

Zoning Board of Appeals/Plan Commission
Village of Sheridan
May 7, 2018

The Village of Sheridan Zoning Board of Appeals/Plan Commission met on the above date for a continued meeting from April 30, 2018 with the following members present: Susan Enger, Jamie Walker, Pam Carlson, Heather Weber and John Whalen. Other Village officials present were Attorney Rich Burton, Mayor Shelly Figgins, Zoning Chairman Larry Ryg and Village Clerk/Administrator Cathy Carpenter. Members of the public in attendance were as indicated in the sign in register attached as **Exhibit J**. Chairman Susan Enger called the meeting to order at 6:00 P.M. and those wishing to testify were sworn upon oath.

Attorney Burton stated a draft of the minutes from the April 30, 2018 hearing had been presented to all parties along with compiled exhibits presented from the April 30, 2018 hearing. He asked petitioners if there were any exhibits not included with the minutes that Petitioners wanted in the hearing record. Wendy Greenrod stated that they would like to add an exhibit identifying the costs of water testing incurred by the Villages. Such exhibit was received and identified as **Exhibit K**. She also submitted an addition to **Exhibit G** covering the year 2015 which had been omitted at the first hearing. The year 2015 report was added to existing **Exhibit G**. Attorney Burton then asked Mr. Vardijan if there were any exhibits he would like to introduce. He stated no.

Attorney Burton asked if the petitioners had any new evidence to submit. Ken Thompson spoke of their visit to the site at 4201st Rd. He read **Exhibit L** as to their site visit. Don McNelis stated that he had visited the Plano CCDD site. At the Plano site, the PID tester was attached to a stick to make it easier to test materials inside trucks. Don advised that during the site visit to the 4201st site, it was obvious that it was hard for Kevin Friel to lean on to the truck next to his wheel loader to use his PID tester. Nicole Vardijan stated that a stand was being placed at the 4201st site for this purpose beginning tomorrow. She passed out **Exhibit M** to all parties for viewing. Wendy Greenrod stated viewing was not good for the time of day and the dark, pre-sunrise conditions. Chairman Enger stated that lighting would be good improvement. Wendy stated 2 special random load checks of truckloads were to be performed each day. Don McNelis stated that during such special random load checks, loads are to be dumped and checked thoroughly. Chairman Enger inquired as to whether or not documentation is to be done as to such special random load checks. Mr. Vardijan stated that he was not aware of any special paperwork unless a problem was discovered. Wendy introduced **Exhibit N** being Section 1100.205 of Part 1100 of Chapter I of Subtitle J of Title 35 of the Illinois Administrative Code as to CCDD load checking. Page 4 of **Exhibit N** sets forth the code requirements for such special random load checking. Attorney Burton asked if there were any other evidence that the Petitioners desired to present. There was none.

Attorney Burton called upon Mr. Vardijan to present any further evidence. Mr. Vardijan commented that he believed that the Petitioners had called the Attorney General's Office seeking that the Attorney General bring action. He feels that Petitioners and the Village need to understand the nature of his operations which will help assure all involved that the CCDD operations are safe. Mr. Vardijan continued to invite the Petitioners to view his operations, including the Chicago site, to learn how CCDD materials are identified and what is disposed of by way of landfill. Wendy Greenrod responded to Mr. Vardijan stating that the Petitioners had not called the Attorney General's Office seeking any court action. She stated the Petitioners action involved the filing a Petition the Village Board seeking the Village to impose conditions to keep the Village safe. Wendy stated that the Attorney General's charges that were

recently filed are because of the current alleged violations. The Illinois EPA, the United States EPA, The Army Corp of Engineers and the Attorney General's Office are concerned with these violations. Don McNelis stated their goal is to protect the aquifer. Mr. Vardijan stated that they take measures to ensure safety. He introduced **Exhibit O**, being invoicing from Civil & Environmental Consultants, Inc. for testing. He stated that he is a member of the Land Reclamation & Recycling Association which represents all CCDD sites and such Association helps assure reasonable and fair regulations. Mr. Vardijan advised he had no more evidence to present.

Jamie Walker motioned to close public comment on the topic of whether there is cause for modification of the special use. Heather Weber seconded the motion which was approved by unanimous oral vote. Attorney Burton advised that the Zoning Board of Appeals needs to work on recommendations to the Village Board for conditions to be added to the existing special use. Ken Thompson stated that Petitioners would like the Zoning Board to refer to pages 3 and 4 of **Exhibit B** and also add any CCDD conditions included within the proposed CCDD section to the LaSalle County Zoning Ordinance. The LaSalle County Board is expected to approve the proposed CCDD section to the LaSalle County Zoning Ordinance on May 10, 2018. Ken also requested that the Village should have monitoring paperwork available for viewing and included as part of a monthly CCDD report presented at Village Board meetings. They would like to have a countywide CCDD inspector assist with inspection of the 4201st site. Mayor Figgins presented **Exhibit P**, being comments in draft ordinance form, with her ideas for conditions and fees. Mr. Vardijan commented that he is not opposed to more checking on the sites. John Whalen asked if there was any benefit to the village for having a CCDD site within the corporate limits. Attorney Burton stated that it was not within the ability of the Village of Sheridan to determine if there is a CCDD site within the Village's corporate limits. The IEPA licenses and regulates all CCDD sites in Illinois without significant City or Village involvement.

Jamie Walker motioned to close public comment for the topic of recommendations for modifying the existing CCDD special use. Pam Carlson seconded the motion to which was approved by unanimous oral vote. Attorney Burton advised that he would work on draft conditions for the next meeting of the Zoning Board of Appeals. He asked Zoning Board members for items that they wanted by way of conditions. John Whalen wanted special use conditions directing to the monitoring of the CCDD site. Chairman Enger believed that lighting should be required for visual inspections of truck loads and for proper use of PID testing. Mayor Figgins mentioned the need for a fee schedule.

Jamie Walker motioned to recess the meeting to Monday May 21st at 7:00 PM. Pam Carlson seconded that motion to which was approved by unanimous oral vote.

Respectfully Submitted,

Cathy Carpenter
Village Clerk