



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

***MINUTES – Approved as Distributed 5/9/13***

---

DATE: Thursday, April 4, 2013  
TIME: 6:00 p.m.  
PLACE: Lyle Shields Meeting Room  
Brookens Administrative Center  
1776 E Washington, Urbana, IL 61802

---

**Committee Members**

<b>Present</b>	<b>Absent</b>
Ralph Langenheim (Chair)	
Aaron Esry (Vice Chair)	
Astrid Berkson	
Stan Harper	
	Alan Kurtz
Pattsi Petrie	
Jon Schroeder	

**County Staff:** John Hall (Director of Planning & Zoning), Deb Busey (County Administrator), Beth Brunk (Recording Secretary)

**Others Present:** Susan Monte (Ch Co Regional Planning Commission), John Jay (Champaign Co Board)

---

***MINUTES***

**I. Call to Order**

Committee Chair Langenheim called the meeting to order at 6:03 p.m.

**II. Roll Call**

A verbal roll call was taken and a quorum was declared present.

**III. Approval of Minutes**

A. ELUC Committee meeting – March 7, 2013

Ms. Berkson noted that her last name was misspelled: Bergson should be Berkson.

**MOTION** by Ms. Berkson to approve the minutes for the March 7, 2013 meeting as amended; seconded by Mr. Harper. Upon vote, **the MOTION CARRIED unanimously.**

**IV. Approval of Agenda**

**MOTION** by Mr. Esry to approve the agenda as distributed; seconded by Ms. Berkson. Upon vote, **the MOTION CARRIED unanimously.**

**V. Public Participation**

Susan Forsyth, Suzanne Smith and Scott Dossett spoke in opposition to the proposed Bulldog Coal Mine near Homer, IL.

**VI. Communications**

Mr. Esry asked for an update on Al Kurtz. Ms. Busey responded that Mr. Kurtz is recuperating well and should be back in the office on Monday, 4/8/13.

**VII. Items to be Approved by ELUC Committee for Recommendation to the County Board**

A. Final – Minor Amendments to Land Resource Management Plan (LRMP)

**MOTION** by Mr. Esry to approve three minor Amendments to the Land Resource Management Plan (LRMP); seconded by Ms. Berkson.

Upon vote:

Yes: 5 – Langenheim, Berkson, Esry, Schroeder, Harper

No: 1 – Petrie

**MOTION CARRIED.**

B. Case 733-AT-12 – Final Recommendation for Zoning Ordinance Text Amendment to add requirements for “Agricultural Drainage Contractor Facility”

**MOTION** by Ms. Petrie to approve a Text Amendment to the Champaign County Zoning Ordinance in Zoning Case 733-AT-12 to add “Agricultural Drainage Contractor” as a principal use; seconded by Ms. Berkson. Upon vote, **the MOTION CARRIED unanimously.**

C. Annual Update of Activities 4/1/12-3/31/13 for the National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer System (MS4) Storm Water Discharge Permit with Illinois Environmental Protection Agency (IEPA)

**MOTION** by Mr. Esry to approve the Annual Update of Activities from 4/1/12 through 3/31/13 for the National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer System (MS4) Storm Water Discharge Permit with Illinois Environmental Protection Agency (IEPA); seconded by Ms. Berkson.

Mr. Hall affirmed that submission of this document will bring the County in compliance with IEPA regulations.

Upon vote, the **MOTION CARRIED unanimously.**

**VIII. Items to Receive & Place on File by ELUC Committee to allow for 30 day review period**

*Preliminary Recommendation from Zoning Board of Appeals (ZBA) for Zoning Ordinance Text Amendment*

A. Case 734-AT-12 – Change requirements for “Contractor Facility”

**MOTION** by Mr. Harper approve a Text Amendment to the Champaign County Zoning Ordinance in Zoning Case 733-AT-12 to change the requirements for “Contractor Facility”; seconded by Ms. Berkson.

Upon vote, **the MOTION CARRIED unanimously.**

B. Case 743-AT-13 –Allow Variances from Municipal Subdivision Regulations for Rural Water District Water Treatment Plant & Related Facilities

**MOTION** by Mr. Schroeder for preliminary approval of a Text Amendment to the Champaign County Zoning Ordinance in Zoning Case 743-AT-13 to allow for a County Board approved variance when the requirement for annexation is a requirement for plat approval by a municipality involving the expansion and/or construction of a water treatment plant or related facilities owned and operated by a predominately rural water district, when the municipality has its own water treatment plant and related facilities; seconded by Ms. Berkson.

Ms. Petrie inquired if there was any movement between the two entities involved to come to an agreement. Mr. Hall responded that he did not know of any change. He noted that the ZBA unanimously recommended enactment of this case at their meeting on 3/28/13.

Upon vote, **the MOTION CARRIED unanimously.**

## IX. Monthly Reports

### A. February 2013

**MOTION** by Mr. Esry to receive and place on file the Planning & Zoning Monthly Report for February 2013; seconded by Ms. Berkson. Upon vote, **the MOTION CARRIED unanimously.**

## X. Other Business

Mr. Langenheim stated that the three items on the agenda for Other Business were for discussion only.

### A. Amending the Champaign County Zoning Ordinance to add Post-Construction Noise Assessment of Wind Farms

Ms. Petrie wanted to find a way to move toward amelioration on the post-construction noise with wind farms. She has been reading that it is hard to do testing once the project has been completed because of the time required to measure the variations of noise under different circumstances (wind speed, direction, etc.). Ms. Petrie noted that some of the documents stress the importance of the wind turbine location in relationship to any living unit. The current ordinance setback is 1,200'. The reading material of Ms. Petrie would suggest a greater setback is needed to reduce the noise. If there is an interest in making an amendment, it would be prudent to do so before more wind farms are developed in the County.

Mr. Schroeder thought that moving the turbine even up to .5 mile away from a residential home will not appreciably change the noise level. Mr. Esry agreed that noise travels a long way in the country. These wind farms are relatively new to Champaign and Vermilion counties so maybe over time people will adapt and get used to the sound. Mr. Harper commented that he lives less than 2.5 miles from a wind farm and has not heard any complaints from neighbors about the noise level.

### B. Appropriateness of a Supportive Resolution concerning Environmental Issues connected to a Possible Coal Mine in Vermilion County

Ms. Petrie thought that a supportive resolution from the Champaign County Board may be appropriate which would express concerns about the negative impact from the coal mine both environmentally on the Salt Fork River and economically for Champaign County. A precedent for a resolution of this kind was enacted by the County Board in relation to the Clinton Landfill and potential PCB contamination.

Ms. Berkson commented that she attended the first meeting in Homer and understood that Sunrise Coal LLC could transfer ownership to a subsidiary with no assets at the end of the coal operation to avoid the clean up expenses. At that point, maybe the County would be responsible for the cleanup. Mr. Esry thought that all the surface-related facilities would be located in Vermilion County so did not see how Champaign County would be responsible for any clean up. Suzanne Smith from the audience confirmed that the slurry pond and the surface facility would be located in Vermilion County according to the permit filed by Sunrise Coal.

Mr. Schroeder felt that the coal mine situation is different from the non-impact resolution for the Clinton landfill because the County's LRMP encourages mineral extraction if it is done properly. Ms. Petrie pointed out that the LRMP also encourages the protection of farmland.

Mr. Harper had been contacted by farmers in Champaign County located one mile from the proposed mine that are worried about their wells drying up or being contaminated. Most of the

wells are shallow dug wells (20-30 ft deep) south of Homer. Mr. Harper felt that this issue needs to be monitored. Mr. Langenheim stated the County jurisdiction is limited – the County Board cannot do much.

Ms. Petrie hoped that this discussion will continue as the coal mine project progresses to monitor its impact on the land.

C. Consideration of Amending the Champaign County Zoning Ordinance to work with HB 2615 – Illinois Hydraulic Fracturing Regulatory Act

At a recent meeting of the Illinois Association of County Board Members (IACBM) for Zone 3, Kelly Murray, Executive Director of IACBM discussed HB 2615 which is currently moving through the Illinois House of Representatives. Ms. Murray stated that County Boards should be watching the progress of this legislation and be ready to put forth amendments to the County Zoning Ordinance to handle what comes out of this bill.

Mr. Esry thought that if this act does get passed at the state level then it would take precedence over any County regulation. Ms. Petrie clarified that the key points were that 1) County Zoning Ordinance could make it more stringent (not less) than the bill and 2) make certain the County Zoning Ordinance parallels the bill.

**XI. Chair's Report**

None

**XII. Designation of Items to be Placed on the Consent Agenda**

Mr. Langenheim stated that VII B and VII C should be placed on the Consent Agenda.

**XIII. Adjournment**

There being no further business, Mr. Langenheim adjourned the meeting at 6:55 p.m.