

Piatt County  
Zoning Board of Appeals

August 27, 2020  
Minutes

The Piatt County Zoning Board of Appeals met at 1:00 p.m. on Thursday, August 27, 2020 in Room 104 of the Courthouse and via Zoom. Chairman Loyd Wax called the meeting to order. The roll was read and Nusbaum announced there was a quorum. Attending were: Wax, Jerry Edwards, Dan Larson, Kyle Lovin and Nusbaum.

County Board members in attendance: Robert Murrell. Ray Spencer, Randy Shumard, Shannon Carroll, Renee Freundt and Dale Lattz attended via Zoom. Also attending was Steve Hoffman.

**MOTION:** Edwards made motion, seconded by Lovin to approve the minutes from July 23, 2020 as written. Roll was called. Edwards – Yes; Lovin – Yes; Larson – Yes; Wax – Yes. Motion carried.

**New Business: Application for Special Use**

Charles A Demirjian, acting for Medthos LLC and The Simone Family Trust applied for a Special Use Permit for a cannabis craft grow facility to be located on a 5 acre tract of A1 Agriculture land located at 3245 N 1100 East Road, Mansfield. Charles Demirjian was sworn in. His family is proposing construction of a cannabis craft grow facility in accordance with the State of Illinois. He shared renderings of the proposed building. It will be only the growth and processing of product with no sales. There will be 24 hour security including an 8' high security fence. Only authorized workers will be allowed in the facility. The former sheriff of Macon County, Mr. Dawson, will be their security head. The property is owned by the family. Their focus is research of the medicinal side of cannabis. They are engaged with the College of Aces at the UI. There would be 10-50 jobs in the area. They would like to work with the local community. They believe there will be no effect on surrounding property values. Edwards asked about water usage and disposal. They will use a wastewater recycling system within the facility. There are requirements by the state. Edwards asked how much water would be drawn. The engineering consultant on the call, Tim Cox, answered it would use 3000-3500 gallons per day. They will be using technology to produce no wastewater. An audience member asked what size well would be drilled. The answer was 8. There is already a well on the property, but they are unsure if they will tap into that. Wax asked what size trucks would be delivering. There would be vans and small box trucks. Wax asked if all growth would be done there, or if seedlings would be transported in. All growth would be in house. He asked if there was a chance of expansion. They would have to get approval from the State to do that. Larson asked about employees. There would be different shifts. Edwards asked what road would be used, and it would depend upon where the employees were traveling from. Edwards asked about security and there will be one person there 24 hours. Eventually there may be two. The state mandates security measures. Edwards asked about the height of the building. It will be approximately 16' tall, similar to a machine shed.

Wax asked for questions. Greg Johnson asked about setbacks. It will be set back further than the required 50'. He asked about traffic if the UI is involved. They would be only involved in the research. Johnson asked if the Piatt County sheriff was at the meeting. Mr. Dawson has spoken with the sheriff regarding the security. Merv Peters asked if Mr. Demirjian knew what the wind turbine restrictions are. He asked what the maximum employee number would be. It is projected to be a max of 30-40. He asked if the facility would emit gas. Nothing will be burned at the facility.

Darwin Warsaw asked what chemicals would be used in the extraction. They propose a system which would use hydrocarbons, and the waste would be recovered in tanks, with the solid waste being compacted and hauled away by methods approved by the State of Illinois.

Those signed in spoke: William Amdor was sworn in. He owns property nearby and objects to the facility. He said it would be an attractive nuisance, and it will attract the wrong people. Dwight Huffstedler was sworn in. He farms in the area and said it is not a good fit. He would have liked to have representatives from the UI to talk about their interest. Jerry Dawson was sworn in. He will be head of security, and said he supports the project and vouch for the Demirjian family. They have been good citizens in Macon County, and he has known them more than 30 years. There will be very tight security, as regulated by the State. Greg Johnson was sworn in. He lives in the area and has concerns about security, he said they have no sheriff patrols now. Darwin Warsaw was sworn in. He has a bad opinion of cannabis due to family experience and is concerned about water usage. Merv Peters was sworn in. Guards on site bother him, it is a rural area, and he believes that urban neighbors will cause problems. Nelson Hevner was sworn in, he is Peters son in law, and opposes the project due to increased traffic, and it doesn't make sense to use this productive site for hydroponics. Terry March was sworn in. He owns land in the area and is opposed to the facility. Letters received were read into the record. The zoning board members reviewed the zoning factors.

### **ZONING FACTORS- Demirjian 8-27-20**

1. Does the current special use restriction promote the health, safety, morals, or general welfare of the public?  
The ZBA agreed (4-0) that the current use does promote the health, safety, morals or general welfare as it is farm ground.
2. Will granting the special use be injurious to the use and enjoyment of other property within the immediate vicinity?  
The ZBA agreed (4-0) that granting the use may be injurious to other property based on the testimony heard.
3. Will granting the special use diminish property values of other property within the immediate vicinity?  
The ZBA voted (4-0) that there is no evidence the property values would be diminished. They have heard several opinions, but no studies or evidence.
4. Is there adequate infrastructure to accommodate the special use, if granted (i.e. roads, utilities, drainage)?  
The ZBA agreed (4-0) that there are concerns about roads and water.
5. Would the special use, if granted, be in harmony with the overall comprehensive plan of the county?  
The ZBA agreed (4-0) that the use would be in harmony.

6. Would the special use, if granted, compete with or impede the existing zoned uses of other property within the zone?  
The ZBA agreed (4-0) that the use would not compete with existing zoned uses.
7. Would the special use, if granted, create a hardship on other landowners within the zone?  
The ZBA agreed (4-0) that there could be a hardship if water supply is impacted.
8. Would denying the special use create a hardship on the applicant?  
The ZBA agreed (4-0) there would be no hardship, but it would be an inconvenience.
9. Is the subject land suitable for the special use and is the subject land suitable for the current zoned use?  
The ZBA agreed (4-0) that the land is suitable.
10. Would the special use, if granted, have a harmful impact upon the soil?  
The ZBA agreed 4-0 that the use would not have a harmful impact on the soil.
11. What is the Land Evaluation and Site Assessment (LESA) rating for the subject land? 260.8

**MOTION:** Lovin made motion, seconded by Larson to recommend approval to the County Board. Roll was called. Lovin–No, Larson – No, Edwards – No, Wax- No. The motion did not carry. The action is not recommended.

The County Board will consider the matter at their next regular meeting on September 9, 2020 at 9 a.m.

**Public Comments:** Warsaw recommended the applicant should hand carry notice to neighbors. He asked the applicant to approach the neighbors. Peters said the dairy farm could not have gone into a manufacturing area, but neighbors were in support.

**MOTION:** Edwards made motion, seconded by Larson to adjourn. Roll was called, all in favor. The meeting adjourned at 2:47 p.m.

Respectfully submitted,

Keri Nusbaum  
Piatt County Zoning Officer