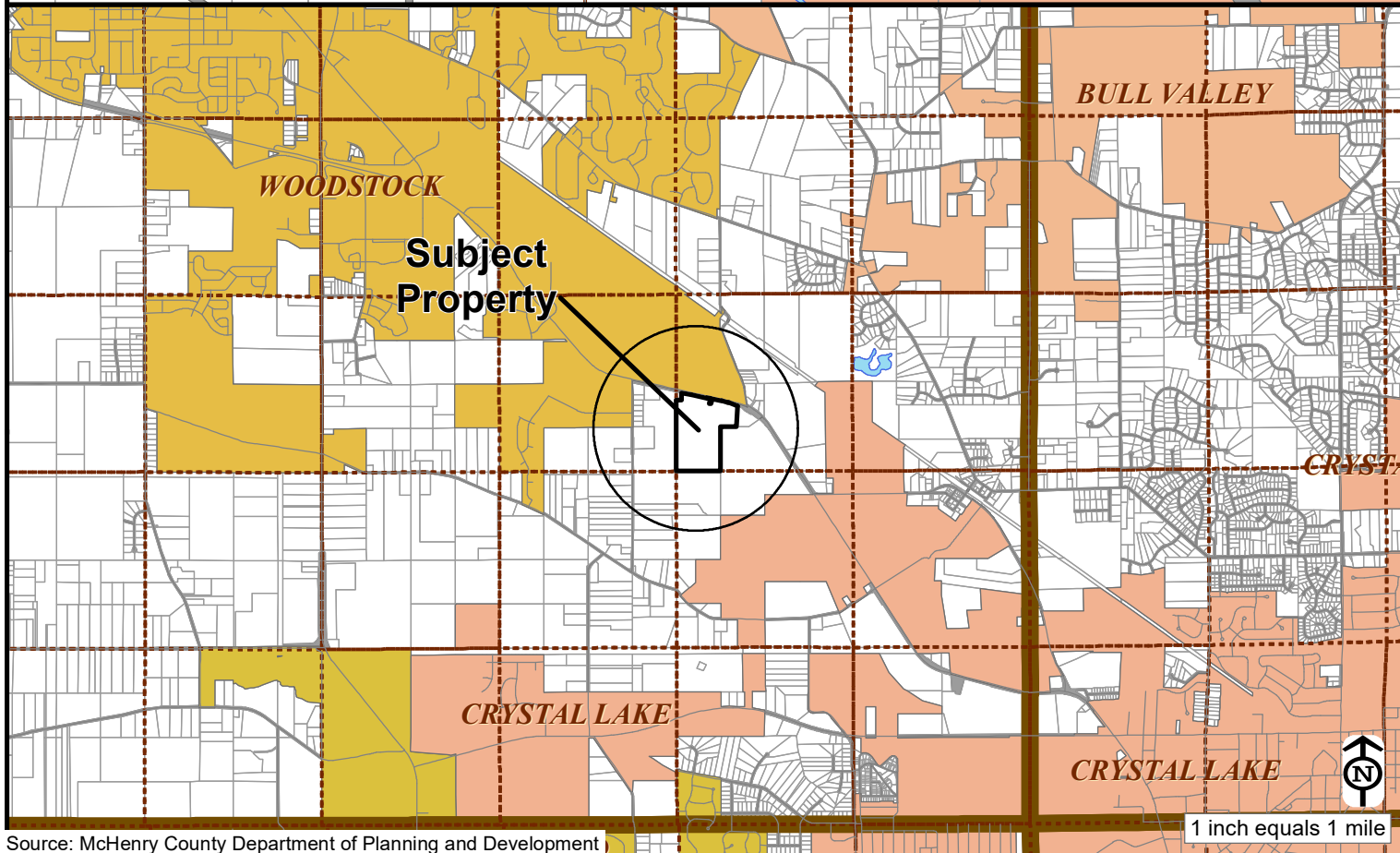
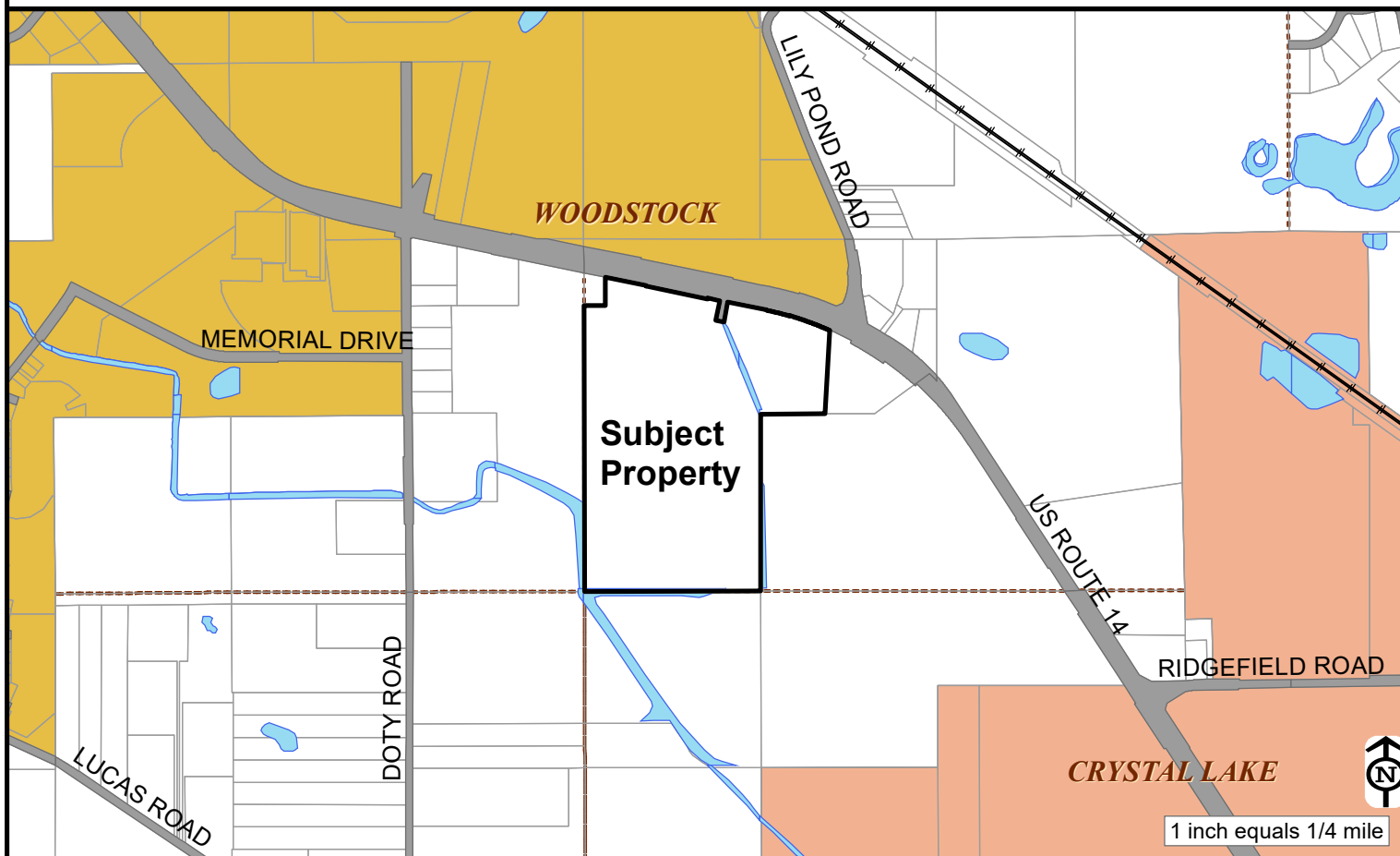
- a. The COMMERCIAL SOLAR ENERGY FACILITY shall be considered abandoned if the operator fails to pay rent as specified in the Agricultural Impact Mitigation Agreement, or it ceases to generate electricity for a period of twelve (12) consecutive months. Reports of electrical power production shall be provided to the County upon request. An abandoned COMMERCIAL SOLAR ENERGY FACILITY must be decommissioned and removed within twelve (12) months from the time it is deemed abandoned. The operator may appeal in writing to the Zoning Enforcement Officer for an extension of time in order to remove the facility or to bring the solar farm back into operation.

5. Decommissioning. Decommissioning and removal of the COMMERCIAL SOLAR ENERGY FACILITY shall be the responsibility of the operator upon abandonment or revocation of the conditional use permit. All operators shall comply with the following:

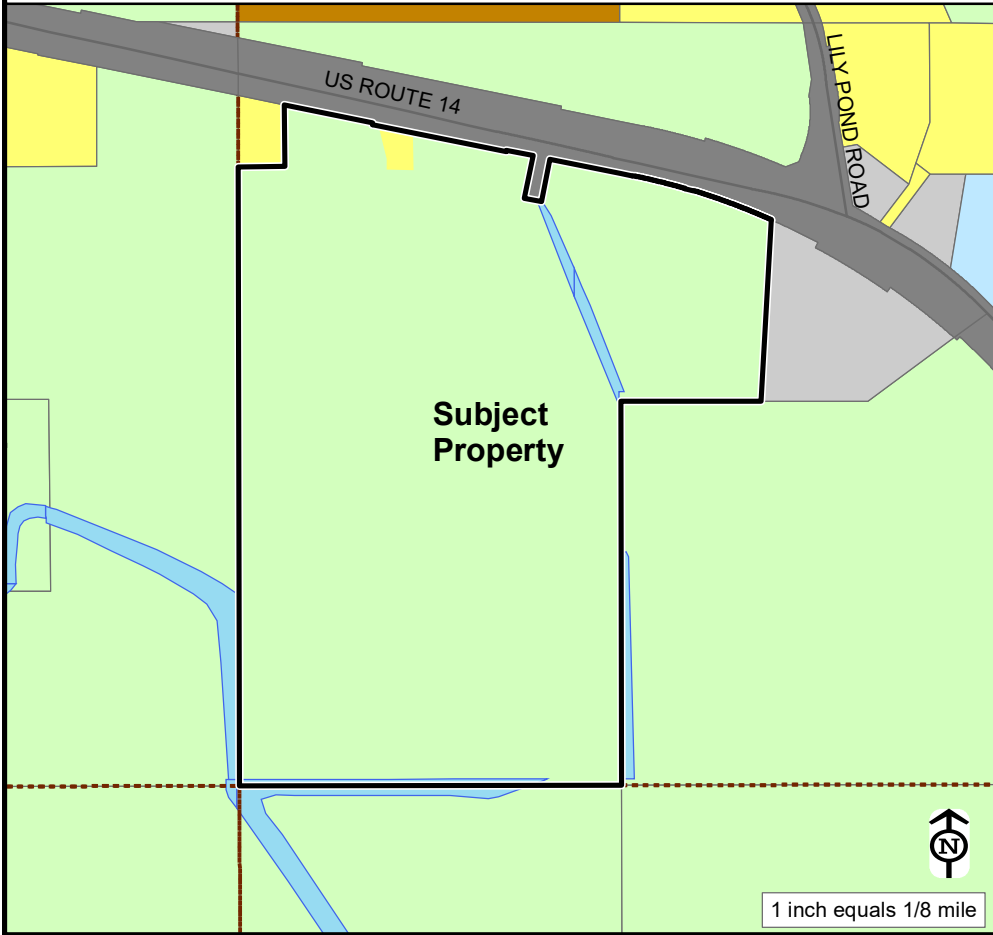
- a. Prior to building permit issuance, the operator shall prepare a decommissioning plan which shows the final site conditions after the COMMERCIAL SOLAR ENERGY FACILITY has been removed from the property. Decommissioning plans shall require removal of all solar panels, electrical equipment, poles, piles, foundations, and conduits (above and below ground). Access roads, fencing, groundcover, and landscaping may remain only by agreement of property owner.

b. Prior to building permit issuance, the operator shall submit an engineer's estimate of cost for decommissioning the facility and restoring the site in accordance with the approved decommissioning plan. Upon review and approval by the Zoning Enforcement Officer of the 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. Provision of this financial assurance shall be phased in over the first eleven (11) years of the project's operation or as otherwise provided in accordance with the executed Agricultural Impact Mitigation Agreement.

c. During the operation of the facility, a new engineer's estimate of cost for decommissioning shall be submitted every ten (10) years to the Department of Planning and Development. Upon approval of the estimated costs by the Zoning Enforcement Officer, a revised surety shall be provided to the Department of Planning and Development in the amount of one hundred percent (100%) of the new estimate.



Current Land Use Map



Current Land Use

Agriculture

Adjacent Land Use(s)

North: *Agriculture*

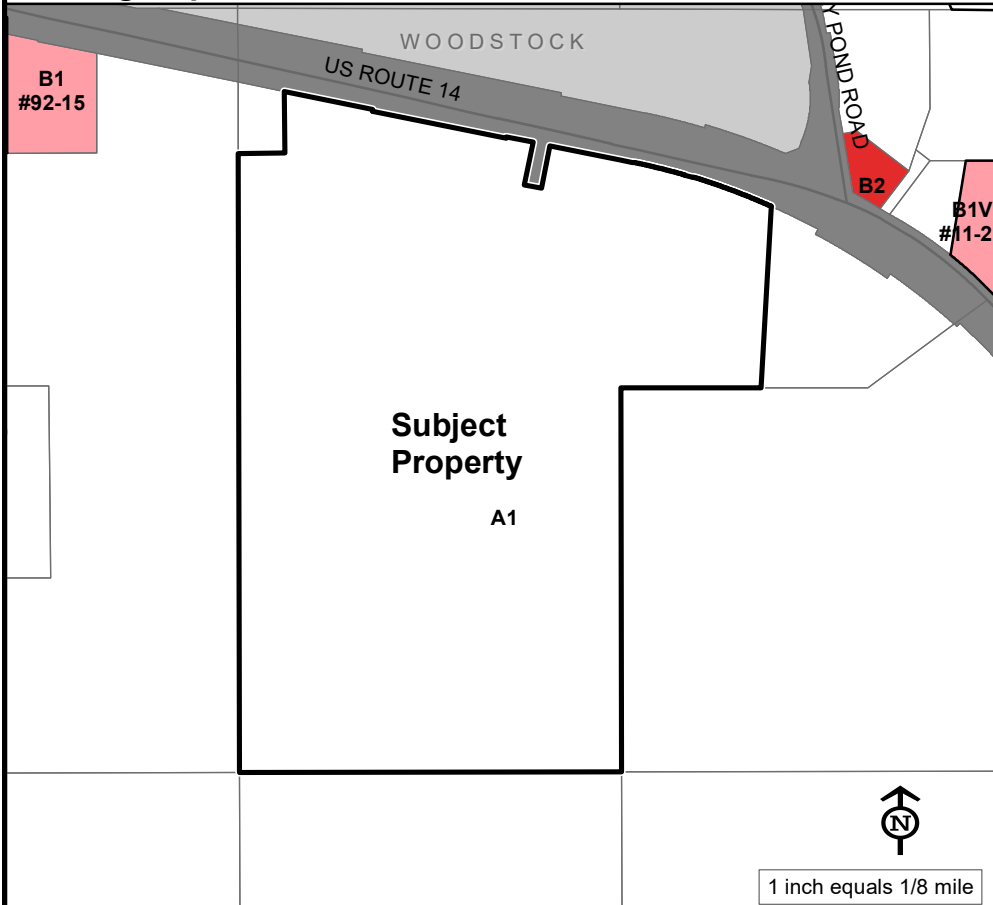
South: *Agriculture*

East: *Agriculture and Vacant*

West: *Agriculture and
Single-Family Residential*

- Agriculture
- MCCD Agriculture
- Single-Family Residential
- Multi-Family Residential
- Open Space
- Golf Course
- Commercial
- Office
- Industrial
- Mixed Use
- Earth Extraction
- Vacant
- Government / Institutional
- Transportation, Communication, Utilities
- Under Review

Zoning Map



Current Zoning

A-1 Agriculture

Adjacent Zoning

North: Incorporated (City of Woodstock)

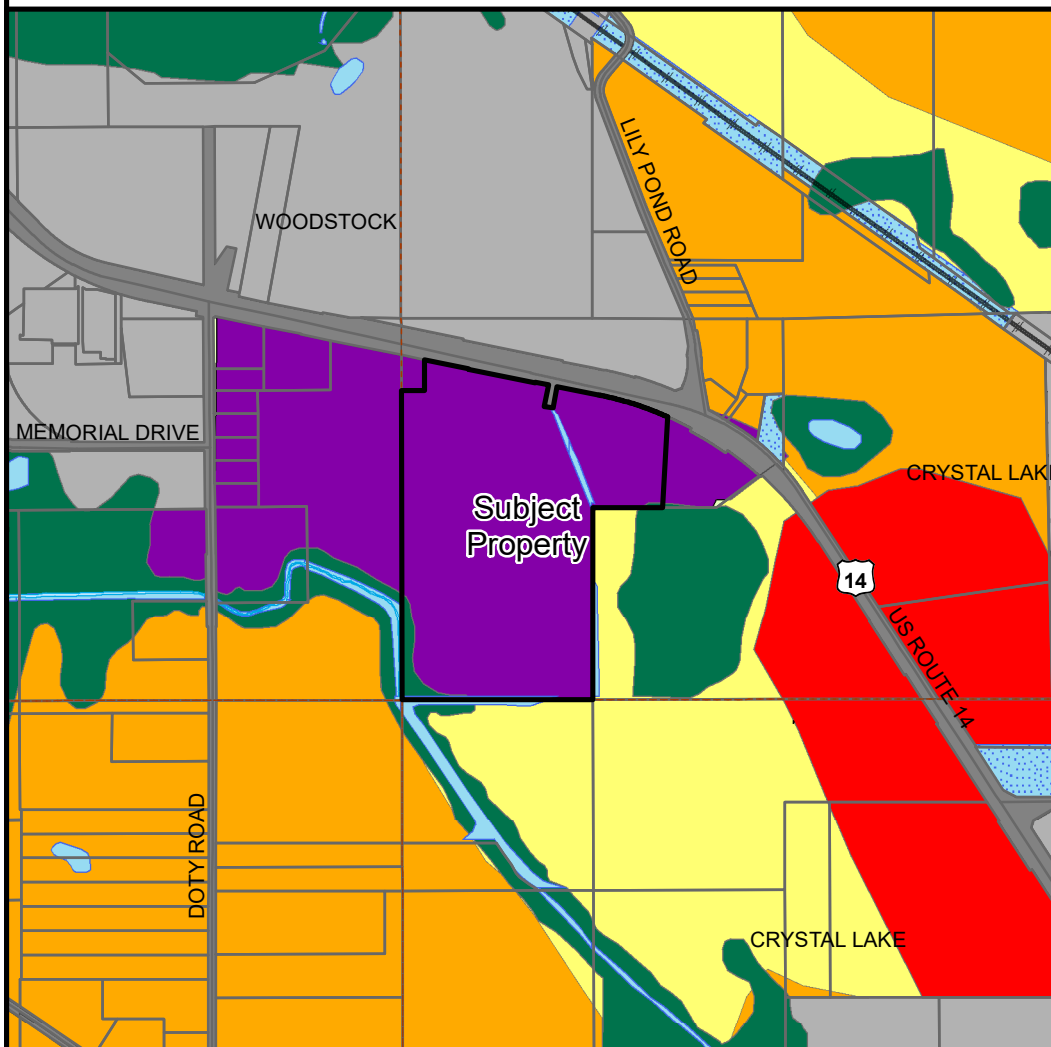
South: A-1 Agriculture

East: A-1 Agriculture

West: A-1 Agriculture

- A-1 Agriculture
- A-2 Agriculture
- E-5 Estate
- E-3 Estate
- E-2 Estate
- E-1 Estate
- R-1 Single-Family Residential
- R-2 Two-Family Residential
- R-3 Multiple-Family Residential
- B-1 Neighborhood Business
- B-2 Neighborhood Business
- B-3 General Business
- O Office / Research
- I-1 Light Industrial
- I-2 Heavy Industrial
- PD Planned Development
- C Conditional Use
- V Variation
- Incorporated

McHenry County 2030 Comprehensive Plan Future Land Use Map



Future Land Use Map Designation

*Office, Research, Industrial/
Environmentally Sensitive Area*

- Agricultural
 - Open Space
 - Environmentally Sensitive Area
 - Estate
 - Isolated Estate
 - Residential
 - Isolated Residential
 - Retail
 - Mixed Use
 - Office, Research, Industrial
 - Gov't, Institutional, Utilities
 - R TOD Existing Rail Station
 - R TOD Future Rail Station
 - Active Earth Extraction Site
 - Municipality
- Scale: 1 inch = 1/4 mile



Municipal / Township Plan Designations

Dorr Township: Office, Research, Industrial and Environmentally Sensitive Area

Woodstock: Commercial, Industrial, Office Mixed Use/Resource Conservation/Resource Conservation Corridor

Bull Valley: No Designation

Crystal Lake: No Designation

McHenry County 2030 Comprehensive Plan — Text Analysis

Land Use

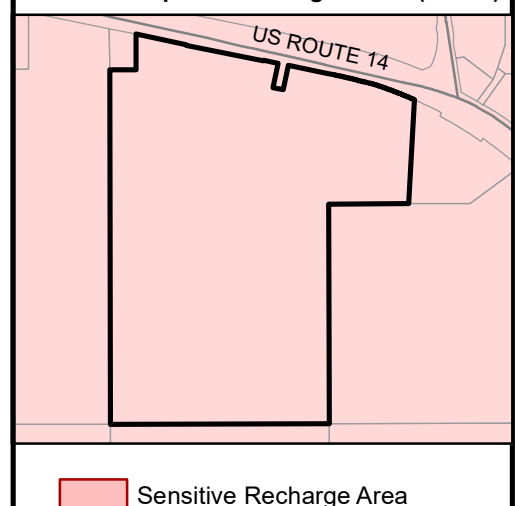
OFFICE, RESEARCH, INDUSTRIAL - includes existing and proposed areas for office, research, industrial, warehousing, and wholesale trade uses.

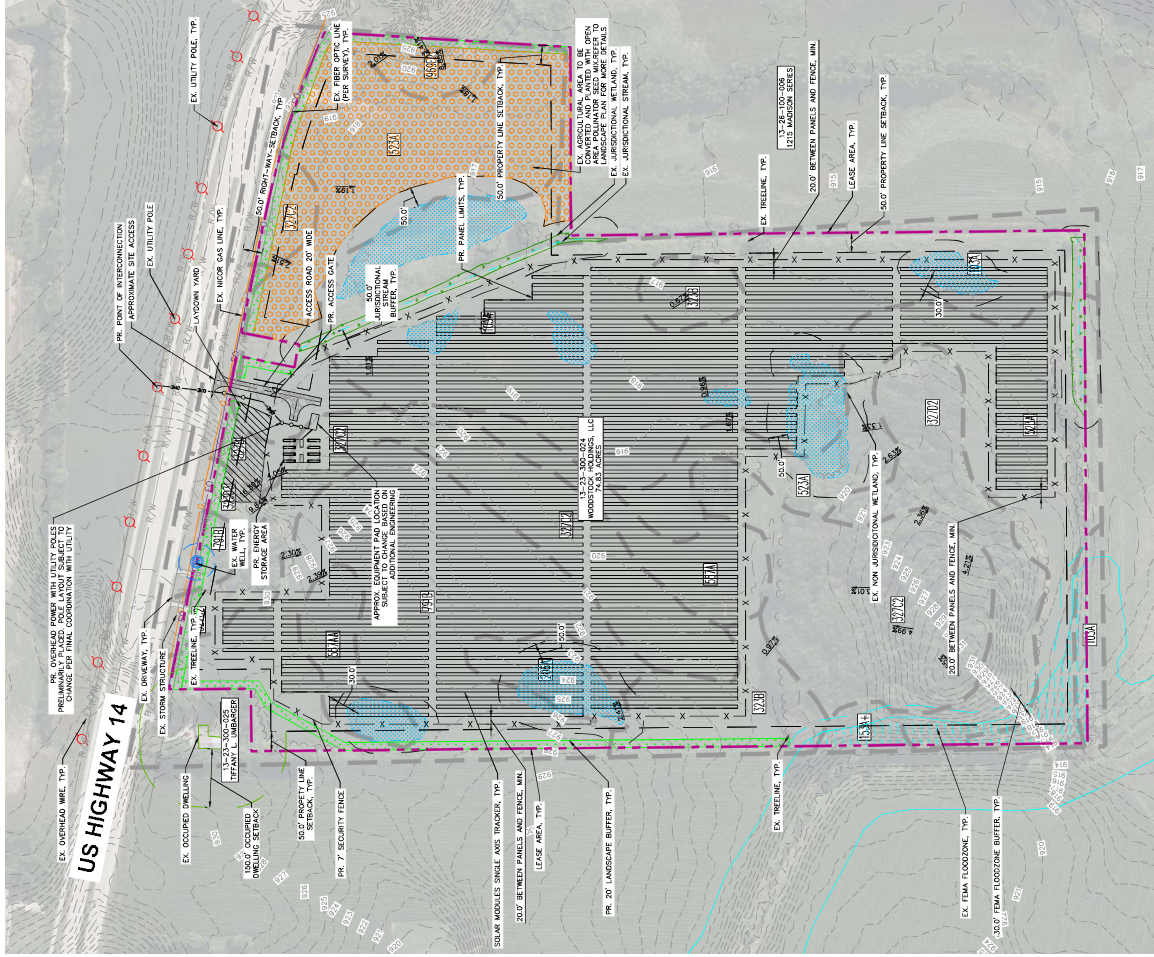
ENVIRONMENTALLY SENSITIVE AREA - includes existing floodplains, floodways, wetlands 10 acres and larger from the Advanced Identification (ADID) inventory, and most McHenry County Natural Area Inventory (MCNAI) sites.

Sensitive Aquifer Recharge Areas

The site is located in a zone with elevated contamination potential.

Sensitive Aquifer Recharge Areas (SARA)





LEGEND

ROAD LABEL	ROAD NAME
PROPERTY LINE (PER SURVEY DATED 03/10/2025)	---
ADJACENT PROPERTY LINE (PER SURVEY DATED 03/10/2025)	---
LEASE AREA (PER ILMZ PROVIDED BY THE ON 06/09/2024)	---
ROAD RIGHT OF WAY (SHOW PER SURVEY DATED 03/10/2025)	---
PROPERTY LINE RIGHT OF WAY SETBACK (PER MOHAWY COUNTY CODE OF ORDINANCES)	---
EX. FEMA FLOODZONE (PER FEMA DESKTOP RESEARCH, 03/07/2023)	---
FEMA FLOODZONE BUFFER	---
EX. NON-JURISDICTIONAL WETLAND (PER KIMLEY HORN DELINEATION, 02/04/2023)	---
EX. JURISDICTIONAL WETLAND (PER KIMLEY HORN DELINEATION, 02/04/2023)	---
EX. JURISDICTIONAL STREAM (PER KIMLEY HORN DELINEATION, 02/04/2023)	---
EX. WETLAND/STREAM SETBACK (PER MOHAWY COUNTY CODE OF ORDINANCES)	---
EX. OVERHEAD WIRE (PER SURVEY DATED 03/10/2025)	---
EX. GAS PIPELINE (PER SURVEY DATED 03/10/2025)	---
ASSUMED GAS PIPELINE SETBACK	---
EX. FIBER OPTIC LINE (PER SURVEY DATED 03/10/2025)	---
EX. UTILITY POLE (PER SURVEY DATED 03/10/2025)	---
TREELINE (PER SURVEY DATED 03/10/2025)	---
EX. RESIDUAL/STRUCTURE (TRINIDAD VIA AERIAL)	---
OCCUPIED STRUCTURE SETBACK (PER MOHAWY COUNTY CODE OF ORDINANCES)	---
SOIL BOUNDARY	---
PR. 7' SECURITY FENCE	---
PR. ACCESS GATE	---
PR. LANDOWNER AREA	---
PR. PANEL LIMITS	---
PR. UNDERGROUND ELECTRIC	---
PR. OVERHEAD ELECTRIC	---
PR. ACCESS ROAD	---
PR. UTILITY POLE	---
PR. EQUIPMENT PAD	---
PR. SOLAR ARRAY	---
PR. LANDSCAPE BUFFER	---

SOILS DATA TABLE

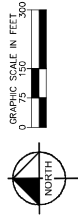
MAP SET 3 (PAGES)	MAP UNIT NAME	HOUGHTON	MAP UNIT NAME
10A	HOUGHTON MAP UNIT 0 TO 2 PERCENT SLURPS		
15A*	PULLA SET 1 CLAY LAM. 0 TO 2 PERCENT SLURPS		
26A	THOMP SET 1 LAM. 0 TO 2 PERCENT SLURPS		
32B	CASCO LAM. 0 TO 2 PERCENT SLURPS		
32C	CASCO LAM. 2 TO 4 PERCENT SLURPS		
32D	CASCO LAM. 4 TO 6 PERCENT SLURPS		
32E	FOR SET 1 LAM. 6 TO 8 PERCENT SLURPS		
32F	FOR SET 1 LAM. 8 TO 10 PERCENT SLURPS		
32G	FOR SET 1 LAM. 10 TO 12 PERCENT SLURPS		
33A	DANAHY SET 1 CLAY LAM. 0 TO 2 PERCENT SLURPS		
33B	MULLESTON SET 1 LAM. 0 TO 2 PERCENT SLURPS		
34B	RUSH SET 1 LAM. 2 TO 4 PERCENT SLURPS		
34C	CASCO-ROCKAWAY COMPLEX 12 TO 20 PERCENT SLURPS		

SITE DATA TABLE

PN #	12-23-302-024
PROPERTY OWNER	WOODSTOCK HOMES, LLC
SITE ADDRESS	US HIGHWAY 14, EOR TOWNSHIP, IL 60012
LEGAL DESCRIPTION	LOT 10, SECTION 36, TOWNSHIP 36N, RANGE 12N, EOR TOWNSHIP, IL 60012
ZONING	MOBILITY COUNTRY
CURRENT AND USE	AT - AGRICULTURAL DISTRICT
PROPOSED USE	AGRICULTURAL FIELD
TOTAL PAVED AREA	CONCRETE PAVED FIELD
REQUIREMENT PAVED AREA	74.8 ± AC
REMAINING TO PAVED AREA	140.8 ± AC
PAVED TO REMAIN PAVED AREA	24.8 ± AC
PAVED TO REMAIN PAVED AREA	50.11
REMAINING TO REMAIN PAVED AREA	50.11
REMAINING TO REMAIN PAVED AREA	50.11

NOTES

- [illegible]



NO.	REVISIONS	DATE
▽	PANEL LAYOUT	05/07/2025
▽	VEGETATION BUFFER LAYOUT	05/14/2025
▽	ZONING SITE PLAN REVISION	05/28/2025

Kimley-Horn
© 2025 KIMLEY-HORN AND ASSOCIATES, INC.
570 LAKE COOK ROAD, SUITE 200
DEERFIELD, IL 60015
PHONE: (847) 260-7804
WWW.KIMLEY-HORN.COM

KHA PROJECT	268173562	DATE	05/01/2025	SCALE AS SHOWN	DESIGNED BY MST	DRAWN BY MST	CHECKED BY KEC
-------------	-----------	------	------------	----------------	--------------------	-----------------	-------------------

ZONING SITE
PLAN

TPE IL MH376, LLC
MCHEMERY COUNTY, IL

McHENRY~LAKE COUNTY SOIL & WATER CONSERVATION DISTRICT

NATURAL RESOURCES INFORMATION REPORT

25-037-4698

May 23, 2025



This report has been prepared for:
Gloria Foxman

PREPARED BY:
McHENRY-LAKE COUNTY SOIL & WATER CONSERVATION
DISTRICT

1648 S. EASTWOOD DR.

WOODSTOCK, IL 60098

PHONE: (815) 338-0444

www.mchenryswcd.org

The McHenry-Lake County Soil & Water Conservation District
is an equal opportunity provider and employer.



NATURAL RESOURCE INFORMATION REPORT (NRI)

NRI Report Number	25-037-4698	
Applicant's Name	Gloria Foxman	
Size of Parcel	75 acres	
Zoning Change	Solar Facility	
Parcel Index Number(s)	13-23-300-026	
Common Location	Undefined	
Contact Person	Katherine Carlson	
<i>Copies of this report or notification of the proposed land-use change were provided to:</i>	<i>yes</i>	<i>no</i>
The Applicant		X
The Applicant's Legal Representation/Consultant	X	
The Village/City/County Planning and Zoning Department or Appropriate Agency	X	

Report Prepared By: *Spring M. Duffey*

Position: *Executive Director*

EXECUTIVE SUMMARY OF NRI REPORT #25-037-4698

It is the opinion of the McHenry-Lake County Soil and Water Conservation District Board of Directors that this report as summarized on these pages are pertinent to the requested zoning change.





Picture 1: Looking south from the northern portion of the parcel.



Picture 2: Looking east from the northern portion of the parcel.

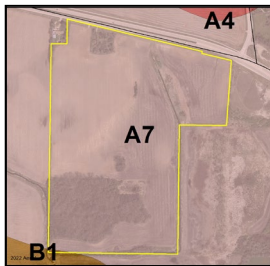


Picture 3: Looking south at 22-acre remnant oak woodland.



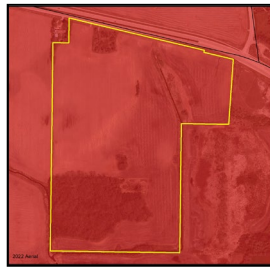
Picture 3: Looking southeast at portion of 22-acre remnant oak woodland, which according to the Zoning Site Plan, prepared by Kimley-Horn, dated 5/1/2025, will be impacted by the development. This island of trees, which is separated from the main oak woodland, contains 10 mature Bur Oak Trees (*Quercus Macrocarpa*).

Groundwater Contamination Potential and Recharge Areas:



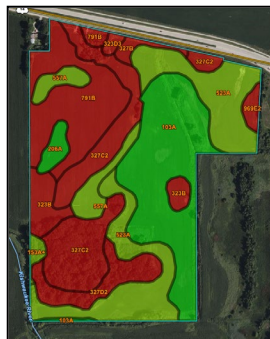
Aquifer Sensitivity Map (*This is the area beneath the soil profile down to bedrock)

The Geologic features map indicates the parcel is comprised of 75.7 acres of A7 and 0.10 acres of B1 geologic limitations. A7 has a high aquifer contamination potential and B1 has a moderately-high aquifer contamination potential.



Sensitive Aquifer Recharge Areas (Includes the soil profile and underlying geology).

The Sensitive Aquifer Recharge Map indicates the parcel is within an area designated as Sensitive Aquifer Recharge.



Soil Leachability Map (This is only the soil profile within the parcel from the surface down to approx. 5 feet).

The Soil Leachability Index indicates 35.2 acres or 46.4% of parcel contains high leachable soils, for fertilizers (identified in red).

Soil Permeability Map (This is only the soil profile within the parcel from the surface down to approx. 5 feet. Soil permeability is a reflection of the speed in which water (with or without pollutants) can move through the soil profile.)
The USDA-NRCS Soil Survey Map of the area indicates 56.1 acres or 73.8% of parcel contains highly permeable soils.

Soil Limitations (This evaluates the parcel from the surface down to approximately 5 feet.):

Erosion Ratings

The NRCS Soils Survey indicates 19.2 acres or 25.2% of the parcel contains highly erodible soils.



Prime Farmland Soils

The Natural Resources Conservation Service (NRCS) Soil Survey indicates 29.8 acres or 39.3% of the parcel is comprised of prime farmland soils and 18.9 acres or 25.0% of the parcel is comprised of prime farmland if drained soils (identified in shades of green).



Ground-Based Solar Arrays

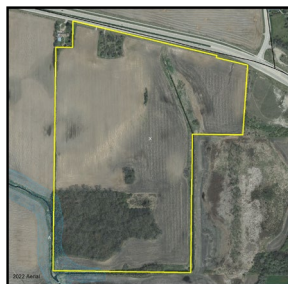
The Natural Resources Conservation Service (NRCS) Soil Survey indicates 53.2 acres or 70.1% of the parcel has very limited soils for ground-based solar arrays (identified in red).



Hydric Soils

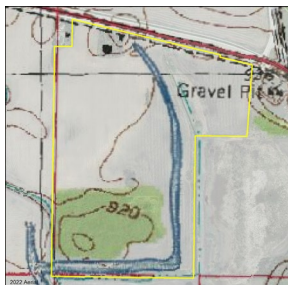
The NRCS Soil Survey indicates 36.9 acres or 48.7% of the parcel contains hydric soils (identified in orange and red). As the majority of these hydric soils are currently in agricultural production, there is a high probability that agricultural drain tile is present.

Floodplain Information:



The Flood Insurance Rate Map

Indicates 1.85 acres of the parcel is within Zone A, 100-year floodplain (identified in blue).

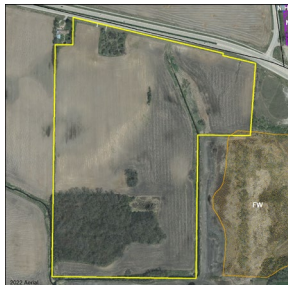


Flood of Record Map (Hydrologic Atlas)

The Flood of Record Map for this area indicates 5.89 acres of the parcel have previously flooded (identified in blue).

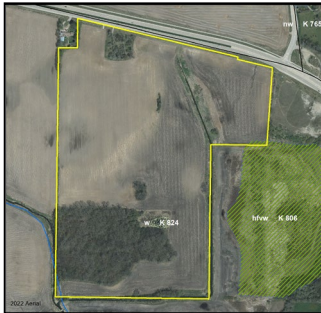
*The Zoning Site Plan, prepared by Kimley-Horn, dated 5/1/25, indicates the floodplain areas will not be impacted by the development.

Wetland Information:



USDA-NRCS Wetland Inventory

The NRCS Wetlands Inventory indicates 0.13 acres of farmed wetland (FW) on the parcel.



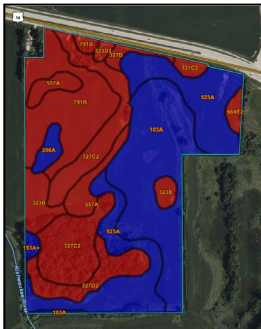
ADID Wetland Inventory

The ADID Wetland Study identifies 0.13 acres of high functional value wetland (hfvw) K806 and 0.28 acres of wetland (w) K824 on the parcel.

*The Wetland Delineation Report, prepared by Kimley-Horn, dated January 2025, identifies 10 wetland areas and two intermittent stream segments on the parcel. The Zoning Site Plan, prepared by Kimley-Horn, dated 5/1/25, indicates wetland 1, 2, 3, 5, 6, 7, 8, 9 (as identified in the Delineation Report) will all be impacted by the development. The proposed impacted wetlands appear to be isolated features and would be regulated by McHenry County. McHenry County allows up to 0.10 acres of impact with a permit. Additional impacted acres would require mitigation. Buffers are also required around the wetland areas. Please contact the McHenry County Department of Planning and Development for permitting requirements.

Flooding Frequency

The NRCS Soil Survey indicates that flooding is not probable on the parcel. The chance of flooding is nearly 0% in any year. Flooding occurs less than once in 500 years.



Ponding Frequency

The NRCS Soil Survey indicates that frequent ponding occurs on 36.9 acres or 48.7% of the parcel. Frequent means that ponding occurs, on average, more than once in 2 years. The chance of ponding is more than 50 % in any year (identified in blue).

Cultural Resources: Office maps indicate a high probability for cultural/historical features on the parcel in question.



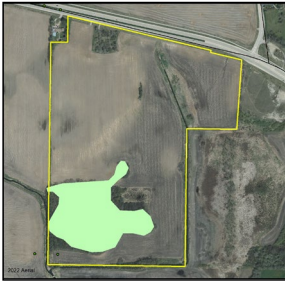
Preserved or Recognized Ecological Sites: Office maps indicate there are three McHenry County Natural Area Inventory sites near the parcel.

Lily Pond Marsh (DOR10) is an 81-acre basin marsh which is threatened by siltation, upstream impoundment, Common Reed Grass, Reed Canary Grass, and filling.

Muskrat Pond (DOR13) is a 7.6-acre basin marsh which is threatened

by siltation.

Woodstock Industrial Park Marsh (DOR17) is a 92.9-acre basin marsh, which is threatened by water table alteration, cattail expansion, Purple Loosestrife, Reed Canary Grass, development, and railroad bed maintenance.



Woodlands: The McHenry County Conservation Districts Remnant Oak Woodland Study identifies an oak woodland of 22 acres on the parcel.

*The Zoning Site Plan, prepared by Kimley-Horn, dated 5/1/25, indicates the northernmost portion of the oak woodland will be impacted by the development. The site visit conducted on 5/1/2025, identified 10 mature Bur Oak trees (*Quercus Macrocarpa*) within the proposed impact area. We recommend

this area be avoided to preserve this valuable resource.

Agricultural Areas: Office Maps indicate there are no State designated agricultural areas on the parcel in question.

Land Evaluation Site Assessment (LESA)

The Land Evaluation Score for the parcel is 84. A Site Assessment was not completed due to the Agricultural zoning on the parcel.

ADDITIONAL CONCERNS

The Board recommends that areas between panels and within the buffers be planted to a native prairie mix to help increase water infiltration and reduce runoff from the site. It is recommended that a planting and maintenance plan be developed with the landowner to ensure that noxious weeds are controlled, and native plantings are properly installed and managed. The petitioner should refer to the planting requirements of the Illinois Department of Natural Resources and McHenry County Department of Planning & Development.

Agricultural Impact Mitigation Agreement: We have not received notice from the Illinois Department of Agriculture that an Agricultural Impact Mitigation Agreement has been filed. Please reach out to Jeff Evers, IDOA, for more information.



JEFFREY EVERS | AGRICULTURAL LAND & WATER RESOURCE SPECIALIST III
Land and Water Resources

Illinois Department of Agriculture

John R. Block Building | 801 E. Sangamon Ave., P.O. Box 19281 | Springfield, IL 62794-9281
(O) 217-785-5594 | (F) 217-557-0993 | (TTY) 866-287-2999 | jeff.evers@illinois.gov





Illinois
Department of
**Natural
Resources**

JB Pritzker, Governor • Natalie Phelps Finnie, Director
One Natural Resources Way • Springfield, Illinois 62702-1271
www.dnr.illinois.gov

January 15, 2025

Keller Leet-Otley
US Highway 14
McHenry, IL 60098

**RE: MH376
Consultation Program
EcoCAT Review #2508210
McHenry County**

Dear Mr. Leet-Otley:

The Department has received your submission for this project for the purposes of consultation pursuant to the *Illinois Endangered Species Protection Act* [520 ILCS 10/11], the *Illinois Natural Areas Preservation Act* [525 ILCS 30/17], and Title 17 *Illinois Administrative Code* Part 1075.

The proposed action consists of a solar farm with associated access roads and utilities in McHenry County.

The Illinois Natural Heritage Database shows the following protected resources may be in the vicinity of the project location:

Illinois Nature Preserves Commission Lands
Gladstone Fen Class 3 Groundwater

State Threatened or Endangered Species
Blanding's Turtle (*Emydoidea blandingii*)

Due to the project scope and proximity to protected resources the Department recommends the following actions be taken to avoid adversely impacting listed species and protected natural areas in the vicinity of the project:

Gladstone Fen Class 3 Groundwater

This project falls within the Gladstone Fen Class 3 Groundwater recharge area, which protects the integrity of nearby Nature Preserves. The modification of groundwater quality and quantity which may affect conditions within a Nature Preserve is prohibited. The Department recommends the following to avoid and minimize impact to Gladstone Fen Class 3 Groundwater:

- Use the lightest weight equipment possible to complete the job.
- Balloon or large tires should be used whenever possible to reduce compaction.
- Disc site upon completion to de-compact the surface after final soil is placed to ensure good infiltration.
- Naturalized permeable basins and swales should be part included in the design.
- Use best management practices whenever possible, such as water run-off filtration through increased use of native plants, vegetated drainage swales, and rain gardens.
- Use careful consideration before discharging within this Class 3 Area.

Blanding's Turtle

- Educate personnel working on site about the Blanding's Turtle. Post photos of juvenile and adult Blanding's Turtles at a central location. State-listed species may not be handled without the appropriate permits pursuant to the *Illinois Endangered Species Protection Act*.
- If Blanding's turtles are encountered, crews should stop work immediately, allow the turtle to move out of the way and contact IDNR at (217) 785-5500.

Given the above recommendations are adopted the Department has determined that impacts to these protected resources are unlikely. The Department has determined impacts to other protected resources in the vicinity of the project location are also unlikely.

In accordance with 17 Ill. Adm. Code 1075.40(h), please notify the Department of your decision regarding these recommendations.

Consultation on the part of the Department is closed, unless the applicant desires additional information or advice related to this proposal. Consultation for Part 1075 is valid for two years unless new information becomes available which was not previously considered; the proposed action is modified; or additional species, essential habitat, or Natural Areas are identified in the vicinity. If the action has not been implemented within two years of the date of this letter, or any of the above listed conditions develop, a new consultation is necessary.

The natural resource review reflects the information existing in the Illinois Natural Heritage Database at the time of the project submittal and should not be regarded as a final statement on the project being considered, nor should it be a substitute for detailed site surveys or field surveys required for environmental assessments. If additional protected resources are unexpectedly encountered during the project's implementation, the applicant must comply with the applicable statutes and regulations.

This letter does not serve as permission to take any listed or endangered species. As a reminder, no take of an endangered species is permitted without an Incidental Take Authorization or the required permits. Anyone who takes a listed or endangered species without an Incidental Take Authorization or required permit may be subject to criminal and/or civil penalties pursuant to the *Illinois Endangered Species Act*, the *Fish and Aquatic Life Act*, the *Wildlife Code* and other applicable authority.

The Department also offers the following conservation measures be considered to help protect native wildlife and enhance natural areas in the project area:

- The Department strongly recommends that the project proponent establish pollinator-friendly habitat as groundcover wherever feasible. Solar Site Pollinator Establishment Guidelines can be found here:
<https://dnr.illinois.gov/conservation/pollinatorscorecard.html>
- The site should be de-compacted before planting.
- Long term management of the site should be planned for prior to development to ensure successful native pollinator habitat establishment and prevent the spread of invasive species throughout the lifetime of this project. An experienced ecological management consultant should be hired to assist with long-term management.
- Required fencing, excluding areas near or adjacent to public access areas, should have a 6-inch gap along the bottom to prevent the restriction of wildlife movement. Woven wire or a suitable habitat wildlife friendly fence should be used. Barbed wire should be avoided.
- If tree clearing is necessary, the Department recommends removing trees between November 1st and March 31st to avoid impacts to the state-listed bats and birds.
- Any required night lighting should follow International Dark-Sky Association's (IDA) Five Principles for Responsible Outdoor Lighting to minimize the effect of light pollution on wildlife: [Five Principles for Responsible Outdoor Lighting | DarkSky International](#)

If erosion control blanket is to be used, the Department also recommends that wildlife-friendly plastic-free blanket be used around wetlands and adjacent to natural areas, if not feasible to implement project wide, to prevent the entanglement of native wildlife.

Please contact me with any questions about this review.

Sincerely,



Bradley Hayes
Manager, Impact Assessment Section
Division of Real Estate Services and Consultation
Office of Realty & Capital Planning
Illinois Department of Natural Resources
One Natural Resources Way
Springfield, IL 62702
Bradley.Hayes@Illinois.gov
Phone: (217) 782-0031