

MINUTES OF REGULAR MEETING

CHAMPAIGN COUNTY ZONING BOARD OF APPEALS

**1776 E. Washington Street
Urbana, IL 61802**

DATE: June 29, 2017

**PLACE: John Dimit Meeting Room
1776 East Washington Street**

TIME: 7:00 p.m.

Urbana, IL 61802

MEMBERS PRESENT: Catherine Capel, Frank DiNovo, Debra Griest, Brad Passalacqua, Jim Randol, Eric Thorsland

MEMBERS ABSENT : Marilyn Lee

STAFF PRESENT : Lori Busboom, Susan Burgstrom, Jamie Hitt, John Hall

OTHERS PRESENT : Scott Docherty, Helen Burch, Sherry Gordon, Bill Gordon, Kevin Kingery, Ruth Ann Kingery, Fred Holhubner, David Willcox, Ellen Willcox, Don White, Jenifer Buchanan, Douglas Buchanan, Sharon Greear, Texas Greear, John Pratt, Viki Hawley, Chuck Hawley, Pat Bolen, Cheryl Hawley, Pat Bolen, Cheryl McGuffin, Ronald McGuffin, Derald Meier, Sandra Meier, Sandra Pijanowsky, Jerry Pijanowsky, Linda Ogden, Stan Harper, David Glass, Rene Wahlfeldt, Fred Wahlfeldt, Sue Moody, Mark Moody, Dawn Moody, Joellyn White, Joseph Pisula, Joy Pisula, Charlie Trimble, Patsy Pratt, Jill Blanche, Cynthia Dodds, Mike Friend, Dax Nolen, Mark Hartman, Loraine McComb, Kent Randolph, Roger Fredenhagen, Jack Price, Barbara Price, Toby Drollinger, Naomi Drollinger, Don Hunt, Sharon White, Jim Prather, Vicki Trimble, Dian Campbell, Mindy Campbell, Sean Campbell, Joyce Dill, Pat Dill, Aaron Esry, Tony Blanck, Ryan Meekman, Michael Murphy, Makayla Dulaney, Rick Willing, Catherine Schneider, Brian Nightlinger, Steve Thuney, Joe Donahue, Joe Dulaney, Barbara Payne, Bonnie Moseley, Dennis Auteberry, Laura Auteberry, Karen Wilson, Ben Manna, James Johnson, Jerry Ragle, Ginny Ragle

1. Call to Order

The meeting was called to order at 7:02 p.m.

2. Roll Call and Declaration of Quorum

The roll was called and a quorum declared present.

Mr. Thorsland 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 **3. Correspondence**

2
3 None

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5 **4. Approval of Minutes (May 11, 2017)**

6
7 Mr. Thorsland entertained a motion to approve the May 11, 2017, minutes.

8
9 **Mr. Randol moved, seconded by Ms. Capel, to approve the May 11, 2017, minutes.**

10
11 Mr. Thorsland asked the Board if there were any additions or corrections to the May 11, 2017, minutes.

12
13 Mr. DiNovo stated that the copies distributed to the Board tonight do not reflect the changes that he emailed
14 staff.

15
16 Ms. Burgstrom stated that Mr. DiNovo emailed revisions to the May 11, 2017, minutes to staff as follows:
17 Page 13, Lines 9 and 10 should read as follows: Mr. DiNovo stated that in his view, the lot coverage is part
18 of a set of rules that govern the intensity of use and its intent is to control how much of the air volume of the
19 site is actually used. Page 14, Lines 16 and 17 should read as follows: Mr. DiNovo stated that the case
20 name is, “Camardo v. Village of La Grange Park” and he could provide the name of the entire citation at a
21 later time.

22
23 **The motion carried by voice vote.**

24
25 **5. Continued Public Hearing**

26
27 **Case 868-S-17 Petitioner: Topflight Grain Coop, Inc. and Scott Docherty, General Manager and**
28 **officers: Kyle Johnson, Greg Briggs, and Cary Hinton Request to authorize the construction of 2**
29 **grain storage tanks with a height of 145 feet 2 inches as a Special Use in the AG-1, Agriculture and I-1**
30 **Light Industry Zoning District, per Section 4.3.1 of the Champaign County Zoning Ordinance.**
31 **Location: A 2.25-acre tract located in Seymour, bounded by Main Street to the west, Front Street to**
32 **the south, and the railroad tracks to the north, in the Southwest Quarter of the Northwest Quarter of**
33 **Section 16, Township 19 North, Range 7 East of the Third Principal Meridian in Scott Township and**
34 **commonly known as the Topflight Grain Cooperative Elevator at 202 North Main Street, Seymour.**

35
36 **Case 874-V-17 Petitioner: Topflight Grain Coop, Inc. and Scott Docherty, General Manager and**
37 **officers: Kyle Johnson, Greg Briggs, and Cary Hinton Part A: Authorize a variance for the**
38 **construction of 2 grain storage tanks with a front yard of 11 feet and a setback of 30 feet from the**
39 **centerline of a local street in lieu of the minimum required 25 feet and 55 feet, respectively, in the AG-**
40 **1 Agriculture and I-1 Light Industry Zoning District, per Section 5.3 of the Champaign County**
41 **Zoning Ordinance; and Part B. Authorize a variance for the construction of 1 grain storage tank with**
42 **a rear yard of 15 feet for the portion of the western storage tank that is in the I-1 Zoning District in**
43 **lieu of the minimum required 20 feet; and Part C. Authorize a variance for the construction of 1 grain**
44 **storage tank with a rear yard of 11 feet for the portion of the western storage tank that is in the AG-1**
45 **Zoning District in lieu of the minimum required 25 feet; and Part D. Authorize a variance for the**
46 **construction of 1 grain storage tank with a rear yard of 11 feet for the eastern storage tank that is**
47 **entirely in the AG-1 Zoning District, in lieu of the minimum requires 25 feet. Location: A 2.25-acre**

1 **tract located in Seymour, bounded by Main Street to the west, Front Street to the south, and the**
2 **railroad tracks to the north, in the Southwest Quarter of the Northwest Quarter of Section 16,**
3 **Township 19 North, Range 7 East of the Third Principal Meridian in Scott Township and commonly**
4 **known as the Topflight Grain Cooperative Elevator at 202 North Main Street, Seymour.**
5

6 Mr. Thorsland informed the audience that Cases 868-S-17 and 874-V-17 are Administrative Cases and as
7 such, the County allows anyone the opportunity to cross-examine any witness. He said that at the proper
8 time, he will ask for a show of hands for those who would like to cross-examine and each person will be
9 called upon. He requested that anyone called to cross-examine go to the cross-examination microphone to
10 ask any questions. He said that those who desire to cross-examine are not required to sign the witness
11 register but are requested to clearly state their name before asking any questions. He noted that no new
12 testimony is to be given during the cross-examination. He said that attorneys who have complied with
13 Article 7.6 of the ZBA By-Laws are exempt from cross-examination.
14

15 Mr. Thorsland informed the audience that anyone wishing to testify for any public hearing tonight must sign
16 the witness register for that public hearing. He reminded the audience that when they sign the witness
17 register they are signing an oath. He asked the audience if anyone desired to sign the witness register and
18 there was no one.
19

20 Mr. Thorsland asked the petitioner to make a short statement regarding their request.
21

22 Mr. Randol stated that he is a resident of Seymour and Chairman of the Seymour Water District. He said that
23 he does not have anything that he feels is objectionable tonight, so it would be up to the Board to decide if he
24 should recuse himself from the case.
25

26 Mr. Thorsland asked the Board if they were comfortable with Mr. Randol hearing testimony and acting on
27 the case.
28

29 The Board responded in the affirmative.
30

31 Mr. Thorsland thanked Mr. Randol.
32

33 Mr. Thorsland called Mr. Scott Docherty to testify.
34

35 Mr. Scott Docherty, General Manager for Topflight Grain Coop, Inc, 420 West Marion Street, Monticello,
36 stated that he at a prior meeting he presented testimony to the Board, and since that last meeting he provided
37 staff with the as-built drawings of the dry detention basin. He said that today he sent updated photos of the
38 east detention basin to staff and those photos are included in the Supplemental Memo that was distributed
39 this evening. He said he had spoken with Philip Carper, who had concerns about the drainage in that area
40 and Mr. Carper indicated his support for them moving forward with this project. Mr. Docherty said he also
41 spoke with Mr. Karr, who testified at the last meeting. Mr. Docherty stated that both Mr. Carper and Mr.
42 Karr were more than willing to work comprehensively with TopFlight on drainage issues, which seemed to
43 be the main issue raised at the last meeting. Mr. Docherty noted that the projected start date for this project
44 would be spring of 2018.
45

46 Mr. Thorsland thanked Mr. Docherty.
47

1 Mr. Thorsland called John Hall to testify.
2
3 Mr. John Hall, Zoning Administrator, distributed the new Supplemental Memorandum #3 dated June 29,
4 2017, to the Board for review. He said that the Supplemental Memorandum has two attachments. He said
5 that Attachment A, the as-built drawings of the detention basin from 2004, includes contours on the as-built
6 and shows more volume in the basin as constructed than what was required. He said he had not actually
7 calculated the volume shown, but in general, 99 and 100 foot contours were about 100 feet further east than
8 they were supposed to be, so there is a measurable difference there and there is absolutely more volume there
9 than was required. Mr. Hall referred to Attachment B, which is a set of photos of the detention basin
10 submitted by Mr. Docherty. He said that dry detention basins in Champaign County are sometimes hard to
11 see unless you are up real close, but you can see that there is a good cover of grass in that basin, as there
12 should be; there are no huge piles of stalks, which is good; and being a dry basin, at any point in time there
13 could be siltation, and the County does not require any long-term monitoring of things like that. He said that
14 we do not usually have detention basins that are subject to so much runoff from surrounding farmland. He
15 said that we do know that as of 2004 they had more volume than what was required.
16
17 Mr. Thorsland asked if there were any questions regarding the Supplemental Memo or testimony from Mr.
18 Docherty. He said he was not here for the first meeting on this case, and he has looked to the minutes to get
19 up to speed and it appears that the drainage basin was the biggest concern. He asked the Board if today's
20 updated information helped with concerns about the drainage basin.
21
22 Mr. DiNovo asked Mr. Hall to indicate the invert elevation for the outlet used to calculate the storage
23 volume.
24
25 Mr. Hall stated that it was based on the invert of the constructed weir, which he believes was 97.5, but he
26 does not have that information in front of him right now.
27
28 Mr. DiNovo stated that he visited the site today, and it looked to him like the basin was designed to have a
29 low berm running along its west side, so that there would be a shallow ditch that picked up water from the
30 south that came in from the corrugated arch culvert and then conveyed down to the culvert under the railroad
31 in a ditch. He said that the basin was designed to capture water from the east that would be stored behind a
32 low berm and presumably just allowed to infiltrate. He said that in looking at the engineering drawings from
33 the earlier case, he did not see anything that looked like an outlet control structure. He said that in inspecting
34 the basin today, there did not seem to be any berm at all and as far as he can tell, any water that flows into
35 that basin will flow right back out of there.
36
37 Mr. Hall concurred, stating that the water would flow back out of the concrete arched culvert. He said there
38 is significant storage that happens in that field, and that it happened before the structure was built. He said
39 that the construction of this structure had nothing to do with that, it is a natural phenomenon that is a
40 function of the drainage area draining to that one single culvert under the railroad.
41
42 Mr. DiNovo stated that the culvert under the railroad is the only outlet control structure for that whole
43 watershed.
44
45 Mr. Hall stated that there was supposed to be a concrete weir that just controlled the very small events, and
46 probably still got swamped even for small events, but it was shown on the engineering drawings.
47

1 Mr. DiNovo said that the way the basin is set up, any water that flows into it will flow to whatever is behind
2 that culvert under the railroad, and it looked to him that the corrugated arch and the culvert under the railroad
3 were about the same cross-section in area. He said he does not see where any water is being contained
4 anywhere.

5
6 Mr. Hall stated that it is tough to have on-line detention because there are hundreds of acres draining there,
7 even in a small storm.

8
9 Mr. DiNovo stated that according to the engineering drawings, there should be a low berm across the west
10 end of the detention basin that is not there. He said it appeared that the berm should be at about 100.5 local
11 datum, which would put it about 1.5 to 2 feet above the adjacent grade in the basin on the west end.

12
13 Mr. Hall stated that he did not recall a berm along the west end. He said that it drained to the ditch that goes
14 around the grain elevator.

15
16 Mr. DiNovo referred to the as-built drawing, and pointed out contour lines on both sides of the flow line. He
17 said that as far as he could tell, the contour lines go up and down on both sides of the flow line of that ditch.
18 He said it looks to him like there should be a low berm, and he does not understand what else this detention
19 basin does if there isn't something that holds water in that basin above the outlet to the ditch along the
20 railroad. He said that as it is configured now, it is not doing anything.

21
22 Mr. Hall stated that there is always some amount of detention there just due to the size of the detention area,
23 because there is the 30-inch culvert.

24
25 Mr. DiNovo stated that it is not actually a detention basin; rather, it is compensatory storage.

26
27 Mr. Hall stated that most of it is compensatory storage. He said that there is no way to build a detention basin
28 on 3 acres for this tributary area.

29
30 Mr. DiNovo stated that it only had to hold the equivalent of the runoff from the Topflight site and it was not
31 intended to serve the whole basin.

32
33 Mr. Thorsland stated that it does that with room to spare.

34
35 Mr. Hall responded yes.

36
37 Mr. Thorsland asked the Board if there were any additional questions for Mr. Docherty or staff and there
38 were none.

39
40 Mr. Thorsland asked Mr. Docherty if there was anything else on which he would like to elaborate.

41
42 Mr. Docherty stated the only thing he would add is that there are 3 laterals within the detention basin itself
43 that are tied to a tile line that goes underneath the railroad tracks that does drain water from that basin, in
44 addition to the water that flows through the culvert underneath the railroad tracks.

45
46 Mr. Thorsland stated that detention seemed to be the main concern during the last meeting. He asked the
47 Board if there was anything being missed before the Board moves to the special conditions and the Finding

1 of Fact, and there were indicated no.

2
3 Mr. Thorsland informed Mr. Docherty that the special conditions would be read into the record, and now is
4 the time if there are any last-minute questions, or changes he wants to make, or to negotiate with the Board.
5 Mr. Thorsland informed Mr. Docherty that if he agrees with the conditions, then he needs to indicate such
6 for the record.

7
8 Mr. Thorsland read Special Condition A.

9
10 **A. The Zoning Administrator shall not authorize a Zoning Use Permit Application or issue**
11 **a Zoning Compliance Certificate on the subject property until the lighting**
12 **specifications in Paragraph 6.1.2.A. of the Zoning Ordinance have been met.**

13
14 The special condition stated above is required to ensure the following:
15 **That exterior lighting for the proposed Special Use meets the requirements**
16 **established for Special Uses in the Zoning Ordinance.**

17
18 Mr. Thorsland asked Mr. Docherty if he agreed with Special Condition A.

19
20 Mr. Docherty stated that he agreed with Special Condition A.

21
22 **B. The Zoning Administrator shall not issue a Zoning Compliance Certificate for the**
23 **proposed storage tanks until the petitioner has demonstrated that the proposed Special**
24 **Use complies with the Illinois Accessibility Code.**

25
26 The special condition stated above is required to ensure the following:
27 **That the proposed Special Use meets applicable state requirements for**
28 **accessibility.**

29
30 Mr. Thorsland asked Mr. Docherty if he agreed with Special Condition B.

31
32 Mr. Docherty stated he agreed with Special Condition B.

33
34 **C. The Zoning Administrator shall not authorize a Zoning Compliance Certificate on the**
35 **subject property until the petitioners submit a revised site plan that includes the storm**
36 **water detention area.**

37
38 The special condition stated above is required to ensure the following:
39 **That there will be a complete site plan for approval.**

40
41 Mr. Hall told the Board that if they feel that the proposed Site Plan and the documentation of the as-built
42 basin together should comprise the Official Site Plan, then this special condition would not be necessary.

43
44 Mr. Thorsland asked the Board if they were comfortable with the two sets, and if they wanted to strike this
45 condition.

46
47 The Board concurred and Special Condition C was stricken.

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Mr. Thorsland asked Mr. Docherty if he agreed with Special Condition C being stricken.

Mr. Docherty agreed.

Mr. Thorsland read new Special Condition C, formerly D.

C.D. The Zoning Administrator shall not authorize a Zoning Compliance Certificate on the subject property until the petitioners submit as-built drawings of the detention basin that was the subject of Case 360-V-02.

The special condition stated above is required to ensure the following:

That drainage issues were mitigated as approved in Case 360-V-02.

Mr. Hall stated that the petitioner has already submitted as-built drawing of the detention basin that was the subject of Case 360-V-02.

Mr. Thorsland stated that the special condition would be stricken, and Special Condition E would be re-lettered as Special Condition C.

Mr. Thorsland asked Mr. Docherty if he agreed with new Special Condition C. being stricken.

Mr. Docherty agreed.

C.E. The petitioners must include the construction of the temporary grain storage facility and pay corresponding fees in the Zoning Use Permit Application for the 2 storage tanks.

The special condition stated above is required to ensure the following:

That all structures on the subject property are properly permitted.

Mr. Docherty asked if that was omitted when the storage facility was approved in 2002.

Mr. Hall that a Zoning Use Permit Application was never received for that project.

Mr. Docherty stated that TopFlight would correct that error.

Mr. Thorsland asked Mr. Docherty if he agreed to new Special Condition C.

Mr. Docherty stated that he agreed to new Special Condition C.

Mr. Thorsland asked the audience if anyone would like to cross-examine Mr. Docherty and there was no one.

Mr. Thorsland entertained a motion to approve the special conditions as amended.

Ms. Griest moved, seconded by Mr. Passalacqua, to approve the special conditions as amended. The motion carried by voice vote.

1 Mr. Thorsland asked staff if there was anything from Supplemental Memorandum #3 or testimony from
2 tonight that needs to go into the Summary of Evidence.

3
4 Ms. Griest stated that there are additions to the Documents of Record.

5
6 Mr. Thorsland asked Mr. Hall to indicate the new Documents of Record.

7
8 Mr. Hall stated that new Document of Record Item 7 is the letter received from Mr. Carper on May 11, 2017;
9 Item 8 is Supplemental Memorandum #1 dated May 11, 2017, with attachments; Item 9 is Supplemental
10 Memorandum #2 dated June 22, 2017, with attachments; and Item 10 is Supplemental Memorandum #3
11 dated June 29, 2017, with attachments.

12
13 **FINDINGS OF FACT:**

14
15 From the documents of record and the testimony and exhibits received at the public hearing for zoning cases
16 868-S-17 and 874-V-17 held on May 11, 2017, and June 29, 2017, the Zoning Board of Appeals of
17 Champaign County finds that:

18
19 **1. The requested Special Use Permit IS necessary for the public convenience at this location.**

20
21 Mr. DiNovo said that it IS necessary for the public convenience at this location because this allows for
22 continued service area to the existing service of the elevator.

23
24 Ms. Griest said with higher production rates on the ground, additional capacity is necessary at this facility.

25
26 **2. The requested Special Use Permit, SUBJECT TO THE SPECIAL CONDITIONS
27 IMPOSED HEREIN, is so designed, located, and proposed to be operated so that it WILL
28 NOT be injurious to the districts in which it shall be located or otherwise detrimental to the
29 public health, safety, and welfare because:**

30
31 **a. The street has ADEQUATE traffic capacity and the entrance location has
32 ADEQUATE visibility.**

33
34 Ms. Capel stated that the street has ADEQUATE traffic capacity and the entrance location has
35 ADEQUATE visibility.

36
37 **b. Emergency services availability is ADEQUATE.**

38
39 Mr. DiNovo stated that emergency service availability is ADEQUATE because the Seymour Fire
40 Protection District station is only 0.2 mile from the subject property.

41
42 **c. The Special Use WILL be compatible with adjacent uses.**

43
44 Mr. DiNovo stated that the Special Use WILL be compatible with adjacent uses because eliminating the
45 flat storage eliminates the potential for nuisances associated with spoiled grain, and because it will result
46 in an overall reduction in truck traffic.

d. Surface and subsurface drainage will be ADEQUATE.

Mr. Passalacqua stated that surface and subsurface drainage will be ADEQUATE because the storage tanks will take up less space than what the flat storage currently does.

e. Public safety will be ADEQUATE.

Mr. DiNovo stated that public safety will be ADEQUATE because we are reducing truck traffic and the new storage tank does not create any new hazards that don't already exist on the site.

f. The provisions for parking will be ADEQUATE.

Mr. Passalacqua stated that the provisions for parking will be ADEQUATE because there is nothing in the proposal that will increase parking demand.

g. The property IS WELL SUITED OVERALL for the proposed improvements.

Mr. Passalacqua stated that the property IS WELL SUITED OVERALL for the proposed improvements.

h. Existing public services ARE available to support the proposed SPECIAL USE without undue public expense.

Ms. Griest stated that existing public services ARE available to support the proposed SPECIAL USE without undue public expense.

i. Existing public infrastructure together with the proposed development IS adequate to support the proposed development effectively and safely without undue public expense.

Ms. Griest stated that Existing public infrastructure together with the proposed development IS adequate.

Mr. Thorsland stated that the requested Special Use Permit, SUBJECT TO THE SPECIAL CONDITIONS IMPOSED HEREIN, is so designed, located, and proposed to be operated so that it WILL NOT be injurious to the districts in which it shall be located or otherwise detrimental to the public health, safety, and welfare.

3a. The requested Special Use, SUBJECT TO THE SPECIAL CONDITIONS IMPOSED HEREIN, DOES conform to the applicable regulations and standards of the DISTRICTS in which it is located.

Ms. Griest stated that the requested Special Use, SUBJECT TO THE SPECIAL CONDITIONS IMPOSED HEREIN, DOES conform to the applicable regulations and standards of the DISTRICTS in which it is located.

3b. The requested Special Use Permit, SUBJECT TO THE SPECIAL CONDITIONS IMPOSED HEREIN, DOES preserve the essential character of the DISTRICTS in which it is located because:

- 1 **a. The Special Use will be designed to CONFORM to all relevant County ordinances**
2 **and codes.**

3
4 Ms. Griest stated that the Special Use will be designed to CONFORM to all relevant County ordinances
5 and codes.

- 6
7 **b. The Special Use WILL be compatible with adjacent uses.**

8
9 Ms. Griest stated that the Special Use WILL be compatible with adjacent uses.

- 10
11 **c. Public safety will be ADEQUATE.**

12
13 Ms. Griest stated that public safety will be ADEQUATE.

14
15 Ms. Griest stated that the requested Special Use Permit, SUBJECT TO THE SPECIAL CONDITIONS
16 IMPOSED HEREIN, DOES preserve the essential character of the DISTRICTS in which it is located.

- 17
18 **4. The requested Special Use Permit, SUBJECT TO THE SPECIAL CONDITIONS**
19 **IMPOSED HEREIN, IS in harmony with the general purpose and intent of the Ordinance**
20 **because:**

- 21 **a. The Special Use is authorized in the Districts.**

- 22
23 **b. The requested Special Use Permit IS necessary for the public convenience at this**
24 **location.**

25
26 Mr. Thorsland stated that the requested Special Use Permit IS necessary for the public convenience at
27 this location.

- 28
29 **c. The requested Special Use Permit, SUBJECT TO THE SPECIAL CONDITIONS**
30 **IMPOSED HEREIN, is so designed, located, and proposed to be operated so that it**
31 **WILL NOT be injurious to the districts in which it shall be located or otherwise**
32 **detrimental to the public health, safety, and welfare.**

33
34 Ms. Griest stated that the requested Special Use Permit, SUBJECT TO THE SPECIAL CONDITIONS
35 IMPOSED HEREIN, is so designed, located, and proposed to be operated so that it WILL NOT be
36 injurious to the districts in which it shall be located or otherwise detrimental to the public health, safety,
37 and welfare.

- 38
39 **d. The requested Special Use Permit, SUBJECT TO THE SPECIAL CONDITIONS**
40 **IMPOSED HEREIN, DOES preserve the essential character of the DISTRICTS in**
41 **which it is located.**

42
43 Ms. Griest stated that the requested Special Use Permit, SUBJECT TO THE SPECIAL CONDITIONS
44 IMPOSED HEREIN, DOES preserve the essential character of the DISTRICTS in which it is located.

45
46 Ms. Griest stated that the requested Special Use Permit, SUBJECT TO THE SPECIAL CONDITIONS
47 IMPOSED HEREIN, IS in harmony with the general purpose and intent of the Ordinance.

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5. The requested Special Use IS NOT an existing nonconforming use.

6. Regarding the variance:

a. Special conditions and circumstances DO exist which are peculiar to the land or structure involved, which are not applicable to other similarly situated land and structures elsewhere in the same district.

Mr. DiNovo stated that Special conditions and circumstances DO exist which are peculiar to the land or structure involved, which are not applicable to other similarly situated land and structures elsewhere in the same district because this is an existing plat of land that cannot be readily expanded and it is necessary to provide additional storage to meet the needs of the farmers in the service area.

b. Practical difficulties or hardships created by carrying out the strict letter of the regulations sought to be varied WILL prevent reasonable or otherwise permitted use of the land or structure or construction.

Mr. DiNovo stated that practical difficulties or hardships created by carrying out the strict letter of the regulations sought to be varied WILL prevent reasonable or otherwise permitted use of the land or structure or construction because accomodating the storage needs would require continued use of the flat storage, which is less desirable from any perspective.

c. The special conditions, circumstances, hardships, or practical difficulties DO NOT result from actions of the applicant.

Ms. Capel stated that the special conditions, circumstances, hardships, or practical difficulties DO NOT result from actions of the applicant because they are a result of the situation of the property and the increased yields of area farms.

d. The requested variance IS in harmony with the general purpose and intent of the Ordinance.

Mr. Thorsland stated that the requested variance IS in harmony with the general purpose and intent of the Ordinance because the Zoning Ordinance allows within its parameters to expand their storage area.

e. The requested variance WILL NOT be injurious to the neighborhood or otherwise detrimental to the public health, safety, or welfare.

Mr. Passalacqua stated that the requested variance WILL NOT be injurious to the neighborhood or otherwise detrimental to the public health, safety, or welfare because the proposed tanks are not injurious to the neighborhood and they provide for more use of their lot;

Mr. Thorsland added that the proposed tanks will reduce truck traffic and will provide more permanent solutions for their capacity needs.

Ms. Capel added that the proposed tanks should improve air quality and perhaps drainage.

1 f. The requested variance IS the minimum variation that will make possible the
2 reasonable use of the land/structure.
3

4 Ms. Griest stated that the requested variance IS the minimum variation that will make possible the
5 reasonable use of the land/structure because the proposed structure better utilizes the facility’s footprint
6 and eliminates the nuisances associated with flat storage, while allowing for greater capacity.
7

8 Mr. Thorsland said that Finding of Fact #7 contains the special conditions that were discussed and agreed
9 upon by the petitioner at tonight’s meeting.
10

11 Mr. Thorsland entertained a motion to adopt the Summary of Evidence, Documents of Record, and Findings
12 of Fact for Cases 868-S-17 and 874-V-17, as amended.
13

14 Mr. DiNovo moved, seconded by Mr. Passalacqua, to adopt the Summary of Evidence, Documents of
15 Record, and Findings of Fact for Cases 868-S-17 and 874-V-17, as amended. The motion carried by
16 voice vote.
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20 **FINAL DETERMINATION FOR CASE 868-S-17:**
21

22 Ms. Griest moved, seconded by Mr. DiNovo, that the Champaign County Zoning Board of Appeals
23 finds that, based upon the application, testimony, and other evidence received in this case, the
24 requirements of Section 9.1.11B. for approval HAVE been met, and pursuant to the authority granted
25 by Section 9.1.6 B. of the Champaign County Zoning Ordinance, determines that:
26

27 The Special Use requested in Case 868-S-17 is hereby GRANTED WITH SPECIAL CONDITIONS to
28 the applicants, Topflight Grain Coop, Inc., to authorize the following as a Special Use on land in the I-
29 1 Light Industry Zoning District:
30

31 Authorize the construction of 2 grain storage tanks with a height of 145 feet 2 inches as a
32 Special Use in the I-1 Light Industry Zoning District, per Section 4.3.1 of the Champaign
33 County Zoning Ordinance.
34

35 **SUBJECT TO THE FOLLOWING SPECIAL CONDITIONS:**

36 A. The Zoning Administrator shall not authorize a Zoning Use Permit Application or issue
37 a Zoning Compliance Certificate on the subject property until the lighting
38 specifications in Paragraph 6.1.2.A. of the Zoning Ordinance have been met.
39

40 B. The Zoning Administrator shall not issue a Zoning Compliance Certificate for the
41 proposed storage tanks until the petitioner has demonstrated that the proposed Special
42 Use complies with the Illinois Accessibility Code.
43

44 C. The petitioners must include the construction of the temporary grain storage facility
45 and pay corresponding fees in the Zoning Use Permit Application for the 2 storage
46 tanks.
47

1 Mr. Thorsland requested a roll call vote.

2

3 The roll was called as follows:

4

| | | | |
|---|-----------------|-------------------|--------------------|
| 5 | Capel – yes | DiNovo – yes | Griest – yes |
| 6 | Lee – absent | Passalacqua – yes | Randol – abstained |
| 7 | Thorsland – yes | | |

8

9 **FINAL DETERMINATION FOR CASE 874-V-17**

10

11 Ms. Griest moved, seconded by Mr. DiNovo, that the Champaign County Zoning Board of Appeals
12 finds that, based upon the application, testimony, and other evidence received in this case, that the
13 requirements for approval in Section 9.1.9.C HAVE been met, and pursuant to the authority granted
14 by Section 9.1.6.B of the Champaign County Zoning Ordinance, the Zoning Board of Appeals of
15 Champaign County determines that:

16

17 The Variance requested in Case 874-V-17 is hereby GRANTED to the applicant, Topflight Grain
18 Coop, Inc., to authorize the following variance in the I-1 Light Industry Zoning District:

19

20 Authorize the construction of 2 grain storage tanks with a setback of 30 feet from the
21 centerline of a local street in lieu of the minimum required 55 feet in the I-1 Light Industry
22 Zoning District, per Section 5.3 of the Champaign County Zoning Ordinance.

23

24 Mr. Thorsland requested a roll call vote.

25

26 The roll was called as follows:

27

| | | | |
|----|-------------------|--------------------|--------------|
| 28 | DiNovo – yes | Griest – yes | Lee – absent |
| 29 | Passalacqua – yes | Randol – abstained | Capel – yes |
| 30 | Thorsland – yes | | |

31

32 Mr. Hall informed Mr. Docherty that Cases 868-S-17 and 874-V-17 have been approved and Ms. Burgstrom
33 would be in contact with the petitioner regarding approval documentation and the next steps.

34

35 Mr. Thorsland called for a 5-minute break prior to the next case.

36

37 **The Board recessed at 7:47 p.m.**

38 **The Board resumed at 7:52 p.m.**

39

40 **6. New Public Hearings**

41

42 **Case 869-AM-17 Petitioner: Stonetown Woodland Acres LLC, and Principals, Dax Nolan, Vice**
43 **President, Roy Lapidus, Manager, Adam Minnick, Manager, Michael Friend, Manager for**
44 **Farnsworth Group Request: Amend the zoning Map to change the zoning district designation to**
45 **accommodate the proposed Special Use with waivers in related Zoning Case 870-S-17 and subject to**
46 **the variance requested in related Case 871-V-17 for the following portions of the subject property.**
47 **Part A: Change the zoning district designation from the R-1 single Family Residence Zoning District**

1 to the R-5 Manufactured Home Park Zoning District for the eastern 150 feet of the subject property
2 described below. **Part B. Change the zoning district designation from the B-2 Neighborhood Business**
3 **Zoning District to the R-5 Manufactured Home Park Zoning District for the 1.66-acre lot on the west**
4 **end of the subject property. Location: Three tracts of land totaling 13.37 acres, generally south and**
5 **east of the Urbana spur of I-74 (University Avenue/IL Route 130), north of US Route 150 (University**
6 **Avenue) and west of Smith Road, in the Southeast Quarter of the Southeast Quarter of Section 9 and**
7 **the West Half of the Southwest Quarter of Section 10 of Township and commonly known as**
8 **Woodland Acres Manufactured Home Park, with an address of 2200 East University Avenue, Urbana.**
9

10 **Case 870-S-17: Stonetown Woodland Acres LLC, and Principals, Dax Nolan, Vice President, Roy**
11 **Lapidus, Manager, Adam Minnick, Manager, Michael Friend, Manager for Farnsworth Group**
12 **Request: Authorize the expansion and use of an existing, nonconforming manufactured home park**
13 **with 93 existing and an additional 21 proposed manufactured home sites, as a Special Use Permit in**
14 **the R-5 Manufactured Home Park Zoning District, contingent upon the rezoning of the eastern 150**
15 **feet of the subject property in related case 869-AM-17 and subject to the variance requested in related**
16 **Case 871-V-17 and also subject to waivers A through R as listed on the legal advertisement, on the**
17 **subject property. Location: Three tracts of land totaling 13.37 acres, generally south and east of the**
18 **Urbana spur of I-74 (University Avenue/IL Route 130), north of US Route 150 (University Avenue)**
19 **and west of Smith Road, in the Southeast Quarter of the Southeast Quarter of Section 9 and the West**
20 **Half of the Southwest Quarter of Section 10 of Township and commonly known as Woodland Acres**
21 **Manufactured Home Park, with an address of 2200 East University Avenue, Urbana.**
22

23 **Case 871-V-17: Stonetown Woodland Acres LLC, and Principals, Dax Nolan, Vice President, Roy**
24 **Lapidus, Manager, Adam Minnick, Manager, Michael Friend, Manager for Farnsworth Group**
25 **Request: Authorize the use and expansion of an existing, nonconforming Manufactured Home Park in**
26 **the R-5 Manufactured Home Park Zoning District, contingent upon rezoning two parts of the subject**
27 **property in related case 869-AM-17 and subject to the request for Special Use Permit approval with**
28 **waivers in related Case 870-S-17 and also subject to the following required variance on the subject**
29 **property. Part A. Authorize a rear yard of 0 feet in lieu of the minimum required 15 feet, per Section**
30 **6.2.2 C. 2. For certain existing manufacture home sites. Location: Three tracts of land totaling 13.37**
31 **acres, generally south and east of the Urbana spur of I-74 (University Avenue/IL Route 130), north of**
32 **US Route 150 (University Avenue) and west of Smith Road, in the Southeast Quarter of the Southeast**
33 **Quarter of Section 9 and the West Half of the Southwest Quarter of Section 10 of Township and**
34 **commonly known as Woodland Acres Manufactured Home Park, with an address of 2200 East**
35 **University Avenue, Urbana.**
36

37 Mr. Thorsland informed the audience that Cases 870-S-17 and 871-V-17 are Administrative Cases and as
38 such, the County allows anyone the opportunity to cross-examine any witness. He said that at the proper
39 time, he will ask for a show of hands for those who would like to cross-examine and each person will be
40 called upon. He requested that anyone called to cross-examine go to the cross-examination microphone to
41 ask any questions. He said that those who desire to cross-examine are not required to sign the witness
42 register but are requested to clearly state their name before asking any questions. He noted that no new
43 testimony is to be given during the cross-examination. He said that attorneys who have complied with
44 Article 7.6 of the ZBA By-Laws are exempt from cross-examination.
45

46 Mr. Thorsland informed the audience that anyone wishing to testify for any public hearing tonight must sign
47 the witness register for that public hearing. He reminded the audience that when they sign the witness

1 register they are signing an oath. He asked the audience if anyone desired to sign the witness register at this
2 time, and there was no one.

3 Mr. Thorsland asked Mr. Hall to review new Supplemental Memorandum #1 for the case.
4

5 Mr. Hall stated that Supplemental Memorandum #1, with attachments summarizes a lot of the information
6 that has come into the office since the mailing. He said that the attachments include the following: emails
7 from a neighbor to Illinois Department of Transportation (IDOT) District 5 staff, mapping IDOT right-of-
8 way encroachments, and a map of the drainage basin. He stated that there is an email from neighbors Tony
9 and Jill Blanck received June 27, 2017; an email from Kevin Trapp, IDOT District 5, received June 28,
10 2017; email response from the petitioner received June 28, 2017 regarding the replacement of the homes that
11 encroach into the IDOT right-or-way. Mr. Hall said that IDOT is comfortable with those homes in the
12 encroachments being removed as those homes are replaced; as long as the homes are useable as they are, the
13 encroachment may remain. He said that staff received an email on June 29, 2017, from City of Urbana
14 Planner Lorrie Pearson, which requested that this case not receive action until after the City has had a chance
15 to review it with their Plan Commission; this meeting will be in early August. Mr. Hall stated that emails
16 were received from neighbor David Willcox, Ellen Willcox, petitioner's engineer Mike Friend, and a letter
17 from Edge-Scott Fire Protection District. Mr. Hall pointed out that the Edge-Scott FPD protests these zoning
18 cases; they do not actually have formal protest rights, but they are concerned about some aspects of this case.
19 Mr. Hall stated that Chief Steve Thuney is here tonight, and Mr. Hall hopes that Chief Thuney can share his
20 concerns with the Board. Mr. Hall said that lastly, there is a 1973 aerial photograph of the subject property
21 showing that the mobile home park as it exists right now was there on October 10, 1973, which leads us all
22 to wonder why the Zoning Map zoned the east 150 feet R-1 rather than R-5. Mr. Hall said that he reviewed
23 the Department of Planning and Zoning files from the Zoning Commission today and he found specific
24 mentioning of this manufactured home park, but there was no discussion about why there was that strip of R-
25 1 was included. He said that he would have to conclude at this point that it was an error. He said that on
26 October 10, 1973, a significant part of Edgewood Subdivision did not exist, but he said he has not had a
27 chance to go back through the files to see if perhaps they had received preliminary plat approval. He said that
28 the point is when Zoning was adopted, the manufactured home park was there, and Edgewood was still being
29 built out.
30

31 Mr. DiNovo suggested that the City of Urbana might have some form of approval for the mobile home park.
32

33 Mr. Hall responded that they might have, but the Champaign County Department of Planning and Zoning
34 has no record of it.
35

36 Mr. Thorsland thanked Mr. Hall,
37

38 Mr. Thorsland called Mike Friend to testify.
39

40 Mike Friend, who resides at 16833 North 600 East Road, Flanagan, stated that he is an Engineering Manager
41 for Farnsworth Group in the Champaign office. He thanked staff for their assistance. He noted that Dax
42 Nolan, petitioner, and Mark Hartman, Illinois Operations Manager for Stonetown, were in attendance as
43 well. He stated that he is an engineer, and prepares plans, permits and that type of thing and if there are
44 questions or comments with regard to technical matters that are engineering related, it will be his area of
45 expertise. He said if they are operational matters with the facility, then he defers to Mr. Nolan and Mr.
46 Hartman.
47

1 Mr. Thorsland requested that Mr. Nolan and Mr. Hartman sign the witness register so that they can present
2 testimony or answer any questions that the Board may have.

3
4 Mr. Friend stated that Mr. Hall has already made the observation that this facility has been in existence, with
5 some of the preliminary activity occurring in the 1950s. He said the first permit was issued in 1960 and it is
6 clear that a large part of the facility was pre-existing prior to zoning in Champaign County. Mr. Friend
7 stated that Stonetown Capital purchased Woodland Acres in September 2016. He said there have been
8 discussions with the City of Urbana as far back as January 2015, and discussions with the prior owner to
9 bring us to where we are tonight. Mr. Friend said that regarding the rezoning, a manufactured home park is
10 only allowed under the R-5 designation, so that is at the core of what those changes and zoning requests are
11 for. He said it is notable that there are currently 8 manufactured homes that are in the area zoned R-1.

12
13 Mr. Thorsland asked if those 8 lots have been in this R-1 strip since the 1950s.

14
15 Mr. Friend stated that he had not done the research to see when those lots exactly came into existence and
16 that is probably something that can be determined. He said that the 8 lots that are there now support the
17 notion that requesting the R-5 designation seems consistent with a large portion of the area that is zoned R-1.

18
19 Mr. DiNovo stated that it would be useful to discuss the criteria that goes into zoning map amendments, such
20 as reasons for believing there is an error, or reasons for believing there are changed conditions that justify the
21 rezoning. He said we need reasons to overcome the presumption that the R-1 zoning was correct. He told
22 Mr. Friend that if there is anything he wants to say that addresses the problems with the zoning, before we
23 get into the nuts and bolts of the Special Use Permit, that would be helpful.

24
25 Mr. Friend stated that it has been a manufactured home facility from the beginning; he said that is perhaps
26 too obvious to say, but he'll say it because the question is being asked. He said there are homes there, at least
27 in this strip of R-1, from the beginning. Mr. Friend asked Susan Burgstrom if she could pull up the zoning
28 map that was included in the application.

29
30 Ms. Burgstrom showed the zoning map that was in the packet on the screen; she did not have the map that
31 was in the application available in the digital files.

32
33 Mr. Friend stated that the map that was in the application has the zoning districts overlaid on an aerial photo.
34 He referred to the map and indicated with a pointer that there are manufactured homes in the area designated
35 R-1 District. He stated that the buildout currently present at the site includes that strip of R-1 District; and
36 that this is germane to this discussion. He said that if it had been zoned R-1, there would have needed to be
37 action by the Zoning Department if those got built after zoning came into place, or at a bare minimum, it
38 would seem that it could have been zoned incorrectly as R-1 if indeed there were manufactured homes
39 present. He said that irrespective of zoning, all of this has been developed as a manufactured home park, and
40 the request is to get that rezoned. He said that as Mr. Hall suggested, no one here has omniscience about
41 exactly what happened, but the fact that the rest of the facility is a manufactured home park and that at least a
42 portion of the park zoned R-1 has already been developed as a manufactured home park lends credence to
43 the rezoning to R-5.

44
45 Mr. Dax Nolan, who resides at 470 22nd Street, Denver, CO, stated that he is present tonight as a
46 representative for Stonetown Woodland Acres. He said that on the eastern side of the park, a lot of the
47 homes in that area, just because of their vintage, had to have been put there a very long time ago, and several

1 of the homes even have tail lights. Mr. Nolan said that in his opinion, that means they are late 60's or early
2 70's models, and they are actually some of the older homes in the community. He said he does not know
3 when the lots were built or in what order.
4

5 Mr. Friend stated that there is another section zoned B-2 on the west side, and really the discussion is the
6 same because there are existing manufactured homes in that portion of the facility that were there already.
7 He said that again, this is just requesting that the zoning reflect the existing use.
8

9 Mr. Thorsland referred to the 1973 aerial photo from Supplemental Memorandum #1, and stated that on the
10 west end, there appears to be a different configuration to the roads than the one we just looked at, and no
11 homes were in that little notch. He suggested that around 1973, maybe there was an intent to do something
12 different there. He said that he does not know what is in that circular drive in the photo, the white building
13 with the bigger roof, but it might be that at that point, there was a thought something else would develop. He
14 said that obviously, the more recent aerial photo with the zoning on it showed homes in that area. He said
15 that it is clear that the road actually changes in this area.
16

17 Ms. Jamie Hitt, Champaign County Zoning Officer, referred to the east side of the property, and stated there
18 were homes there in the 1973 aerial, so they were there prior to adoption of zoning on October 10, 1973.
19

20 Mr. Thorsland asked if both maps could be put on a split screen to better compare them.
21

22 Ms. Griest stated that she had the same observation as Mr. Thorsland; the park has expanded since 1973 on
23 that west side. She stated that in the segment that is that separate wedge in the business district, there were
24 no homes there in 1973. She said it looks like they used roads, but at one time the roads in the park truncated
25 and did not access onto the other property.
26

27 Mr. Thorsland referred to the photos and stated that one could see that the "dogleg" has smoothed out more
28 recently, and the western side makes an arc and over there was almost an alley. He noted that the large
29 building, whatever it was, is not there anymore, and the building on the corner now is the Casey's. He said
30 that a few homes have crept over to the west into the B-2.
31

32 Mr. DiNovo stated that there were a couple of homes that encroached into B-2 in 1973: one at the west end
33 of Michelle Lane, and another on the next street. He said there is a structure with a dark roof that does not
34 look like a mobile home.
35

36 Mr. Nolan stated that was a duplex structure that Stonetown demolished after purchasing the property.
37

38 Ms. Griest asked if the section of the property in B-2 is a separate plat (separate pin number), or are there
39 multiple zoning designations in the same parcel.
40

41 Ms. Burgstrom stated that the western parcel is all B-2.
42

43 Ms. Griest asked if it is a separate tax parcel.
44

45 Ms. Burgstrom responded yes.
46

47 Ms. Griest stated that may explain a lot more of the B-2 designation than it being erroneous.

1
2 Mr. Thorsland asked if that other southern section is also a separate number.
3
4 Ms. Burgstrom responded yes.
5
6 Mr. DiNovo stated that it would be interesting to know what the parcels looked like in 1973, if they even
7 show up. He said that one of the important things to remember about this is we did not have modern parcel
8 maps in 1973, and we only had partial tax maps. He said in some areas they are better than others, and he has
9 no idea what this looked like.
10
11 Mr. Thorsland stated that it has been established that homes were in all three areas, and the largest area, the
12 part that is partially R-1, there were homes there going back to 1973.
13
14 Mr. Friend concurred. He stated that the history of this area is interesting and germane to what the
15 petitioners seek to do, which is to fully utilize their existing property.
16
17 Ms. Griest clarified her previous point that it is not that she does not understand that there are homes there
18 presently; but those homes were placed there after the property was zoned, on that western parcel. She said
19 she does not dispute that on the eastern piece that was all part of the original parcel. She stated that for her,
20 that really differentiates the request.
21
22 Mr. Thorsland stated that in summary, the petitioners want to bring the entire property into R-5, because
23 clearly the intent, all the way back, was that they were in the R-5 district.
24
25 Mr. Friend stated that homes have been built on the property, he doesn't want to say in violation of, but
26 inconsistent with the current zoning designation.
27
28 Mr. Nolan stated that in Stonetown's timeframe of business and now owning over 50 mobile home parks, 49
29 of the 50 parks they have purchased have been legally nonconforming upon acquisition due to technology
30 and/or a variety of things. He said it is very common to see that, and they go through an extensive zoning
31 report that they must provide to their lenders. He said it is always interesting to see what they find and the
32 history of the different parcels.
33
34 Mr. Thorsland asked if there were any more questions toward the map amendment part of the testimony, and
35 there were none. He asked the petitioners if there was anything more they wanted to add.
36
37 Mr. Friend responded none at this time.
38
39 Mr. Thorsland opened discussion for the Special Use part of the case.
40
41 Mr. Friend asked Ms. Burgstrom to put the Overall Site Plan on the screen, which includes that merger of
42 some of our lot layout as well as the ALTA survey for the site. He stated that what is on the screen is the
43 same thing that the Board members have in front of them. He said that he is referring to this for a couple of
44 reasons, first of all, it does give the overall, 5,000-foot view, if you will, of what is happening. He said that
45 the proposed expansion is in the northeast corner of the total property, and the south and west portions of the
46 overall parcel contains the existing developed units, with site numbers added to the best of their ability. Mr.
47 Friend said he wanted to make very clear, as shown on a note on the overall plan, that "this drawing is for

1 illustration purposes only, and it was created by Farnsworth merging some of the CAD drawings that
2 Farnsworth did for the site development in the new area in the northeast corner, along with an ALTA survey
3 that was prepared by Berns Clancy and Associates on behalf of the client as well as representing an IDPH
4 application and the renumbering of some sites. Mr. Friend stated that he wanted to make sure to protect the
5 validity of the work product; he said this note is extensive and important, and on there for a reason. He stated
6 that they use the drawing with the permission of the owner who authorized the ALTA survey to be done. He
7 said that this plan provides an overall view and if this were a successful application, the overall site would
8 look something like this plan. Mr. Friend noted the 21 proposed new sites this application is asking for. Mr.
9 Friend asked Ms. Burgstrom to show the Farnsworth drawings on the screen, specifically Sheet 3.0, which
10 indicates existing conditions. He pointed out that the Farnsworth drawings are limited to the northeast corner
11 of the overall parcel. He said that this drawing depicts existing conditions, both topography as well as homes
12 and buildings and roads that are there. He referred to the next drawing, and said you can see a new road tying
13 into the edge of an existing road, there is clearing, scrubbing, and regrading that is going to happen. He
14 added that you can see existing homes, some buildings and outbuildings, and utilities. He said that if you
15 visit the site, you would see an opening of grass, scrub brush, heavy timber along Smith Road and the
16 northeast corner; the farther north you go, the heavier the timber is. Mr. Friend reiterated that this is just a
17 general view of what the site looks like now if you go out there. He requested that Ms. Burgstrom show
18 Sheet 4.0 on the screen, which is the general layout of the additional 21 sites that are being proposed. He said
19 that the numbers are hard to read on the overhead, but viewing the Farnsworth plans will show the 21
20 numbered sites. He said that it is important to note that the development and layout of these sites show that
21 there is only one setback which is not fully compliant with the Zoning Ordinance. He said that the Zoning
22 Ordinance only requires a 45-foot setback from the rear of the home to the right-of-way of the State
23 highway. He said that is actually more restrictive than what it would be in the R-1 District. Mr. Friend said
24 that in discussion with staff, it was determined that utilizing a 35-foot setback would be something the
25 petitioner would request, and this drawing reflects that. He said there is a sketch in the packet, adding they
26 were very intentional about side yard, entrance side, front yard, and rear yard setbacks as well as two parking
27 spaces per home, a wooden deck, so that each site has the appropriate setback, with the exception of the
28 variance requested for setback along the I-74 spur. He said this is a big picture view, and if you view this on
29 the overall site, the ordinance allows a density of eight homes per gross acre, and this plan proposes six
30 homes per gross acre. He said that what that says intuitively, is that 1) the density and the amount of green
31 space is much more than in the existing developed park, and 2) the density is much lower than the Zoning
32 Ordinance requires. Mr. Friend said that Mr. Nolan called and said he wanted to add more park space in the
33 southwest corner of the expansion area, where another home could have been placed. He said that Mr. Nolan
34 wanted this to be done well. Mr. Friend said that the Zoning Ordinance requires that 8% of the gross area be
35 dedicated to recreation, and the plan proposed is 12.7%. He said the overarching observation with this is
36 lower housing density, more recreation per gross acre, which speaks to the intent of his client to develop a
37 site that exceeds the requirements that the county Zoning Ordinance has and that is important because it will
38 affect the quality of the development and what it will be like functionally. Mr. Friend asked for Sheet 5.0 to
39 be put on the screen, which shows contours. He said if you are somebody who is really interested in figuring
40 out drainage and all of that, this is germane to that discussion. He said that the pad elevation for all the sites
41 are well above the 100-year flood elevation. He said there are two detention basins: one in the northeast
42 corner, and one along the I-74 spur corridor right-of-way in the northerly section and those two detention
43 basins were modeled in accordance with the county's storm water ordinance, and in general, that means
44 runoff from the site in its current existing condition, that the runoff from the proposed development is less
45 than or equal to the existing runoff from the site. He said that there is an extensive hydraulic report and one
46 of the items noted in the report is that Farnsworth submitted the hydraulic report and permit application to
47 the Illinois Department of Transportation for a discharge permit onto the right-of-way, fully understanding

1 that getting a permit from them, without zoning approval, does not authorize construction. He said what they
2 were trying to do is be thorough and coordinate well and they received an email this week, on June 28th, from
3 the review engineer, from the IDOT Paris office indicating that they were processing the permit forms right
4 now, and that they would send them out to Farnsworth. He said that obviously, they would not be able to
5 execute them until the rest of this process is successful. He added that he thinks that speaks to the level of
6 detail that has gone into what is frankly a zoning application. Nearly all the time, one gets a zoning permit
7 first, making an allowance for how big you think things need to be, and then you spend the time and the
8 effort to do the final design, after you have gained zoning. He said that in this situation, his client wanted to
9 make sure it was being done right and so they submitted the application and they have a full-blown permit
10 for storm water management plan, a Notice of Intent for land disturbance, all of that is done. He said they
11 have an email from the review engineer saying that the permit is in the works to be issued. Mr. Friend said
12 he wanted to talk about some of the coordination that is happening.

13
14 Mr. Thorsland asked if there were any questions for this segment from the Board, anything about the home
15 density, and the drainage. He said he knows the recreation area and the drainage are the same; this is
16 intended to be a dry basin.

17
18 Mr. Friend stated that as required in the Zoning Ordinance, they included a paved ditch, which really speaks
19 of the ability to maintain and know whether or not the basin is being silted in. He said if you have to clean it,
20 you have a paved, gentle sloping ditch at the bottom that depicts what the invert elevation is supposed to be
21 in the basin. He indicated on the drawings where those ditches are proposed and pointed out an underdrain
22 beneath the basin that goes out into the right-of-way, also in compliance with the storm water ordinance. He
23 said that on the drainage side, the County engages a third-party engineer, in this case Berns Clancy and
24 Associates, to do an independent review of the stormwater management plan, design, and the computations.
25 He said that Don Wauthier of Berns Clancy and Associates did his usual thorough review process, and upon
26 receipt of his review, Farnsworth made minor revisions to the plans and resubmitted them. He said that this
27 has been reviewed from a drainage standpoint by Mr. Wauthier, and he would have looked at both the
28 discharge to the State right-of-way as well as the small discharges on behalf of the County, and IDOT is
29 looking at this from an overall standpoint for the discharge to the right-of-way.

30
31 Mr. DiNovo asked if the acreage that constitutes the 12+ percent of the site area is that dog-leg like tract that
32 contains the two detention basins.

33
34 Mr. Friend stated that it includes that as well as the recreation area on the south end of the expansion.

35
36 Mr. DiNovo asked if the existing area would be demolished and redeveloped for recreational use.

37
38 Mr. Friend responded yes.

39
40 Mr. DiNovo asked if Mr. Friend could speak to how he sees these parcels being developed for recreational
41 use and what kind of recreational appurtenance are contemplated.

42
43 Mr. Nolan stated that he has comments on three things and will address the playground first. He said that it is
44 very common for his company, as they purchase communities, often run-down communities, to remove any
45 kind of playground place for kids to play. He said that this facility does have what could be called a
46 playground although he wouldn't climb on it. He said it has been since day one of their plans, expansion or
47 not, to put a new playground in. He said he has ordered a few of them in the last few weeks for other

1 communities they have and they typically order from GameTime, which is a group out of Alabama. He said
2 the playgrounds are made to certain standards, will be installed by a certified installer, would have
3 playground certified woodchips, and things of that nature to bring it up to today's standards for playgrounds,
4 which has changed a lot over time too. Mr. Nolan said that the second comment he wanted to make was that
5 the setbacks with regard to Smith Road versus the spur makes for a slightly smaller home on the northern
6 side. He said that all of the houses on that side are 16 feet by 66 feet, and the houses along Smith Road are
7 16 feet by 76 feet, so that 10 feet is the difference in the setback. His third comment, perhaps the most
8 important one, was that it goes without saying, and sometimes you go through things a million times and
9 don't realize it's the obvious, but their intention is to buy brand new houses here. He said that for every
10 single one of these homes, the intention is for it to be brand new from a factory. He added that they are not
11 planning on developing the sites and spending this kind of investment and then bringing in old, dilapidated,
12 metal houses. He said that every single house that goes in here would be vinyl, shingle, and be new from the
13 factory.

14
15 Mr. Thorsland thanked Mr. Nolan and asked if there were any additional questions from the Board.

16
17 Mr. Friend stated that the Game Time equipment, some of these open areas, soccer, who knows – that is a
18 good question and he thinks Mr. Nolan answered it to the best of his ability. He asked if that was a sufficient
19 answer.

20
21 Mr. DiNovo responded yes.

22
23 Mr. Thorsland asked if there were any questions from the Board about anything so far – drainage,
24 recreational areas, density of the houses, the setback issues.

25
26 Mr. Friend stated that he did not go into any great detail on the engineering design, and the streets, sewer,
27 water mains, but he will talk about that in generalities in a bit. He said he would talk about the specific
28 coordination with utility companies and the IEPA regarding those matters in a moment.

29
30 Mr. Friend asked if Chief Thuney was in attendance, as he needed to lead with an apology to Chief Thuney.

31
32 Mr. Thorsland said that he needed to call Chief Thuney up to the witness microphone to address fire-related
33 matters.

34
35 Mr. Friend stated that he would like to discuss the coordination that has occurred with public entities such as
36 IDOT, IEPA, UCSD, Illinois American Water, and Urbana. He said that one of the things he needs to
37 acknowledge is that he made an error as he should have contacted Chief Thuney at the same time that he
38 contacted the Urbana Fire Department. He said that he contacted the Urbana Fire Department erroneously,
39 but with good intent, probably based on some overly enthusiastic assumptions about which department
40 arrives to the park first. He did attempt to call the chief, played phone tag with him, and did ultimately get a
41 letter from Chief Thuney. Mr. Friend stated that he would like to talk about coordination efforts similar to
42 what was done for the IDOT application that he talked about for storm water discharge. He said that another
43 permit that they have submitted is to the Illinois Department of Public Health, and they received from John
44 Reilly, who is the head of the section that reviews manufactured home parks, a conditional permit by email,
45 which is in the meeting packet and it obviously conditioned upon receipt of zoning and approval. He said to
46 be clear, our intent was similar to what they did with IDOT. He said that they wanted to say, listen, we want
47 to do this thing in a way that is in conformance, they wanted to have Illinois Department of Public Health

1 look at this application and make sure that they think it is ok, in addition to passing muster with zoning. Mr.
2 Friend said that they received a comment letter, which was in the original packet for this case, they
3 responded back to minor comments in a timely fashion, and they received a permit that is conditional upon
4 receipt of proper zoning and some other things. He said that is important, because the Illinois Department of
5 Public Health has reviewed this proposed expansion and said yes, this passes our code. He mentioned the
6 IDOT storm water matter earlier, so he will not review that now. He said that the encroachment of some of
7 the trailers on the IDOT right-of-way that is mentioned in the supplemental memo distributed tonight. He
8 stated that along the northerly side, and kind of on the west end of the property, his client self-disclosed very
9 specific encroachments on the IDOT right-of-way when they submitted the ALTA survey to the County
10 Planning & Zoning Department. He said that aerial photography would have always indicated there was
11 something like that going on, but this ALTA survey was very specific with regard to that. He said that Ms.
12 Burgstrom inquired specifically with IDOT during the notification process, because they are an adjoining
13 property owner, and there is an encroachment on their property. He said that they have a very clear response
14 back from IDOT that is included in the meeting packet, which basically says, as these homes are removed,
15 the new home that goes in should not encroach any longer, and that they are okay with this being a process
16 which occurs on the basis of when those homes are replaced.

17
18 Ms. Griest stated that one of the things she read in that email communication back and forth between Ms.
19 Burgstrom and Kevin Trapp with IDOT was also that if those homes change ownership, and she would like,
20 probably not tonight, but at some point hear the petitioner's plan for managing how they will keep the
21 Planning and Zoning Department advised as to those change ownerships and monitor that, because if one of
22 those homeowners chooses to sell, that home is no longer allowed to stay on that parcel on the right-of-way.

23
24 Mr. Friend stated that is a very good observation, and said he would defer to Mr. Nolan and Mr. Hartman to
25 respond. He said that when we discuss special conditions for the case, mimicking the response from IDOT
26 as one of the conditions would seem appropriate to him. Mr. Friend said that as an engineer, the big picture
27 thing for him, is that the other option is that the homes need to all be immediately moved and brought off the
28 right-of-way. He said that there is someone protesting on behalf of some of the neighbors, which was
29 pointed out in an email provided in the meeting packet. He said that the response from IDOT answers one of
30 the concerns posed to IDOT by one of the folks who was stating concerns regarding this application. He said
31 that it is important to say that everyone knew they were on the right-of-way before, they didn't know how
32 much, we provided an ALTA survey that says exactly how much, Ms. Burgstrom notified IDOT and said
33 that the homes are out there, they are out there this much, how do you want to handle it, and IDOT provided
34 a response. He said that the first thing that he wanted everyone to see and hear there is the thoroughness of
35 your staff, and second, there was self-disclosure on the part of his client to say listen, this is the deal, and Mr.
36 Nolan has talked about how in the process of acquiring these facilities, and cleaning them up, and trying to
37 bring them up to snuff, we find things that aren't quite right. Mr. Friend said this was one of those, it was
38 dealt with proactively, and we have a good, positive response with regard to that matter and that speaks to
39 the coordination that they are doing ahead of time and is a positive thing.

40
41 Mr. Friend stated that he will reference his discussion Chief Nightlinger, City of Urbana Fire Department.
42 Mr. Friend said that his erroneous assumption was, because the park is within 1.5 miles of the City of
43 Urbana, that they certainly would have jurisdiction and authority to make comment with regard to public
44 health and safety matters and fire protection, which is factually true. He said another piece is that the City of
45 Urbana Fire Department has larger fire equipment, and when he wanted to talk to somebody about truck
46 turning curves and radiuses on the roads, he wanted to evaluate the biggest truck. He added that often, there
47 are different departments that respond: Chief Thuney's unit responds, and St. Joseph responds second, and

1 Urbana responds third.

2
3 Mr. Thorsland asked Mr. Friend to address, in general, the fire protection equipment and then later details
4 can be presented as to which fire protection district is responsible. He said it is clear Mr. Friend erroneously
5 went to Urbana and that Edge-Scott is the first responder.

6
7 Mr. Friend stated that there were five key issues presented by the City of Urbana Fire Department:

8 1) They wanted a looped water main with fire hydrants inside the park.

9
10 He said that the Farnsworth plans, Sheet 6.1, shows a looped water main and four fire hydrants in the park.
11 He said that they have proposed another hydrant based on discussion. He said it is important to note that the
12 existing park has a master meter, and the water distribution system in the existing park is a private system –
13 Stonetown gets one bill from Illinois American Water, and they pay it and there are no individual meters.
14 He said that for the expansion area, all the utilities for the site would be public utilities. He said that
15 correspondence with Illinois American Water has been ongoing, and they have the draft permit applications
16 in house right now. He said that each individual site will have its own meter, which tends towards water
17 conservation, and each site will have its own sewage bill. He said that gas and electric distributions have
18 been thoroughly coordinated with Ameren, as well as the street lights. He pointed out that a shaded area on
19 the plan indicates a utility easement area.

20
21 2) They want signs that there is no parking on the road.

22
23 Mr. Friend said that if there is parking on the road, and the fire department comes in with a piece of
24 equipment, then they couldn't get where they need to go.

25
26 3) They want another fire hydrant to help serve the existing park.

27
28 Mr. Friend said that the Fire Chief likes the idea of the water main hookup shown on the plan, because all he
29 has to do is connect to the hydrant on the south side of University Avenue, close University Avenue, and put
30 a 5-inch hose across the street to fight a fire. He said that the proposed hydrant near the center of the
31 property providing access to fire protection in the existing part of the facility would substantially improve
32 without having to close University Avenue, although both hydrants could be used. He said that Chief
33 Nightlinger provided Farnsworth with two sets of truck curves for the largest piece of equipment they have
34 and the radiuses of the curves on the roadway all work with the curves the fire department provided.

35
36 4) They need a second entrance to the park.

37
38 Mr. Friend stated that there has been discussion about the access road on Slayback and the code is mentioned
39 chapter and verse in this document, so he is not going to read it aloud. He said that the *2009 International*
40 *Fire Code* says that if you have a site that has more than 30 residences, that you have to have two means of
41 ingress and egress. He said we have a second means of ingress and egress for the Stonetown facility now, by
42 virtue of proposing this. He said that there is currently only one access that is Dale Drive onto University
43 Avenue. He said that if we did not have that second access, it would be something probably strongly
44 encouraged by the fire chief.

45
46 5) They need a motorized gate that is normally in closed position; this is something the Fire
47 Chief has at different locations within the fire district.

1
2 Mr. Friend said that is something they are prepared to talk about, because there is a tremendous concern
3 about traffic and ingress and egress at this proposed road. He said that the road is required from a health and
4 safety standpoint from the Chief, yet there is concern about traffic volume here. He said that this is
5 something that we have in an exhibit and can enter into the record when it seems appropriate to do that
6 which would show what we looked at there. That coordination with the Urbana Fire Department was
7 extensive; the initial correspondence started back in 2015 with the previous owner of the park. He had a
8 phone conference with the Urbana Fire Department on November 29, 2016, and had a meeting with
9 Assistant Chief Odle as well as Chief Nightlinger.

10
11 Mr. Thorsland stated that there are a lot of people here tonight who are on the witness register to speak, and
12 requested that Mr. Friend wrap up his presentation. He said that focusing on the big picture items would be
13 best, and since we will clearly not finish the hearing tonight, we can look at more details later.

14
15 Mr. Friend stated that he had two more things to communicate. He said that they plan for a private sewer
16 connection within the park, similar to an apartment complex, and a connection to the Urbana-Champaign
17 Sanitary District public sanitary sewer system. He said UCSD has the permit in front of them and the
18 petitioner has coordinated with them, and Illinois American Water has the draft permit and the petitioner has
19 coordinated with them.

20
21 Mr. Thorsland asked if there were any questions on this opening presentation by Mr. Friend. He said that the
22 Board still had to go through LRMP items and other things, so there is a lot of time to detail things out and
23 ask more questions later.

24
25 Mr. Thorsland asked the Board and staff if there were any additional questions.

26
27 Mr. Passalacqua asked Mr. Friend if the existing park has acceptable radiuses on the roads.

28
29 Mr. Friend stated that he has not done a specific evaluation, but he can say that intuitively, he does not
30 believe that it does.

31
32 Mr. Hall stated that Sheet 6.1 has three fire hydrants on it as it is drawn. He asked Mr. Friend if he said there
33 was going to be a fourth hydrant added.

34
35 Mr. Friend responded yes. He said they have an exhibit they want to enter into the record tonight that shows
36 that, and also depicts the location for the new parking signs that the Fire Chief had spoken with him about
37 and at the proper time, he has 25 copies of an exhibit that depicts that. He said Mr. Hall is correct, that they
38 propose a hydrant at the corner where the existing lane comes into the new development.

39
40 Mr. Thorsland asked if there were any other questions from the Board or staff.

41
42 Ms. Griest stated that she had a homework item. She said that since this is a private property, the park will
43 own the fire hydrants, as opposed to the water company owning them.

44
45 Mr. Friend stated no, this is going to be a public water main extension, and there is a utility easement where
46 Illinois American Water is going to own and operate the public water system.

47

1 Ms. Griest asked Mr. Friend if he had that this information in writing from Illinois American Water.

2
3 Mr. Friend responded that they have the permits pending with Illinois American Water, and what will
4 happen is when they return the permits, there will be an agreement they will enter into with Stonetown that
5 will reference the utility easements that are here and will talk about the terms and conditions under which
6 they will install the water main on an easement that will be a public water supply line.

7
8 Ms. Griest stated that we have had problems in parks like this before, so that is why it is a concern of hers.

9
10 Mr. DiNovo stated that he wanted to ask Mr. Nolan a question so that we don't lose track of the issue Ms.
11 Griest raised, about keeping track of the sale of the homes encroaching the right-of-way. He said that he
12 knows a lot of parks that basically insist that they broker the sales of home in the park, and asked Mr. Nolan
13 if that is Stonetown's practice.

14
15 Mr. Nolan responded that it depends on the house. He said that in the 93 sites currently existing, Stonetown
16 5 Homes LLC, which is an affiliate of Stonetown Capital, is the owner of roughly 20 houses. He said that in
17 that section that we are discussing with IDOT, there are two houses that Stonetown currently owns. He said
18 that anything done through Stonetown 5 Homes is brokered by Stonetown, otherwise, their only stipulations
19 are analyzing and understanding anyone new coming into the community, properly screening them, doing the
20 background and credit checks, and going through a process where they sign a new lease. He said that would
21 trigger, in this case, the understanding that there is new ownership. Mr. Nolan said that in larger
22 communities, that is hard to track, because stuff happens overnight and you don't know about it. He said that
23 this community is small enough that as we grow to understand all the residents better, it will be easily
24 maintained.

25
26 Mr. Thorsland stated that we could probably detail a special condition later to help with those homes.

27
28 Mr. Nolan said that he had one last comment about fire protection. He said that their company policy is that
29 when we bring in 21 brand new houses, they will have fire extinguishers; he said that is something a lot of
30 companies don't do in this space.

31
32 Mr. Thorsland stated that the petitioner has had time to present what they want to do; therefore, he would
33 like to have Mr. Pisula's presentation next. He said that he wants Mr. Pisula to have the opportunity to go
34 through his presentation, although he does not need to read every slide verbatim. Mr. Thorsland said that he
35 would like Mr. Pisula to give the Board an overview of the other side of this before we continue with the
36 witness testimony. He asked Mr. Nolan and Mr. Friend if they were finished with their testimony.

37
38 Mr. Friend said he only had one other comment, that former Congressman Tim Johnson was one of the
39 people who entered a comment in the public record on behalf of some residents that had called him. He said
40 he spoke with Mr. Johnson on Wednesday and said that the petitioner would like to reach out and meet with
41 some of those folks. He said that after that, Mr. Johnson said he would call some of the individuals who had
42 talked to him and Michael Murphy was one of the residents in Edgewood Subdivision, and they did indeed
43 meet.

44
45 Mr. Thorsland asked if anyone desired to cross-examine Mr. Nolan or Mr. Friend.

46
47 Kevin Kingery, 2412 Slayback, asked Mr. Nolan about bringing in 21 new homes which Stonetown will

1 retain ownership of and those homes will be rented out. He said that the remaining 93 units are older units,
2 and asked if Stonetown owns those units and if they plan to bring in new units for those sites.

3
4 Mr. Nolan stated that he would answer that in two parts. He said that the 21 homes coming in would be
5 brand new and owned by Stonetown. He said one thing that is important to note, and he will not get into
6 details on this, is that they do not and will not do rental units. He said that it breeds a transient type of
7 attitude, and to be honest, they want long term residents.

8
9 Mr. Kingery asked if the 93 are all owner occupied.

10
11 Mr. Nolan responded that out of those 93 sites, there are still a handful that are vacant, and out of the 85 or
12 so occupied units, roughly 20 of those are owned by Stonetown.

13
14 Mr. Thorsland asked the audience if anyone else had cross-examine questions.

15
16 Roger Fredenhagen asked about the recreational area. He said Mr. Friend mentioned that it was greater than
17 the requirements, and asked if it was a greater percentage than required of the new portion of the facility or
18 of the entire facility.

19
20 Mr. Friend stated that the statistics he quoted earlier were for the percentage of the proposed expansion. He
21 said he did not have that information immediately available.

22
23 Ms. Burgstrom stated that the proposed recreation areas comprise 3.5% of the overall manufactured home
24 park.

25
26 Mr. Thorsland said the requirement is eight percent.

27
28 Mr. Friend stated that the overall facility would be under, but for the expansion portion they are substantially
29 over.

30
31 Mr. Thorsland called Mr. Joe Pisula to testify.

32
33 Joe Pisula, 304 Ira Street, Urbana, stated he is a member of the Edgewood Homeowners Association. He
34 said that he is not on the Board of Directors, but he has been appointed to volunteer to make this
35 presentation. He said that the Board of Directors met recently and put together a collation of concerns that
36 they thought they would air. He referred to Slide 2 of the Edgewood Subdivision Homeowner's Association
37 presentation "Expansion of Stonetown Woodland Acres Mobile Home Park," Mr. Pisula summarized the
38 concerns on the slide:

- 39 1. The east side is currently zoned for R-1 Single Family.
- 40 2. Property values in Edgewood will likely decline.
- 41 3. More storm water will go thru Edgewood during intense rains & when the detention basins
42 are not maintained.
- 43 4. Increased traffic onto Smith Road.
- 44 5. Existing Mobile Home Park is unkept.
- 45 6. Several existing trailers encroach on other properties.
- 46 7. Mobile homes are not safe during tornadoes.
- 47 8. Too many zoning waivers are needed to make it work!

1
2 Mr. Pisula referred to Slide 3, and stated that the east 150 feet of the subject property has been zoned as R-1
3 for decades. He said that he agreed with Mr. Hall's statement that we cannot know what they all were
4 thinking back when the Zoning Map was created. He stated that the Edgewood HOA would like this area to
5 continue to be zoned as R-1 rather than changed to R-5 Manufactured Home Park. He referred to Slide 4 and
6 stated that the ZBA packet indicates that the City of Urbana Comprehensive Plan shows this area as Multi-
7 Family dwellings, not mobile homes. He said it may be in his lifetime that the City of Urbana annexes this
8 area, and may even annex Edgewood, but Edgewood HOA thinks that this expansion is inconsistent with the
9 long-term goals. He said that one thing that is not in this slide that he asks the petitioner to do is coordinate
10 with the City of Urbana, which P&Z Staff have done, and he asked that people check out the Urbana-
11 Champaign Sanitary District Ordinance 678 on their website. He said that Ordinance 678, Article 210
12 basically says that when someone makes a new sewer connection to their system, there is a requirement for a
13 predevelopment pre-annexation agreement with the closest municipality. He said that Edgewood HOA
14 would like to make sure that happens.

15
16 Mr. Pisula referred to Slide 5, and stated that the Edgewood HOA looked at fair market values for recent
17 home sales along the east side of North Smith Road. He noted 8 new manufactured homes proposed for the
18 west side of North Smith Road, and stated that the Edgewood HOA thinks that as residents try to sell single
19 family homes along North Smith Road and Slayback Drive, there would be a decline in property values
20 based on the visual exposure to the manufactured homes. He referred to Slide 6 and said that one of
21 Champaign County's Goals (Land Resource Management Plan) is to maintain "Prosperity". He states that
22 the petitioner will be able to continue business operations, but the Edgewood property values will decline,
23 assessments in Edgewood will drop, and the County will get less tax revenue from Edgewood. He said that
24 the Edgewood HOA strongly disagrees with the position that the manufactured home park expansion will
25 achieve Goal 3 – Prosperity.

26
27 Mr. Pisula referred to the photo of trees on Slide 7, which he took earlier in the week along Smith Road,
28 facing toward the manufactured home park. He stated that there are existing scrub trees on the west side of
29 Smith Road that are the visual barrier and that is fine; but he said there is no commitment by the developer to
30 maintain these trees. He said that a constructive criticism is that if the petitioner does a pre-annexation
31 agreement, the maintenance of those trees should be put in writing. He said that there is concern that if the
32 trees die or are damaged, nothing makes the park owner maintain this barrier.

33
34 Mr. Pisula referred to Slide 8 regarding storm water issues. He said the Edgewood HOA takes no exception
35 to the Farnsworth Engineering's storm water approach, but if the park owner does not maintain the east
36 detention basin, more storm water will enter Slayback Street. He said that Berns Clancy & Associates talked
37 about a 6-inch pipe, and Mr. Friend from Farnsworth Group commented how it can get clogged with debris.
38 Mr. Pisula said that the reason he brings this up is that there are residential areas such as Cherry Hills where
39 the challenge in those subdivisions is maintaining their detention basins. He said that 20 years from now, we
40 will be challenged with making sure those detention basins get maintained; if they don't, there will be water
41 coming down Slayback because that is the direction of storm water flow.

42
43 Mr. Pisula referred to Slide 9 regarding traffic. He said that the ZBA packet, on Page 14 of Attachment O,
44 states that 210 vehicle trips per day will be added to Smith Road with the addition of 21 manufactured home
45 sites. He said that the current count on Smith Road is 800 vehicles per day, and that the expansion would
46 increase traffic by 26% just for the new residents of the manufactured home park. He said that the Edgewood
47 HOA understands why the petitioner proposes a second access point out onto Smith Road from a public

1 safety standpoint. He said the Edgewood HOA’s concern is that existing residents who previously used Dale
2 Street to head east to places such as the Apple Dumpling, Walmart and Aldi would now go through the new
3 access onto Slayback and increase traffic in the Edgewood Subdivision. He said that for this reason, the 26%
4 increase is probably a low number. He asked the Board to keep that in consideration.

5
6 Mr. Pisula referred to Slide 10 which shows a photo taken from the proposed Slayback access west of North
7 Smith Road. He said that the commitment is to keep the visual barrier and the trees he talked about before.
8 He said they have not done a traffic analysis, but there is a potential for a collision between a vehicle leaving
9 that proposed access and a vehicle on North Smith Road. He stated that many times, a Planning Commission
10 would make him, as an engineer, do a traffic impact analysis to determine whether or not there will be
11 accident potential.

12
13 Mr. Pisula referred to Slide 11, photos of the shed on the subject property, and stated that most Edgewood
14 residents do not go into the mobile home park, but all they ask is to please make it better. He stated that the
15 Wilson Mobile Home Park across the way is very well kept. He referred to a photo on Slide 12 of the
16 landscape waste dumping area on the subject property. He said that maybe the new owners are ready to clean
17 that up, but that remains to be seen. Mr. Pisula referred to Slide 13, which has photos of the thrift store that
18 shares a building with the park’s management office. The picture shows sofas, chairs, and other items
19 located outside the building. He stated that one of the biggest items is that the thrift shop is on a tract of land
20 that is owned by the developer. He said that the residents sitting behind him could testify all night long about
21 the objectionableness of this; the couches, chairs, boxes are a litany of it’s probably not a zoning issue,
22 maybe it’s an enforcement issue, of which the petitioner needs to be aware. He said if they are going to make
23 the park larger, is it going to be made better.

24
25 Mr. Pisula referred to Slide 14 regarding encroachments. The slide indicates that a Berns Clancy survey
26 completed in September 2016 discovered at least 24 above-ground encroachments into other properties. He
27 asked that as citizens of Champaign County, that the ZBA represent the Edgewood HOA’s interests by
28 making the petitioner correct these infringements on adjacent landowners. He referred to Slide 15 regarding
29 encroachment on IDOT’s right-of-way on the north side of the subject property. He stated that IDOT has said
30 they want to move those homes that are encroaching if there is a mechanism to do so. Mr. Pisula asked the
31 ZBA to require the developer to put together a list of when they go to make a correction, show the ZBA what
32 it will look like before they do it. He referred to Slide 16, which shows a picture of the back end of
33 manufactured homes encroaching on the IDOT right-of-way.

34
35 Mr. Pisula referred to Slide 17 and stated that this is a kind of a general thing he did not know. He said that if
36 you look at the National Severe Storms Laboratory and Accuweather.com say that half the tornado fatalities
37 in the U.S. occur in mobile homes, while only 8% of the U.S. population lives in a mobile home. He stated
38 that he thinks if the petitioners do things right, have the homes tied down properly, we aren’t in Kansas and
39 we aren’t in Oklahoma, but if they do things correctly, this data may be skewed by the fact that there is
40 probably a lot of homes that aren’t taken care of. He said that if the petitioners are responsible, they would
41 keep that from happening. He stated that 2.8 percent of the Illinois population lives in mobile homes, South
42 Carolina is 28 percent. He said he would like us to be closer to the 2.8 percent. He referred to Slide 18
43 regarding tornado shelters and debris. He referred to the tornado that hit the Village of Gifford. He stated
44 that he did not see anything about a tornado shelter in the ZBA packet; he said that he doesn’t know, the
45 Edgewood residents are asking the ZBA to take this general comment under advisement. Mr. Pisula stated
46 that tornadoes usually move eastward, and if there are an additional 21 homes in the park, there is more of a
47 chance that Edgewood would be hit by more debris.

1
2 Mr. Pisula referred to Slide 19 regarding the number of requested zoning waivers. He said that from the
3 Edgewood residents' perspective it is not 1 or 2 waivers, it is 18. He indicated the figures in parentheses are
4 what the rules are and the Edgewood HOA is concerned about item 5 on the slide, which is a waiver for
5 existing and used homes to not require an upgrade to meet the National Electrical Code. He stated they are
6 also concerned about not having an on-site management office. He said that in polling the Edgewood
7 residents, usually what they are used to seeing is 1 or 2 variances, maybe 3, but 18 in their opinion seems
8 excessive. The slide's last statement is "Why have a Zoning Ordinance if you will give out so many
9 waivers?"

10
11 Mr. Pisula referred to Slide 20, which states the HOA's position. He stated that they protest the Zoning Map
12 Amendment under Case 869-AM-17; he said that the Zoning Map is not just a sketch, and that someone used
13 a lot of wisdom to put that map together. He said they also formally oppose the expansion of the Stonetown
14 Woodland Acres MHP as proposed under Case 870-S-17. He requested that the ZBA members give
15 feedback, taking this position into consideration. He said that they would like to have a subcommittee of the
16 Edgewood Homeowner's Association be able to give input on these cases to the ZBA or the City of Urbana.
17 He said that they would like to be able to work with the developer and the ZBA to make this thing work.

18
19 Mr. Pisula stated that he had 20 copies of the presentation that could be distributed.

20
21 Mr. Thorsland stated for the audience's information, copies of this presentation will be in the record for this
22 case, so this is not the only time people will see it. He asked if there were any questions for Mr. Pisula from
23 the Board or staff and there were none.

24
25 Mr. Nolan stated that his company purchased Woodland Acres at the end of September 2016, and they are
26 making strides. He said they are trying to do some things; hopefully, some of it is evident. He referred to
27 photos on Slides 11 and 12 of Mr. Pisula's presentation of some of the things neighboring residents would
28 like not to see anymore. He stated that both of those are in the expansion area, so they will be removed. He
29 said that they own a lot of communities in Oklahoma City, and they have dodged a lot of tornadoes.

30
31 Mr. DiNovo and Mr. Thorsland discussed whether Mr. Nolan's comments were cross-examination or
32 testimony, because this was supposed to be cross-examination only. They decided Mr. Nolan was giving
33 testimony that could be continued after anyone else has been given the opportunity to cross-examine Mr.
34 Pisula.

35
36 Mr. Thorsland asked if there was anyone else who wanted to cross-examine Mr. Pisula and there was no one.

37
38 Mr. Thorsland stated that the meeting is scheduled to end at 10:00 p.m.; he said they could extend it a little.
39 He said he has several people listed on the Witness Register, and requested that when he calls the names to
40 provide testimony, if someone agrees with the presentation given by Mr. Pisula, they should feel free to
41 come up and say that they agree with it so that it is on the record.

42
43 Mr. Thorsland called Sue Moody to testify.

44
45 Sue Moody, 2405 Elizabeth Street, Urbana, stated that she fully agrees with Mr. Pisula's presentation, and
46 that her biggest concern is the street that connects to Slayback Street.

47

1 Mr. Thorsland asked the audience if anyone desired to cross-examine Ms. Moody, and there was no one.

2

3 Mr. Thorsland called Mark Moody to testify.

4

5 Mark Moody, 706 McGee Road, stated that Mr. Pisula's presentation pretty much said it for him. He said
6 that he would add that, like his mom Sue Moody said, regarding connecting the two streets, we have a lot of
7 kids and retirees riding bikes, and people come from other neighborhoods to ride bikes. He said the
8 neighborhood is very peaceful, everyone drives slowly, and they want to keep it that way.

9

10 Mr. Thorsland asked the audience if anyone desired to cross-examine Mr. Moody, and there was no one.

11

12 Mr. Thorsland called Jim Prather to testify.

13

14 Mr. Jim Prather, 3604 E. Windsor Road, Urbana, stated that he is the Urbana Township Highway
15 Commissioner, and is responsible for the streets in Edgewood Subdivision. Mr. Prather stated that one of his
16 concerns is the proposed entrance off Slayback Street to North Smith Road. He said he understands the
17 safety reason for the new access, and maybe the gated entrance activated by fire and police only would be the
18 way to go. He stated that his biggest concern is the drainage and storm retention and it is his understanding
19 that the petitioners planned to drain out on the state highway right-of-way.

20

21 Mr. Thorsland said they would come back to that question when the petitioner comes up to speak later.

22

23 Mr. Prather stated that some of the drainage goes out toward I-74 and there is a big issue that it drains down
24 the state's right-of-way to a catch basin at John Street and McGee Street. He said there is a 3-foot wall there,
25 and the tile on the State's right-of-way cannot handle the storm water and it overflows over the 3-foot wall
26 into McGee Street in Edgewood. He said it has overflowed many times.

27

28 Mr. Thorsland asked Mr. Prather if his concern is if there is more runoff from the proposed expansion, that it
29 would overflow more often.

30

31 Mr. Prather stated yes. He said that another concern he has is that there is another storm drain at Smith Road
32 and Slayback Street, at the dead-end of North Smith Road. He said that as far as he is concerned, that is the
33 west end of Edgewood's storm drain, and they do not need anything else hooked on to cause a problem of
34 improper drainage in the subdivision.

35

36 Mr. Thorsland asked if there were any questions from the Board or staff.

37

38 Ms. Griest stated that she is familiar with the area as she lives close by. She asked Mr. Prather about his
39 concern with connecting the outlet to Slayback at that entrance; she asked him to elaborate a little more on
40 what those concerns are.

41

42 Mr. Prather responded that he is concerned about more traffic on Slayback Street at Smith Road, because
43 Smith Road is not a wide street, and he is afraid the residents in the park will use Smith Road more often.
44 He said that people travel the fastest, easiest way, so there is going to be a lot more traffic on Smith Road.

45

46 Ms. Griest stated there is a stop light at Smith Road where there is not at the current entrance.

47

1 Mr. Prather said that it is sometimes hard to get onto University Avenue from North Smith Road with the
2 traffic in the mornings and evenings. He said that earlier someone mentioned a concern about people driving
3 thru Edgewood Subdivision to head to Apple Dumpling, but people may also take that same route to head to
4 Wal-Mart, Aldi, etc.

5
6 Mr. Thorsland asked the audience if anyone desired to cross-examine Mr. Prather, and there was no one.

7
8 Mr. Thorsland called Steve Thuney to testify.

9
10 Mr. Steve Thuney, 703 Doisy Lane, Champaign, stated that he is the Fire Chief for the Edge-Scott Fire
11 Protection District. He said that he came into this case late in the process, as the Edge-Scott Fire Protection
12 District was not included in many of the discussions that occurred. He said that he feels he is way behind and
13 has not had a chance to review all the materials that were provided. He said that he would like to point out
14 that his concerns for the trailer park go beyond the new expansion; they go to the trailer park as a whole. He
15 stated that in discussions with the board members for the Fire Protection District, they are not in favor of
16 allowing the variances on the older section of the park. He said that with a new water main proposed, it
17 would be a perfect time to extend that into the rest of the park to provide adequate water supply for fire
18 protection for the entire park, not just the new section. He stated that the fire hydrants must be approved by
19 the Edge-Scott Fire Protection District Board of Trustees, because they pay the bill for those hydrants. He
20 stated the Board of Trustees has not been approached about whether they are willing to pay for new hydrants.
21 He said that he needs further time to study this to come back to the ZBA with areas of concern, possibly
22 areas of agreement. He stated that he thinks Mike Friend's consultations with City of Urbana Fire Chief
23 Nightlinger have been productive, but Edge-Scott Fire Protection District is the primary first responder for
24 Woodland Acres. Edge-Scott will respond for medical, fires, gas leaks, whatever, and will be the first out the
25 door and hopefully the first ones there working fires, and they do get assistance from the City of Urbana and
26 Carroll Fire Protection District when needed. He said that it was a huge misstep on the part of the petitioner
27 to not include Edge-Scott FPD in the decision-making process.

28
29 Mr. Thorsland stated that he would like to encourage Chief Thuney, the petitioner, and Farnsworth Group to
30 speak with each other prior to the next public hearing, answer concerns, and get this documented. He said to
31 feel free to send the documentation to staff so that it can be included in the next mailing. He said that a
32 written list on how concerns will be addressed is a wonderful thing for ZBA members to have before the
33 meeting. He said that ZBA members often get a night-of-the-meeting attachment, and they cannot sit there
34 and read it during the meeting. He said the Board might get a chance to skim new information before the
35 meeting starts, but it is always nice for these to arrive in the packet so they have time to review the
36 information prior to the meeting. He said that the Board always enjoys sending the petitioners home with
37 homework. He encouraged the petitioner to actively talk with the neighboring property owners, and anything
38 that comes back to the ZBA before the next hearing on these cases is always very helpful and is always
39 included in the public record. He said that the petitioner has put together a very good packet of information
40 from an engineering standpoint and it appears they are trying to address some of these things in advance and
41 they are trying to get all the permits set up in advance, but reaching out to the community in advance is also
42 helpful. He said that he always encourages the petitioner to talk with neighboring residents in a case like this
43 ahead of time.

44
45 Mr. Thorsland asked the Board is staff if there were any questions for Chief Thuney and there were none.

46
47 Mr. Thorsland asked the audience if anyone desired to cross-examine Chief Thuney, and there was no one.

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Mr. Thorsland called Mark Hartman to testify.

Mr. Hartman declined to testify.

Mr. Thorsland called Catherine Schneider to testify.

Ms. Catherine Schneider, 208 Carrie Avenue, Urbana, stated that she is concerned about the traffic along Smith Road, because there is an MTD bus stop close to the end of Carrie Avenue on Smith Road. She said the stop is on the east side of Smith Road, where there is no sidewalk, and the stop is there for middle schoolers to catch the bus, so there are groups of kids in the mornings on the street.

Mr. Thorsland asked if MTD had put a shelter there.

Ms. Schneider responded that there is an MTD stop, but no shelter; there is a gravel area that goes back to one of the houses, and that is where the kids stand. She said her daughter is starting middle school next year, and this is where she will be going. She stated that having a bus stop there is going to invite more people from the park to come to Smith Road using the Slayback entrance and that will bring more people from the park into the Edgewood neighborhood, and it seems like it is affecting their neighborhood a lot and should be taken into consideration.

Mr. Thorsland asked the Board and staff if there were any questions for Ms. Schneider.

Ms. Griest asked if that MTD stop was only for school kids, or does it stop there on a regular schedule.

Ms. Schneider responded that it is on a regular schedule in the mornings and in the afternoon, and it is a deviated schedule from a regular route.

Mr. Thorsland asked if the audience if anyone who desired to cross-examine Ms. Schneider, and there was no one.

Mr. Thorsland asked the audience if anyone else would like to sign the witness register to add testimony regarding this case, and there was no one.

Mr. Thorsland stated there will be another hearing and the continued hearing date will be determined prior to 10:00 p.m.

Mr. Passalacqua asked Mr. Nolan if when his company acquires new properties, if they provide residents a copy of the new sets of rules or require any upgrades, and is that something that his company will do at this park.

Mr. Nolan responded they have not at this community, yet. He said that the current Illinois statute for manufactured housing has two-year lease requirements. He said that oftentimes when they buy communities that are mom and pop oriented that are month-to-month or maybe a year, the truth of the matter is many of the leases, although they have renewal clauses in them, are outdated at this community. He added that changing the leases over to his company's format is definitely part of the business plan for this year for Woodland Acres. He said that until they do that, the residents adhere to the rules and regulations that were

1 in place at the time they bought the community.

2
3 Mr. Passalacqua stated that he has seen a lot of other mobile communities where residents do not have the
4 means to bring the home up to the new standards and they vacate. He asked Mr. Nolan if that is what he sees
5 in his other communities.

6
7 Mr. Nolan responded that it happens. He said they have also had situations where the company helped
8 families financially to make the upgrades.

9
10 Mr. Passalacqua requested photos of other Stonetown communities that would show the Board what this
11 community might look like in 2 or 3 years.

12
13 Mr. Nolan stated they do have photos.

14
15 Mr. Thorsland asked the Board if there were any other questions.

16
17 Ms. Griest stated that she has a question that is a homework item. She said that one of the witnesses had
18 brought up the tornado shelter or some sort of a commons area where individuals living in manufactured
19 homes could go in the event of inclement weather, particularly tornadoes in this area. She stated that she
20 does not see anything in the expansion plan for that. She would like to see more information on that for the
21 next hearing about where people would be expected to go. She said she is uncomfortable adding more
22 people at risk without adequate facilities; she knows of some neighboring communities that have structures
23 which serve as tornado shelters. She said she is not aware of one in this facility, so she wants to hear their
24 plan for what the owners expect the residents to do during inclement weather. She said she knows it is a
25 concern of the Chief, especially if residents are expected to go to the fire station for shelter; he is going to
26 need to know about that. She said she does not think the fire station would be certified as a tornado shelter
27 based on the structure classification. She suggested that the petitioner speak with the Chief about what might
28 be available nearby.

29
30 Mr. Thorsland stated that he saw in the packet how the petitioners talk about the new homes and how they
31 are anchored, but that is only the new ones, unless there is a plan to go through and upgrade the existing
32 homes.

33
34 Mr. Thorsland stated that we have the percent of recreation area overall.

35
36 Ms. Griest stated that she wanted to hear about the fire hydrants, the placement, and see that on the map
37 because that was not included in her packet.

38
39 Mr. Randol stated that it would be nice to know what they are looking for in the future, as far as fire engines
40 being able to get around the existing streets for long-range planning, and what the plans would be for
41 expanding water and sewer. He said it would help the Board understand the situation better if they know
42 what is going on 5-10 years down the road.

43
44 Mr. Thorsland clarified that what the Board tells people with a Special Use Permit application is that they
45 need to look 5 to 10 years into the future for what is included in the site plan. He gave the examples of
46 addressing street radii, moving older structures off the easement for I-74 or IL130, or for the good reason of
47 adding recreation in the future should some of these very old things come out. He said that it is good for the

1 petitioner to show it on the site plan, noting whether it is for future change, because it is part of the approval
2 and the petitioner doesn't have to come back for another permit.

3
4 Mr. DiNovo stated that one very important thing in that respect is one of the waivers is requesting to not be
5 designated lot areas for each unit in the existing park, but we also have a proposed condition that a
6 replacement home not increase the nonconformities of the setbacks to the lot lines for each individual home.
7 He said that those are in conflict, and he thinks if we really want to be gradually amortizing the
8 nonconforming conditions in the mobile home park, we will need to have some sense of what these spaces
9 are going to be so that we know whether replacement homes are no more nonconforming than what they are
10 replacing. He suggested that the petitioner should reconsider whether they need that variance – they could
11 revise the plan so that they have these spaces specifically marked out.

12
13 Mr. Thorsland asked Mr. DiNovo if he wanted those to fit around existing spaces.

14
15 Mr. DiNovo said yes, as best they can, with a view toward the long term. He said there may be cases where
16 you would want to make some of the homes more nonconforming so you would just split the difference, and
17 others would be less nonconforming. He said they might want to think about how they would reconfigure
18 these things down the road.

19
20 Mr. Thorsland said that could quickly become complicated.

21
22 Mr. DiNovo stated that it doesn't necessarily have to be; he is just saying that there is some flexibility here.
23 He said it does not mean in every case that you just split the difference, sometimes you might want to do
24 something else. He said in any case, he suggests that they consider that, and whether they really need that
25 variance.

26
27 Mr. Thorsland asked the Board if there were any other homework items to be given to the petitioners.

28
29 Mr. DiNovo said that if it hasn't been resolved already, that absolutely must be resolved before anything
30 else, is this issue of will there be an annexation agreement in order to get sanitary sewer access for the new
31 addition. He said if so, we should quit talking about it, because it is not going to occur under our jurisdiction.

32
33 Mr. Hall stated that attitude is counter from what the City of Urbana has said every time we have checked.
34 He said that the City of Urbana prefers for property to be brought into conformance with the County before
35 they annex it.

36
37 Mr. DiNovo said that once they sign an annexation agreement, pursuant to Chatham, we no longer have
38 jurisdiction.

39
40 Mr. Hall responded that the City will not sign an annexation agreement until they get a permit, and they will
41 not be getting a permit for some time yet. He was just communicating what Urbana's position has always
42 been; it may be changed now, he does not know.

43
44 Mr. DiNovo said if that is your policy, that is fine, but then everyone here should know that once we approve
45 this, and it gets built, it's no longer going to be under our jurisdiction to enforce any provisions with respect
46 to this case and it will be City of Urbana's responsibility.

47

1 Ms. Griest asked if that is only once annexation occurs, not under pre-annexation agreement.

2

3 Mr. Hall responded that it would be from the point of the pre-annexation agreement.

4

5 Mr. Nolan stated that prior to coming to this meeting, they met with the City of Urbana because they had
6 some confusion about the exact same thing. He said they have some formal letters from the City of Urbana
7 stating that this is the process the petitioners had to run and it had to do with whether or not the sewer was a
8 forced annexation. He said they were told that their parcels were part of some sort of a grouping of parcels
9 that did not have to follow that path. He said there are better words for that but they are in the letter, and that
10 should have been was something we sent to staff, if we didn't, just know that this is homework they did
11 before they came to the Zoning Board because they did not want to waste the Board's time.

12

13 Ms. Griest asked Mr. Nolan if he was saying that the City of Urbana, who doesn't really govern Urbana-
14 Champaign Sanitary District, indicated that you do not have an agreement with them to get the city sewer.

15

16 Mr. Nolan responded that he can provide the letter.

17

18 Ms. Griest asked him to please do so.

19

20 Mr. Nolan said that he would forward that on to staff.

21

22 Mr. Thorsland stated that we have heard a lot of talk about Smith Road and the new access, and there was
23 some talk earlier in the evening about a gate that would normally be closed. He asked the petitioner to think
24 about that and give the Board some input on that at the next meeting.

25

26 Mr. Friend stated they have some exhibits they are prepared to enter into the record tonight based on their
27 conversations and concerns from the public about traffic and access. He reiterated that some sort of second
28 access is required under the fire code. He said that when he met with the Chief, they had talked about a
29 motorized gate. He asked if the exhibits should be distributed.

30

31 Mr. Thorsland indicated they would be discussed at the next meeting, and the exhibits could be left with
32 staff tonight.

33

34 Mr. Thorsland requested a motion to extend the meeting for 10 minutes.

35

36 **Ms. Griest, seconded by Ms. Capel, made a motion to extend the meeting by 10 minutes. The motion**
37 **carried by voice vote.**

38

39 Mr. Friend stated that he had a couple of things he wanted to enter into the record. He said one has to do
40 with his conversation with the Fire Chief, and the other has to do with the motorized gate.

41

42 Ms. Griest said she had one more thing for their homework assignment. She stated it did not come up in
43 your conversation, but is there any plan for either maintaining that scrub barrier that is along the eastern edge
44 of your parcel, or if you are planning for some other form of barrier such as a wooden fence, that would
45 prevent people from walking through there, or if you are expecting that to be open. She said she does not
46 want to presume one way or another; right now, it is sort of closed off, but as we heard there are school kids
47 catching a bus there that are going to want to be going through there because kids go the path of least

1 resistance. She said she wants to hear what the plan is, because there was nothing regarding this in the
2 presentation.

3
4 Mr. Thorsland said he believes there is no other homework and he believes the Board has given the
5 petitioners a good comprehensive list. He said the more of this they can get in for the next mailing, the
6 better. He said we are looking at August 17, 2017, as an open window for continuing this hearing. He asked
7 if the petitioners would be available.

8
9 Mr. Nolan stated he would be available, and Mr. Friend thought he would be as well.

10
11 Mr. Hall asked if it was okay with the Board, we have not advertised Case 802-AT-15 for the August 17th
12 meeting, and for Case 873-AT-17 we have a lot of coordination to do with municipalities, so he proposed
13 that we not hear Case 873-AT-17 that evening, but just continue it to another date so that the Board has all
14 the time they need to go through these cases on that night.

15
16 **Ms. Griest moved, seconded by Mr. Randol, to continue Case 869-AM-17 and Case 870-S-17 to**
17 **August 17th, and close the docket to just these two cases. The motion carried by voice vote.**

18
19 **7. Staff Report**

20
21 None

22
23 **8. Other Business**

24 A. Review of Docket

25
26 Mr. Hall stated that staff is experiencing a decline in receipt of new zoning cases, which is not a terrible
27 thing, because it helps us deal with cases like this. He said it is a much different year than last year.

28
29 Mr. Thorsland requested any known absences. He noted that he will be absence from the August 17th and
30 August 31st meetings.

31
32 **9. Audience Participation with respect to matters other than cases pending before the Board**

33
34 None

35
36 **10. Adjournment**

37
38 Mr. Thorsland entertained a motion to adjourn the meeting.

39
40 **Ms. Griest moved, seconded by Mr. DiNovo, to adjourn the meeting. The motion carried by voice**
41 **vote.**

42
43 The meeting adjourned at 10:00 p.m.

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45
46
47 Respectfully submitted

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Secretary of Zoning Board of Appeals