



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

MINUTES – Approved as Distributed August 10, 2023

DATE: Thursday, May 4, 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) Susan Burgstrom (Senior Planner), and Mary Ward (Recording Secretary)

Others Present: None

MINUTES

I. Call to Order

Committee Chair Thorsland called the meeting to order at 6:31 p.m.

II. Roll Call

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

III. Approval of Agenda/Addendum

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

IV. Approval of Minutes

A. April 6, 2023 – Regular Meeting

MOTION by Mr. Goss to approve the minutes of the April 6, 2023 regular meeting, seconded by Mr. Stohr. Upon voice vote, the **MOTION CARRIED** unanimously to approve the minutes.

V. Public Participation

Pat Fitzgerald, Champaign, attorney on behalf of Prairie Solar I (BayWa r.e.) – here to answer questions on the Decommissioning and Site Reclamation Plan, Road Use Agreements, Noise Study and Vegetative Screening that were special conditions imposed when the project was approved. Listened to the concerns in 2019 to concerns about use of best prime farmland. The original plan was for 150 MW on 1609 acres. The current plan is 135 MW on 750 acres. Solar arrays can generate more energy today than with the tech available in 2019.

Jim White, Mayor of Homer – voiced concerns about Medanos Solar Farm going in adjacent to the Village of Homer. The Village has concerns with setbacks, and with longevity of green scaping around the solar farm. There are no benefits for the Village.

Kiera Gavin, Chicago, Rep for Medanos Solar – this is a 5 MW project on 46 acres. They have made significant site plan changes since the beginning of this project. There was concern with a drainage issue and they have addressed that issue. Noise was also an issue, and that issue is addressed in the plan.

Suzanne Smith, Homer – made comments on the Medanos decommissioning plan. There are 17,400 units that will go into this field. There is no where in Illinois that accepts used solar panels. The closest is in Cleveland. There are toxins and hazardous elements in the solar panels and hopes it is handled well.

VI. Communications

Chris Stohr reminded the committee of the upcoming Residential Electronics Recycling drive. Sign-ups are now available.

VII. New Business: Items for Information Only

A. **Online registration open for May 20, 2023, Residential Electronics Collection Event at Parkland College**

Information only. Mr. Stohr just spoke on the event.

B. **Illinois Environmental Protection Agency Notice of Application for a Construction Permit IL23040002 for a diesel emergency generator at the University of Illinois Advanced Computational Building at 1011 West Springfield Avenue, Urbana IL**

Information only, no discussion.

C. **Notice of Champaign County inclusion in Class Action Settlement in City of Long Beach, et al. v. Monsanto Company and receipt of funds.**

Received a check for \$27,000 as our part of the settlement. We did not know we were included in this. The funds are intended to pay for sampling and mitigation at the members sole discretion. It's not often the County receives funds to spend at sole discretion. Funds have been put into a deferred revenue account. Champaign and Urbana also received funds as part of the settlement. Ms. Rodriguez asked that the handout the committee received be posted online. Mr. Stohr said that PCBs are in the environment and a concern for public health.

D. Illinois Environmental Protection Agency Notice of Proposed Renewal of the Clean Air Act Permit for the Peoples Gas Light and Coke Company Manlove Gas Storage Field

Information only, no discussion.

VIII. New Business: Items to be Recommended to the County Board

A. Zoning Case 074-S-22. A request by Medanos Solar LLC, PO Box 14055, Chicago, IL 60614, a subsidiary of Cultivate Power, LLC, owned by Brian Matthay, 2819 Buchanan St, San Francisco, CA 94123 and Noah HYTE, 321 Beloit Ave, Los Angeles, CA 90049; via agent Kiera Gavin, and participating landowner Terry Wolf, 1409 W Bridalveil Pl, Oro Valley, AZ 85737, to authorize a Community PV Solar Farm with a total nameplate capacity of 5 megawatts (MW), including access roads and wiring, in the AG-1 and AG-2 Agriculture Zoning Districts, on a 48.64-acre tract in the Southeast Quarter of the Southwest Quarter and the Southwest Quarter of the Southeast Quarter and part of a 197.02-acre tract in the east half of Section 4, Township 18 North, Range 14 West of the Second Principal Meridian in South Homer Township, and commonly known as farmland owned by Terry Wolf on the north side of CR 1100N (County Highway 15) northeast of the Village of Homer, Illinois and including the following waivers of standard conditions:

Part A: A waiver for a distance of 0 feet between a PV Solar Farm and a municipal boundary in lieu of the minimum required one-half mile (2,640 feet), per Section 6.1.5 B.(2)a. of the Zoning Ordinance.

Part B: A waiver for not providing a Decommissioning and Site Reclamation Plan that includes cost estimates prepared by an Illinois Licensed Professional Engineer prior to consideration of the Special Use Permit by the Board, per Section 6.1.1 A.3. of the Zoning Ordinance.

Part C: A waiver for not entering into a Roadway Upgrade and Maintenance Agreement or waiver therefrom with the relevant local highway authority prior to consideration of the Special Use Permit by the Board, per Section 6.1.5 G. of the Zoning Ordinance.

Part D: A waiver for not completing consultation with the State Historic Preservation Officer of the Illinois Department of Natural Resources prior to consideration of the Special Use Permit by the Board, per Section 6.1.5 K. of the Zoning Ordinance.

This is the same information as last month. Mr. Goss reiterated his complaint and disdain for this case. Mr. Wolf can do with his land what he wants, but this is within one-half mile of the Village of Homer and he doesn't want to set a precedent with this case. He will be voting no. Mr. Thorsland noted that ZBA recommended this be denied by a 3 to 4 vote. He went through the Findings of Fact that ZBA puts out. There are lots of special conditions imposed. Mr. Esry stated that he would be voting no as Homer doesn't want it. Commended the solar farm for all the changes they have made to accommodate the Village of Homer, but doesn't fault Homer for trying to get the best out of a bad situation. Mr. Patterson stated he would be supporting this.

A roll call vote was requested.

MOTION to approve and forward Zoning Case 074-S-22 to the County Board was made by Mr. Patterson; seconded by Ms. Rogers. Upon roll call vote, the **MOTION CARRIED** by a vote of five yeas to two nays. (Yeas = Patterson, Rodriguez, Rogers, Stohr and Thorsland. Nays = Esry and Goss)

- B. Decommissioning and Site Reclamation Plan for Zoning Case 074-S-22.** A request by Medanos Solar LLC, PO Box 14055, Chicago, IL 60614, a subsidiary of Cultivate Power, LLC, owned by Brian Matthay, 2819 Buchanan St, San Francisco, CA 94123 and Noah Hyte, 321 Beloit Ave, Los Angeles, CA 90049; via agent Kiera Gavin, and participating landowner Terry Wolf, 1409 W Bridalveil Pl, Oro Valley, AZ 85737, to approve the Decommissioning and Site Reclamation Plan for the PV Solar Farm in Zoning Case 074-S-22 with a total nameplate capacity of 5 megawatts (MW), including access roads and wiring, in the AG-1 and AG-2 Agriculture Zoning Districts, on a 48.64-acre tract in the Southeast Quarter of the Southwest Quarter and the Southwest Quarter of the Southeast Quarter and part of a 197.02-acre tract in the east half of Section 4, Township 18 North, Range 14 West of the Second Principal Meridian in South Homer Township, and commonly known as farmland owned by Terry Wolf on the north side of CR 1100N (County Highway 15) northeast of the Village of Homer, Illinois.

The cost of the DSRP is in line with the other DSRP's that have been approved. It falls between the Rantoul solar array and the Windsor Road solar array.

MOTION to approve the Decommissioning and Site Reclamation Plan for Zoning Case 074-S-22 was Made by Mr. Patterson and seconded by Ms. Rodriguez. Upon roll call vote, the **MOTION CARRIED** by a vote of five yeas to two nays. (Yeas = Patterson, Rodriguez, Rogers, Stohr and Thorsland. Nays = Esry and Goss)

- C. Zoning Case 035-AM-21.** A request by Jeffrey Jenkins d.b.a Walnut Grove MHC to amend the Zoning Map to change the zoning district designation from the AG-1 Agriculture Zoning District to the R-5 Manufactured Home Park Zoning District in order to operate the proposed Special Use with waivers in related Zoning Case 036-S-21 for a proposed 8 lot expansion of a non-conforming manufactured home park on a 9.68-acre tract in the Northwest Quarter of the Northwest Quarter of Section 10, Township 20 North, Range 9 East of the Third Principal Meridian in Somer Township and commonly known as Walnut Grove MHC with an address of 1513 CR 2300N, Urbana.

There was brief discussion on this case regarding the number of ZBA meetings that were held on this case and Mr. Stohr had a question regarding if there is landscaping around the mobile home court to help mitigate drift from farm chemicals and also if they were served by individual wells. There is buffering and some trees on the east side. Mr. Jenkins said there is one 5-hp well that serves the whole mobile home court. The original owner had plans to expand and had installed 3600-gallon storage and 6-inch water line.

MOTION by Ms. Rogers and second by Ms. Rodriguez to approve Zoning Case 035-AM-21. Upon voice vote, the **MOTION CARRIED** unanimously.

- D. Approval of documents fulfilling special conditions for Zoning Case 898-S-18 (BayWa r.e.).** A request by Prairie Solar 1, LLC, a PV solar farm that was previously approved in Case 898-S-18 in Ordinance No.2019-1 on January 24, 2019, and that is wholly owned by BayWa r.e. Development, LLC, via agent Brandon Reinhardt, Associate Director of Development for BayWa r.e. Solar Projects LLC, 18575 Jamboree Road, Suite 850, Irvine, CA 92612, to authorize the following documents pursuant to special conditions in Case 898-S-18:

- 1. A Decommissioning and Site Reclamation Plan**
- 2. Road use agreements with the Champaign County Highway Department, Sidney Township, and the Village of Homer**

3. **A revised noise analysis with a proposed revision of the special condition requiring noise reduction kits on the inverters**
4. **Vegetative screening around the relevant portions of the fenced area.**

Mr. Hall stated that they not approving the road use agreements but acknowledging that they have been executed. The Decommissioning and Site Reclamation Plan is 135 MW on 750 acres, making this much larger than the committee has seen so far. The prices don't appear to be out of line, but there is nothing to compare them to. As to the noise analysis, this was a big thing when this was first proposed. In the original Special Use Permit approval, the petitioner agreed to accept a noise limit of 39 dBA, much lower than the IL PCB limits. They also agreed to use sound reduction kits. Newer technology and a reduced project area have resulted in the use of fewer, quieter inverters. As designed now, it will achieve less than 39 dBA without the noise reduction kits. There is also a revised special condition to approve. There is an updated Vegetative Screening Plan from when the agenda packet was sent out.

The revised special condition I reads as follows: "A Zoning Compliance Certificate shall be required For the PV SOLAR FARM prior to going into commercial production of energy. Approval of a Zoning Compliance Certificate shall require the following: A noise study to verify that the noise level without the sound reduction kits for all inverters is less than 39 dBA noise level at all existing residential lots within 1500 feet of the project site or sound reduction kits shall be required. ELUC shall review the noise study and determine if the sound reduction kits are, in fact, required and, if so, whether an additional noise study is necessary. This will be part of the motion that is made on this case.

MOTION to approve the documents fulfilling special conditions for Zoning Case 898-S-18 including Those four items and with the change to part I of the special conditions made by Mr. Patterson and Seconded by Ms. Rogers. Upon voice vote, the **MOTION CARRIED** unanimously.

E. Annual Facility Inspection Report for the period 4/1/22 – 3/31/23 for Champaign County's National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer System (MS4) Storm Water Discharge Permit with the Illinois Environmental Protection Agency (IEPA)

Mr. Hall thanked Trevor Partin for preparing this report and this is due to the IEPA on June 1.

MOTION to approve the Annual Facility Inspection Report was made by Mr. Esry and seconded by Mr. Patterson. Upon voice vote, the **MOTION CARRIED** unanimously.

IX. Other Business

There was no other business

X. Chair's Report

There was no Chair's Report

XI. Designation of Items to be Placed on the Consent Agenda

Items to be placed on the Consent Agenda include: VIII. C., D. (all four parts) and E.

XII. Adjournment

The meeting was adjourned at 7:36 p.m.