

## **Minutes of the Land Use and Development Committee**

The Land Use and Development Committee of the McLean County Board met on Thursday April 1, 2010 at 4:45 p.m. in Room 400, Government Center, 115 E. Washington Street, Bloomington, Illinois.

Members Present: Members Ahart, Cavallini, Rankin, and Soeldner

Members Absent: Member Segobiano

Other Board Members Present: None

Staff Present: Mr. Terry Lindberg, County Administrator, Mr. Bill Wasson, Assistant County Administrator, Ms. Diana Hospelhorn, Recording Secretary

Department Heads/  
Elected Officials  
Present:

Mr. Phil Dick, Director, Building and Zoning

Others Present:

Mr. and Mrs. James Bergin, Subdivision Applicant, Ms. Heather Sears, Subdivision Applicant

Chairman Gordon called the meeting to order at 4:45 p.m.

Chairman Gordon presented the Minutes of the March 4, 2010 Land Use and Development Meeting to the Committee for approval.

Motion by Soeldner/Cavallini to recommend approval of the Minutes of the March 4, 2010 Land Use and Development Committee Meeting.  
Motion carried.

Chairman Gordon presented the bills from March 31, 2010 which have been reviewed and recommended for transmittal to the Land Use and Development Committee by the County Auditor. The prepaid total and fund total for March 31, 2010 is \$25,781.59. He asked for a motion to approve the bills as presented by the County Auditor.

Motion by Cavallini/Rankin to recommend approval of the March 31, 2010 bills as presented by the County Auditor.  
Motion carried.

Chairman Gordon informed the Committee that the first Item for Action is an Application of James and Angela Bergin to approve a waiver of preliminary plan requirements and a three lot final subdivision plat for the Conifer Brake Subdivision which is located in Towanda Township at 15794 N 2300 East Road, Merna, IL, file no. S-10-02. He asked Mr. Phil Dick, Director of Building and Zoning, to address the Committee.

Mr. Dick referred to the plat maps he distributed to the Committee. He noted that Mr. James Bergin and Ms. Angela Bergin are present to answer any questions the Committee might have. He informed the Committee that the applicants are requesting a variance in lot width requirements to allow the lot width of two of the proposed lots to be 150 feet rather than the 200 feet as required for lots over one acre in area which was approved in case ZV-10-01 by the Zoning Board of Appeals. Mr. Dick stated that the 4.07 acre property contains a single family dwelling toward the south end of the property. The applicants propose to set aside two lots 150 feet in width to the north of their residence. He noted that the Bergins will not be building on the lots immediately. E911 will issue address when they are ready to build.

Mr. Dick advised that the State of Illinois operates road 165 and has approved a future entrance for the proposed lots. The County Highway Department, the

County Health Department and Staff recommend approval of the request for the waiver preliminary plan requirements and the proposed plat.

Motion by Soeldner / Rankin to recommend approval of the Application of James and Angela Bergin to approve a waiver of preliminary plan requirements and a three lot final subdivision plat for the Conifer Brake Subdivision, located in Towanda Township at 15794 N 2300 East Road, Merna, IL, file no. S-10-02.  
Motion carried.

Chairman Gordon stated that the next Item for Action is an Application of Heather, Susan and Deanna Sears to approve a waiver of preliminary plan requirements and a one lot final subdivision plat for the Heather Sears Subdivision which is located in Old Town immediately south of the intersection of 950 North Road and 2125 East Road file no. S-10-03.

Mr. Dick pointed out that Ms. Heather Sears is present to address any questions the Committee may have. He reviewed the applicant's request for a waiver of preliminary plan requirements. Mr. Sears plans to build a home on a lot set aside and approved in special use zoning case SU-10-02 by the County Board on February 16, 2010. The 1.5 acre property is vacant and is currently in crop production.

Mr. Dick stated that the County Health Department, County Highway Department, Old Town Township road Commissioner and Staff recommend that a waiver of preliminary plan requirements and the Heather Sears Subdivision final plat be approved.

Motion by Cavallini / Ahart to recommend approval of the Application of Heather, Susan and Deanna Sears to approve a waiver of preliminary plan requirements and a one lot final subdivision plat for the Heather Sears Subdivision, located in Old Town Township immediately south of the intersection of 950 North Road and 2125 East Road file no. S-10-03.  
Motion carried.

Chairman Gordon informed the Committee that the next items to be presented to the Committee are Items of Information.

Mr. Dick advised that Mr. Tom Kirk, Henson Disposal – Recycling Center, is applying to the County for a Regional Pollution Control facility, which is governed by the same regulations that govern landfills. The Land Use and Development Committee will hold the public hearing chaired by the County Board Chairman.

Mr. Dick suggested that a Public Hearing be held during the regular Land Use and Development Committee meeting August 5, 2010.

Mr. Terry Lindberg, County Administrator noted that this is not an application for an expansion of a landfill. Mr. Kirk intends to formalize an ongoing activity of intercepting construction materials and recycling certain construction materials. Mr. Lindberg noted that this is good for the community and good for the life of the landfill. He stated that the City of Bloomington and the Town of Normal both are excited to have this facility.

Mr. Soeldner asked if the materials not being recycled would go to the landfill. Mr. Lindberg responded that they would, whereas in the past, all of the material would have gone to the landfill. He advised that it may reduce our tipping fees; however it will increase the life of the landfill.

Mr. Soeldner asked why this request requires a Public Hearing. Mr. Dick explained that Mr. Kirk has received zoning approval through a Special Use Permit. This does not allow him to operate a pollution control facility as defined under the Environmental Protection Agency (EPA).

Mr. Lindberg stated that Mr. Kirk needs two things

- Approval to operate a pollution control facility.
- Approval of the host agreement.

He noted that the process is rather involved and the entire process will need to be repeated with EPA.

Ms. Ahart asked if the County had requirements or guidelines that Mr. Kirk's business will need to meet. Mr. Dick responded that there are guidelines and requirements required by the County.

Mr. Soeldner questioned the location of Mr. Kirk's business. Mr. Dick advised that Mr. Kirk's current business is located off of Bunn Street, near Tri Lakes Recreation Facility.

The Committee agreed to move forward and schedule the Public Hearing during the regular Land Use and Development Committee meeting August 5, 2010.

Mr. Dick continued with the April 2010 Draft of Chapter 36, Article V11, Steam Buffer Regulations. He distributed a copy of the findings from the Public Hearings two years ago. The Town of Normal adopted it in April, 2008. He suggested that it be put on the Agenda for the June, 2010 Land Use and Development Committee Meeting.

Mr. Rankin asked what the immediate impact will be on the County. Mr. Dick explained that when a property is rezoned and is subdivided, if there is a stream that runs through the property, it must be taken into account and will require a certain kind of buffer. The Stream Buffer Regulations will become a part of the

Subdivision Ordinance. He pointed out that when development occurs, where the water flows is taken into account. It will hopefully allow for some developments not to require sump pumps. Mr. Dick advised that this Ordinance will only effect new subdivisions and rezoned properties going through subdivision.

Mr. Soeldner asked if this Ordinance relates to the Lake Bloomington or Evergreen Lake Watershed Program. Mr. Dick responded that the Watershed Plan does refer to the Ordinance. He did note that most of the development occurs close to the City of Bloomington and the Town of Normal.

The Committee agreed to include the Stream buffer Regulation on the June 3, 2010 Land Use and Development Committee Agenda.

Chairman Gordon presented to the Committee information concerning "Creating Economies of Nature" – Saving the World..... by making a Profit. He stated that the program will be presented by Mr. Jay Truty, Founder, Ecosystem Capital, LLC. He will be speaking at Hansen Student Center at Illinois Wesleyan University on Friday, April 9, 2010 from 12:00 p.m. – 1:00 p.m. Mr. Truty will discuss strategies that organization and individuals can take to realize and increase the financial value of land and water resources by utilizing market-based conservation finance strategies.

Chairman Gordon stated that the next Land Use and Development Committee meeting will be on Thursday, May 6, 2010. Chairman Gordon asked if there were other items of information to come before the Committee. Hearing none, he adjourned the meeting at 5:10 p.m.

Respectfully Submitted

Diana Hospelhorn  
Recording Secretary