



**Champaign County Board
Environment and Land Use Committee (ELUC)
County of Champaign, Urbana, Illinois**

MINUTES – Approved As Distributed

DATE: Thursday, May 9, 2024
TIME: 6:30 p.m.
PLACE: Shields-Carter Meeting Room
Brookens Administrative Center
1776 E Washington, Urbana, IL 61802

Committee Members

Present	Absent
Aaron Esry (Vice-Chair)	
John Farney	
Donald Owen	
	Emily Rodriguez
Jilmala Rogers	
Chris Stohr	
Eric Thorsland (Chair)	

County Staff: Steve Summers (County Executive), John Hall (Zoning Administrator), Charles Campo (Senior Planner), and Liz Dillingham (Administrative Services)

Others Present: None

MINUTES

I. Call to Order

Committee Chair Thorsland called the meeting to order at 6:30 p.m.

II. Roll Call

Roll call was taken, and a quorum was declared present.

III. Approval of Agenda/Addendum

MOTION by Mr. Owen to approve the agenda and seconded by Ms. Rogers.
Upon voice vote, the **MOTION CARRIED** unanimously to approve the agenda.

IV. Approval of Minutes

A. February 8, 2024 – Regular Meeting

MOTION by Mr. Farney to approve the minutes of the February 8, 2024, regular meeting, seconded by Mr. Stohr. Upon voice vote, the **MOTION CARRIED** unanimously to approve the minutes with a slight revision, request of Mr. Stohr.

V. Public Participation

Joshua Johnson thanked the board for approving the rooster ordinance. He spoke about his support to restrict farm animals in the subdivided areas and third acre lots in the township. He noted his concern regarding information sharing between METCAD and the Sheriff's Department regarding neighborhood complaints reported to the Sheriff's office and enforcing the county ordinance.

Norman Davis spoke about the problems at 2306 S. Mattis Ave, Champaign. He would like the Zoning rules concerning livestock changed to be more specific regarding domesticated animals. He believes there should be a difference noted in the zoning rules between Agriculture versus Residential areas. He spoke about housing for livestock, wastewater management, and flood plain elevation. His concerns also included how keeping of animals might affect property values and the quality of life for your neighbors. He would like to see an Addendum to the zoning to be specific as to what will be allowed and what will not. He thanked the ELUC Board for all the attention they have given the livestock issue.

Tony Grilo spoke on behalf of case # 111-S-23. He remained present for questions.

Alison Harper stated she is in support of agriculture on private property and opposes practices of commercial animal production. Specifically, freshness of raising animals in your own back yard versus unknown external forces. She talked about regenerative agriculture and defending her rights. She thanked the ELUC Board for their time and consideration.

Patsy Hopper spoke about individual rights to raise your own food and the rising costs of food in stores. Patsy stated the rooster in question was moved to her residence and she has never heard the rooster in a week. Patsy warned people not to purchase property near county property if you are against agriculture since Champaign County is an agricultural county.

Andrew Hopper lives at 2306 S. Mattis and was present to defend his animals and growing food on his own land. He would like to ensure Champaign County remains a sanctuary county and encouraged the ELUC Board to meet his animals. He thanked the ELUC Board.

Matthew Vollbrecht (Westwood Professional Services) and Christian Schlesinger (Forefront Power Services) spoke regarding the Bonacci Zoning Cases, 126-S-23 & 127-S-23. Matthew provided a quick rundown of the projects and ensured the ELUC Board they met with the Vet Clinic and are addressing their screening and noise concerns. He thanked the ELUC Board for their time.

Eric Auth stated he is the property owner located immediately adjacent to the north of 2306 S. Mattis Avenue. He showed the board a map of the area including 2306 S. Mattis Avenue and the surrounding properties who oppose livestock in the city. He also presented the ELUC Board with a signed petition from all the neighbors opposed to the keeping of livestock at 2306 S. Mattis. He stated the neighbors are unable to enjoy their properties now. He spoke about two separate newspaper articles regarding the livestock on Mattis Avenue. He was also approached by WCIA to speak about the unkept property and issues at said property. Neighborly negotiations have fallen on deaf ears. He is requesting the ELUC Board give consideration in restoring the urban neighborhood. He thanked the ELUC Board.

Liz Reddington spoke on behalf of Pivot Energy and Zoning Case # 115-S-23 which proposes an approximate 26-acre community solar garden. Ms. Reddington explained the dynamics of the project as well as the research conducted with the DNR ensuring no endangered species are in the area. She spoke about the overall benefits to the community which includes utility savings to Ameren customers, property tax revenue increase, while encouraging workforce training with contractors contributing to the local economy. They will preserve farmland by utilizing the native vegetation seed mix. Ms. Reddington stated they will be contributing to the renewable energy portfolio standards that have been approved by the State of Illinois.

Mr. Thorsland asked if anyone else wanted to speak and no one did so he closed Public Participation.

VI. Communications

Mr. Thorsland recognized Mr. Owen and thanked him for serving on the ELUC Board.

VII. New Business: Items for Information Only

- A. Letter received 3/19/2024 from Philip Carper of Seymour regarding nuisance roosters**
- B. Email received 3/20/2024 from Mary Mrozak of Seymour regarding nuisance roosters**
- C. Letter received 3/25/2024 from Mary Mrozak of Seymour regarding nuisance roosters**
- D. Email from Board member Elly Hanauer-Friedman regarding keeping of livestock in Residential District March 18, 2024**
- E. Email from Champaign Township Supervisor regarding keeping of hogs in Residential District April 15, 2024**
- F. Places still available for the Residential Electronic Collection Event at Parkland College from 8 .m. to 12 noon on Saturday, May 18, 2024**

Mr. Thorsland briefly reviewed items VII.A.-E. and encouraged Committee members to read the e-mails Mr. Thorsland asked Mr. Hall to comment on coordinating with the Sheriff and METCAD.

Mr. Hall stated his office did not send any information to the Sheriff's office because the complaints were not all around the county. The complaints were limited to one location. He stated in the future, his office can send notices to the Sheriff and METCAD. Mr. Hall appreciates the suggestion to do a better job in making Law Enforcement aware of the additions to the Nuisance Ordinance.

Mr. Thorsland stated staff would like direction from the ELUC Board on the keeping of livestock, not only roosters. He spoke about the experience of the past and previous farmers on the ELUC Board.

Mr. Stohr talked about his experience when he lived in Missouri with raising geese and chicken and advised to refrain from it. He indicated that too many livestock in a residential area per square foot might be something to consider regulating in the future.

Mr. Farney stated he was not ready to act on the ordinance this evening. He prefers more time to gather additional information prior to deciding. He spoke about best practices and learning about statutory regulations including enforcement and who to report the violation to. Mr. Farney suggested consulting with other counties to obtain a solution to see how they are handling similar situations. He would like to study the topic for 30 days and consider all sides.

Mr. Owen agreed with Mr. Farney in that the livestock ordinance needs additional study. He is curious about the groundwater since the area is right along the Phinney Branch. He is concerned about ground water and run off and would like those topics added to the study.

Ms. Rogers would like more time and information regarding zoning in residential areas versus agriculture areas. Ms. Rogers questioned whether the Sheriff's Department would be the appropriate law enforcement agency to enforce the ordinance versus the Conservation Police.

Mr. Farney questioned if our current ordinance talks about the keeping of hooved animals in a residential area.

Mr. Hall stated the ordinance allows livestock everywhere in our zoning districts except for roosters in residential districts within 1000 feet of a home-rule municipality. Otherwise, you can have anything you want. He previously confirmed with the State's Attorney's office who is of the opinion you can have reasonable limits on keeping livestock in residential districts.

Mr. Esry asked if this would include all small residential districts or small subdivisions in the middle of the county which have 6-7 houses strung together on the road.

Mr. Hall responded and clarified those areas typically have the agricultural zoning. He noted it is important to keep in mind what are the expectations of people living in Seymour, Penfield, and Dewey versus the expectations of people living within 1000 feet of a home-rule municipality, Champaign Township for example. He believes there is a wide variety of expectations in a residential district.

Mr. Esry expressed his concerns about houses in the middle of the County. He would like the ELUC Board to keep those areas in mind as they move forward.

Mr. Thorsland spoke about the water and fencing in a flood areas.

Mr. Hall stated that you can have fencing in flood plains but not in floodways. Along the Phinney Branch, the floodway is more extensive than Mr. Hall understood. The depth of the flood water in the Phinney Branch is at depths of a foot at times.

Mr. Thorsland discussed owning many types of livestock which requires a level of commitment to take care of properly including location and space. His concern is there is not enough space to house the livestock on said property on Mattis Avenue. There is a lot of waste involved and you can only use so much of the land before nitrogen levels increase in the ground. He commented that the property is also right along water and a flood area which affects containment of the animals if the ground is soft, and the water is running. He suggested possibly approaching the ordinances on residential versus agricultural or space versus animal. He would appreciate any information staff can provide and utilize resources in the community. There will not be a decision tonight. Mr. Thorsland thanked the ELUC Board and all the public comments.

Mr. Esry expanded on the fences, waterways, and flood plains. He suggested focusing on the maintenance of streams in the ordinance. He stated ditch commissioners have the right to do what they need to do for maintenance. He suggested adding a clause to the ordinance about residents ensuring the drainage district has access to perform their maintenance work without worrying about animals escaping.

Mr. Stohr concurred with Mr. Esry and spoke of a time when maintenance had to break a lock or chain to approach a property which allowed goats to wander. Mr. Stohr believes there are cases of urban people moving into rural areas and not being too familiar with some of the practices of where they are living.

VIII. New Business: Items to be Approved by ELUC

A. Guidance for Zoning Administrator regarding possible Nuisance Ordinance and Zoning Ordinance amendments to restrict keeping of livestock in Residential Districts

Mr. Esry asked Mr. Hall if there was anything else he needs from the ELUC Board regarding specific questions or directions as committee members.

Mr. Hall confirmed the direction is specific with a wide range of topics. Mr. Hall stated he won't have anything ready for the ELUC Board to review until August.

IX. New Business: Items to Receive and Place on File by ELUC to Allow a 30-Day Review Period

A. Zoning Case 111-S-23. A request by Anthony Donato, d.b.a. Donato Solar Bondville LLC to authorize a photovoltaic solar array with a total nameplate capacity of 6 megawatts (MW), including access roads and wiring, as a second

principal use as a County Board Special Use Permit, subject to the rezoning to the AG-2 Agriculture Zoning District in Case 109-AM-23, on approximately 17 acres of a 77.5-acre tract of land in the East Half of the Southwest Quarter of Section 12, Township 19 North, Range 7 East of the Third Principal Meridian in Scott Township and including a waiver of standard conditions for locating the PV Solar Array less than one-half mile from an incorporated municipality and within the contiguous urban growth area of a municipality per Section 6.1.5 B.(2)a.

B. Decommissioning and Site Reclamation Plan for Zoning Case 111-S-23.

A request by Anthony Donato, d.b.a. Donato Solar – Bondville LLC to approve the Decommissioning and Site Reclamation Plan for the photovoltaic solar array with a total nameplate capacity of 6 megawatts (MW), including access roads and wiring, subject to the rezoning to the AG-2 Agriculture Zoning District in Case 109-AM-23, on approximately 17 acres of a 77.5-acre tract of land in the East Half of the Southwest Quarter of Section 12, Township 19 North, Range 7 East of the Third Principal Meridian in Scott Township.

Mr. Hall stated there is a mutual tile that cuts across the property from Southwest to North. The array leaves an opening for maintenance of that mutual tile. There is only one mutual tile.

Mr. Thorsland reiterated there must be a way for maintenance to have access to these projects.

The ELUC Committee did not have any questions for Tony Grilo who was present on behalf of Case # 111-S-23.

Mr. Thorsland stated the two items for Case 111-S-23 will sit for 30 days and will come back next month.

X. New Business: Items to be Recommended to the County Board

A. Zoning Case 115-S-23. A request by Pivot Energy IL 38, LLC, via agent Liz Reddington, with participating landowners Louis and Donna Zitting to authorize a Community PV Solar Farm with a total nameplate capacity of 5 megawatts (MW), including access roads and wiring, in the AG-1 Agriculture Zoning District, on approximately 27 acres of a 51.16-acre tract of land lying south of County Highway 15 (CR 1050N) in the East Half of the West Half of Section 12, Township 18 North, Range 10 East of the Third Principal Meridian in Sidney Township, and commonly known as farmland owned by Louis and Donna Zitting and including a waiver of standard conditions for not entering into a Roadway Upgrade and Maintenance Agreement or waiver therefrom with the relevant local highway authority prior to consideration of the Special Use Permit by the Board, per Section 6.1.5 G. of the Zoning Ordinance.

B. Decommissioning and Site Reclamation Plan for Zoning Case 115-S-23.

A request by Pivot Energy IL 38, LLC, via agent Liz Reddington, with participating landowners Louis and Donna Zitting to approve the Decommissioning and Site Reclamation Plan for the PV Solar Farm in Zoning Case 115-S-23 with a total nameplate capacity of 5 megawatts (MW), including access roads and wiring, in the AG-1 Agriculture Zoning District, on approximately 27 acres of a 51.16-acre tract of land lying south of County Highway 15 (CR 1050N) in the East Half of the

West Half of Section 12, Township 18 North, Range 10 East of the Third Principal Meridian in Sidney Township, and commonly known as farmland owned by Louis and Donna Zitting.

Mr. Thorsland indicated this case was unanimous at the Zoning Board and is ready to be voted on tonight.

Mr. Esry asked if there were any negative public comments or comments in general at the Zoning Board meeting.

Mr. Hall stated there were not any comments at the Zoning Board meeting.

Mr. Thorsland said this is a testament to the petitioner's application and the work they did preparing it.

Mr. Farney asked Ms. Reddington if there were considerations about property tax implications and if they were worked out with the school district. Specifically, not being taxed the full amount for the first few years. As this comes on to the roles, it would create a jump in the property values which creates a bigger tax bill. Ms. Reddington can provide the breakdown of the year's taxes if needed.

Ms. Reddington stated all community solar gardens in the State of Illinois are assessed in the same way. It is based off a system size and a value. It is then depreciated. Once they start to produce energy, they will be assessed for property values.

MOTION by Mr. Farney to approve Zoning Case 115-S-23, both the decommissioning and the plan itself to forward to the Full County Board and seconded by Mr. Owen. Upon voice vote, **MOTION CARRIED** unanimously.

C. Zoning Case 126-S-23. A request by FFP IL Community Solar, LLC, a subsidiary of Forefront Power LLC; via agent Christian Schlesinger, and participating landowner Kathryn Bonacci to authorize a Community PV Solar Farm with a total nameplate capacity of 3.5 megawatts (MW), including access roads and wiring, in the AG-2 Agriculture Zoning District, on the east 29.54 acres of three tracts of land totaling 55.81 acres located in the Northeast Quarter of Section 27, Township 19 North, Range 9 East of the Third Principal Meridian in Urbana Township, and commonly known as farmland owned by Kathryn Bonacci in the southwest corner of the intersection of Windsor Road and IL 130 (High Cross Rd), Urbana and including the following waivers of standard conditions:

Part A: A waiver for locating the PV Solar Farm less than one-half mile from an incorporated municipality and within the contiguous urban growth area of a municipality per Section 6.1.5 B.(2)a.(a).

Part B: A waiver for entering into a Roadway Upgrade and Maintenance Agreement or waiver therefrom with the relevant local highway authority at a later time in lieu of prior to consideration of the Special Use Permit by the Board, per Section 6.1.5 G. of the Zoning Ordinance.

D. Decommissioning and Site Reclamation Plan for Zoning Case 126-S-23.

A request by FFP IL Community Solar, LLC, a subsidiary of Forefront Power LLC; via agent Christian Schlesinger, and participating landowner Kathryn Bonacci to approve the Decommissioning and Site Reclamation Plan for the PV Solar Farm in Zoning Case 126-S-23 with a total nameplate capacity of 3.5 megawatts (MW), including access roads and wiring, in the AG-2 Agriculture Zoning District on the east 29.54 acres of three tracts of land totaling 55.81 acres located in the Northeast Quarter of Section 27, Township 19 North, Range 9 East of the Third Principal Meridian in Urbana Township, and commonly known as farmland owned by Kathryn Bonacci in the southwest corner of the intersection of Windsor Road and IL 130 (High Cross Rd), Urbana.

- E. Zoning Case 127-S-23.** A request by FFP IL Community Solar, LLC, a subsidiary of Forefront Power LLC; via agent Christian Schlesinger, and participating landowner Kathryn Bonacci to authorize a Community PV Solar Farm with a total nameplate capacity of 2.5 megawatts (MW), including access roads and wiring, in the AG-2 Agriculture Zoning District, on the west 15.96 acres of three tracts of land totaling 55.81 acres located in the Northeast Quarter of Section 27, Township 19 North, Range 9 East of the Third Principal Meridian in Urbana Township, and commonly known as farmland owned by Kathryn Bonacci in the southwest corner of the intersection of Windsor Road and IL 130 (High Cross Rd), Urbana and including the following waivers of standard conditions:

Part A: A waiver for locating the PV Solar Farm less than one-half mile from an incorporated municipality and within the contiguous urban growth area of a municipality per Section 6.1.5 B.(2)a.(a).

Part B: A waiver for entering into a Roadway Upgrade and Maintenance Agreement or waiver therefrom with the relevant local highway authority at a later time in lieu of prior to consideration of the Special Use Permit by the Board, per Section 6.1.5 G. of the Zoning Ordinance.

- E. Decommissioning and Site Reclamation Plan for Zoning Case 127-S-23.** A request by FFP IL Community Solar, LLC, a subsidiary of Forefront Power LLC; via agent Christian Schlesinger, and participating landowner Kathryn Bonacci to approve the Decommissioning and Site Reclamation Plan for the PV Solar Farm in Zoning Case 127-S-23 with a total nameplate capacity of 2.5 megawatts (MW), including access roads and wiring, in the AG-2 Agriculture Zoning District on the west 15.96 acres of three tracts of land totaling 55.81 acres located in the Northeast Quarter of Section 27, Township 19 North, Range 9 East of the Third Principal Meridian in Urbana Township, and commonly known as farmland owned by Kathryn Bonacci in the southwest corner of the intersection of Windsor Road and IL 130 (High Cross Rd), Urbana.

Mr. Thorsland stated all parts of Zoning cases 126-S-23 & 127-S-23 were passed unanimously by the Zoning Board.

Mr. Farney asked Mr. Hall if this was the case Urbana was going to protest at one point.

Mr. Hall stated things have changed now and the City of Urbana has waived the 30-day hangover at ELUC. The City of Urbana was pleased with how well the petitioners worked with the park district.

Mr. Vollbrecht stated they have worked with the noise clinic and the Vet Clinic to remedy concerns the Vet Clinic expressed. They also worked with the park district regarding access concerns to the west. All concerns were remedied and there were no public comments at the last meeting.

Mr. Farney thanked Mr. Vollbrecht for working with all the entities.

Mr. Stohr asked if all the issues with Urbana Park District were resolved. Mr. Vollbrecht feels they have addressed all concerns and their project will not impede development on the park district nor impact the quality of the park experience if they get the park built.

Mr. Stohr viewed the property and did not see any runoff concerns to the west of the Vet Clinic. He thanked Mr. Vollbrecht for resolving those issues. Mr. Stohr also commended the Planning and Zoning staff for all the work they completed.

Mr. Esry stated he appreciates all the work Mr. Vollbrecht completed as they cohesively worked with the park district putting in the solid fence cutting down on the visibility concerns.

Mr. Thorsland stated there is very minimal noise from a solar farm at night if any.

Mr. Vollbrecht commented the noise level is an inaudible hum.

Mr. Thorsland appreciates the recent proposals and all the work with staff, adjacent neighbors, and the community. This is super helpful with positive communication.

MOTION to Omnibus and approve X, C,D,E, and F by Mr. Farney and seconded by Ms. Rogers.
MOTION carried unanimously to move to the Full County Board.

G. Annual Facility Inspection Report for the period 4/1/23 – 3/31/24 for Champaign County’s National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer System (MS4) Storm Water Discharge Permit with the Illinois Environmental Protection Agency (IEPA)

Mr. Hall stated he was contacted by EPA in the past week, and they will have their annual audit. He will keep the board apprised of the outcome.

Mr. Esry thanked Mr. Hall and his staff for gathering all the work on the report as it is not an easy task.

MOTION by Mr. Esry to approve the Annual Facility Inspection Report to the Full County Board and seconded by Mr. Stohr. **MOTION** carried unanimously to move to the Full County Board.

XI. Other Business:

A. Monthly Reports

November 2023

Mr. Hall stated it has been a busy winter and he will get caught up on the monthly reports.

Mr. Esry noted an incorrect year on the report. The document in the November report was updated from 2022 to 2023.

XII. Chair's Report- Mr. Thorsland commended the entire staff for all the work they did this month on the ELUC packet.

XIII. Designation of Items to be Placed on the Consent Agenda-X. G.

XIV. Adjournment - The meeting adjourned at 8:00 p.m.