



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

MINUTES – Approved as Distributed April 6, 2023

DATE: Thursday, March 9, 2023
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)	
Jim Goss	
Kyle Patterson	
Emily Rodriguez	
Jilmala Rogers	
Chris Stohr	
Eric Thorsland (Chair)	

County Staff: John Hall (Zoning Administrator) and Mary Ward (Recording Secretary)

Others Present: None

MINUTES

I. Call to Order

Committee Chair Thorsland called the meeting to order at 6:30 p.m.

II. Roll Call

Roll call was taken, and a quorum was declared present.

III. Approval of Agenda/Addendum

MOTION by Mr. Goss to approve the agenda and addendum, seconded by Mr. Patterson. Upon voice vote, the **MOTION CARRIED** unanimously to approve the agenda and addendum.

IV. Approval of Minutes

A. February 9, 2023 – Regular Meeting

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

V. Public Participation

There was no public participation.

34 VI. Communications

35

36 Mr. Stohr reminded the committee that the registration was open for the Household Hazardous Waste Recycling
37 event on April 15.

38

39 VII. New Business: Items to be Recommended to the County Board

40 A. **Zoning Case 083-S-22.** A request by Anthony Donato, d.b.a. IAG Investments, LLC to authorize a Special
41 Use Permit for a photovoltaic solar array with a total nameplate capacity of 5 megawatts (MW), including
42 access roads and wiring as a County Board Special Use Permit and as a second principal use in addition to
43 a data center authorized by the ZBA in related Case 082-S-22, in the AG-2 Agriculture and B-3 Highway
44 Business Zoning Districts on a 21-acre tract in the Northeast Quarter of the Southeast Quarter and the
45 Southeast Quarter of the Northeast Quarter of Section 24, Township 20 North, Range 8 East of the Third
46 Principal Meridian in Hensley Township that is located west of the Road Ranger facility with an address of
47 4910 N. Market St., Champaign, and including the following waivers of standard conditions:

48

49 Part A: A waiver from providing a Decommissioning and Site Reclamation Plan that includes cost
50 estimates prepared by an Illinois Licensed Professional Engineer prior to consideration of the Special Use
51 Permit by the Board, per Section 6.1.1 A 3.

52

53 Part B: A waiver from locating the PV Solar Array less than one and one-half miles from an incorporated
54 municipality with a zoning ordinance per Section 6.1.5 B.(2)a.

55

56 Part C: A waiver from submitting a Roadway Upgrade and Maintenance Agreement prior to consideration
57 of the Special Use Permit by the Board, per Section 6.1.5 G.(1).

58

59 Mr. Hall informed the committee that Part C, the waiver from submitting a Roadway Upgrade and
60 Maintenance Agreement, is not needed. When this goes to the County Board, a waiver for Part C will not
61 be included. This was recommended unanimously by ZBA and there were no comments at the public
62 hearing.

63

64 **MOTION** by Mr. Esry to approve Zoning Case 083-S-22 with the elimination of Part C. Seconded by Ms.
65 Rogers. Mr. Goss has a potential conflict and will be abstaining on the votes for all parts of this zoning
66 case. Upon voice vote, the **MOTION CARRIED** unanimously with one abstention.

67

68 B. **Decommissioning and Site Reclamation Plan for Zoning Case 083-S-22.** A request by Anthony Donato,
69 via IAG Investments LLC, to approve the Decommissioning and Site Reclamation Plan for the PV SOLAR
70 ARRAY in Zoning Case 083-S-22 with a total nameplate capacity of 5 megawatts (MW), including access
71 roads and wiring, on a 21-acre tract in the Northeast Quarter of the Southeast Quarter and the Southeast
72 Quarter of the Northeast Quarter of Section 24, Township 20 North, Range 8 East of the Third Principal
73 Meridian in Hensley Township that is located West of the Road Ranger facility with an address of 4910 N.
74 Market St., Champaign.

75

76 This was compared with and consistent to the previous two zoning cases. It has the same unit costs.

77

78 **MOTION** by Mr. Patterson and seconded by Ms. Rogers to approve the Decommissioning and Site
79 Reclamation Plan for Zoning Case 083-S-22. Upon voice vote, the **MOTION CARRIED** unanimously with
80 an abstention by Mr. Goss.

81

82 C. **Noise Analysis for Zoning Case 083-S-22.** A request by Anthony Donato, via IAG Investments LLC, to
83 approve the noise analysis for the PV SOLAR ARRAY in Zoning Case 083-S-22 with a total nameplate
84 capacity of 5 megawatts (MW), including access roads and wiring, on a 21-acre tract in the Northeast
85 Quarter of the Southeast Quarter and the Southeast Quarter of the Northeast Quarter of Section 24,
86 Township 20 North, Range 8 East of the Third Principal Meridian in Hensley Township that is located west
87 of the Road Ranger facility with an address of 4910 N. Market St., Champaign.
88

89 The analysis shows the nearest residential property line to the solar array will have a noise level of about
90 40 dBA, which is well below the Pollution Control Board requirement.
91

92 **MOTION** by Mr. Patterson and seconded by Mr. Stohr to accept the Noise Analysis for Zoning Case 083-S-
93 22. Upon voice vote, the **MOTION CARRIED** unanimously with an abstention by Mr. Goss.
94

95 D. **Authorization for Public Hearing on Proposed Zoning Ordinance Text Amendment to Revise**
96 **Requirements for Wind Farm and PV Solar Farm as required by Public Act 102-1123.**
97

98 Mr. Hall said that this is for approval by the committee to go to the Zoning Board of Appeals and does not
99 need County Board approval. This is in response to the new Public Act adopted by the State that takes
100 away the county's discretion in approving Wind Farms and Solar Farms. Basically, we're being told we
101 have to do this by the State. The county's ordinance cannot be more restrictive than the Public Act. This
102 means that this amendment will establish new standards for Wind Farms and Solar Farms that is much
103 less restrictive than the current ordinance.
104

105 A change is being made to the timeline. The state would like it done by May 27th, which we will not be
106 able to meet. The new proposed timeline has this going to the County Board on June 22nd. Normally,
107 text amendments sit at ELUC for a month, instead the plan is to have it for the June 8th ELUC meeting for
108 the committee to both to affirm the ZBA recommendations and then also recommend to the County
109 Board. The County Board could approve this at their June 22nd meeting. The timeline will not meet the
110 State's requirement but will do our best to meet it. There are 2-3 grey areas that will be sent to the
111 State's Attorney's Office and hopefully, we'll hear back from them in a timely manner.
112

113 Mr. Goss asked if the committee and ZBA could be provided with a red-line version of all the changes. It
114 wouldn't really be a red-line version as we are keeping the current requirements to deal with non-
115 conformities for the existing wind farm. We are actually adding a new section for those approved after
116 this is adopted. Mr. Hall had planned on doing a red-line version on the Decommissioning and Site
117 Reclamation Plan. Mr. Goss felt that we need something to show the comparison. A comparison chart
118 was suggested and would work also.
119

120 Mr. Patterson asked since the State is essentially writing an ordinance, do we even need an ordinance?
121 The way the State has written this is ingenious. You can't have an ordinance that prohibits them, you
122 can't have an ordinance that is more restrictive and if you have an ordinance, you must have a public
123 hearing. A public hearing gives an environment where the public can ask questions of the developer and
124 testimony is given under oath.
125

126 Mr. Esry will vote no on this. This is his way of protesting what the state has forced upon us. This was
127 done at the end of the lame duck session. The Governor had said he didn't agree with this and would
128 leave it up to the counties and work with them. If there are trailer bills, then we'll have to go through
129 hearings again to match the State ordinance again. He didn't think any counties in the state were in
130 favor of this. He will vote no.

131 **MOTION** by Ms. Rogers to authorize a public hearing on the proposed zoning ordinance text
132 amendment. Seconded by Mr. Patterson. A roll call vote was taken, and the **MOTION CARRIED** with a
133 vote of 5 yays to 2 nays. Yays = Patterson, Rodriguez, Rogers, Stohr, and Thorsland. Nays = Esry and
134 Goss.
135

- 136 E. County Board Resolution Authorizing Signature of County Executive for Extension of IHDA Strong
137 Communities Program Grant.
138

139 Mr. Hall said that the grant program will be extended for six months. We hope that within the six-month
140 extension we will be able do a project.
141

142 **MOTION** by Mr. Goss and seconded by Mr. Patterson to approve recommending the County Board
143 Resolution. Upon voice vote, the **MOTION CARRIED** unanimously.
144

145 **VIII.** Other Business

- 146 A. Semi-Annual Review of CLOSED Session Minutes
147

148 Everyone had a chance to look at the information from the State’s Attorney.
149

150 **MOTION** by Mr. Esry per the State’s Attorney’s advice to keep the closed session minutes closed. Seconded
151 by Ms. Rodriguez. Upon voice vote, the **MOTION CARRIED** unanimously.
152

153 **IX.** Chair’s Report
154

155 There was no chair’s report.
156

157 **X.** Designation of Items to be Placed on the Consent Agenda
158

159 Items VII. A., B., C., and E. are to be placed on the Consent Agenda.
160

161 **XI.** Adjournment
162

163 Mr. Thorsland adjourned the meeting at 7:02 p.m.