

Piatt County
Zoning Board of Appeals

July 23, 2026

Minutes

The Piatt County Zoning Board of Appeals met at 1:00 p.m. on Thursday, July 23, 2026 in Room 104 of the Piatt County Courthouse. Chairperson Loyd Wax called the meeting to order. The roll was read. Jim Harrington, Bruce Stoddard and Keri Nusbaum attended. Dan Larson, Kyle Lovin and Robert Chambers were absent.

County Board members in attendance: Jerry Edwards and Gail Jones.

The ZBA reviewed the minutes for June 25, 2026.

MOTION: Harrington made motion, seconded by Stoddard, to approve the minutes from June 25, 2026 as written. On voice vote, all in favor and the minutes were approved

Public Comments: None

Old Business

The road use agreement for the Mansfield gravel pit is in process.

Tree Line Solar applied for a Special Use Permit on April 29, 2026. The application was first considered on May 28, 2026 where it was tabled by the ZBA. The applicant then requested it to be delayed until the July meeting. Desiree Noisette was sworn in and presented changes and additions to the application. These included an updated vegetative screening plan to add arborvitae to the West side and spruce trees to the East side of the project. In an addendum to the decommissioning plan, the developer would post the full \$403,791.45 and Sangamon township will be notified when the decommissioning commences. They will make a donation to the White Heath community center and the Mid Piatt Fire Department, along with participating in the fire department fund raiser. Diana Orberon was sworn in. She appreciates the community efforts and asked about the type of fencing to be used.

Mike Nolan was sworn in. He appreciates the community outreach and that they responded to the township's requests.

Kathleen Piatt was sworn in. She said the applicant has addressed the concerns.

Mary Alexander was sworn in. She still has concerns about EMS. She asked if there would be a shut off that the first responders could see.

Leslie Heath was sworn in. She asked about the spacing of the panels and about an emergency shut off in the event of a fire.

The zoning board considered the zoning factors.

ZONING FACTORS- Tree Line Solar LLC

1. Does the current special use restriction promote the health, safety, morals, or general welfare of the public?

Yes. The ZBA agreed 3-0 that the current restrictions promote the health, safety, morals or general welfare of the public.

2. Will granting the SUP be detrimental to the safety, comfort, or general welfare of the community?
The ZBA agreed 3-0 that there have been concerns raised about the project.
3. Will granting the special use be injurious to the use and enjoyment of other property within the immediate vicinity?
The ZBA agreed 3-0 that granting the special use could be injurious to the use and enjoyment of other property within the immediate vicinity.
4. Will granting the special use diminish property values of other property within the immediate vicinity?
The ZBA agreed 3-0 that granting the special use could diminish property values within the immediate vicinity. There has been evidence shown that it would not, but no evidence based on local sources.
5. Is there adequate infrastructure to accommodate the special use, if granted (i.e. roads, utilities, drainage)?
Yes. The ZBA agreed 3-0 that there is adequate infrastructure to accommodate the special use. Although, concerns have been raised regarding drainage.
6. Are there adequate measures to provide ingress and egress to minimize traffic congestion in the public streets if the SUP is granted?
Yes. The ZBA agreed 3-0 that ingress and egress is not a concern.
7. Would the special use, if granted, be in harmony with the overall comprehensive plan of the county?
Possibly. The ZBA agreed 3-0 that solar use is not addressed in the comprehensive plan.
8. Would the special use, if granted, compete with or impede the existing zoned uses of other property within the zone?
Yes. The ZBA agreed 3-0 that the special use would compete with the zoned uses of the B-1 zoning district.
9. Would the special use, if granted, create a hardship on other landowners within the zone?
The ZBA agreed 3-0 that it would create an inconvenience for adjacent landowners.
10. Would denying the special use create a hardship on the applicant?
The ZBA agreed 3-0 that denying the special use would create an inconvenience for the landowner.
11. Is the subject land suitable for the special use and is the subject land suitable for the current zoned use?
No. The ZBA agreed 3-0 that the B-1 zoning is not suitable for the special use.
12. Is the applicant's property, as presently zoned, vacant? If so, how long has it been vacant?
Yes. The ZBA agreed 3-0 that the land is currently being farmed.

13. Would the special use, if granted, have a harmful impact upon the soil?
No. The ZBA agreed 3-0 that there was no evidence of a harmful impact.
14. What is the Land Evaluation and Site Assessment (LESA) rating for the subject land?
167.67 which is a low level of protection.
15. Does the SUP conform to the regulations of the zoned district? The Zoning Board must find that there is a public necessity for the special use.
No. The ZBA agreed 3-0 that the use does not conform and there is not a public necessity for the special use.

Motion: Jim Harrington made a motion to recommend approval to the County Board with the following conditions:

A written and accepted **Road Use Agreement**.

The mowing and maintenance of grasses and weeds shall be done on a monthly basis to prevent reseeding until seasonally unnecessary. Applicant shall control all noxious and invasive weeds, including but not limited to water hemp, Palmer amaranth, and other pigweeds from the start of the project through the decommissioning of the project. Failure to maintain vegetation and non-compliance with the Piatt County nuisance ordinance may result in daily fines until corrected. Also, the proposed conditions of approval submitted by Tree Line Solar, including:

Prohibition of Cadmium Panels, Solar panels containing Cadmium are prohibited and shall not be installed at the project.

Compliance. Construction and operation of the Project shall be in compliance with all federal, state and local laws and regulations, including these Conditions of Approval and compliance with any other governmental permits required in relation to the Project. The Project shall also conform to the agreements entered into between the Company and County and/or Townships(s) as required by law.

Vegetative Screening and Fencing. Company shall provide vegetative screening as set forth in the Landscape Plan updated July 22nd 2026 submitted to the County July 23, 2026.

All vegetative screening must be maintained for the life of the Project in accordance with the Landscaping Plan updated July 23, 2026. Company has made good-faith efforts to develop a mutually agreed upon vegetative screening as indicated on the Project Layout along the indicated portions of the eastern and western perimeters of the Project.

Decommissioning and Security. The Company shall enter into an agreed upon Decommissioning Agreement, agreed upon Decommissioning Plan, and agreed upon Decommissioning Financial Assurance with the County prior to the issuance of any building permit. The Decommissioning Financial Assurances shall be in an amount equal to or greater than the full amount required for decommissioning without any discount for salvage or resale value. The Decommissioning Plan shall be revisited every 5 years beginning with the issuance of the building permit. Sangamon Township shall be included as a stakeholder for notification purposes prior to decommissioning or deconstruction activities.

Erosion Control. Prior to issuance of any Building Permit, the Company shall provide an Erosion Control Plan including Stormwater Pollution Prevention Plan.

Fire Protection Districts and Emergency Response Agencies. Company shall cooperate with all local fire protection districts (any mutual aid districts) for training to prepare the districts to respond to fire and other emergencies concerning the Project. Company shall assist emergency response agencies in developing an emergency response plan for the Project. The Company shall cooperate in emergency response drills relating to this Project, as part of coordinated training for solar and emergency response personnel. Company shall reimburse emergency response agencies for any emergency response due to or as a consequence of the Project.

Company is responsible for establishing an E-9-1-1 address prior to beginning construction of the Project, providing proof thereof prior to the issuance of any Building Permit.

Compliance with IDNR Recommendation. Owner and Operator shall comply with all Illinois Department of Natural Resources recommendations and requirements applicable to this Project as required by law.

Battery Storage Prohibition. The Placement of utilization of Battery Energy Storage Systems is prohibited, unless otherwise allowed by subsequent amendment of the Special Use Permit of application for a separate permit.

Grading of Site. Any grading of the site shall require dust mitigation to be employed to mitigate or eliminate dust upon the site during the construction phase of the Project. The dust mitigation plan must be submitted as part of the building permit application. Any grading of the site be submitted to the Piatt County Soil and Water Conservation District for review.

As-built Drawing and Legal Descriptions. Within 60 days of completion of construction, Applicant must provide the County a complete set of as-built plans that have been signed/sealed by an Illinois licensed professional engineer. Company must also provide the requisite legal descriptions to the County Assessor to allow for the appropriate designation of tax assessments for the Project and remaining portions of the Project parcel.

Annual Report. Company shall provide an annual report to the County detailing the (1) monthly output of the facility by kilowatt hour. (2) whether any portion of the Project has been non-functional for greater than a 30-day period. (3) any complaints received regarding the Project, and (4) photographs of the Project depicting the current condition of the vegetative and landscape maintenance, fencing, and project equipment.

Lloyd Wax Seconded the motion. Roll was called. Stoddard – No; Harrington – No; Wax – No. The application will go to the county board with no recommendation.

The chair called for a ten minute recess.

New Business

Nusbaum introduced a text amendment to the zoning ordinance. This amendment will create a stand-alone ordinance for commercial solar energy. The text amendment also includes changes to the county ordinance necessitated by removing Article X. J. (The solar requirements) from the ordinance.

Motion: Harrington made motion to recommend approval to the county board. Stoddard seconds. Roll was called, all in favor and the motion carried.

Caleb and Megan Smoes applied for a variation to allow construction of a new single-family dwelling on 3.740 acres of A-C Agriculture Conservation land located at 1067 E Route 10. Caleb Smoes was sworn in and explained to the zoning board his wish to building a single-family home on part of the land he owns. The ZBA considered the Zoning factors.

VARIATION ZONING FACTORS – Smoes

1. Will the proposed use compete with the current use of the land?
No. The ZBA agreed (3-0) that the proposed use will not compete with the current use of the land.
2. Will the proposed use diminish property values in surrounding areas?
No. The ZBA agreed (3-0) that the proposed use would not diminish property values.
3. Would a denial of the variance promote the health, safety and general welfare of the public?

No. The ZBA agreed (3-0) that a denial of the variance would not promote the health, safety or general welfare of the public.

4. Would denying the variance create a hardship for the landowner?

Yes. The ZBA agreed (3-0) that it would create an inconvenience for the applicant.

5. Would granting the variance create a hardship for the surrounding property owners?

No. The ZBA agreed (3-0) that it would not create a hardship for the surrounding property owners.

6. Is the property suitable for its current use?

Yes. The ZBA agreed (3-0) that the property is suitable for its current use.

7. Is the property suitable for the proposed use?

Yes. The ZBA agreed (3-0) that the property is suitable for the proposed use.

8. Is there a community need to deny the variance?

No. The ZBA agreed (3-0) that there is no evidence of a community need to deny the variance.

9. Is the subject property non-productive with its current use?

No. The ZBA agreed (3-0) that the property is non-productive with its current use.

10. Would a granting of this variance compete with the Piatt County Comprehensive Plan?

No. The ZBA agreed (3-0) that a granting of the variance would not compete with the Piatt County Comprehensive Plan.

Motion: Stoddard made motion, seconded by Harrington to recommend the approval of the variation to the County Board. Roll was called, all in favor and the motion carried.

The County Board will consider the matter at their regular meeting on August 12, 2026.

Motion: Harrington made motion, seconded by Stoddard to adjourn. On voice vote, all in favor. The meeting was adjourned at 3:12 p.m.

Respectfully submitted,

Keri Nusbaum
Piatt County Zoning Officer