



**Cases 126-S-23 & 127-S-23**

**Petitioner: FFP IL Community Solar, LLC, a subsidiary of Forefront Power LLC; via agent Christian Schlesinger, and participating landowner Kathryn Bonacci**

**Requests: Case 126-S-23**

**Authorize a Community PV Solar Farm with a total nameplate capacity of 4.5 megawatts (MW), including access roads and wiring, in the AG-2 Agriculture Zoning District, and including the following waivers of standard conditions:**

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

**Part B: A waiver for locating the PV Solar Farm 45 feet from an adjacent lot that is 10 acres or less in area in lieu of the minimum required 240 feet, per Section 6.1.5 D.(3)a.**

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

**Other waivers may be necessary.**

**Case 127-S-23**

**Authorize a second Community PV Solar Farm with a total nameplate capacity of 2.5 megawatts (MW), including access roads and wiring, in the AG-2 Agriculture Zoning District, and including the following waivers of standard conditions:**

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

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

**Other waivers may be necessary.**

**Location: Three tracts of land totaling 55.81 acres located in the Northeast Quarter of Section 27, Township 19 North, Range 9 East of the Third Principal Meridian in Urbana Township, and commonly known as farmland owned by Kathryn Bonacci in the southwest corner of the intersection of Windsor Road and IL 130 (High Cross Rd), Urbana.**

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

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

8  
9 Matthew Vollbrecht with Westwood Professional Services gave his address as 480 Bellvue Avenue,  
10 Lander, Wyoming.

11  
12 Christian Schlesinger of Forefront Power gave his address as 301 Washington St, Conshohocken,  
13 Pennsylvania.

14  
15 Mr. Vollbrecht said they are here for two co-located solar projects. He said as Mr. Elwell mentioned, Site  
16 1 is approximately 29 acres and 4.5 megawatts (MW) and will consist of about 12,116 Longi Solar LR5-  
17 72HBD-550M panels. He said there would be a single light fixture at the entrance gate, which will be  
18 downward facing, and the perimeter fence will be seven feet tall. He said there would be two inverters on  
19 this site located at least 275 feet away from the fence line. He said these inverters run at about 61.6 decibels  
20 (dB) at one meter away, and their sound experts tell them that's comparable to an AC unit running 100  
21 feet away from you.

22  
23 Mr. Vollbrecht said Site 2 is approximately 15 acres with 6,552 of the same solar panels and is 2.5 MW.  
24 He said this site has one inverter that is located more than 275 feet away from the fence. He said as a part  
25 of this project, they did siting to have the least environmental impact, so these are going into an area that  
26 is completely agriculture, there is no native grasslands onsite, there are no native species – they've done  
27 the EcoCAT analysis at the State level and the IPAC at the federal level, so there are no listed species  
28 concerns, and they have letters provided in the documentation. He said they had been in coordination with  
29 the State Historic Preservation Office (SHPO), and there are no issues on the site. He said they chose a  
30 site that's fairly flat, so the grading onsite is very minimal; the only grading will really be for the access  
31 road construction. He said these two sites will share a single point of entry and a single access road. He  
32 said they are currently entering into an agreement with the Illinois Department of Agriculture, the  
33 Agricultural Impact Mitigation Agreement (AIMA), and as a portion of that, they've done drain tile  
34 mapping for the project so they the drain tiles located, and the AIMA also protects any drainage tiles that  
35 are disturbed during construction. He said there are mechanisms in there to make sure they are fixed  
36 correctly and there are restrictions on the drain tiles. He said they have been in contact with both of the  
37 drainage tile authorities in the area and they have confirmed that there is no public drain tile on this site,  
38 so there is no risk to any public drain tiles from this project. He said they have also completed a full  
39 decommissioning plan for both these sites, and what the decommissioning plan does is it sets forth the  
40 way to decommission the project when the project reaches its end. He said the decommissioning plan lays  
41 out how the decommissioning will take place and how they will return the site back to exactly how it was  
42 prior to the site being developed for solar. He said it also includes financial sureties so that the money is  
43 there at the end; when this 30-year project is over, the money is there to decommission the site and  
44 essentially put it back into agricultural production. He said they have also done a SWPPP, which is a  
45 Storm Water Pollution Prevention Plan, which is a document regulated by the State that explains how they  
46 will control storm water runoff from the site, how they are going to stabilize the site, and how they are  
47 going to manage the site especially during construction, to make sure that there is no discharge of untreated  
48 storm water off the site. He said they have also completed a Vegetation Management Plan, which is a full  
49 plan about how they are going to stabilize vegetation, how they will control invasive species, and how

1 they will establish vegetation on the site during construction and how they will manage the site after  
2 construction. He said that will also include a native pollinator mix, so the vegetative mix on site will  
3 consist of native species that are going to provide pollinator habitat for bees and butterflies, wildflowers,  
4 and things like that. He said that mix also tends to be much deeper rooted vegetation than the annual row  
5 crop vegetation, so that will increase the nitrogen back in the soil, that corn is particularly hard on nitrogen,  
6 so it's going to build back up the soil health and it's going to essentially give the soil a rest from  
7 agriculture. He said it's almost going to be like a 30-year CRP contract, where you're going to put a native  
8 seed bank down, you're going to give that soil a rest, and it will probably be healthier to put back into  
9 agriculture practices when they're done. He said they have a screening plan; they are screening all the  
10 residences that are within the required distances from the project. He said they were not aware of the  
11 planned park on the south end of their project, so he knows they have seen some comments on that. He  
12 said they're definitely willing to work with the park and to also extend that south screening to fully screen  
13 the planned park land from their project. He said there was some discussion about a berm on the south  
14 end; that's something they can definitely have further discussions about, but berms aren't the best because  
15 they need to move soil. He said one of their main goals is to make sure that the soil is undisturbed on the  
16 site so that it can be put back into agricultural practice when they're done. He said if they put a berm up,  
17 they are going to have to move topsoil, they will have more soil disturbance, and there's more potential  
18 for erosion and things like that. He said it's also going to be harder at the end of the project to put it back  
19 into farmland, but they're definitely willing to work with the park district to come up with more screening  
20 or whatever they would like. He said they are currently proposing native shrubs for the screening, which  
21 get pretty shrubby, they get pretty dense, so two rows of those to provide screening, and that will also  
22 provide habitat that really doesn't exist out there right now. He said overall, when you look at the available  
23 habitat on the site it's almost zero now, right now it's sitting as a fallow field all winter. He said when  
24 they're done, it is going to be covered in native plants, there is going to be some vegetative cover all winter  
25 long to provide habitat and there is also going to be quite a bit of habitat in the shrub screenings around  
26 the site.

27  
28 Mr. Vollbrecht referred to some of the comments they had, and they would like to address a few of those.  
29 He said water quality was a comment they saw from quite a few of the neighbors, and they understand  
30 their concerns with their well water and the need to preserve that. He said taking this land and putting it  
31 with a native seed mix underneath the solar panels is going to do a lot of things to improve water quality  
32 because number one, it is going to slow down the water running off of the site, it's going to catch a lot of  
33 that water, the plants are going to take it up and let it infiltrate better into the ground, and so they're going  
34 to provide a higher buffer. He said the second thing is that there are going to be a lot less chemicals being  
35 applied on the site, either pesticides or herbicides because the vegetative management plan is pretty  
36 aggressive, and once they have the vegetation established, there won't be a need to spray so that will also  
37 be an advantage. He said that would also be an advantage to the park to the south, because if the park is  
38 up against a crop in the field, there's a chance of being oversprayed with Roundup or some other herbicides  
39 that might be used that would not be used with the solar facility in place.

40  
41 Mr. Vollbrecht referred to comments from the Urbana Park District. He said the first was planting of  
42 screening south of the proposed solar farm to the full extent of the future park site. He said they are  
43 definitely amenable to that. He said the Urbana Park District asked for a berm. He said at this point they  
44 would prefer not to have a berm for the reasons he already stated. He said the next comment was for  
45 ongoing annual monitoring of the noise to confirm compliance. He said they would like to talk about that  
46 a little bit more; they are definitely amenable to doing a noise model to show that the noise won't be an  
47 issue. He said the inverters will be over 300 feet from the park, so there's distance. He said there's going  
48 to be the physical shrub screen in between. He said the noise levels are not going to change, so annual  
49 monitoring seems a little onerous at this point, so they would like to discuss that further. He said the fourth

1 comment was dark-sky lighting with neighborhood cutoff to control light trespass. He said the only  
2 proposed light is going to be at the entrance, which is at the exact opposite end of their property from the  
3 park, and it's going to be a downward facing security light at the gate. He said he doesn't think the lighting  
4 will be an issue for the park. He said comment five is notification of any site changes, addition of any  
5 buildings, and above or below ground infrastructure. He said that really shouldn't be an issue; they don't  
6 expect any project changes, but obviously if there are any they can share them with park district. He said  
7 the sixth comment is no temporary buildings, storage of materials, equipment or stockpiling on site. He  
8 said long-term, that's not an issue, but obviously during construction that's not really feasible – they will  
9 have materials stockpiled on site as deliveries happen and as construction occurs. He said long-term, there  
10 really won't be any materials, stockpiles, or structures onsite other than the solar arrays and the inverters.  
11 He said the seventh comment was no third-party uses, users or leasing of site. He said he doesn't think  
12 that's an issue; essentially the site will be owned and operated by one entity. He said the eighth comment  
13 is the ongoing management of plantings for the control of invasive and noxious species. He said as he said  
14 before, they have a vegetative management plan that is included in the packet; it's going to be part of their  
15 AIMA with the State, so they're committed to the control of invasive species. He said he thinks that it  
16 would be a nice addition to the park, a quiet neighbor; once the site is up and running, there would be no  
17 disturbances to the park. He said if it stays in agricultural land there may be seasonal disturbances when  
18 plowing is going on or harvesting or applying manure; there are smells associated with agricultural  
19 activities that may impede park use. He said he would be happy to answer any questions.

20

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

22

23 Mr. Bates said Mr. Vollbrecht mentioned the soil health benefits, and he mentioned that the solar panels  
24 will improve soil health. He asked if Mr. Vollbrecht had documentation that goes along with that.

25

26 Mr. Vollbrecht said no, and it's not the solar panels, it's the native plants underneath; they can definitely  
27 pull that up, he's seen a few studies.

28

29 Mr. Bates said correct him if he's wrong, the solar panels are designed to capture the rays, correct.

30

31 Mr. Vollbrecht said correct.

32

33 Mr. Bates asked and that's the same thing the plant underneath it needs to grow.

34

35 Mr. Vollbrecht said yes, but they don't capture 100%.

36

37 Mr. Bates said he's just letting Mr. Vollbrecht know that he works in the industry, so he would love to  
38 understand his claim about improving soil health; he would like to see that documentation.

39

40 Mr. Vollbrecht said okay.

41

42 Mr. Bates said secondly, Mr. Vollbrecht mentioned there was no public tile, which is understandable, but  
43 how about any private tile, has that been located.

44

45 Mr. Vollbrecht said yes, they have a drain tile study. He said it's not a condition of the application, but it  
46 is a condition for the AIMA, so yes, they do have it done.

47

48 Mr. Bates said as tile flows, it doesn't just impact the field that it sits on.

49

- 1 Mr. Vollbrecht said correct, and he believes all of this tile is actually contained onsite, but obviously for  
2 the same reason, they don't want the site flooding, they want the tile to stay where it is.  
3
- 4 Mr. Bates said Mr. Vollbrecht mentioned there's no herbicide, insecticide, nothing sprayed on this  
5 property.  
6
- 7 Mr. Vollbrecht said no, there may be limited spraying, definitely not pesticides; the reason for the pesticide  
8 not being sprayed is because they're using a diverse seed mix, so they tend not to get corn borers that hit  
9 corn. He said they tend not to get those insect pests because it's a variety so they're kind of spread out.  
10 He said but there may be limited spraying, especially as they establish the prairie areas. He said they've  
11 probably seen what happens when a field gets left fallow – weeds pop up. He said they control by mowing  
12 as much as they can, but if something is becoming a problem, they may do limited spot spraying to control  
13 Canada thistle, sometimes smooth brome, some of the ones that are a little tougher to control that can get  
14 out of hand they try to control and get ahead of them.  
15
- 16 Mr. Bates asked so there will be herbicides potentially.  
17
- 18 Mr. Vollbrecht said potentially, but it won't be like spraying the entire site.  
19
- 20 Mr. Bates mentioned annual monitoring for sound and asked if the equipment being used is going to  
21 operate as-is for 30 years without any changes, guaranteed.  
22
- 23 Mr. Vollbrecht said no, they can't guarantee that.  
24
- 25 Mr. Bates asked so would that suggest that we need to monitor the sound as changes are made to the  
26 property.  
27
- 28 Mr. Vollbrecht said yes, as technology improves there's hope they will get even quieter, and he thinks  
29 they can probably commit to planning on using ones that have similar decibel noise levels.  
30
- 31 Ms. Cunningham said she was wondering about the berm. She said she just leafed through some of the  
32 emails, and as Mr. Vollbrecht mentioned, the park district asked for a berm. She asked if he would be  
33 opposed to a berm to help mitigate contact between the park and the solar farm.  
34
- 35 Mr. Vollbrecht said he doesn't think they're opposed to it, but they literally found out about the park  
36 district's comments yesterday afternoon. He said they definitely want to have some discussions with them,  
37 and he thinks they'd like to offer some other alternatives before they go down the berm road if possible  
38 just because it is grading. He said they're scraping topsoil from the other portions of the site to build or  
39 they're importing, and you have to stabilize it.  
40
- 41 Ms. Cunningham said she understands that.  
42
- 43 Mr. Vollbrecht said they're not opposed to it; they'd just like to have more conversations with them to see  
44 if they can come up with a solution that would work for both of them that maybe doesn't involve a berm.  
45
- 46 Mr. Bates said just for awareness, there's obviously an adjacent site and there was a berm put in and that's  
47 where some of that is coming from.  
48
- 49 Mr. Vollbrecht said yes, and that's coming from the vet clinic, and their inverters are much farther from

1 the vet clinic than the other project.  
2  
3 Mr. Randol asked if they were to put a berm, what type of height would they be looking at, or are they  
4 looking to the Board to establish that.  
5  
6 Mr. Vollbrecht said obviously they would like to keep it as low as possible.  
7  
8 Mr. Randol said as low as possible would be two feet.  
9  
10 Mr. Vollbrecht said they would look to what's going to satisfy the Board and the park. He said the bigger  
11 the berm the more expensive but also the more problems that could develop trying to stabilize it and get  
12 vegetation established on it, finding the material, that sort of thing.  
13  
14 Mr. Elwell asked Mr. Hall if the berm was installed with the Donato case or was it there before.  
15  
16 Mr. Hall said no, it was installed with the Donato case. He said Public Act 102-1123 prohibits counties  
17 from requiring berms as parts of solar farms, so what the petitioner would agree to do with the park district  
18 is one thing, but the County cannot require a berm as part of a solar farm.  
19  
20 Mr. Bates said to Mr. Hall's point, he believes that was an agreement from the vet clinic and Mr. Donato,  
21 is that correct. He said the Board did not require that.  
22  
23 Mr. Hall said it's on the approved site plan, so it's part of the approval.  
24  
25 Mr. Randol said yes, but the Board didn't request it.  
26  
27 Mr. Hall said the Board didn't request it, but the Board required it, just like they require the annual  
28 monitoring of noise.  
29  
30 Mr. Bates said the two participants, the vet clinic and the solar developer, agreed to do so, correct; they  
31 brought it to the Board as an amicable solution and the Board put that in.  
32  
33 Mr. Hall said again, in this instance, even if they agreed to do it, his recommendation is that if it's on the  
34 site plan, it needs to be pointed out as not a requirement of the County. He said he wouldn't want to see  
35 the County get into legal problems over something like that.  
36  
37 Mr. Elwell asked if there were any other questions from the Board or Staff.  
38  
39 Mr. Hall told Mr. Vollbrecht that he tried to make some sense of the tile diagram that was submitted with  
40 the application, but he found it very difficult. He asked if Mr. Vollbrecht knew if there are mutual tiles on  
41 the property that serve other properties.  
42  
43 Mr. Vollbrecht said from what they could tell, no, there were no mutual tiles, they're all internal. He said  
44 as part of the Agricultural Impact Mitigation Agreement, the tile location and repair of any tile and all that  
45 is a required portion of that agreement with the Illinois Department of Agriculture. He said when they get  
46 to construction time, they'll be verifying those locations as they construct.  
47  
48 Mr. Hall asked if it would be possible to get a more detailed copy of what their tile investigations found.  
49 He said he's assuming what was included with the application is probably not what they actually have in

1 the file.  
2  
3 Mr. Vollbrecht said yes, they could give him the full report.  
4  
5 Mr. Hall said okay, good, because one thing the Board always does is if there are mutual tiles, the Board  
6 requires a 40-foot-wide easement to be created so that in the future that mutual tile can be accessed to  
7 maintain it.  
8  
9 Mr. Vollbrecht said okay. He said they provide that shapefile to the EPC too when the construction  
10 happens, so they have that too. He said drain tile is a big issue, so they do their best; it's better for everyone  
11 to avoid it as much as possible.  
12  
13 Mr. Elwell asked if there were any other questions from the Board.  
14  
15 Mr. Randol asked if their mounting posts are just driven into the ground as we've seen with some other  
16 projects, or are they anchored in concrete. He asked if it is concrete, how deep are they going.  
17  
18 Mr. Vollbrecht said they should just be driven piers, as their standard process.  
19  
20 Mr. Hall asked if this is a single axis tilting array.  
21  
22 Mr. Vollbrecht said yes.  
23  
24 Mr. Hall asked how high above ground that would be if it's all flat at one point.  
25  
26 Mr. Vollbrecht said laying flat it would be approximately six feet. He said one reason why there might be  
27 some difference in the heights is they want it flat on top across; as the ground has some undulations, the  
28 post heights may be different, but they want the top of the whole assembly to be at the same height.  
29  
30 Mr. Hall said but it's going to be about six feet above ground, so there will be light getting down there to  
31 the vegetation, they'll have access for mowing in the first couple of years when they need to mow.  
32  
33 Mr. Vollbrecht said yes.  
34  
35 Mr. Elwell asked if there were any other questions from the Board or Staff. Seeing none, he asked if  
36 anyone would like to cross-examine the petitioners. He said with cross-examination, we're going to ask  
37 questions on the information that they have testified to tonight and if you would like to testify then we'll  
38 also have that time a little bit later this evening.  
39  
40 Nancy Delcomyn, 3201 South High Cross Road, Urbana, said she is at the property essentially next door  
41 from the park site to the south. She said she is also a 30-year Urbana Park District Commissioner. She  
42 said her questions are about vegetation. She said they have put in a prairie on their property, so she has  
43 big questions for them about herbicides and the maintaining of the vegetation under the panels. She said  
44 she is curious to know if they are going to be doing this themselves, do they hire this out, because she'd  
45 like to know the plant and seed mix that they're putting in there. She said she also has a question about  
46 the kind of native shrub barrier that they're talking about.  
47  
48 Mr. Vollbrecht said they use a contractor for that work, so there will be a native seed contractor that is  
49 brought in, and that will be done by the EPC, the builder of the site. He said they'll bring a contractor in.



1 He said they don't have an exact seed mix yet, but under the rules of the Agricultural Impact Mitigation  
2 Agreement with the State, it will be a pollinator-friendly native mix. He said generally it's a mix of short  
3 grasses and short herbs, because they don't want to plant switchgrass or big bluestem that's going to be  
4 eight feet tall. He said they're looking for a mix of low-growing, native prairie plants. He said the herbicide  
5 is really limited to as little as possible, just whatever they need, and generally in the first year or two  
6 because they're also going to use mowing to maintain. He said they're starting to see sites that are using  
7 sheep grazing to maintain, so some of those things will be used.

8  
9 Mrs. Delcomyn said from experience, they burn a third of their prairie every year. She said they have also  
10 gone at it with shovels; she thinks that they might have too optimistic a view of how easy it is to maintain  
11 that as a relatively weed-free zone considering the battles she is still having with Canada thistle after 20  
12 years. She said it isn't going to be a few years of spraying herbicide; it is going to be a big, long-term  
13 battle and she wants people to understand that that is going to be part of the problem. She said her next  
14 question is about the shrubs; who is going to take care of that.

15  
16 Mr. Vollbrecht said that is also going to be contracted out.

17  
18 Mrs. Delcomyn asked so they don't have a sense of what might be planted in there.

19  
20 Mr. Vollbrecht said it's probably hard to read, but it's native mixes like ninebark and a couple other of  
21 the native viburnums and this was done by their landscape architect and landscape seeding people.

22  
23 Mrs. Delcomyn asked if they have a sense of the opacity that will provide.

24  
25 Mr. Vollbrecht said they're staggered rows, and they're ones that hold their leaves later in the season and  
26 are also fairly bushy, so it should screen pretty well. He said we're just starting to have this conversation,  
27 so they do have room if they need to put more rows in that would provide better screening.

28  
29 Mrs. Delcomyn said from what she has seen on her property, because she has ninebark and a lot of  
30 viburnum...

31  
32 Mr. Elwell told Mrs. Delcomyn that this is getting into testimony, and right now is only for questions.

33  
34 Mrs. Delcomyn said okay, and that is her concern, that what they are proposing is not going to be  
35 sufficient.

36  
37 Mr. Vollbrecht said there have been a lot of solar facilities put into the State of Illinois in the last few  
38 years, and these contractors are learning how to get these things established and how to control weeds. He  
39 said they're committed to it; it's part of the agreement that they have and it's part of their vegetative  
40 management plan.

41  
42 Mrs. Delcomyn said right, but she doesn't want them to be learning at her expense.

43  
44 Mr. Vollbrecht said no, so that's why they would control.

45  
46 Mr. Elwell asked if anyone else would like to cross-examine Mr. Vollbrecht. Seeing no one, he moved on  
47 to testimony and called Mr. McCormick to testify.

48  
49 Mr. Mike McCormick said he is an attorney with Erwin, Martinkus and Cole, 411 West University

1 Avenue, Champaign. He thanked the Board for allowing him a chance to testify, and he didn't take the  
2 opportunity to cross-examine, they might think all lawyers love to cross-examine people, because they  
3 really wanted to express some issues that they think that everybody wants to address and listening to the  
4 conversation, it sounds like the developers may want to address some of these things too, and he would  
5 welcome that. He said if they want any information about berms, he has a little bit of information about  
6 that because he represents Dr. Vahling, who is the owner of A&E Animal Hospital, and her husband  
7 Bruce, who are both here tonight. He said they own the real estate is next door to the development. He  
8 said they were here a few months ago when the data center and solar farm on the west side of his clients'  
9 property had a case. He said they probably have some of the same concerns, although they understand that  
10 this is a different development to some extent. He said they appreciate the Board's willingness to listen to  
11 them and let the folks who were developing at the time listen to them, and make the developers come and  
12 talk to them, and they were able to work out some things that maybe some folks don't like such as the  
13 noise agreement, the berms, and things like that. He said these things were very important from the  
14 standpoint of his clients' property to make it so that the business wouldn't be hurt. He said in addition to  
15 the business they have a residential property that's rented and so they actually have residents on the  
16 property that live there. He said all of those factors make them look at these things a little bit. He said he  
17 doesn't think they'll say anything that is necessarily surprising; he thinks that everyone has a concern  
18 when these things come up about noise; it sounds like the current plan is to get the noisemakers to the  
19 extent they can as far away from people that might hear it as possible, which makes some logic. He said  
20 he knows that when he bought a used car once in a while, the engine was really smooth until it got around  
21 112,000 miles on it and then it started knocking. He said he thinks the gentleman who brought up the  
22 situation about the noise has a point; there is some argument to be made as it relates to the noise, how can  
23 we make any noise issues that would be there now better and also how can we assure that as time goes by  
24 and the engine starts to knock a little bit that we could deal with those issues. He said he's obviously not  
25 an expert in these matters; it seems to him that periodic noise studies at a reasonable time between them  
26 is one way to kind of assure that things are staying in line. He said as the Board knows, he and his clients  
27 entered into a noise agreement with the developers on the other side, and he won't bore them with all of  
28 those details, but it was something that they at least talked with the developers about and were able to  
29 come up with some kind of agreement. He said they would at least want that to be considered as the Board  
30 does its considerations here and he and his clients would anticipate just as the developers are wanting to  
31 talk to the park district that they would probably want to talk to the landowners that are most readily  
32 affected by the development. He said he thinks there are other things that maybe can be done; he said you  
33 read about some encasements that can be done with these inverters. He said he's not suggesting that; he's  
34 just saying there seem to be things that can be done for whatever the noise is going to be to make it even  
35 less than that if we can. He said the other issue that he thinks as they develop this, as the Board develops  
36 its plan and the developers respond accordingly, is whether there are any overhead lines that are going to  
37 be placed on the project, are there any noise ramifications from those. He said it's something he thinks  
38 that at least needs to be considered. He said you can see that one of his and his clients' main concerns is  
39 the noise; not only the noise when everything is new, but the noise when things are not as new. He said  
40 the things that they were reading in the plan, to the extent that they were able to get through everything,  
41 talked about a variance at some point in time related to how close the development was going to be to  
42 either a property line or a building line. He said as he was reading through that and there were some  
43 questions asked in some of the paperwork about why it is needed and what would be the hardship if they  
44 just complied with those setbacks. He said there may be something in a footnote somewhere, but he didn't  
45 really see a very good answer to that question. He said other than it would make them have to look at other  
46 things, there may be a better answer than that in there, so he doesn't want to make statements, but he  
47 thinks that's worth looking into. He said that's just the deal of what kind of hardship is it to these folks to  
48 comply with those regulations. He said one of the things he and his clients learned as they were going  
49 through their other process in addition to noise agreements and berms and things like that, was the

1 construction process. He said in some ways the developer was agreeable that because his clients had  
2 residences there and it's like your neighbor at seven in the morning starts blowing the leaves right outside  
3 your bedroom window why are they doing that at seven in the morning or at eight at night. He said one of  
4 the thoughts he and his clients had, a concern they had, is during the construction period that there be  
5 some effort to make that period of construction during pretty much normal work hours so that it doesn't  
6 unduly negatively affect the residents that expect them to try their best to give them quiet and peaceable  
7 enjoyment of their property. He said they had some frustrations that should not be attributed to anybody  
8 else, but they did have a major frustration in terms of the construction process on the other side of their  
9 property, and that is on two occasions there was cutting of lines at primarily the exact same location on  
10 two separate occasions and knocking his client's business out for days. He said you can imagine not having  
11 any communications or internet, and that was very costly error and quite frankly they're still trying to  
12 figure out. He said he's not sure there's a whole lot the Board can do about that, but while they have the  
13 chance to complain, they thought they'd complain to anyone who could hear them. He said they intend,  
14 to the extent that they can, to be compensated for those types of negligence as it relates to this, so the  
15 caution in the communications with the landowners when there are problems, he always tells folks it's not  
16 a very good answer to tell you that they have contractors that do those kinds of things, shame on them. He  
17 said the developer hires the contractors. He said he has no reason to believe that anyone intended to cause  
18 them a problem; he thinks it was quite frankly carelessness times two, and those are the kinds of things  
19 that when you're running a business, those are the kinds of things you look at. He said sometimes he thinks  
20 we have a tendency to look at things when it's done and we see a pretty picture, probably someday we'll  
21 be on that screen or in here and it looks pretty, it looks neat, and it looks clean. He said it's probably like  
22 making legislation in Springfield; it's like making sausage. He said you make a little bit of sausage while  
23 you're trying to make that picture complete. He said they want to be as far away from sausage as they can  
24 as this process continues. He said he thinks in the past they were very concerned about the project, and he  
25 thinks his clients have shown and continue to show a willingness to try to cooperate. He said nobody is  
26 laying behind anybody's cars so they can't get out tonight if the Board approves this project or anything  
27 like that. He said because they've had a little bit of experience, and some of the Board members may know  
28 about some of their experiences, but this is not to give a bad rap to anyone that currently will be doing  
29 this, it's just that these are concerns that were brought up and it's something they feel they should at least  
30 be at top of mind as the sausage is being made. He said he's happy to answer any questions; for the most  
31 part, he is here to express their concerns with the hope that the developers will want to talk to the  
32 landowners and maybe address these concerns with them or put the concerns to rest for them. He said they  
33 are willing and happy to have that done.

34  
35 Mr. Elwell thanked Mr. McCormick and asked if there were any questions from the Board or Staff.

36  
37 Mr. McCormick said one of his clients, Dr. Vahling, would like to speak when it is convenient for the  
38 Board.

39  
40 Mr. Elwell said thank you and called Mr. Walker to testify.

41  
42 Mr. Michael Walker, 511 W High St, Urbana, said he is currently the president of the Urbana Park District  
43 Board of Commissioners, which is one of the reasons he is here tonight. He said he did not find out about  
44 this project until earlier this week, so he was more than a little surprised. He said the park district is very  
45 interested in this project given through a very kind donation to the Urbana Parks Foundation, they have  
46 29 acres just to the south of a piece of this project. He said their concept all along in looking at the Urbana  
47 Comprehensive Plan, which he understands this is outside the city's boundary, but it's immediately  
48 outside the city's boundary, has been designated for residential development for decades. He said they  
49 were delighted to get a piece of property that could be developed as a park in advance of there being

1 residential development around it. He said it's very difficult when you have to pay the prices once you've  
2 got subdivisions developed to actually get a piece of property like that, and it becomes far more expensive.  
3 He said just to raise his own concerns, and he understands the Urbana Park District staff has apparently  
4 communicated with County Staff with regards to all of this, but just pulling back a little and for him  
5 looking at the big picture and the development of this community, putting what amounts to, albeit a light  
6 industrial application, an industrial application directly across the street from one of the more active  
7 subdivisions doing developments in Urbana. He said it is adjacent to two major thoroughfares, Windsor  
8 Road and IL 130. He said it is going to have a negative impact on both the future park site that they see  
9 there and the ability of Urbana to grow in that area. He said he is quite concerned from that standpoint.  
10 He said he is not against solar; they have already signed contracts to install solar on the roofs of several  
11 of their facilities over the next 15 months. He said he's all for solar, but when you put it up on a roof, it  
12 doesn't affect quite so broadly the neighboring uses. He said he's really quite concerned to put something  
13 down of that magnitude will just simply block access a great deal to the park site they envision having  
14 there eventually. He said when he reads how big an ask this appears to be, a number of waivers being  
15 sought for each of these two projects, he's wondering what the thinking was to spend time to design this  
16 thing when you would need so many waivers in order to actually complete the project. He said lastly, the  
17 gentlemen have addressed to a degree given the Staff questions, that the screening plan seems woefully  
18 inadequate to him; perhaps they can up the game on that if this does get approved. He said frankly he  
19 would ask the Board to consider declining this request in favor of them finding someplace that's a little  
20 further out from the active municipality that is Urbana.

21

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

23

24 Ms. Cunningham thanked Mr. Walker for his testimony and asked if Mr. Walker has a start date for the  
25 construction of the park.

26

27 Mr. Walker said they do not. He said it's a chicken and an egg problem. He said it's awfully hard to go  
28 out and get the money to develop a park. He said if he may raise an example, which he thinks is relevant,  
29 Meadowbrook Park was developed over a period of about 30 years, and yes, it's a wonderful gem now,  
30 but that was a corn and bean field for a good bit of that first 30 years that it was owned by the Urbana Park  
31 District. He said it takes time; they do not have a huge tax base; they do not have lots and lots of money  
32 to put into capital projects. He said you can go out and get grants, but you need to have a real demonstrated  
33 need on a more immediate basis. He said this was a fabulous acquisition ahead of the game to be able to  
34 have park space in an area that was in Urbana's Comprehensive Plan, slated for residential growth.

35

36 Mr. Elwell asked Mr. Walker if the property is deeded to the park district.

37

38 Mr. Walker said it is not at this time; it is titled to the Urbana Parks Foundation, which the purpose of that  
39 foundation is to support the park district. He said there are land laws related to once a park district acquires  
40 a piece of property; they're highly restrictive of what can be done about it. He said there were too many  
41 shenanigans that took place a little further north from here so that the park code is quite stringent on what  
42 you can do in trading or selling land. He said it is deeded at this point to the Urbana Parks Foundation;  
43 again, that foundation's sole beneficiary is the park district.

44

45 Mr. Hall said that Mr. Walker said that putting something like this down will block the park site. He asked  
46 if it would really block access to the park site.

47

48 Mr. Walker said if it covers the whole south side, it's certainly going to be a little harder to get there, to  
49 ever have an entry point from Windsor Road. He said they've certainly had, through conversations with

1 the city, the thought that the entryway from Stone Creek would eventually be continued on the other side  
2 of Windsor. He said whether those plans were ever solidified in any substantial way he couldn't answer.  
3 He said it would certainly be helpful to have more than one way to get there, and a normal set of residential  
4 streets could provide such access, but it's going to be pretty hard to find that with the size of this  
5 construction.

6  
7 Mr. Hall asked if development occurs on the land to the west of this proposed solar farm, there's a lot of  
8 land between it and Myra Ridge, that could provide access.

9  
10 Mr. Walker said conceivably, yes.

11  
12 Mr. Hall said all right, he just wanted to clarify that.

13  
14 Mr. Walker said it somewhat restricts things along that edge, and for 30 years is what they're being told,  
15 and it could even be longer.

16  
17 Mr. Randol said currently the Urbana Parks Foundation property is landlocked, there are no roadways into  
18 it at all.

19  
20 Mr. Walker said that is correct.

21  
22 Mr. Elwell said there would be an entrance off of IL 130 to the east part of the property, correct.

23  
24 Mr. Hall said yes, that's his understanding.

25  
26 Mr. Walker said the Delcomyns can answer that a little more in detail than he would be able to at this  
27 point. He said their property lies to the east, and whether the Urbana Parks Foundation actually owns an  
28 easement all the way there he does not know.

29  
30 Ms. Burgstrom said she could help answer that, and referred to Attachment B of the packet, which is the  
31 site plan, if they look south of the site they'll see a residential farmstead at the very south end. She said  
32 the Urbana Parks Foundation's land does have a connection to IL 103 in between the proposed solar farm  
33 and the residence to the south. She said it is not landlocked per se; there is a connection.

34  
35 Mr. Vollbrecht asked if that was the culvert you can see in the driveway.

36  
37 Ms. Burgstrom said yes.

38  
39 Mr. Elwell asked Ms. Burgstrom if she would anticipate an extensive traffic study would have to be done  
40 for the park if they were to develop it today, with IL 130 being a more heavily trafficked roadway. He  
41 said it would seem like with traffic at 55 miles per hour there's always a concern.

42  
43 Ms. Burgstrom said she would assume that the park district as part of their due diligence would do a traffic  
44 study to make sure they're installing the appropriate safety measures to make sure they have a safe  
45 entrance there if that's where they end up locating.

46  
47 Mr. Elwell asked if there were any other questions from the Board or Staff. Seeing none, he asked if  
48 anyone would like to cross-examine Mr. Walker. Seeing no one, he asked Dr. Vahling to testify.

49

1 Dr. Lindsay Vahling gave her addresses as 3003 and 3007 East Windsor Road, Urbana. She said the Board  
2 heard from Mr. McCormick earlier. She said the big thing on this one, the last solar farm development she  
3 was development she was definitely more worried about the clinic side of things because that one was  
4 actually wrapping around the actual clinic. She said this one she is more concerned for her rental unit and  
5 for her renter's future and the concerns they have for the sound that is going to be coming from this and  
6 just kind of how everything is going to develop. She said she has somebody who is supposed to be signing  
7 a lease with them this June and she has expressed concerns to Dr. Vahling about this field going up and  
8 what that's going to do. She said that the future renter knows Dr. Vahling is here and that she is talking.  
9 She said they're the same they were a year ago when they were doing this; they're very open to things,  
10 they just want to talk and come to agreement on things that will suit everybody the best that it can. She  
11 said they definitely had some issues with construction next door and that definitely is frustrating. She said  
12 to clarify, it knocked out their phone and internet; they completely cut through a Comcast line. She said  
13 they did not notify them at the clinic and did not notify her as one of the owners of the 3007 Windsor  
14 Road property either. She said internet was cut to the rental unit as well for four days, so that did affect  
15 them, not just the clinic side. She said we all know how dealing with Comcast can be so much fun some  
16 days. She said the other couple of questions that she just had about things: they dealt with a data center on  
17 the Donato side of things; it doesn't look like there's a data center going into this one, she just wanted to  
18 confirm that wasn't going to be a noise issue that they would need to look into such as noise studies as  
19 they go. She said Mr. Tony Grilo was great, he gave them once a year; she understands that might not be  
20 the most feasible, but she definitely wants to make sure that they're monitoring and keeping things how it  
21 should be and where it was started. She said she sees no reason they can't work through this stuff and  
22 come to agreements just like they did with previous places. She said she has not been in touch with the  
23 new company; she just found out about everything last week from the notice Staff sent her, which she  
24 appreciated.

25

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

27

28 Mr. Bates asked Dr. Vahling if she has concerns if this project goes up what that will do to her ability to  
29 rent or her ability to ask for what the rent would be.

30

31 Dr. Vahling said yes, she does, for people concerned about the noise, the sight of it. She said where this  
32 one is going it's on a side where they don't have a lot of tall trees like on the Donato side. She said they  
33 have big 30-year old pine trees in there and they put that berm in. She said so yes, she does have concern  
34 that either renters aren't going to want to rent, that she'll have to lower rent prices, they may not want to  
35 live there, just all of those fun things that go along with these.

36

37 Mr. Bates asked Dr. Vahling if she has concerns about overall property value.

38

39 Dr. Vahling said that's a great question. She said she has no idea, but it should probably be a concern to  
40 be honest.

41

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

43

44 Mr. Flesner asked if the previous construction going on affect her business or her tenants getting in and  
45 out of their home during working hours or when they were getting off of work.

46

47 Dr. Vahling said no, they had normal access to everything. She said they did start a little on the early side  
48 a couple of mornings where she thought they were going to have to talk with them, but it was okay. She  
49 said there was no blockage for them, everything was normal.

1  
2 Mr. Elwell asked if there were any other questions from Staff. Seeing none, he told Mr. Hall it was to his  
3 knowledge that there is not going to be a data center, is that correct.  
4

5 Mr. Hall said that has not been proposed and would require another public hearing. He said he wouldn't  
6 expect to see a data center because this is a solar farm, not a solar array.  
7

8 Mr. Elwell asked if anyone would like to cross-examine Dr. Vahling. Seeing no one, he called Ms.  
9 Rodrigues to testify.  
10

11 Natalie Weisiger-Rodrigues, 3201 Douglas Woods Dr, Urbana, said they are directly southeast of where  
12 the solar farm will be built. She said she doesn't have access to any of the maps that they are looking at,  
13 so she's just going off of her knowledge from living here her whole life and being a resident of the same  
14 neighborhood since she was a child. She said she submitted an email with her and her husband Robert's  
15 concerns because they weren't sure if they were going to be here tonight. She thanked them for allowing  
16 them to be here tonight and talk about their opposition to this. She said she thinks similar to everyone  
17 here, they didn't really have a chance to know about this, so she didn't have a lot of time to research. She  
18 said her main concern after living here and dealing with flooding in their own house is the water and the  
19 drainage. She said she also knows that Jake, the Douglases that own the property directly to the east have  
20 been working for years to solve water problems directly across from where the solar will be and is  
21 constantly flooding the creek drainage that goes through the Delcomyns and under IL 130. She said they  
22 are currently not living at their house; they have been displaced by a fire so they're living in Stone Creek,  
23 and they have been watching the current construction going on and it's really messy and really wet. She  
24 said that's a much smaller field and they haven't even put most of the solar panels on and it's already  
25 flooding. She said the huge construction trucks they have out there were in the mud for a week stuck in  
26 the mud; they had to build a makeshift road to get in there. She said so her main concern is the water and  
27 how it affects Stone Creek and everything around there; she thinks it will become a big issue. She said  
28 living there, they actually witness the water table coming up, and that's without 60 acres of solar being  
29 there. She said it's hard to imagine what it would turn into once this is built. She said those are her main  
30 concerns along with just community here. She said she is also in the same situation as Dr. Vahling, as she  
31 has a rental property as well; it's a duplex they rent out. She said having this here where her tenants could  
32 directly see that, she absolutely believe it brings down the value of what she can ask for her rental  
33 properties. She said that is another concern she has. She said the park is the other huge concern; she feels  
34 like this impedes the community, the natural environment that they crave living in the country and wanting  
35 to have the community grow as residential. She said they actually just met their neighbors who bought the  
36 farm property at Myra Station today, and they're planning to have a farmstand; this is the kind of life that  
37 we all want to live here is the rural life with the community. She feels like this just goes against all of that.  
38

39 Mr. Elwell asked if there were any questions for Ms. Rodrigues. Seeing none, he asked if anyone would  
40 like to cross-examine Ms. Rodrigues. Seeing no one, he called Mrs. Delcomyn to testify.  
41

42 Nancy Delcomyn, 3201 S High Cross Rd, Urbana, said she is here because she has a number of concerns  
43 about this solar project. She said her main concern is the City of Urbana; the city has a lot of challenges,  
44 and one of the challenges is where and how to grow. She said the Urbana Park District, her husband and  
45 her have a meeting with the mayor next week because that is one of the mayor's concerns, because Urbana  
46 in order to compete with Champaign, in order to just provide a tax base to keep us going, needs to expand.  
47 She said obviously Urbana can't go to the west, and now this is going to make it very difficult for Urbana  
48 to go to the south. She said she knows this was part of the Urbana Comprehensive Plan, and she feels it  
49 will directly and negatively impact future development to the south. She said she is of course worried

1 about the park. She said that land was donated in 2017, so it has been there waiting, and she wanted to  
2 remind everybody that that strip, the reason she was able to be a commissioner in the Urbana Park District  
3 is because there is a strip of land that Nolan Craver, after a lot of consideration, allowed them to be annexed  
4 into the park district. She said her piece of property is connected to the Urbana Park District with a strip  
5 of land running all the way up to Windsor Road. She said there is a small culvert for farm equipment  
6 access that is currently the only access into the property. She said when they talked to the city about  
7 donating this property, as Michael Walker said, there was a thought that IL 130 was way too busy to try  
8 to get local park traffic off into the park, so the likely park road would come in from the north. She said  
9 another concern of hers is property values; not only their property values, not only the Rodrigues's  
10 property values or the vet clinic's property values, but how about Stone Creek. She said that's a pretty  
11 tony neighborhood, and she doesn't think that their idea of a tony neighbor is a solar array, no matter how  
12 well masked it is by fencing. She said Stone Creek is pretty important to Urbana, and if we want to keep  
13 attracting new development in Stone Creek, that's something we need to think about. She said she is  
14 asking the County if we could get this information sooner than before this meeting, that was a problem.  
15 She said she's not really good with maps, but she is better with maps than two paragraphs of words  
16 describing where the project is. She said if the information that comes out to people would have some sort  
17 of picture on it, it would help them a lot to know exactly the property that is being talked about. She asked  
18 why they were the only ones who were alerted to this zoning case.

19  
20 Ms. Burgstrom said for Special Use Permit cases, we have a 250 foot surrounding notification area. She  
21 said that is exclusive of right-of-way, so it's 250 feet north of the north side of Windsor Road, for example.  
22 She said so it could be that some of their neighbors did not hear about this because of that notification  
23 area. She said it's for the entire tract of land, not just the project area.

24  
25 Mrs. Delcomyn said her personal feeling is that is not a large enough area because she thinks that the  
26 people who live in Stone Creek will be so directly affected by such a massive project as this, and those in  
27 Douglas Woods also. She asked that that be taken under consideration for a project like this when there  
28 are kind of widely spread landowners; she thinks that would be a help. She said now she has some  
29 questions. She said she is interested in the tax implications of this property; who is going to benefit from  
30 this beside the Nolan Craver family.

31  
32 Mr. Elwell said it's not actually our purview for tax benefits.

33  
34 Mrs. Delcomyn asked if tax would be collected, would tax be changed, is the property still going to be  
35 rated as AG-2.

36  
37 Mr. Elwell said there's no change for the zoning district, so it is going to stay AG-2.

38  
39 Mrs. Delcomyn said so the taxes currently paid on property that's probably paying five to six times what  
40 an acre of ag land would be, are the taxes going to stay the same.

41  
42 Mr. Elwell said he thinks the best person to have that conversation with is probably the County Assessor  
43 and not this Board.

44  
45 Mrs. Delcomyn said all right, but she thinks that's something to take into consideration. She said she finds  
46 that there are a number of precedents that are considering to be set here that she is not real happy with.  
47 She said she thinks that the setting of the precedent of a 90% reduction of the setback is a pretty huge  
48 amount. She said instead of a 245-foot setback, there's a 24-foot setback; that's a lot of space. She said  
49 this is how she packs her suitcase when she's going on a trip – it is packed to the brim, there's not a square



1 foot here that is not being used. She said she's not sure that that's a particularly good precedent to set. She  
2 said she doesn't like the idea of what is essentially an industrial use being set in AG-2 land, across the  
3 street from the most expensive housing in Urbana. She said if nothing else, just visually, it's not a very  
4 good precedent to set. She said she is wondering if there are benefits to the County, if there are benefits  
5 to the City of Urbana, or Urbana School District 116, the Urbana Park District, are any of us going to  
6 benefit, or is it all a benefit to the landowner. She asked if they would be able to buy cheaper electricity,  
7 with Urbana be able to buy into cheaper electricity, will Champaign County have access to cheaper  
8 electricity because of this. She said she is not as concerned about the noise as she was originally, especially  
9 since she believes the data centers are the noise problems. She said it appears the inverters sound like an  
10 air conditioner that is 100 feet away, so that is not a big problem. She said as she mentioned before, she  
11 is concerned about the vegetation. She said they live there, they've had a prairie for a good 15 years, she  
12 understands what it's like to try to manage property, not as well as her husband does. She said she thinks  
13 there's more to it perhaps, and she thinks that the thought of a lot of problems with weeds coming into the  
14 park as well as surrounding residences is going to be more than is anticipated by the developers. She said  
15 she can tell them, because she sees the water in that field, that is not an adequately tiled field already. She  
16 said Mr. Craver was not particularly interested in putting money into tiling in his field, and it floods. She  
17 said they have a lot of soggy land around them in general, so that's also a concern.  
18

19 Mr. Elwell thanked Mrs. Delcomyn and asked if there were any questions from the Board or Staff. Seeing  
20 none, he asked if anyone would like to cross-examine Mrs. Delcomyn. Seeing no one, he called Mr.  
21 Delcomyn to testify.  
22

23 Fred Delcomyn, 3201 South High Cross Road, Urbana, said they may wonder why both he and his wife  
24 are separately giving testimony here. He said she is an independent person, she has her ideas, and he has  
25 his own ideas. He said he objects to this proposal for two particular reasons, and he will try to summarize  
26 them fairly succinctly. He said first, authorizing the PV solar farm seems to him to subvert the prohibition  
27 on industrial development within one-half mile of a city boundary. He said cities ought to have room to  
28 grow, that's been touched on before. He said putting this solar farm here, even though it may be  
29 decommissioned after 30 years, will prevent the growth of Urbana to the south, obviously. He said  
30 furthermore, quite apart from the requirement for the one-half mile limit of this type of project, the project  
31 also seems to completely subvert the City of Urbana Comprehensive Plan. He said the idea of this park was  
32 contemplated, there was reliance on the City of Urbana Comprehensive Plan with the siting of the park.  
33 He said authorizing this project sends a strong message, it seems to him, that comprehensive plans have  
34 no value, and anyone can propose anything quite irrespective of what a comprehensive plan may say. He  
35 said a second reason for opposing this project is the strong negative impact it would have on the proposed  
36 park adjacent to it. He said he does appreciate the solar developer's concerns about mitigating the effect  
37 of the presence of the solar farm by considering vegetation and a berm; nevertheless, even with that kind  
38 of protection or barrier, the impact on this proposed park site would be substantial in his view. He said  
39 people like to go outdoors to experience nature; many of the parks in Urbana give people the opportunity  
40 to do this - Meadowbrook Park, Busey Woods, Weaver Park and so on. He said this would be another  
41 park of that same type. He said people are not going to be quite so willing or happy about going to a park  
42 that has a solar farm or solar array along one quarter mile of its length. He said he thinks that the idea of  
43 having residences next to the park is ideal; you can look to Meadowbrook Park for a similar kind of  
44 arrangement. He said the Stone Creek development is north of Meadowbrook Park and the houses there  
45 are nicely landscaped to fit in with the park. He said the idea for the proposed park here would be similar,  
46 that is that residential development would be adjacent to the park, would blend in with the park, and the  
47 park would be actually an amenity that would help attract developers to develop this area. He said he  
48 thinks that no matter what the mitigation effects put in place are to help protect the park, and as he said  
49 before he does appreciate the willingness to do some sort of mitigation, he thinks the presence of the solar

1 farm at all will be a strongly negative factor. He said for these reasons as well as others noted by other  
2 speakers, he urges the Department of Planning & Zoning and the County Board to reject this project.

3  
4 Mr. Elwell thanked Mr. Delcomyn and asked if there were any questions from the Board or Staff. Seeing  
5 none, he asked if anyone would like to cross-examine Mr. Delcomyn. Seeing no one, he asked if anyone  
6 else would like to testify in this case. Seeing no one, he asked for a motion to close the Witness Register  
7 for Cases 126-S-23 and 127-S-23.

8  
9 **Ms. Cunningham moved, seconded by Mr. Bates, to close the Witness Register for Cases 126-S-23**  
10 **and 127-S-23. The motion passed by voice vote.**

11  
12 Mr. Elwell said he had not done the research into the size of the University of Illinois solar farm facility  
13 on First Street. He asked Mr. Hall if he knew the approximate acreage of that facility.

14  
15 Mr. Hall said he did not; he's thinking that the most recent expansion was approximately 50 acres, but he  
16 has no idea how large the first phase was.

17  
18 Mr. Elwell asked if it was quite a bit bigger than what we would be talking about for the proposed solar  
19 farm.

20  
21 Mr. Hall said if the latest expansion was 50 acres, it's pretty close to what these two projects total.

22  
23 Ms. Burgstrom looked it up on Google and said the first phase of the University of Illinois solar farm was  
24 20.8 acres.

25  
26 Mr. Elwell said it was his understanding the last time he traveled on First Street that he didn't recall any  
27 type of vegetative screen or anything like that, and it's pretty close to the street.

28  
29 Mr. Hall said he's not familiar with that area.

30  
31 Ms. Cunningham asked if it is permissible for the Board to ask the developers to do ongoing noise studies  
32 and noise mitigations if necessary as part of their process.

33  
34 Mr. Hall said he has been wondering about that, because again, they can't require a lesser noise level than  
35 the Illinois Pollution Control Board, but requiring some sort of future monitoring of sound, does that  
36 contradict Public Act 102-1123, it's not a direct contradiction, it's not provided for in the Public Act. He  
37 said without checking with the State's Attorney, he would say if the Board thinks that is something that is  
38 important enough, they could require it, and just understand they may not end up being able to enforce it,  
39 but it doesn't contradict the Public Act. He said ELUC had directed a text amendment to add a requirement  
40 for a post-construction noise study one time, but then when the Public Act was adopted, we dropped that  
41 text amendment, so the County has considered things like that in the past. He said all he can say is that it  
42 doesn't contradict the Public Act.

43  
44 Mr. Elwell asked Mr. Hall if in the past they haven't had a special condition where if there is any type of  
45 complaints for noise, that the study is done and if the petitioner is found in violation, then they reimburse  
46 the County.

47  
48 Mr. Hall said that's actually what our ordinance says; the County has to front the cost of that study. He  
49 said he can't imagine what kind of complaints would prompt the County to go out and contract for a

1 \$75,000 study with no guarantee that they are going to get reimbursed for it. He said his impression is that  
2 those would have to be pretty extreme circumstances, but that is what our ordinance says.  
3  
4 Mr. Elwell asked if adding a yearly study was overly burdensome.  
5  
6 Mr. Hall said he could imagine someone thinking that would be overly burdensome.  
7  
8 Mr. Elwell asked if there was any other discussion.  
9  
10 Ms. Burgstrom asked the petitioners if they recalled how many inverters are at each equipment pad.  
11  
12 Mr. Vollbrecht said there would be two inverters on site one, and one inverter on site two.  
13  
14 Ms. Burgstrom said okay,  
15  
16 Mr. Vollbrecht said sorry, he misspoke. Looking closer at the site plan, he said 18 inverters on site one,  
17 and ten inverters on site two. He apologized.  
18  
19 Ms. Burgstrom said following up on that, when the specification sheet for the inverters lists a decibel  
20 rating, it's for one inverter at one meter, so we really don't know the actual noise level, the impact of that  
21 number of inverters, would Mr. Vollbrecht say that's fair.  
22  
23 Mr. Vollbrecht said they're all making a similar amount of noise, so it still should be fairly low; he's not  
24 a noise expert.  
25  
26 Ms. Burgstrom said she didn't understand the science, do they build on one another, does it all become  
27 one noise that's not very loud, she doesn't know. She said on the other hand, we've done a lot of solar  
28 farm analysis here with a bunch of different developers, and we've seen every time that there was a noise  
29 study done that they've come within the parameters of the Illinois Pollution Control Board, and her feeling  
30 is the same thing would happen if there was a study done for this farm as well, but we don't have a noise  
31 study in this case.  
32  
33 Mr. Andersen asked if the developers would be monitoring the inverters in any way to know if they're  
34 going bad.  
35  
36 Mr. Vollbrecht said yes, there's an electronic control system that actually monitors everything, so it  
37 monitors each individual panel, and it also monitors the inverters. He said if there's any malfunction the  
38 team knows that right away. He said even if you have a cracked panel or something like that, or a bird hits  
39 it or something, even if you have one broken panel on that farm, the system reports that and then the  
40 maintenance team can replace that panel right away. He said that also applies to the inverters.  
41  
42 Mr. Bates asked if the system was reporting sound back.  
43  
44 Mr. Vollbrecht said no, just if everything is functioning properly.  
45  
46 Mr. Andersen said why he was asking that is with his background in the electric industry, if these inverters  
47 are going bad, if they're going to go get noisy when the fan goes out, is that something they are going to  
48 be able to notice. He said there's a lot of concern about noise, so if they're monitoring the system if it's  
49 malfunctioning they should know about it.

1 Mr. Vollbrecht said it's not going to report the fan making too much noise, but it's going to report the fan  
2 not functioning properly and then maintenance will check it.

3  
4 Mr. Elwell asked if he missed who their end customer is.

5  
6 Christian Schlesinger with ForeFront Power said this is considered a community solar project, and what  
7 that means is they have an agreement with a local utility to interconnect into their grid, which will service  
8 a local substation. He said they will then go out to the local community, residents and business owners,  
9 and the local community can subscribe into the electrical production of the system. He said they will see  
10 a savings on their electric bill as a result.

11  
12 Mr. Elwell said he doesn't know if they have any of this information, but he anticipates this not being  
13 their first development. He asked in the past, with their other developments, can they speak to anything  
14 about the potential tax increases. He asked if they have seen that in the past or is that not something as a  
15 developer that they would necessarily have information on.

16  
17 Mr. Schlesinger said yes, they do have a senior tax manager on staff at ForeFront, and he did ask her to  
18 look into what the tax implications are for the County. He said he believed they provided something via  
19 email to Ms. Burgstrom.

20  
21 Ms. Burgstrom said they did, and she hoped they had access to that because it's something that fell through  
22 the cracks in terms of printing it out for tonight.

23  
24 Mr. Schlesinger said based on calculations from ForeFront's senior tax manager, over the life of the  
25 system, compared to the current taxes being paid on that land, there would be an increase in taxes of a  
26 little over \$903,000.

27  
28 Mr. Elwell said over 30 years.

29  
30 Mr. Schlesinger said correct.

31  
32 Mr. Elwell asked Mrs. Delcomyn if that answered her question.

33  
34 Mrs. Delcomyn said yes it did.

35  
36 Mr. Vollbrecht said that would be in addition to all the permit processing fees and construction fees.

37  
38 Mr. Flesner said if they did see an issue, their maintenance team would figure that out and come fix the  
39 problem. He asked if their maintenance team is local or are they coming from Pennsylvania or Wyoming  
40 or Nebraska.

41  
42 Mr. Schlesinger said they partner with local operations and maintenance companies, so ideally it will be  
43 a local company that if their monitoring system does pick up an error or something like that that needs  
44 attention, or if it's the same company that would do the maintenance on cutting the grass several times a  
45 year depending on the rate of growth of the grass, they would be dispatched immediately. He said they  
46 typically use local contractors because of where they're located so they can attend to it quickly. He said if  
47 the system is not operating correctly, then they're not fulfilling the obligation.

48  
49 Mr. Elwell asked if there were any other questions from the Board or Staff.

1 Mr. Randol said he had a question going back to the water issue. He asked on the roadways they have in  
2 there, are they raised above the current level, or will they dig down and put a base in and bring it back to  
3 current levels.

4  
5 Mr. Vollbrecht said generally there will be a little bit of cut and fill for the road, so they'll cut the road out  
6 to keep it level with the rest of the site. He said it just makes all the maintenance activities easier and they  
7 don't have a road that they need to lift equipment over. He said it will be at the existing grade.

8  
9 Mr. Randol asked if they cut a drainage ditch along the roadside or do they keep it pretty level, will they  
10 drive right across it with a mower.

11  
12 Mr. Vollbrecht said generally yes, but part of the design will depend on what the stormwater management  
13 plan calls for and what the site calls for. He said generally they're going to be as flat as possible. He said  
14 in situations where they need to control the water, there may be a ditch or something like that, but very  
15 unlikely, especially on sites like this that are fairly flat.

16  
17 Mr. Randol asked in a case where this is described as being low anyhow, with standing water, and they  
18 put in a ditch, where would they direct that flow of water.

19  
20 Mr. Vollbrecht said it would have to be treated in a stormwater basin onsite before it could be discharged  
21 offsite. He said that is part of the Storm Water Pollution Prevention Plan (SWPPP), and that is designed  
22 at the building permit stage because it's kind of a final construction document. He said that has the plans  
23 for controlling all the stormwater onsite, it has a construction inspection schedule. He said during  
24 construction they need to be inspected weekly plus they need to be inspected every time there's a one-  
25 inch rain event. He said he's not a SWPPP expert, but there's a plan that is part of the construction  
26 documents that manages and treats the stormwater onsite.

27  
28 Mr. Randol asked so in their final plan they would have a stormwater retention basin.

29  
30 Mr. Vollbrecht said yes; again, he's not a stormwater expert, but there will probably be stormwater  
31 detention somewhere onsite, a small basin, maybe not, it just depends on the site.

32  
33 Mr. Elwell asked if there was any cross-examination of the developers.

34  
35 Mr. Flesner asked if need be before the stormwater basin, would there be a drainage tile that runs off to a  
36 creek. He said there has to be some sort of overflow.

37  
38 Mr. Vollbrecht said again, it totally depends; most likely not, most likely it would be like an infiltration  
39 basin. He said it's like what you see in a lot of residential neighborhoods.

40  
41 Mr. Elwell asked if there were any other questions from the Board or Staff.

42  
43 Mr. Randol said the concern that he's looking at there is that their current drawings do not show any  
44 anticipated area for drainage, so they would have to be revising what their basic plan is here tonight.

45  
46 Mr. Vollbrecht said if they needed a pond, they would have to tweak it a little bit, yes.

47  
48 Mr. Randol said one other thing that hasn't been brought up is he knows the fire protection district they  
49 would be located in and said they would be contacting them since they didn't reach out to the developers.

1 Mr. Vollbrecht said they have been in contact with them, and they actually increased the fence width  
2 between the sites in the plan before them to make sure their trucks would fit. He said the only other thing  
3 they requested was a Knox box for access.  
4

5 Mr. Randol asked if the fire protection district requested to work with them on developing a safety plan  
6 as to what the district would be required to do or not do if they would have to go in there.  
7

8 Mr. Vollbrecht said no.  
9

10 Mr. Elwell asked Mr. Hall at what point would we know that they need a detention basin.  
11

12 Mr. Hall said our view has always been that a solar farm doesn't increase the impervious area enough to  
13 require detention unless there is a concentrated area of an acre of solid impervious area, which there isn't  
14 in this proposal. He said if you've looked at the topography for this site, it looks like one big detention  
15 basin already. He said he's glad to hear that if they need to put in a place for stormwater to stand, that's a  
16 good idea. He said infiltration doesn't work very well in Champaign County because our soils have low  
17 permeability, they're wet to begin with, so you're not going to get much infiltration. He said it's good to  
18 know they'll put in a basin if they need to, but from our perspective, for stormwater management, we  
19 don't require it.  
20

21 Mr. Elwell asked if there were any other questions. Seeing none, he asked if anyone would like to cross-  
22 examine the developers.  
23

24 Mike McCormick said he is assuming that a decision is not going to be made tonight given the fact that  
25 these gentlemen have heard a lot of conversation and he's assuming they will be getting back to the  
26 property owners, at least the ones who have expressed concern to deal with those. He said if that is correct,  
27 he is not necessarily in a position where he needs to cross-examine them. He said if his understanding is  
28 not correct, then they are getting ready to prepare a motion to adopt this and send it on to the County  
29 Board, then he would have a few questions probably.  
30

31 Mr. Hall said the Board actually can't take action on this tonight; Urbana has retracted their previous  
32 comments, so under the terms of the ordinance, this solar farm needs to be at two meetings that are at least  
33 one month apart. He said looking at our docket, they're going to be more than a month apart.  
34

35 Mr. McCormick said he doesn't want to waste everyone's time here; they'd be more than happy to discuss  
36 the matters that they brought up in their testimony with the developers and then if those don't get resolved  
37 or they don't think they'll get resolved, they can always come back and cross-examine them.  
38

39 Fred Delcomyn asked if other sites were considered for this solar farm, or were the developers contacted  
40 by the landowner.  
41

42 Mr. Elwell said that question does not relate to testimony given tonight.  
43

44 Mr. Delcomyn said okay, in that case he has nothing more to ask.  
45

46 Mr. Elwell asked if anyone else would like to cross-examine this witness. Seeing no one, he asked Mr.  
47 Hall about the docket and what date they could continue the case to.  
48

49 Mr. Hall said he thinks the first opportunity would be March 14<sup>th</sup>. He said every meeting between now

1 and then is essentially closed. He said there are two other cases on February 29<sup>th</sup>, so he wouldn't  
2 recommend continuing a solar farm to that date, so that's why he's saying March 14<sup>th</sup>.

3  
4 Mr. Elwell asked the petitioners if March 14<sup>th</sup> would work for them.

5  
6 Mr. Schlesinger said yes, that would work.

7  
8 Mr. Elwell asked for a motion to continue Cases 126-S-23 and 127-S-23 to the March 14, 2024 ZBA  
9 meeting.

10  
11 **Mr. Roberts moved, seconded by Mr. Andersen, to continue Cases 126-S-23 and 127-S-23 to the**  
12 **March 14, 2024 ZBA meeting. The motion passed by voice vote.**

13  
14 **8. Staff Report - None**

15  
16 **9. Other Business**

17 **A. Review of Docket**

18  
19 Mr. Elwell asked if there would be any upcoming absences.

20  
21 Mr. Randol said he would not be here February 15<sup>th</sup> or 29<sup>th</sup> due to shoulder surgery.

22  
23 Ms. Burgstrom said they'll recall that they had the Donato Bondville case, which was continued to the  
24 February 15<sup>th</sup> ZBA meeting to wait for the County Board to come to a decision at the January County  
25 Board meeting. She said the County Board continued the case to later in February, so there really isn't  
26 much point in meeting as a ZBA until the County Board comes to that decision. She asked if the Board  
27 would like to continue case 111-S-23 to a later date which could be as early as March 14<sup>th</sup>.

28  
29 Mr. Elwell asked if the Board had any thoughts on the continuance date.

30  
31 Ms. Cunningham said March 14<sup>th</sup> would put us with the current cases, and she thinks that would be a lot.

32  
33 Mr. Flesner said the last time they were here for that case it went way into the evening.

34  
35 Ms. Cunningham said perhaps March 28<sup>th</sup> might be better for the Donato case.

36  
37 Mr. Elwell requested a motion to continue Case 111-S-23 to March 28, 2024.

38  
39 **Mr. Andersen moved, seconded by Mr. Flesner, to continue Case 111-S-23 to March 28, 2024. The**  
40 **motion passed by voice vote.**

41  
42 **10. Adjournment**

43  
44 Mr. Elwell entertained a motion to adjourn.

45  
46 **Mr. Roberts moved, seconded by Mr. Andersen, to adjourn the meeting. The motion passed by voice**  
47 **vote.**

48  
49 The meeting adjourned at 8:26 p.m.

1 Respectfully Submitted,  
2  
3  
4 Secretary of the Zoning Board of Appeals