

**MINUTES OF SPECIAL MEETING**

**CHAMPAIGN COUNTY ZONING BOARD OF APPEALS**

**1776 E. Washington Street  
Urbana, IL 61802**

**DATE: September 14, 2023 PLACE: Shields-Carter Meeting Room  
1776 East Washington Street  
TIME: 6:30 p.m. Urbana, IL 61802**

**MEMBERS PRESENT:** Tom Anderson, Thaddeus Bates, Ryan Elwell, Nolan Herbert, Jim Randol, Larry Wood, Lee Roberts

**STAFF PRESENT:** John Hall, Susan Burgstrom, Stephanie Berry

**OTHERS PRESENT:** Joseph Chamley, Chris Evans, Jeanna Munds, Sonia Garth, John Garth, Charlene Farney, Randall Graham, Ken Kerr, Ron Hursey, Luke Saathoff, Brent Cork, Molly Black, Francis J. Barker, Tony Grilo

**1. Call to Order**

The meeting was called to order at 6:30 p.m.

**2. Roll Call and Declaration of Quorum**

The roll was called, and a quorum declared present.

Mr. Elwell informed the audience that anyone wishing to testify for any public hearing tonight must sign the Witness Register.

**3. Correspondence – None**

**4. Minutes – August 17, 2023**

**Mr. Bates moved, seconded by Mr. Wood, to approve the August 17, 2023 minutes. The motion carried by voice vote.**

**5. Audience participation with respect to matters other than cases pending before the Board - None**

**6. Continued Public Hearings – None**

**7. New Public Hearings**

**Case 101-V-23**

**Petitioner: Randy Graham**

**Request: Authorize a variance for a proposed garage addition with a setback from the street centerline of Duncan Road of 46 feet in lieu of the minimum required 55 feet in the AG-2 Agriculture Zoning District, per Section 5.3 of the Champaign County Zoning Ordinance.**

1 Location: **A 1.1-acre parcel in the Northwest Quarter of the Southwest Quarter of the**  
2 **Northwest Quarter of Section 34, Township 19 North, Range 8 East of the Third**  
3 **Principal Meridian in Champaign Township, with an address of 3812 S Duncan Rd,**  
4 **Champaign.**  
5

6 Mr. Elwell informed the audience that anyone wishing to testify for any public hearing tonight must sign  
7 the witness register for that public hearing. He reminded the audience that when they sign the witness  
8 register, they are signing an oath.  
9

10 Mr. Elwell informed the audience that this Case is an Administrative Case, and as such, the County allows  
11 anyone the opportunity to cross-examine any witness. He said that at the proper time, he will ask for a  
12 show of hands from those who would like to cross-examine, and each person will be called upon. He said  
13 that those who desire to cross-examine do not have to sign the Witness Register but will be asked to clearly  
14 state their name before asking any questions. He noted that no new testimony is to be given during the  
15 cross-examination. He said that attorneys who have complied with Article 7.6 of the ZBA By-Laws are  
16 exempt from cross-examination. He asked if the petitioner would like to outline the nature of their request.  
17

18 Randy Graham, 1328 South Duncan Road, Champaign, stated that he built the original home in 1983, it  
19 was quite a bit smaller at 1,080 square feet, and they built what was considered in that time a two car  
20 garage, but it really is more like a one and one-half car garage, because you really can't put two cars in  
21 side-by-side and open the doors to get in and out. He said they had a growing family in 1991 with four  
22 kids living in that home, and they did an addition, but they didn't alter the garage at all. He said at this  
23 point he would really like to improve the livability of the home by adding a two-car garage and possibly  
24 down the road taking part of the current garage into the home and remodel the kitchen and do some  
25 improvements to improve the livability of the home. He said that is the nature of his request and the reason  
26 the home orients facing south is at the time he was a university student and he looked into passive solar,  
27 earth berm, and high insulation values trying prepare for a future of solar and all that kind of stuff. He said  
28 now he sees solar panels around, but it took 40 years before that really came into fruition, but that is why  
29 the home is oriented facing south and why an addition on the west side makes the most sense for being  
30 attached to the home and allowing access that way.  
31

32 Mr. Elwell asked if there were any questions from the Board or Staff. Seeing none, he asked if anyone  
33 would like to cross-examine this witness and if so, this is their time to raise their hand. Seeing no one, he  
34 asked if anyone would like to testify in this case and if so, please raise their hand. Seeing no one, he  
35 entertained a motion to close the Witness Register for Case 101-V-23.  
36

37 **Mr. Bates moved, seconded by Mr. Randol, to close the Witness Register for Case 101-V-23. The**  
38 **motion carried by voice vote.**  
39

40 Mr. Elwell entertained a motion to move to the Findings of Fact for Case 101-V-23.  
41

42 **Mr. Randol moved, seconded by Mr. Roberts, to move to the Finding of Facts for Case 101-V-23.**  
43 **The motion carried by voice vote.**  
44

45 Mr. Elwell said he would be reading from Attachment F, page 8 of 9. He said at the top of the page it will  
46 say Finding of Facts for Case 101-V-23.  
47

48 **FINDINGS OF FACT FOR CASE 101-V-23**

49 From the documents of record and the testimony and exhibits received at the public hearing for zoning case

1 **101-V-23** held on **September 14, 2023**, the Zoning Board of Appeals of Champaign County finds that:

- 2  
3 **1. Special conditions and circumstances *{DO / DO NOT}* exist which are peculiar to the land**  
4 **or structure involved, which are not applicable to other similarly situated land and**  
5 **structures elsewhere in the same district because:**  
6

7 Mr. Wood said the special conditions and circumstances DO exist which are peculiar to the land or  
8 structure involved, which are not applicable to other similarly situated land and structures elsewhere in  
9 the same district because: in contact with the Planner of the City of Champaign, Jeff Marino indicated that  
10 the city had no plans to make any improvements to Duncan south of Curtis in the near future. He said the  
11 variance is only going to reduce the full variance by about 16 percent.  
12

- 13 **2. Practical difficulties or hardships created by carrying out the strict letter of the**  
14 **regulations sought to be varied *{WILL / WILL NOT}* prevent reasonable or otherwise**  
15 **permitted use of the land or structure or construction because:**  
16

17 Mr. Bates said the practical difficulties or hardships created by carrying out the strict letter of the  
18 regulations sought to be varied WILL prevent reasonable or otherwise permitted use of the land or  
19 structure or construction because: without the proposed variance, the petitioner could not construct the  
20 garage addition and future home addition.  
21

- 22 **3. The special conditions, circumstances, hardships, or practical difficulties *{DO / DO NOT}***  
23 **result from actions of the applicant because:**  
24

25 Mr. Randol said the special conditions, circumstances, hardships, or practical difficulties DO NOT result  
26 from actions of the applicant because: there is not any other practical location for the proposed garage to  
27 the house other than the west side of the existing home. He said the Board has done several other variance  
28 amendments in the past years for the same type of construction.  
29

- 30 **4. The requested variance *{IS / IS NOT}* in harmony with the general purpose and intent of**  
31 **the Ordinance because:**  
32

33 Mr. Herbert said the requested variance IS in harmony with the general purpose and intent of the  
34 Ordinance because: there are no known plans to widen South Duncan Road, and there is no parking along  
35 South Duncan Road.  
36

- 37 **5. The requested variance *{WILL / WILL NOT}* be injurious to the neighborhood or**  
38 **otherwise detrimental to the public health, safety, or welfare because:**  
39

40 Mr. Wood said the requested variance WILL be injurious to the neighborhood or otherwise detrimental to  
41 the public health, safety, or welfare because: relevant jurisdictions have been notified of this variance, and  
42 no comments have been received. He said and again, the same comment from number one, regarding the  
43 City of Champaign and no plans to make improvements to Duncan Road.  
44

- 45 **6. The requested variance *{IS / IS NOT}* the minimum variation that will make possible the**  
46 **reasonable use of the land/structure because:**  
47

48 Mr. Randol said the requested variance IS the minimum variation that will make possible the reasonable  
49 use of the land/structure.

7. NO SPECIAL CONDITIONS ARE HEREBY IMPOSED.

Mr. Elwell entertained a motion to adopt the Summary of Evidence, Documents of Record, and Findings of Facts for Case 101-V-23 as amended.

Mr. Bates moved, seconded by Mr. Roberts, to adopt the Summary of Evidence, Documents of Record and Findings of Fact for Case 101-V-23, as amended. The motion carried by voice vote.

Mr. Elwell entertained a motion to move to Final Determination for Case 101-V-23.

Mr. Bates moved, seconded by Mr. Roberts, to move to Final Determination for Case 101-V-23. The motion carried by voice vote.

Mr. Elwell told Mr. Graham that he would be reading from Attachment F, page 9 of 9.

**FINAL DETERMINATION FOR CASE 101-V-23**

Mr. Randol moved, seconded by Mr. Wood, that the Champaign County Zoning Board of Appeals finds that, based upon the application, testimony, and other evidence received in this case, that the requirements for approval in Section 9.1.9.C HAVE been met, and pursuant to the authority granted by Section 9.1.6.B of the Champaign County Zoning Ordinance, the Zoning Board of Appeals of Champaign County determines that:

The Variance requested in Case 101-V-23 is hereby GRANTED to the petitioner, Randy Graham, to authorize the following variance:

Authorize a variance for a proposed garage addition with a setback from the street centerline of Duncan Road of 46 feet in lieu of the minimum required 75 feet and a front yard of 26 feet in lieu of the minimum required 30 feet in the AG-2 Agriculture Zoning District, per Section 5.3 of the Champaign County Zoning Ordinance.

Mr. Elwell requested a roll call vote.

The vote was called as follows:

|                     |                       |                      |                    |
|---------------------|-----------------------|----------------------|--------------------|
| <b>Randol - Yes</b> | <b>Anderson - Yes</b> | <b>Herbert - Yes</b> | <b>Bates - Yes</b> |
| <b>Elwell - Yes</b> | <b>Roberts - Yes</b>  | <b>Wood - Yes</b>    |                    |

Mr. Elwell congratulated Mr. Graham on his seven affirmative votes, and his case was approved. He said Staff will be in communication with him as well.

Mr. Graham thanked the Board and Staff.

**Cases 109-AM-23, 110-S-23, 111-S-23, and 112-V-23**

Petitioner: **Anthony Donato, d.b.a. Donato Solar – Bondville, LLC**

Requests: Case 109-AM-23  
**Amend the Zoning Map to change the zoning district designation from the AG-1 Agriculture Zoning District to the AG-2 Agriculture Zoning District in order to allow a data center as a Special Use in related Zoning Case 110-S-23 and a PV solar array as a second principal use as a proposed County Board Special Use Permit in related**

1 Case 111-S-23.

2  
3 Case 110-S-23

4 **Authorize a data center as a Special Use Permit, subject to the proposed rezoning to**  
5 **AG-2 Agriculture in Case 109-AM-23, and subject to the following waiver:**

6  
7 **Authorize a waiver from Section 6.1.3 of the Zoning Ordinance that requires a**  
8 **noise analysis to be performed for a Data Center.**

9  
10 Case 111-S-23

11 **Authorize a photovoltaic solar array with a total nameplate capacity of 6 megawatts**  
12 **(MW), including access roads and wiring, as a second principal use as a County Board**  
13 **Special Use Permit, subject to the rezoning to the AG-2 Agriculture Zoning District**  
14 **in Case 109-AM-23, and including the following waivers of standard conditions (other**  
15 **wavers may be necessary):**

16  
17 **Part A: A waiver for locating the PV Solar Array less than one-half mile from an**  
18 **incorporated municipality and within the contiguous urban growth area of a**  
19 **municipality per Section 6.1.5 B.(2)a.**

20  
21 **Part B: A waiver for not submitting a Landscape Plan with weed control plan prior**  
22 **to consideration of the Special Use Permit by the Board, per Section 6.1.5**  
23 **F.(9)a.(b).iv.**

24  
25 **Part C: A waiver for not submitting a Noise Analysis prior to consideration of the**  
26 **Special Use Permit by the Board, per Section 6.1.5 I.(3).**

27  
28 Case 112-V-23

29 **Authorize the following variance for the data center proposed as a Special Use Permit**  
30 **in related case 110-S-23:**

31  
32 **Part A: Authorize a variance for 2 parking spaces in lieu of the minimum required**  
33 **7 parking spaces, per Section 7.4.1 C.3. of the Zoning Ordinance.**

34  
35 **Part B: Authorize a variance for no loading berth in lieu of the minimum required**  
36 **1 loading berth, per Section 7.4.1 C.5. of the Zoning Ordinance.**

37  
38 **Location: A 77.5-acre tract in the East Half of the Southwest Quarter of Section 12, Township**  
39 **19 North, Range 7 East of the Third Principal Meridian in Scott Township.**

40  
41 Mr. Elwell informed the audience that anyone wishing to testify for any public hearing tonight must sign  
42 the witness register for that public hearing. He reminded the audience that when they sign the witness  
43 register, they are signing an oath.

44  
45 Mr. Elwell informed the audience that this Case is an Administrative Case, and as such, the County allows  
46 anyone the opportunity to cross-examine any witness. He said that at the proper time, he will ask for a  
47 show of hands from those who would like to cross-examine, and each person will be called upon. He said  
48 that those who desire to cross-examine do not have to sign the Witness Register but will be asked to clearly  
49 state their name before asking any questions. He noted that no new testimony is to be given during the  
50 cross-examination. He said that attorneys who have complied with Article 7.6 of the ZBA By-Laws are

1 exempt from cross-examination. He asked if the petitioner would like to outline the nature of their request.

2  
3 Anthony Grilo, 103 Thomas Street, Thomasboro, stated that this case is similar to the others that he had  
4 presented before the Board. He said it is a six-megawatt solar array for the behind the meter program. He  
5 said like Mr. Elwell had said, the land is situated right outside of Bondville. He said the plan is to build to  
6 a solar array and connect it to Ameren's grid for back feeding surplus power during the day and treating  
7 Ameren as a battery for the data center that will run there onsite. He said there were some things he was  
8 going to address regarding the waivers and asked if the Board wants him to do that now or wait.

9  
10 Mr. Elwell said it is his time.

11  
12 Mr. Grilo said the noise analysis is actually done, so he forwarded that on. He said that noise analysis was  
13 done for the solar array as well as the data center, so there are two separate locations that emanate sound  
14 and both of those were accounted for. He said in addition, the site plan that they had submitted originally  
15 included the seed mix that is used on the solar array for the landscape plan; they didn't have a narrative  
16 for that landscape plan, and again, he assumes the Board has a copy of that now. He said essentially the  
17 solar array will be done with pollinator and natural habitat, the Pheasants Forever kind of manages that  
18 IVM for them, they kind of tell them what to do, when to plant, what to overseed, when to spray, when to  
19 cut, and things like that. He said the fencing area, the buildings, the right-of way ditch out front, and the  
20 driveway, they will all be manicured turf grass, and the rest of the 62 acres will just be farmland and the  
21 current owner will still continue to farm that.

22  
23 Mr. Elwell thanked Mr. Grilo and asked if there were any questions from the Board.

24  
25 Mr. Wood stated that on the front page of the noise analysis it indicates that the data center is going to be  
26 located on the north end, but that doesn't agree with the site plan. He asked if that was just a typographical  
27 mistake.

28  
29 Mr. Grilo said yes, it must have been a typo.

30  
31 Mr. Wood said that his map back on figure three, it shows the data center on the south side.

32  
33 Mr. Grilo said correct, the data center will be on the south side of the solar array.

34  
35 Mr. Wood asked if the calculated numbers down there were the decibel levels that would be at the  
36 residential areas.

37  
38 Mr. Grilo said correct.

39  
40 Mr. Wood said the residential areas are generally 30 decibels or below for the most part.

41  
42 Mr. Grilo said correct, and they can see on that figure three as part of that satellite image, they have the  
43 numbers on the map, that is where they actually calculated that sound to be at.

44  
45 Mr. Wood said the data center is liquid cooled and asked if they still have cooling fans that run on that.

46  
47 Mr. Grilo said correct.

48  
49 Mr. Wood said and that is what makes the noise.

1 Mr. Grilo said yes, exactly.  
2  
3 Mr. Elwell asked if there were any other questions from the Board or Staff. Seeing none, he asked if  
4 anyone would like to cross-examine this witness and if so, please raise their hand. He said the cross-  
5 examination microphone is over there and he believes Mr. Herbert will be able to make sure that it is  
6 turned on for him. He asked for him to please state his name and ask his questions.  
7  
8 Mr. Joe Chamley said he is an attorney with an office here in Champaign, and his client is the Village of  
9 Bondville, which is a municipal corporation. He stated he wanted to ask Mr. Grilo about the noise study.  
10 He said it looks like the noise study takes into account the existing residential properties to the south and  
11 asked Mr. Grilo if that was right.  
12  
13 Mr. Grilo said correct.  
14  
15 Mr. Chamley said that the noise study doesn't take into account the future residential development that  
16 may be built in the adjacent farmland and asked Mr. Grilo if that was correct.  
17  
18 Mr. Grilo said correct, well he thinks he agrees with him.  
19  
20 Mr. Chamley said it is fair to say that if there is new residential development, it will end up being closer  
21 than the existing residential development.  
22  
23 Mr. Grilo said that he doesn't know where future development would go, he means, he doesn't know, he  
24 guesses he doesn't have any information to answer that.  
25  
26 Mr. Chamley said for example to the immediate east of the solar farm site.  
27  
28 Mr. Grilo said correct, yes, if something went right next to the data center on that other parcel, then it  
29 would be much closer and he didn't put a number on there, but he thinks the light green looks like it would  
30 be 45 decibels judging by his legend that he has.  
31  
32 Mr. Chamley asked when the noise study was done.  
33  
34 Mr. Grilo said he believes it was done last week.  
35  
36 Mr. Chamley asked if the crop was in the field last week.  
37  
38 Mr. Grilo said yes, it says on the front page at the bottom, that the measurements ran from August 29,  
39 2023 to September 1, 2023.  
40  
41 Mr. Chamley said okay.  
42  
43 Mr. Grilo said on the second page of the noise study they can see the microphone location was placed at  
44 the street on IL Route 10, so that is where they measured the ambient noise from, then the rest is just  
45 computer generated based on the sound output of the data center and inverters.  
46  
47 Mr. Chamley asked if the fact that there was a crop in the field impacted the noise study.  
48

1 Mr. Grilo said he assumes it is not going to impact the noise from the street, but maybe from Interstate  
2 72, which he guesses is only going to lower the ambient noise, it is only going to hurt him in that case. He  
3 referred to Table 2 from page 4 and said on that table in the noise study it shows the current site ambient  
4 noise. He said right now he thinks the average ambient noise is 63 decibels, but if the crop was down and  
5 they were getting more noise from Interstate 72, he thinks the ambient noise would be substantially higher,  
6 but he doesn't know, because he is not a sound engineer.

7  
8 Mr. Chamley asked if that was even in the middle of the night.

9  
10 Mr. Grilo said again, he has to assume that the crop is impacting the sound level from Interstate 72, but  
11 he doesn't know.

12  
13 Mr. Chamley asked if it would also be impacting the sound from the solar array and the data center.

14  
15 Mr. Grilo said he assumes so.

16  
17 Mr. Chamley asked if the noise from the data center and solar array would be 24 hours a day and seven  
18 days a week.

19  
20 Mr. Grilo said the data center will be 24/7, but the inverters usually only run when the sun is up.

21  
22 Mr. Chamley asked Mr. Elwell if this was only on the issue of the specific waiver for the noise study. He  
23 said is that all that is germane at this part of the process.

24  
25 Mr. Elwell said it is the three cases that are open, and it is what Mr. Grilo has provided testimony about  
26 tonight.

27  
28 Mr. Chamley said that there are a lot of other things that play with the request and the only testimony from  
29 Mr. Grilo was very briefly about the noise study. He asked if it is appropriate that he goes into other areas  
30 or whether Mr. Grilo is going to continue his testimony and then he'll come back up to the microphone.  
31 He is just trying to get the process down.

32  
33 Mr. Elwell said he can't force Mr. Grilo to testify anything, but if there is anything he would like to bring  
34 up after he asks for the cross-examination of the petitioner, then he will ask for other testimony and then  
35 he will go down the list, on which he is the first person. He said he would ask for Mr. Chamley to come  
36 up and ask his questions to the Board, and then at that point the Board would ask Mr. Grilo to come back  
37 up to the testimony microphone, so it's convoluted a little bit, but for what Mr. Grilo has testified is what  
38 he can cross-examine at this point.

39  
40 Mr. Chamley said okay, he thinks that answers his question, so not the overall. He said like the cell factors  
41 would not be relevant at this time.

42  
43 Mr. Grilo said correct.

44  
45 Mr. Chamley said he won't go there since he would rule him out of order is how he is interpreting that.

46  
47 Mr. Grilo said he has the gavel.

48  
49 Mr. Chamley said he knows he does.



1 Mr. Elwell said he would have an opportunity to have his concerns expressed.  
2  
3 Mr. Chamley said okay, very good. He said he guesses he does have a few more questions that were  
4 directly related to Mr. Grilo's testimony. He asked Mr. Grilo what he meant when he said the words  
5 outside the meter.  
6  
7 Mr. Grilo said behind the meter, so basically it is not a community solar array, because community solar  
8 is able to connect to the grid without any load whatsoever and sell power back. He said he would have to  
9 go and get customers and he would be selling the power, but this project is behind the meter, so he is using  
10 the power and the excess power goes to the grid, but he is not selling the power. He said it is just how the  
11 State classifies the different solar arrays.  
12  
13 Mr. Chamley asked him if they are going to be using the power that they generate in their data center.  
14  
15 Mr. Grilo said correct.  
16  
17 Mr. Chamley asked him if any excess they generate is going to be sold to the power company.  
18  
19 Mr. Grilo said any excess will go to the grid.  
20  
21 Mr. Chamley said okay.  
22  
23 Mr. Grilo said they are not selling the power since they are not legally allowed to sell the power.  
24  
25 Mr. Chamley said okay, so do they have an estimate as to how much of the power their data center will  
26 use.  
27  
28 Mr. Grilo said he doesn't have it with him, but he could probably get those calculations and run them. He  
29 said they usually try to aim to be about a zero net by the end of the month, but things kind of change up  
30 and down based on if it is sunny, whether machines are broken, and things like that.  
31  
32 Mr. Chamley asked what it meant if they were zero net.  
33  
34 Mr. Grilo said they try to use all the power they produce.  
35  
36 Mr. Chamley said okay, if he is hearing what he just said, then on any given month their goal is to use all  
37 the power they produce.  
38  
39 Mr. Grilo said correct.  
40  
41 Mr. Chamley said their goal is not to put more power back into the grid at all.  
42  
43 Mr. Grilo said correct, it is kind of interesting with Ameren, they treat Ameren as a battery. He said during  
44 the daytime they are producing way more power than what they are using, so they are putting power during  
45 peak times onto Ameren's grid. He said that is one of the reasons they like behind the meter programs. He  
46 said they can put that surplus onto the grid during the daytime and peak hours, but at nighttime when the  
47 data center is still running yet they are not producing, they are able to take power that is being produced  
48 for Ameren on their grid, but not being used by their customers.  
49

1 Mr. Chamley said he understands, but he guesses he wants to make sure he understands, and this Board  
2 understands the overall impact. He said their goal is not to create clean power for everybody else to use.  
3 He said their goal is to create clean power for them to use and asked if that was correct.

4  
5 Mr. Grilo said correct, it is to help offset their energy usage during the daytime when they are putting  
6 clean power onto the grid as opposed to other methods.

7  
8 Mr. Chamley said that he thinks that is all he had and thanked them.

9  
10 Mr. Elwell thanked him and asked if anyone else would like to cross-examine this witness, if so, please  
11 raise their hand.

12  
13 John Garth, a resident and the Mayor of Bondville, 1634 County Road 500 East, Champaign, said he was  
14 kind of piggy backing on what Mr. Chamley was saying about this solar array. He told Mr. Grilo from  
15 what he has read of the new State law, they're not doing this under that. He said the new State law is  
16 granting entities to build these solar arrays within municipality limits with zero interference or anything  
17 from the villages or towns. He said this is more of a comment, but from what he understands by the State,  
18 they're not really doing this under what the State wanted for them to enjoy as clean power for their  
19 residents and the villages near what you're producing and asked if that was correct.

20  
21 Mr. Grilo said to be honest, he hasn't stayed up on the new State laws that came out just because he knew  
22 it didn't impact them here yet, because Champaign County hasn't adopted the appropriate rules to take  
23 those into account.

24  
25 Mr. Garth said he was kind of piggy backing off what Mr. Chamley was saying. He said these were  
26 questions before they came to these meetings as to how much of this electricity that they are going to  
27 generate, so they are not helping the Village of Bondville out in any shape, way, matter, or form by all  
28 this extra energy from this solar field they are producing or going to build.

29  
30 Mr. Grilo said if anything, he thinks they are helping Ameren out just because they're putting that extra  
31 power onto the grid during the daytime and peak hours. He said that the Village of Bondville probably  
32 doesn't experience brown outs, if they did this would probably help that.

33  
34 Mr. Garth said but as of right now, he can't tell them how much or if any extra they are going to produce  
35 during the daytime.

36  
37 Mr. Grilo said no, but he could probably sit and do math here if they give him a few minutes and figure it  
38 up, but he doesn't know off the top of his head.

39  
40 Mr. Garth said that inside this storage data facility, he has done a little bit of research on these data centers  
41 and how much electricity these things use. He said to be economically feasible, these entities that are  
42 building these things have to have these solar arrays such as theirs. He asked how many computers will  
43 be inside this 1,500-square foot facility.

44  
45 Mr. Grilo said he doesn't remember, that is part of the math he needs to figure out, because he doesn't  
46 remember off the top his head.

47  
48 Mr. Garth said from what he has read, that each one of these computers.

49

1 Mr. Elwell said he is providing testimony.  
2  
3 Mr. Garth said he was sorry; how much energy does one of these little or big computers use.  
4  
5 Mr. Grilo said usually every unit is about 3,000 watts.  
6  
7 Mr. Garth said okay from what he is gathering and hearing him say, they're not really going to be providing  
8 any extra energy or maybe a little bit to the power grid.  
9  
10 Mr. Grilo said again, during the daytime they're producing substantially more power than they're using.  
11 He said all that excess energy is going to the grid, then Ameren distributes that as they want, because they  
12 don't control it anymore. He said at nighttime they're using power that Ameren is still producing and  
13 providing.  
14  
15 Mr. Garth said they're going to be using all the nongreen power that Ameren is producing at nighttime.  
16  
17 Mr. Grilo said correct, they will be using energy that is being produced.  
18  
19 Mr. Garth said okay, that is basically it, and thanked them.  
20  
21 Mr. Elwell thanked him and asked if anyone else would like to cross-examine this witness, and if so,  
22 please raised their hand. Seeing no one, he thanked Mr. Grilo. He said moving to the Witness Register  
23 and called Mr. Chamley to the testimony microphone.  
24  
25 Mr. Chamley asked if he could defer.  
26  
27 Mr. Elwell said absolutely.  
28  
29 Mr. Chamley said yes please.  
30  
31 Mr. Elwell called Mr. Garth to the testimony microphone.  
32  
33 John Garth, the Village President and Mayor for the Village of Bondville, 1634 County Road 500 East,  
34 Champaign, said his backyard will be basically facing his data mining facility and solar array. He said not  
35 only does he represent the town of Bondville, but he also has a personal vested interest in this, because  
36 this is his backyard that he will be looking at and hearing from his bedroom window at nighttime. He said  
37 on behalf of the Village of Bondville Trustees and residents, he is expressing their concerns regarding  
38 Cases 110-S-23 and 111-S-23. He said they're concerned with how the presence of the data center and  
39 solar field could present a threat to the health, peace, and safety of the residents of Bondville if desirable  
40 plans for landscape decommissioning and noise analysis aren't implemented. He didn't have this noise  
41 analysis before tonight's meeting, so please bear with him. He said in addition, if the project is not  
42 implemented with certain parameters, it stands to interrupt their village's comprehensive plan for growth  
43 that includes commercial and residential development for that entire area. He said their comprehensive  
44 plan calls for commercial along IL Route 10 with nothing but residential behind that all the way to  
45 Interstate 72. He said that is a part of their comprehensive plan and he thinks the Board has that in their  
46 packets tonight since he saw Mr. Chamley have it.  
47  
48 Ms. Burgstrom said there is mention of it.  
49

1 Mr. Garth said yes there is mention of it and thanked her. He said the proposed location of the data center  
2 and solar field is on IL Route 10, which is a direct corridor in and through Bondville. He said the property  
3 is immediately adjacent to their village limits, which is literally right across the street. He said this project  
4 as presented to the county has taken some prime land and farming out of the future development  
5 opportunities as identified in their comprehensive plan. He said the village has spent millions of dollars to  
6 put in a new sewer system, which would allow them to expand commercially and residentially along IL  
7 Route 10. He said the residents of Bondville still have 2+/- million dollars of this project to yet pay for.  
8 He said taking out all the ground and putting it into a solar field will take away the ability for them to have  
9 any residential development, which will help pay down this debt of course.

10  
11 Mr. Garth said there are existing residents directly across from this proposed location and many others  
12 within half-mile. He said these residents would be mostly impacted by what final plans are implemented  
13 regarding decommissioning, landscape, weed control, roadway upgrades, noise, and as well as any future  
14 development opportunities. He said there are some specific questions and concerns about the project that  
15 could be answered if plans would have already been submitted. He asked if once the project is  
16 decommissioned, would the village be left with an unsightly and unsafe plot of land that will impact future  
17 development. He said if they do remove that after all the years of seed and weeds growing, then how much  
18 chemical use, tilling, and everything else will have to go into getting that piece of farmland back into  
19 development of farmland if it is not to be developed by any other means.

20  
21 Mr. Garth said if it was just a solar field, then would a noise analysis be necessary. He asked if the addition  
22 of the data center would potentially create noise that will disrupt the peace of their citizens, especially  
23 without a landscape plan to help reduce the noise impact. He asked what long term impact an unapproved  
24 road will have on the residents nearby with additional noise, dust, etc. He asked how much or if any of  
25 the renewable energy produced by the solar field will go back into the local grid to benefit the residents  
26 of Bondville or will the majority go towards the data center; they have already heard that testimony  
27 tonight, which is basically none. He asked why they need a variance for the landscaping plan if they  
28 already have stated in the variance application, that they do wish to include a natural pollinator habitat.  
29 He asked if the data center will be manned or unmanned, because their response on question seven in the  
30 variance application they submitted said that the data center would be unmanned, but the project narrative  
31 on the front page of the variance application said there would be two to three full-time employees.

32  
33 Mr. Garth said with the two to three employees there will have to be water and sewer connection, and this  
34 piece of property is within an arm's distance of their jurisdictional sewer district, so they would have to  
35 annex into the village to have sewer. He said with the addition of a building and possibly employees and  
36 asked what the fire suppression plan is, and will water be required, if water is required, the property will  
37 need to annex into the village for the sanitary and sewer connection. He asked if the waivers are granted,  
38 and the Special Use Permits are approved prior to receiving the required information, what authoritative  
39 action will be taken by the County if these plans are not submitted post receipt of the permit. He asked if  
40 the building and installing could begin prior to the building plans submitted, and if they do, then who will  
41 follow-up on following through with requirements on the plans.

42  
43 Mr. Garth said they are opposed to the Special Use Permits, changing from AG-1 to AG-2 Zoning  
44 Districts, and without the plans and documents being provided, reviewed, or approved. He said how well  
45 or poorly are these plans implemented will greatly impact the residents of the Village of Bondville as well  
46 as the growth of their town. He said he is concerned about his property values with a big solar array right  
47 behind his property. He said that is all he has and thanked them.

48  
49 Mr. Elwell thanked Mr. Garth and asked if there were any questions from the Board.

1 Mr. Wood said he does believe that a landscape plan is required with the pollinators and stuff like that or  
2 is it not. He said it is just that it is not required for this meeting, but it is required for a Special Use Permit.

3  
4 Mr. Elwell asked Mr. Hall if he would be willing to give them a little bit of background.

5  
6 Mr. Hall yes, in fact, there is a special condition that requires a landscape plan, and in fact in retrospect,  
7 he thinks all the parts of it had been provided, it is just when they prepared these documents for mailing,  
8 they didn't really see them, but they are all there. He said they have the screening, seed mix, and they now  
9 have the testimony about how that seed mix is to be done, so in his view the waiver is no longer necessary  
10 – he thinks the requirement has been met.

11  
12 Mr. Elwell asked if that is the same with the noise study too.

13  
14 Mr. Hall said with the noise study being received tonight, the Board generally wants extra time to review  
15 documents like that. He said that requirement has been complied with, but the Board hasn't had time to  
16 review it.

17  
18 Mr. Wood said he doesn't believe Mr. Garth's statement about lowering property values is correct. He  
19 said he hasn't seen property values go down for the last 50 years, and they have solar systems that are  
20 sitting right here in Champaign-Urbana. He said the University of Illinois has one on the south side of  
21 Curtis Road between the railroad tracks and First Street; there is residential all around it and nobody has  
22 ever complained about it. He said the Board has had four or five that Mr. Donato has put in already, that  
23 he believes if he is correct have been closer to residential areas and no noise complaints have ever resulted  
24 because of that. He said this is probably one of the farthest away from any residential areas that the Board  
25 has seen; if the noise is down around 30 decibels, they are not going to hear it. He said he has solar on his  
26 house, well not on his house, but on the ground next to his house, and he doesn't hear anything from it.

27  
28 Mr. Garth asked if he could comment.

29  
30 Mr. Elwell said sure.

31  
32 Mr. Garth said it is not the solar field, it is the data center that is the concerning part. He said if it was just  
33 the solar field, and most of those solar fields like the one Mr. Wood was referring to by the University of  
34 Illinois on Curtis Road, he is quite familiar with that, because his brother has property right across the  
35 street from it. He said it is not in their backyard, it is not up against their houses, or taking away the future  
36 development of what they have spent millions of dollars putting in their sewer system, and everything else  
37 – taking away from that future development that they are hoping to have. He said that is their concern and  
38 prime corridor for development, and now they would be taking away many, many, many acres.

39  
40 Mr. Herbert asked him who owns those acres.

41  
42 Mr. Garth said if he is correct, Bill Hatch.

43  
44 Mr. Herbert said he doesn't know how they could expand on those acres if he is willing to put a solar farm  
45 on them and asked if he would have to sell the acreage first.

46  
47 Mr. Garth said exactly, he believes the sale of the property is probably contingent upon the solar system  
48 getting all the permits and everything else or the sale wouldn't go through. He said that would be his guess

1 because he doesn't think they go and buy expensive farmland like that without having the requirements  
2 to be able to do what they want to do on this piece of property.

3  
4 Mr. Wood said correct, the Board has a letter from Mr. Hatch that indicates that specifically.

5  
6 Mr. Garth said yes, and it is not just the sewer system that goes down along IL Route 10. He said there  
7 are many, many, many feet of their stormwater drainage that goes right down along IL Route 10; he thinks  
8 it's a four-foot diameter storm drain. He said let's also take into consideration that there are lots of field  
9 drainage tile that go through that section and drain directly into the Kaskaskia River, which is just a quarter  
10 mile away. He said not all their stormwater goes down along IL Route 10, but a vast majority of it from  
11 the center part of town does. He said all the water along the north end of town along Interstate 72 all goes  
12 into field drainage tiles that all snake down all the way through the Kaskaskia River and asked what they  
13 odds were of them pushing all these posts into the ground for the solar array and hitting all those drainage  
14 tiles. He said that is also a concern that the water district will probably have for this, because part of that  
15 field is...

16  
17 Mr. Wood interjected that part of what is in here is they are required to map all that.

18  
19 Mr. Garth okay.

20  
21 Mr. Wood said he believes that is one of the requirements, that any damage to any drainage tiles they will  
22 have to repair. He said if there was a drainage district tile that ran across there, that would be a different  
23 story, they would have to have an easement or prevent anything from allowing access to that drainage  
24 district tile, but field tiles, that is not the case.

25  
26 Mr. Garth asked if he could have one second to confer with Mr. Chamley quickly.

27  
28 Mr. Elwell asked Mr. Hall if the decommissioning involved the data center as well or is it just the solar  
29 array.

30  
31 Mr. Hall said it is just the solar array, they don't require decommissioning for data centers. He said the  
32 reason being is that a solar array is a nonadaptable, but a data center is a building that could be reused for  
33 something else once all the equipment is out of there.

34  
35 Mr. Wood said to remove that, it is such a small piece of the whole thing, because who is going to want a  
36 cinder block building that is ten by 20 feet or whatever it is.

37  
38 Mr. Elwell asked if there were any other questions from the Board or Staff. Seeing none, he asked if  
39 anyone else would like to cross-examine this witness, and if so, please raise their hand. Seeing no one, he  
40 thanked Mr. Garth. He called Mr. Hursey to the testimony microphone.

41  
42 Ron Hursey, 104 South Monroe Street, Bondville, stated the concern that he has is not so much the solar  
43 array, it is more of the building that all the severs are going to be in. He said he has seen residences that  
44 live a little farther away than the ones in Bondville live from wherever this is being planned at, but they  
45 don't have that sound from the servers, fans, and all that going. He said a concern that he has is that it  
46 might be noise besides, and he did have a concern about the waiver for the vegetation and all that, but that  
47 has been addressed, that is the only comment he had to make.

48

1 Mr. Elwell thanked Mr. Hursey and asked if there were any questions from the Board or Staff. Seeing  
2 none, he asked if anyone would like to cross-examine this witness. Seeing no one, he thanked Mr. Hursey.  
3 He called Mr. Saathoff to the testimony microphone.  
4

5 Luke Saathoff, 513 South Market Street, Bondville, stated he came here this evening and has been a  
6 lifelong resident of Bondville, he has spent years on the planning commission when the comprehensive  
7 plan was put together, then spent 12 to 14 years on the village board when they did the sanitary sewer  
8 project. He said the IL Route 10 corridor had a lot of focus, they do have sanitary there and have stubbed  
9 up piping so it would make it easy to get to. He said there is a new drainage line that was put in that they  
10 worked with the Fountain Head Drainage District to do. He said there is water and gas along there; this is  
11 just a primary location, and if Bondville was to expand this is where it would be at. He said when he thinks  
12 about the situation that they have here, they have a for profit business that is going to put solar in to offset  
13 their cost and that is all it is. He said this is a business that is overall not going to give anything back to  
14 the network or power grid. He said when he thinks about this, if they allow this to happen, then when does  
15 this stop and asked if they were going to allow anybody that wants to take farmland and put a for profit  
16 business on it and simply say they won't let me do it, so what they're going to do is go ahead and put a  
17 solar field on there to offset their power cost, and now they have to do it. He said he doesn't believe that  
18 was the true intentions of this State law and what could possibly be driving the new County Ordinance  
19 and asked when it stops.  
20

21 Mr. Saathoff said next week maybe it's not a data center, but maybe it is something that really isn't all  
22 that attractive, and they don't want it there, but at the same time if they are going to put solar panels on  
23 acres of it, then it becomes acceptable. He said he truly doesn't believe that was the true intention of this  
24 law, but he does believe the State stepped in and said timeout, there are too many rogue boards around  
25 this State that don't believe in wind and solar, and they're just saying no because of it. He said they want  
26 to make sure that it is being done and individuals can go ahead and put this out there and put power onto  
27 the grid. He said that is totally different, but this is not the case, because this is a for profit business that  
28 wants to put it here and rezone farmland and take it from what Bondville's vision was and say they have  
29 a better vision for it, and because they are putting solar panels behind it, they get to do it now – he doesn't  
30 believe that was the true intention of this law. He said he has a couple of other comments, it does say on  
31 their Special Use supplemental application information, and on the last one it is talking about the economic  
32 impacts, it says there will be an additional two to three full-time employees permanently. He said he thinks  
33 Mr. Garth made the comment and he couldn't agree more and asked how they're going to have employees  
34 there without water and sewer.  
35

36 Mr. Saathoff said maybe it is time to start working with the Village of Bondville, and his understanding  
37 is it's something that Bondville really didn't want, but they didn't say no, they were working with this  
38 company to put something together, and now as things change, they're saying forget Bondville. He said  
39 if they are going to have employees there, they are going to have to have water and sewer, so once this is  
40 done are they going to knock on the door of the village and say hey, they would like to connect and then  
41 try to make nice – he doesn't know. He said he guesses he will refer to something else in here on them  
42 wanting a waiver for some parking, and does he think 16 parking spaces is an overkill, which it is, but it  
43 says two parking spaces. He said if they are going to have three employees then they might want to have  
44 more than two parking spaces, so he is not for sure how many employees they are going to have and how  
45 that is going to work up. He said he guesses he just asks if anything, send this back to Bondville and  
46 Bondville will work with people, but don't let a for profit business simply say they are going to put solar  
47 panels up to power this, so now it should be okay – he thanked them.  
48

49 Mr. Elwell thanked him and asked if there were any questions from the Board.

1 Mr. Bates said he had one question and asked him if Bondville had ever made the effort to purchase this  
2 farmland.

3  
4 Mr. Saathoff said no, Bondville has not to his knowledge. He said that corridor from what he would say  
5 is the main village area to Barker Road is in four different parcels. He said Andrew Hatch owns two  
6 parcels one of which is the one being purchased, the Lo family, and then Mr. Barker that is attending the  
7 meeting tonight. He said Bondville wouldn't have a reason to purchase it, but his understanding is they're  
8 open to any development.

9  
10 Mr. Bates asked him if they would be looking for a developer to purchase this farmland to develop what  
11 was said to be commercial and residential.

12  
13 Mr. Saathoff said his understanding, and don't hold him to this, but when he thinks back to the  
14 comprehensive plan, it would have been a mixed use of commercial and residential along IL Route 10,  
15 then turn into residential going towards Interstate 72. He said it has been years since he has looked at the  
16 comprehensive plan, and he knows it hasn't been updated, but he knows when he left the Board in 2015  
17 that Bondville was open to development along there. He said that years earlier they had looked at other  
18 areas, which they had someone interested and had gone through a lot of work and doing some work on  
19 the south edge of town, it just didn't quite work at the time with the sanitary not being there at that time.

20  
21 Mr. Bates thanked him.

22  
23 Mr. Wood said just to correct one thing that he thinks there is a misunderstanding on, he believes the  
24 employees will be remote, which has been the case for all the ones they have seen prior to this. He said  
25 there would be no need for water and sewer on that property, and no need for parking spaces, the only  
26 people that will be going in there on an occasion to do some maintenance for it sometime during the day  
27 or whenever they might need to have some maintenance done, but otherwise there will be no one there.

28  
29 Mr. Bates asked Mr. Hall if he wanted to touch on this since they have already discussed this whole  
30 scenario of a bathroom being worse off from being unused.

31  
32 Mr. Wood said yes.

33  
34 Mr. Hall said yes, when it was on a septic system.

35  
36 Mr. Bates said yes, fair.

37  
38 Mr. Wood said it is his understanding that this is going to significantly increase the property taxes on that  
39 property and asked if that was correct.

40  
41 People from the audience said no.

42  
43 Mr. Wood said no.

44  
45 Mr. Hall said he thinks it would, but it is not inside the village, so the village wouldn't see that.

46  
47 Mr. Wood said other than the utilities it would, and asked if the fire department would get a piece of that.

48  
49 Mr. Hall said yes.



1 Mr. Wood said yes it will.

2  
3 Mr. Saathoff said the village itself of course no, but he means any other line item on the tax bill there  
4 would probably be some increase along there, he doesn't know if so. He doesn't know anything about  
5 evaluation when it comes to that, but would there be any benefit to the Village of Bondville directly, he  
6 doesn't know of any.

7  
8 Mr. Wood said he believes just the utilities like the fire department they have there, and then of course a  
9 lot to the school districts and asked if Bondville was in Champaign.

10  
11 Mr. Hall said yes.

12  
13 Mr. Elwell asked if there were any other questions from the Board or Staff. Seeing none, he asked if  
14 anyone would like to cross-examine this witness and if so, please raise their hand. Seeing no one, he  
15 thanked Mr. Saathoff.

16  
17 Mr. Saathoff said he appreciated it and thanked them.

18  
19 Mr. Elwell called Mr. Cork to the testimony microphone.

20  
21 Brent Cork, 212 South Monroe Street, Bondville, stated that all his concerns were previously addressed  
22 in the recent questions; however, the recent investment in the sewer was significant. He said there is a  
23 bunch of development just to the southeast of town, which promises a chance for a smaller town to have  
24 a need to grow, for instance, a town where people are looking for a little less of a populous area. He said  
25 that was the case for him, he moved from Urbana to there, because it is less populous. He said at 450  
26 people they could certainly stand some room to grow where they are not busting at the seams, they are not  
27 overgrown like Mahomet. He said the concerns are that it'll kibosh any previous investment and hope,  
28 and that is a general concern. He said the next concern is that he has been to the zoning meetings and when  
29 questions were asked, they got a bunch of I don't know answers. He said instead of coming back with the  
30 answers, they just decided to try and work around to avoid them, that doesn't sit well, and he doesn't want  
31 to speak to emotions, but it kind of suggests a bit of dishonesty. He said they got a sheet stating what their  
32 intentions were to sell power or to give power back to the grid – none of that was true. He said that is his  
33 general concerns and thanked them.

34  
35 Mr. Elwell thanked Mr. Cork and asked if there were any questions from the Board or Staff. Seeing none,  
36 he asked if anyone would like to cross-examine this witness and if so, please raise their hand. Seeing no  
37 one, he thanked Mr. Cork.

38  
39 Mr. Elwell called Mr. Barker to the testimony microphone.

40  
41 Francis J. Barker, 611 South Barker Road, Champaign, stated that his reason for being here at tonight's  
42 meeting was the concern of all the drainage tiles, pipelines, sewer lines, and all that type of thing taking  
43 place through that property. He doesn't know whether those easements must be discussed with this  
44 committee or the Village of Bondville on where they should be, but they certainly need to be looked at,  
45 because it has only been about 12 to 14 years ago when all the streets and sewers in Bondville were all  
46 redone. He said there are three big lines that go from Bondville to Kaskaskia River, which is just east of  
47 Bondville, and those lines have all the natural flow of drainage in them and there is also the sewer line  
48 that goes east through this property. He said they also have the main turbine line of gas that comes into  
49 Staley Road to run the motors at the, he forgets what the name of that terminal is there now.

1 Mr. Burgstrom said Marathon.  
2

3 Mr. Barker said yes, that comes through this property, they also have city water that goes through this  
4 property, so somewhere along the line before they get too far along, he thinks there are a lot of things that  
5 need to be discussed, because there is a lot here that wouldn't be in a more outlying area. He said when  
6 they put this new transmission line down IL Route 10 last summer, it was done by a Missouri group, they  
7 drew it, did it, fought for it, and Illinois Power bought it and away they went. He said the leakage from  
8 that power line, they had to go over to the transmission line that carries the gas to the Staley Road terminal  
9 and put a tape on that, because it is in part of their floodplain. He said that water carries a damaging  
10 corrosion to the pipeline that gas is in, they had to go from that transmission line north to the other side of  
11 IL Route 10 and come all through there and open that gas line. He said they had a chemical, tape line, and  
12 other things that an outfit out of Mississippi put in for Illinois Power, because of the leakage from the  
13 transmission line into their ground water, the Board will see on their maps there is a lot of ground water  
14 through that area. He said that is why he came tonight, because he just wondered if anybody, anything, or  
15 if Bondville has any say in this at all, he doesn't know that, so he came to find answers He said there is a  
16 heck of a lot of other 70-acre fields that don't have even a drainage tile in them to worry about, so he  
17 wanted to bring that up and he appreciates the time to say hello.  
18

19 Mr. Elwell asked Mr. Hall if he could speak to the right-of-way or easements that Mr. Barker was referring  
20 to.  
21

22 Mr. Hall said he would expect all the infrastructure to be in the right-of-way rather than on the property.  
23

24 Mr. Barker said it isn't.  
25

26 Mr. Hall asked him if it was on the private property.  
27

28 Mr. Barker said yes.  
29

30 Mr. Hall said okay.  
31

32 Mr. Barker said it is on the private property. He said that there are three big drainage tiles in Bondville.  
33 He said two of them come from the south and one from the north, and they all go through that and down  
34 through his property into the Kaskaskia River.  
35

36 Mr. Hall asked him if he knew if they granted easements for installation of those lines or did he grant an  
37 easement for installation of the line on his property.  
38

39 Mr. Barker said that is a drainage district tile.  
40

41 Mr. Hall said okay well be that as it may, the construction of a solar farm of this size should not have any  
42 overweight vehicles and he wouldn't think it would be likely to cause damage to any of that infrastructure,  
43 but the Board would be well within their right to ask for some kind of indication of where those lines are,  
44 whether there are easements that should be granted, because there will be added traffic during the  
45 construction of the solar farm. He said his understanding is that traffic is not going to be heavy enough to  
46 cause a problem, but they might want to consider at least knowing where these lines are, and then requiring  
47 some sort of agreement to repair any damage.  
48

49 Mr. Herbert asked Mr. Barker if those three lines were a drainage district tile.

1 Mr. Barker said there are three just rainwater drainage tiles.  
2  
3 Mr. Herbert asked if they were a drainage district tile.  
4  
5 Mr. Barker said yes.  
6  
7 Mr. Herbert asked what drainage district it is.  
8  
9 Mr. Barker said the Kaskaskia one.  
10  
11 Mr. Bates asked him if he said the Kaskaskia one.  
12  
13 Staff said that it was the Fountain Head Drainage District.  
14  
15 Mr. Grilo said okay it's Fountain Head Drainage District.  
16  
17 Mr. Barker yes, Fountain Head Drainage District.  
18  
19 Mr. Grilo said okay.  
20  
21 Mr. Barker asked if that was on the east side of the Kaskaskia River.  
22  
23 Mr. Randol said it runs from Bondville to the Kaskaskia River.  
24  
25 Mr. Elwell asked if there were any further questions for this witness. Seeing none, he asked if anyone  
26 wanted to cross-examine this witness and if so, please raise their hand. Seeing no one, he thanked Mr.  
27 Barker.  
28  
29 Mr. Barker said yes, he appreciates their time.  
30  
31 Mr. Elwell called Mr. Chamley to the testimony microphone.  
32  
33 Mr. Chamley said he doesn't have anything else and asked if there was going to be another meeting on  
34 this matter.  
35  
36 Ms. Burgstrom said yes.  
37  
38 Mr. Elwell said most likely.  
39  
40 Mr. Chamley said he has nothing at this time and thanked them.  
41  
42 Mr. Elwell called Mr. Grilo back up to the testimony microphone.  
43  
44 Mr. Grilo said he had made a lot of quick notes. He said he will start with the decommissioning plan, they  
45 do have one for the solar field, it doesn't include the data center; if that is something the Board does desire  
46 then it is always something that he is agreeable to, so if it is something the Board would like to see, then  
47 he would like to know tonight, so they can have all of that done. He said regarding the dust concern, they  
48 use HMA millings for the driveway, because it is a dust free surface. He said when they did their project  
49 here in the City of Urbana, it was a requirement and frankly it is cheaper than road pack, so it is a little bit

1 easier to get. He said they try to be good neighbors and he thinks he has proved that with the Windsor  
2 Road project where they had the noise agreement with the A & E Animal Hospital, which just got signed  
3 today, coincidentally this morning. He said they did already speak with the drainage district about the tiles  
4 that they have on the property, he doesn't know if they have easements, but they do have maps from their  
5 attorney. He said just like the other arrays, they will physically locate those by probe before they even  
6 design this system to a final design, and final goes by probe, then gets the GPS coordinates for all of those  
7 and input them all into the CAD system. He said a thing he did with the Saline Branch when they did the  
8 Airport Road facility, they gave those GPS coordinates to the drainage district, so they had them for future  
9 use. He said yes, if they damage anything they will repair it, they had some tile issues there in Rantoul  
10 that they had to avoid, but worked with that drainage district to make sure it was all copasetic. He said  
11 just to make sure that it is clear on the map, they included a pretty big overall zoomed out version, but this  
12 solar array is about a 1,000 feet off of IL Route 10 and he did that on purpose, because he learned the rules  
13 and didn't want to be too close to the residential area to the south, so they did leave plenty of room for  
14 future commercial expansion in that IL Route 10 corridor. He said with the utilities there in the front right-  
15 of-way, and he agrees that gas pipeline has a separate easement that is not in the right-of-way, that is on  
16 their property, he thinks it is like a 25-foot easement. He said the other stuff there in the right-of-way gets  
17 located when they call 811 JULIE.

18  
19 Mr. Grilo said he will also note part of the reason they set the solar array back so far was to keep it away  
20 from residential and leaving that commercial corridor open, but they are also putting it more in the  
21 floodplain, which he thinks helps. He said they just ran into this at the Oaks Road facility, the civil engineer  
22 can sign off on that, but it allows them to build in that floodplain that may be not as useful for other  
23 development. He thinks those were most of the concerns raised.

24  
25 Mr. Elwell asked if there were any questions from the Board.

26  
27 Mr. Randol asked Mr. Grilo if he plans to purchase that full strip of land from IL Route 10 to Interstate  
28 72.

29  
30 Mr. Grilo said correct.

31  
32 Mr. Randol told him when he comes back with their more detailed plans, he would like to see all those  
33 gas mains even though they are back from it, so they know on their plans where all those drainage tiles  
34 are that belong to the drainage district and all of that included in the front of their property. He said he  
35 stated they were building far enough back to leave that corridor open but be sure they leave how far back  
36 from IL Route 10, because he told the Board around 1,000-feet or something like that.

37  
38 Mr. Grilo said to show that dimension basically.

39  
40 Mr. Randol said yes. He said what he is doing today isn't going to take care of what he says is five years  
41 down or whatever, but if someone would want to develop in front of their solar array between there and  
42 IL Route 10 with his company and asked how that would come about if somebody would like to do  
43 something out there and they still have an access road.

44  
45 Mr. Grilo said he thinks that would have to be a bridge that's crossed, he set it back trying to be thoughtful  
46 of the village's wishes and trying to be as nonintrusive to their comprehensive plan as he could, and he  
47 knew that commercial corridor was important to them, that was the main reason for setting it back, whether  
48 ten years down the road it's developed and they are selling land or leasing land, he doesn't know and can't  
49 answer that.

1 Mr. Randol said okay and thanked him.  
2  
3 Mr. Bates said Mr. Grilo had stated that he would be agreeable to having a decommissioning plan for the  
4 building.  
5  
6 Mr. Grilo said yes.  
7  
8 Mr. Bates said it has been brought up and if he is agreeable to it, he thinks it would be great to include to  
9 show a good sign.  
10  
11 Mr. Herbert said Mr. Grilo had stated that they have a map of those tiles.  
12  
13 Mr. Grilo said correct, Fountain Head's attorney gave them a map.  
14  
15 Mr. Herbert asked if any of those tiles run through where they're proposing to put this.  
16  
17 Mr. Grilo said he is going to be honest, these pictures were not great.  
18  
19 Mr. Herbert said rough looking.  
20  
21 Mr. Grilo said he has no idea right now; the attorney sent them electronically and he really needs to go to  
22 his office and get them and transpose them onto the site plan, so he can have a better idea and is not  
23 probing 77 acres.  
24  
25 Mr. Herbert said yes, but as a stormwater drain for the town, he feels if there is not a current easement on  
26 that, then he feels there should at least be access of some sort through there.  
27  
28 Mr. Grilo said agreed.  
29  
30 Mr. Herbert said if that is running through the solar farm itself.  
31  
32 Mr. Randol asked Mr. Grilo if the Fountain Head Drainage District takes in the whole of their property or  
33 only out near IL Route 10.  
34  
35 Mr. Grilo said he doesn't think it takes in the whole of the property, because they also have a tile map  
36 from Andrew Hatch as well, and his tiles were a little bit more north, so he thinks he has tile that probably  
37 takes care of his two parcels and he thinks the Fountain Head's stuff is a little bit more south, but he will  
38 happily get all that stuff included on a site plan, so they can see where it is exactly.  
39  
40 Mr. Randol said he believes it is two separate districts and the Fountain Head takes care of all the new tile  
41 that was put in, that the Bondville representatives were talking about that went from the village to the  
42 Camp Creek Special Drainage District. He said part of it goes all the way to the Champaign-Urbana  
43 Sanitary District, but that is beyond this property.  
44  
45 Mr. Herbert asked Mr. Grilo to verify if the employees were going to be working remotely most of the  
46 time.  
47

1 Mr. Grilo said correct, it is job creation that they'll have. He said these are unmanned facilities with the  
2 addition of this being just like Mr. Wood had said, that it will be employees coming to the site to maintain  
3 and monitor remotely.

4  
5 Mr. Elwell asked if there were any other questions from the Board.

6  
7 Mr. Randol said he knows it's today and not down the road, but they are buying that whole property, so  
8 down the road if they decide they would want to add another solar array on that same property and asked  
9 Mr. Hall where they stand if they would want to add to that, then they would have to come back with new  
10 proposals and everything.

11  
12 Mr. Hall said they would have to apply for a new Special Use Permit.

13  
14 Mr. Wood asked if the data center was part of the cloud.

15  
16 Mr. Grilo said yes, but he means all those servers are connected to the internet.

17  
18 Mr. Wood asked if they were using it to mine data or to do analytics.

19  
20 Mr. Grilo said yes.

21  
22 Mr. Wood said okay, so it does provide a service to internet usage.

23  
24 Mr. Grilo said yes.

25  
26 Mr. Elwell asked if there were any further questions. Seeing none, he asked if anyone would like to cross-  
27 examine this witness and if so, please raise their hand. Seeing no one, he asked Ms. Burgstrom if there  
28 was a good list of homework that Mr. Grilo will need to do before he comes back whenever they get the  
29 next meeting scheduled.

30  
31 Ms. Burgstrom said she believes they do have that.

32  
33 Mr. Grilo asked if they could run through their list to make sure it is the same as his list and get  
34 clarification.

35  
36 Ms. Burgstrom said she only has a couple things down. She said Mr. Randol talked about wanting to see  
37 all the gas lines, drainage tile, and everything that goes through the property or along the right-of-way,  
38 and the decommissioning plan for the data center.

39  
40 Mr. Grilo said and the dimension from IL Route 10 to the solar array.

41  
42 Ms. Burgstrom said yes.

43  
44 Mr. Grilo said it is to scale, but he can show that.

45  
46 Mr. Hall said they would like to see the easements for the district tile and if they will be impacted by the  
47 solar array.

48

1 Mr. Grilo said okay, so he will try to find out if they have easements, but he is going to guess they'll be  
2 in a similar situation as they were with Beaver Lake Drainage District, that there is probably not an  
3 easement and they'll have to end up having that be a condition that they don't get a permit to build until  
4 an easement is granted just like they did with Beaver Lake – he agrees and is with them there, so he will  
5 get with Mr. Cottrell with that.

6  
7 Mr. Elwell asked Mr. Hall if there was anything else that needed to be put together for tonight's meeting  
8 or he said that it was in several different places.

9  
10 Mr. Hall said he thinks they have the contents of a landscaping plan in a couple of different places, but  
11 they know what it is, and it is similar to what they've seen before, so comparable quality.

12  
13 Ms. Burgstrom asked Mr. Grilo if he has heard anything from the fire protection district.

14  
15 Mr. Grilo no he hasn't, but he needs to speak with him about the Airport Road facility, so he will bring it  
16 up with him again.

17  
18 Mr. Randol said not only the district, but that area is covered by the Bondville Volunteer Fire Corporation,  
19 so the district is just paperwork.

20  
21 Mr. Elwell asked Mr. Hall if he thought they were looking into November 2023.

22  
23 Mr. Hall said they have full dockets on October 12 and October 26, 2023. He said on November 16, 2023,  
24 they have that Special Use Permit for the event center, because there was a lot of new information to be  
25 put together. He said the nature of the request before them tonight, the Board knows how long it takes  
26 even when they have everything in front of them, that making the necessary findings takes an hour and a  
27 half to two hours. He said they could add it onto November 16, 2023, but it is a three-hour meeting and  
28 there are only two hours available in that meeting right now and if they think that is enough, then  
29 November 16, 2023 will be the first available, otherwise, it will be November 30, 2023.

30  
31 Mr. Randol said he would rather go to November 30, 2023 himself, so they're not jammed in there.

32  
33 Mr. Elwell asked Mr. Grilo if November 30, 2023 was okay or would he rather do November 16, 2023.

34  
35 Mr. Grilo said no, November 30, 2023 is fine, he thinks that way they're not in here late and even if all  
36 goes perfect and the Board has everything with zero questions, it is still going to be a lot, so let's just do  
37 November 30, 2023.

38  
39 Mr. Hall said these will be the only cases on November 30, 2023, because it is four cases and that is a full  
40 docket.

41  
42 Mr. Elwell entertained a motion to move Cases 109-AM-23, 110-S-23, 111-S-23, and 112-V-23 to  
43 November 30, 2023.

44  
45 **Mr. Wood moved, seconded by Mr. Roberts, to move Cases 109-AM-23, 110-S-23, 111-S-23, and**  
46 **112-V-23 to November 30, 2023. The motion carried by voice vote.**

47  
48 **8. Staff Report – None**

49

1 **9. Other Business**

2 **A. Review of Docket**

3  
4 Mr. Elwell asked if there would be any upcoming absences.

5  
6 Mr. Herbert said he might be absent.

7  
8 Mr. Elwell said he knows where his priorities lie and they're right here.

9  
10 Mr. Herbert said if he can find enough help to get off that night, he will be in, but he's going to call it a  
11 maybe.

12  
13 Mr. Elwell asked what meeting date.

14  
15 Mr. Herbert said for the next meeting on October 12, 2023.

16  
17 Mr. Randol said that is the same for him too, he can't say until that week.

18  
19 **10. Adjournment**

20  
21 Mr. Elwell entertained a motion to adjourn.

22  
23 **Mr. Roberts moved, seconded by Mr. Wood, to adjourn the meeting. The motion carried by voice**  
24 **vote.**

25  
26 The meeting adjourned at 8:00 pm.

27  
28 Respectfully Submitted,

29  
30  
31  
32 Secretary of the Zoning Board of Appeals  
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