

RESOLUTION NO. 8-86

TO: Richard Austin, Sangamon County Board, Chairman
Frank Pickett, Sangamon County Zoning Administrator
Gary Tumulty, Sangamon County Clerk

PROTEST AGAINST GRANTING OF PETITION OF
CITY OF SPRINGFIELD TO LOCATE AND OPERATE A DISPOSAL
AREA AS ADDITIONAL PERMITTED USE OF AGRICULTURAL LANDS

WHEREAS, the Village of Chatham is a municipal corporation situated in the County of Sangamon and State of Illinois;

WHEREAS, the Village of Chatham, as its Ordinance Number 82-2, has adopted and enacted a Zoning Ordinance pursuant to the Illinois Municipal Code, and thereafter adopted a Comprehensive Plan, a copy of the portion thereof depicting the easterly portion of the Village being attached hereto and made a part hereof;

WHEREAS, the City of Springfield, a municipal corporation, has acquired by recent purchase approximately 470 contiguous acres of land situated in Ball Township (being parts of Sections 4, 5, 8 and 9 in Township 14 North, Range 5 West of the Third Principal Meridian in Sangamon County, Illinois), some 70 acres of which land is within the corporate limits of the Village of Chatham, and the remaining 400 acres, more or less, of which is immediately adjacent to the Village of Chatham and a portion of which is included in the Comprehensive Plan for the orderly future development of the Village;

WHEREAS, the aforementioned 400 acres, more or less, which are not within the corporate limits of the Village of

Chatham are contiguous to the corporate limits of the Village of Chatham, and all within one and a half miles of said Village; specifically lying to the North and East of subdivisions to the Village of Chatham known as Willow Glen, Country Valley, and King's Point, and the North of subdivisions known as Glenwood Park and Ivy Glen;

WHEREAS, all of said lands are presently under cultivation as agricultural lands, but the City of Springfield has filed a Petition with the Sangamon County Board seeking authority under the Sangamon County Zoning Ordinances for permission to establish and operate a disposal area on that property;

WHEREAS, a public hearing was held before the Sangamon County Zoning Board of Appeals on Thursday, May 22, 1986 at which hearing the City of Springfield presented testimony to the effect that the nature and purpose of the proposed disposal site would be to deposit water, silt, and materials contained therein to be dredged by hydraulic methods from Lake Springfield; and further, that said project and disposal will likely continue for a term of 10 to 12 years;

WHEREAS, Lake Springfield has been in existence for 50 years, so that for as long as farmers have applied chemicals to combat insects and weeds (many of which chemicals used in the 1950's and 1960's have since been removed from the market and their use forbidden by reason of being highly toxic), silt containing such chemicals have been accumulating in the Lake, and are now to be exhumed and deposited in the proposed

disposal area, and, therefore, the material to be concentrated in the disposal area will likely contain hazardous substances;

WHEREAS, it is believed that silt and other waste to be deposited from the dredging process will contain large amounts of plant life which grow in the backwater and "swampy" sections of the Lake which are to be dredged, all of which materials will likely emit considerable unpleasant odor in the process of decaying in the disposal area; and further, that the dredging and pumping work will generate a tremendous noise for a term lasting perhaps for years;

WHEREAS, if the deposit of mud, silt and decaying vegetable matter continues for the time predicted by the City of Springfield, the disposal area may not only emit offensive odor, but will likely become a breeding ground for mosquitoes and other vermin, may become overgrown with weeds and brush, and once established as a "disposal area" may be used by the City of Springfield or others as a dumping ground for other waste and debris;

WHEREAS, for all of the foregoing mentioned concerns, exacerbated by the lengthy but undefined duration of the operation of the proposed disposal area by the petitioner, City of Springfield, there are great risks to the health, safety and welfare of the citizens of the Village of Chatham, a considerable proportion of whom live in close proximity to the proposed disposal area, and that such unpleasant and esthetically undesirable use would not only impair those

citizens' ability to use and enjoy their property during the coming years, but also greatly diminish the property values in the entire community by reason of all of the deleterious affects on the quality of life as stated hereinabove;

WHEREAS, the Sangamon County Zoning Ordinance at Section VII, Subsection H, Paragraph 6 states that "No conditional permitted usage shall be granted by the County Board unless the conditional permitted use:

A. is deemed necessary for the public convenience at the location;

B. is so proposed to be operated, designed and located so that the public health, safety and welfare will be protected;

C. will not cause substantial injury to the value of other property in the vicinity in which it is located."

WHEREAS, the forgoing three requirements are not recited merely as guidelines or policy statements, but are captioned as "standards" and prefaced with the unequivocal requirement that no conditional permitted use shall be granted unless they are met, and further, that the three requirements are not stated in the alternative but are cumulative, all required to be satisfied before the conditional permitted use may be granted.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES AND THE PRESIDENT OF THE VILLAGE OF CHATHAM, ILLINOIS as follows:

That the Village of Chatham does object to the granting of the Petition of the City of Springfield to locate and operate a disposal area on portions of Sections 4, 5, 8 and 9 in Township 14 North, Range 5 West of the Third Principal Meridian in Sangamon County, Illinois, and does hereby express and convey that protest, based upon all of the reasons and concerns stated hereinabove, to the Sangamon County Board.

PASSED by the President and Board of Trustees of the Village of Chatham, Illinois on the 10th day of June, 1986.

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Barbara Bickhaus
Village Clerk of the
Village of Chatham, Illinois

APPROVED by the President of the Village of Chatham, Illinois on the 10th day of June, 1986.

De. Moore
President of the
Village of Chatham, Illinois

ATTEST:

Barbara Bickhaus
Village Clerk of the
Village of Chatham, Illinois