

Minutes of the Land Use and Development Committee

The Land Use and Development Committee of the McLean County Board met on Thursday, January 4, 2001 at 5:30 p.m. in Room 700, Law and Justice Center, 104 W. Front Street, Bloomington, Illinois.

Members Present: Chairman Gordon, Members Rodman, Bostic, Nuckolls, Hoselton, Segobiano

Members Absent: None

Staff Present: Mr. John Zeunik, County Administrator; Mr. Terry Lindberg; Ms. Lucretia A. Wood, Human Resources Assistant, County Administrator's Office

Department Heads/
Elected Officials

Present: Mr. Charles Wunder, Director, Building and Zoning;
Mr. Phil Dick, County Planner, Building and Zoning;
Mr. Jeff Tracy, Highway Engineer II, Highway Department
Mr. Tom Anderson, Environmental Health Programs Specialist,
Health Department, Ms. Linda Foutch, Environmental Health
Programs Specialist

Others Present: Mr. Bill Custer, Road Commissioner for the Old Town Road District

Chairman Gordon called the meeting to order at 5:34 p.m.

Chairman Gordon presented the bills, which have been reviewed and recommended for transmittal to the Land Use and Development Committee by the County Auditor.

Motion by Rodman/Bostic to recommend approval of the bills as presented by the County Auditor. Motion carried.

Chairman Gordon asked the Committee and staff to introduce themselves.

Chairman Gordon noted that there are five public hearings scheduled on subdivisions matters for the meeting. He asked that the policies governing public hearing be followed. He also asked that comments made during the public hearing focus on the issue of whether or not the requirements of the subdivision ordinance is being followed. Other concerns may be aired and everyone may speak. However, the Committee will make their decision based on whether or not the applicant has met the requirements of the Subdivision Ordinance.

Chairman Gordon opened the public hearing for Case S-00-18. He stated that this is a request by Frank Miles representing Hans Peterson, Christopher Brittin, Eva Elizabeth Foli, Ruth Oesch, and Raymond Thompson to vacate Thompson Avenue.

The 33' wide right-of-way is located on the western edge of what is now known as Bloomington Heights Subdivision between Washington and Jefferson Streets. Thompson Avenue has never been improved, opened or accepted by a governmental entity. The property is zoned A Agriculture.

The McLean County Highway Department has indicated that they do not oppose the vacation. The County has also received a letter from George Drye, City of Bloomington, that the City has no objection to the vacation. At this date, we have not heard from the Bloomington Township Road Commissioner. The staff recommends that the vacation of Thompson Avenue be approved if the Road Commissioner does not oppose this vacation and if the parcel of land to the east of Thompson Avenue not be land locked without the owner's permission.

Mr. Frank Miles, 202 N. Center Street, Bloomington, IL 61701, attorney for the petitioner, stated that this was a subdivision that was platted in 1884 into 5-acre tracks with 33-foot right-of-ways. This subdivision has never been developed. A portion was replatted into the Bloomington Heights Subdivision prior to 1900 and developed. The vacation, if approved, would be the 33 feet right-of- way on the west side of Bloomington Heights from the south line of Jefferson Street to the north line of Washington Street in the subdivision. The property owner of plat 002 on the west side will still have access to the Washington Street frontage. All property owners have agreed to the vacation except the owner of plat 002.

Mr. Rodman asked if there is a map of the area. Mr. Rodman added that there is a misprint in the case write up. The Word "not" needs to be added to the last sentence of the paragraph. The Committee reviewed the map.

Ms. Bostic asked if the owner of plat 002 was present. Mr. Phil Dick, County Planner, Building and Zoning, replied that the owner was not present. The owner was notified of the public hearing. The owner had shown concerns previously and did not sign the petition for the vacation.

Motion by Segobiano/Rodman to recommend approval of a request to vacate part of Thompson Avenue located immediately west of Lot 92 through Lot 112 in the Bloomington Heights Subdivision.

Chairman Gordon asked if the public wished to speak. Hearing no requests from the public to address this issue, Chairman Gordon closed the public hearing. Motion carried.

Chairman Gordon opened the public hearing for case S-00-21 and case S-00-22. Mr. Wunder stated that the Dover Ridge request is made by Tracy Holman and Charles M. Stevens III for approval of a Preliminary Plan for a 72.13 acre residential subdivision, Dover Ridge. The proposed subdivision is located on the south side of Cheney's Grove Road primarily within Section 21 and with a small portion in Section 20 of Old Town Township. The Preliminary Plan for this subdivision has been submitted in conjunction with the proposed Wexford Hills Subdivision, located immediately west of the Dover Ridge Subdivision.

The property was zoned R-1 at the McLean County Board meeting on October 21, 1997. A Preliminary Plan for this property was denied at the McLean County Board meeting on April 28, 1998. The proposed Dover Ridge Subdivision would include 28 residential lots and two out lots for storm water detention. The residential lots range in size from approximately 1.33 acres to slightly over 4 acres. The largest of the two out lots is approximately 8 acres and the smaller out lot is slightly over one acre.

The western portion of the proposed subdivision is delineated by an extension of Tanglewood Road as a collector street north to Cheney's Grove Road. A single loop road serves all but one of the proposed lots in the subdivision. A stub street (Dundee Lane) is located on the east side of the subdivision.

The McLean County Health Department, the McLean County Highway Department, and the Old Town Township Road Commissioner among others have reviewed the proposed subdivision.

The Health Department had six concerns with the proposed subdivision expressed in their letter dated November 30, 2000, which has been attached. A couple of the concerns are of a minor nature, but several are of a more serious nature that may or may not have significant design implications. These include the number of lots proposed to discharge to the lake on Outlot A and the increased volume of water discharged from Outlots A and B to independently owned properties

The Highway Department has a few minor modifications that still need to be made. None are of any consequence and should be routine corrections.

The staff is recommending approval of the Preliminary Plan for Dover Ridge if the Health Department's concerns can be addressed and mitigated and the Highway Department's corrections made.

A letter from Mr. Charles Wunder stated, "This is a request by Tracy Holman and Charles M. Stevens III for approval of a Preliminary Plan for a 35.46 acre residential

subdivision, Wexford Hills. The proposed subdivision is located on the south side of Cheney's Grove Road primarily within Section 20 of Old Town Township. The Preliminary Plan for this subdivision has been submitted in conjunction with the proposed Wexford Hills Subdivision, located to the immediately west of the Dover Ridge Subdivision. The property was zoned R-1 at the 10/21/1997 McLean County Board meeting. A Preliminary Plan for this property was denied at the 4/28/1998 McLean County Board meeting. The proposed Wexford Hills Subdivision contains 42 residential lots and 2 out lots. The residential lots range in size from approximately from slightly over ½ acre to slightly less than 2 acres. The two out lots, for storm water detention and tertiary treatment, are approximately ½ acre in size. The eastern portion of the proposed subdivision is delineated by an extension of Tanglewood Road as a collector street north to Cheney's Grove Road. None of the lots in the Wexford Hills Subdivision would have street access to this road. The proposed subdivision has been reviewed by the McLean County Health Department, the McLean County Highway Department and the Old Town Township Road Commissioner. The County's Highway Department has some minor corrections/modifications that need to be made, but nothing that would substantially change the layout and lot sizes. The Township Road Commissioner does not have any problems with the proposed subdivision. The McLean County Health Department does have some concerns with the proposed subdivision. I have attached a 11/30 letter from the Health Department to the applicant outlining these concerns. Some of them are minor and easily addressed, but some remain problematic. If the Health Department concerns can be addressed the staff would recommend approval of the Preliminary Plan."

The staff is recommending approval of the Preliminary Plan for Dover Ridge if the Health Department's concerns can be addressed and mitigated and the Highway Department's corrections made.

Mr. Robert Lenz, attorney for the applicant, introduced Mr. Duane Yockey, Engineer, Lewis, Yockey and Brown, and Mr. Richard Scott, Geologist, Lewis, Yockey and Brown, who are working on the project. Mr. Lenz reviewed a map of the two proposed subdivisions. Dover Ridge consists of larger lots and Wexford Hills has smaller lots. The proposed subdivisions share a common road, which connects to Cheney's Grove Road. The applicant has met all the subdivision requirements, except for a percolation test which has not been completed. The applicant is asking that this be waived until Spring.

Mr. Lenz stated that this is a family farm, which consists of 107 acres. There has been some change in the topography. A stub road is being added so that if the land to the east is developed there is access. The applicants are dedicating the right-of-way and are paying the costs for the construction of a connector street at the request of the Highway Department. This road will connect to Tanglewood Road.

Mr. Lenz stated that there is a market for large lots in Dover Ridge and a market for smaller lots that Wexford Hills would offer.

The proposed subdivision plans incorporate the new EPA Standards, which was one of the concerns of the Health Department.

Mr. Lenz passed out a copy of the State Government Well Study. Some of the wells are dated back to 1890 and are 40 feet to 70 feet deep. The proposed subdivision is on top of the same aquifer as the existing subdivisions. Mr. Lenz informed the Committee that there are no uniform water sources in McLean County, pockets of water have to be found. These lots are plotted with the optimum spot for each well to cover 4 lots. Test wells will be done to see if there is an adverse effect on other wells. The wells will be moved one hundred feet until water is found and the well does not have an adverse effect on other wells.

Mr. Lenz indicated that the wells highlighted in pink are 100 feet deep in a layer of sand. This pocket of water may only be 2 or 3 feet deep, but will have enough water to service one well. There are no concerns about finding water for the subdivision.

Mr. Yockey stated that in 1998, the preliminary plan was denied based on the developer's refusal to add the collector street requested by the Highway Department. Mr. Lenz stated that Mr. Larry Hundman is the new developer.

Mr. Yockey stated that the waiver of the percolation tests is common because the detail construction plans will be based on the results of the percolation tests.

Mr. Jeff Tracy, Highway Engineer, stated that the plans meet all the requirements of the subdivision ordinance required by the Highway Department.

Mr. Tom Anderson, Environmental Health Programs Specialist, stated that the outlots in the subdivision were intended for recreational uses. However, under the Illinois Department of Public Health rules and regulations for sewage disposal systems, the outlots can not be used for recreation. The outlots for discharge are limited to 2 per acre. If all the lots discharge into the outlots as originally thought, the applicants would be in violation of the regulations. The Health Department is concerned with the number of bedrooms per house discharged into the outlots. If there is any combination of bedrooms over seven, the discharge has to go to the Illinois Environmental Protection Agency for licensure and monitoring. Mr. Lenz has sent a letter as of this date stating that these issues will be addressed in the covenants for the subdivision. The Health Department is comfortable with the changes.

Chairman Gordon asked if the Health Department concerns have been adequately addressed. Mr. Anderson replied that the Health Departments concerns have been met.

Mr. Rodman asked what the speed limit will be on the road that divides the subdivisions and if there will be traffic signs or signals. Mr. Tracy replied that the speed limit is anticipated to be less than 55 mph. However, the speed limit can not be determined until there is a speed study completed. The number of entrances onto the street will be limited in order to minimize pedestrian conflicts.

Mr. Rodman stated that in 1998, it was thought that there would be development to the west of the proposed subdivisions. Mr. Tracy replied that the Catholic Diocese bought the property for a rumored school or church. The Highway Department does not feel that a stub street would be needed if the diocese builds in the future.

Mr. Rodman asked if these would be stop signs at the collector road. Mr. Tracy replied that stop signs would be recommended for any streets intersecting with the collector street.

Mr. Hoselton asked if these would be one well for every four residences. Mr. ockey replied that Public Health allows five or six residences per well. Mr. Anderson stated that five is the maximum number of residences per one well.

Mr. Hoselton asked what would happen if there is an inadequate water supply. Mr. Yockey stated that if there is an inadequate supply of water, then the number of lots would be reduced. If a lot does not have a well available to it, two wells could be placed further away with a longer lead to the lots served. The well drillers in the area are not concerned.

Mr. Richard Scott stated that he has spoken to local well drillers and read the available information regarding well in the area of the proposed subdivision. The information does not indicate that there would be a problem with the water supply.

Mr. Rodman stated that it looks like there is one lot that will access the collector road. He asked if this was correct. Mr. Tracy replied that was correct. Mr. Yockey stated that one lot in each subdivision would access the collector road. Mr. Yockey reviewed the map of the proposed subdivision map. Mr. Tracy stated that the Highway Department is comfortable with the access because it would be in a low speed area. The lots are large enough that the homeowners could put in a driveway so that backing up on to the collector street is not necessary.

Chairman Gordon asked Mr. Lenz, Mr. Yockey and Mr. Scott to affirm that the information they presented was true. All three gentlemen affirmed that they had presented true information.

Mr. Drake Zimmerman, RR1, Box 184, 2750 Cheney's Grove Road, stated that he frequently jogs on the road, and the traffic on the road frequently travels above 55mph. He has to get completely off the road when cars approach. The speed on this road is a safety issue.

Mr. Zimmerman stated that he has lived on Cheney's Grove Road for three years and had to have the well worked on twice. The total number of wells up to a mile away from his property is 10. Many of the residences are small. There will be seven times the number of families using the water supply. The water is currently undrinkable and drinking water has to be purchased by the residents. Many residences have had to have new wells drilled only to find dry holes. He asked the Committee to review the quantity of water available. The increase in wells will stress the system.

Mr. Rogers P. Freedlund, RR1, Box 175 A, Downs, Illinois, stated that he lives 3 miles from the property being discussed. Mr. Freedlund affirmed that the information that he is giving is true. He stated that he drives by the property everyday on his way to Bloomington, and is well acquainted with it. He knows several people who have drilled dry holes. He has a 3000 gallon cistern. He does not approve of the zoning for a residential area because the proposed two subdivisions would use at least 18 wells. This property is on a moraine. The water level is not plentiful now. The result will be harmful to those who live in the existing subdivisions. Mr. Freedlund stated that he knows of at least two wells that were drilled and are dry.

Mr. Freedlund stated that another reason that he does not approve of the proposed subdivision is that the developer is proposing two subdivisions to be built on over 100 acres. This land is good tillable soil. It should not be taken out of production. It has been farmed consistently. We feed the world through the Cornbelt.

Mr. Freedlund stated that the proposed subdivision would demand more roads and widening of existing roads to service all the homes in the subdivision. The costs will be higher for snow removal, road building, and maintenance. The township road budget is already stretched to its limits.

Mr. Freedlund stated that he is concerned about possible new schools needed for the families in the proposed subdivisions. Tri-Valley schools are crowded already and the tax rate is high. The area can not afford to build more school buildings and more buses will be needed. Mr. Freedlund stated that he has spoken to Dr. Steve Epperson,

Superintendent of Tri-Valley Schools. Mr. Freedlund stated that Dr. Epperson is concerned with the problems that could result. One problem is that a home has to be assessed at \$180,000.00 before it pays for even one student's costs and the district needs more commercial tax base, not residential. There were 17 subdivisions five years ago and many more have been built.

Ms. Carman Gresham, RR1, Box 187, Bloomington, Illinois, 61704, advised the Committee that she is concerned with the roads in the proposed subdivisions. She is a 48 year resident of Old Town Township. Chairman Gordon asked if she affirmed the information she was about to give was true to the best of her knowledge. Ms. Gresham stated that she affirmed.

Ms Gresham noted that the State Well Information was out of date. The subdivisions to the south of the proposed subdivision are not listed. There are over 1900 registered voters in the area.

Ms. Gresham asked why the current residents should pay taxes for another north-south road. There is talk of rebuilding 1100 N. The current residents do not desire the frontage being torn up destroying sod, trees, evergreens, and other plantings. She asked who would pay the landowner the market value of the said items. She asked how far will \$300.00 per lot, per Road Commissioner Bill Custer, go toward the road construction and maintenance. She feels that the Committee should consider the current residents, roads and taxes and take care of what the County already has.

Ms. Gresham stated that in recent months and years, the water situation has become crucial. The Committee needs to consider what will happen 15, 20, 40 years down the road, not just the present. With 70 + houses, there will be approximately 14 new wells. She asked if there is an adequate underground water supply to pump these wells without jeopardizing the supply of the current residents in the future. Ms. Gresham stated that she feels that a water district should be formed and in place before future building sites is given the "green light".

Ms. Gresham noted that the within a half-mile of said development houses have had several water/well problems. An examples of this problem is that one house has had 5 wells since 1969. Another house has had two dry holes in the year 2000, and another house has had to drill one new well in 2000. Another has had three wells before water was found. Another well is pumping mossy-like water, that plays havoc with the working head, softener, and the pressure is low.

Ms. Gresham commented that water is an essential element for sustaining our lives. She asked the Committee to refer to The Pantagraph article of December 6, 2000. The citizens of Old Township deserve up front answers and solutions to their concerns.

Mr. Steve Johnson, 19731 Cheney's Grove Road, Downs, stated that he was in Cleveland this afternoon and did not have time to prepare for the hearing. He asked Mr. Dick if he had brought the information he requested. Mr. Dick indicated that he had copies of the pictures Mr. Johnson had previously provided to him.

Chairman Gordon asked Mr. Johnson to affirm that the information he was going to give is true. Mr. Johnson affirmed that the information is true.

Mr. Johnson thanked the Committee for allowing him to videotape the hearing. He stated that Mr. Lenz is asking the Committee to approve the subdivision based on the recommendation of the staff. The plan that is being proposed meets the standards. The residents of the community are concerned about the water supply. His property is closest to the development. There is no strong evidence that there is enough water.

Mr. Johnson noted that objecting to residential development in the Old Town Township at this point is akin to closing the barn door after the horse has escaped. For a number of reasons, the neighborhood was unsuccessful in preventing this tract of land from having its zoning changed from Ag to R1. The current Land Use Committee has a larger mission and obligation: to safe guard the County's valuable farmland resource by doing what it can to be sure that past decisions don't negatively affect the future of the County.

Mr. Johnson stated that the Wexford Hills subdivision would directly affect his home and family. Five backyards will directly abut his property on the south and east borders. If the plan is approved, instead of watching the sunrise, all he will be able to see is aluminum siding and fences.

Mr. Johnson added that the added traffic on Cheney's Grove Road may require further widening of the road. According to a Pantagraph article of December 6, 2000, something has already been worked out between Larry Handyman and the Road Commissioner to widen the road. This means that the gorgeous trees on the property will find themselves in harms way. The trees are on the edge of the 30 feet right-of-way and can be taken for the right-of-way.

Mr. Johnson passed out a written summary of his remarks.

Mr. Bill Custer, Old Town Township Road Commissioner, stated that he did not say that the trees would be taken.

Mr. Hoselton asked what is the right-of-way for Tanglewood. Mr. Tracy replied that the extension through the subdivision is 80 feet.

Mr. Floyd Morefield, RR1 Box 175, Bloomington, Illinois, stated that he has the same concerns with the water supply. He knows 4 people that have drilled 14 wells within ½ mile of the proposed subdivision.

Mr. Morefield is concerned about 1950 E. He has been told that 1950 E. couldn't be widened because there isn't enough money. However, now there is enough money to build the extension of Tanglewood Drive, which requires a bridge and a ¼ mile road. 1950 E is too narrow for two cars to pass on. He asked why the taxpayers should be responsible for the new road in the proposed subdivision.

Ms. Bostic asked to be shown where 1950 E is on the map. Mr. Tracy stated that the subdivider will pay for the portion that runs through the subdivision. The portion between the existing Tanglewood intersection and the south line of the proposed subdivision would be paid for by the developer of any other new subdivision. It is anticipated that the Township will make plans for the extension. Mr. Hoselton asked if the Road Commissioner would be forced into completing the road due to subdivisions. Mr. Tracy explained that the Road Commissioner would not be forced to complete the road, but would have to consider the amount of traffic. Mr. Hoselton asked if it is most cost effective to build from the extension of Tanglewood to the proposed subdivision. Mr. Tracy explained that the Road Commission would not be forced due to subdivision, but would have to consider the amount of traffic. Mr. Hoselton asked if it is most cost effect to build from the extension of Tanglewood to the proposed subdivision was the cheapest way to go. Mr. Tracy replied that he believes that it is the cheap way.

Ms. Bostic asked if most of the car traffic would travel Cheney's Grove Road towards Bloomington. Mr. Tracy replied that it is anticipated that the greatest number of trips will be north. Ms. Bostic stated that the school busses would travel south. Mr. Tracy stated that that is correct. Ms. Bostic asked if Cheney's Grove Road is a County Highway. Mr. Tract replied that Cheney's Grove Road is a Township Road. Ms. Bostic asked if the road is oil and chip. Mr. Tracy replied that the road is oil and chip; the width of the road is 21 feet. Ms. Bostic asked if a traffic estimate has been done. Mr. Tracy replied that a traffic estimate was done for the rezoning case. Ms. Bostic asked if the traffic is more than 1000 a day. Mr. Tracy replied that it is much higher and is expected to grow because of many new developments.

Mr. Dale Hanes, RR1, Box 176, Bloomington, affirmed that the information that he is about to give is true. He stated that he is concerned with the water. He has lived in the Clear Lake subdivision for 32 years. He drilled 2 dry holes before finding water. The State Water Survey in Champaign recommended that he not drill anymore. He did drill again. His well is a vein that is 2 feet deep at 182 feet. He doesn't want to stand in the way of progress, but would like some guarantees from experts that the proposed

subdivisions will not effect the current resident's water supply. Mr. Hanes stated that water is hard to find. Many dry holes have been drilled.

Mr. Hanes stated that he is concerned with 1950 E. There is a hill on 1950 that intersects with a driveway. Someone will have an accident. The road is very narrow and needs improvements. He would like to benefit from the tax dollars he has paid for 32 years and have 1950 E. repaired. 1950 E. will be the main road for residents headed toward the school, it will carry more traffic with younger drivers.

Ms. Gresham asked if the extension is built, will 1950 E. be maintained. Mr. Tracy replied that 1950 E. is a Township Road. The Township will have to maintain 1950 E. The extension will take the bulk of the traffic off of 1950 E. Ms. Gresham asked why 1950 E. has not been improved. Mr. Tracy replied that the Highway Department has no control over 1950 E.

Mr. Hoselton asked if test wells would be done. Mr. Dick stated that the procedure for land development is based on two requirements. The first requirement is the use of the land, which was decided in 1997. The water issue was discussed then. The second requirement is whether or not the proposal meets the subdivision ordinance. A developer will not want to put houses in an area with no water. The Committee needs to be concerned with the requirements of the subdivision ordinance, which include lot size, drainage, roads, the comprehensive plan, right-of-way, and greenways. The developer is not expected to drill wells at this stage of the proposal.

Chairman Gordon asked if other members of the public would like to speak.

Ms. Gresham asked what recourse the public has if there is a problem with the water supply.

Mr. Yockey stated that the proposed collector road is on the long-range transportation plan. 1950 E. is not set up to be a collector road, which is why the extension to Tanglewood needs to be done. 1950 E is not a safe road because it has horizontal and vertical curves. There is land designated for a bicycle path along Cheney's Grove Road.

Mr. Yockey stated that the applicants have to been in contract with the State and the well drillers. These individuals are not concerned with the subdivision's water supply.

Mr. Yockey stated that once the preliminary plan is approved, then the next steps can be taken. The construction phase is next, where improvements will be made to the design and test wells will be drilled. Three or more test wells will be drilled. The developer does not want to build if there is not an adequate water supply. The test data will be

provided to the State and the Health Department. Part of the testing will include the effects of the test wells on the residents' wells.

Mr. Rodman asked how the neighbors would be made aware of the test so that the effects of the test wells can be monitored.

Mr. Lenz stated that he would like Mr. Scott to reply to the questions regarding the test wells. Mr. Scott is a geologist and is familiar with the area of the proposed subdivision.

Mr. Lenz asked what the geological characteristics of the parcel are. Mr. Scott replied that the area is glacial drift, most likely a moraine. It is an area where glaciers melted and materials were deposited. The information the State Well Study is not inclusive of all wells in the area. Using information contained in the Study, there are at least two zones in which water bearing sands or gravels are commonly indicated. One layer is at 80 feet and the other is at approximately 160 feet. Some of the sands and gravels are only a couple feet thick and others are up to 10 feet deep. The subsurface geology shows that the ground water will be found in little layers, lenses or pockets of coarser material which were laid down by the glacier 18, 000 years ago. Ground water is spotty and it is not unusual that lots in this area would have to dig more than one hole to find water. An advantage of the subdivision is that if an individual lot does not have a good water-bearing zone, another lot can be tried. The local drillers say that the zones are hit and miss. The purpose of the pump testing is to maximize the efficiency of the wells for the subdivision and that they do not interfere with other wells. There is limited data right now.

Mr. Lenz asked if the highlighted numbers on the map are based on information provided under the Freedom of Information Act. Mr. Scott replied that is correct. Mr. Lenz asked if he had the records with him. Mr. Scott stated that he did. Mr. Lenz asked if Mr. Scott could talk about the Mr. Zimmerman well. Mr. Scott replied that Mr. Zimmerman said that his water is undrinkable. Mr. Lenz asked how deep the well is and when was it installed. Mr. Scott replied that the State information shows that the well is a 6 inches wide and 70 feet deep. The well was installed prior to 1963. There is not information available regarding the subsurface geology regarding that well.

Mr. Lenz asked if the State's data shows that well #10 is 69 feet deep and was installed in 1900. Mr. Scott replied that the record shows that the well was dug to 160 feet in one spot and there is a note included that the owner believes the well to be only 69 feet deep. The well was completed in 1920 and there is no information regarding the subsurface geology.

Mr. Lenz asked Mr. Scott to make a generalization regarding the information on the water supply. Mr. Scott replied that there is water at approximately 80 feet. The subsurface material is mostly clay to 200 feet. Within the Clay, there is a zone at 80 feet, which are sand or gravel pockets, and a zone at 160 feet deep. The zone at 80 feet is 2 to 10 feet thick and the zone at 160 feet is approximately 10 to 20 feet thick. The drillers believe that there are additional pockets in other areas.

Mr. Lenz asked if there is any information that would make Mr. Scott believe that water can not be found. Mr. Scott stated that in the information available to him, he does not see a problem finding water.

Mr. Lenz asked if digging the wells in the proposed subdivision would adversely effect existing wells. Mr. Scott replied that from the information available to him, he does not see a problem, but that is why, testing is done. Mr. Lenz asked if a test well shows a potential for impacting other well what would happen. Mr. Scott replied that the new well would have to be moved. Mr. Lenz asked if this is an ordinary way of testing. Mr. Scott replied that this is an approved measure. Mr. Lenz asked if the test wells conditions are measured and monitored to determine if there is water and if it has an impact. Mr. Scott replied yes. Mr. Lenz asked if this were done around gravel pits. Mr. Scott replied yes. Mr. Lenz asked if this is to make sure that the farmers are not impacted. Mr. Scott replied yes. Mr. Lenz asked if this is the same type of testing done for the Springtown gravel pits. Mr. Scott replied yes.

Mr. Lenz stated that the preliminary plan was turned down in 1998 because the developer was not willing to put the road in. The County Board insisted on the new road. Mr. Hundman is willing to pay the costs of the new road. This is the best solution based on the comprehensive plan, the traffic flow, and the recommendations of the Road Commissioner and the Highway Department.

Mr. Lenz stated that when the rezoning was done in 1998, he obtained certified copies of the township budget records. 80% of the increase in the assessed value came from single family dwellings. Every year that the assessed value increased, the tax rate for road maintenance was decreased. The Township trustees can levy the taxes. This is neither a zoning nor a subdivision ordinance issue. It is a local township taxing body policy.

Mr. Lenz stated that this agreement to pay \$300.00 per lot for road maintenance is the first agreement of this kind in McLean County.

Mr. Lenz stated that the impact on the schools is not a consideration for the Committee, nor is the question of snow removal, nor is the zoning. The preliminary plan meets the requirements of the subdivision ordinance.

Ms. Bostic asked if the clay layers are permeable. Mr. Scott replied that water percolates through the layers very slowly. Ms. Bostic asked if the higher levels would percolate to the lower levels. Mr. Scott replied that the water seeps into the layers because of pore pressure in the clay. As water is removed, the pressure is reduced in that aquifer. The water gets into the sand because of the pressure differential. The percolation takes a long time to occur. The percolator test shows the effect of the well on the aquifer to minimize the effect on the water bearing sand. Mr. Yockey stated that the test drill would test well capacity and how long it takes for the well to recover or recharge.

Chairman Gordon stated that, at this point, only new information could be added by the public. Mr. Freedlund stated that all the new wells in the area are over 200 feet deep. Mr. Anderson stated that as required by Illinois State Law, the Health Department records all new wells since 1991 and sends the information to the State Water Survey. Health Department records are more current than the State's and show that the deepest well is 200 feet. Mr. Morefield stated that his well is 203 feet.

Chairman Gordon stated that many concerns have been heard, but are outside the boundaries of the Subdivision Ordinance.

Chairman Gordon asked if any of these objections were raised during the ZBA hearing in 1998. Mr. Dick replied that roads, traffic and water were discussed in 1998. Chairman Gordon asked if there was expert testimony rendered in 1998. Mr. Dick replied that there was no expert testimony convincing the ZBA that there is not an adequate water supply. Traffic issues were unresolved at the time. Many of the changes in this proposal are the result of the issues raised in 1998. Cheney's Grove Road was not adequate to support additional traffic, which is why the \$300.00 fee would be paid to offset road maintenance. The Tanglewood road extension was a big issue.

Chairman Gordon asked if the basis for the County Board's April, 1998 denial of the preliminary plan was due to the roads and the traffic, not the water. Mr. Dick stated that is correct. Chairman Gordon asked if changes have been made since 1998 that would alter the decision made in 1998. Mr. Dick replied that the fundamental change has to do with the road alignment of Tanglewood Road, which is now included in the comprehensive plan.

Mr. Rodman asked if the Homeowners Covenant is part of the record. Mr. Anderson stated that it has not been submitted yet. Mr. Lenz stated that it could be included. Mr. Lenz stated that the text of the covenants would be submitted to the Health Department.

Chairman Gordon asked if the results of the well test would be made know to the Board. Mr. Yockey stated that the results will be public record and submitted to the Health Department.

Chairman Gordon closed the public hearing.

Mr. Segobiano stated that many concerns that were heard are unfortunately outside of the realm of the Land Use Committee. The Committee has to make sure that the requirements of the Subdivision Ordinance are met. The concerns of the staff have been resolved. He expressed that he would like to see the results of the percolation test once completed for information.

Motion by Segobiano/Nuckolls to recommend approval of the preliminary plans for cases S-00-21 and S-00-22.

Ms. Bostic asked what is the next step after the approval of the preliminary plan. Mr. Wunder replied that the applicant would prepare detailed construction plans, including the storm water detention calculations, and all documentation. Ms. Bostic asked if the wells would be in place at that time. Mr. Wunder replied that he does not know. Mr. Yockey stated that at least 3 well test will be done prior to submitting the construction plans to the County for approval. Mr. Wunder stated that once acceptable construction plans are prepared, and the bond requirements are met, the final plat would be approved.

Mr. Rodman asked how the public would be notified of the test. Mr. Segobiano stated that it would be a matter of public record. The public will see the wells being drilled. Mr. Anderson stated that the neighbors could call the Health Department.

Chairman Gordon stated that he would vote.

Motion carried.

Mr. Segobiano asked if the area Mr. Hanes pointed out is a County or a Township Road. Mr. Tracy stated that it is a Township Road.

Chairman Gordon recessed the meeting at 7:45 p.m.

Chairman Gordon called the meeting back to order at 7:52 p.m.

Mr. Wunder presented case S-00-25. The applicant is requesting an amendment to his Preliminary Plan for a 6 lot industrial subdivision in order to enact three minor changes to the subdivision, including the expansion of Lot 1, dividing Lot 5 into three lots and reconfiguring lots 3 and 4 and dividing the new lot 4 into two lots.

The new Lot 1 will be 4.477 acres in area and measures 550' by 391'. The new Lot 3 will be 3.146 acres and measures 435' by 311'. The reconfigured Lot 4 has been divided into two .72 acre lots measuring approximately 154' by 203'. The three lots being created from the former Lot 5 are all slightly over 2 acres in size. They would be 450' deep and 200' and 195' wide.

The Highway Department and the Health Department have reviewed the proposed lot configuration changes. The Highway Department does not have any problems with the proposed changes. The Health Department has requested a subdivision common collector be installed to provide Lots 4A and 4B with a method of disposing of sand effluent if the need should arise. The proposed changes would comply with all Zoning Ordinance and Subdivision Ordinance requirements. The staff is recommending approval of the amended Preliminary Plan with the condition that the Health Department's concerns be addressed.

Mr. Michael Hadden, RR3, Box 505 A, affirmed that he would tell the truth regarding the information he was presenting. Mr. Hadden advised the Committee that the conditions set by the Health Department would be met.

Mr. Anderson stated that the Health Department sent Mr. Hadden a letter stating the office reviewed the development proposal on December 19, 2000. The Department has identified one major deficiency. The original development contained lots greater than one acre. The design allowed for lot owners to install a large conventional seepage field or discharge sand filter system on their own property if necessary. The revised proposal breaks the original lot into two small lots each less than one acre in size. The proposal does not allow for any sand filter discharges on to these properties. In order to meet the requirements of the Illinois Department of the Public Health code and the McLean County Subdivision Ordinance, a common collector must be installed to provide lots 4 A and 4 B with a method of disposing sand filter effluent if the need should arise. The department enclosed the form stating the developers proposed method for proper sewer disposal.

Mr. Anderson stated that Mr. Hadden received the letter too late to respond. As long as Mr. Hadden makes the revision prior to the final plat, the Health Department has no problems with the proposal.

Mr. Dick stated that if the case is recommended, an amended plan would be presented before the January County Board meeting, which could be signed then. The case can be approved contingent upon the changes.

Motion by Rodman/Bostic to recommend approval of case S-00-25, a request to amend preliminary plan contingent on the changes requested by the Health Department. Motion carried.

Mr. Wunder presented case S-00-26, requesting that Preliminary Plan requirement be waived and the staff is recommending that their request be approved. The proposed subdivision is a one lot subdivision encompassing 4.18 acres. The property is zoned A Agriculture. The applicant is setting this lot off of a 56 acre farm tract. A Special Use Permit for a residence was approved on October 17, 2000. The proposed lot is 462" wide and 394" deep and is located on the west side of 1750E in Section 25 of Gridley Township. The Gridley Township Road Commissioner has issued a certificate for this lot. The staff is recommending that this Final Plat be approved.

Chairman Gordon asked if the preliminary plan hearing requirement is being waived as well. Mr. Wunder stated that is correct.

Ms. Kathy Kuapp, RR1, Box 58, Gridley, Illinois 61744, stated that she affirms that she will present true information.

Mr. Wunder stated that a Special Use permit had already been obtained.

Mr. Rodman asked if the necessary right-of-way had been dedicated. Mr. Tracy replied that the necessary right-of-way was designated.

Motion by Rodman/Bostic to recommend approval of case S-00-26, a request that the preliminary plan be waived. Motion carried.

Mr. Wunder stated that Mr. Bob Burke, a dedicated member of the Zoning Board of Appeals, has retired due to illness. He has been on the ZBA for 15 years. The ZBA is asking that the County Board honor Mr. Burke.

Motion by Segobiano/Rodman to have resolution honoring Mr. Burke prepared and presented at the County Board. Motion carried.

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There being nothing further to come before the Committee at this time, Chairman Gordon adjourned the meeting at 8:14 p.m.

Respectfully submitted,

Lucretia A. Wood
Recording Secretary