



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

0

7
8
9
10
11
12
13

14
15
16
17

18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38

MINUTES – Approved As Distributed

DATE: Thursday, January 4, 2024
 TIME: 6:30 p.m.
 PLACE: Shields-Carter Meeting Room
 Brookens Administrative Center
 1776 E Washington, Urbana, IL 61802

Committee Members

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

County Staff: John Hall (Zoning Administrator) and Liz Dillingham (Administrative Services)

Others Present: See Public Participation

MINUTES

I. Call to Order

Committee Chair Thorsland called the meeting to order at 6:32 p.m.

II. Roll Call

Roll call was taken and a quorum was declared present.

III. Approval of Agenda/Addendum

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

IV. Approval of Minutes

A. November 9, 2023 – Regular Meeting

MOTION by Mr. Esry to approve the minutes of the November 9, 2023, regular meeting,
 seconded by Ms. Rodriguez. Upon voice vote, the **MOTION CARRIED** unanimously to approve the
 minutes.

39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69
70
71
72
73
74
75
76
77
78
79
80
81
82
83
84

V. Public Participation

Tony Grilo, Thomasboro, spoke briefly regarding Zoning Case 109-AM-23. He emphasized the benefits of the solar array project regarding economic benefits to the local economy. He reiterated the land would be preserved back to farm ground if the solar array is debunked in 25-30 years. He indicated he would be available to answer any questions during the meeting.

Norm Davis, Supervisor for Champaign Township, spoke regarding the rooster nuisance at 2306 S. Mattis Ave., Champaign, Il. He would like the nuisance codes to be amended to protect the residential areas from the rooster sounds within the Home-Rule areas. He stated this makes sense as the Township butts up to the City and Unincorporated areas. He indicated would be available for questions during that part of the meeting.

Anthony Donato spoke regarding his support of the solar projects and re-zoning map changes. He stayed for the duration of the meeting and was available for questions.

VI. Communications

Welcome to John Farney

VII. New Business: Items for Information Only

- A. E-mail from Phillip Carper of Seymour regarding nuisance roosters
- B. E-mail from Mary Mrozak of Seymour regarding nuisance roosters
- C. Notice of Non-Compliance with Illinois Noxious Weed Law

Mr. Hall stated this is the fourth notice he has received. The Noxious Weed law requires extreme requirements to control the weeds which requires appointing a Noxious Weed Superintendent. The Superintendent will survey the entire County annually identifying patches of Noxious weed that need to be controlled and proceed to control them. Protocols for handling complaints include driving to the location, verifying the complaint, and calling the landowner. There has been full compliance thus far. There are thousands of square miles in Champaign County every year that have the weeds present.

Mr. Stohr indicated Champaign County is a member of the Lincoln Heritage Resource Conservation and Development. They control Noxious vegetation through voluntary prairie burns and restoration.

Mr. Thorsland stated there was also a program through the Lake of the Woods Forrest Preserve where volunteers cut down invasive species.

VIII. New Business: Items to be Approved by ELUC

- A. **Annual Hotel/Motel License:** Urbana Motel Inc. dba Motel 6 at 1906 North Cunningham Avenue, Urbana for 01/01/24- 12/31/24.
MOTION by Mr. Esry to approve the license and seconded by Mr. Patterson.
Upon voice vote, **MOTION CARRIED** unanimously.

85 **IX. New Business: Items to be received and placed on file by ELUC to allow a 30-day Review Period.**
86 **Approved by ELUC**

87 **A. Proposed amendment to Nuisance Ordinance to prohibit the keeping of roosters**

88 Mr. Thorsland explained that sometimes it is difficult to determine whether the species is a chicken or a
89 rooster. He is interested in Mr. Davis' comments but would like to be conservative allowing the Village of
90 Seymore to work on their ordinance. He also stated he wouldn't mind adding an amendment to the County
91 nuisance ordinance. Mr. Thorsland said the roosters are quite loud and can be heard outside of 1000 feet.

92
93 Ms. Rogers would like to hear more about the issue prior to deciding.

94
95 Mr. Farney indicated he was doing some research regarding residential district restrictions within 1000 ft. of a
96 home rule municipality. He believes an ordinance would make perfect sense. It mirrors the City of
97 Champaign's chicken keeping ordinance which is the area Mr. Davis represents. He stated he would like to
98 hear more regarding Seymore's issue.

99
100 Mr. Stohr asked if this proposed ordinance places the Board in conflict with the right to farm laws.

101
102 Mr. Hall explained the State Attorney's office supports an ordinance regulating the nuisance and it is a
103 reasonable thing to do in residential districts. Mr. Hall said an amendment to the nuisance ordinance is not
104 advertised and only announced at an ELUC meeting before it is adopted at the next. The proposed
105 amendment can be announced at the next meeting. The board will have to direct him to amend the ordinance
106 if they prefer to expand it to all residential districts. Dewy may be incorporated but uses the County's
107 Nuisance ordinance. The final version of an amendment must sit for 30 days. Mr. Hall related the expanded
108 version can always be scaled back.

109
110 Mr. Farney stated everyone seems to agree the Rooster Nuisance issue needs attention. He proposed to start
111 the amendment so Mr. Davis can have assistance with the nuisance.

112 **B. Authorization for a public hearing on a proposed Zoning Ordinance text**
113 **amendment to add requirements for Battery Energy Storage Systems (BESS)**

114 Mr. Thorsland stated there is a lot of good information on the Internet regarding BESS and encouraged the
115 ELUC board to research the information. He stated most problems arise when there is aftermarket parts being
116 utilized causing fires. He also supports the ordinance for safety reasons and believes it looks reasonable.

117
118 Mr. Hall stated this is the most restrictive and best ordinance in the state in terms of separations and safety
119 considerations. Mr. Hall requested the board to research the topic and notify him if a more restrictive
120 ordinance is located.

121
122 Mr. Stohr asked if other counties were also adopting BESS Ordinances.

123
124 Mr. Hall indicated he does not know of a county who hasn't adopted some version of a BESS ordinance and
125 have been on the books for some time.

128
129 Mr. Thorsland stated overall, the risk is very low for a BESS incident. You can suppress the fire;
130 however, the heat generation continues, and the fire is difficult to extinguish. Spacing is the easiest
131 way to prevent an occurrence.

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

- 133 **A. Zoning Case 109-AM-23.** A request by Anthony Donato, d.b.a. Donato Solar –
134 Bondville LLC, to amend the Zoning Map to change the zoning district designation
135 from the AG-1 Agriculture Zoning District to the AG-2 Agriculture Zoning District
136 in order to allow a data center as a Special Use in related Zoning Case 110-S-23 and
137 a PV solar array as a second principal use as a proposed County Board Special Use
138 Permit in related Case 111-S-23 on a 77.5-acre tract in the East Half of the
139 Southwest Quarter of Section 12, Township 19 North, Range 7 East of the Third
140 Principal Meridian in Scott Township and commonly known as a farm field
141 bordering the north side of Illinois Route 10 and located one-quarter mile east of
142 CR 500 E.

143
144 Mr. Hall stated the description omitted the solar ray is only 17 acres approximately in the middle.
145 The re-zoning request is for the 77 acres. The ZBA recommended 4-3 to recommend denial
146 although there were no negative findings. The proposed re-zoning is for AG-2 and is a very
147 consistent re-zoning with the land resource management plan. The protest on the re-zoning was
148 the only leverage the village had to use against the proposed solar ray and the development of the
149 data center. There were a lot of testimonies against the proposal.

150
151 Mr. Thorsland stated the Bondville board has the right to protest. Mr. Thorsland indicated the
152 Bondville vote was based on the fact Bondville didn't want it. He believes the Full County Board
153 should receive the request, deliberate on the topic, and vote.

154
155 Mr. Esry indicated this is procedural and it is best to get a vote to discuss it.

156
157 Mr. Farney made a **MOTION** to discuss the issue and Mr. Patterson seconded it.

158
159 Mr. Farney then asked the petitioner about details working with the Village of Bondville
160 regarding a subdivision of the property.

161
162 Mr. Donato explained the process he went through to purchase the real estate including title work.
163 He indicated if he needs to purchase the entire parcel, he will. Mr. Donato stated he attempted to
164 work with Bondville for an entire year with no results and decided to come to ELUC for assistance.

165
166 Mr. Thorsland reiterated the re-zoning request is for the entire parcel, not just for the 17 acres.

167
168 Mr. Grilo stated they would not develop more than 17 acres for the solar farm when Mr. Stohr
169 asked if he had future plans to expand.

170
171 Mr. Thorsland stated the pollinators are a plus for the solar farm.
172

173
174 Mr. Esry stated he would be a “No” vote because Bondville does not want it. Mr. Esry
175 indicated he represents the rural area and he sides with Bondville.
176

177 Mr. Grilo believes Bondville was unable to capitalize on the project and make it happen,
178 therefore they are against it. Mr. Grilo stated he has always gone out of his way to ensure all
179 parties were happy and the process went smooth on all of his previous projects.
180

181 Mr. Thorsland spoke about the pros & cons of annexing and the right to choose what to do with
182 your own property if it was zoned properly.
183

184 Mr. Esry spoke about Ag1 and Ag 2 Zoning contingencies.
185

186 **Motion** passed to recommended Zoning Case 109-AM-23 to the Full County Board with
187 6 Yea/1Nay Vote.
188

189 **XI. Other Business**

190 **A. Monthly Reports**

191 **i. October 2023-**

192 Mr. Hall stated Planning & Zoning has had the busiest year in more than a decade.

193 There is a decent amount of permitting and continued work on the enforcement cases.
194

195 **XII. Chair’s Report- None**

196
197 **XIII. Designation of Items to be Placed on the Consent Agenda- None**

198
199 **XIV. Adjournment**

200 The meeting as adjourned at 7:35 p.m.
201
202
203
204
205
206
207
208
209
210
211
212
213