

Zoning Board of Appeals/Plan Commission
Village of Sheridan
May 21, 2018

The Village of Sheridan Zoning Board of Appeals/Plan Commission met on the above date for a continued hearing from April 30, 2018 and May 7, 2018 with the following members present: Chairman Susan Enger, Jamie Walker, Heather Weber, Pam Carlson, John Whalen and Maggie Cimbalista. Other Village officials present were Attorney Rich Burton, Mayor Shelly Figgins, Zoning Chairman Larry Ryg, Sewer Committee Chairman John Walker and Village Clerk/Administrator Cathy Carpenter. Members of the public in attendance were as indicated in the sign in register attached as Exhibit Q. Chairman Susan Enger called the meeting to order at 7:00 PM.

Chairman Enger stated they would begin the meeting with the consideration of recommended Special Use Conditions for Revised Special Use for CCDD operations at 4201st Rd. Extra copies of the packets were available for the public. Attorney Burton then reviewed the findings of fact identified in the draft ordinance paragraphs A through G. No discussion took place as to modifying the draft findings. John Whalen motioned to approve the findings. Jamie Walker seconded the motion which was approved by an oral unanimous vote.

Attorney Burton stated that the draft conditions were based upon several documents discussed at the prior meetings which include the draft LaSalle County Zoning Ordinance amendment relevant to CCDD sites, recommendations from Mayor Figgins, and relevant Illinois Administrative Code Sections as to CCDD operations. As to the draft LaSalle County Zoning Ordinance amendment, Attorney Burton commented that such ordinance had not yet been approved. Petitioners commented that they expected the zoning amendment would soon be adopted in its present form.

Attorney Burton reviewed the draft 10 new conditional use conditions. As to condition 2018-1, such incorporates the relevant sections, current or in the future as modified, of the Illinois Administrative Code and makes any violation a violation of the special use and Village Zoning Ordinance. Condition 2018-2 expands the authority of the Sheridan zoning inspector regardless of who is the inspector for the Village. Condition 2018-3 covers load inspections and incorporates current inspection problems identified during the hearing process. Condition 2018-4 requires reporting to the Village for rejected loads. Condition 2018-5 requires the Operator to clean road debris arising from operations. Condition 2018-6 requires the operator to reimburse the Village for Village cost. Discussion took place as the Village expenses including the Village's PID meter and testing costs. Condition 2018-7 requires a letter of credit to cover any Village expense not timely paid. Condition 2018-8 requires minimum liability insurance of \$1 million dollars. Condition 2018-9 covers enforcement means available to the Village. Condition 2018-10 requires training. Petitioners questioned the nature of training required. Mayor Figgins identified an upcoming training program sponsored by several parties including the IEPA.

After review of the conditions, Chairman Enger asked for any questions or comments from the board. Pam Carlson inquired as to whether or not there would be other parties inspecting the site. Attorney Burton stated that the only inspectors would likely be the Village's inspector and the IEPA inspector. He commented that they had cooperated with each other in recent years. The Village could retain an inspector that already inspects other CCDD sites. The Village's past attempts to work with a LaSalle County inspector failed. John Whalen inquired about road protection, cleaning of the roads, and weight limits of the trucks. Attorney Burton stated that the Village of Sheridan does not have equipment and trained officers for significant truck enforcement. The Village's police department has been able to

work with the Illinois State Police for truck enforcement several times in the past. Ken Thompson stated that the Road District had an agreement with the Village to help with normal wear and tear of the relevant Township Road. Nicole Vardijan stated that all trucks are weighed before they are driven to the site. She stated tickets are made for these. Maggie Cimbalista inquired about one incident mentioned during the prior hearing about a nonfunctioning PID tester and if a backup could be added. Pam Carlson inquired about reporting. Attorney Burton stated the conditions require the operator to report to the Village any violation and that the Village has a right to inspect required records. Petitioners questioned why the conditions did not include a bond for closure. Attorney Burton advised that closure provisions were identified in the relevant Illinois Administrative Code provisions that he did not believe that the County language was suitable as details were not identified as to how the bond would be established.

With no further questions, Chairman Enger opened discussion about conditions to the public. Wendy Greenrod recommended that responsibilities be identified for the Village's inspector including that violations be immediately reported to the Illinois EPA. Attorney Burton advised that such would not be in this document which contains conditions for the CCDD operator. Job descriptions for an inspector could well be placed in documents relevant to who the Village Board retains for inspection purposes which could continue to be the police chief or could be a different inspector. Petitioner Greenrod suggested that the inspector needed to be certified. Don McNelis inquired why the tested chemicals are down from 22 to 3. Attorney Burton advised the he had consulted with the Village's engineer on this topic and that the substances being tested were different that such referenced in the County's draft zoning amendment. Petitioners questioned why the Village's engineer made such recommendation and how he was qualified to make the recommendation he made. Ken Thompson asked who the special use applies to, their being multiple corporations and the identified operator could change. Attorney Burton stated that the special use applies to the land and would be enforceable in principal against the land owner. Ken feels this should be more specific to the operator. Don McNelis would like to have a surety bond included in the ordinance. Wendy Greenrod inquired about training of the Sheridan inspector. Mayor Figgins stated there was a training that would be held. Wendy Greenrod stated she did not feel the ordinance protects the village residents financially. Don McNelis agreed and stated there was no water well monitoring included in the ordinance. Attorney Burton stated that if the CCDD state statute was changed to require well monitoring that such would be incorporated into the special use since we are adopting the relevant administrative code sections. Mayor Figgins inquired about the liability for the enforcement officer on the inspections. Attorney Burton stated there was no new risk associated as a result of the ordinance. Chairman Enger closed public comment.

Chairman Enger asked for a motion from the board to recommendation the draft ordinance to the Village Board. There was no motion. Chairman Enger then asked for a motion to continue the meeting. Maggie Cimbalista motioned to continue the meeting to another day. Pam Carlson seconded the motion. Motion was approved by a unanimous oral vote. Jamie Walker motioned to continue the meeting on Monday June 4th at 7:00PM. Maggie Cimbalista seconded the motion. Motion was approved by a unanimous oral vote. Attorney Burton requested that any parties seeking changes or additional conditions provide drafts of such to the Village Hall so that such information could be circulated and reviewed prior to the continued meeting. Meeting recessed at 8:11 PM.

Respectfully Submitted,

Cathy Carpenter
Village Clerk