

MINUTES
LIVINGSTON COUNTY ZONING BOARD OF APPEALS
Livingston County Historic Courthouse
112 W. Madison St., Pontiac, Illinois

Regular Meeting
7:30 p.m.

August 5, 2021

The meeting came to order at 7:35 pm

Members Present: Dave Randolph, Joan Huisman, William Flott, Richard Kiefer, Joe Stock, Neil Turner, and Richard Runyon

Others Present: Jesse King, Warren Hawkrige, Alan Schrock, Richard Hatzler, Jeff Fornero, Richard Schultz, Stephen Trainor, Kale Minnaert, Barb Cook

Members Absent:

Approval of the Agenda:

Chair Huisman noted the agenda for this meeting. Richard Runyon moved, seconded by William Flott that the agenda for this August 5, 2021 meeting be approved as presented.

This motion was then approved by a roll call vote.

Kiefer –	Yes	Runyon –	Yes
Flott –	Yes	Stock –	Yes
Randolph-	Yes	Turner –	Yes
Huisman -	Yes		

Approval of Minutes:

The minutes of the July 8, 2021 meeting were then noted to the zoning board members with no amendments noted. Dave Randolph moved, seconded by Joe Stock, that the minutes be approved as presented.

This motion was then approved by a roll call vote.

Kiefer –	Yes	Runyon –	Yes
Flott –	Yes	Stock –	Yes
Randolph-	Yes	Turner –	Yes
Huisman -	Yes		

Business to be reviewed:

SU-6-21 – VCNA Prairie LLC

This zoning case pertained to a request for a special use to transfer ownership of a previously approved mineral extraction site known as the “McDowell, Ifft, Metz Quarry” from Valley View Industries Inc. to VCNA Prairie LLC.

The assistant zoning administrator provided an overview of the zoning case to board members.

The General Manager of VCNA Prairie LLC, Warren Hawkrige, 7601 W. 79th, Bridgeview, IL, was present as a representative of the applicants in this case. Mr. Hawkrige began by introducing himself as well as introducing VCNA Prairie LLC to all present at the meeting. Mr. Hawkrige explained general operations of the company as well as an overview of the company itself. Additionally, Mr. Hawkrige assured that local staffing would remain the same outside of retirements that may occur.

There was then a question about the activity at the McDowell, Ifft, and Metz quarry. Mr. Hawkrige explained that it is currently an active quarry site and is anticipated to be active until approximately 2030 for the McDowell quarry, and 2040 for the Ifft and Metz quarries.

Chair Huisman confirmed with Mr. Hawkrige that he is aware of the conditions of these sites that will continue to apply.

With no other questions or concerns noted, William Flott moved, seconded by Dave Randolph that this zoning case be approved with the same original conditions to apply.

The motion carried by a roll call vote:

Kiefer –	Yes	Runyon –	Yes
Flott –	Yes	Stock –	Yes
Randolph-	Yes	Turner –	Yes
Huisman -	Yes		

SU-7-21 – VCNA Prairie LLC

This zoning case pertained to a request for a special use to transfer ownership of a previously approved mineral extraction site known as the “Shale Pit” from Valley View Industries to VCNA Prairie LLC.

The assistant administrator provided an overview of the zoning case to board members.

Mr. Hawkrige explained that the shale pit is currently an active site and will be for a “very long time”. Additionally, Mr. Hawkrige stated that there are no plans of operation changes and that they currently have one primary customer out of Chicago that consumes mined material from the shale pit.

There was then a question regarding the level of activity at the shale pit. Mr. Hawkrige explained that the site is less busy than the others and that most of the activity occurs in the morning when the trucks are loaded up for transport. After that, there is virtually no activity.

With no other questions or concerns noted, William Flott moved, seconded by Neil Turner that this case be approved with the same original conditions to apply.

The motion then carried by a roll call vote:

Kiefer –	Yes	Runyon –	Yes
Flott –	Yes	Stock –	Yes
Randolph-	Yes	Turner –	Yes
Huisman -	Yes		

SU-8-21 – VCNA Prairie LLC

This zoning case pertained to a request for a special use to transfer ownership of a previously approved mineral extraction site known as the “Fairbury Quarry” from Valley View Industries to VCNA Prairie LLC.

The assistant administrator provided an overview of the zoning case to board members.

Mr. Hawkrige then explained that the Fairbury site is currently idle and will be until approximately 2030 when they anticipate the McDowell quarry is completely mined. Mr. Hawkrige stated that the plan is to move to the Fairbury quarry once McDowell’s quarry has been completely mined.

There was then a question about how mining would continue at the site once the time comes. Mr. Hawkrige explained to board members how they will drain the existing pond and continue quarry operations.

With no other questions or concerns noted, Richard Runyon moved, seconded by Richard Kiefer that this zoning case be approved with the same original conditions to apply.

The motion then carried by a roll call vote:

Kiefer –	Yes	Runyon –	Yes
Flott –	Yes	Stock –	Yes
Randolph-	Yes	Turner –	Yes
Huisman -	Yes		

SU-9-21 – VCNA Prairie LLC

This zoning case pertained to a request for a special use to transfer ownership of a previously approved mineral extraction site known as the “Chenoa Quarry” from Valley View Industries to VCNA Prairie LLC.

The assistant administrator provided an overview of the zoning case to board members.

Mr. Hawkridge explained that the Chenoa quarry is currently idle and is anticipated to be idle until approximately 2029 when the Rowe quarry is anticipated to be completely mined. Mr. Hawkridge added that he anticipated the Chenoa quarry to be mined for approximately 5-6 years once commenced and that the properties are strictly farmland at this point in time.

Jeff Fornero, 12262 E. 1100 North Rd., Chenoa, IL was present at the meeting as an interested party to this zoning case. Mr. Fornero started by stating he had three points that he wanted to make. The first one was that he requested the language on the application for “present use” to be amended to say “Agriculture” instead of “Mineral Extraction”. Mr. Fornero also requested that agreements be made with all neighbors and not just the Schultz’s and Wagner’s as previously agreed to due to new development since then. Mr. Fornero also asked how neighbors would be notified about air & water quality permits as well as environmental impact studies. All of Mr. Fornero’s concerns were noted and Mr. Hawkridge stated that he was not in a position to make any definite statements on those matters tonight and that discussion with the company would need to occur. As for the testing, it was clarified by Mr. Hawkridge that all those permits are acquired through the state.

Mr. Fornero was then questioned by the board about the location and length of his residency in the area. Mr. Fornero explained that he lived just a little ways down the road to the East of the quarry site and that he’s lived there for approximately 2 and a half years.

Mr. Hawkridge was then asked about extending agreements to other neighbors by the board. Mr. Hawkridge stated that he was not in a position to say one way or another if that would be possible.

Richard Schultz, 10801 N. 1200 East Rd., Chenoa, IL, was also present at the meeting as an interested party in this zoning case. Mr. Schultz stated that he farms near the quarry site and is concerned about truck traffic on the North/South road that runs alongside Route 66 to the West. Mr. Schultz’s concerns were based upon the trucks damaging the road as well as accidents with farm equipment and others due to the lack of road width. Mr. Schultz clarified that he preferred that the quarry trucks use 1100 North primarily.

Mr. Hawkridge stated that as long as they had access to their properties from 1100 North, he didn’t see an issue with avoiding that road.

Mr. Schultz then noted his concern over the damage to his home that had occurred from previous blasting at the nearby quarry site and if it would be a problem at the subject site. Mr. Schultz was assured that it would not be a problem going forward.

Stephen Trainor, 12236 E. 1100 North Rd., Chenoa, IL was also present at the meeting as an interested party. Mr. Trainor stated that he had the same concerns as Mr. Fornero. Mr. Trainor had additional concerns over operations as a whole at the site including hours of operation. It was explained to Mr. Trainor that hours of operation would typically be 6 AM – 4 PM Monday through Friday and a half day on Saturdays.

Mr. Trainor was then asked about how long he's lived at his residence and where it is located. Mr. Trainor explained that his residence is the first house to the East of the railroad tracks and that he has lived there for approximately 3 years.

Kale Minnaert, 12019 E. 1160 North Rd., Chenoa, IL was also present as an interested party in this case. Mr. Minnaert noted that he shares the same concerns as the others. Additionally, he explained that he lives in the Wagner's old house who were part of the original agreement and that he doesn't remember seeing a copy of the agreement in any closing documents or anything. Another concern Mr. Minnaert noted was that he and others use the pond that borders the subject property for recreational purposes and was seeking assurance that the water level would not be affected once quarry operations began. Richard Hatzler, owner of Valley View Industries, was present at the meeting and assured Mr. Minnaert that when they had originally blasted a nearby site in the 80's, he didn't believe that the water levels were affected at all.

Barb Cook, 12496 E. 1100 North Rd., Chenoa, IL was also present at this meeting as an interested party. Ms. Cook explained that she has lived in her current residence for over 30 years and moved into her current residence when the nearby quarry was still active. Ms. Cook explained that the water levels near her were not affected during blasting. Ms. Cook also commented on how well Valley View managed the quarry properties and was seeking assurance that Prairie Materials would be just as good regarding the reclamation process in particular. Mr. Hawkrige explained that Prairie Materials handles the reclamation process a little bit different than Valley View, but would do their best to do reclamation as well as Valley View. Ms. Cook also had concerns over the sale of the land and its future developments. Mr. Hawkrige assured Ms. Cook that Prairie Materials would not own the property and that Mr. Hatzler would maintain ownership of the land itself.

Mr. Hawkrige was then given an opportunity for a closing statement. Mr. Hawkrige clarified that the state is very strict on mining in the state and that they cannot simply go in and do whatever they want. Mr. Hawkrige further explained that the state has very strict standards on vibrations from blasts, dust creation, and other things that are in place to protect their neighbors.

No other interested parties elected to make a closing statement.

With no other concerns or questions noted, Dave Randolph then moved, seconded by Neil Turner that this case be approved with the same original conditions to apply.

There was then discussion as to whether a review prior to activation of the site was necessary to add as part of the approval. It was ultimately determined that a review was not necessary due to the special use case being a name change only.

The motion then carried by a roll call vote:

Kiefer –	Yes	Runyon –	Yes
Flott –	Yes	Stock –	Yes
Randolph-	Yes	Turner –	Yes
Huisman -	Yes		

Chair Huisman then announced a brief 10 minute break at 9:16 PM

The meeting then resumed at 9:26 PM

SU-10-21 – VCNA Prairie LLC

This zoning case pertained to a request for a special use to transfer ownership of a previously approved mineral extraction site known as the “Rowe Quarry” from Valley View Industries to VCNA Prairie LLC.

The assistant administrator provided an overview of the zoning case to board members.

Mr. Hawkridge then explained that the Rowe quarry is currently active and is anticipated to remain that way for approximately 8 years. Mr. Hawkridge added that once the site is completely mined, it will be reclaimed to be a lake. In addition, Mr. Hawkridge stated that hours of operation at this site will be 6 AM – 4 PM Monday through Friday with half days on Saturdays.

With no other questions or concerns noted, William Flott moved, seconded by Joe Stock, that this zoning case be approved with the same original conditions to apply.

The motion then carried with a roll call vote:

Kiefer –	Yes	Runyon –	Yes
Flott –	Yes	Stock –	Yes
Randolph-	Yes	Turner –	Yes
Huisman -	Yes		

Other Business:

The assistant zoning administrator noted to board members that the EDF Renewables wind energy project for the Campus area has been temporarily suspended due to green energy legislation not being passed by the state and that the open house scheduled for September has also been cancelled.

The assistant zoning administrator also noted that the Enbridge solar farm special use would be coming before them next month and their application packet was then handed out to board members.

Findings of Fact and Decision:

Richard Kiefer moved, seconded by Neil Turner, that the Findings of Fact and Decision be approved.

This motion was then approved by a roll call vote.

Kiefer –	Yes	Runyon –	Yes
Flott –	Yes	Stock –	Yes
Randolph-	Yes	Turner –	Yes
Huisman -	Yes		

Public Comment: None

Report of Officers: None

General Discussion: None

Adjournment:

The chair then asked for a motion to adjourn. William Flott moved, seconded by Neil Turner, that this meeting be adjourned. This motion was approved by roll call vote.

This motion was then approved by a roll call vote.

Kiefer –	Yes	Runyon –	Yes
Flott –	Yes	Stock –	Yes
Randolph-	Yes	Turner –	Yes
Huisman -	Yes		

This meeting was adjourned at 9:37 p.m.

Material regarding these proceedings is on file in the Livingston County Regional Planning Commission Office, in the Livingston County Historic Courthouse, 112 W. Madison St., Pontiac, Illinois.

Respectfully submitted,

Jesse J. King, Assistant Administrator
Livingston County Regional
Planning Commission