

Case 130-AT-24

Petitioner: Zoning Administrator

Request: Amend the Champaign County Zoning Ordinance as follows regarding Battery Energy Storage Systems (BESS):

1. **Add the following definitions to Section 3.0 Definitions: BATTERY ENERGY STORAGE MANAGEMENT SYSTEM (BESMS), BATTERY ENERGY STORAGE SYSTEM (BESS), TIER-1 BATTERY ENERGY STORAGE SYSTEMS, TIER-2 BATTERY ENERGY STORAGE SYSTEMS.**
2. **Add new paragraph 4.2.1 C.8. to provide that a BATTERY ENERGY STORAGE SYSTEM may be authorized as a County Board SPECIAL U.S.E Permit in the AG-1 and AG-2 Agriculture Districts as a second PRINCIPAL U.S.E on a LOT with another PRINCIPAL U.S.E.**
3. **Amend Section 5.2 as follows:**
 - a. **Add “BATTERY ENERGY STORAGE SYSTEM” to be allowed by County Board Special Use Permit in the AG-1 Agriculture, AG-2 Agriculture, B-1 Rural Trade Center, B-4 General Business, I-1 Light Industry and I-2 Heavy Industry Zoning Districts.**
 - b. **Add Footnotes 31 and 32 regarding TIER-1 and TIER-2 requirements**
4. **Add new Section 6.1.8 TIER-2 BATTERY ENERGY STORAGE SYSTEMS to establish regulations including but not limited to:**
 - a. **General standard conditions**
 - b. **Minimum lot standards**
 - c. **Minimum separations**
 - d. **Standard conditions for design and installation**
 - e. **Standard conditions to mitigate damage to farmland**
 - f. **Standard conditions for use of public streets**
 - g. **Standard conditions for coordination with local fire protection district**
 - h. **Standard conditions for allowable noise level**
 - i. **Standard conditions for endangered species consultation**
 - j. **Standard conditions for historic and archaeological resources review**
 - k. **Standard conditions for acceptable wildlife impacts**
 - l. **Screening and fencing**
 - m. **Standard condition for liability insurance**
 - n. **Operational standard conditions**
 - o. **Standard conditions for Decommissioning and Site Reclamation Plan**
 - p. **Complaint hotline**
 - q. **Standard conditions for expiration of Special Use Permit**
 - r. **Application requirements**
5. **Regarding BATTERY ENERGY STORAGE SYSTEMS fees, revise Section 9 as follows:**
 - a. **Add new paragraph 9.3.1 K. to add application fees for a BATTERY ENERGY STORAGE SYSTEMS Zoning Use Permit.**
 - b. **Add new subparagraph 9.3.3 B.(9) to add application fees for a BATTERY ENERGY STORAGE SYSTEMS SPECIAL U.S.E permit.**

1 Ms. Cunningham proceeded to read the attached Memo pertaining to the Case, Amend the Champaign
2 County Zoning Ordinance to add "Battery Energy Storage System" as a new principal use under the
3 category "Industrial Uses: Electric Power Generating Facilities" and indicate that a Battery Energy
4 Storage System may be authorized by a Special Use Permit in the AG-1 Agriculture, AG-2 Agriculture,
5 B-1 Rural Trade Center, B-4 General Business, I-1 Light Industry and I-2 Heavy Industry Zoning
6 Districts; add requirements and fees for "Battery Energy Storage Systems"; add any required definitions,
7 and make certain other revisions to the Ordinance as detailed in the full legal description in Attachment I.

8
9 Ms. Cunningham passed it over to Mr. Hall.

10
11 Mr. Hall stated that he sent out the various articles and attachments and realized he failed to include an
12 important article which is in the additional memo that describes the air plume simulation modeling. He
13 said he found three examples, two are from the United Kingdom and one is from the United States. He
14 said, out of the two simulations from the United Kingdom no dwellings were closer than 958 feet to the
15 BESS site, it doesn't say anything about if you are closer than 958 feet. He said one of the United Kingdom
16 simulations identified higher air pollution levels for nitrogen dioxide and moderate air pollution levels for
17 particulates when they simulated an 8-hour BESS fire. He said that it was at a distance of 958 feet. He
18 said that they didn't give any information about distances greater than 958 feet, but that the next closest
19 dwelling was at about 1500 feet and there were no problems at that dwelling. Mr. Hall said the other
20 United Kingdom simulation did not find any concerns at all. He said that he did not compare the
21 assumptions made in the first United Kingdom simulation with the other United Kingdom simulation. He
22 said that is one of the problems with this air plume simulation modeling. He said if you aren't using
23 similar parameters, the results aren't comparable to begin with and you don't know why that is, because
24 you used different parameters.

25
26 Mr. Hall continued by saying that the one simulation from the United States is informative though, it was
27 an instance where they looked at two situations. He said that one where they assumed was merely a
28 thermal runaway and not actually catching fire, and the other one was catching fire. He said they were
29 assuming a .25 megawatts hour battery, and, in the runaway, it was assumed it happened over a one-hour
30 period and in the combustion, they looked at a one-hour and an 8-hour period. He said that a thermal
31 runaway simulation also included different assumptions about states of charge of the battery and different
32 assumptions about the volume of gas release, they were trying to cover all bases and in that simulation in
33 the one-hour runaway incident with low wind conditions, about 5-mph, they found high levels of hydrogen
34 fluoride, well above the United States Environmental Protection Agency (EPA) acute exposure guideline
35 levels at a distance of 300 meters from the site, that is about 975 feet. He said since it exceeded the EPA
36 exposure guideline levels, that's a level that would be a significant concern for fire fighters or surrounding
37 populations.

38
39 Mr. Hall said that in the combustion simulation they didn't find any problems because the heat of
40 combustion carried all the pollutants high enough into the atmosphere that they were no longer at ground
41 level, so there was no problem for people at the ground level. He said that a simulation has certain
42 assumptions, and this simulation was based on previous research, so they thought they were doing a good
43 job and there is no guarantee that these results would be this way, but this is the best that our science can
44 do at this point.

1 Mr. Hall said that the article admits that there is a lot more work to be done. He said the air plume
2 simulation modeling at this point is used to identify what firefighters should be concerned about if there
3 is an incident, should we evacuate people, should we have them shelter in place. He said it occurred to
4 him that if we can run a good model and identify if there is a problem 300 meters away from a BESS site,
5 maybe we shouldn't even allow that BESS site within 300 meters of an existing dwelling or a principal
6 building.

7
8 Mr. Hall turned back to the memo that was sent out ahead of time and said there was an article that
9 suggested a quarter of a mile would be an appropriate distance for separation if you don't know what is
10 going to happen. He said it's fair to say that no one knows what's going to happen and people should
11 expect an incident at a BESS location. He said there will be an incident at some point, and it may be
12 minor, it may not be, there is no way of knowing ahead of time. He said, when the NFPA 855 2026
13 edition comes out, things should be a lot better. He said the bad situations that we've heard about in
14 California are for systems that we are no longer going to see anymore, they no longer put BESS systems
15 in a single building, because that building will just act as a big incubator and there is no way to control
16 it, so that won't be happening.

17
18 Mr. Hall proceeded to say that the article tonight points out that even a one-hour thermal runaway can
19 result in serious air quality impacts as far as 300 meters away from the site, and again, that's not a
20 guarantee and that is only under the assumptions they used in their model. He said that's the problem
21 with modeling, at best it can just give you an insight into what might happen and that's a compelling
22 result, and he wanted to give this to the board, so the board could consider it. He said he is not expecting
23 final action tonight, because if you want to adopt some greater separation than we already have, we will
24 need to prepare that language and bring it back for the Board to look at. He said, if you are not interested
25 in increasing the separations, you could consider taking action tonight, if you are inclined to. Mr. Hall
26 said that he did not want to hold the Board up, but he would like the opportunity to get some evidence
27 about these air plume simulations in the Finding of Fact so that when this goes to the County Board it will
28 be clear that you had this information, you considered it and that you either didn't act on it or you did. He
29 said that is where we are at tonight. He asked if there were any questions.

30
31 Mr. Andersen asked what separation distance is there currently?

32
33 Mr. Hall replied, it is difficult to describe it simply, but basically if your lot is less than 10 acres, the BESS
34 equipment can't be any closer than 415 feet to the property line, and that is assuming that the inverters are
35 100 feet inside the fence, for a total of 515 feet, which is based on our Solar Farm requirements and the
36 concern there is noise. He said if the lot is more than 10-acres, it must be at least 450 feet from an existing
37 dwelling, provided that the inverter is at least 100 feet inside the fence, that is a total of 530 feet. He said
38 there is no compelling reason why there is 15 feet of difference, that is just the way the numbers worked
39 out. For example, the 1,320 feet separation, that would be to the dwelling not to the property line. That's
40 what I would recommend, other people would say, that should be to the property line because if not, then
41 you are encroaching on their property rights. That's a different way to look at it, and the Board can look
42 at it that way if you want.

43
44 Mr. Hall stated, the other thing he was going to point out, you could look at the results of this simulation
45 modeling and say that is interesting and it should be taken into account for evacuation and shelter in place,
46 but even though it is likely to happen at some point, the chance is so slim that we don't think it is necessary
47 to provide that separation for all times. He said there are people who look at it that way, and there is
48 something to be said for that, because again, you should assume something would happen, and we don't
49 know how serious it would be.

1 Mr. Andersen says you think about other existing buildings, such as a grain elevator. He said fires happen
2 from time to time and many of those are right in the middle of town. He said not that we shouldn't consider
3 it, but we need to take everything into account. He said with an elevator fire you are going to have
4 evacuation from that.

5
6 Mr. Randol said that is not any type of comparison as to what this could be. He said a grain elevator is not
7 going to be nearly as poisonous in the air as what the possibility of the BESS system, in his opinion.

8
9 Mr. Andersen would agree with him on that.

10
11 Mr. Hall proceeded to ask, is an elevator expected to have a fire or an explosion at some point?

12
13 Mr. Andersen answered, sure.

14
15 Ms. Cunningham said, this is going to be new for Champaign County, new for Illinois, she would like to
16 start off doing it in a way that we are pretty darn sure that it isn't going to be harmful to the neighbors of
17 these BESS. She believes we need them. She doesn't think that we can get away from carbon without
18 battery, because the wind doesn't always blow and the sun doesn't always shine and we have nighttime
19 and we have storms, etc. She said there was a place in one of the articles that said that if you are a quarter
20 mile away from the BESS there is less chance that the fall out from any of the poisons or toxins would be
21 generated in an incident that would affect you. She would feel bad, doing less than that and telling our
22 neighbors that they are going to be safe based on some of this, she doesn't think we can say they are safe
23 at under 1,000 feet.

24
25 Mr. Andersen asked Mr. Hall, what distance is he proposing or his best guess, out of curiosity?

26
27 Mr. Hall answered he hasn't made a recommendation. He said his view is that we have two numbers in
28 front of us, 1,000 feet and 1,320 feet. He said he could see adopting 1320 feet, because this is all based
29 on simulation and, he doesn't want to ask anyone for a waiver because neighbors use waivers and he does
30 not want to set a separation that is so high that people are going to have to ask for waivers for these
31 systems. He also wanted to point out that the Little Prairie Project exceeds even a quarter mile separation.
32 He said we are talking with another company, and their property is more than quarter of a mile away from
33 any principal building, so this quarter mile separation is not a problem for any actual proposal that we
34 have presented. He said he could see going with a quarter mile, but with this new information, maybe it
35 would be okay within 1,000 feet. He said he thinks it is compelling that they found it was an issue at 1,000
36 feet, and he doesn't think they proved that it is a reliable number to use.

37
38 Mr. Andersen proceeded to say that where they are going to put these are like two or three locations. They
39 are not going to put these in the middle of town. He said they are going to put them near a sub-station,
40 attach them to a solar farm or maybe a wind farm. He said those are going to be out in the middle of
41 nowhere with less people around and if the quarter mile isn't going to be burdensome, they will probably
42 figure out a way to do it or he guesses they could come and ask for a waiver if it was just under, right?
43 He said and it would be up to us, with technology and science changing.

44
45 Mr. Hall said yes, they could still ask for a waiver.

46
47 Ms. Cunningham stated that if we get more information too, can we come back and amend this?

1 Mr. Hall replied that he was glad that she mentioned that. He said that we are expecting a new version of
2 NFPA 855 at the end of this year. He said he has read a couple of places that suggest that that will require
3 the air plume simulation modeling but again the intent there is to simply know what to do in the event of
4 an incident. He said it is not intended to be used as a location decider, but that technology is going to be
5 coming more in use, and we may decide that if we go with the quarter mile we may find out later that
6 there is a good reason to make it less or there may even be a reason to make it more.

7
8 Mr. Hall continued pointing out that if you read the air quality reports from the Escondido, California fire,
9 it indicated there was no pollution. He said that was an actual fire. That was not just a thermal runaway.
10 Again, in a fire, where you get the flames, it tends to lift everything higher and be less of a problem at
11 ground level. You are probably putting more pollution up in the air.

12
13 Ms. Cunningham asked doesn't it come down.

14
15 Mr. Hall said it will come down somewhere.

16
17 Mr. Flesner said yeah, but by the time it comes down, it is much smaller particulates than what it would
18 be.

19
20 Ms. Cunningham said, so then when it comes down and at such low concentration then it is not harmful?

21
22 Mr. Roberts said the fire gets heavy and once it gets in the air it thins out and then you can barely see it.

23
24 Mr. Andersen said he is not opposed to the quarter mile if we think it is not going to cause any burden for
25 now, he is sure if they want it less, they will bring their compelling arguments to us wanting a waiver.

26
27 Mr. Hall said, can you imagine the reaction of neighbors when they are reviewing the air pollutant of a
28 simulation model. He said there are so many parameters of question, it's not going to be a pretty scene if
29 we must get to that.

30
31 Mr. Andersen said it is their burden to carry at that point.

32
33 Mr. Randol says he is not opposed at all to the quarter mile, there are a lot of concerns. He said that when
34 he looks at the issue of health and safety of everybody and all the issues that can arise from this; whether
35 it be firemen on the scene or Sidney that is ½ mile away from whatever is there. He said he would be very
36 reluctant to approve of something less than quarter mile just because of "what if". He said, if it can happen,
37 it is going to happen somewhere. He said we can be fortunate enough that it doesn't happen in Champaign
38 County. He said it can happen somewhere else, where they are at quarter mile, and it could end up being
39 bad. He said this whole situation is so new that we don't really know. He said we can do all the simulated
40 tests that we want, but until real-life situations happen, you don't know what is going to happen and even
41 then, every situation is going to be different, and nothing is going to be the same. He said he would also
42 like to see it be from the property line, not the existing structures.

43
44 Mr. Randol said, suppose somebody owns 20-acres that have been in the family for years and they want
45 to sell 3-acres off for someone in the family to build a new home. He said if you made it from existing
46 structures, they would have to look closely at where they would have to locate, based on roads or
47 something like that, they wouldn't be able to, because they could end up being too close. He said he
48 would like to see it from the property lines.

1 Mr. Hall said, a separation to property lines might be a problem. Charlie, do you remember?

2
3 Charlie replied that he couldn't remember.

4
5 Mr. Hall continued, at this point, he can't recall. He said it is not an issue for the Little Prairie, but this
6 other project, they are looking at two sites, if they stay within the confines of the smaller site, the quarter
7 mile of property lines will work out for them. He said if the Board wants it to the property lines, then that
8 is what you should do. Mr. Hall said he wanted to point out a couple more things. He said regarding the
9 origin of this quarter mile separation in hazmat incidents, he has been trying to document that and hasn't
10 found it anywhere. He said he has asked the director of the County Emergency Management Agency, and
11 he is checking into it. He said he would feel better if he knew where it came from. He just has that article
12 that mentions it, and no documentation of where it came from, but he would like to do that if possible.

13
14 Mr. Randol said if we would set it at a quarter mile, every issue that would come before this Board, we
15 can make exceptions to this rule. He said, just say a certain layout and someone wants to build, maybe
16 because of locations and based on prevailing winds, etc., a quarter mile might not be good enough. He
17 said for instance, if winds are westerly and a large one was going to be put in, West of Homer, he would
18 say a quarter mile wouldn't be good enough. He said he thinks we always need to keep that kind of stuff
19 in mind. He said some place like that, he would not be in favor of any waivers or anything on that issue,
20 because there is just so much that can go wrong.

21
22 Mr. Hall agreed, saying that is a good point, he thinks we can write the standard in such a way that it will
23 be clear that it will be evaluated by the Board in every instance.

24
25 Mr. Flesner said wasn't the study at 5-mph wind? He said locally it is either no wind or 40-mph.

26
27 The Board all together agreed with the wind situation here in central Illinois.

28
29 Ms. Cunningham asked, where is the study that shows the difference between what a 40-mph wind does
30 vs. a 5-mph win? She said if we have a 40-mph wind, it is going to blow it to kingdom come and not going
31 to be a big deal and maybe with a 5-mph wind it stays concentrated. She said there is no evidence there
32 either. She said back to your point and Mr. Randol's point, we probably have to look at it each time,
33 because it is so new. She said every time we have a new case; we are probably going to have to see what
34 the latest research says.

35
36 Mr. Hall said our Ordinance should give us an idea of what our starting point is. He said, Mr. Randol has
37 suggested a quarter mile from the property lines. He said he would like to get a pretty good sense of what
38 the Board thinks. He said we could come back with a draft where the actual number would be selected
39 and have the text formatted. He said we could address your concerns and take your choice from the
40 property line or from an existing principal building.

41
42 Mr. Randol asked if we could specify that under no circumstances would it ever be less than quarter mile?

43
44 Mr. Hall replied that the only way to do that would be to add a prohibited waiver to the Ordinance. He
45 said that it would be in Section 9, under the Special Use Permits. He said there are already prohibited
46 waivers, and you would have to add that as a prohibited waiver.

1 Mr. Randol said he could see where that could save us and a developer a lot of time for you folks there
2 preparing stuff for getting a waiver for quarter mile. He said we come here and say we are not doing that,
3 hash that out, P&Z put time into, the Board has put time into it, the developer puts time into it. He said if
4 we do that it would be a good thing to do.

5
6 Mr. Hall said there is nothing else like that that our Ordinance prohibits. He said it prohibits procedural
7 variances, and it prohibits variances of use, but those are the only dead-rock bottom lines in the Ordinance.
8 He said this would be such a big change that he would want to run this by the States Attorney before we
9 tell you that it is possible.

10
11 Mr. Randol said that, because there are so many unknown factors that can and will happen, he would feel
12 bad if we gave somebody a waiver for less than a quarter mile and some freak incident ended up being a
13 disaster, and we are liable.

14
15 Mr. Hall responded that there is no liability to the County or Board Members attached to that. He said you
16 are doing the best you can and frankly his advice is you are the Board and if you don't want to approve a
17 waiver, you shouldn't approve a waiver. He said he can ask the State's Attorney about that.

18
19 Ms. Cunningham said she is not so crazy about making it a minimum in concrete because they are going
20 to come out with another study about how these poisons could be spread and incorporating the thermal
21 dynamics in it. She said we might find out then that the heat raising it up that there is a shorter distance
22 that is safe. She said she doesn't want to have something written in stone, when research might negate
23 the need for the quarter mile.

24
25 Mr. Randol said that it could always be amended.

26
27 Ms. Cunningham said, yes, but she wouldn't vote for a variance without some study like that, something
28 where she felt pretty sure about where someone wasn't going to get poisoned.

29
30 Mr. Andersen said he would be worried about making the initial requirements overly burdensome on
31 developers and everybody and then forcing them in here all the time over a "what if" or something that
32 might happen for somebody that isn't there yet. He said he understands what you are after, with wanting
33 to protect future development and he thinks that he must take that into account here when we hear the
34 cases, but the property line, if it is going to be overly burdensome, he doesn't know if he would be in favor
35 of that part of the Ordinance. He said except the existing dwellings; he was 100% on board with that part
36 of it.

37
38 Mr. Hall added he thinks another benefit of having this greater separation would take a little pressure off
39 the volunteer fire protection districts rather than having to worry about dwellings that might be closer than
40 one quarter mile. He said they can start off with confidence that, we know there is nothing within a quarter
41 mile and they can do the rest of their response appropriately. He said it seemed that it would help them
42 out a great deal.

43
44 Ms. Cunningham said, she has said it multiple times, she said you are not sitting at the firehouse waiting
45 for the tone, you are at work or doing a million things and by the time you get there, it is a pretty big fire.
46 She said she is not opposed to the distance to the property line, but she said there is that push-pull from
47 property rights and public good. She said she would be interested to hear more opinions about it. She
48 said so much of what we do infringes upon personal property rights and this would be, if we had something
49 where someone couldn't build, because we had a BESS within the separation.

1
2 Mr. Flesner said if we are talking property lines, are we talking for example, "Tom over here owns 120
3 acres, are we going to his 120-acre property line or are we going 5-acres away from the house.?" He said
4 if this guy owns 400-acres here and we are going one quarter mile, then it can't happen. He said if we are
5 going to a property line, that is where it is going to get tricky.
6

7 Mr. Hall added that when we adopted wind farm property requirements, we did deal with the property line
8 concern in such a way that the separation that was required from the wind farm towers would not cast a
9 negative on narrow lots that were close by. He said it has been a long time since he has read that. He said
10 that it is not the same as requiring a separation to the property line, in all cases it would try to deal with
11 the issue that Mr. Flesner mentioned, is that a 10-acre property or a 160-acre property. He said we limit
12 the amount of development that can happen in our rural districts anyhow, and you can't do more than
13 three buildable lots without having to go through a significant rezoning. He said three buildable lots on
14 best prime farmland won't occupy more than 9-acres.
15

16 Mr. Hall continued to say, as long as there is reasonable property available outside of that distance, there
17 shouldn't be an issue, but it is difficult to put that into words. He said we can do our best at that. He said
18 he thinks when we come back, there will be a couple of different versions that the Board can discuss rather
19 than trying to get much firmness tonight. He said at this point, he thought the Board is interested in
20 something like this and it is just working out the details. He said he is somewhat relieved to hear that.
21

22 Mr. Randol said regarding the property lines, he could look at a scenario where, if "XYZ" wants to take
23 up 160-acres over here and "Tom" has 160-acres that joins up with it. He said if there were any plans that
24 he was going to sell any of that to family or whatever, he is sure that would come in front of us, then we
25 could make whatever decisions. He said then if we just went with property lines, we could say that they
26 are going to develop this 9-acres, so we must stay away from those proposed property lines then. He asked,
27 do you follow?
28

29 Mr. Hall asked, are you saying if someone comes to a public hearing and says, "I am wanting to develop
30 this acreage", the Board could take that into account?
31

32 Mr. Randol said, exactly.
33

34 Ms. Cunningham added, alternatively, we approve it to the nearest site rather than property line and
35 someone wants to build, take up 3-acres and build a house that comes closer to the BESS. She said we
36 might have information by then that says, they are going to be at 970 feet. She said we can say to them
37 that if you do this, you are going to have to shelter in place, turn off your HVAC systems if there is an
38 incident, are willing to take that risk?
39

40 Mr. Hall added that the way the draft is currently written, if someone built later within a separation that
41 would apply to an existing building, we don't enforce that separation for new buildings. He said that it is
42 someone's choice to be that close. He said what you are suggesting is, maybe like our pipeline impact
43 radius, should the zoning administrator make someone aware that they are building within a separation
44 that might result in their need to evacuate or shelter in place?
45

46 Mr. Randol said he would think so, because there have been instances that land has sold and attorneys
47 have not always been forthcoming. He said if we have information that hasn't been brought up in this
48 situation, he thinks it is our obligation to let that be known.
49

1 Mr. Hall said we can take that into account when drafting a new version.

2
3 Mr. Andersen said between the two options that we are thinking about here, it's within a quarter mile from
4 the nearest existing dwelling or a quarter mile from the property line, correct? He said an idea to toss out
5 there, with the property line being what it is, could we slightly increase the distance from the dwelling to
6 help with that? He said let's say we are at a quarter mile, and we bump the number to a third of a mile. He
7 said maybe that doesn't affect anything in the current developments, but you are trying to account for the
8 fact that someone could put in a dwelling. He said just an idea to maybe split the baby a little bit. We
9 have two theories here of what we want to do. He said maybe that helps having it a little bit farther away
10 from a dwelling but also give the property owners a little more breathing room too.

11
12 Ms. Cunningham asked, are they a third of a mile away, the existing projects?

13
14 Mr. Hall said he can't remember, he will have to go look at that.

15
16 Charlie said, now none of these projects will be greater than a quarter mile away from a property line, is
17 that correct? He said they are always going to be next to a property line, unless you are next to a 160-acre
18 tract.

19
20 Mr. Hall said, good point Charlie. He said, well, not next to a property line, but within a quarter mile.

21
22 Charlie said yes, unless you are way out in the middle, you have to think across the road as well. He said
23 there is no way to get a quarter mile away, unless you have a quarter mile driveway to your BESS.

24
25 Mr. Andersen continued, but if you have just a third of a mile away from the dwelling you are gaining
26 some separation but don't have the property line in there. He said we are talking about a quarter mile and
27 whether it needs to be quarter mile from the dwelling or quarter mile from the neighboring property line.
28 He said, well the quarter mile from the property line is too burdensome and maybe a quarter mile from
29 the dwelling isn't enough, so move the number just a little bit to help on both sides, giving the other
30 property owners a little more space at the same time.

31
32 Mr. Hall said we will bring this back after putting together a draft.

33
34 Mr. Randol asked Mr. Hall if he had heard anything from Sidney Fire Department and their negotiations
35 and as to what they were going to be doing.

36
37 Mr. Hall said, yes, he has a very positive letter from the Sidney Fire Protection District, and he has a
38 Hazard Mitigation Analysis and an Emergency Response Plan. He said we have all of that for the Little
39 Prairie Project, so that project looks pretty good, regarding that.

40
41 Mr. Hall added, just so the Board knows that when they did the research for this draft that the greatest
42 separation required in any other County in Illinois was only 200 feet and our current separation at
43 approximately 500 feet is more than doubling that. He said if he ever has cause to mention this separation
44 at a Zoning Administrators Meeting, he is certain jaws will drop. He said he is prepared for that and thinks
45 that they have done their homework and thinks that the Board is weighing things appropriately.

1 Mr. Randol also said that this goes to show that the more that time passes, the more is learned. He said
2 he would say that the communities that set the 200 feet didn't know a whole lot about what was potentially
3 dangerous and as time has gone on, we have learned more and more. He said if he wanted to be unrealistic,
4 he would be totally against a BESS system at all. He said he knows that currently that isn't practical, but
5 as far as the safety of firemen, he is opposed to BESS and if we have something in our area, he is going
6 to do his best to keep the fire department on the road the heck away from it and let it burn. He said some
7 of the things he has read, they talk about the containers holding all the damage and nothing getting out of
8 the containers but turn around in the same breath and talk about explosions. He said these containers can
9 fly like a missile with the right explosion, so, he doesn't think they are a good deal. He said there is so
10 much with lithium-ion batteries. He said sure, they are great if we have a proper place for them, but he
11 thinks there are also improper places for them.

12
13 Mr. Randol also said that he wanted to add, to help back up more of the thoughts on the quarter mile, the
14 NFPA 855, it is noted that it takes 3 years for NFPA to update this stuff. He said that we need to keep this
15 in mind that dealing with the 855 that whatever is recommended today, three years down the road, fire
16 departments need to be notified about that, he doesn't know how that comes about, the NFPA he assumes.
17 He said things can change today, and they may not hear about it for 3 years. He said that's one more reason
18 to stick with the quarter mile.

19
20 Ms. Cunningham said that she doesn't think we are going to be hurt by being conservative about this.

21
22 Mr. Hall proposed we move this to the May 15th meeting.

23
24 **Mr. Flesner moved, seconded by Mr. Randol, to continue Case 130-AT-24 to May 15, 2025, ZBA**
25 **meeting date. The motion passed by voice vote.**

26
27 **7. New Public Hearings - None**

28
29 **8. Staff Report -**

30
31 Mr. Hall stated the office is moving, but P&Z is not moving until June. He said the Zoning Ordinance
32 says that there should not be more than one month between ZBA meetings. He said we have nothing
33 docketed for June 12th, and any new case that comes in, he intends to ask the applicant if they would be
34 amenable to docketing in July. He said his intent is to not docket anything for June 12th, if possible. He
35 said if there is an urgent request, then we will do so, that there is a good chance there will be no meeting
36 on June 12th.

37
38 He said that ZBA meetings may be in the new Bennett Center in July, depending on when the County
39 Board moves and they may be moving in August or September.

1 **9. Other Business –**

2
3 **A. Review of Docket**

4
5 March 27th, ZBA meeting, no anticipated absences.

6
7 April 17th, ZBA meeting, No Bryan Anderson, Chris Flesner is a maybe

8
9 May 15th, ZBA meeting, No absences

10
11 May 29th, ZBA meeting, No absences.

12
13 June 12th, ZBA meeting, No Chris Flesner

14
15 **10. Adjournment**

16
17 Ms. Cunningham entertained a motion to adjourn.

18
19 **Mr. Anderson moved, seconded by Mr. Flesner, to adjourn the meeting. The motion passed by voice**
20 **vote.**

21
22 The meeting adjourned at 7:27 p.m.

23
24
25 Respectfully Submitted,

26
27 Secretary of the Zoning Board of Appeals