

**KENDALL COUNTY
SPECIAL USE HEARING**

111 West Fox Street • Room 209 and 210 • Yorkville, IL • 60560
(630) 553-4141 Fax (630) 553-4179

AGENDA

June 5, 2017 – 7:00 p.m.

CALL TO ORDER –SPECIAL USE HEARING OFFICER

ROLL CALL: Walter Werderich, Hearing Officer

MINUTES: Approval of Minutes from the April 3, 2017, Special Use Hearing Officer Meeting

PETITION:

- | | |
|-----------------|---|
| 1. 17-09 | Semper Fi Land, Inc. (Robert Velazquez) |
| Request | Special Use Permit to Operate a Landscape Waste Composting Facility |
| Location | 1996 Cannonball Trail (On the East Side of Cannonball Trail Approximately 0.5 Miles South of Galena Road; PIN: 02-15-101-003), Bristol Township |
| Purpose | Petitioner Desires to Operate a Landscape Waste Composting Facility at the Property. |

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD:

None

NEW BUSINESS:

OLD BUSINESS:

PUBLIC COMMENT:

ADJOURN SPECIAL USE HEARING

**UNAPPROVED MINUTES
KENDALL COUNTY
SPECIAL USE HEARING OFFICER
111 WEST FOX STREET, Room 209 and 210
YORKVILLE, IL 60560
April 3, 2017 – 7:00 p.m.**

CALL TO ORDER- SPECIAL USE HEARING

At 7:15 p.m., Special Use Hearing Officer Walter Werderich called the Special Use Hearing to order.

ROLL CALL

Member Present: Walter Werderich, Special Use Hearing Officer

Staff Present: Matthew Asselmeier, AICP, Senior Planner

In the Audience: Dan Kramer (Representing the Petitioner), Robert Delany, Eric Peterson, Joe Phillips, Greg Peterson, Sherman Tweet, Andrew Bassett, Bill Kunke, James Manning, and Todd Milliron

MINUTES

Mr. Werderich approved the August 29, 2016 Special Use Hearing Officer Meeting minutes as written.

Mr. Werderich introduced himself and explained how the meeting will be conducted.

Zoning Board of Appeals Chairman Mohr swore in all members of the audience that wished to speak about the special use at the Zoning Board of Appeals meeting held earlier in the evening.

PETITIONS

16-14 Robert Delaney

Request: Special Use for an Outdoor Shooting Range in the A-1 Agricultural Zoning District.

Location: 16052 Church Road, Lisbon Township.

PIN(s): 08-25-300-006 and 08-25-300-009.

Purpose: Request for a Special Use Permit to Operate an Outdoor Shooting Range.

Mr. Asselmeier summarized the case, and listed the recommended conditions proposed by Staff:

1. The shooting range operation shall conform with NRA standards established in the NRA Source Book, unless a subsequent restriction is stricter than the NRA standards.
2. The maximum number of outdoor shooting lanes shall be twenty-four (24).
3. The maximum number of thirty (30) non-law enforcement personnel may be on the property at a time, not including a maximum three (3) employees of the business allowed by this special use permit. **The maximum number of law enforcement personnel on the property for training purposes must be set at the special use hearing.**
4. Berming shall be a minimum height of twenty (20) feet per the NRA Range Source Book. The berm shall be located to the south, west, and east of the shooting area. A baffle between four (4) foot and six (6) foot in height should be erected on top of the southern berm. A HESCO barrier of the same height and in the same location may be substituted for a berm.
5. A sign shall be installed that is visible to all visitors of the shooting range that lists allowed firearm types, rules of operation – hearing and vision protection required.

6. Pistols shall be the only firearm permitted to be discharged as part of the business allowed by this special use permit.
7. Firearms associated with the business allowed by this special use permit shall only be discharged in the area confined by the berm or HESCO barrier. Firearms can only be discharged when facing in a southerly direction.
8. A State recognized, nationally recognized or NRA Certified range supervisor shall be present at all times.
9. A range flag, a sign, or red light shall be displayed at all times when firing is taking place.
10. Access to the shooting range shall be controlled by a lockable gate.
11. A hazardous waste plan addressing lead management is required outlining lead removal occurring at least once a year.
12. Submission of a maintenance bond annually for removal of lead. The maintenance bond amount shall be \$3,500 paid within 60 days of the issuance of the special use permit. The annual maintenance bond shall be submitted to the Planning, Building and Zoning Department by May 1 of each year.
13. No skeet shooting, trap shooting, or sporting clays shall be permitted.
14. No discharge of lead shall occur into any wetlands or onto land used for crop growth as of the date of the adoption of this special use permit.
15. No alcohol shall be allowed as it relates to the business allowed by this special use permit.
16. Hours of operation shall be limited to between thirty (30) minutes after sunrise and thirty (30) minutes before sunset for non-law enforcement related trainings. Trainings for law enforcement personnel may occur _____. **The County suggests restricting the hours of operation to between 8:00 a.m. and 8:00 p.m. Mondays through Saturdays and between Noon and 6:00 p.m. on Sundays for non-law enforcement related trainings. The regulations related to trainings for law enforcement personnel must be set at the special use hearing.**
17. The shared access drive shall be treated with calcium chloride within (sixty) 60 days of approval of the special use provided that the owner of the shared driveway consents to the treatment.
18. The shared access drive shall be paved with a hard surface within one (1) year of approval of the special use provided that the owner of the shared driveway consents to the paving.
19. Only range staff and property owners shall be permitted to have a key to the gate to the shooting range.
20. No firearm sales shall occur on the property.
21. All applicable Federal, State and County rules and regulations shall be adhered to.
22. All applicable Federal and State licenses and approval shall be submitted to the Kendall County Planning, Building and Zoning Department prior to commencing operations and submitted annually thereafter.
23. The business allowed by this special use permit shall satisfy all requirements of the Kendall County Health Department.
24. A stormwater management permit shall be approved prior to the start of construction.
25. Proposed signage shall meet the requirements of Section 12 of the Zoning Ordinance. The sign shall be a maximum four foot by eight foot (4X8) in size and shall not be illuminated.
26. Lighting shall meet the standards of Section 11.02.F.12.d of the Zoning Ordinance. Lighting shall be installed in a manner that does not cause light to be shine into neighboring houses.
27. Must adhere to the Performance standards of Section 4.12 of the Zoning Ordinance.
28. Noise generated by the business allowed by this special use shall comply with the following:

- a. Day Hours: No person shall cause or allow the emission of sound during daytime hours (7:00 A.M. to 10:00 P.M.) from any noise source to any receiving residential land which exceeds sixty-five (65) dBA when measured at any point within such receiving residential land provided; however, that point of measurement shall be on the residential property line of the complainant.
 - b. Night Hours: No person shall cause or allow the emission of sound during nighttime hours (10:00 P.M. to 7:00 A.M.) from any noise source to any receiving residential land which exceeds fifty-five (55) dBA when measured at any point within such receiving residential land provided; however, that point of measurement shall be on the residential property line of the complainant.
 - c. EXEMPTION: Powered Equipment: Powered equipment, such as lawn mowers, small lawn and garden tools, riding tractors, and snow removal equipment which is necessary for the maintenance of property is exempted from the noise regulations between the hours of seven o'clock (7:00) A.M. and ten o'clock (10:00) P.M.
29. The petitioner shall submit to the County within sixty (60) days of the approval of this special use ordinance a bond of \$3,000 to ensure the completion of an appraisal of the property located at 16502 Church Road Unit A. If the property owner at 16502 Church Road Unit A does not request and complete an appraisal of the property at 16502 Church Road Unit A within one (1) year of the approval of this special use ordinance, the bond shall be released to the petitioner. If the property located at 16502 Church Road Unit A is sold within fifteen (15) years of the approval of this special use ordinance at a price less than what is stated in the aforementioned appraisal, the petitioner, and its successors, heirs, and assigns of the property, will financially compensate the property owners of 16502 Church Road Unit A the difference between the sale price and the appraisal.
30. The owner of business allowed by this special use permit shall have the property inspected at least on an annual basis by the Lisbon-Seward Fire Protection District.
31. The owner of the property awarded the special use permit by this ordinance may apply for a special use permit for an indoor shooting range at a future date.
32. Failure to comply with the above regulations and restrictions could result in the revocation of the special use permit.
33. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.

Mr. Werderich asked about the status of the lead management plan. Mr. Asselmeier stated that he did not know the status of the lead management plan and that he would defer to the petitioner on the status of the lead management plan.

Mr. Werderich opened the public hearing for audience comment.

Dan Kramer (from Yorkville), representing the petitioner, and Robert Delaney (from Minooka) took the floor. Mr. Kramer requested that the Staff Report dated March 31, 2017, the publication notice, the certified green cards from the mailing, and the section of the Kendall County Zoning Ordinance pertaining to outdoor shooting ranges as special uses in the Agricultural District be entered as exhibits.

Mr. Kramer stated that their expert testified before the Regional Planning Commission meeting and stated that planning a specific lead recovery program could not be done until the frequency of shooting and amount of spent ammunition is known. The petitioner plans to use a heavy berm, 20 feet in height and 40-60 feet in width on the south side, coated with lime aggregate to prevent ricochet. Testing occurs quarterly. If lead

reaches a certain level, the soil is removed with a bobcat. Lead is recovered by a recovery company and soil is taken to a landfill. If volume is sufficient to support, a channel takes spent shells to a certain point and the shells are collected in barrels or buckets, or a hopper is placed under each target. The petitioner prefers the second method, using the channel, if volume is sufficient.

Mr. Kramer stated that Mr. Delaney purchased the subject property at public auction and originally did not intend to operate a shooting range onsite. The range is strictly for handguns.

Noise was mentioned as a concern at previous hearings. Mr. Kramer noted that the petitioner would have to comply with County decibel readings at the property line.

Mr. Kramer discussed the access easement. The petitioner has an easement for ingress/egress, but the petitioner does not control the condition of the surface. The petitioner would like to tar and chip the entire easement and maintain the easement with tar and chip at the petitioner's sole expense. The petitioner would like to use sodium chloride or a similar substance recommended by the local township along the easement for dust control, if the adjoining property owner agreed.

Mr. Kramer discussed an economic protection ordinance. The petitioner would post a cash bond of \$3,500 to obtain an appraisal of the Peterson property, if the owner agrees. If the neighbor was unable to sell the property at the appraised price, the petitioner is obligated to purchase the property at the appraised price.

Mr. Kramer stated that the petitioner has no objections with any of the conditions contained in the Staff Report dated March 31, 2017.

Mr. Kramer noted that conditions for local law enforcement contained in the Staff Report are unneeded. If law enforcement uses the property, they would follow the same rules as non-law enforcement users.

Mr. Werderich asked if the petitioner did not consider the hazardous waste management plan ripe and the submittal of a hazardous waste management plan would occur as part of the conditions of the special use permit. Mr. Kramer stated that the petitioner obtained cost estimate for the removing of lead contaminated soil from the berm; the cost would be \$3,500. A bond would be obtained in that amount for soil removal. If a high-tech system is used, there likely would not be a need to remove the soil because the system is more efficient.

Mr. Delaney presented renderings of the property. On Delaney Rendering 1, buildings in orange have been removed; the structures in blue remain. On Delaney Rendering 2, another berm will be added to east on the drawing and an area to the north has been padded for a future building. The ADA parking area was identified and will have a paved sidewalk. Shooters would fire to the south. The berm would be 20 feet in height, the base would be 55-60 feet. Mr. Delaney plans to follow NRA recommendations for the construction of the berm. Mr. Delaney explained the locations of shooters and targets using Delaney Rendering 3. The shooter stands in the shed firing south with a rafter tailed down to prevent an errant shot from hitting the shooter. A wooden baffle would be located on top of the berm. Based on the measures shown on the renderings, the petitioner is confident that all rounds will be contained.

Mr. Delaney discussed the lead management issues. He stated that lead is not a hazardous material if it is actively managed and if the site is not abandoned. The petitioner will track the number of rounds shot onsite.

Mr. Delaney attended the Sport, Hunting, Outdoor and Travel Show and visited with a vendor that used shredded rubber tires as a way to capture lead. Another method used a ½ inch thick “snail” to capture lead. Mr. Delaney favors the rubber method.

Mr. Werderich asked about the distance between the range and the nearby house. Mr. Delaney said the 1000 feet catches the northern part of the western berm; no shooters would be within 1000 feet of the house. The distance was measured from the southeast corner of the Peterson garage.

Mr. Werderich asked about the anticipated amount of usage of the range. Mr. Delaney anticipates between 50 and 80 people would use the range, on average, during a week. These numbers could change as the venture matures.

Mr. Werderich asked about maintenance of the driveway and the ability of Mr. Delaney to work with Mr. Peterson on maintaining the driveway. Mr. Delaney said that he will pay for the upgrade of the driveway; he would like to tar and chip the driveway.

Mr. Werderich asked if the easement delineated between residential and commercial usage. Mr. Kramer responded that the easement was non-exclusive based on recorded documents.

Mr. Werderich asked about the berm. The berm would be 55-60 wide at the base. Mr. Delaney said that the berm would be constructed using clay and fine aggregate on the non-shooting side of the berm.

Mr. Werderich asked about lighting. Mr. Delaney stated that only safety and security lighting would be used. No lighting would be used to facilitate night shooting.

Eric Peterson, Morris, IL, had several questions for Mr. Delaney:

1. When did you acquire the property? December 2014
2. When did you apply for this special use permit? March/April 2016
3. When did you start construction of the gun range? Had material hauled in for free dumping; received more fill than anticipated. Existing shooting area was constructed 3-4 months ago.
4. Please explain the nature of current shooting on the property. Mr. Delaney shot at the site with friends; he did not generate revenue by this activity.
5. Have there been any commercial classes on the property? There has been one commercial class.
6. Is Mr. Delaney aware that his family and friends are on the property shooting? Yes.
7. Can Mr. Delaney’s friends and family get in touch with him when they are on his property shooting? Yes.
8. Who is CDG? Contego Defense Group.
9. What is your relationship with Contego Defense Group? Met them through concealed carry class.
10. Is CDG an investor in the gun range? No.
11. Is Mr. Delaney an investor in CDG? No.
12. There is no business plan for this venture.

13. Does Mr. Delaney feel that CDG is qualified to have the classes in terms of safety? They are very qualified.

14. How many rounds have currently been shot on the property? 4,000-5,000.

Greg Peterson, Minooka, IL, is the property owner to the west. He explained his concerns regarding this project. Mr. Peterson expressed concerns about the number of trucks driving on the driveway and Church Road; the number of vehicles could damage the driveway and increase the cost to the township for the maintenance of Church Road.

Mr. Peterson submitted Greg Peterson Exhibit 1 containing information about easements and undue burdens. The proposed use would create an increase in traffic and raise questions regarding the maintenance of the driveway and noise from vehicles. The driveway is 12 feet wide.

Mr. Peterson submitted Greg Peterson Exhibit 2 regarding the airborne lead dust hazards of gun ranges. Mr. Peterson expressed concerns regarding an increase in lead dust in the air and potential lead in aquifers.

Mr. Peterson submitted Greg Peterson Exhibit 3, a picture between Mr. Peterson's property and the proposed gun range. The photo shows ponding. The proposed range is 787 feet from Mr. Peterson's property line. The driveway is 115 feet from the Mr. Peterson's front porch. Mr. Delaney's economic protection agreement applies only to Mr. Peterson's property and not other properties. Mr. Peterson and his wife have no desire to sell their property to the petitioner.

Mr. Peterson submitted Greg Peterson Exhibit 4, a petition signed by 45 neighboring property owners and neighbors opposing the proposed gun range.

Mr. Peterson submitted Greg Peterson Exhibit 5, pictures of excavating and shooting on the subject property.

Mr. Peterson submitted Greg Peterson Exhibit 6, a schedule of courses offered by CDG. Mr. Peterson believes two of the courses listed are held at the subject property. Mr. Peterson also expressed concerns about existing lead contamination of the land and groundwater.

Mr. Peterson submitted Greg Peterson Exhibit 7, Secretary of State information on Contego Defense Group, LLC. Mr. Peterson noted that the business is Not in Good Standing.

Mr. Peterson submitted Greg Peterson Exhibit 8, a description of a March 26, 2017 incident.

Mr. Kramer asked Mr. Peterson the location of his house in relation to the easement. Mr. Peterson responded that his house is south of the easement. Mr. Kramer noted that a road could be constructed on the Delaney property north of the easement. Mr. Kramer presented a copy of the easement showing the responsibility of Mr. and Mrs. Peterson to maintain the easement. Mr. Peterson indicated that he would allow Mr. Delaney to improve the driveway at Mr. Delaney's expense if the special use is approved. Mr. Kramer stated that Mr. Peterson is not required to sell the property to Mr. Delaney. Mr. Peterson acknowledged that Mr. Delaney was the successful bidder on the property were the special use would be located.

Joe Phillips, Minooka, IL, submitted Joe Phillips Exhibit 1, copies of a petition to deny the special use permit in question, a map showing opposition by neighboring property owners, a housing market analysis by John Greene Realtor, information from Realtor.com showing the impact of property values in relation to certain neighboring uses, a graph showing property tax gains and losses from the location of a gun range in Greene County, Virginia, a map showing distances from the proposed gun range to Whitewillow Road, information on metallic cartridge travel distances, Kendall County Sheriff's Office Case 2017-0986 Narrative, and information on individuals associated with Contego Defense Group.

Mr. Kramer asked Mr. Phillips if there was a comparable home sold in the John Greene Report that was located near a gun range. The answer to the question was no.

Mr. Kramer noted that the information from Realtor.com indicated that the loss of value for a home near a hospital was 3.2% while the loss of value for a home near a gun range was 3.7%.

Sherman Tweed, Minooka, IL, expressed concerns about the impact of his property values if the gun range is approved. Mr. Tweed questioned the type of fill being used on the property. In addition, Mr. Tweed expressed concern of the ability of Mr. Delaney to track what is shot on the property.

Andrew Bassett, Joliet, IL, spoke in favor of the petition. As a commercial airline pilot, very few places allow him to practice shooting from a holster. Mr. Delaney is a good business man, in Mr. Bassett's opinion.

Bill Kunke, Minooka, IL, expressed his belief that the subject area is not the appropriate place for a gun range because of the possibility of stray bullets impacting neighboring property. Mr. Kunke was also concerned that Mr. Delaney may sell the property to an out-of-town business that may not be open about their business activities.

James Manning, Whitewillow Road, as a commercial airline pilot, stated he does not want people shooting "in his front yard". Mr. Manning does not like the hours of operations being 30 minutes after sunrise and 30 minutes before sunset. In June, the sunrise will be 5:19 a.m. Mr. Manning believes that the proposal will negatively impact comfort and general welfare through increased noise and eyesores. Mr. Manning believes the proposal will prevent him from enjoying his property and that his property values will decrease due to the gun range.

Todd Milliron, Cotswold Drive, says that a lead plan and business plan are required. Mr. Milliron believes that the proposal is an intrusion into this area. Mr. Milliron believes that proposal is a material change from agricultural uses which negatively impacts the easement.

Mr. Kramer said that a need existed in the community for this type of business. Mr. Kramer said that property owners can shoot on their own property without following any conditions similar to the ones proposed for this special use. The subject property is not landlocked. Mr. Delaney submitted a site development application and some clay was placed on the property lawfully. In Mr. Kramer's opinion, if a County places several restrictions and conditions in its Zoning Ordinance on specific uses and if a petitioner meets all of those uses, then a special use permit must be issued.

Mr. Werderich closed the public hearing. Mr. Werderich reviewed the following Findings of Fact for the special use and made the following findings:

FINDINGS OF FACT

*That the establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare. **The facts and evidence presented does not sustain this finding. While the condition and restrictions placed on a special use permit may minimize some of the negative impacts of the proposed use, the conditions will not provide adequate remediation of the negative impacts of the proposal. This proposal deals with the use of weapons. The Peterson property is arguably within the 1000 foot radius. The proposed gun range would have a negative impact on the public health, safety, and welfare of the neighbors in the area.***

*That the special use will not be substantially injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood. The Zoning classification of property within the general area of the property in question shall be considered in determining consistency with this standard. The proposed use shall make adequate provisions for appropriate buffers, landscaping, fencing, lighting, building materials, open space and other improvements necessary to insure that the proposed use does not adversely impact adjacent uses and is compatible with the surrounding area and/or the County as a whole. **The facts and evidence presented does not sustain this finding. The proposed use could be injurious to the use and enjoyment of other property owners in the general area and more specifically in the immediate vicinity. Noise is a concern. The risks association with a facility using weapons is a concern. The proposed use will negatively impact the property values of nearby homes and property.***

*That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. **Adequate utilities and drainage exist onsite. The point of ingress/egress from Church Road is over an easement. The underlying driveway is presently not constructed for a commercial use or for large amounts of traffic. Church Road is not classified as a collector road.***

*That the special use shall in all other respects conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the County Board pursuant to the recommendation of the Hearing Officer. **The proposed use could conform to the applicable regulations of the district. Appropriate conditions and restrictions could be placed on the special use permit to ensure compliance. However, failing the first two findings will not completely rectify the non-conformities that may arise as a result of the proposed special use.***

*That the special use is consistent with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. **Outdoor shooting ranges are a special use within the A-1 Agricultural District. The subject property is classified as agricultural on the Future Land Use Map. No improvements to Church Road are planned in the Land Resource Management Plan; this could negatively***

impact the ability of a non-agricultural business from remaining in operation because patrons may have difficulty reaching the property.

Mr. Werderich said the proposed special use does not meet the required Findings of Fact. Accordingly, his recommendation is to deny the special use as proposed.

This proposal shall go before the Planning, Building and Zoning Committee at their April 10, 2017 meeting.

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD

None

NEW BUSINESS/OLD BUSINESS

Mr. Asselmeier provided a memo regarding the work of PBZ Department Intern Michael Goers on identifying and tracking special uses.

ADJOURNMENT- Mr. Werderich adjourned the Special Use Hearing Officer meeting at 9:12 p.m.

Respectfully submitted,
Matthew H. Asselmeier, AICP
Senior Planner


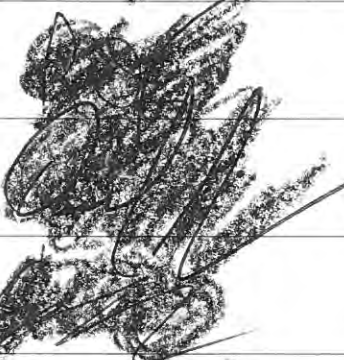
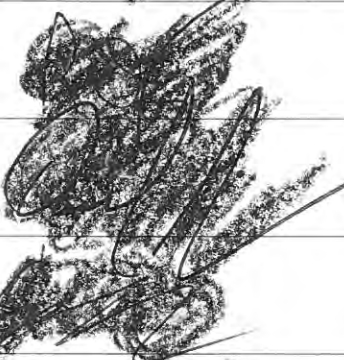






Exhibits:

1. Staff Report Dated March 31, 2017
2. Publication Notice (not included with the minutes, but on file)
3. Green Cards from Certified Mailing (not included with the minutes, but on file)
4. Section 7.01.D.33 of the Kendall County Zoning Ordinance
5. Cost Estimate for Removing Lead Contaminated Soil off Berm (signature redacted, original on file)
6. Picture of Delaney Rendering 1 (original rendering on file)
7. Picture of Delaney Rendering 2 (original rendering on file)
8. Picture of Delaney Rendering 3 (original rendering on file)
9. Greg Peterson Exhibit 1
10. Greg Peterson Exhibit 2
11. Greg Peterson Exhibit 3
12. Greg Peterson Exhibit 4 (signatures redacted, original on file)
13. Greg Peterson Exhibit 5
14. Greg Peterson Exhibit 6
15. Greg Peterson Exhibit 7
16. Greg Peterson Exhibit 8
17. Joe Phillips Exhibit 1 (signatures redacted, original on file)

KENDALL COUNTY
ZONING BOARD OF APPEALS &/or HEARING OFFICER

April 3, 2017




In order to be allowed to present any testimony, make any comment, engage in cross-examination, or ask any question during this public hearing, you must enter your name, address, and signature on this form prior to the commencement of the public hearing. By signing this registration sheet, you agree that you understand that anything you say will be considered sworn testimony, and that you will tell the truth, the whole truth and nothing but the truth.

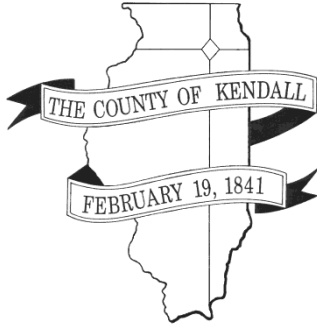
NAME	ADDRESS	SIGNATURE
Kelly Helland	1107 A S. Bridge St - Jct Yorkville	
Robert DeLang	13930 Arbeiter	
Dan Krammer	1107 A S. Bridge Yorkville, IL	
Eric Peterson	1223 Liberty St Morris	
Greg Peterson	16502 A Church St Minooka	
JO E PHILLIPS	6718 Whiter. Hwy Rd Minooka IL	
Shemuel	Minooka	
ANDREW TASSETT	8405 WATERBURY DR JOLIET	
	1221 Bell Minooka	

KENDALL COUNTY
ZONING BOARD OF APPEALS &/or HEARING OFFICER

April 3, 2017

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NAME	ADDRESS	SIGNATURE
JAMES Manning	6718 Whitewillow	
	61 Cotswold Dr	



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 203

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

Petition 16-14**Robert Delaney****A-1 Special Use – Outdoor Shooting Range****SITE INFORMATION**

PETITIONER Robert Delaney

ADDRESS 16502 Church Road

LOCATION East side of Church Rd; 0.25 mi north of Whitewillow Road



TOWNSHIP Lisbon

PARCEL # 08-25-300-009; -006

LOT SIZE 38.49 acres

EXITING LAND
USE Agricultural

ZONING A-1 Agricultural District

LRMP	Land Use	Agricultural
	Roads	Church Road is a township road classified as a non-Collector Road
	Trails	None

Floodplain/ Wetlands	Fresh water emergent wetlands exist on the northwest portion of the property
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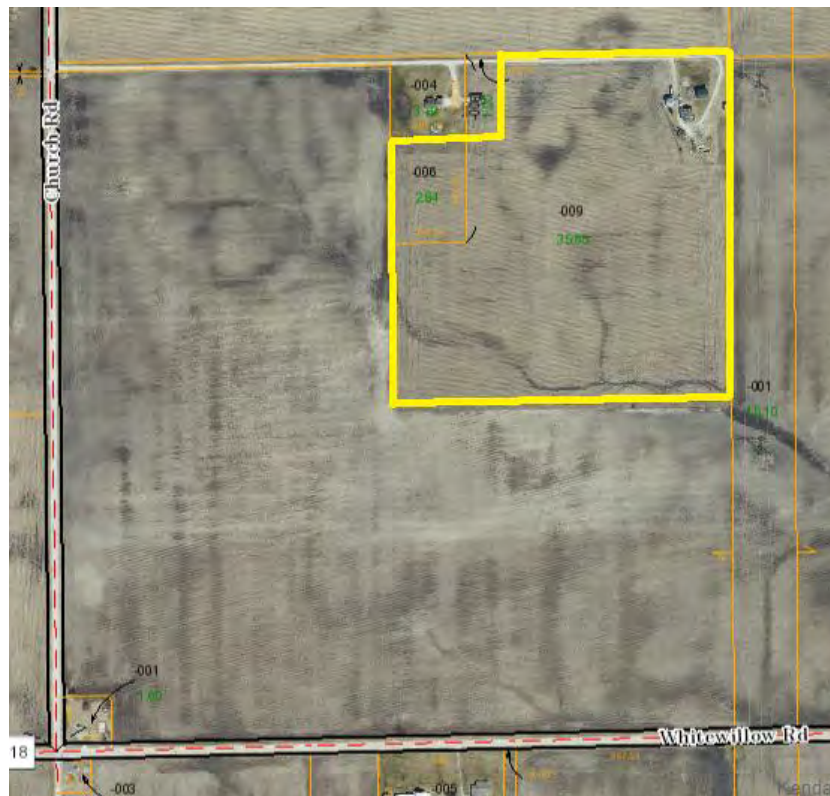
REQUESTED ACTION A-1 Special Use to operate an outdoor shooting range

APPLICABLE REGULATIONS Section 7.01 D.33 – A-1 Special Uses – Permits Outdoor Shooting and Target Practice to be located in the A-1 District with approval of a Special Use provided that certain requirements are met.

Section 13.08 – Special Use Procedures

SURROUNDING LAND USE

Location	Adjacent Land Use	Adjacent Zoning	Land Resource Management Plan	Zoning within ½ Mile
North	Agricultural	A-1	Agricultural	A-1
South	Agricultural	A-1	Agricultural	A-1
East	Agricultural/ComEd Transmission Lines	A-1	Agricultural	A-1
West	Agricultural/Residential	A-1	Agricultural	A-1



PHYSICAL DATA

ENDANGERED SPECIES REPORT

No Endangered or Threatened Species identified in the vicinity of the project area. Consultation is terminated.

NATURAL RESOURCES INVENTORY

The Kendall County Soil and Water Conservation District has provided an NRI Report Executive Summary. The property received a Land Evaluation score of 85 with a Site Assessment score of 140 for a LESA Score of 225 giving the property a medium level of protection.

ACTION SUMMARY

LISBON TOWNSHIP

The Lisbon Township Planning Commission met on July 26, 2016 and voted to not recommend approval of the request. The Lisbon Township Board met following the Planning Commission on July 26, 2016 and voted to accept the denial of the Planning Commission.

ZPAC (7.12.16)

Questions from the ZPAC committee were raised regarding the existing easement for ingress and egress for the site onto Church Road. The Health Department requested meeting with the petitioner to go over the requirements for well, septic, and food sanitation to ensure all applicable health department codes are being met. Issues on drainage and lead abatement were discussed and how these items will be handled including the required Stormwater Management Permit and the submittal of a hazardous waste plan to address lead removal on the property.

The ZPAC forwarded the petition onto the Kendall County Regional Plan Commission with a favorable recommendation.

KCRPC

At the Plan Commission meeting, several residents spoke in opposition to the request citing concerns dealing with noise, safety, shared access drive, traffic, and lead contamination. Several people also spoke in support of the special use, although only one of those was a Kendall County resident. ***The Plan Commission continued the matter to the August 24, 2016 meeting pending resolution of a revised site plan, submission of a hazard mitigation plan addressing lead removal, and cost estimates between upgrading an existing shared access drive and constructing a new access drive. The matter was continued again in August, September and October awaiting submission of the requested Site Plan. At their meeting on November 30, 2016, the Plan Commission recommended denial (2 ayes, 3 nays, and 1 present).***

GENERAL

Robert Delaney is requesting an A-1 Special Use to operate an outdoor shooting range at the subject property. This type of use is permitted as a special use on an A-1 property with certain conditions. Those conditions include:

- a. Requires conformity with NRA standards; provide appropriate berming based on surrounding land use and type(s) of firearms to be used. Such as berming shall generally be consistent with standards established in the NRA Source Book.
- b. Requires minimum parcel size of 5 acres, depending on the venue.
- c. Must have a sign that lists allowed firearm types, rules of operation; hearing and vision protection required.
- d. State recognized, nationally recognized or NRA Certified range supervisor must be present.
- e. Range flag flown, a sign or red light lit at all times that firing is taking place.
- f. Hours and days of operation as specified in the Special Use Permit to be determined by the County Board.
- g. Access must be controlled by a lockable gate.
- h. Hazardous waste plan addressing lead management required.
- i. No discharge of lead shot into wetland.
- j. Must be at least 1,000' from existing dwellings and property lines of schools, daycares, places of worship and airstrips.
- k. No alcohol allowed.
- l. No projectiles shall leave the boundaries of the site.
- m. All applicable Federal, State and County rules and regulations shall be adhered to.
- n. Must meet all requirements of the Kendall County Health Department.
- o. Water and drainage plans must be approved by the Kendall County Planning, Building and Zoning Office.
- p. Signage is permitted but must meet the Sign Ordinance regulations of Section 12 of the Zoning Ordinance.
- q. Lighting shall meet the standards of Section 11.02.F.12.d of the Zoning Ordinance.

- r. Must adhere to the Performance standards of Section 10.01.F of the Zoning Ordinance

RANGE LAYOUT

The petitioner submitted a site plan with an exhibit depicting a distance of at least 1,000' from the southeastern corner of the nearest residential dwelling unit to the west of the proposed range. The original site plan proposed two (2) shooting bays each containing twenty-four (24) shooting lanes with seventy-five (75) feet. The revised site plan now shows the same 24 shooting lanes, but in three shooting bays of 8 lanes each. The proposed range has a north-south orientation with the firing taking place towards the south. Ten (10) foot high precast concrete divider/impact walls are proposed to divide the bays. A fifty (50) to sixty-four (64) foot wide earthen berm is proposed to serve as a backstop for the range as well as side-berming on the eastern and western portion of the range. The berm is proposed to be twenty (20) feet in height on all sides and at the peak on the south side will have a flat portion of four (4) feet containing a six (6) foot vertical wood baffle. The distance from the edge of the backside of the backstop berm to the limits of the property was approximately 850'. The proposed range also includes a covered shooting structure with a shooting bench and overhead baffling, as well as a "no blue sky" barrier located fifteen (15) feet from the shooting bench.

During the KCRPC meeting on July 27th, the petitioner indicated that the site plan was going to be revised to include a new berm, a proposed building, revised parking, and fencing. The Plan Commission continued the matter pending the submittal of a revised site plan showing these changes. The enclosed plan reflects these changes.

BUSINESS NARRATIVE

The petitioner has submitted a business plan outlining activities. The hours of operation are proposed to be Tuesday thru Friday 10:00am to 8:00pm or until one-half hour before dusk, whichever is first, and Saturday and Sundays 9:00am to 8:00pm or until one-half hour before dusk, whichever is first. The petitioner has indicated that the Sunday hours will be modified to open later than the originally proposed 9:00am start time. The range will be closed on Mondays. The petitioner has indicated that one (1) range safety official will be assigned for each twelve (12) lanes with a chief range safety officer on-site to oversee all range bays.

The petitioner met with Staff on March 29, 2017, and indicated that hours of operation would be between thirty (30) minutes after sunrise and thirty (30) minutes before sunset for non-law enforcement use of the property. Law enforcement officers attending training as part of their official duties could be allowed to shoot after sunset. The petitioner anticipated a maximum thirty (30) non-law enforcement shooters onsite plus three (3) employees. The maximum number of shooters firing guns at a given time would be fifteen (15).

LEAD MANAGEMENT

A hazardous waste plan addressing lead management is required for outdoor shooting ranges. This plan has not been submitted and the petitioner has indicated they are working with an outfit to provide screening of the area for lead removal. Dick Pedicord, President of a private firm called Environmental Range Protection, provided testimony on behalf of Mr. Delaney at the July public hearing. This plan is a required document as part of the special use.

Staff has not reviewed this plan.

HEALTH CODES

The petitioner is proposing a building to accommodate restroom facilities. The petitioner has been in contact with the Health Department to secure all necessary permits related to well, septic, and food vendors.

BUILDING CODES

The petitioner is proposing the construction of a building on the property. This building will need to be evaluated by the Building Department for determination of any required building permits. A future building is proposed to serve as a check-in facility. This construction will require a building permit.

ACCESS

The property is a landlocked parcel without direct access onto Church Road. The petitioner has indicated that access to Church Road is obtained through an easement agreement for ingress and egress with property to

the west of the subject parcel utilizing a private gravel drive that serves the residential dwelling unit on the property to the west of the subject parcel. The petitioner has indicated future intention of improving the gravel drive with tar and chip.

During the KCRPC meeting on July 27th, there was concern about the utilization of this access drive because it is shared with the property owner to the west and range traffic will be driving on the property to the west. The Plan Commission recommended a condition be placed that requires the existing shared gravel drive to be treated with calcium chloride within sixty (60) days of the approval of the special use and that the existing shared gravel drive be improved to a hard surface within one (1) year of the approval of the special use.

The Plan Commission also requested the petitioner put together cost estimates of improving the existing shared gravel drive with a hard surface as well as a cost estimate for constructing a new access drive that is entirely on the petitioner's property. Staff has received a cost estimate from the petitioner to improve the existing shared gravel drive to tar and chip, with a range of between \$32,300 and \$51,300 depending on the layers applied. The Attorney for the petitioner has suggested that creating a new access drive on the petitioner's property is not feasible as it would require access across the ComEd right-of-way.

PARKING

The site plan identified thirty-eight (38) parking stalls with two (2) of these as reserved for ADA compliance. The Zoning Ordinance does not require a certain number of parking stalls for a use such as a shooting range. The NRA Range Source book, however, does recommend 1.5 parking stalls per shooting lane. The proposed site plan exceeds that standard. The location and dimensions of these parking stalls met the requirements of setbacks and width and depth.

LANDSCAPING

The petitioner had proposed twelve (12) evergreen trees to be planted on the western portion of the operation. However, the plan does not indicate the size or species of the proposed planting.

LIGHTING

The petitioner has indicated that security lighting may be added around building and security gate. Staff recommends a requirement for this lighting be shrouded to prevent glare onto adjacent properties.

SIGNAGE

Two (2) off-premises directional signs are proposed with one located at the northeast corner of the private drive and Church Road and one located at the southeast corner of Route 52 and Church Road. Off-premise signs are not permitted in the A-1 Agricultural District.

At the March 29, 2017, meeting with Staff, the petitioner indicated that they would install one (1) non-illuminated sign on their property to the north of the entrance.

FINDINGS OF FACT

That the establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare. Appropriate conditions and restrictions can be placed on the special use permit regulating the hours of operation, the location of the discharging of weapons, and noise that would minimize the negative impacts of the proposed use on the public health or safety. However, the private drive, if left unimproved and if allowed to deteriorate, could hinder the ability of first responders from reaching the property in a timely manner.

That the special use will not be substantially injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood. The Zoning classification of property within the general area of the property in question shall be considered in determining consistency with this standard. The proposed use shall make adequate provisions for appropriate buffers, landscaping, fencing, lighting, building materials, open space and other improvements necessary to insure that the proposed use does not adversely impact adjacent uses and

*is compatible with the surrounding area and/or the County as a whole. **The proposed use could be injurious to the use and enjoyment of other property owners in the immediate vicinity by creating additional noise. In addition, the property value of 16502 Church Road Unit A could be negatively impacted by the proposed use; the petitioner offered to pay for an appraisal and reimburse the property owner for lost value if a sale occurs within 15 years.***

*That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. **Adequate utilities and drainage exist onsite. The point of ingress/egress from Church Road is over an easement. The underlying driveway is presently not constructed for a commercial use or for large amounts of traffic. Church Road is not classified as a collector road.***

*That the special use shall in all other respects conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the County Board pursuant to the recommendation of the Hearing Officer. **The proposed use could conform to the applicable regulations of the district. Appropriate conditions and restrictions could be placed on the special use permit to ensure compliance.***

*That the special use is consistent with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. **Outdoor shooting ranges are a special use within the A-1 Agricultural District. The subject property is classified as agricultural on the Future Land Use Map. No improvements to Church Road are planned in the Land Resource Management Plan; this could negatively impact the ability of a non-agricultural business from remaining in operation because patrons may have difficulty reaching the property.***

CONCLUSION

The proposed use of the property for an outdoor shooting range is considered permitted as a special use in the A-1 District with several required conditions outlined above including conformance with the standards of the NRA Range Source Book. Other conditions should be considered to mitigate any potential negative impacts an outdoor shooting range may have on surrounding properties and to address any potential environmental concerns with regards to lead. This includes the submission of a hazardous waste plan addressing lead management using the EPA Best Management Practices for Lead at Outdoor Shooting Range.

RECOMMENDATION

If this proposal is approved, the following conditions should be placed on the special use permit:

1. The shooting range operation shall conform with NRA standards established in the NRA Source Book, unless a subsequent restriction is stricter than the NRA standards.
2. The maximum number of outdoor shooting lanes shall be twenty-four (24).
3. The maximum number of thirty (30) non-law enforcement personnel may be on the property at a time, not including a maximum three (3) employees of the business allowed by this special use permit. **The maximum number of law enforcement personnel on the property for training purposes must be set at the special use hearing.**
4. Berming shall be a minimum height of twenty (20) feet per the NRA Range Source Book. The berm shall be located to the south, west, and east of the shooting area. A baffle between four (4) foot and six (6) foot in height should be erected on top of the southern berm. A HESCO barrier of the same height and in the same location may be substituted for a berm.
5. A sign shall be installed that is visible to all visitors of the shooting range that lists allowed firearm types, rules of operation – hearing and vision protection required.
6. Pistols shall be the only firearm permitted to be discharged as part of the business allowed by this special use permit.
7. Firearms associated with the business allowed by this special use permit shall only be discharged in the area confined by the berm or HESCO barrier. Firearms can only be discharged when facing in a southerly direction.
8. A State recognized, nationally recognized or NRA Certified range supervisor shall be present at all times.
9. A range flag, a sign, or red light shall be displayed at all times when firing is taking place.

10. Access to the shooting range shall be controlled by a lockable gate.
11. A hazardous waste plan addressing lead management is required outlining lead removal occurring at least once a year.
12. Submission of a maintenance bond annually for removal of lead. The maintenance bond amount shall be \$3,500 paid within 60 days of the issuance of the special use permit. The annual maintenance bond shall be submitted to the Planning, Building and Zoning Department by May 1 of each year.
13. No skeet shooting, trap shooting, or sporting clays shall be permitted.
14. No discharge of lead shall occur into any wetlands or onto land used for crop growth as of the date of the adoption of this special use permit.
15. No alcohol shall be allowed as it relates to the business allowed by this special use permit.
16. Hours of operation shall be limited to between thirty (30) minutes after sunrise and thirty (30) minutes before sunset for non-law enforcement related trainings. Trainings for law enforcement personnel may occur _____. **The County suggests restricting the hours of operation to between 8:00 a.m. and 8:00 p.m. Mondays through Saturdays and between Noon and 6:00 p.m. on Sundays for non-law enforcement related trainings. The regulations related to trainings for law enforcement personnel must be set at the special use hearing.**
17. The shared access drive shall be treated with calcium chloride within (sixty) 60 days of approval of the special use provided that the owner of the shared driveway consents to the treatment.
18. The shared access drive shall be paved with a hard surface within one (1) year of approval of the special use provided that the owner of the shared driveway consents to the paving.
19. Only range staff and property owners shall be permitted to have a key to the gate to the shooting range.
20. No firearm sales shall occur on the property.
21. All applicable Federal, State and County rules and regulations shall be adhered to.
22. All applicable Federal and State licenses and approval shall be submitted to the Kendall County Planning, Building, and Zoning Department prior to commencing operations and submitted annually thereafter.
23. The business allowed by this special use permit shall satisfy all requirements of the Kendall County Health Department.
24. A stormwater management permit shall be approved prior to the start of construction.
25. Proposed signage shall meet the requirements of Section 12 of the Zoning Ordinance. The sign shall be a maximum four foot by eight foot (4X8) in size and shall not be illuminated.
26. Lighting shall meet the standards of Section 11.02.F.12.d of the Zoning Ordinance. Lighting shall be installed in a manner that does not cause light to be shine into neighboring houses.
27. Must adhere to the Performance standards of Section 4.12 of the Zoning Ordinance.
28. Noise generated by the business allowed by this special use shall comply with the following:
 - a. Day Hours: No person shall cause or allow the emission of sound during daytime hours (7:00 A.M. to 10:00 P.M.) from any noise source to any receiving residential land which exceeds sixty-five (65) dBA when measured at any point within such receiving residential land provided; however, that point of measurement shall be on the residential property line of the complainant.
 - b. Night Hours: No person shall cause or allow the emission of sound during nighttime hours (10:00 P.M. to 7:00 A.M.) from any noise source to any receiving residential land which exceeds fifty-five (55) dBA when measured at any point within such receiving residential land provided; however, that point of measurement shall be on the residential property line of the complainant.
 - c. EXEMPTION: Powered Equipment: Powered equipment, such as lawn mowers, small lawn and garden tools, riding tractors, and snow removal equipment which is necessary for the maintenance of property is exempted from the noise regulations between the hours of seven o'clock (7:00) A.M. and ten o'clock (10:00) P.M.
29. The petitioner shall submit to the County within sixty (60) days of the approval of this special use ordinance a bond of \$3,000 to ensure the completion of an appraisal of the property located at 16502 Church Road Unit A. If the property owner at 16502 Church Road Unit A does not request and complete an appraisal of the property at 16502 Church Road Unit A within one (1) year of the approval of this special use ordinance, the bond shall be released to the petitioner. If the property located at 16502 Church Road Unit A is sold within fifteen (15) years of the approval of this special use ordinance at a price less than what is stated in the aforementioned appraisal, the petitioner, and

its successors, heirs, and assigns of the property, will financially compensate the property owners of 16502 Church Road Unit A the difference between the sale price and the appraisal.

30. The owner of business allowed by this special use permit shall have the property inspected at least on an annual basis by the Lisbon-Seward Fire Protection District.
31. The owner of the property awarded the special use permit by this ordinance may apply for a special use permit for an indoor shooting range at a future date.
32. Failure to comply with the above regulations and restrictions could result in the revocation of the special use permit.
33. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.

ATTACHMENTS

1. Description of Proposed Use - Prepared by the Petitioners
2. Site Plan
3. ZPAC Minutes 7.12.16
4. KCRPC Minutes 7.27.16
5. Lisbon Township Plan Commission Minutes 7.26.16
6. Lisbon Township Board Minutes 7.26.16
7. NRI Executive Summary – Land Use Opinion
8. KCRPC Minutes 11.30.16
9. Easement from 1999
10. 2014 Addendum to Easement

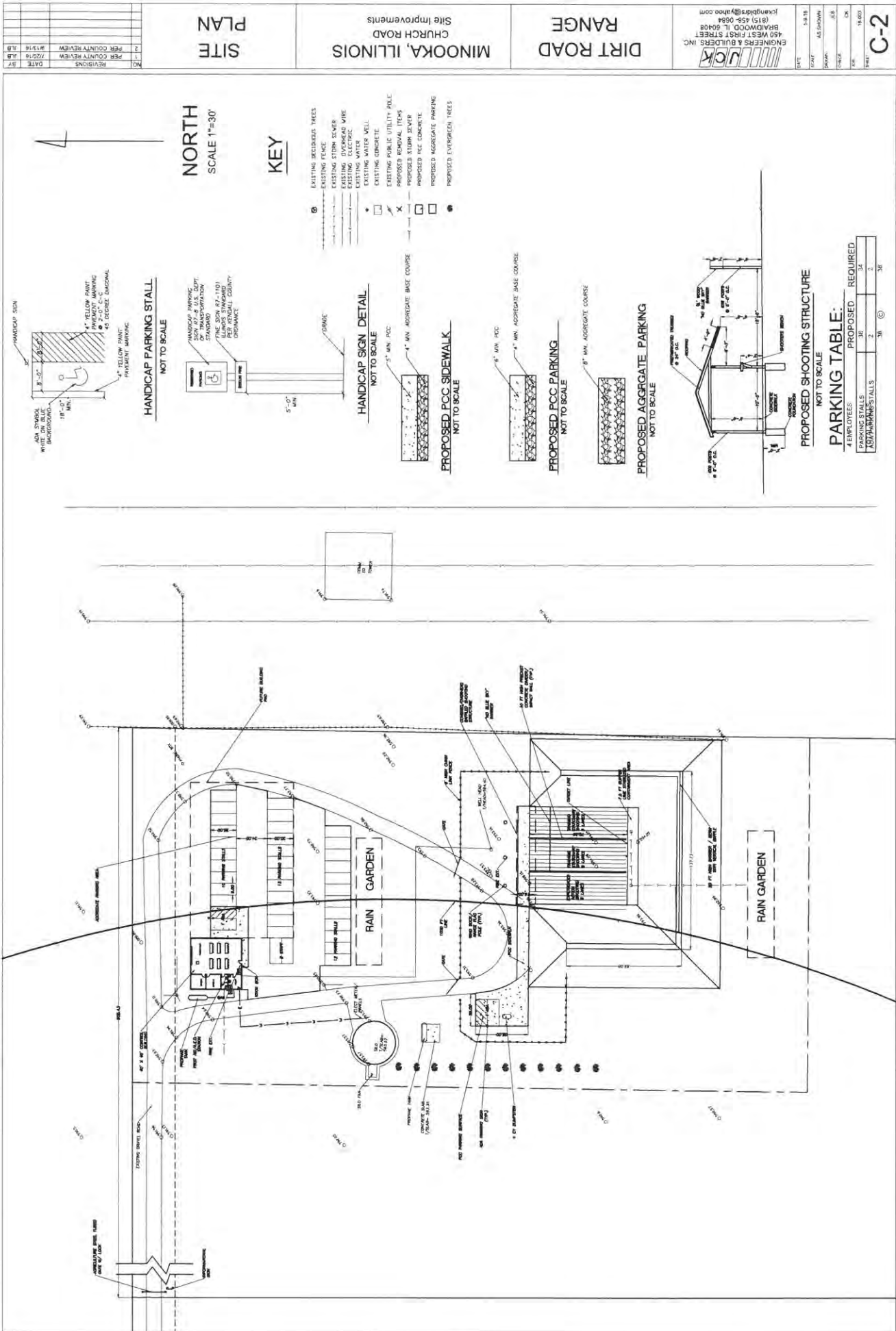
"DIRT ROAD RANGE"
Operations Proposal

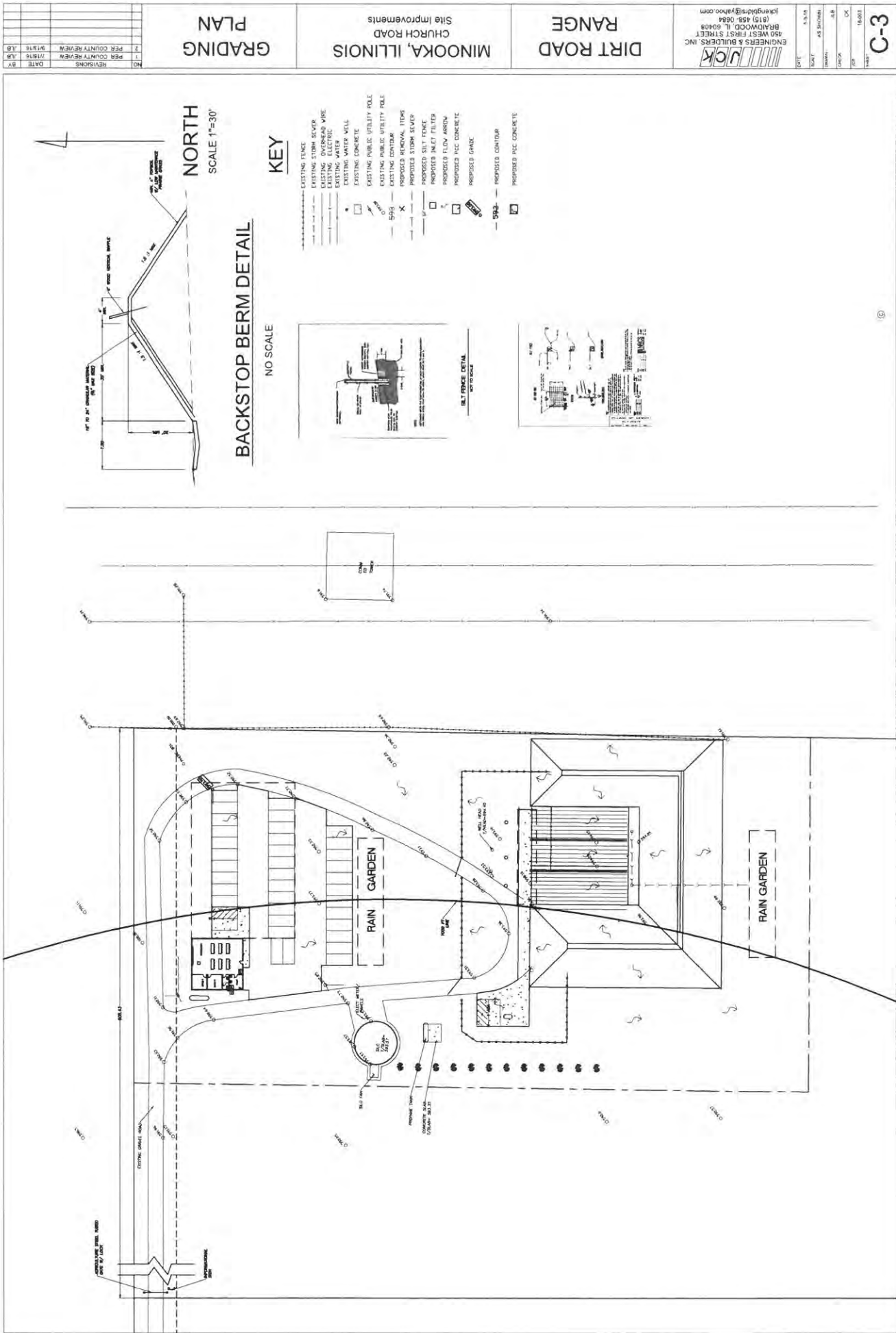
- Hours of ops: 0900--½ hour before dusk, 6 days/week (7th day for maintenance)
 - Hours: Tues-Fri 1000 to 2000 OR ½ hr before dusk, whichever is first, Sat & Sun is 0900 to 2000 OR ½ hr before dusk, Mon closed
 - Online calendar will refer to Almanac for sunset time
 - Options available to rent portion or all of range
 - Reserve 2 lanes for private lessons
 - Have guns available for rental and ammo for sale
 - Will require amended (add) address for FFA license
 - Host regular and special events
 - i.e. Tuesday night steel or have special guest instructor
- Main concern is education & safety while providing a facility that will be available to the shooting public and LEO's + FFD's
 - Membership available for additional benefits
 - Discounted range fees (1/2 price)
 - Discount on ammo, training (10%) + free membership to CRA
 - Annual fee at \$360
 - Weekdays: unlimited time, Weekends: 2 hour limit
 - Free shirt (contests for wearing shirt and posting on social media: maybe entered into raffle?)
 - Member appreciation days (guest instructors, guests, scenarios)
 - Multi-level? I.e. Gold vs Bronze
 - Food truck on site
 - Trucks pay for privilege of being on site (\$50/hour or \$250/day) Auction Sale %
 - Available during peak hours
 - Multiple trucks can be scheduled (they need permit from Kendall County)
 - Porta-potty Rental
 - Typically \$100-\$200/month (includes weekly maintenance)
 - May use one at first with multiple units with growth
- Scheduling by the shooters will be over an internet site that enables the participant to check on availability and self-schedule
 - Calendar options are Square, Bizzflo, as well as our current merchant processing system candidate (which offers a calendar scheduling app)
 - Other options: BookSimple, Booker
 - Some lanes will be designated for reservations and others left available for walk-ins (not listed on calendar site)
 - Ratio can change for peak times (accommodate for more walk-ins during busiest hours)
 - Website designed and optimized by CDG contactors
- Range mgmt will be conducted to the highest level of safety and comfort, range officials will be certified and are in full control of all Range Activities.
 - First Aid & CPR Cert for all EEs
 - Need to create in-house training for all range EEs that would reiterate NRA and any additional standards created by us

? \$ hour /
rate

"DIRT ROAD RANGE" Operations Proposal

- All 1st time shooters required to watch safety video (this is currently not standard for any known range), and annually for repeat customers
 - CDG will track safety video requirement electronically
 - Safety video will be produced by CDG contractors
- This is a new concept to our shooting community and will provide the best use for this isolated parcel
- LEO's will be able to use the range at their convenience at no charge *FFDO's*
 - Might be better to offer LEO/VET get ½ price on range fees—no other ranges in area offer totally free fees to LEO/VET's and few offer ½ price. This would still make us competitive.
 - VET and LEO get ½ price on membership (plus 1st time free) *FFDO's*
- We are thinking the total initial number of employees full-time and part-time at 10-12
 - 1 range safety per 12 lanes. Plus DR running the office. On weekends or peak times 1 or 2 additional personnel to assist with register and sales
 - Ex: 36 lanes on Saturday -- 6 persons total. 3 safety and 3 in office. Certain employees could rotate in office and on range duties
 - DR or JV to handle any transactions that need to be taken to Tom's for FFA (i.e.: any gun sales)
 - Reduce required RSO's by requiring 1st time shooters to watch 10-15 minute safety video (no direct competitor is doing this, but it is common in other industries such as skydiving, paintball and go karting).
- Sales of items to enhance safety will include safety glasses, ear plugs, ear muffs, bottled water and assorted non-alcoholic canned or bottled water and sodas.
 - We found out that FFA can't do business on the site for guns (until address change is registered with ATF), but all the non-firearm stuff is good to go
 - We could advertise for FFA's gun inventory on site, but buyers would have to physically travel to 14207 to actually transact any sales
- Operations on a daily basis will be managed and operated by CDG, a highly qualified group of Veterans of the Iraq and Afghanistan conflicts
- CDG will manage the range on a daily basis, with staff that is certified range management
 - Lighting, for security reasons, may be placed around office and gate on a timer. JV & DR to handle all end of shift procedures. Including lock-up and security of money





ZONING, PLATTING & ADVISORY COMMITTEE (ZPAC)

July 12, 2016 – Meeting Minutes

Approved August 2, 2016

Senior Planner John Sterrett called the meeting to order at 9:00 a.m.

Present:

Scott Gryder – PBZ Committee Chair
Fran Klaas – Highway Department
David Guritz- Forest Preserve
Commander Mike Peters – Sheriff's Office
Aaron Rybski – Health Department
Greg Chismark – WBK Engineering, LLC
Brian Holdiman- PBZ Department
Megan Andrews – Soil & Water Conservation District
John Sterrett – PBZ Department

Absent: None

Audience: Attorney Dan Kramer; Robert Delaney; Jamie Bradley; David Renick

AGENDA

Mr. Gryder made a motion, seconded by Mr. Klaas, to approve the agenda as written. With a voice vote of all ayes the motion carried.

MINUTES

Mr. Guritz made a motion, seconded by Mr. Gryder, to approve the May 3, 2016 meeting minutes as written. With a voice vote of all ayes the motion carried.

PETITIONS

#16-14 – Robert Delaney

Mr. Sterrett outlined the request for a special use in the A-1 Agricultural District to operate an outdoor shooting range, which is permitted as a special use in the A-1 Agricultural District with certain requirements. The property is located at 16502 Church Road in Lisbon Township. The property is just under 40 acres. The petitioner has submitted a business narrative to the PBZ Department including proposing twenty-four (24) shooting lanes with twelve (12) future lanes. The proposed range is located on the far eastern portion of the property, just west of the existing ComED right-of-way. Thirty-six (36) parking stalls are proposed for the use. Although the County's Zoning Ordinance does not have a specific requirement for the number of parking stalls for an outdoor shooting range, the NRA Range Source book recommends at least 1.5 parking stalls for each shooting lane. The Zoning Ordinance requires that a 1,000' buffer is maintained between a shooting range and any residential dwelling units. The petitioner has submitted an exhibit that depicts 1,000' from the edge of the shooting range to the southeast corner of the nearest residential dwelling unit. The property is landlocked and does not have direct access onto Church Road. The petitioner has indicated that an easement for ingress and egress exists with the property owner to the west to obtain access on an gravel existing drive to Church Road. Staff has a series of conditions that are recommended primarily dealing with NRA standards. The conditions include:

- The shooting range operation shall conform with NRA standards established in the NRA Source Book
- Berming shall be a minimum height of twenty (20) feet per the NRA Range Source Book
- A sign shall be installed that is visible to all visitors of the shooting range that lists allowed firearm types, rules of operation – hearing and vision protection required
- A State recognized, nationally recognized or NRA Certified range supervisor shall be present at all times
- A range flag, a sign, or red light shall be displayed at all times when firing is taking place
- Access to the shooting range shall be controlled by a lockable gate.
- Hazardous waste plan addressing lead management required with a lead removal occurring at least once a year
- Submission of a maintenance bond annually for removal of lead
- Submission of the types of firearms to be used
- No discharge of lead shall occur into any wetlands

- No alcohol shall be allowed
- Sunday hours of operation shall be limited to 12:00pm to 8:00pm, or until one-half hour before dusk
- Baffles shall be installed to prevent projectiles from leaving the boundaries of the site
- All applicable Federal, State and County rules and regulations shall be adhered to
- Must meet all requirements of the Kendall County Health Department
- A stormwater management permit shall be approved prior to the start of construction
- Proposed signage shall meet the requirements of Section 12 of the Zoning Ordinance
- Lighting shall meet the standards of Section 11.02.F.12.d of the Zoning Ordinance
- Must adhere to the Performance standards of Section 10.01.F of the Zoning Ordinance

Attorney Dan Kramer, representing the petitioner, stated that the easement for the access onto Church Road is binding on all successors, heirs, and assigns and is a covenant running with the land. The engineer for the petitioner, Jamie Bradley, explained the layout of the proposed use including the gravel parking area and using portable toilets on the property. Mr. Bradley stated that as a future endeavor a building may be constructed to serve a check-in facility with restrooms. Mr. Bradley stated the range will be used for handguns. Mr. Bradley stated that stormwater management will be developed to address a future building on the site. Aaron Rybski of the Health Department asked about plans to develop septic facilities and stated that portable toilets are not best for long term use. Mr. Rybski stated that there is a non-community water well program that is applicable when a use has at least 25 patrons for 60 days each calendar year. Mr. Rybski suggested that the petitioner meet with the Health Department to discuss the requirements for well and septic as well as the possibility of using food trucks on site. David Guritz of the Forest Preserve District asked about the abatement of lead on the property. Mr. Sterrett stated that the Zoning Ordinance requires a hazardous waste plan addressing lead management be submitted. Staff is suggesting that in addition to this, there be a requirement that the property is screened of lead at least once a year and that a maintenance bond be submitted on an annual basis for lead removal. Megan Andrews of the Kendall County Soil and Water Conservation District (KCSWCD) asked about the type of berm that will be built. Mr. Bradley stated it will be an earthen berm. The KCSWCD will be doing an NRI Executive Report on the project.

Mr. Delaney elaborated on the use of portable toilets and that he anticipates they will be used on a short term basis. Mr. Delaney also stated that the hours of operation will be shortened on Sundays. Mr. Delaney indicated that he has been in contact with the Kendall County Sheriff's Office about the possible use of the range for the Sheriff's Office. Mr. Delaney stated that to address baffles, a sheltered structure can be constructed where the shooters are located to prevent projectiles from obtaining a trajectory that will leave the limits of the range. Mr. Gryder asked if concealed carry classes would be offered at the site. Mr. Delaney stated that it is anticipated to have concealed carry classes and that no shotguns or high powered firearms will be used. Only handguns will be used. Mr. Gryder stated that he has received questions from the public about some concerns and asked if Mr. Delaney has spoken to any of the neighbors about the proposed use. Mr. Delaney stated he has spoken to a few. Mr. Delaney stated that there will be fencing along the access the road on the subject property and fencing will be around the parking area and check in area. Mr. Gryder asked if the easement language addresses commercial uses. Attorney Kramer stated there are no specifics on the type of traffic on the easement. Mr. Delaney stated that as the volume of traffic increases on the access road he would be willing to upgrade it to tar and chip. David Guritz asked about wetlands on the property. Mr. Sterrett stated that there is a wetland at the northwest portion of the subject property but away from the shooting range. The Endangered Species Consultation report from IDNR did not identify any endangered or threatened species in the vicinity. Mr. Holdiman stated a condition should be placed on either the building permit or the special use that would provide a time limit for the use of the portable toilets and that plumbing will need to be addressed when the future building is constructed.

David Reinick described the operation of the range. New patrons to the range will be required to watch an 8-12 minute video about range safety and directions and then be required to view the video on an annual basis. A log will be kept of all those who have viewed the video to verify the last time that the video was watched. Each patron will be required to sign in when using the range. There will be range safety commands and signs posted throughout the range. Each range bay of 12 lanes will have one range safety officer to monitor. There will also be a certified chief range safety officer to oversee all the range bays as well as a daily inspection of the range. There will always be at least one employee per shooting bay that is open and one individual in the building at all times.

Without further questions or comments from the ZPAC committee, Mr. Sterrett stated the petition is scheduled to go to the July 27th Plan Commission. Mr. Gryder made a motion, seconded by Mr. Klaas, to forward the petition onto the Plan Commission with a favorable recommendation. With a voice vote of all ayes, the motion carried.

**KENDALL COUNTY
REGIONAL PLANNING COMMISSION**

*Kendall County Office Building
Rooms 209 & 210
111 W. Fox Street, Yorkville, Illinois*

Minutes of July 27, 2016

Approved by the Regional Plan Commission August 24, 2016

Chairman Bill Ashton called the meeting to order at 7:00 pm.

ROLL CALL

Members Present: Bill Ashton, Claire Wilson, Tom Casey, Budd Wormley, Larry Nelson, Roger Bledsoe, Angela Zubko

Staff present: John Sterrett, Senior Planner

Members Absent: John Shaw, Vern Poppen

In the Audience: Approximately 60 people were in attendance. Those who spoke and/or signed the sign-in sheet included: Attorney Dan Kramer; Robert Delaney; Chris Jensen; Megan Jensen; Jeanne Freeman; Greg Peterson; Joe Phillips; Jerry Lizalek; Roy Wake; Kathy Wake; Tom Christ; John Wolfenbarger; Scott Wallin; Jason Rome; Mike Kinzler; Eric Peterson; Virgil Karales; Dick Pedicord; Jonathan Villaneuva; David Rynite; John Miller; Daniel Eamon; Kevin Tomlanovich

APPROVAL OF AGENDA

Ms. Zubko made a motion, seconded by Mr. Wormley, to approve the agenda as written. With a voice vote of all ayes, the motion carried.

APPROVAL OF MINUTES

Mr. Bledsoe made a motion, seconded by Mr. Nelson, to approve the June 22, 2016. With a voice vote of all ayes, the motion carried.

PETITIONS

16-14 Robert Delaney

Request: Special Use to allow an outdoor shooting range in the A-1 Agricultural District

Location: 16502 Church Road in Lisbon Township

Mr. Sterrett outlined the request for a special use in the A-1 Agricultural District to operate an outdoor shooting range, which is permitted as a special use in the A-1 Agricultural District with certain requirements. The range is proposed on a 38 acre parcel zoned as A-1 Agricultural east of Church Road, one-quarter mile north of Whitewillow Road in Lisbon Township.

The property is landlocked without direct access onto Church Road and obtains access to Church Road through an existing gravel drive across the property to the west through an ingress/egress easement. The petitioner has indicated to staff about improving the access drive with tar and chip. Staff would be supportive of this to lessen the impact of vehicles accessing this site.

The proposed shooting range will be located on the far eastern side of the property next to the ComED right-of-way property. The County's Zoning Ordinance requires shooting ranges to be located a distance of 1,000' from residential dwelling units. The petitioner has provided an exhibit depicting a 1,000' buffer area from the southeast corner of the nearest residential structure to the west.

The petitioner is proposing 24 shooting lanes each 75' in length with a north-south orientation and firing taking place towards the south. The lanes are divided into two 12 lane bays with a 10' concrete wall dividing the two bays. A 10' concrete wall is proposed on the western shooting bay and a 10'-20' concrete wall is proposed on the eastern side of the bay near the ComED right-of-way property. A twenty foot earthen berm is proposed as a back stop for the range with a 6' vertical wood baffle on top. The western side of the shooting range will feature a 20' side berm as well extending north half way up the length of the shooting lanes. A proposed shooting canopy structure will be located on the eastern shooting bay to serve as a baffle device to prevent projectiles leaving the range area. The western shooting bay does not have this same canopy proposed. A series of evergreen trees will be planted on the western edge of the range.

The petitioner has submitted a business operation plan to the County. The hours of operation proposed include Tuesday thru Friday 10:00am to 8:00pm, or until one-half hour before dusk, whichever is first and Saturday and Sundays 9:00am to 8:00pm, or until one-half hour before dusk, whichever is first. The petitioner has indicated having a later start time for Sunday operation. Staff recommends this start time be 12:00pm on Sundays. The range will be closed on Mondays. The petitioner has indicated that 1 range safety official will be assigned for each 12 lanes with a chief range safety official on site to oversee all range bays.

Thirty (38) parking stalls are proposed, two (2) of which will be reserved for ADA compliance. The parking will be located on the north end of the property near the gravel drive.

Originally, the petitioner had proposed utilizing portable toilets on a temporary basis. Due to Illinois plumbing codes, however, this would not be permitted and the Health Department will require permanent bathroom facilities. As such, the petitioner will be required to provide these facilities within an existing structure on the property or be incorporated into a new facility to be built. It is staff's understanding that the site plan may be revised to indicate the location of the building and the parking will be relocated. The development of this property will require a stormwater management permit.

A hazardous waste plan addressing lead management is required as part of the special use. The petitioner has begun working with an outfit to develop a best management practices for lead removal and is here tonight. Staff is recommending a series of conditions to be placed on the special use, if approved, including:

- The shooting range operation shall conform with NRA standards established in the NRA Source Book
- Berming shall be a minimum height of twenty (20) feet per the NRA Range Source Book
- A sign shall be installed that is visible to all visitors of the shooting range that lists allowed firearm types, rules of operation – hearing and vision protection required
- The existing gravel drive providing access from Church Road to the site be improved with a hard surface
- A State recognized, nationally recognized or NRA Certified range supervisor shall be present at all times
- A range flag, a sign, or red light shall be displayed at all times when firing is taking place
- Access to the shooting range shall be controlled by a lockable gate.
- Hazardous waste plan addressing lead management required with a lead removal occurring at least once a year
- Submission of a maintenance bond annually for removal of lead
- Submission of the types of firearms to be used
- Only the use of handguns shall be permitted and no high power rifles or shotguns shall be permitted
- No discharge of lead shall occur into any wetlands
- No alcohol shall be allowed
- Sunday hours of operation shall be limited to 12:00pm to 8:00pm, or until one-half hour before dusk
- A sheltered canopy structure shall be constructed to serve as a baffle for the range to prevent any projectiles from leaving the range area or exceeding the height of the twenty (20) foot berm. This design

shall be submitted to the Kendall County Planning, Building, and Zoning Department for review and approval.

- All applicable Federal, State and County rules and regulations shall be adhered to
- All applicable Federal and State licenses and approval shall be submitted to the Kendall County Planning, Building, and Zoning Department prior to commencing operations and submitted annually thereafter
- Shall satisfy all requirements of the Kendall County Health Department
- A stormwater management permit shall be approved prior to the start of construction
- Proposed signage shall meet the requirements of Section 12 of the Zoning Ordinance
- Lighting shall meet the standards of Section 11.02.F.12.d of the Zoning Ordinance
- Must adhere to the Performance standards of Section 10.01.F of the Zoning Ordinance

The petition received a favorable recommendation from the County's Zoning, Platting Advisory Committee. The petition received an unfavorable recommendation from the Lisbon Township Plan Commission and the Lisbon Township Board.

Attorney Dan Kramer stated that outdoor shooting ranges are an allowable special use in the County's Zoning Ordinance. Robert Delaney, petitioner, described the revised site plan for the range including proposed berming, parking, baffling, and a building. Mr. Delaney stated that the site plan has changed since the ZPAC meeting. Mr. Delaney stated that the range will primarily be membership based and some conceal carry training. No rifles or shotguns will be used. Mr. Sterrett stated that there are no noise regulations included in the shooting range special use category. Mr. Delaney stated that the current shared access drive will have a tar and chip surface all the way to Church Road. Questions were raised from the Commission regarding constructing a new access road that will eliminate shooting range traffic from the property to the west and the maintenance of this roadway.

Greg Peterson, 16502 A Church Road, owns the property directly to the west of the proposed shooting range. Mr. Peterson objected to the proposal because of the utilization of the shared residential driveway. Mr. Peterson has concerns regarding the amount of traffic that will be using this drive for the range. Mr. Peterson stated that shooters have been active on the site without a special use. The property value will be affected as well from the proposed use. Mr. Peterson also has concerns regarding the environmental impact from the range. Mr. Peterson stated that the 1,000' buffer should be revised

Joe Phillips, 6718 Whitewillow Road, lives within ½ a mile of the proposed range. Mr. Phillips presented the Commission with a market impact study completed by John Green Realty regarding property values near gun ranges stating the negative impacts. Mr. Phillips has concerns with the trajectory of fired ammunition that could potentially leave the shooting range.

Jerry Lizalek, 25006 West Sue Drive Channahon, spoke in support of the proposed range. Mr. Lizalek is an NRA range safety officer and works with an existing range in Plainfield in Will County. Mr. Lizalek believes this range will provide a benefit to both the private and public sector.

Roy Wake, 6232 Whitewillow Road, spoke in objection to the proposed range and had concerns regarding the noise and the amount of traffic that will be generated from the proposed use.

Kathy Wake, 6232 Whitewillow Road, spoke in objection to the proposed range. Ms. Wake had concerns from existing shooting that is already taking place on the property as well as the added traffic from the proposed use. Ms. Wake stated that there are already gun ranges for people to use.

Tom Christ, 1570 River Street Morris, stated his wife and daughter own property north of the proposed range and spoke in objection to the proposed range. Mr. Christ stated that the noise from the range will have a negative impact and brought up safety concerns citing an accident at a shooting range in LaSalle County.

Jerry Lizalek, 25006 West Sue Drive Channahon, addressed the incident brought up by Mr. Christ and discussed baffling.

John Wolfinbarger, 12859 MacKenzie Road, spoke in objection and stated that the range has been in operation for two years and has concerns about the legality of the special use as well as noise.

Joe Phillips, 6718 Whitewillow Road, addressed the gun range that was brought up previously in Plainfield.

Scott Wallin, 15724 Ashley Road, spoke in objection and stated that the noise will have a negative impact in the entire area, not just the immediate area. The berming will not prevent sound from traveling to other properties.

Jason Rome, 7024 Chicago, spoke in support of the proposed range. Mr. Rome stated that the berming will reduce the noise significantly. Mr. Rome believes a decibel test should be done before and after the berming is constructed. Mr. Rome believes safety will not be an issue based on the proposal.

John Wolfinbarger, 12859 MacKenzie Road, does not believe the berming will reduce the sound. Mr. Wolfinbarger reiterated about the legality of the operation.

Mike Kinzler, 935 Matoma Court Joliet, spoke in support of the range and described his business of manufacturing high security gate locks. All gates on the property will have high security locks with limited access with back up plans for missing or lost keys.

Eric Peterson, 1223 Liberty Street Morris, spoke in objection to the proposed range. Mr. Peterson stated that the impact on the property values is a concern. Mr. Peterson also had concerns about the property being used previously for a range. A different property with direct access to a road would be a better location.

James Manning, 6718 Whitewillow Road, spoke in objection to the proposed range. Mr. Manning stated he is a professional airline pilot and discussed the Federal Flight Deck Officer program and how the program works with firearms.

Scott Wallin, 15724 Ashley Road, expressed concerns about vehicles or individuals accessing the site around the security gate.

Virgil Karales, 14859 Brisbin Road, spoke in objection to the proposed range and had concerns about the location and adding another gun range to the area.

Dick Pedicord, lead management professional, discussed best management practices for lead disposal from shooting ranges. Mr. Pedicord stated that lead is reclaimed and recycled at shooting ranges consistent with EPA requirements. Mr. Pedicord stated there is no minimum timeframe for how often removal must take place but that is removed as is justified. Mr. Pedicord stated that the micro particulate from ammunition cannot be reclaimed. In between reclamation times, there must be management including design features and operation activities. Mr. Pedicord discussed range design to maintenance of lead between reclaiming to minimize re-suspension of lead. Mr. Pedicord stated that lead is five times the density of soil and does not travel as far as disturbed soil but there is no standard for the distance it travels.

Greg Peterson, 16502 A Church Road, stated that even minimizing the amount of lead that leaves the site will still have an impact on health for those who are exposed to it.

Jerry Lizalek, 25006 West Sue Drive Channahon, asked about the vegetation on the berm.

Eric Peterson, 1223 Liberty Street Morris, questioned how the Plan Commission can approve a plan that has been modified and a proposal that does not have a lead mitigation plan.

The Commission discussed concerns about non-staff members of the range having a key and access to the range property. Mr. Delaney stated that a range officer must be present for a patron to use the site. The Commission believed only range officers should be permitted to have keys to access the site. Mr. Kramer addressed the allegations regarding prior activity on the site for over two years and stated that Mr. Delaney has only owned the property 1.5 years. There was discussion on the fencing of the property to prevent anyone from accessing the site without using a key through the gate.

Ms. Zubko recommended that conditions be added including:

- No trap shooting, skeet shooting, or sporting clays
- The access drive shall be improved with tar and chip within one year after the approval
- The access drive be treated with calcium chloride within sixty days after the approval
- The hours of operation for the whole week be included
- The noise regulations be included in the special use ordinance
- No firearms sales shall take place on the property
- Only range officers shall be permitted to have a key

Ms. Wilson believes a comparison should be drafted of the costs of improving the existing shared access drive and creating a new drive without using the neighboring property and has more concerns regarding the volume of traffic rather than just the dust.

Mr. Nelson made a motion, seconded by Ms. Zubko, to continue the petition to the August 24th Plan Commission. With a voice vote of a 6 ayes and one no, the motion carried.

The Commission went into recess at 8:10pm.

The Commission came out of recess at 8:30pm.

16-16 Chris and Megan Jensen

Request: Special Use to allow a landscape operation and excavating operation

Location: 7225 Caton Farm Road in Kendall Township

Mr. Sterrett outlined the request for a special use in the A-1 Agricultural District to operate a landscape and excavating business at 7225 Caton Farm Road in Kendall Township on the north side of Caton Farm Road, just west of Church Road. Mr. Sterrett pointed out that excavating businesses are not permitted in the A-1 Agricultural District either by right or by special use and therefore the special use approval may only include a landscape operation.

The operation will include landscape maintenance, installation of landscaping, and related activities. No yard waste will be stored on-site with the possible exception of balled trees and bushes that have been prepared for installation. No retail or wholesale material will occur on site. No outdoor storage will take place and all equipment will be kept within a proposed building. No landscape waste will be stored on-site.

DRAFT

The meeting was called to order at 6:03 pm by Chairman David Smith. Tamara Eaton and Brian Westphal, board members, were present. Jeff Heap was absent. A quorum was present.

The purpose of this meeting was to hear a petition by the Delaney Family for a Special Usage permit to operate an Outdoor Shooting Range on the property located at 16502 Church Road (PIN 08-25-300-006; -09).

In addition to the board members, 31 community members were in attendance at the meeting.

A presentation was given by Robert Delaney, who is represented by Atty Dan Kramer. The presentation included drawings and explanation of construction, materials, proposed procedures, and regulations of Kendall County and NRA.

Several community members asked questions and offered comment regarding

- the veracity of facts related to armed pilots on commercial airliners
- adjacent easement driveway usage
- noise
- increased traffic, road use, possible adjustments to speed limits, ambiguous terms in the proposal
- previous usage of the property has included long guns, not just pistols
- concerns about persons with PTSD
- clarification of how many lanes will be covered, and how many would be available
- verification of the safety factor and community acceptance of other similar ranges
- proposed hours of operation
- possible lead danger to soil and water

Following the public comments, board members briefly discussed the terms laid out in the township plan.

Chairman Smith pointed out that one of the primary goals in the plan is to preserve the valuable resources within the township, primarily the soil. He noted that in soil testing the proposed land scored 225 out of a possible 300 points. On that basis, he recommended against the proposal. Citing similar objections, Westphal also recommended against. Eaton agreed with other board members and also stated she understood the objections of the community, therefore she also voted against the proposal.

Result: The Lisbon Township Zoning Board does NOT recommend approving the Special Usage request.

At 7:02 Westphal made a motion to adjourn. Eaton seconded the motion.

Respectfully submitted, Tamara Eaton

Draft

A Special Meeting of the Lisbon Township Board in Kendall County met to hear the proposed Dirt Road Gun Range. The meeting was held July 26, 2016 at the Plattville Fire Barn. Supervisor Horton called meeting to order at 8:30pm. Present were Supervisor James Horton, Trustees, Bill Ashton, Ken Jorstad, Wayne Schlappi, Scott Wallin, Road Commissioner Rich Mickelson, Clerk Darlene Ashton. Guests were Bob & Gary Delaney, Tom McDonald, Mr. & Mrs. Greg Peterson, Mr. & Mrs. Rich Kunke & Mr. & Mrs. Walter Schlutz.

Bob Delaney presented the proposed Dirt Road Gun Range and answered questions from the audience.

After hearing the details of the Gun Range, a motion to accept the Lisbon Township Planning Commission vote to deny the special use request of the Dirt Road Gun Range was presented by Scott Wallin, Seconded by Ken Jorstad.

A roll call vote was taken:

Wayne Schlappi , Yes

Scott Wallin, Yes

Ken Jorstad, Yes

Bill Ashton, Present

Jim Horton, Yes

Passed 4 votes yes 1 vote present.

A motion to adjourn the meeting was presented by Ken Jorstad, Seconded by Bill Ashton, Pass 5-0

The meeting adjourned at 9:10pm

Respectfully Submitted,

A handwritten signature in cursive script that reads "Darlene Ashton".

Darlene Ashton, Clerk

Sediment and Erosion Control: Development on this site should include an erosion and sediment control plan in accordance with local, state and federal regulations. Soil erosion on construction sites is a resource concern because suspended sediment from areas undergoing development is a primary nonpoint source of water pollution. Please consult the *Illinois Urban Manual* (<http://www.aiswcd.org/illinois-urban-manual/>) for appropriate best management practices.

LAND USE OPINION:

The Kendall County Soil and Water Conservation District (SWCD) Board has reviewed the proposed development plans for Petitioner Robert Delaney for the proposed A-1 Special Use Dirt Road Range. This parcel is located in the NE¼ SW¼ of Section 25 in Lisbon Township (T.35N.-R.7E. of the 3rd Principal Meridian) in Kendall County. Based on the information provided by the petitioner and a review of natural resource related data available to the Kendall County SWCD, the SWCD Board has the following opinions and recommendations.

The Kendall County SWCD has always had the opinion that Prime Farmland should be preserved whenever feasible. The two soils identified onsite are classified as prime farmland. Additionally, a Land Evaluation Site Assessment (LESA) score was conducted for this parcel; the parcel scored 225 out of a possible 300 points indicating the soils and site are well suited for agricultural uses. Selecting the project site with the lower total points will generally protect the best farmland located in the most viable areas while maintaining and promoting the agricultural industry in Kendall County. Since the proposed project is for an A-1 Special Use Permit, the project is compatible with promoting the agricultural nature of the site.

Soils onsite can have potential limitations for development. This report indicates that for soils located on the parcel, 100% are very limited for small commercial building, shallow excavations and local roads/streets; 75.3% are very limited for conventional sewage disposal systems. This information is based on the soil in an undisturbed state and does not replace the need for site specific soil testing. Some soil reclamation, special design, or maintenance may be required to obtain suitable soil conditions to support these types of development with significant limitations. Additionally, if in the future, the scope of the project includes the use of onsite septic systems, please consult with the Kendall County Health Department.

This site is located within the Illinois River Watershed and Walley Run Creek subwatershed.

This development should include a soil erosion sediment control plan to be implemented during construction. Sediment may become a primary non-point source of pollution. Eroded soils during the construction phase can create unsafe conditions on roadways, degrade water quality and destroy aquatic ecosystems lower in the watershed.

For intense use it is recommended that the drainage tile survey completed on the parcel to locate the subsurface drainage tile be taken into consideration during the land use planning process. Drainage tile expedites drainage and facilitates farming. It is imperative that these drainage tiles remain undisturbed. Impaired tile may affect a few acres or hundreds of acres of drainage.

The information that is included in this Natural Resources Information Report is to assure the Land Developers take into full consideration the limitations of that land that they wish to develop. Guidelines and recommendations are also a part of this report and should be considered in the planning process. The Natural Resource Information Report is required by the Illinois Soil and Water Conservation District Act (Ill. Compiled Statutes, Ch. 70, Par 405/22.02a).

SWCD Chairman

7/15/16

**KENDALL COUNTY
REGIONAL PLANNING COMMISSION**

*Kendall County Office Building
Rooms 209 & 210
111 W. Fox Street, Yorkville, Illinois*

Minutes of November 30, 2016

Chairman Bill Ashton called the meeting to order at 7:00 pm.

ROLL CALL

Members Present: Bill Ashton, Claire Wilson (arrived at 7:10), Tom Casey, Budd Wormley, Larry Nelson, Roger Bledsoe

Staff present: Mike Hoffman, Teska Associates, Inc.

Members Absent: John Shaw and Angela Zubko

In the Audience: Dan Kramer, Robert Delany, Joe Phillips, Greg Peterson, Sherman Tweet, John Wolfber, Tim Wallace

APPROVAL OF AGENDA

Mr. Wormley made a motion, seconded by Mr. Nelson. With a voice vote of all ayes, the motion carried.

APPROVAL OF MINUTES

Mr. Nelson made a motion, seconded by Mr. Bledsoe, to approve the September 28, 2016 minutes. With a voice vote of all ayes, the motion carried.

PETITIONS

16-14 Robert Delany

Mr. Hoffman briefly reviewed the case, summarizing the staff memorandum. Mr. Kramer then provided an update to the Commission. He noted that the hearing was closed previously, so they did not bring their witnesses. He reviewed the updated site plan. He noted that, due to a need to cross the ComEd Right-of-Way, an alternative entrance drive was not feasible. Mr. Kramer noted that, if acceptable to Mr. Peterson (owner of the exiting drive), Mr. Delany would improve the existing drive to have a hard surface.

Regarding the required Lead Management Plan, Mr. Kramer noted testimony by their expert at the initial hearing, and suggested they would have such a plan completed prior to County Board approval. Mr. Kramer also noted that, if acceptable to the adjacent residential property (Mr. Peterson), Mr. Delany would offer an economic protection agreement. Under such an agreement, an initial appraisal would be obtained. Mr. Delany would then agree that if Mr. Peterson wanted to sell his home and could not obtain the appraised value, Mr. Delany would purchase the property for that appraised value. The agreement would be for a fixed period, and would be backed-up by a bond.

Mr. Nelson asked about the berm. Mr. Kramer noted the berm would be 20' tall on three sides, and would be planted with low maintenance grasses. The proposed slope is 3:1.

Mr. Peterson noted he was opposed to the project, and had no desire to have a hard surface road.

Sherman Tweet noted his property is on Brisbin Road, and if a new road was built it would be near his property. He asked if the proposed economic impact agreement would apply to other residential properties in the area

including his. Mr. Kramer suggested they would look at it, but they generally felt the only potentially impacted home was the adjacent Peterson residence.

Joe Phillips noted that he had previously submitted a report from John Green Reality that showed that an outdoor gun range would have a negative impact on their property values. He noted that the State has a regulation of 1,000 yards (noise regulations cannot be applied to homes over 1,000 yards from a range), and that there were six homes within that 1,000-yard distance. In his opinion, that economic protection agreement should be applied to all homes within 1000 yards, and it should include an escalator to address appreciation over time.

John Wolfiber, a Platteville resident, asked who would respond in an emergency. He also asked if they considered changing the direction of shooting to face northeast per NRA recommendations. Tim Wallace, Fire Protection District Chief, noted they would respond and he reinforced his request for the installation of a Knox Box and the ability to perform annual inspections. He noted that ambulance service would come from Minooka, and would take about seven minutes. General fire/emergency response would be within five minutes. However, there could be delays if guns are involved and they need to have the Sheriff's Department secure the area first.

Tom Casey asked about signs, and if they would be placed on the perimeter fence.

Mr. Nelson moved to approve, seconded by Mr. Wormley, with the conditions noted in the staff report including the 20' berm, the addition of noise restrictions consistent with other County noise regulations, meeting fire district requests, and inclusion of the economic protection agreement for Mr. Peterson. With a roll call vote:

Yes – Nelson, Wormley No – Bledsoe, Casey, Wilson Present – Ashton. It was noted that the present vote would go with the majority, so the motion failed.

OLD BUSINESS – None.

NEW BUSINESS – None.

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD

Mr. Hoffman summarized the following:

16-21 High Grove – This rezoning to R-2 and preliminary/final plat was approved by the County Board 10.18.16

16-25 The Bluffs, Inc. d/b/a/ Cider Creek. – This request for a special use in the A-1 Agricultural District for a banquet hall, nano-brewery, micro-distillery, a year-round seasonal festival, and production and sale of sweet cider was approved by the County Board on 10.18.16.

CITIZENS TO BE HEARD/ PUBLIC COMMENT - None

ADJOURNMENT

Mr. Casey made a motion, seconded by Ms. Wilson, to adjourn. With a voice vote of all ayes, the motion carried. The Regional Plan Commission meeting adjourned at 7:50 pm.

Respectfully submitted by,
Mike Hoffman, Teska Associates, Inc.

9906683 04/30/1999 03:27P 1 of 5
Paul Anderson, Kendall County, IL Recorder

WARRANTY DEED
Joint Tenancy (Illinois)

THE GRANTOR EUGENE G.
PETERSON, a married person
of the Township of Lisbon
in the County of Kendall,
and State of Illinois,

for and in consideration of \$10.00 Dollars in hand paid, CONVEY S and WARRANT S to:

GREGORY P. PETERSON and BECKY L. HOOTMAN

whose address is: 16502 Church Rd.

Minooka, IL 60447

not as tenants in common, but in JOINT TENANCY, the following described Real Estate situated in the
County of Kendall, in the State of Illinois to wit:

See attached Legal Description

hereby releasing and waiving all rights under and by virtue of the Homestead Exemption Laws of the
State of Illinois. TO HAVE AND TO HOLD said premises not in tenancy in common, but in joint
tenancy forever.

Permanent Real Estate Index Number: 08-25-300-002

Address of Real Estate: Church Rd., Minooka, IL 60447

Dated this 29th day of April, 1999.


EUGENE G. PETERSON

CO-
ILLINOIS 3 0 1999



COUNTY OF KENDALL
REAL ESTATE TRANSFER TAX
3.50 APR

Warranty Deed

STATE OF ILLINOIS)
) SS.
COUNTY OF Kendall)

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, CERTIFY THAT EUGENE G. PETERSON personally known to me to be the same person _ whose name IS subscribed to the foregoing instrument, appeared before me this day in person, and acknowledged that HE signed, sealed and delivered this instrument as A free and voluntary act, for the uses and purposes therein set forth, including the release and waiver of the right of homestead.

Given under my hand and notarial seal this 27th Day of April, 1999.



Notary Public



SEND SUBSEQUENT TAX BILLS TO:

THIS DOCUMENT PREPARED BY;

Law Offices of Daniel J. Kramer
1107A S. Bridge Street
Yorkville, IL 60560
630-553-9500

AFTER RECORDING RETURN TO:

LEGAL DESCRIPTION

Parcel 1: Part of the Northeast Quarter of the Southwest Quarter of Section 25, Township 35 North, Range 7 East of the Third Principal Meridian, described as follows: Commencing at the Northwest corner of the Southwest Quarter of said Section 25; thence North 89 Degrees 59 Minutes 55 Seconds East along the North line of said Southwest Quarter, 1333.03 feet to the point of beginning; thence North 89 Degrees 59 Minutes 55 Seconds East along said North line, 295.18 feet; thence South 0 Degrees 43 Minutes 25 Seconds West, 295.18 feet; thence South 89 Degrees 59 Minutes 55 Seconds West, 295.18 feet to the West line of the Northeast Quarter of the Southwest Quarter; thence North 0 Degrees 43 Minutes 25 Seconds East along said West line, 295.18 feet to the point of beginning, in Kendall County, Illinois, containing 2.000 acres, more or less.

Parcel 2: Part of the Northwest Quarter of Section 25, Township 35 North, Range 7 East of the Third Principal Meridian described as follows: Beginning at the Southwest corner of the Northwest Quarter of said Section 25; thence North 89 Degrees 59 Minutes 55 Seconds East along the South line of said Northwest Quarter, 1628.21 feet; thence North 0 Degrees 43 Minutes 25 Seconds East, 33.00 feet; thence South 89 Degrees 59 Minutes 55 Seconds West, 1628.24 feet to the West line of the Northwest Quarter of said Section 25; thence South 0 Degrees 41 Minutes 00 Seconds West, 33.00 feet to the point of beginning, in Kendall County, Illinois, containing 1.234 acres, more or less.

The conveyance of the subject Parcel 2 in this Deed is subject to Grantors reserving to themselves and their successors, heirs, and assigns an Easement for ingress to and egress from the real property retained by them in the Northeast Quarter of Section 25 of Lisbon Township in Kendall County, Illinois.

(FILE WITH PAUL P. ANDERSON, RECORDER OF DEEDS OF KENDALL COUNTY)

STATE OF ILLINOIS } SS. DOCUMENT # _____
COUNTY OF KENDALL

DANIEL J. KRAMER, being duly sworn on oath, states that

1107A S. Bridge Street, Yorkville, IL 60560 That the
resides at

attached deed represents:

1. A distinct separate parcel on record prior to July 17, 1959.
2. A distinct separate parcel qualifying for a Kendall County building permit prior to August 10, 1971.
3. The division or subdivision of the land is into parcels or tracts of five acres or more in size which does not involve any new streets or easements of access.
4. The division is of lots or blocks of less than one acre in any recorded subdivision which does not involve any new streets or easements of access.
5. The sale or exchange of parcels of land is between owners of adjoining and contiguous land.
6. The conveyance is of parcels of land or interests therein for use as right of way for railroads or other public utility facilities, which does not involve any new streets or easement of access.
7. The conveyance is of land owned by a railroad or other public utility which does not involve any new streets or easements of access.
8. The conveyance is of land for highway or other public purposes or grants or conveyances relating to the dedication of land for public use or instruments relating to the vacation of land impressed with a public use.
9. The conveyance is made to correct descriptions in prior conveyances.
10. The sale or exchange is of parcels or tracts of land following the division into no more than two parts of a particular parcel or tract of land existing on July 17, 1959, and not involving any new streets or easements of access.
11. The sale is of a single lot of less than five acres from a larger tract, evidenced by a survey made by a registered surveyor which single lot is the first sale from said larger tract as determined by the dimensions and configurations thereof on October 1, 1973, and which sale does not violate any local requirements applicable to the subdivision of land.

CIRCLE NUMBER ABOVE WHICH IS APPLICABLE TO ATTACHED DEED.

Affiant further states that he makes this affidavit for the purpose of inducing the Recorder of Deeds of Kendall County, Illinois, to accept the attached deed for recording.

DANIEL J. KRAMER, Attorney at Law

SUBSCRIBED AND SWORN to before me

this 28th day of April, 19 99.



Notary Public



201400016988

DEERIE
GILLETTE
KENDALL COUNTY, IL

RECORDED: 12/3/2014 10:22 AM
LASE: 53.00 RNSPS FEE: 10.00
PAGES: 8

ADDENDUM TO

RESTATEMENT BY AGREEMENT OF

PERPETUAL EASEMENT FOR INGRESS AND EGRESS

This Addendum is attached to and made a part of a certain Restatement by Agreement of Perpetual Easement for Ingress and Egress entered into by and between BARBARA J. FONCK, Independent Executor of the Estate of Eugene G. Peterson (Peterson Estate) and GREGORY P. PETERSON and BECKY PETERSON (Gregory and Becky) on the 31st day of October, 2014 and recorded with the Kendall County Recorder on November 6, 2014, as Document Number 201400015637. A copy of Document #201400015637 is attached as Exhibit 1.

It is further agreed that:

1. The location of the easement described in Exhibit C of Document #201400015637 is deleted in its entirety and is replaced as set forth below:

That part of the Northwest 1/4 of Section 25, Township 35 North, Range 7 East of the Third Principal Meridian, described as follows: Beginning at the Southwest corner of the Northwest 1/4 of said Section 25, thence North 89 degrees 59 minutes 55 seconds East along the South line of said Northwest 1/4, 1760.95 feet; thence North 0 degrees 43 minutes 25 seconds East, 33.00 feet; thence South 89 degrees 59 minutes 55 seconds West 1760.98 feet to the West line of the Northwest 1/4 of said Section 25, thence South 0 degrees 41 minutes 00 seconds West, 33.00 feet to the point of beginning, in Kendall County, Illinois.

2 The cost of maintaining the easement from Church Road and continuing east for approximately 1,760.98 feet shall be paid by Gregory and Becky, and their heirs, successors and assigns

3. ~~The cost of maintaining the balance of the easement, approximately 905.43 feet, shall be paid by the Petersen Estate, and its successors and assigns~~

4. This Addendum shall be recorded with the Kendall County Recorder.


GREGORY P. PETERSON

BECKY L. PETERSON

EUGENE G. PETERSON ESTATE

BY: 
BARBARA FONCK,
INDEPENDENT EXECUTOR

STATE OF ILLINOIS)
) SS
COUNTY OF GRUNDY)

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, do hereby certify that the above named individuals personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that they signed, sealed and delivered the said instrument as their free and voluntary act, for the uses and purposes therein set forth, including the release and waiver of the right of homestead.

November, 2014
GIVEN under my hand and notarial seal, this 26th day of

PREPARED BY:
ATTORNEY DONALD F. BLACK
BLACK & BLACK
P.O. BOX 148
MORRIS, IL 60450

RETURN RECORDED DOCUMENT TO:
ATTORNEY DONALD F. BLACK
BLACK & BLACK
P.O. BOX 148
MORRIS, IL 60450


OFFICIAL SEAL
DENISE M VISCO
NOTARY PUBLIC STATE OF ILLINOIS
MY COMMISSION EXPIRES 07/17/16

201400015637

DEBBIE
GILLETTE
KENDALL COUNTY, IL

RECORDED: 11/6/2014 10:50 AM
EASE: 52.00 RHSPS FEE: 10.00
PAGES: 7

RESTATEMENT BY AGREEMENT

OF

PERPETUAL EASEMENT FOR INGRESS AND EGRESS

This Restatement by Agreement is entered into on this 31st day of October, 2014 by and between Barbara J. Fonck, Independent Executor of the Estate of Eugene G. Peterson (Peterson Estate) and Gregory P. Peterson and Becky L. Peterson, formerly known as Becky L. Hootman (Gregory and Becky).

WHEREAS, on April 29, 1999, Eugene G. Peterson, a married person, executed a warranty deed to Gregory P. Peterson and Becky L. Hootman, now known as Becky L. Peterson, as joint tenants with rights of survivorship, to certain real estate in Lisbon Township, Kendall County, Illinois. The warranty deed was recorded with the Kendall County Recorder's Office on April 30, 1999 as Document No. 9906683. A copy of the recorded deed is attached as Exhibit "A", and

WHEREAS, in the conveyance of subject Parcel 2 in the deed, the Grantor reserved for himself, his successors, heirs, and assigns, an easement for ingress to and egress from real estate retained by the Grantor in the Northeast Quarter of Section 25 of Lisbon Township, Kendall County, Illinois, and

WHEREAS, Eugene G. Peterson died on October 23, 2013, and

WHEREAS, an Order was entered in the Grundy County Circuit Court on November 18, 2013 appointing Barbara J. Fonck as Independent Executor of the Estate of Eugene G. Peterson, and

WHEREAS, the Eugene G Peterson Estate is pending in the Grundy County Circuit Court as Case #2013 P 96, and

WHEREAS, the Peterson Estate, Gregory, and Becky desire to restate by agreement the easement reserved by the Grantor in the April 29, 1999 deed that was recorded on April 30, 1999 as Document #9906683.

NOW, THEREFORE, IT IS AGREED BY AND BETWEEN THE PARTIES AS FOLLOWS:

- 1 Gregory and Becky convey and grant to the Peterson Estate a non-exclusive easement for ingress and egress for the benefit of Parcels 1 and 2 as described on the attached Exhibit "B" over the real estate described in the attached Exhibit C.
2. This easement is perpetual and shall run with the land. The easement is binding upon the heirs, successors and assigns of Gregory, Becky, and the Peterson Estate.

3. This easement shall be recorded with the Kendall County Recorder's Office

DATED this 31st day of October, 2014.

X
GREGORY G. PETERSON
BECKY L. PETERSON, F/K/A
BECKY L. HOOTMAN

EUGENE G. PETERSON ESTATE,

BY 
BARBARA FONCK,
INDEPENDENT EXECUTOR

STATE OF ILLINOIS)
) SS
COUNTY OF GRUNDY)

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, do hereby certify that the above named individuals personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that they signed, sealed and delivered the said instrument as their free and voluntary act, for the uses and purposes therein set forth, including the release and waiver of the right of homestead.

GIVEN under my hand and notarial seal, this 3rd day of



NOTARY PUBLIC

THIS INSTRUMENT WAS PREPARED BY: Attorney Donald F. Black, PO Box
148, Morris, IL 60450

RETURN RECORDED INSTRUMENT TO: Attorney Donald F. Black, PO Box
148, Morris, IL 60450

EXHIBIT

A

9905583 04/30/1999 03:27P 1 of 5
Paul Anderson, Kendall County, IL Recorded



WARRANTY DEED
Joint Tenancy (Illinois)

THE GRANTOR HUGENE G.
PETERSON, a married person
of the Township of Lisbon

in the County of Kendall
and State of Illinois

for and in consideration of \$10.00 Dollars in hand paid, CONVEY S and WARRANT S to:

GREGORY P. PETERSON and BECKY L. HOOTMAN
whose address is: 16502 Church Rd.
Minooka, IL 60447

not as tenants in common, but in JOINT TENANCY, the following described Real Estate situated in the
County of Kendall, in the State of Illinois to wit:

See attached Legal Description

hereby releasing and waiving all rights under and by virtue of the Homestead Exemption Laws of the
State of Illinois, TO HAVE AND TO HOLD said premises not in tenancy in common, but in joint
tenancy forever.

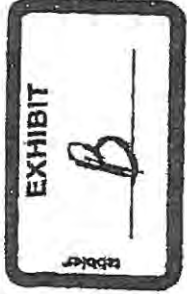
Permanent Real Estate Index Number. 08-25-300-002

Address of Real Estate: Church Rd., Minooka, IL 60447

Dated this 29th day of April, 1999.

EUGENE G. PETERSON

COUNTY OF KENDALL
Notary State Transfer Fee
3.50



PARCEL 1

The Northeast Quarter of the Southwest Quarter of Section 25, Township 35 North, Range 7 East of the Third Principal Meridian, Kendall County, Illinois, and also a strip of land 2 rods wide off the south side of the South Half of the Northwest Quarter of Section 25, Township 35 North, Range 7 East of the Third Principal Meridian,

And

Excepting therefrom: Beginning at the Northwest corner of the Southwest Quarter of said Section 25; thence North 89 degrees 59 minutes 55 seconds East along the North line of said Southwest Quarter, 1333.03 feet to the Northwest corner of the Northeast Quarter of said Southwest Quarter; thence South 0 degrees 43 minutes 25 seconds West along the West line of said Northeast Quarter, 703.38 feet; thence North 89 degrees 59 minutes 55 seconds East 295.18 feet; thence North 0 degrees 43 minutes 25 seconds East, 736.38 feet to the North line of the South Half of said Northwest Quarter; thence South 89 degrees 59 minutes 55 seconds West along said North line, 1628.24 feet to the West line of said Northwest Quarter; thence South 0 degrees 41 minutes 00 seconds West 33.00 feet to the Point of Beginning.

Further excepting therefrom:

That part of the Northeast Quarter of the Southwest Quarter of Section 25 and part of the Northwest Quarter of Section 25, all in Township 35 North, Range 7 East of the Third Principal Meridian, described as follows

Commencing at the Northwest corner of the Southwest Quarter of said Section 25, thence North 89 degrees 59 minutes 55 seconds East along the North line of said Southwest Quarter, 1333.03 feet to the Northwest corner of the Northeast Quarter of the Southwest Quarter of said Section 25, thence South 0 degrees 43 minutes 25 seconds West along the West line of the Northeast Quarter of the Southwest Quarter of said Section 25, for a distance of 295.18 feet; thence North 89 degrees 59 minutes 55 seconds East, 328.18 feet to the Point of Beginning, thence North 00 degrees 43 minutes 25 seconds East, 328.18 feet to the North line of the South Half of the Southwest Quarter of said Section 25, thence North 89 degrees 59 minutes 55 seconds East along the North line of the South Half of the Southwest Quarter of said Section 25, 132.74 feet; thence South 00 degrees 43 minutes 25 seconds West, 328.18 feet; thence South 89 degrees 59 minutes 55 seconds West, 132.74 feet to the Point of Beginning.

all in Kendall County, Illinois

PARCEL 2

That part of the Northeast Quarter of the Southwest Quarter of Section 25, Township 35 North, Range 7 East of the Third Principal Meridian, described as follows: Commencing at the Northwest corner of the Southwest Quarter of said Section 25, thence North 89 degrees 59 minutes 55 seconds East along the North line of said Southwest Quarter, 1333.03 feet to the Northwest corner of the Northeast Quarter of the Southwest Quarter of said Section 25, thence South 00 degrees 43 minutes 25 seconds West along the West line of the Northeast Quarter of the Southwest Quarter of said Section 25, for a distance of 295.18 feet to the Point of Beginning, thence North 89 degrees 59 minutes 55 seconds East, 295.18 feet; thence South 00 degrees 43 minutes 25 seconds West, 408.20 feet; thence South 89 degrees 59 minutes 55 seconds West 295.18 feet to the West line of the Northeast Quarter of the Southwest Quarter of said Section 25, thence North 00 degrees 43 minutes 25 seconds East along the West line of the Northeast Quarter of the Southwest Quarter of said Section 25, for a distance of 408.20 feet to the Point of Beginning, in Kendall County, Illinois



That part of the Northwest 1/4 of Section 25, Township 35 North, Range 7 East of the Third Principal Meridian, described as follows: Beginning at the Southwest corner of the Northwest 1/4 of said Section 25, thence North 89 degrees 59 minutes 55 seconds East along the South line of said Northwest 1/4, 1628.21 feet, thence North 0 degrees 43 minutes 25 seconds East, 33 00 feet, thence South 89 degrees 59 minutes 55 seconds West, 1628.24 feet to the West line of the Northwest 1/4 of said Section 25; thence South 0 degrees 41 minutes 00 seconds West, 33 00 feet to the point of beginning, in Kendall County, Illinois

SECTION 7.00 AGRICULTURAL DISTRICTS

Updated on 9.19.14

- provided that such demolition shall not exceed 15% of the combined square footage of all existing structures on the premises. The combined square footage of existing structures shall be defined as the sum total of the square footage of all existing structures situated on a qualifying zoning parcel at the time of submission and approval of the first application for such a special use on said qualifying parcel.
6. Submission of a site plan and drawings indicating the location of existing structures and any proposed or existing additions thereto shall be supplied to demonstrate how the special use will serve to preserve or enhance the architecture of the existing structures and agricultural character of the property. Such plans and drawings shall include details regarding facilities for traffic movement, parking and loading; the design and appearance of all sides of any existing or future buildings to be maintained on the premises including any areas of demolition or expansion and the size thereof; details of any proposed landscaping or buffering as are necessary or appropriate to maintain the agricultural character of the premises and to fit harmoniously with the character, use and zoning of adjoining surrounding properties and to avoid any appreciable adverse effect upon such properties.
 7. No sign, other than one identification sign as permitted in Chapter 12 of this ordinance shall be allowed.
 8. Off-street parking shall be provided in accordance with the provisions of Chapter 11 of this ordinance. (AMENDED - 9/21/04)
32. Outdoor Commercial Sporting Activities including but not limited to swimming facilities and motocross sports. Appropriate regulations for lighting noise and hours of operation shall be included in the conditions. Outdoor commercial sporting activities shall exclude outdoor target practice, athletic fields with lights, paintball facilities and riding stables; including but not limited to polo clubs, and similar uses.
33. Outdoor Target Practice or Shooting (not including private shooting in your own yard) with the following conditions:
- a. Requires conformity with NRA standards; provide appropriate berming based on surrounding land use and type(s) of firearms to be used. Such as berming shall generally be consistent with standards established in the NRA Source Book.
 - b. Requires minimum parcel size of 5 acres, depending on the venue.
 - c. Must have a sign that lists allowed firearm types, rules of operation; hearing and vision protection required.
 - d. State recognized, nationally recognized or NRA Certified range supervisor must be present

SECTION 7.00 AGRICULTURAL DISTRICTS

Updated on 9.19.14

- e. Range flag flown, a sign or red light lit at all times that firing is taking place.
- f. Hours and days of operation as specified in the Special Use Permit to be determined by the County Board.
- g. Access must be controlled by a lockable gate.
- h. Hazardous waste plan addressing lead management required.
- i. No discharge of lead shot into wetland.
- j. Must be at least 1,000' from existing dwellings and property lines of schools, daycares, places of worship and airstrips.
- k. No alcohol allowed.
- l. No projectiles shall leave the boundaries of the site.
- m. All applicable Federal, State and County rules and regulations shall be adhered to.
- n. Must meet all requirements of the Kendall County Health Department
- o. Water and drainage plans must be approved by the Kendall County Planning, Building and Zoning Office.
- p. Signage is permitted but must meet the Sign Ordinance regulations of Section 12 of the Zoning Ordinance.
- q. Lighting shall meet the standards of Section 11.02.F.12.d of the Zoning Ordinance.
- r. Must adhere to the Performance standards of Section 10.01.F of the Zoning Ordinance

34. Paintball Facilities subject to the following conditions:

- a. Minimum lot size of 20 acres;
- b. The facility shall have direct access to a road designated as a major collector (or higher) in County Land Resource Management Plan unless the Township Board of Supervisors finds that the type and amount of traffic generated by the facility is such that it will not cause an undue impact on the neighbors or adversely affect safety of road;
- c. Hours and days of operation as specified in Special Use Permit to be determined by the County Board
- d. All safe and spectator areas must be protected by special paintball netting, and participants and spectators must wear approved paintball goggles; and
- e. No paintball activity shall leave the boundaries of the site, including fired paintballs.
- f. Requirement of netting to be installed around the property shall be determined by the County Board
- g. Paintball guns shall only be powered by carbon dioxide (CO₂), high pressured air (HPA) or Nitrogen (N₂).
- h. All signage shall comply with the provisions of Section 12 of the Kendall County Zoning Ordinance.
- i. Ammo for such paintball guns shall only include paintball pellets made of non-toxic, biodegradable water soluble substances.

Exhibit

PROPOSAL
S & K EXCAVATING & TRUCKING, INC.
P.O. Box 655
NEWARK, IL 60541
PHONE: (815) 695-1100
FAX: (815) 695-1101

PROPOSAL SUBMITTED TO: Robert Delaney

DATE: April 3, 2017

PHONE:

FAX:

S & K EXCAVATING & TRUCKING, INC. HEREBY PROPOSES TO:

JOB: 136502 B Church Rd, Minooka

Description of Work:

Strip Lead Contaminated Soil off Berm
Load into Truck
1 Loads Haul Off to Designated Dump Site

TOTAL 3,500.00

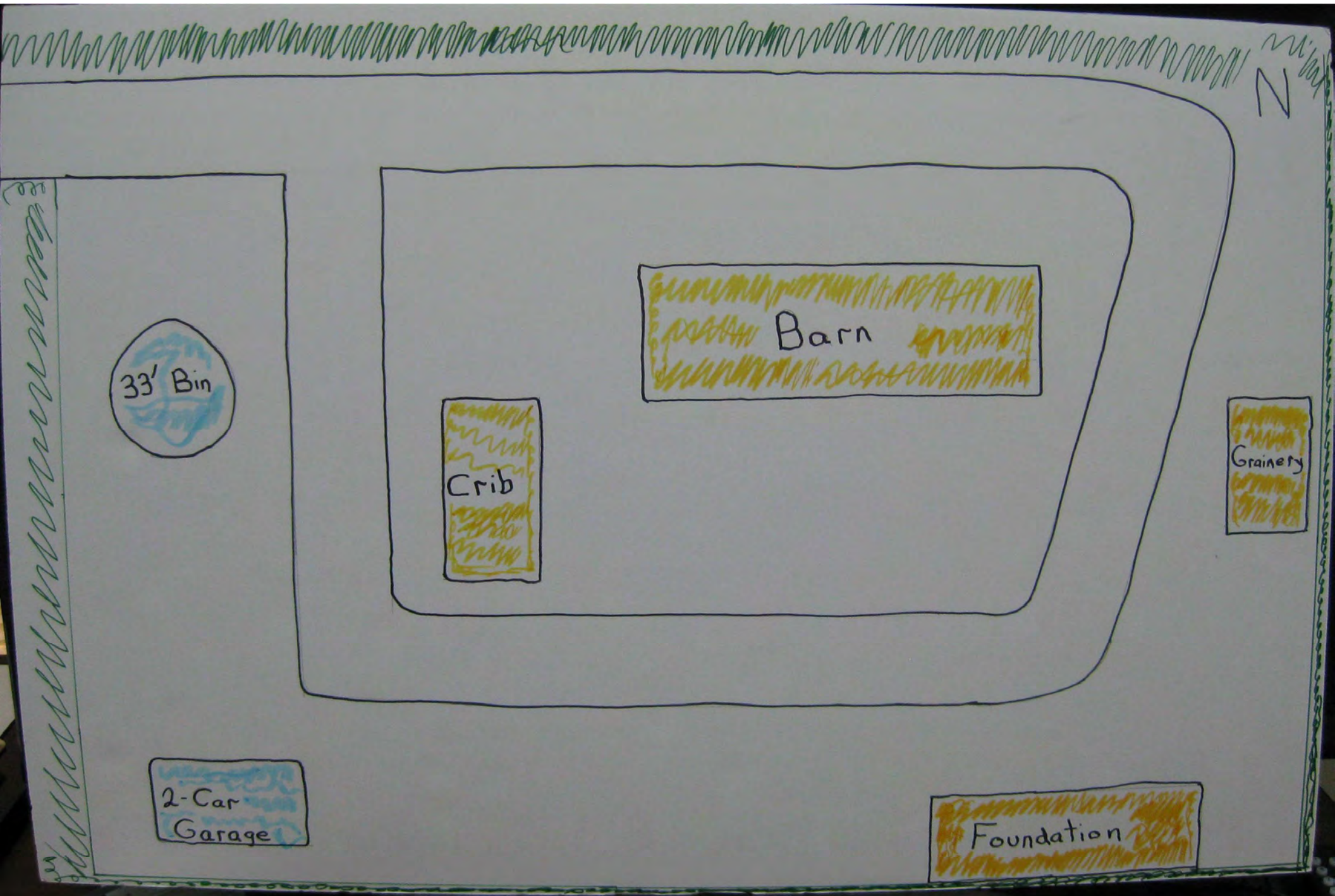
* Due to Changes to CCDD (Clean Construction and Demolition Debris) Regulations any material hauled offsite will need certification from the property owner and/or Professional Engineer prior to removal. This documentation includes a certification from a licensed professional Engineer stating that the soil is uncontaminated and must be provided to S & K Excavating. If soil is found to be contaminated there will be an additional cost to hauling away

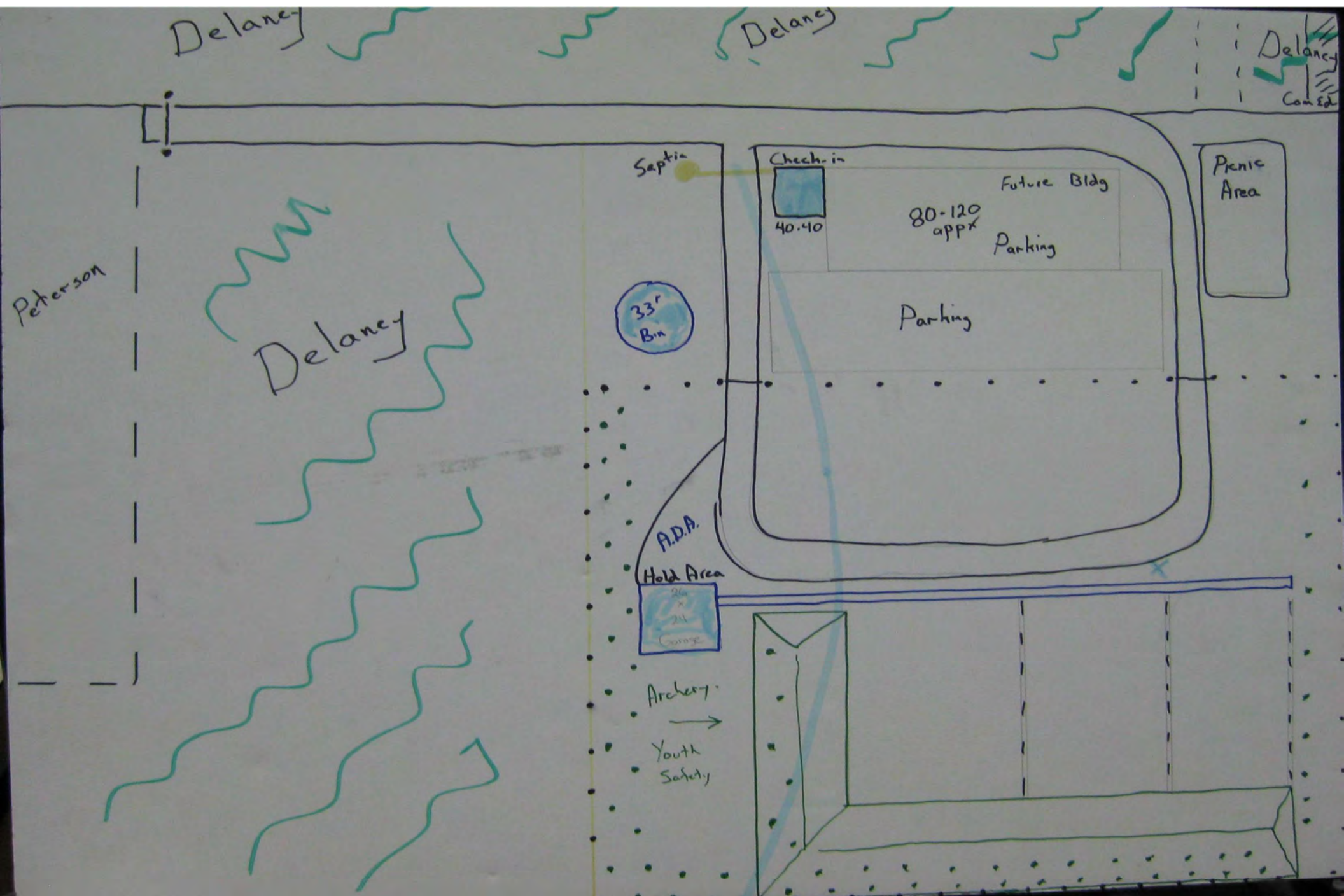
*Quote does not include Engineering, Layout, Permits or Bonding.

BY: _____

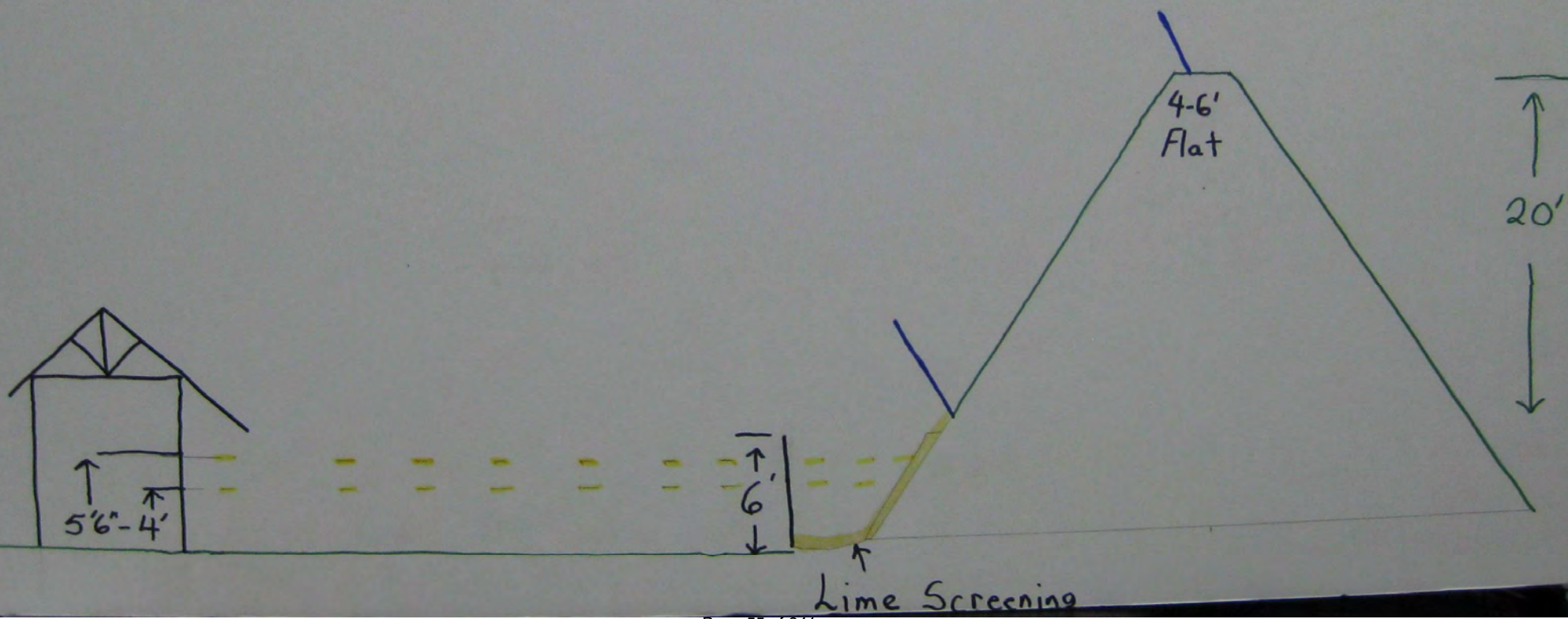
The Customer shall pay 1.5% per month interest on any balance remaining on any outstanding invoice 30 days after invoice date. Customer shall pay contractor's reasonable attorney fees and costs to collect any account over thirty days, 10% liquidation damages and consents to jurisdiction of any dispute with the Eighteenth Judicial Circuit Court of DuPage County, IL.

Accepted By _____ Date _____





N





#1 Free Legal Website

FindLaw.com is the leading and largest online resource for legal information. For basic legal issues to more complex ones, you'll find thousands of helpful articles, a legal community to get answers to your specific questions, an attorney directory, blogs, news, DIY forms, and much more.

Easement Basics

You are interested in purchasing a home, but when you view the house you notice that the only access to it is via a driveway crossing the neighboring landowner's property. How will the driveway impact your potential purchase? A cable television company is seeking to install its cable lines, and would like to run its cable along existing electrical poles. Can the cable company negotiate only with the electric company, or must it negotiate with all landowners whose property is crossed by the electrical poles? Both of these scenarios potentially involve an easement, a property right that gives its holder a nonpossessory interest in another person's land. Easements regularly impact all types of real estate transactions and are increasingly utilized for conservation and historic preservation purposes. Despite their prevalence, many people lack a clear understanding of easements, and the numerous legal problems that can arise in their drafting, interpretation and implementation.

What Is an Easement?

An easement is commonly defined as a nonpossessory interest in another person's land. The nonpossessory nature of an easement is one of its primary -- and potentially confusing -- characteristics. An easement is a property interest that allows the holder of the easement to use property that he or she does not own or possess. An easement does not allow the easement holder to occupy the land, or to exclude others from the land, unless they interfere with the easement holder's use. In contrast, the possessor of the land may continue to use the easement and may exclude everyone except the easement holder from the land. For instance, if Alvin owns a piece of property and grants Barbara a right-of-way on the road across the property, Barbara has an easement in Alvin's property. Barbara may use the road, but may not stop others from also using the road, except to the extent that their use interferes with her own use of the road. Alvin may exclude everyone except Barbara from crossing his property, while continuing to use the road himself.

Land affected or "burdened" by an easement is called a "servient estate," while the land or person benefited by the easement is known as the "dominant estate." If the easement benefits a particular piece of land, it is said to be "appurtenant" to the land. If the easement only benefits an individual personally, not as an owner of a particular piece of land, the easement is termed "in gross." Most easements are affirmative, which means that they authorize use of another's land. Less common are negative easements, which usually involve preserving a person's access to light or view by limiting what can be done on neighboring or nearby property.

Creation of an Easement

Easements are usually created by conveyance in a deed, or some other written document such as a will or contract. Creation of an easement requires the same formalities as the transfer or creation of other interests in land -- typically: a written instrument, a signature, and proper delivery of the document. In limited circumstances, a court will create an easement by implying the existence of the easement based on the circumstances. Two common easements created by implication are easements of necessity and easements implied from quasi-easements. Easements of necessity are typically implied to provide access to a landlocked piece of property. Easements implied from quasi-easements are based on a landowner's prior utilization of part of his or her property for the benefit of another portion of his land. Other methods of establishing easements include prescriptive use (i.e. by the routine, adverse use of another's land), estoppel (a legal doctrine involving reliance on the words or actions of another person), custom, public trust, and condemnation.

Legal "Scope" of Easements

After an easement is created, questions often arise concerning the location, dimensions, and scope of the interest. These questions must be resolved on a case-by-case basis, and are impacted by the method of the easement's creation. Questions involving matters clearly covered by the written document, or the prior use or necessity that created the easement, may be resolved relatively easily. However, sometimes the written document, prior use, or necessity does not clearly resolve the question of scope. Written documents creating easements are often vague or incomplete, and inferences from prior use or necessity are imprecise. In these cases, the parties' intent is uncertain and must be construed by the courts.

Rights and Remedies Under an Easement

As a general rule, an easement holder has a right to do "whatever is reasonably convenient or necessary in order to enjoy fully the purposes for which the easement was granted," as long as he or she does not place an unreasonable burden on the servient land. Conversely, the owner of the servient land may make any use of that land that does not unduly interfere with the easement holder's use of the easement. What constitutes an undue burden depends upon the facts of each individual situation. For instance, an increase in traffic over an easement giving access to a beach resort may not necessarily constitute an undue burden. But, the traffic resulting from changing a dominant estate from private use to a commercial business might constitute an additional burden on the servient estate. Reasonable use of an easement is not fixed at a particular point in time. The concept of reasonableness includes a consideration of changes in the surrounding area, as well as technological developments. For instance, courts have allowed an easement holder to convert a railroad right of way to a recreational trail, cut trees within an access easement, and replace a low-pressure gas pipeline with high-pressure equipment.

If a court determines that a servient estate is unduly burdened by an unreasonable use of the easement, the servient estate holder has several potential legal remedies. These include court orders restricting the dominant owner to an appropriate enjoyment of the easement, monetary damages when the easement holder exceeds the scope of his or her rights and injures the servient estate, and in some cases extinguishment of the easement. Likewise, remedies exist for interference by the servient owner. Interference with an easement is a form of trespass, and courts frequently order the removal of an obstruction to an easement, i.e. by ordering the removal of encroaching structures at the servient owner's expense. If interference with an easement causes diminution in the value of the dominant estate, courts may also award compensatory damages to the easement holder.

Transferability

The transferability of easements must also be considered when undertaking a real estate transaction. An easement's transferability depends on its nature (i.e. whether it is appurtenant or in gross). In general, an easement appurtenant is transferred with the dominant property even if this is not mentioned in the transferring document. But, the document transferring the dominant estate may expressly provide that the easement shall not pass with the land.

Because easements in gross are treated as a right of personal enjoyment for the original holder, they are generally not transferable. Recreational rights such as hunting, camping and fishing are the most common examples of nontransferable easements in gross. However, several states have enacted statutes designed to facilitate the transfer of easements in gross. The transfer of easements in gross for commercial uses such as telephones, pipelines, transmission lines, and railroads is often permitted.

Other Legal Issues to Consider

Courts generally assume easements are created to last forever, unless otherwise indicated in the document creating the easement. Despite this, an individual granting an easement should avoid any potential legal or interpretive problem by expressly providing that the easement is permanent. Although permanent easements are the norm, they can be terminated in a number of ways. For instance, an easement may be created for a limited time or conditional duration, so that the easement ends when the time passes or the condition occurs. Easements of limited duration are commonly used to provide temporary access to a dominant estate pending the completion of construction work. An easement may also be terminated when an individual owning the dominant estate purchases the servient estate, or when the holder of an easement releases his or her right in the easement to the owner of the servient estate. This release must be in writing. Abandonment of an easement can also extinguish the interest, but as a general rule mere nonuse of an easement does not constitute abandonment. Under some circumstances, misuse or the sale of a servient estate may terminate an easement. Finally, condemnation of an easement by a public authority, or condemnation of the servient estate for a purpose that conflicts with the easement, terminates an existing easement.

Easements: Getting Legal Help

Easements give an easement holder the right to use or to prevent the use of property he or she does not own or possess. This places the easement holder and the possessor of the servient estate in the unique position of simultaneously utilizing the same piece of land. The prevalence of easements and their nonpossessory nature creates a unique set of considerations in drafting, interpretation and implementation. It is essential to have a basic understanding of the manner in which they are created, their scope, transferability, and methods of termination. Whether an individual or a business wishes to create an easement, purchase property burdened by an easement, or determine the nature of a property interest, the assistance of a land use attorney can be an invaluable asset.

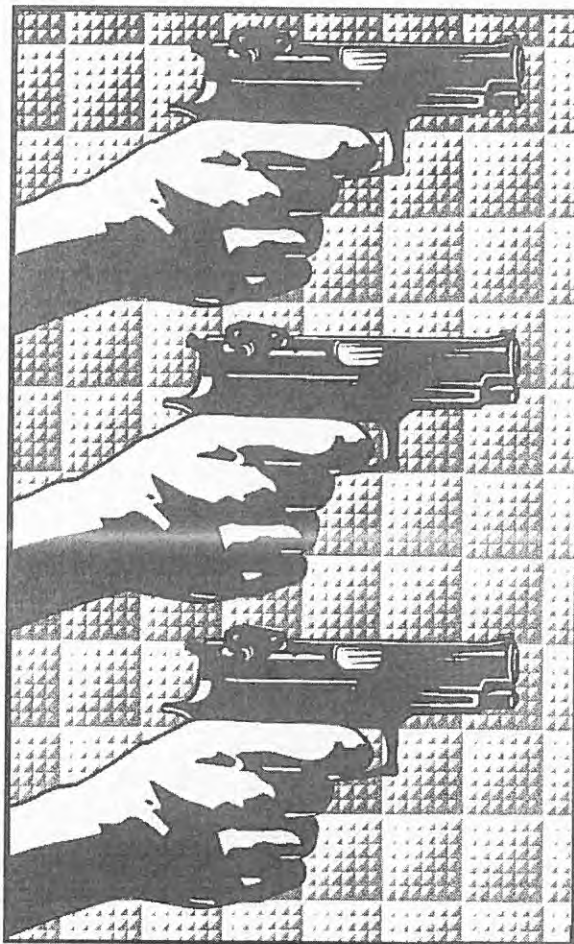
APPENDIX

1. Roger Bernhardt, and Ann M. Burkhardt, *Real Property in a Nutshell*, 2000.
2. Jon W. Bruce and James W. Ely, Jr., *The Law of Easements and Licenses in Land*, 1988
3. Stephen A. Siegel, *A Student's Guide to easements, Real Covenants, and Equitable Servitudes*, 1988.

FIRING RANGES

The Airborne Lead Dust Hazard

Employer's Guide



Texas Department of Health

THE AIRBORNE LEAD DUST HAZARD

Exposure to lead dust and fumes
at the firing range may harm the
health of:

Firearm instructors

Other employees

Shooters








The firing range safety plan
should:

Protect their health and

Minimize contamination to
the environment

LEAD DUST IN A FIRING RANGE

Airborne lead dust is created by:

-  Exploding lead styphnate primers
-  Friction from the lead slug against the gun barrel
-  Lead slugs hitting the bullet trap, walls, floors, or ceiling of the range
-  Spent bullets and settled dust
-  Improper range-cleaning methods disturbing settled dust
-  Poor indoor range ventilation
-  Outdoor weather conditions

Other High Lead Dust Sources

Bullet loading creates a fine dust that is very difficult to clean.

Melting lead to cast bullets produces a fume, which turns into tiny dust particles that can stay in the air for up to 10 hours. A person can easily breathe in this fine dust.

The dust also can contaminate surfaces.

NEVER load bullets or melt lead:

- In an unventilated area
- Inside the home
- Anywhere children may live or play

Lead Dust Can Be Carried Home!

When employees and shooters are in the firing range, lead dust can:

- Settle on their bodies
- Settle on their hair
- Settle on their clothes
- Be picked up on their shoes

Then the dust can be carried to their cars and homes, where it can harm their family and children.

HEALTH EFFECTS

Lead is a strong poison that serves no known use once absorbed by the body. Lead dust can enter the body by breathing or eating.

The body stores lead in the:

- BLOOD — for about 1 month
- BODY ORGANS — for several months
- BONES — for decades

It affects the:

- Brain and nervous system
- Digestive System
- Reproductive System
- Kidneys
- Ability to make blood

Small amounts of lead can build up in the body and may cause temporary symptoms or permanent damage.

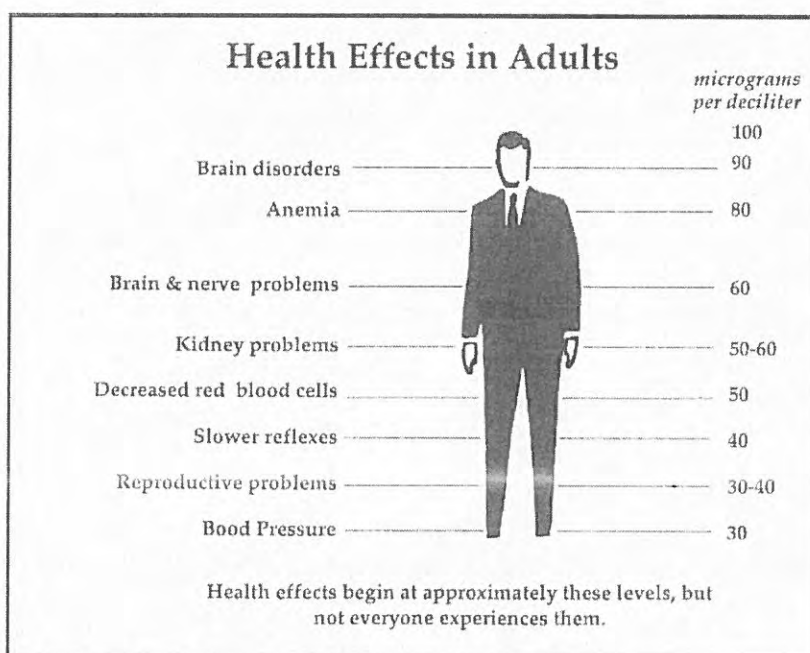
To find the amount of lead in the body, a health professional can take a blood sample from an adult or child and have it analyzed.

An elevated blood lead level is a sign that lead is building up in the body faster than it can be removed.

Adults

Adults can absorb lead at work or from hobbies. Lead dust and fumes can enter the body by:

- Breathing in lead dust and fumes
- Swallowing lead when drinking, eating, or smoking in contaminated areas
- Not washing their hands and faces after being in a contaminated area



WHAT AN EMPLOYER SHOULD DO

INDOOR RANGES

LIMIT EXPOSURE

The Occupational Safety and Health Administration (OSHA) limit for lead exposure for an employee is:

In Air: Do not exceed the PEL (Permissible Exposure Limit) of 50 micrograms of lead per cubic meter of air averaged over an 8-hour day.

In Blood: Levels should be below 40 micrograms per deciliter of blood for a firing range employee working 40 hours per week.

ISOLATE

Instructors are at greatest risk for long-term exposure to lead because they spend more time on the firing range.

A separate booth for the instructor can be installed in the range.

It must have its own tempered and filtered air supply.

It will not reduce lead exposures to other range users, but it will reduce the range instructor's lead exposure.

SUBSTITUTE

Substitution may reduce lead exposure so no additional range alterations are necessary.

To reduce the airborne lead discharged in firing use:

- Copper bullets or
- Nylon-clad bullets and
- Non-lead primers (such as manitol hexanitrate tetracene)

The ballistic characteristics of non-lead primers do not equal those of conventional primers.

When conventional primers are necessary, use this ammunition loaded with jacketed bullets.

BULLET TRAP

Avoid using angled backstops with sand traps.

Sand traps can generate a large amount of airborne lead dust and require frequent cleaning.

Escalator backstops and their variations:

- Trap bullets and fragments
- Generate less dust and are easier to clean
- Spent bullets can be recovered and sold without sand removal

VENTILATION

- Design ventilation systems for planned use of firing range.
- Ventilation system for range area must be separate from ventilation for rest of building.
- Exhaust air from range should not feed into air supplies for:
 - Offices
 - Meeting rooms
 - Other businesses
- Improper use or maintenance of ventilation system can defeat its purpose and increase lead contamination.
- Effective ventilation system produces smooth airflow.
- Ineffective ventilation system produces eddies and recirculation that can carry fumes and dusts from weapons to the area behind the firing line.
- Recirculation and channeling airflow can be caused by objects such as:
 - Overhead barriers
 - Sound barriers
 - Booth walls
 - Light fixtures
 - Poorly located air inlets
 - Shooters

CLEANING

- Indoor firing ranges require frequent cleaning.
- Clean walls, floors, ceilings, and bullet traps on a regular basis to:
 - Prevent settled dust from becoming an airborne hazard and
 - Make ventilation system work better.
- Use appropriate methods to clean.
 - DO NOT DRY SWEEP!
 - Use a vacuum cleaner with a high-efficiency particulate (HEPA) filter to remove lead-contaminated dust.
 - Use a wet cleaning method if vacuum cleaner with a HEPA filter is not available.
 - Employees cleaning range must:
 - Wear appropriate protective equipment
 - Wear an approved respirator
 - Wear work clothing
 - Wear work shoes
 - Shower and change clothes before leaving site
 - Work clothing must be disposable or laundered separately to prevent contaminating the home.

OUTDOOR RANGES

Airborne lead dust is also a concern in outdoor ranges.

Employees or shooters can be exposed to lead dust.

The surrounding environment can become contaminated by wind carrying the lead dust off-site and through water runoff.

BULLET TRAP

Removing spent bullets or removing the face of a berm can create large quantities of lead dust.

Instead of earthen backstops, steel backstops similar to those constructed in indoor ranges, can be used.

- The trap holds the bullets and fragments, minimizing lead pollution in the soil.
- The spent bullets can be recovered and sold without soil removal.

REFERENCES

National Rifle Association, The Range Manual, 1999.

Crouch KG, Peng T, Murdock DJ, Ventilation Control of Lead in Indoor Firing Ranges: Inlet Configuration, Booth and Fluctuating Flow Contributions, NIOSH, 1990 (draft).

Juhasz AA, The Reduction of Airborne Lead in Indoor Firing Ranges by Using Modified Ammunition, US Department of Commerce, 1977.

ATSDR Toxicological Profiles, 1990.

OSHA, Occupational Lead Standard, 29 CFR 1910.1025

WHAT EMPLOYEES AND SHOOTERS CAN DO

Use the ventilation systems.

Make sure they are working properly.

Wash hands and face before eating - drinking - smoking.

Wash hands and face before leaving range.

Wash range clothes separately from family's clothes.

Always load bullets in a ventilated area.

Do not load bullets in the home or in areas where children live or play.

Do not allow children into the bullet-loading area.

Keep bullet-loading area clean by using a high-phosphate detergent.

Publication funded in part by Grant #U60/CCU608464-01 from CDC, NIOSH. Contents are the sole responsibility of the authors and do not necessarily represent the official views of CDC.

For more information on lead exposure and firing ranges, write or call:

Environmental & Occupational Epidemiology Program
Noncommunicable Disease Epidemiology &
Toxicology Division
Texas Department of Health
1100 W. 49th Street
Austin, Texas 78756
512-458-7269
512-458-7699 fax
Toll Free Number 1-800-588-1248



Texas Department of Health
#4644 3/96















Petition to Deny A-1 Special-Use

Petition summary and background:

We the Property Owners and Residents located near the proposed Shooting Range are objecting to this Petition #16-14 based on the Loss of Property Value, Loss of Quality of Life, Safety, Environmental Hazards, Increased Traffic and Increased Noise due to the proximity of this Commercial Enterprise in a Residential/Ag neighborhood.

Action petitioned for:

We, the undersigned, are concerned citizens who urge our leaders to act now to Deny the Petition #16-14 for an A-1 Special-Use for an Outdoor Shooting Range located at 16502B Church Rd, Church Rd, Lisbon Twp (PIN 08-25-300-006;009)

Printed name	Signature	Address	Comment	Date
Greg Peterson		16502A Church Rd. Minooka, IL 60447	Property owner / resident 100% opposed	7/21/16
Paula Peterson		15502 Church Rd Minooka IL	100% opposed	7/21/16
Anthony Lince		16502 Church Rd Minooka, IL 60447	100% opposed, my future home.	7/21/16
Paul Maric		15475 Church Rd Minooka, IL 60447	PROPERTY OWNER / RESIDENT 100% OPPOSED	7/22/2016
Tammy Morris		15475 Church Rd Minooka IL 60447	100% opposed	7/22/16
John Fitzgerald		14810 Church Rd Minooka IL 60447	Property owner / 100% opposed	7/22/16
Sharon Fitzgerald		14810 Church Rd Minooka IL 60447	Property owner / 100% opposed	7/22/16
Scott Walker		15724 Ash Rd Minooka IL 60447	Property owner - 100% opposed	7-22-16
Dolly Wallin		15724 Ash Rd Minooka IL 60447	Property owner - 100% opposed	7/22/16
James Berg		15063 Church Rd Minooka IL 60447	Property owner - 100% opposed	7-22-16
Sharon Twest		16440 BRISAN RD Minooka IL 60447	Property owner / 100% opposed	7-23/16
Bob Severedon		16451 N. 1st St. Minooka, IL 60447	100% opposed	7/23/16

Greg Peterson Good Exhibit #4

PETITION SHEET # 1

Special Use #16-14 Kendall County Illinois

I hereby certify and witnessed the signing of the attached signature sheet by each person whose signature appears on the signature sheet, and I believe each individual is an elector and stakeholder qualified to sign the Petition to Deny A-1 Special Use.

Print circulator(s) name:

Greg Peterson

Address

16502A Church Rd, Minooka, IL 60447

Signed

Date 3 / 28 / 2017

Petition to Deny A-1 Special-Use









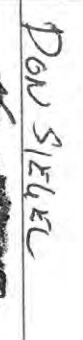



GP
Z

Petition summary and background:

We the Property Owners and Residents located near the proposed Shooting Range are objecting to this Petition #16-14 based on the Loss of Property Value, Loss of Quality of Life, Safety, Environmental Hazards, Increased Traffic and Increased Noise due to the proximity of this Commercial Enterprise in a Residential/Ag neighborhood.

Action petitioned for:

We, the undersigned, are concerned citizens who urge our leaders to act now to Deny the Petition #16-14 for an A-1 Special-Use for an Outdoor Shooting Range located at 16502B Church Rd, Church Rd, Lisbon Twp (PIN 08-25-300-006,009)

Printed name	Signature	Address	Comment	Date
Mike Haley		16700 Brisbin Rd 60447	Property Owner	7-23-16
MARIE BOUTIN		17280 BRISBIN RD 60447	PROPERTY Owner	7-23-16
Vernice Reust		3205 Sherill Rd.	Property Owner	7-23-16
Kristopher Steil		15785 Church Rd	Resident	7-23-16
XXXXXXXXXX		8785 Church Rd	Resident	7/23/16
Joe Wilson		3851 Hart Rd	Property Owner	7/23/16
Austin Green		16502A Church Rd.	Resident	7/24/16
Rick Scamman		14585 Lisbon Rd	Property Owner	7-25-16
XXXXXXXXXX		11740 N. Custer Rd	Property Owner	7-25-16
Paul Aulis		101 Stony Creek	Property Owner	7-25-16
Sandy Siegel		11940 N. Church Rd.	Property Owner	7-25-16
Lawrence Somers		4375 White Willow Rd.	Property Owner	7-25-16

PETITION SHEET # 2

Special Use #16-14 Kendall County Illinois

I hereby certify and witnessed the signing of the attached signature sheet by each person whose signature appears on the signature sheet, and I believe each individual is an elector and stakeholder qualified to sign the Petition to Deny A-1 Special Use.

Print circulator(s) name:

Greg Peterson

Address

16502 A Church Rd, Minooka, IL 60447

Signed



Date 3 / 28 / 2017














Petition to Deny A-1 Special-Use

53

Petition summary and background:

We the Property Owners and Residents located near the proposed Shooting Range are objecting to this Petition #16-14 based on the Loss of Property Value, Loss of Quality of Life, Safety, Environmental Hazards, Increased Traffic and Increased Noise due to the proximity of this Commercial Enterprise in a Residential/Ag neighborhood.

Action petitioned for: We, the undersigned, are concerned citizens who urge our leaders to act now to Deny the Petition #16-14 for an A-1 Special-Use for an Outdoor Shooting Range located at 16502B Church Rd, Church Rd, Lisbon Twp (PIN 08-25-300-006,009)

Printed name	Signature	Address	Comment	Date
Dennis Johnson		4375 White Willow Woods	Property owner	7-25-16
Eric Peters		1223 Liberty St. Morris	Resident	7-25-16
Regard Kunkle		15665 Church Rd Minnoka	Resident	7-25-16
MARIA KUNKLE		15665 Church Rd Minnoka	Resident	7-25-16
LEE SCHULTZ		16045 Church Rd Minnoka	Resident	7-25-16
Anita Scholtz		16045 Church Rd Minnoka	Resident	7-25-16
BARB OLSON		15840 Oakley Rd Minnoka, W. Resident	Resident	7-25-16
KEN OLSON		15840 Oakley Rd - W Minnoka, W. Resident	Property owner	7-25-16
RON REVISKY		3205 E SHEKILL RD MINNOKA, IL	Property owner	7-25-16
Mark Johnson		14386 Ashley Rd.	Minnoka, IL	7-25-16
		11525 Joliet Rd	Joliet, IL	7-26-16
Susan Jackiewicz		7793 E Sherrill Rd	Property owner	7-26-16

PETITION SHEET # 3

Special Use #16-14 Kendall County Illinois

I hereby certify and witnessed the signing of the attached signature sheet by each person whose signature appears on the signature sheet, and I believe each individual is an elector and stakeholder qualified to sign the Petition to Deny A-1 Special Use.

Print circulator(s) name:

Greg Peterson

Address

16502 A Church Rd, Minooka, IL 60447

Signed










Date 3 / 28 / 2017

Petition to Deny A-1 Special-Use

57

Petition summary and background: We the Property Owners and Residents located near the proposed Shooting Range are objecting to this Petition #16-14 based on the Loss of Property Value, Loss of Quality of Life, Safety, Environmental Hazards, Increased Traffic and Increased Noise due to the proximity of this Commercial Enterprise in a Residential/Ag neighborhood.

Action petitioned for: We, the undersigned, are concerned citizens who urge our leaders to act now to Deny the Petition #16-14 for an A-1 Special-Use for an Outdoor Shooting Range located at 16502B Church Rd, Church Rd, Lisbon Twp (PIN 08-25-300-006;009)

Printed name	Signature	Address	Comment	Date
Donna Sheehan		17311 Bensan to Minnaka		7-27-16
Donna Sheehan		15610 Oakley Rd, Minnaka		7-27-16
Donna Sheehan		15610 Oakley Rd, Minnaka		7-27-16
Rev Anderson		15588 Ashland Minnaka		7-27-16
Cheryl Wallick		15705 Church Rd Minnaka	Property owner	7/27/16
Pam Steil		3851 Holt Rd Minnaka	Property owner	7/27/16
Burt Siegel		11030 N Ashland Minnaka	Property owner	7/30/16

PETITION SHEET # 4

Special Use #16-14 Kendall County Illinois

I hereby certify and witnessed the signing of the attached signature sheet by each person whose signature appears on the signature sheet, and I believe each individual is an elector and stakeholder qualified to sign the Petition to Deny A-1 Special Use.

Print circulator(s) name:

Greg Peterson

Address

16502 A Church Rd, Minooka, IL 60447

Signed



Date 3 / 28 / 2017

[illegible]

PETITION SHEET # 5

Special Use #16-14 Kendall County Illinois

I hereby certify and witnessed the signing of the attached signature sheet by each person whose signature appears on the signature sheet, and I believe each individual is an elector and stakeholder qualified to sign the Petition to Deny A-1 Special Use.

Print circulator(s) name:

Greg Peterson

Address

16502 A Church Rd, Minooka, IL 60447

Signed



Date 3 / 28 / 2017



05/26/2016 10:43

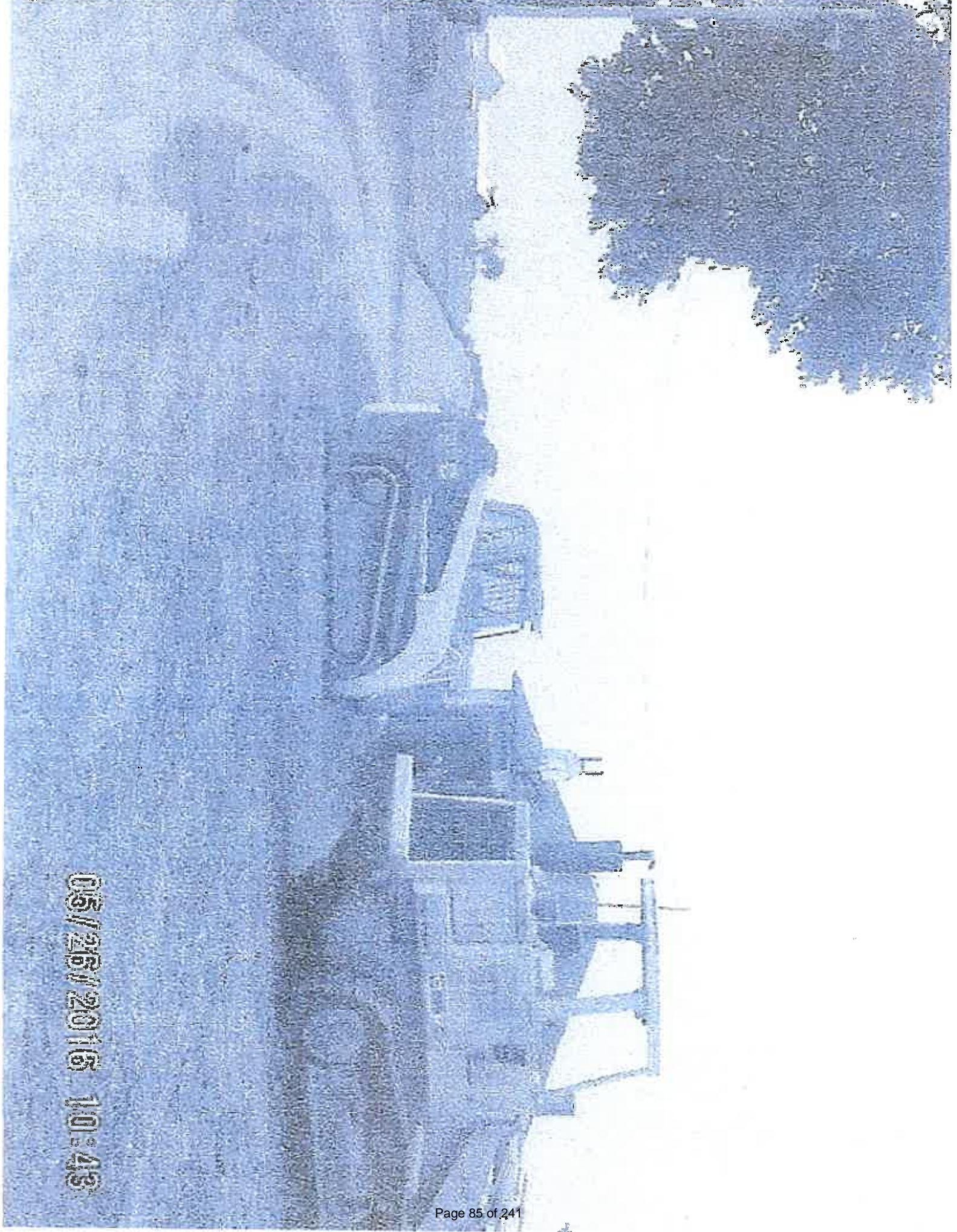


05/26/2016 10:43

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05/26/2016 10:2



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05/26/2016 1









Tactical pistol drill with 2 IDPA targets and steel

Contego Defense Group



22

Adrian

Published on Jul 28, 2015

We run a pistol drill with multiple engagements and rapid movements. From cover we open draw and engage two paper targets at seven yards, then haul buns to hit a steel plate at ten yards.

264 views

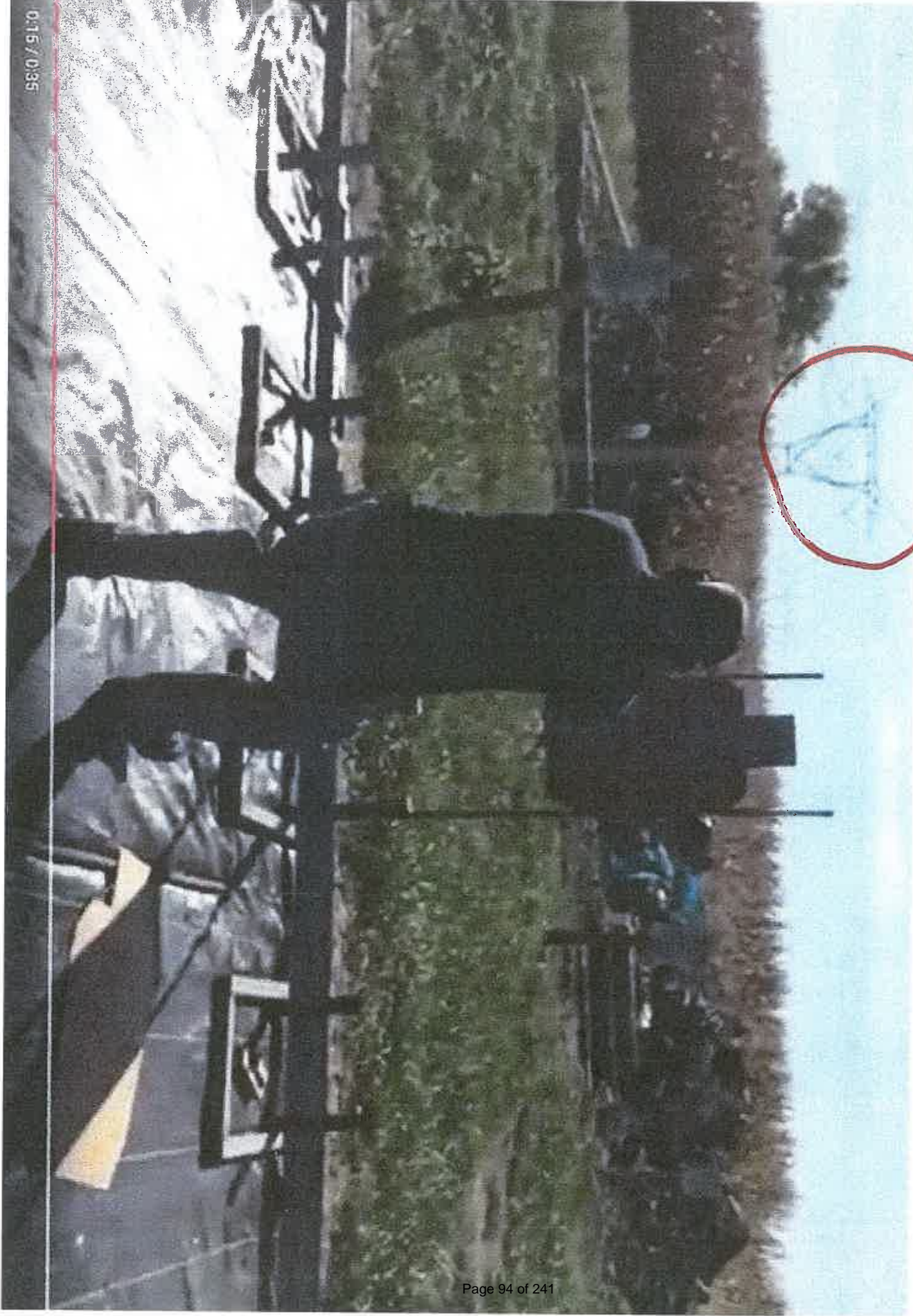
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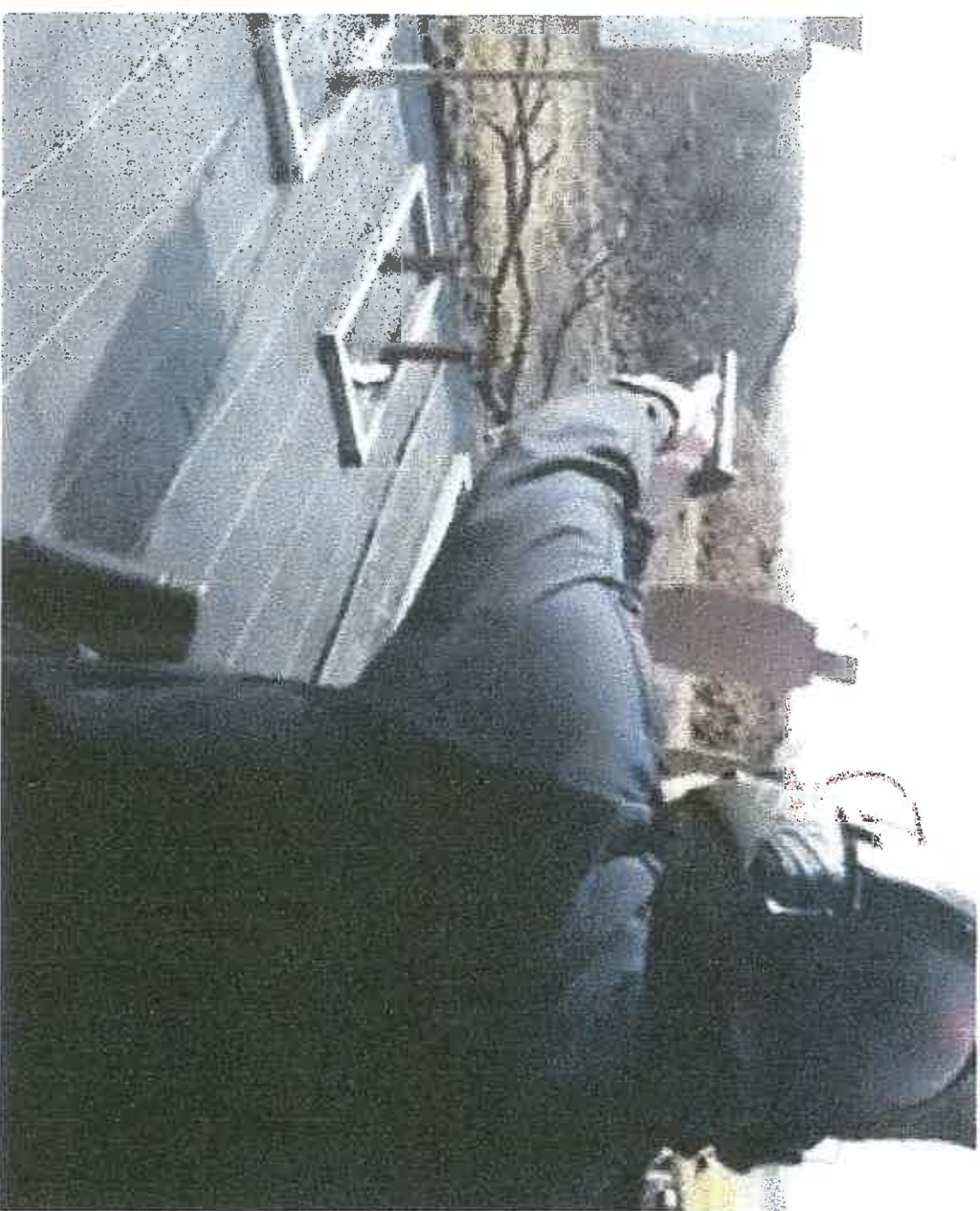


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CDG Instructor David Ryniec teaching basic marksmanship at an IL Concealed Carry Class

CDG Instructor David Ryniec reviewing a trigger control drill at our September Illinois Concealed Carry Class

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CEG Instructor David Ryniec reviewing a trigger control drill at our September Illinois Concealed Carry Class

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CDG Instructor David Ryrie reviewing a trigger control drill at our September Illinois Concealed Carry Class

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MAR
25

Elemental Skills Clinic - Class I: Draw Technique

by Conago Defense Group

\$50

Sales Ended

DETAILS

DESCRIPTION

Our Elemental Skills Clinics are designed to develop specific aspects of marksmanship to help elevate your overall shooting skills. The draw clinic will focus on techniques that will help you with maximizing the efficiency of your movements to be able to pull your weapon out quicker than your threat- because the person who can shoot faster and more accurately will win the fight. Drills and discussions will include different draw techniques and considerations, different carrying positions and holsters, and accurate shots placed quickly. A holster, magazine pouch, and at least 2 magazines will be required. Round count. Please bring at least 150 rounds.

For more info contact us at 630.650.3753 or
info@conagodefensgroup.com

DATE AND TIME

Sat, March 25, 2017
3:00 PM - 4:00 PM CDT
[Add to Calendar](#)

LOCATION

CDG Range
14207 Church Rd
Minooka, IL 60447
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HOW TO REGISTER FOR A COURSE AT CDG

To register find the class you would like to register for on our schedule below. Click on the class you would like to register for & you will be taken to the Eventbrite page to register. If you have any issues with registration please feel free to contact us.

SPECIAL PRICING AVAILABLE!

Special pricing is available for veterans, LEO, first responders and groups of 6 or more. Please call 630-450-3753 for details.

FOID card is not required to take the IL CCL Class.

+  CLICK HERE FOR IL CCL COURSE INFO

THE FOLLOWING IS A LIST OF OUR CLASSES FOR 2017:

(FOR PRIVATE GROUPS OR ANY CLASSES AND SERVICES NOT LISTED ON THIS PAGE, PLEASE CONTACT US DIRECTLY AT 630-450-3753 FOR SCHEDULING)

ILLINOIS CONCEALED CARRY COURSE SCHEDULE

DATE	CLASS	TIME	LOCATION	STATUS
03/18/17	ILLINOIS CONCEAL CARRY	9:00AM - 5:00PM	PRIVATE RANGE - Mirooka	OPEN
04/29/17	ILLINOIS CONCEAL CARRY	9:00AM - 5:00PM	PRIVATE RANGE - Mirooka	OPEN
05/17/17	ILLINOIS CONCEAL CARRY	9:00AM - 5:00PM	PRIVATE RANGE - Mirooka	OPEN



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06/24/17	ILLINOIS CONCEAL CARRY	9:00AM - 5:00PM	PRIVATE RANGE - Minooka	OPEN
07/29/17	ILLINOIS CONCEAL CARRY	9:00AM - 5:00PM	PRIVATE RANGE - Minooka	OPEN
08/19/17	ILLINOIS CONCEAL CARRY	9:00AM - 5:00PM	PRIVATE RANGE - Minooka	OPEN
09/09/17	ILLINOIS CONCEAL CARRY	9:00AM - 5:00PM	PRIVATE RANGE - Minooka	OPEN
10/28/17	ILLINOIS CONCEAL CARRY	9:00AM - 5:00PM	PRIVATE RANGE - Minooka	OPEN
11/18/17	ILLINOIS CONCEAL CARRY	9:00AM - 5:00PM	PRIVATE RANGE - Minooka	OPEN

CDG PISTOL GUNFIGHT PRINCIPLES COURSE SCHEDULE

DATE	CLASS	TIME	LOCATION	STATUS
03/25/17	PISTOL GUNFIGHT PRINCIPLES CLASS I	9:00AM - 1:00PM	PRIVATE RANGE - Minooka	OPEN
04/29/17	PISTOL GUNFIGHT PRINCIPLES CLASS II	9:00AM - 1:00PM	PRIVATE RANGE - Minooka	OPEN
05/27/17	PISTOL GUNFIGHT PRINCIPLES CLASS III	9:00AM - 1:00PM	PRIVATE RANGE - Minooka	OPEN
06/24/17	PISTOL GUNFIGHT PRINCIPLES CLASS IV	9:00AM - 1:00PM	PRIVATE RANGE - Minooka	OPEN
07/29/17	PISTOL GUNFIGHT PRINCIPLES CLASS I	9:00AM - 1:00PM	PRIVATE RANGE - Minooka	OPEN
08/05/17	PISTOL GUNFIGHT PRINCIPLES CLASS II	9:00AM - 1:00PM	PRIVATE RANGE - Minooka	OPEN
09/16/17	PISTOL GUNFIGHT PRINCIPLES CLASS III	9:00AM - 1:00PM	PRIVATE RANGE - Minooka	OPEN
10/21/17	PISTOL GUNFIGHT PRINCIPLES CLASS IV	9:00AM - 1:00PM	PRIVATE RANGE - Minooka	OPEN
11/25/17	PISTOL GUNFIGHT PRINCIPLES CLASS I	9:00AM - 1:00PM	PRIVATE RANGE - Minooka	OPEN

CDG ELEMENTAL SKILLS CLINICS: PISTOL COURSE SCHEDULE

DATE	CLASS	TIME	LOCATION	STATUS
03/25/17	ELEMENTAL SKILLS CLINIC I: DRAW TECHNIQUE	2:00PM - 4:00PM	PRIVATE RANGE - Minooka	OPEN
04/29/17	ELEMENTAL SKILLS CLINIC II: TRIGGER CONTROL	2:00PM - 4:00PM	PRIVATE RANGE - Minooka	OPEN
05/27/17	ELEMENTAL SKILLS CLINIC III: SHOOT & MOVE	2:00PM - 4:00PM	PRIVATE RANGE - Minooka	OPEN
06/24/17	ELEMENTAL SKILLS CLINIC IV: MALFUNCTIONS & MANIPULATION	2:00PM - 4:00PM	PRIVATE RANGE - Minooka	OPEN
07/29/17	ELEMENTAL SKILLS CLINIC I: DRAW TECHNIQUE	2:00PM - 4:00PM	PRIVATE RANGE - Minooka	OPEN
08/05/17	ELEMENTAL SKILLS CLINIC II: TRIGGER CONTROL	2:00PM - 4:00PM	PRIVATE RANGE - Minooka	OPEN
09/16/17	ELEMENTAL SKILLS CLINIC III: SHOOT & MOVE	2:00PM - 4:00PM	PRIVATE RANGE - Minooka	OPEN
10/21/17	ELEMENTAL SKILLS CLINIC IV: MALFUNCTIONS & MANIPULATION	2:00PM - 4:00PM	PRIVATE RANGE - Minooka	OPEN
11/25/17	ELEMENTAL SKILLS CLINIC I: DRAW TECHNIQUE	2:00PM - 4:00PM	PRIVATE RANGE - Minooka	OPEN



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CDG RIFLE FUNDAMENTALS COURSE SCHEDULE

DATE	CLASS	TIME	LOCATION	STATUS
03/26/17	RIFLE FUNDAMENTALS	1:00PM - 4:00PM	PRIVATE RANGE - Minnoka	OPEN
05/28/17	RIFLE FUNDAMENTALS	9:00AM - 12:00PM	PRIVATE RANGE - Minnoka	OPEN
07/30/17	RIFLE FUNDAMENTALS	9:00AM - 12:00PM	PRIVATE RANGE - Minnoka	OPEN
09/24/17	RIFLE FUNDAMENTALS	1:00PM - 4:00PM	PRIVATE RANGE - Minnoka	OPEN
11/26/17	RIFLE FUNDAMENTALS	1:00PM - 4:00PM	PRIVATE RANGE - Minnoka	OPEN

CDG SHOTGUN FUNDAMENTALS COURSE SCHEDULE

DATE	CLASS	TIME	LOCATION	STATUS
04/30/17	SHOTGUN FUNDAMENTALS	9:00AM - 12:00PM	PRIVATE RANGE - Minnoka	OPEN
06/25/17	SHOTGUN FUNDAMENTALS	9:00AM - 12:00PM	PRIVATE RANGE - Minnoka	OPEN
08/06/17	SHOTGUN FUNDAMENTALS	9:00AM - 12:00PM	PRIVATE RANGE - Minnoka	OPEN
10/22/17	SHOTGUN FUNDAMENTALS	9:00AM - 12:00PM	PRIVATE RANGE - Minnoka	OPEN

CDG HAND-TO-HAND COMBAT COURSE SCHEDULE

DATE	CLASS	TIME	LOCATION	STATUS
03/11/17	HAND-TO-HAND COMBAT: LEVEL I	1:00PM - 5:00PM	TBD - Naperville	CLOSED
04/15/17	HAND-TO-HAND COMBAT: LEVEL II	1:00PM - 5:00PM	TBD - Naperville	CLOSED
05/13/17	HAND-TO-HAND COMBAT: LEVEL III	1:00PM - 5:00PM	TBD - Naperville	CLOSED
06/03/17	HAND-TO-HAND COMBAT: LEVEL IV	1:00PM - 5:00PM	TBD - Naperville	CLOSED
07/08/17	HAND-TO-HAND COMBAT: LEVEL V	1:00PM - 5:00PM	TBD - Naperville	CLOSED
08/12/17	HAND-TO-HAND COMBAT: LEVEL I	1:00PM - 5:00PM	TBD - Naperville	CLOSED
09/02/17	HAND-TO-HAND COMBAT: LEVEL II	1:00PM - 5:00PM	TBD - Naperville	CLOSED
10/14/17	HAND-TO-HAND COMBAT: LEVEL III	1:00PM - 5:00PM	TBD - Naperville	CLOSED
11/11/17	HAND-TO-HAND COMBAT: LEVEL IV	1:00PM - 5:00PM	TBD - Naperville	CLOSED
12/16/17	HAND-TO-HAND COMBAT: LEVEL V	1:00PM - 5:00PM	TBD - Naperville	CLOSED



LLC FILE DETAIL REPORT

File Number	04524756		
Entity Name	CONTEGO DEFENSE GROUP, LLC		
Status	NGS	On	10/01/2016
Entity Type	LLC	Type of LLC	Domestic
File Date	10/31/2013	Jurisdiction	IL
Agent Name	O'FLAHERTY LAW, P.C.	Agent Change Date	10/31/2013
Agent Street Address	5002 MAIN ST SUITE 201	Principal Office	1000 E OGDEN AVE NAPERVILLE, IL 605630000
Agent City	DOWNERS GROVE	Management Type	MBR View
Agent Zip	60515	Duration	PERPETUAL
Annual Report Filing Date	00/00/0000	For Year	2016
Series Name	NOT AUTHORIZED TO ESTABLISH SERIES		

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3/26/ 2017 Incident

On March 26, 2017 at approximately 3:30 PM, I arrived home after running errands. At that time I noticed 2 vehicles, a dark Jeep Cherokee and a white SUV at the proposed site of the Delaney Gun Range. There were 3 people standing by the vehicles, one of the persons was wearing a bright pink top and the other two were wearing darker clothing. I grabbed my binoculars and viewed the taller male and a female in the pink top holding rifles with magazines and pointing them south. The shorter balding male appeared to be giving them instructions. I observed him with the female dropping the magazine from the rifle and reinserting it on 2 occasions.

I left my home again at 4:15 for a short errand just down the road and returned at 4:30 PM. As I was driving up my driveway, I observed the three individuals much farther north than previously seen. The female in the pink shirt was pointing a rifle south followed by the taller male also pointing a rifle south with the shorter male in the rear. I watched them advance south in what appeared to be a tactical scenario exercise.

About 5:00 PM I observed the white SUV leave down my driveway followed shortly by the Black Jeep. The Black Jeep has been a frequent visitor at the site during the times shooting occur at the site.

Greg Peterson

Kendall County Special Use #16-14

Robert Alan Delaney – applicant

Dirt Road Range – project name

Submission by Joseph J. Phillips, 6718 Whitewillow Road, Minooka IL 60447

- 5 sets of Petition to Deny A-1 Special Use #16-14 – includes 41 signatures of individuals who live, work or hold an ownership in property near the proposed range
- Map of opposition neighbors - landowners in red, homes white X's
- CMA completed by John Greene Realtor dated July 27, 2016 which outlines a loss of property value. It states "a gun range would have an overall negative impact to your property." further that "the value of your property could potentially be reduced by as much as 30%...In your case, that could be as much as \$135,900."
John Greene Realtor has been a premier real estate brokerage since 1976 with divisions in residential, commercial and land. They have been named Best Real Estate company by Naperville Magazine 7 years in a row, listed by Chicago Tribune Top Workplaces and are 2015 & 2016 Inc. 5000 list of fastest growing private companies in America.
- Realtor.com graphic that shows a shooting range listed as land uses that drag down home values, it is listed alongside power plants, cemeteries and strip clubs.
- Graphic showing the property tax gains & losses resulting from an outdoor gun range from results at a Greene County Virginia range.
- Applicant has not provided a regional traffic impact study to show the effect of a Commercial enterprise in an Agricultural area.
- Applicant has NO road frontage to his project
- Applicant has NO owned access road built to a specification that supports Fire Apparatus (75,000#) or turning radius for such equipment, merely an easement on a residential driveway.
- Applicant has provided no lead remediation plan
- Applicant has not provided a hydrological study to determine the movement of groundwater and how lead contamination may impact private wells in the area with contamination.
- The outdoor gun range will have a negative impact on livestock in this Agricultural area. Noise impacts the handling of livestock as they have sensitive hearing. Loud noise disturbs cattle, horses and other animals which may initiate a fearful response at any given time. Allowing this Special Use will limit my rights as a farm owner to raise livestock.

COPY

Petition to Deny A-1 Special-Use













JPS 12

Petition summary and background:

We the Property Owners and Residents located near the proposed Shooting Range are objecting to this Petition #16-14 based on the Loss of Property Value, Loss of Quality of Life, Safety, Environmental Hazards, Increased Traffic and Increased Noise due to the proximity of this Commercial Enterprise in a Residential/Ag neighborhood.

Action petitioned for:

We, the undersigned, are concerned citizens who urge our leaders to act now to Deny the Petition #16-14 for an A-1 Special-Use for an Outdoor Shooting Range located at 16502B Church Rd, Church Rd, Lisbon Twp (PIN 08-25-300-006;009)

Printed name	Signature	Address	Comment	Date
Joseph Phillips		6718 White Willow Road Minneapolis MN 55417	Homeowner in the line of fire in opposition	7/24/16
Joseph H. Lyons		17548 Church Rd Minneapolis MN 55417	Homeowner in area	7/24/16
Amy S. Rous		17348 Church Rd Minneapolis MN 55417	Homeowner in area	7/24/16
James R. Manning		6718 White Willow Road Minneapolis MN 55417	Resident in the area	7/24/2016
Ken Sander		1488 S. Broadway Street Coal City IL 60416	Landowner in the line of fire with 1800 family trust	7/25/16
Todd Sander		1488 S. Broadway Street Coal City IL 60416	Landowner in the line of fire with 1800 family trust	7/25/16
Ron Beer		15814 Church Rd Minneapolis MN 55417	Landowner in line	7/25/16
Tamara Berg		15814 Church Rd Minneapolis MN 55417	Homeowner with 1 mile	7/25/16
Russ Kordas		14859 Brisbane Rd Minneapolis MN 55417	Home farm owner	7/26/16
VERA J. K. K. K. K.		14859 Brisbane Rd Minneapolis MN 55417	Home farm owner	7/26/16
Ed W. K. K. K. K.		385 Pine Meadows Lane Minneapolis MN 55417	Home owner	7/26/16
Carla Tweed		16490 Brisbane Rd Minneapolis MN 55417	Home owner 1/2 mile	7/26/16

PETITION SHEET # JP 5

Special Use #16-14 Kendall County Illinois

I hereby certify and witnessed the signing of the attached signature sheet by each person whose signature appears on the signature sheet, and I believe each individual is an elector and stakeholder qualified to sign the Petition to Deny A-1 Special Use.

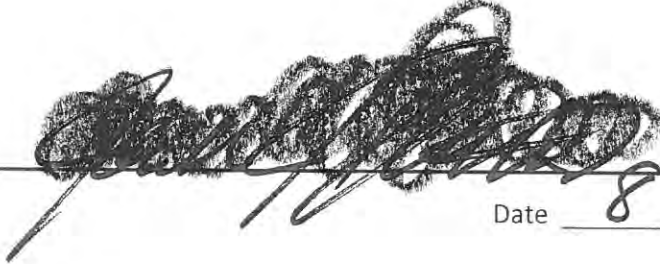
Print circulator(s) name:

Joseph T. Phillips

Address

6718 White Willow Rd. Minooka IL 60447

Signed



Date 8 / 17 / 2016

COPY

JP4 8









Petition to Deny A-1 Special-Use

Petition summary and background:

We the Property Owners and Residents located near the proposed Shooting Range are objecting to this Petition #16-14 based on the Loss of Property Value, Loss of Quality of Life, Safety, Environmental Hazards, Increased Traffic and Increased Noise due to the proximity of this Commercial Enterprise in a Residential/Ag neighborhood.

Action petitioned for:

We, the undersigned, are concerned citizens who urge our leaders to act now to Deny the Petition #16-14 for an A-1 Special-Use for an Outdoor Shooting Range located at 16502B Church Rd, Church Rd, Lisbon Twp (PIN 08-25-300-006;009)

Printed name	Signature	Address	Comment	Date
Pamela Kunkle		1931 Dale Rd, Muskegon, MI 49447	Deny A-1 Special Use	7.25.16
William Huels		1221 Bell Muskegon	Deny unannounced	7-25-16
Judith Tierney		15325 Ridge Rd, Muskegon	Deny without a doubt	7-26-16
Patrick Tierney		15225 Ridge Rd Muskegon	Deny A-1 Special Use	7-26-16
Tyler A. Griesel		25137 W. Parnell Ln. Muskegon IL	Tenant 100% opposed	7/26/16
Rick Markert		514 Jinks Rd GARDNER, IL	Deny Special Use	7/26/16
Deb Backulich		945 W Main Broadway IL	Opposed	8/3/16
Soyce Ebben		969 Maroon Ct Tipton	Opposed	8/13/16

PETITION SHEET # JP4

Special Use #16-14 Kendall County Illinois

I hereby certify and witnessed the signing of the attached signature sheet by each person whose signature appears on the signature sheet, and I believe each individual is an elector and stakeholder qualified to sign the Petition to Deny A-1 Special Use.

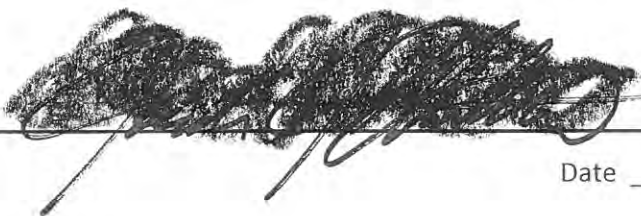
Print circulator(s) name:

Joseph T. Phillips

Address

6718 White willow Rd. Minoaka IL 60447

Signed



Date

8 / 17 / 2016

JP3 5

COPY






Petition to Deny A-1 Special-Use

Petition summary and background:

We the Property Owners and Residents located near the proposed Shooting Range are objecting to this Petition #16-14 based on the Loss of Property Value, Loss of Quality of Life, Safety, Environmental Hazards, Increased Traffic and Increased Noise due to the proximity of this Commercial Enterprise in a Residential/Ag neighborhood.

Action petitioned for:

We, the undersigned, are concerned citizens who urge our leaders to act now to Deny the Petition #16-14 for an A-1 Special-Use for an Outdoor Shooting Range located at 16502B Church Rd, Church Rd, Lisbon Twp (PIN 08-25-300-006;009)

Printed name	Signature	Address	Comment	Date
ROY F. WAKE		6232 WHITE WILLOW RD. MINOOKA, IL 60447		7/28/16
KATHY WAKE		6232 WHITE WILLOW MINOOKA, IL 60447		7/28/16
KENDALL WAKE		6232 WHITE WILLOW RD MINOOKA, IL 60447		7/29/16
Seth Wake		6232 White Willow Rd Minooka, IL 60447		7/29/16
Peter Backulich		6319 white willow Rd minooka, IL 60447		8-6-16

PETITION SHEET # JP3

Special Use #16-14 Kendall County Illinois

I hereby certify and witnessed the signing of the attached signature sheet by each person whose signature appears on the signature sheet, and I believe each individual is an elector and stakeholder qualified to sign the Petition to Deny A-1 Special Use.

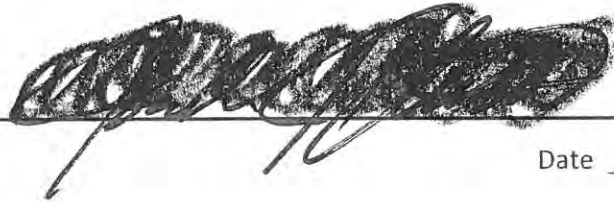
Print circulator(s) name:

Joseph J. Phillips

Address

6718 Whitewillow Road, Minooka IL 60447

Signed



Date

8 / 17 / 2016















COPY

JP 2 13

Petition to Deny A-1 Special-Use

Petition summary and background: We the Property Owners and Residents located near the proposed Shoe Petition #16-14 based on the Loss of Property Value, Loss of Quality of Hazards, Increased Traffic and Increased Noise due to the proximity of t Residential/Ag neighborhood.

Action petitioned for: We, the undersigned, are concerned citizens who urge our leaders to ac 16-14 for an A-1 Special-Use for an Outdoor Shooting Range located at Rd, Lisbon Twp (PIN 08-25-300-006:009)

Printed name	Signature	Address	Comment
TIM WALLACE		5681 Whitewillow Road	
JUDY RICKEN		5681 Whitewillow Road	
JULIO MORA		5681 Whitewillow Road	
JOE PANTELEO		5681 Whitewillow Road	
TONY COMPOS		5681 Whitewillow Road	
SAUL CASTRO		5681 Whitewillow Road	
SAUL CASTRO Jr.		5681 Whitewillow Road	
VICTOR LOPEZ		5681 Whitewillow Road	
ADRIAN RODEA		5681 Whitewillow Road	
VINCENTE HERNANDEZ		5681 Whitewillow Road	
Patty Richards		5681 Whitewillow Road	
Michael Pelletier		5681 Whitewillow Road	
Nick Shain		5681 Whitewillow Road	
Tim Wallace LANDSCAPE SUPPLY INC 			

PETITION SHEET # JP 2

Special Use #16-14 Kendall County Illinois

I hereby certify and witnessed the signing of the attached signature sheet by each person whose signature appears on the signature sheet, and I believe each individual is an elector and stakeholder qualified to sign the Petition to Deny A-1 Special Use.

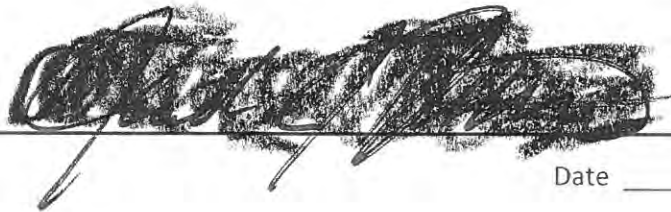
Print circulator(s) name:

Joseph J. Phillips

Address

6718 Whitewillow Road, Minooka IL 60447

Signed



Date

8 / 17 / 16

711
COPY

We the Property Owners and Residents located near the proposed Shooting Range are objecting to this Petition #16-14 based on the Loss of Property Value, Loss of Quality of Life, Safety, Environmental Hazards, Increased Traffic and Increased Noise due to the proximity of this Commercial Enterprise in a Residential/Ag neighborhood.

We, the undersigned, are concerned citizens who urge our leaders to act now to Deny the Petition #16-14 for an A-1 Special-Use for an Outdoor Shooting Range located at 16502B Church Rd, Church Rd, Lisbon Twp (PIN 08-25-300-006;009)

[illegible]

PETITION SHEET # JP1

Special Use #16-14 Kendall County Illinois

I hereby certify and witnessed the signing of the attached signature sheet by each person whose signature appears on the signature sheet, and I believe each individual is an elector and stakeholder qualified to sign the Petition to Deny A-1 Special Use.

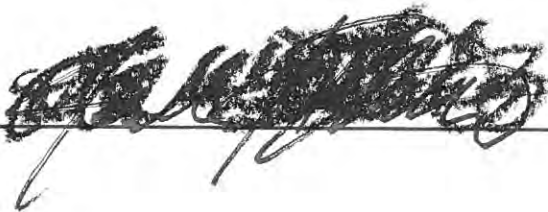
Print circulator(s) name:

Joseph J. Phillips

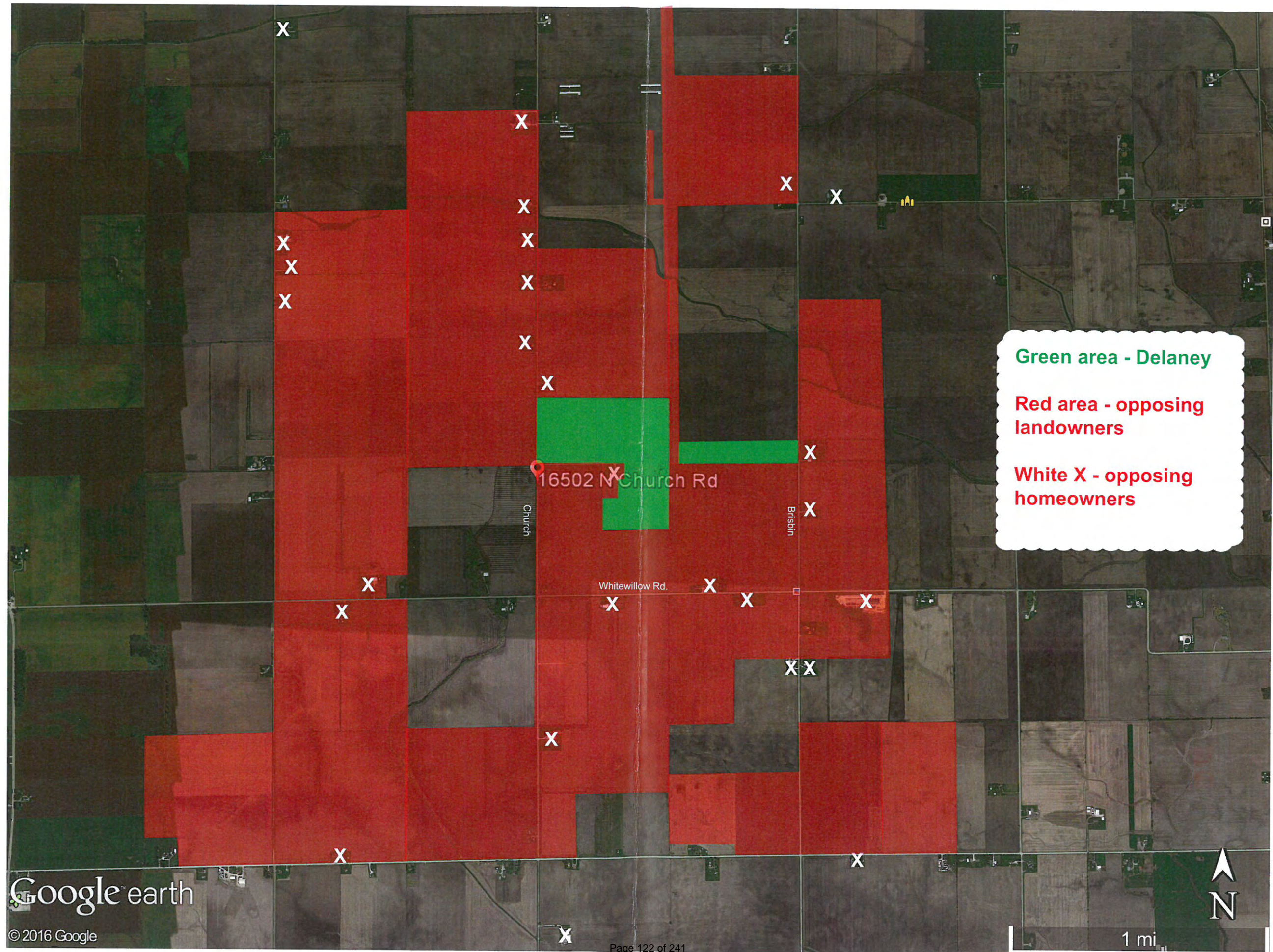
Address

6718 Whitewillow Road, Minooka IL 60447

Signed



Date 8 / 17 / 2016



Green area - Delaney

Red area - opposing landowners

White X - opposing homeowners



COPY

johngreene
1311 S. Route 59
Naperville, IL 60564
630.229.2290
Fax: 630.229.2299

July 27, 2016

Joe,

Please see the attached CMA for 6718 White Willow Rd in Minooka, IL.

Regarding the home and property located at 6718 White Willow Rd, Minooka, IL, it is my team's opinion and real estate opinion and assessment, that today's fair market value is \$453,000.

This value is based on the 7 sales of comparable homes in the last 10 months, all located in Minooka, with acreages between 1-20 acres. The attached sales had various acreages, with a majority of them very dated and needing extensive rehabbing, as well as many of the sales not having the separate external structures that the subject has. The factors included in the value are:

- A fully-remodeled home
- Ranch-style floor plan of 2,700 square feet
- Separate barn and shed
- 5 acres bordering White Willow & Route 47

Per your request, we have also analyzed local and national data to determine the impact to value should a gun range be approved and built. Based on our research, we feel that a gun range would have an overall negative impact to your property. As several research articles suggested, potential buyers would have concerns about:

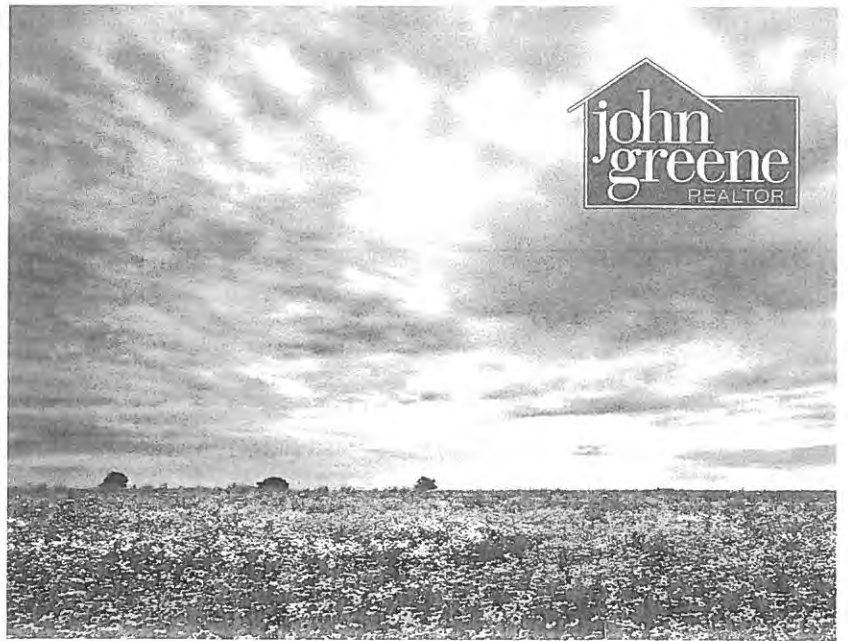
- Noise pollution
- Lead Shot health Hazard
- Ability to resell in the future
- Unattractive / non-compliant construction
- Health concerns for those down range or immediately adjacent to the firing range
- Sales Comps – although that local area had no recent sales comps with direct comparison to gun range sales, NAR "National Association of Realtors" suggests that home would take longer to sell, sell for less, or sometimes just don't sell citing the pool of potential buyers is very limited. (i.e. people who want to be very near a range and would pay a premium as such).

It appears on information provided by NAR, Realtor.com and Inmann that the value of your property could potentially be reduced by as much as 30% to its current fair market value. In your case, that could be as much as \$135,900.

Should you need further analysis, we are happy to introduce you to a couple local appraisers that could take a deeper dive into the sales comps. However, if we were to market your place for sale, we would anticipate some form of price reduction / discount for a new potential purchaser should the gun range be approved.

If you have any further questions, please don't hesitate to contact me. Thank you!

Sincerely,
Joel Kirstein
Senior Vice President
john greene Commercial
815.545.6309
joelkirstein@johngreenecommercial.com



Comparative Market Analysis



johngreene REALTOR, SONY



MARKET ANALYSIS SUMMARY

SELLER

Joe Phillips

ADDRESS

6718 White Willow Rd, Minooka, IL

Total sq. ft of Subject

2700sf Home, 5 acre property

Limiting Factors

sides to Route 47

Favorable Factors

Fully Remodeled Ranch Home

3 Full Baths

Separate Shed & Barn

Gorgeous Kitchen

Great Size Bedrooms

Full Basement

INDICATED VALUE

Sales Person's Independent Approach

Market Data Approach

FAIR MARKET VALUE:

(Approximate Selling price)

460,000

\$ 453,000

443,000

Recommended List Price

\$ 475,000

Partnership Price

\$

Prepared by:

Brett McIntyre

Date:

July 26, 2016



johngreenerealtor.com

Map of All Listings



	MLS #	Status	Address	Price
0	Subject		6718 White Willow Rd, Minooka, IL	
1	08934983	S	16595 Ashley Road	\$305,000
2	08990890	S	26001 West Canal Road	\$350,000
3	09237024	S	532 Bell Road	\$364,000
4	09020657	S	14550 Brisbin Road	\$380,000
5	09163558	S	15130 Jughandle Road	\$399,000
6	09011899	S	15875 Ridge Road	\$405,000
7	08897673	S	3055 Route 52 South	\$410,000
8	09196904	A	2530 US Highway 52 Highway	\$325,000
9	08714613	A	16801 Ridge Road	\$400,000

Status: S = Closed, A = Active



Brett McIntyre | john greene, Realtor | 1311 S. Route 59 | Mobile: 630-253-3629 | www.brettmcintyre.com | brettmcintyre@johngreenerealtor.com

Summary of Comparable Properties



Sold Listings

Address	Beds	Baths	YrBlt	SqFt	List Price	Sold Price	Sold Date
16595 Ashley Road	4	3/1		2,924	\$325,000	\$305,000	6/6/16
26001 West Canal Road	3	2/2	1991	3,196	\$369,900	\$350,000	9/30/15
532 Bell Road	3	3/1	2000	2,550	\$369,900	\$364,000	7/15/16
14550 Brisbin Road	3	2/1	2005	2,400	\$410,000	\$380,000	11/16/15
15130 Jughandle Road	4	3/0	1970	3,000	\$410,000	\$399,000	7/13/16
15875 Ridge Road	4	4/2	1974	3,327	\$479,500	\$405,000	1/13/16
3055 Route 52 South	4	2/1	1970	3,200	\$435,000	\$410,000	6/1/16
Averages				2,942	\$399,900	\$373,286	

Active Listings

Address	Beds	Baths	YrBlt	SqFt	List Price	Sold Price	Sold Date
2530 US Highway 52 Highway	3	2/2	1970	2,500	\$325,000		
16801 Ridge Road	5	5/0		5,000	\$400,000		
Averages				3,750	\$362,500		



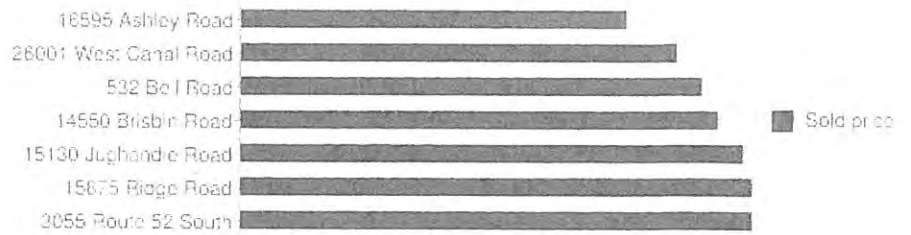
Brett McIntyre | John Greene, Realtor | 1311 S. Route 59 | Mobile: 630-253-3629 | www.brettmcintyre.com | brettmcintyre@johngreenerealtor.com

Comparable Property Statistics



Sold Listings

Number of listings	7
Lowest price	\$305,000
Average price	\$373,286
Highest price	\$410,000
Avg price per sqft	\$128
Avg DOM	338



Active Listings

Number of listings	2
Lowest price	\$325,000
Average price	\$362,500
Highest price	\$400,000
Avg price per sqft	\$105
Avg DOM	401



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Property Details



s 16595 Ashley Road, Minooka

\$305,000

Listing information

MLS#: 08934983	Beds: 4	Sq Ft: 2,924	Sold Date: 6/6/16
Status: Closed	Baths: 3/1	Year Built:	DOM: 330

Features

Waterfront: No **Heat/Fuel:** Propane, Forced Air **Sewer:** Septic-Private **Water:** Well-Private **Garage:** Garage Door Opener(s), Transmitter(s), Heated, 7 Foot or more high garage door **Exterior:** Deck, Porch, Storms/Screens **Interior:** Vaulted/Cathedral Ceilings, Bar-Wet, Wood Laminate Floors, 1st Floor Bedroom, 1st Floor Laundry, 1st Floor Full Bath **Basement:** Full **Appliances:** Oven/Range, Microwave, Dishwasher, Refrigerator **Area Amenities:** Street Paved **Number of Rooms:** 11 **Tax Amount:** 5913.08 **Number of Fireplaces:** 1 **Garage Spaces:** 6 **Additional Rooms:** Den, Loft, Recreation Room **Assessments:** 0

Remarks

This property has it all..a beautifully remodeled and updated 4 bedroom farmhouse with great addition in 2005 on a 1 acre lot..a 36'x48' outbuilding with heated floor and 14' high overhead door..a big living room with vaulted ceiling and second floor overlook..a huge 1st floor master bedroom with luxurious master bathroom..a finished basement..a beautiful roomy kitchen. Country living at it's best! You must see!



Information is deemed reliable but not guaranteed.



Source: MRED



Brett McIntyre | John Greene, Realtor | 1311 S. Route 59 | Mobile: 630-253-3629 | www.brettmcintyre.com | brettmcintyre@johngreenerealtor.com

Property Details



s 26001 West Canal Road, Minooka

\$350,000

Listing information

MLS#: 08990890	Beds: 3	Sq Ft: 3,196	Sold Date: 9/30/15
Status: Closed	Baths: 2/2	Year Built: 1991	DOM: 1500

Features

Waterfront: No Heat/Fuel: Propane, Forced Air, 2+ Sep Heating Systems Sewer: Septic-Mechanical Water: Well-Private Garage: Garage Door Opener(s), Transmitter(s), Heated, 7 Foot or more high garage door Exterior: Patio, Porch, Brick Paver Patio, Grill-Outdoors, Outdoor Fireplace Interior: Hardwood Floors, Heated Floors, 1st Floor Laundry Lot: Wooded Basement: Full Appliances: Oven-Double, Dishwasher, Refrigerator, Washer, Dryer Area Amenities: Park/Playground, Pool, Tennis Courts, Street Paved Number of Rooms: 9 Tax Amount: 6976.16 Number of Fireplaces: 2 Parking Type: Off Street

Remarks

Distinctive 3-BR home on 3.5 picturesque wooded acres. Welcoming kitchen and gathering room has granite counters, extra prep sink at island, and wood burning fireplace. Great room with 2nd wood burning fireplace has panoramic sliding doors that offer a fabulous view of the woods and abundant wildlife. Many extras and upgrades including oversized master suite area and a warm and comfortable professional office along with dual HVAC, heated garage and heated floors. This wonderful family home is set far out but is close to everything and is surely a must see.



Brett McIntyre | john greene, Realtor | 1311 S. Route 59 | Mobile: 630-253-3629 | www.brettmcintyre.com | brettmcintyre@johngreenerealtor.com

Property Details



s 532 Bell Road, Minooka

\$364,000

Listing information

MLS#: 09237024	Beds: 3	Sq Ft: 2,550	Sold Date: 7/15/16
Status: Closed	Baths: 3/1	Year Built: 2000	DOM: 12

Features

Waterfront: No **Heat/Fuel:** Gas, Forced Air **Sewer:** Septic-Private **Water:** Well-Private **Exterior:** Deck, Porch **Interior:** Vaulted/Cathedral Ceilings, Hardwood Floors, 1st Floor Laundry **Lot:** Horses Allowed **Basement:** Full **Appliances:** Oven/Range, Microwave, Dishwasher, Refrigerator **Number of Rooms:** 9 **Tax Amount:** 5963.20 **Number of Fireplaces:** 1 **Parking Included in Price:** Yes **Garage Spaces:** 3 **Additional Rooms:** Loft, Recreation Room **Assessments:** 0 **Assessments Frequency:** Not Applicable **Assessments Include:** None **SP/OLP Ratio:** 0.98 **Lotsize:** 5 **Acres:** 5

Remarks

Peaceful country living on 5 acres! Beautiful 3 bdr, 3.1 bath home w/loft and 3 car garage conveniently located with easy access to I-80. This home features a large eat-in kitchen open to spacious family rm w/ wood burning fireplace, formal living room w/ cathedral ceiling and dining rm, 1st floor laundry, 3 generously sized bedrooms and loft which could be easily converted to bdr 4. Large master suite w/ cathedral ceiling, walk-in closet and private bath w/whirlpool and separate shower, huge rec room wired for home theater in finished basement. Freshly painted, new carpeting on 2nd floor. New furnace 2015, central air 2016, hot-water heater 2012, roof 2011. Must see this rare find!



Brett McIntyre | John Greene, Realtor | 1311 S. Route 59 | Mobile: 630-253-3629 | www.brettmcintyre.com | brettmcintyre@johngreene.com

Property Details



s 14550 Brisbin Road, Minooka

\$380,000

Listing information

MLS#: 09020657	Beds: 3	Sq Ft: 2,400	Sold Date: 11/16/15
Status: Closed	Baths: 2/1	Year Built: 2005	DOM: 23

Features

Waterfront: No Heat/Fuel: Propane Sewer: Septic-Private Water: Well-Private Garage: Garage Door Opener(s), Transmitter(s), 7 Foot or more high garage door Exterior: Patio, Porch, Horse Barn/Pole Barn, Storms/Screens Interior: Vaulted/Cathedral Ceilings, Hardwood Floors, 1st Floor Bedroom, 1st Floor Laundry, 1st Floor Full Bath Lot: Corner Basement: Full Appliances: Oven/Range, Microwave, Dishwasher, Refrigerator, Washer, Dryer, All Stainless Steel Kitchen Appliances Number of Rooms: 8 Tax Amount: 5723.75 Number of Fireplaces: 1 Parking Included in Price: Yes Garage Spaces: 2

Remarks

Beautiful custom built home nestled on 5 acres with out building. This home features a first floor master suite w/luxury bath, 2 story great rm w/ fpl, large eat-in kit w/ 42" cherry cabinets, s.s appliances, 1st floor laundry, generous bdrms w/ Jack & Jill bath, cathedral ceilings, loft, hardwood floors and freshly painted throughout. 2+ car attached garage, full bsmt plumbed for bth, 36x72 machine shed w/ 12x12 overhead door, 14 ft ceiling, heated floor, 220 electric & water. Newer roof, gutters, downspouts, hot water heater, stove, ref & microwave. Enjoy peaceful living with views of open areas from your front porch. Don't miss this unique opportunity.



Information is deemed reliable but not guaranteed



Source: MRED



Brett McIntyre | John Greene, Realtor | 1311 S. Route 59 | Mobile: 630-253-3629 | www.brettmcintyre.com | brettmcintyre@johngreenerealtor.com

Property Details



s 15130 Jughandle Road, Minooka

\$399,000

Listing information

MLS#: 09163558	Beds: 4	Sq Ft: 3,000	Sold Date: 7/13/16
Status: Closed	Baths: 3/0	Year Built: 1970	DOM: 45

Features

Waterfront: No Heat/Fuel: Hot Water/Steam Sewer: Septic-Private Water: Well-Private Garage: Garage Door Opener(s), Transmitter(s) Exterior: Deck, Porch, Hot Tub, Gazebo, Brick Paver Patio Interior: Hot Tub, Hardwood Floors, 1st Floor Bedroom, 1st Floor Laundry, 1st Floor Full Bath Lot: Horses Allowed, Landscaped Professionally, Wooded Basement: Full Appliances: Oven/Range, Microwave, Dishwasher, Refrigerator, Washer, Dryer Area Amenities: Street Paved Number of Rooms: 10 Tax Amount: 8,372.3 Number of Fireplaces: 1 Parking Included in Price: Yes Garage Spaces: 4

Remarks

Set back off a tranquil tree lined street is a real find on nearly 3 acres of professionally landscaped yard, offering an all brick 3000 s.f. English Country home. So tastefully updated & meticulously maintained, you'll know you arrived at a special place upon entry. The beautiful & perfect condition hardwood floors throughout the main level of the home punctuated by white mill work, plantation shutters & subtle fresh wall color will make you say "WOW". The floor plan is unique in its offering of family room, dining room & kitchen space that feels open, yet intimate, at the same time. Related living is an obvious offering w/a main floor master suite & nearby living room that can be private or for gatherings. Kitchens don't come larger than this one w/ample cabinet/counter top space, cheery breakfast room & adjacent mud/laundry room w/another full bath! 2nd floor offers 3 bedrooms, rem...



Information is deemed reliable but not guaranteed.



Source: MFLD



Brett McIntyre | john greene, Realtor | 1311 S. Route 59 | Mobile: 630-253-3629 | www.brettmcintyre.com | brettmcintyre@johngreenerealtor.com

Property Details



s 15875 Ridge Road, Minooka

\$405,000

Listing information

MLS#: 09011899	Beds: 4	Sq Ft: 3,327	Sold Date: 1/13/16
Status: Closed	Baths: 4/2	Year Built: 1974	DOM: 91

Features

Waterfront: Yes Heat/Fuel: Propane, Forced Air, Zoned Sewer: Septic-Private Water: Well-Private
 Garage: Garage Door Opener(s), Transmitter(s), 7 Foot or more high garage door Exterior: Balcony,
 Patio, Porch, Boat Dock/Mooring Interior: 1st Floor Bedroom, 1st Floor Laundry, 1st Floor Full Bath
 Lot: Horses Allowed, Pond, Stream, Water View Basement: Full Appliances: Oven/Range, Microwave,
 Dishwasher, Refrigerator Area Amenities: Pond/Lake, Water Rights Number of Rooms: 10 Tax
 Amount: 7526 Number of Fireplaces: 2 Garage Spaces: 2 Additional Rooms: Den, Recreation Room,
 Storage Assessments: 0

Remarks

18+ acre property plus Lake House! This custom ranch home offers a peaceful private Lake for boating, fishing , hunting , camping, swimming and family fun. The hillside location offers a large finished walkout basement to the boat dock. The modern floor plan offers 4 bedrooms on the main level as well as an office den. The large great room with the wall of windows gives serene views of your private lake! This year round home is now offered for sale for the first time. Quality Bedford stone construction. Easy I-80 access, in the country but close to shopping, and 'in town' activities. This lake retreat can now be yours today!



Brett McIntyre | john greene, Realtor | 1311 S. Route 59 | Mobile: 630-253-3629 | www.brettmcintyre.com | brettmcintyre@johngreene.com

Property Details



s 3055 Route 52 South, Minooka

\$410,000

Listing information

MLS#: 08897673	Beds: 4	Sq Ft: 3,200	Sold Date: 6/1/16
Status: Closed	Baths: 2/1	Year Built: 1970	DOM: 367

Features

Waterfront: Yes **Heat/Fuel:** Propane, Forced Air, 2+ Sep Heating Systems, Zoned **Sewer:** Septic-Private **Water:** Well-Private **Garage:** Garage Door Opener(s), Transmitter(s) **Exterior:** Balcony, Deck, Porch, Storage Shed, Dog Run and/or Invisible Fence, Storms/Screens **Interior:** Vaulted/Cathedral Ceilings, Skylight(s), Bar-Wet, Hardwood Floors, In-Law Arrangement, 1st Floor Laundry **Lot:** Fenced Yard, Horses Allowed, Landscaped Professionally, Water View, Wooded **Basement:** Walkout **Appliances:** Oven-Double, Oven/Range, Microwave, Dishwasher, Refrigerator, High End Refrigerator, Freezer, Washer, Dryer, Disposal, Grill-Indoor

Remarks

GORGEOUS MEDITERRANEAN WALK OUT RANCH ON 5+ ACRES BACKING TO AUX SABLE CREEK. THIS MAGNIFICANT HOME HAS 4 BR, 1 INDOOR GRILL, CHEF KITCHEN WITH PANORAMIC VIEWS, SEE-THROUGH FIREPLACE WITH VAULTED/CATHEDRAL CEILINGS, WET BAR, SKYLIHTS AND IN-LAW ARRANGEMENT. NEW WINDOWS THROUGHOUT THE HOME AS WELL - A MUST SEE!



Information is deemed reliable but not guaranteed.

Source: MRED



Brett McIntyre | john greene, Realtor | 1311 S. Route 59 | Mobile: 630-253-3629 | www.brettmcintyre.com | brettmcintyre@johngreenerealtor.com

Property Details



A 2530 US Highway 52 Highway, Minooka

\$325,000

Listing information

MLS#: 09196904	Beds: 3	Sq Ft: 2,500	List Date: 4/15/16
Status: Active	Baths: 2/2	Year Built: 1970	DOM: 103

Features

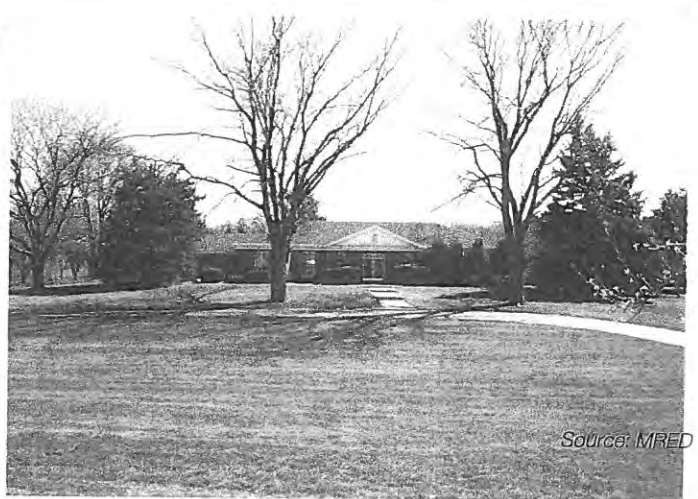
Waterfront: No Heat/Fuel: Heat Pump Sewer: Septic-Private Water: Well-Private Garage: Garage Door Opener(s), Transmitter(s) Exterior: Patio Interior: Bar-Dry, Hardwood Floors, 1st Floor Bedroom, 1st Floor Laundry, 1st Floor Full Bath Lot: Horses Allowed, Wooded Basement: Full Appliances: Oven-Double Area Amenities: Street Paved Number of Rooms: 9 Tax Amount: 5065 Number of Fireplaces: 2 Parking Included in Price: Yes Garage Spaces: 2 Additional Rooms: Foyer, Mud Room, Recreation Room, Workroom Assessments: 0 Assessments Frequency: Not Applicable Assessments Include: None

Remarks

Here's your chance to own an all brick 3000 square foot ranch on 3.55 acres! This one needs updating, but what potential! Structurally perfect and offers a full basement-half is finished. 3 bedrooms on the main level plus living room, family room, dining room & eat in kitchen. The home offers a large laundry/mud room right off the oversized 2 car garage. All room sizes are massive! Full wall stone fireplace in family room & full wall brick fireplace next to wet bar in basement. Home set way back off Rt. 52 at Jughandle Road with plenty of space for outbuilding on W. side of lot. Circular drive provides for ample parking. Taxes are estimated due to subdivision of original pin number. exact taxes will be determined soon.



Information is deemed reliable but not guaranteed.



Source: MRED



Brett McIntyre | john greene, Realtor | 1311 S. Route 59 | Mobile: 630-253-3629 | www.brettmcintyre.com | brettmcintyre@johngreenerealtor.com

Property Details



A 16801 Ridge Road, Minooka

\$400,000

Listing information

MLS#: 08714613	Beds: 5	Sq Ft: 5,000	List Date: 8/28/14
Status: Active	Baths: 5/0	Year Built:	DOM: 699

Features

Waterfront: No Heat/Fuel: Gas, Forced Air Sewer: Septic-Private Water: Well-Private Garage: Garage Door Opener(s), Transmitter(s) Lot: Horses Allowed Basement: Full Appliances: Oven/Range, Microwave, Dishwasher, Refrigerator, Washer, Dryer Number of Rooms: 12 Tax Amount: 7018.88 Number of Fireplaces: 3 Parking Included in Price: Yes Garage Spaces: 9 Additional Rooms: 2nd Kitchen, 5th Bedroom, Library, Office Assessments: 0 Assessments Frequency: Not Applicable Assessments Include: None Lotsize: 10 Acres: 10

Remarks

5 levels offered w/this 5000 (approx) sq ft home! Elevator access to all! 10 ac on Ridge Rd in front of Summerfield of Minooka Sub. Orig home blt in the 1850's. Additions in 1990. Zoned heat/air, nat gas, generator. Addl space, barn w/stalls (horses welcome) & lge shed. Perfect as a farmette or future dev pot. LR/FR plus 22x23 library w/frplc. Mstr suite offers frplc & 22x9 bath. Full bsmnt, 2 full kit & so much much



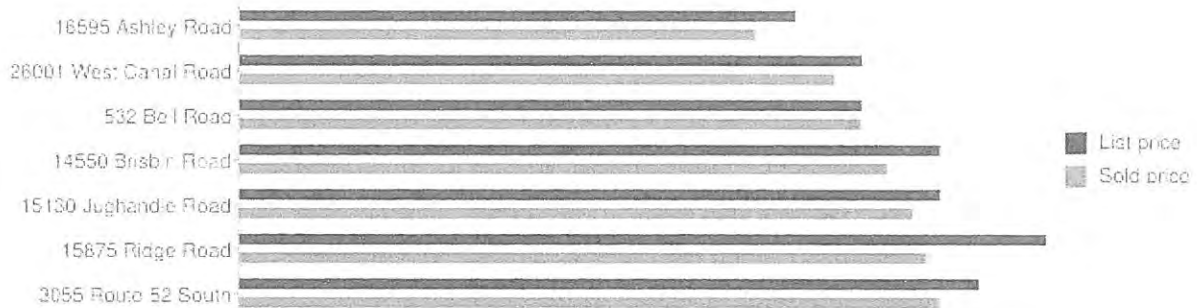
Information is deemed reliable but not guaranteed.

Source: MRED



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Sold Property Analysis



Address	List Price	Sold Price	Difference	DOM	\$ per Sqft
16595 Ashley Road	\$325,000	\$305,000	-6.15%	330	\$104
26001 West Canal Road	\$369,900	\$350,000	-5.38%	1500	\$110
532 Bell Road	\$369,900	\$364,000	-1.60%	12	\$143
14550 Brisbin Road	\$410,000	\$380,000	-7.32%	23	\$158
15130 Jughandle Road	\$410,000	\$399,000	-2.68%	45	\$133
15875 Ridge Road	\$479,500	\$405,000	-15.54%	91	\$122
3055 Route 52 South	\$435,000	\$410,000	-5.75%	367	\$128
Sold Averages	\$399,900	\$373,286	-6.66%	338	\$128



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Online Valuation Analysis



Sold Listings

Address	Sold Date	Sold Price	Zestimate	Difference
16595 Ashley Road	6/6/16	\$305,000	\$346,000	13.44%
26001 West Canal Road	9/30/15	\$350,000	\$374,335	6.95%
532 Bell Road	7/15/16	\$364,000	\$331,139	-9.03%
14550 Brisbin Road	11/16/15	\$380,000	\$380,125	0.03%
15130 Jughandle Road	7/13/16	\$399,000	\$369,487	-7.40%
15875 Ridge Road	1/13/16	\$405,000	\$409,371	1.08%
3055 Route 52 South	6/1/16	\$410,000	\$318,395	-22.34%
Sold Averages		\$373,286	\$361,264	-2.47%

Active Listings

Address	List Price	Zestimate	Difference
2530 US Highway 52 Highway	\$325,000	\$335,292	3.17%
16801 Ridge Road	\$400,000	\$407,412	1.85%

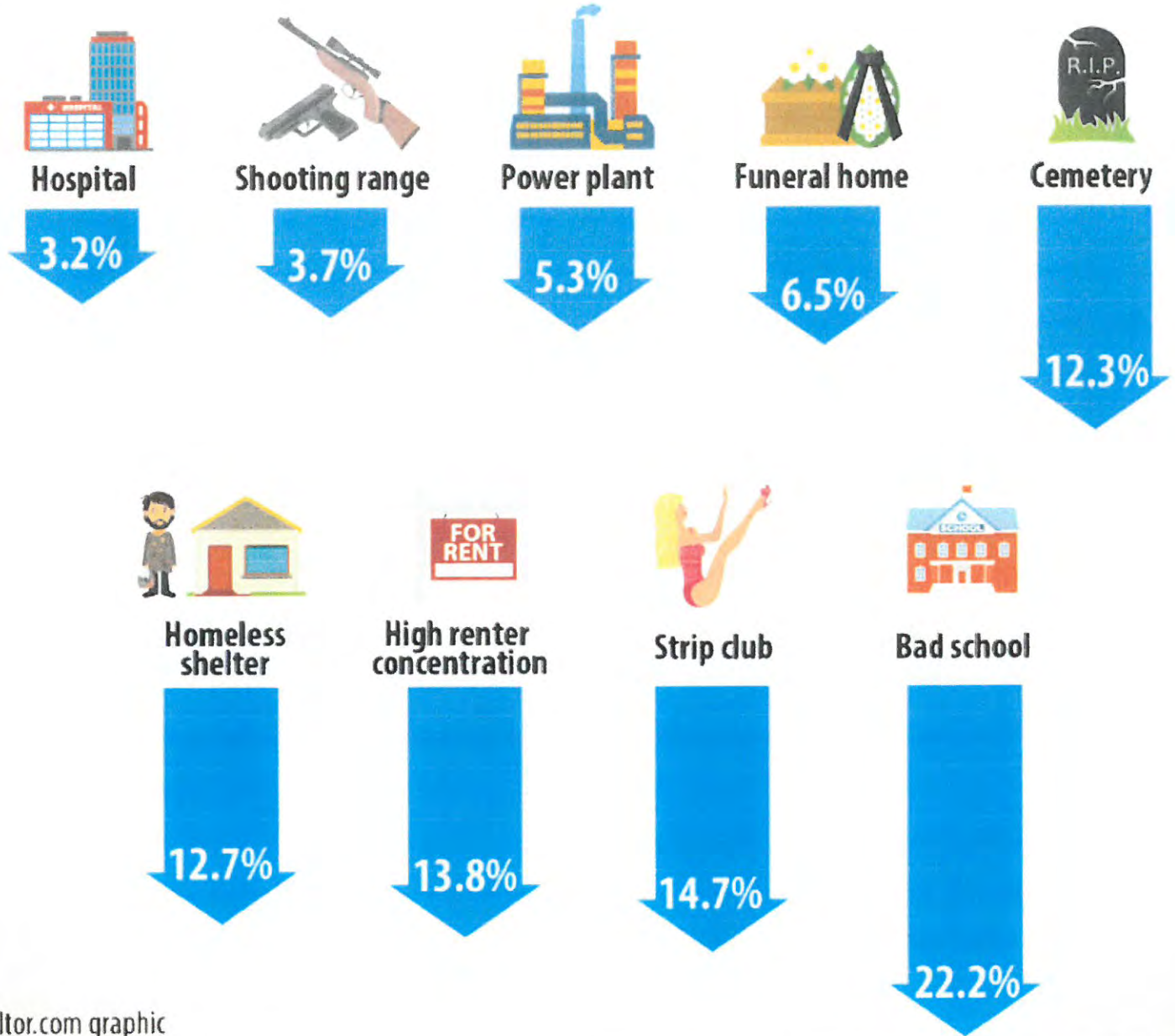
Source: MRED



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Things That Drag Down the Value of Your Home

The "drag" is calculated by comparing home prices near each facility (in the same ZIP code) with all homes in the same county.

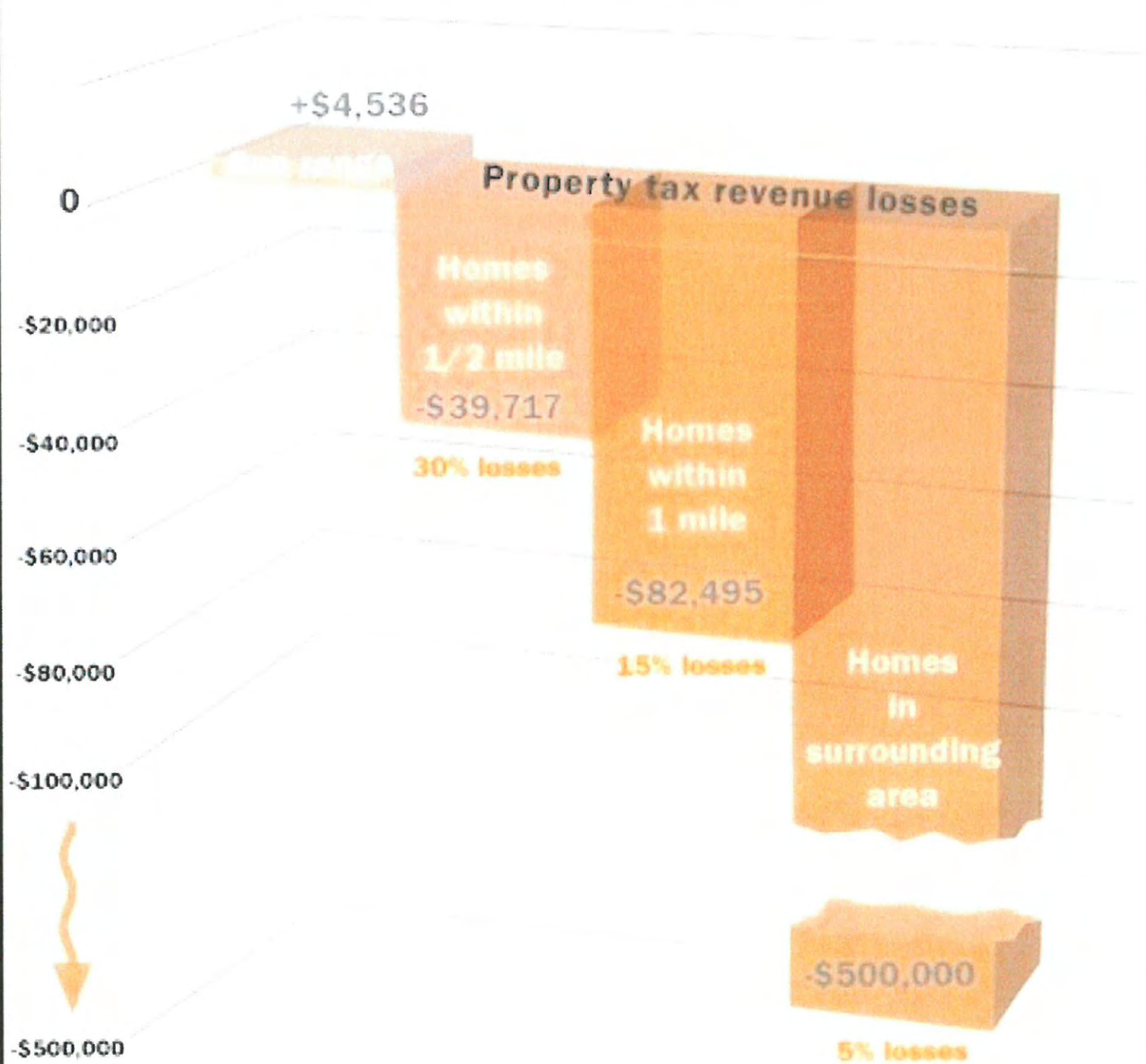


realtor.com graphic

A Losing Proposition

Greene County Annual Revenue

Gains and losses resulting from an outdoor gun range
at 15337 Spotswood Trail, Ruckersville, Va




Data is based on assessed values from Greene County GIS and real estate professionals' estimates of property value losses when an open gun range is built near homes. Current property tax rate of .69% was used in calculations. Annual revenue from the gun range is based on the actual proposal.

Untitled Map

Write a description for your map.

Legend

 White Willow

Google earth

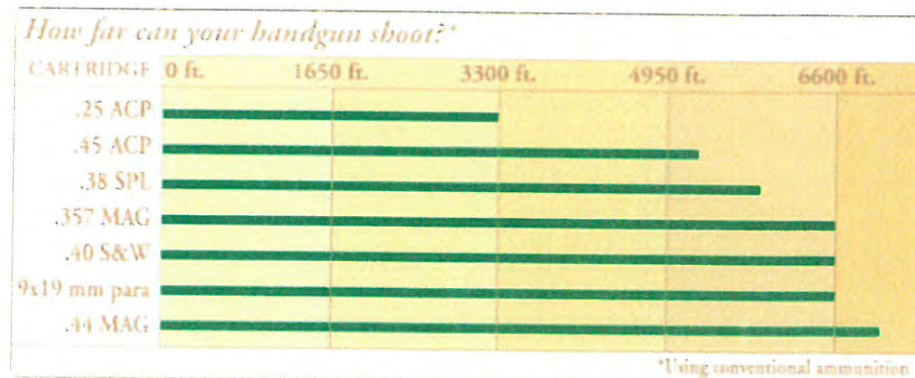
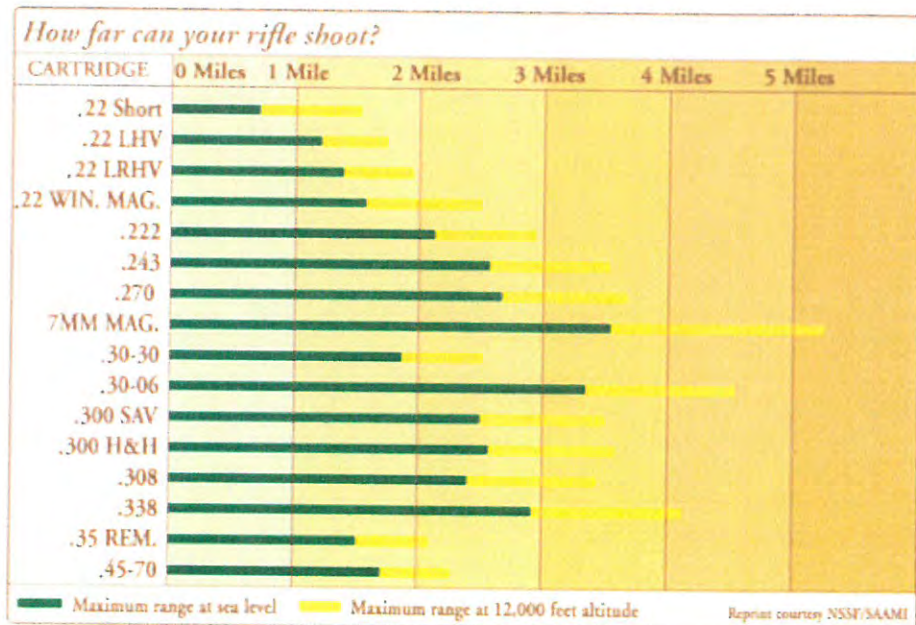
@2016 Google

1000 ft



Know Your Rifle or Handgun's Range

Metallic cartridges are very powerful. Some bullets can travel almost five miles! Be sure you identify your target and what lies beyond it before you squeeze the trigger. The charts below show just how far bullets from different cartridges can travel.



KENDALL COUNTY SHERIFF'S OFFICE
CASE 2017-0986 NARRATIVE
DEPUTY D. RATKOVICH #54
MARCH 25, 2017

On 03/25/17 at approximately 1249 hours, I, Deputy Ratkovich KE54 responded to 6718 Whitewillow Road, Minooka in reference a other public complaint report.

Upon arrival I met with Joseph Phillips who resides at 6718 Whitewillow Road. Joseph advised me that he wanted to document an incident in reference unknown subjects that were shooting on property just north of his residence. Joseph pointed out to me through his front picture window that there is a gun range being built just north of his property with an address off of Church Road and that through his binoculars he could see individuals that were shooting and that they were shooting in a southerly direction, towards his residence. Joseph did advise that he estimated this distance to be approximately 1200 yards however he was a little concerned that through viewing from his residence he could see some of the targets were sticking over the top of the berm that the individuals were using. Specifically, Joseph pointed the cardboard silhouette that was on the most west side of the berm, that he could fully see the complete silhouette and that he believed that because of that angle that if the subjects were shooting at that target, there would be nothing to stop the projectiles.

Joseph just wanted this incident documented. I then provided Joseph with my business card with the report number on it.

I then relocated to 16502 B. Church Road, where I met with three male white individuals that were shooting handguns at the targets. They were identified as David Ryniec, Jonathon Villanueva, and John Kalad. I checked all three individuals and were advised by KenCom that all three were clear and valid and possessed valid FOID cards. In speaking with David Ryniec, he advised that he has permission from Robert Delaney, who is the property owner. I advised David of the concern of the complainant and advised that the berm that these three individuals were shooting towards was only approximately 5 ft tall and 20 ft wide. I observed the cardboard silhouettes to be mounted on target stands and although most of the silhouette was in front of and below the grade of the dirt berm, the portion of the head of the silhouette targets were above the berm. I explained to David and his friends of the legalities of shooting in an unsafe manner and that all three individuals advised that they would cease shooting at this time. David requested a report number as well to give to Mr. Delaney. David did advise that he was instructed by Mr. Delaney to shoot in the south direction and not in the east direction where the dirt was taller due to the houses were closer, facing the east direction. David provided me with a phone number for Robert Delaney of [REDACTED] for contact purposes.

At this time I cleared the area and I relocated back to the Sheriff's Office where I attempted to make contact with Robert Delaney to advise him of the report generated by a neighbor. I then found that the phone number provided to me by David Ryniec was no longer valid for Delaney. I cleared with nothing further.

Submitted by	[REDACTED]	Date: 03/27/18	Time: 0625
Approved by	[REDACTED]	Date: 3-27-17	Time: 630



Kendall County

Office of the Sheriff

Dwight A. Baird, Sheriff
1102 Cornell Lane Yorkville Illinois 60560
Phone: 630-553-7500 Fax: 630-553-1972
www.co.kendall.il.us/sheriff



APPROVAL OF REQUEST FOR RECORDS

TO: Joe Phillips

DATE: March 29, 2017

Today the Kendall County Sheriff's Office received your written request for public records. In response to your request and pursuant to the Illinois Freedom of Information Act, please be advised that your request for records is granted in its entirety.

I. List of Approved Records

The categories of records for which we approved your request are as follows:
Report #2017-0986

If you have any questions regarding this matter or require further information, please feel free to contact the undersigned.

Very truly yours,

Dee Fuchs
Freedom of Information Act Officer
Kendall County Sheriff's Office
630.553.7500 x1100

Ready to Protect, Proud to Serve

2017-0986



Kendall County Sheriff's Office Detail



Print Date/Time: 03/27/2017 11:42
Login ID: dfarren
Case Number: 2017-00000986

KENDALL COUNTY SHERIFF'S OFFICE
ORI Number: IL0470000

Case Details:

Case Number:	2017-00000986	Incident Type:	9059 - OTHER PUBLIC COMPLAINTS
Location:	6718 WHITEWILLOW RD .IL	Occured From:	03/25/2017 12:45
		Occured Thru:	03/25/2017 12:45
Reporting Officer ID:	DR012990- RATKOVICH	Reported Date:	03/25/2017 12:45 Saturday
Status:	1 - OPEN	Status Date:	03/27/2017

Offenses

No.	Group/ORI	Crime Code	Statute	Description	Counts
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Subjects

Type	No.	Name	Address	Phone	Race	Sex	DOB/Age
COMPLAINANT	1	PHILLIPS, JOSEPH JOHN	6817 WHITEWILLOW RD MINOOKA, IL 60447	[REDACTED]	WHITE	MALE	[REDACTED]
WITNESS	1	RYNIEC, DAVID PAUL	[REDACTED]		WHITE	MALE	46
WITNESS	4	DELANEY, ROBERT ALAN	[REDACTED]		WHITE	MALE	37
WITNESS	3	VILLANUEVA, JONATHON	[REDACTED]		WHITE	MALE	63
WITNESS	2	KALAD, JOHN	[REDACTED]		WHITE	MALE	38
							33



Kendall County Sheriff's Office Detail



Print Date/Time: 03/27/2017 11:42
Login ID: dfarren
Case Number: 2017-00000986

KENDALL COUNTY SHERIFF'S OFFICE
ORI Number: IL0470000

Subject # 1-COMPLAINANT

Primary: No
Name: PHILLIPS, JOSEPH JOHN
Address: 6817 WHITEWILLOW RD
MINOOKA IL 60447
Primary Phone: [REDACTED]

Resident Status: RESIDENT

Race: WHITE Sex: MALE
Height: 5ft 11 in Weight: 250.0 lbs
Eyes: BLUE Hair: BROWN
DOB: [REDACTED]
DVL #: [REDACTED] State: IL Age: 46

Subject # 1-WITNESS

Primary: No
Name: RYNIEC, DAVID PAUL
Address: [REDACTED]
Primary Phone: [REDACTED]
Resident Status: NON-RESIDENT

Race: WHITE Sex: MALE
Height: 6ft 1 in Weight: 225.0 lbs
Eyes: BROWN Hair: BROWN
DOB: [REDACTED]
DVL #: [REDACTED] State: IL Age: 37

Subject # 4-WITNESS

Primary: No
Name: DELANEY, ROBERT ALAN
Address: [REDACTED]
Primary Phone: [REDACTED]
Resident Status: RESIDENT

Race: WHITE Sex: MALE
Height: 6ft 1 in Weight: 210.0 lbs
Eyes: BLUE Hair: GRAY
DOB: [REDACTED]
DVL #: [REDACTED] State: IL Age: 63

Subject # 3-WITNESS

Primary: No
Name: VILLANUEVA, JONATHON
Address: [REDACTED]
Primary Phone: [REDACTED]
Resident Status: NON-RESIDENT

Race: WHITE Sex: MALE
Height: 5ft 4 in Weight: 145.0 lbs
Eyes: BROWN Hair: BROWN
DOB: [REDACTED]
DVL #: [REDACTED] State: IL Age: 38

Subject # 2-WITNESS

Primary: No
Name: KALAD, JOHN
Address: [REDACTED]
Primary Phone: [REDACTED]
Resident Status: NON-RESIDENT

Race: WHITE Sex: MALE
Height: 5ft 11 in Weight: 215.0 lbs
Eyes: BROWN Hair: BLACK
DOB: [REDACTED]
DVL #: [REDACTED] State: IL Age: 33

Arrests

Arrest No.	Name	Address	Date/Time	Type	Age
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Property



Kendall County Sheriff's Office Detail



Print Date/Time: 03/27/2017 11:42
Login ID: dfarren
Case Number: 2017-00000986

KENDALL COUNTY SHERIFF'S OFFICE
ORI Number: IL0470000

Date	Code	Type	Make	Model	Description	Tag No.	Item No.	
Vehicles								
No.	Role	Vehicle Type	Year	Make	Model	Color	License Plate	State



David Ryniec



Message



More

Father Friend Veteran



Works at Contego Defense Group



Worked at USS Mitscher



Went to Bolingbrook High School



Lives in Springfield, Illinois



Married to Lucinda Ambrosini-Ryniec



From Bolingbrook, Illinois

WITNESS 1
ON SITE
3/25/17
CONDUCTING
CLASS



John Kalad



Add Friend



Message



More



Owner and Photographer at John Kalad Photography



Lives in Lisle, Illinois



Married to April Kalad



WITNESS 2
ON SITE
3/25/17
PROVIDING
PHOTOGRAPHY
FOR
CONTIGO
WEBSITE



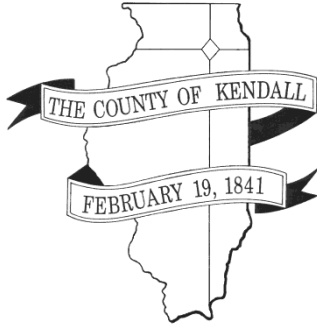
Contego Defense Group



50% Off Gun-Range Outing with Training

Minooka • 2.8 mi

Limited Time
RemainingUp to
50% Off16
RatingsTraining and range time with six different
firearms**NOT AVAILABLE**Discount:
50%Total Price:
\$99**DEAL ENDED**



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 203

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

Petition 17-09**Semper Fi Land, Inc. (Robert Velazquez)
A-1 Special Use – Composting of Landscape Waste****INTRODUCTION**

Semper Fi Land, Inc., on behalf of Robert Velazquez, submitted a petition for a special use permit to operate a composting of landscape waste facility at 1996 Cannonball Trail. In 2012, the petitioner received a special use permit to operate a landscape business and residence at the subject property (Ordinance 2012-23).

SITE INFORMATION

PETITIONER Semper Fi Land, Inc. (Robert Velazquez)

ADDRESS 1996 Cannonball Trail

LOCATION On the East Side of Cannonball Trail about 0.5 Miles South of Galena Road



TOWNSHIP Bristol

PARCEL # 02-15-101-003

LOT SIZE 5.2 acres

EXITING LAND USE Residential/Agricultural

ZONING A-1 Agricultural District with a Special Use Permit

LRMP	Land Use	County: Planned Rural Residential (Max 0.6 Du/Ac) United City of Yorkville: Estate/Conservation Residential
	Roads	Cannonball Trail is a County Road classified as a Major Collector Road
	Trails	A multi-use trail is shown on the East Side of Cannonball Trail
	Floodplain/ Wetlands	There are no wetlands or floodplain on the property.

REQUESTED ACTION A-1 Special Use to Operate a Composting of Landscape Waste

- APPLICABLE REGULATIONS Section 7.01 D.16 – A-1 Special Uses – Permits Composting of Landscape Waste and Food Waste with the following stipulations:
1. The facility shall meet all Illinois Environmental Protection Agency requirements as identified in Title 35, Subtitle G, Chapter 1, Sub-chapter 1, Park 830, Standards for compost facilities.
 2. Operational personnel shall be present on site during all hours which the facility is open for the receipt of landscape waste.
 3. The hours during which landscape waste may be received shall be 7:00am to 4:00pm Monday through Friday and 7:00am to 12:00 noon Saturday. Processing operations shall cease after each day's receipts have been processed and placed in windrows, not to exceed three (3) additional hours.
 4. The decibel levels at the property line shall not exceed Illinois Pollution Control Board standards.
 5. A locked gate shall restrict vehicle access during closed hours except that a "lock-box" shall allow access to emergency vehicles.
 6. Water samples shall be taken by an independent testing service and analyzed by an independent laboratory. The locations, methods and frequency of sampling and testing shall be approved by the Kendall County Environmental Health Department Director. The test results shall be sent to the Environmental Health Department within forty-five (45) days of sampling.
 7. Soil samples shall be taken by an independent testing service and analyzed by an independent laboratory. The locations, methods and frequency of sampling and testing shall be approved by the Kendall County Environmental Health Department Director. The test results shall be sent to the Environmental Health Department within forty-five (45) days of sampling.

8. Authorized Kendall County personnel shall be allowed on site during business hours for inspection and testing.
9. The facility operator shall send up-to-date copies of the State permit and related documents including Operational Plan, Surface Water Management Plan, Pest Control Plan, Site Drawing, and an Annual Report to the County Solid Waste Coordinator.
10. Truck weights shall be limited to 73,280 pounds.
11. The operator shall provide weight receipts to Kendall County.
12. Off-site debris and trash generated by the site must be cleaned-up on a daily basis on surrounding properties with the owner's permission.
13. Other conditions as appropriate for the particular facility. (*Amended 6/20/2006*)

Section 13.08 – Special Use Procedures

SURROUNDING LAND USE

Location	Adjacent Land Use	Adjacent Zoning	Land Resource Management Plan	Zoning within ½ Mile
North	Agricultural/Farming	Yorkville (R-2)	Suburban Residential (County) Estate Residential (Yorkville)	Yorkville, Montgomery and A-1
South	Agricultural/Farming	Yorkville (R-2D)	Suburban Residential (County) Estate Residential and Commercial Office (Yorkville)	Yorkville, M-1, B-1, B-2, B-3, R-3 and A-1
East	Agricultural/Farming	Yorkville (R-2)	Planned Rural Residential and Open Space (County) Estate Residential (Yorkville)	Yorkville and A-1
West	Agricultural/Farming	Yorkville (R-2)	Suburban Residential (Estate Residential)	Yorkville, A-1 and R-3

PHYSICAL DATA

ENDANGERED SPECIES REPORT

EcoCAT Report submitted and consultation was terminated. The EcoCat was included with the Application Materials; see Attachment 5.

NATURAL RESOURCES INVENTORY

LESA score was 169 indicating a low level of protection. The NRI was included with the Application Materials; see Attachment 5.

ACTION SUMMARY

BRISTOL TOWNSHIP

Petition information was sent to Bristol Township April 25th. To date, no written comments have been received from Bristol Township. The Bristol Township Highway Commissioner and Township Supervisor attended the ZPAC meeting and expressed concerns about odor and size of trucks entering and leaving the property.

UNITED CITY OF YORKVILLE

Petition information was sent to the United City of Yorkville April 25th. This matter will be discussed at their June 6th EDC meeting and June 14th PZC meeting. Yorkville Staff requested that the gravel driveway be paved. The petitioner agreed to pave the apron area at the May 24th Regional Planning Commission meeting.

ZPAC

ZPAC met on the proposal on May 2nd. Discussion centered on creating a host fee, establishing a bond in case a cleanup is required, and planting trees as a screen along the eastern, southern and southwestern property lines. ZPAC unanimously recommended approval of the proposal subject to the following conditions and the minutes are included as Attachment 18:

1. The special use plat shall be amended to show a dedicated ROW instead of a trail.
2. The host fee shall be the same as the fee paid by Green Organics (\$0.80 per ton until November 30, 2019 then the fee goes to \$0.85 per ton starting December 1, 2019).
3. The host fee shall be converted to per cubic yard.
4. The host fee shall be paid monthly.
5. The petitioner shall create a form to track deliveries and quantities.
6. Sampling of water shall occur at least one (1) time per year.
7. Sampling of soil shall occur at least one (1) time per year.
8. The petitioner shall supply a bond to Kendall County to fund the cleanup of the site. The petitioner shall research dollar amounts for the bond.
9. No piles of materials shall be stacked higher than 20 feet.
10. The petitioner shall plant evergreen trees along the eastern, southern and southwestern property lines for screening.
11. The petitioner shall maintain the existing tree line.
12. The petitioner shall replace trees as quickly as possible if they die or severely damaged.

KCRPC

The Kendall County Regional Planning Commission held a meeting on this matter on May 24th. The petitioner outlined his proposal. The KCRPC heard from a representative of the adjoining property owner; this property was preliminarily platted for a residential subdivision. The representative of the adjoining property expressed concerns regarding the impact of the proposed special use permit on property values and the ability to develop the property in the future. Concerns regarding odors were expressed several times during the meeting. The KCRPC issued a positive recommendation by a vote of 5-1. At least one (1) Commissioner believed that the development of the adjoining property into a residential subdivision was not imminent and that the proposed buffer would be in place prior to the construction of the subdivision. The Commissioner that voted no asked several questions related to odor control.

BUSINESS OPERATION

The petitioner desires to operate a landscape waste composting business at the subject property. This business would be in addition to the landscaping business that the petitioner currently possesses a special use permit for at the subject property. The owner of Semper Fi Land, Inc., Robert Velazquez, also lives on the subject property.

The petitioner submitted a business plan which is included with the Application Materials; see Attachment 5. As noted on page 5 of the Project Narrative, the petitioner plans to collect only landscape and yard waste at the site, no food waste or organic material will be collected. The majority of the waste (85%) will be turned into mulch with the remainder turned into compost material. The petitioner anticipates receiving approximately 100 to 150 cubic yards per day with a daily maximum of 250 cubic yards. The petitioner plans

to monitor all truck loads to ensure that only clean material is deposited onsite. Anticipated equipment on the site include trucks, Morbark 1000 Tub Grinder, a wheel loader and skid loader. The petitioner has a windrow plan (see page 8 of the Project Narrative), and a plan to control dust, odor, noise, and vectors (see page 9 of the Project Narrative). The petitioner also supplied additional information on stormwater and leachate controls; Application Addendum Attachment 6.

Because the petitioner submitted documents at various stages, some of the figures referenced in the application materials may be numbered differently.

Per 415 ILCS 5/3.270, "landscape waste" means all accumulations of grass or shrubbery cuttings, leaves, tree limbs and other materials accumulated as the result of the care of lawns, shrubbery, vines and trees.

The proposed business will have between 2 and 5 employees.

The petitioner was agreeable to addressing Staff's concerns regarding hours of operation, tub grinder operation, noise restrictions, and capping the amount of material received. The details of a host agreement need to be finalized.

The petitioner provided a closure plan, which is included as Attachment 17. Staff contacted the petitioner's engineer with questions regarding accessing the \$53,750 mentioned in the plan. The petitioner and owner would be responsible for paying the \$50,000 civil penalty and \$10,000 per day penalty for not implementing the closure plan.

BUILDING CODES

No new buildings are planned as a result of this proposal. Any new structures constructed would be required to follow applicable building codes.

ACCESS

The property fronts Cannonball Trail. The petitioner plans to install a gravel driveway south of the lawn; see Attachments 7 and 8.

TRAILS

The petitioner already dedicated the necessary ROW for trails as required in the previous special use permit application.

PARKING

The petitioner already possesses a small amount of parking near the house and sheds; no additional parking is planned.

LIGHTING

No additional lighting is planned.

SIGNAGE

On page 5 of the Project Narrative, see Attachment 5, the petitioner outlined the type of signage that will be placed on the property.

SCREENING

All vehicles and equipment that can be moved shall be stored inside a building when not in use. The petitioner installed evergreen to separate the composting facility from the residential use. Additional screening may be required around the property. ZPAC requested that evergreens be planted along the eastern, southern and southwest property lines as a buffer.

STORMWATER

No portion of the property is in a flood area and no wetlands exist on the property.

WBK submitted Attachment 15 regarding stormwater calculations. The petitioner response is included as Attachment 16. WBK submitted a follow-up response which is included as Attachment 19. The petitioner followed up with a letter, Attachment 20. WBK responded with Attachment 21.

HOST FEE

The other landscape waste composting facility in the County pays a host fee of \$0.80 per ton. This figure will increase to \$0.85 per ton on December 1, 2019. ZPAC recommended a similar host fee for this proposal.

The host fee agreement with the other landscape waste composting facility is a separate document from the special use permit. Because of the detail of a host fee agreement, Staff recommends that the host fee agreement be a separate document from the special use permit.

FINDINGS OF FACT

*That the establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare. **The establishment, maintenance and operation of the proposed business allowed by the special use permit could be detrimental to the public health and safety if appropriate restrictions are not implemented to monitor soil and water for contamination. The petitioner has plans to monitor the site for vectors. Odors could come from the site and negatively impact nearby properties if the waste is not properly turned.***

*That the special use will not be substantially injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood. The Zoning classification of property within the general area of the property in question shall be considered in determining consistency with this standard. The proposed use shall make adequate provisions for appropriate buffers, landscaping, fencing, lighting, building materials, open space and other improvements necessary to insure that the proposed use does not adversely impact adjacent uses and is compatible with the surrounding area and/or the County as a whole. **Provided appropriate buffering is established along the south, east, and southwest property lines, the operations of the business shall not be visible to adjoining properties. Odors could negatively impact the enjoyment of residential neighbors of their property. The petitioner plans to live on the property and, by so doing, will experience the same negative impacts, if any arise, that the neighbors experience as they relate to odors or vectors.***

*That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. **True, adequate utilities and roads already egress exist and the petitioner plans to construct a gravel road to improve ingress and egress. The petitioner's drainage plan is adequate for the proposed use.***

*That the special use shall in all other respects conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the County Board pursuant to the recommendation of the Hearing Officer. **True, the special use shall conform to the applicable regulations of the district.***

*That the special use is consistent with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. **True, the proposed use is consistent with agricultural uses outlined in the Land Resource Management Plan because of the types of materials gathered onsite, the size of the proposed operations and the ability of the property to revert to other agricultural uses if the business proposed by the special use ceases operations.***

RECOMMENDATION

If approved, Staff recommends the following conditions be included in the approving special use ordinance:

1. The facility shall meet all Illinois Environmental Protection Agency requirements as identified in Title 35, Subtitle G, Chapter 1, Sub-chapter 1, Park 830, Standards for compost facilities.
2. Operational personnel shall be present on site during all hours which the facility is open for the receipt of landscape waste.
3. The hours during which landscape waste may be received shall be 7:00am to 3:00pm (**not 7:00 pm as originally proposed by the petitioner**) Monday through Friday. The petitioner does not wish to have Saturday hours. Processing operations shall cease after each day's receipts have been processed and placed in windrows, not to exceed three (3) additional hours.

4. The decibel levels at the property line shall not exceed Illinois Pollution Control Board standards or 65 dBA between 7:00am and 10:00pm and 55 dBA between 10:00pm and 7:00am as measured from the property line on receiving residential lands. This restriction shall not apply to noise generated from maintenance vehicles. The petitioner agrees that the stricter noise regulations shall apply in cases of conflict.
5. A locked gate shall restrict vehicle access during closed hours except that a "lock-box" shall allow access to emergency vehicles.
6. Water samples shall be taken by an independent testing service and analyzed by an independent laboratory. The locations, methods and frequency of sampling and testing shall be approved by the Kendall County Environmental Health Department Director. The test results shall be sent to the Environmental Health Department within forty-five (45) days of sampling. Water sampling shall occur at least one (1) time annually.
7. Soil samples shall be taken by an independent testing service and analyzed by an independent laboratory. The locations, methods and frequency of sampling and testing shall be approved by the Kendall County Environmental Health Department Director. The test results shall be sent to the Environmental Health Department within forty-five (45) days of sampling. Soil sampling shall occur at least one (1) time annually.
8. Authorized Kendall County personnel shall be allowed on site during business hours for inspection and testing.
9. The facility operator shall send up-to-date copies of the State permit and related documents including Operational Plan, Surface Water Management Plan, Pest Control Plan, Site Drawing, and an Annual Report to the County Solid Waste Coordinator.
10. Truck weights shall be limited to 73,280 pounds.
11. The operator shall provide weight receipts to Kendall County on a monthly basis.
12. Off-site debris and trash generated by the site must be cleaned-up on a daily basis on surrounding properties with the owner's permission.
13. Tub grinders located on the property shall operate between the hours of 9:00am and 3:00pm, Monday through Friday.
14. The owner of the business allowed by this special use permit shall reside on the premises as his/her primary residence.
15. Waste collected on the site shall be clean landscape waste only; no food scrap waste shall be collected onsite.
16. The facility will be permitted to take in a maximum 26,000 cubic yards annually.
17. One (1) non-illuminated sign, measuring no larger than 4 foot X 8 foot, stating the name of the business, hours of operation, contact information of the owner, types of material accepted and any other information required for posting by any agency authorized to regulate the business allowed by this special use permit may be placed on the property.
18. The site plan shall be kept on file as **Exhibit A** attached to the ordinance approving the special use permit.
19. No piles of materials shall be stacked higher than twenty (20) feet.
20. The petitioner shall plant Mission Arborvitae trees along the eastern, southern and southwestern

property lines. When planted the trees shall be 5 feet in height and shall provide a complete buffer from the east, south, and southwest within 5 years of planting. The location of the trees shall be included on the site plan. The petitioner shall maintain the existing tree line and shall replace trees as quickly as possible if they die or are severely damaged.

21. The County Solid Waste Coordinator shall maintain a log of complaints received on the facility allowed by this special use permit.
22. If the business allowed by this special use permit receives any violations or citations from the Illinois Environmental Protection Agency, the business shall submit notifications of violations or citations to the Kendall County Solid Waste Coordinator within 30 days of receipt.
23. All vehicles and equipment with wheels shall be stored entirely within an enclosed structure when the business allowed by this special use permit is closed.
24. Upon approval of the special permit, but prior to the commencement of operations, the petitioner shall enter into a Host Agreement with Kendall County. A valid host agreement shall be required for the duration of the special use permit awarded by this ordinance.
25. The business allowed by this special use permit shall obtain a performance bond in the amount of the Illinois Environmental Protection Agency (IEPA) permitted closure cost estimate with the penal sum of the performance bond payable to either Kendall County or the IEPA. This bond shall be secured prior to the commencement of operations.
26. The owner of the business allowed by this special use permit shall pave with asphalt the driveway used by the business from Cannonball Trail east for a distance of thirty (30) feet of the driveway. The portion of the driveway that is paved with asphalt shall be maintained in good condition during the duration of the special use permit **(This restriction was added at the Kendall County Regional Planning Commission meeting.)**
27. The business allowed by this special use permit shall follow all applicable federal, state, and local laws related to the operation of the business.
28. The special use permit awarded by this ordinance shall be considered separate from the special use permit awarded by Ordinance 2012-23. Nothing in the special use permit awarded for a composting of landscape waste business removes any obligations the property owner may have as it relates to the requirements of Ordinance 2012-23.
29. Failure to comply with the above restrictions and conditions shall be interpreted as a violation of the Zoning Ordinance of Kendall County and could result in the revocation of the special use permit or other legal actions.
30. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.

ATTACHMENTS

1. Zoning Plat
2. Plat of Easement
3. Site Operations
4. Aerial
5. Application Materials (Including Business Plan and Project Narrative, Proof of Ownership, NRI Summary, EcoCat, and Applicant's Version of Findings of Fact)
6. Application Addendum (Additional Business Information and Stormwater Information)
7. Entrance from Cannonball
8. Looking East
9. Looking East from Southeast Corner of Grass
10. Looking Southeast
11. Looking East from Driveway

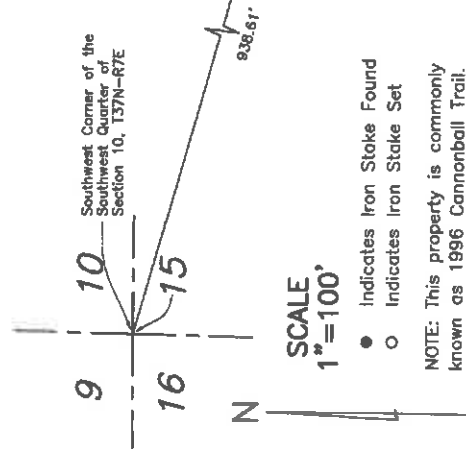
12. Looking South from Driveway
13. Looking North from Driveway
14. Ordinance 12-23
15. WBK Letter
16. Petitioner's Response to WBK Regarding Stormwater
17. Closure Plan
18. ZPAC Minutes
19. WBK Second Letter
20. Deigen and Associates, LLC Letter 5-24-17
21. WBK Letter 5-24-17
22. KCRPC Minutes 5-24-17

PLAT OF EASEMENT

PART OF THE SOUTHWEST QUARTER OF SECTION 10 and
PART OF THE NORTHWEST QUARTER OF SECTION 15, T37N-R7E, 3rd PM
BRISTOL TOWNSHIP KENDALL COUNTY ILLINOIS

LEGAL DESCRIPTION:

That part of the Southwest Quarter of Section 10, Township 37 North, Range 7 East of the Third Principal Meridian, and that part of the Northwest Quarter of Section 15, Township and Range aforesaid, described as follows: Commencing at the Southwest Corner of said Southwest Quarter, thence Southeasterly along a line which if extended would intersect the Northernly Line of the former lands of Charles Hunt at a point on said Northernly Line which is 1551.80 feet Westerly of the West Line of a tract of land conveyed by Nelson C. Rider to Jerry W. Rider by a Warranty Deed recorded November 29, 1911 in Book 66 of Deeds, Page 25 and depicted in Plat Book 1 at Page 62, a distance of 938.61 feet to the center line of Cannonball Trail; thence Southeasterly, along the line of the last described course, 39.21 feet to the Southeasterly Right-of-Way Line of Cannonball Trail for a point of beginning; thence Southeasterly of and parallel with said Southeasterly Right-of-Way Line, 16.80 feet to a line which is 15.0 feet parallel with said Southeasterly Right-of-Way Line, 514.07 feet; thence Northeasterly, along a tangential curve to the left with a radius of 1091.70 feet and being 15.0 feet Southeasterly of and concentric with said Southeasterly Right-of-Way Line, 69.45 feet to the Northeasterly Line of a Tract conveyed to Robert Velazquez by Special Warranty Deed recorded October 23, 2012 as Document 201200020734; thence Northeasterly, along said Velazquez Tract, 15.0 feet to said Southeasterly Right-of-Way; thence Southeasterly along said Southeasterly Right-of-Way, being a curve to the right with a radius of 1076.70 feet, an arc distance of 68.49 feet; thence Southeasterly, along said Southeasterly Right-of-Way, 521.64 feet to the point of beginning in Bristol Township, Kendall County, Illinois.



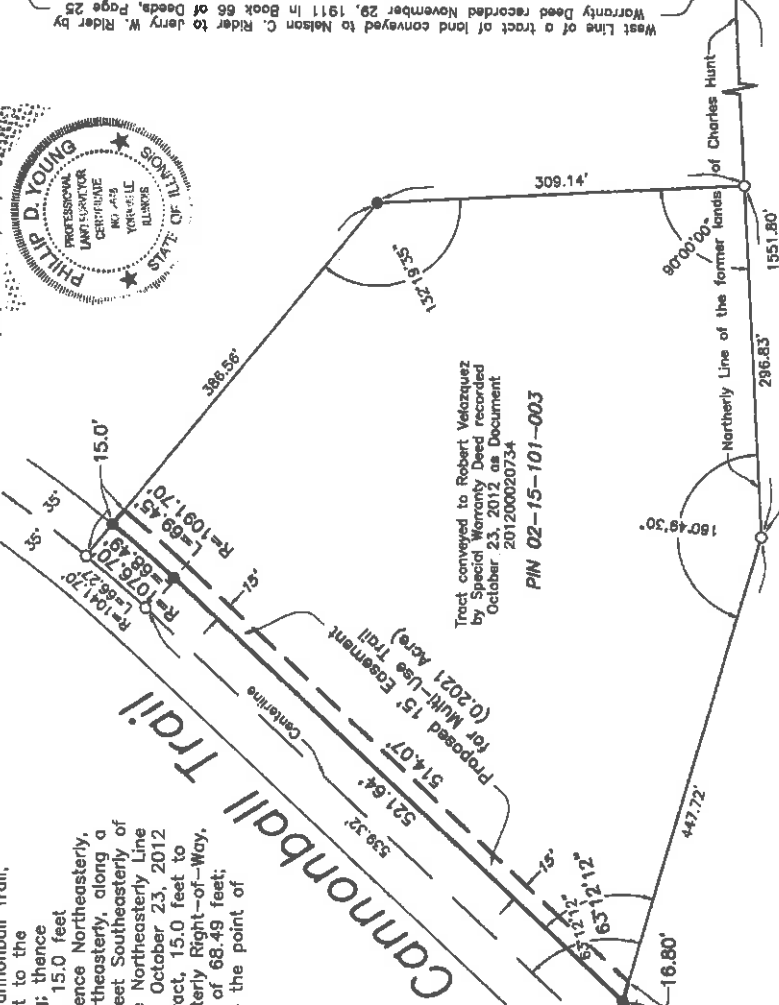
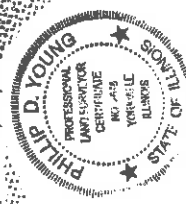
State of Illinois)
County of Kendall) SS
Attachment 2-Plat of Easement

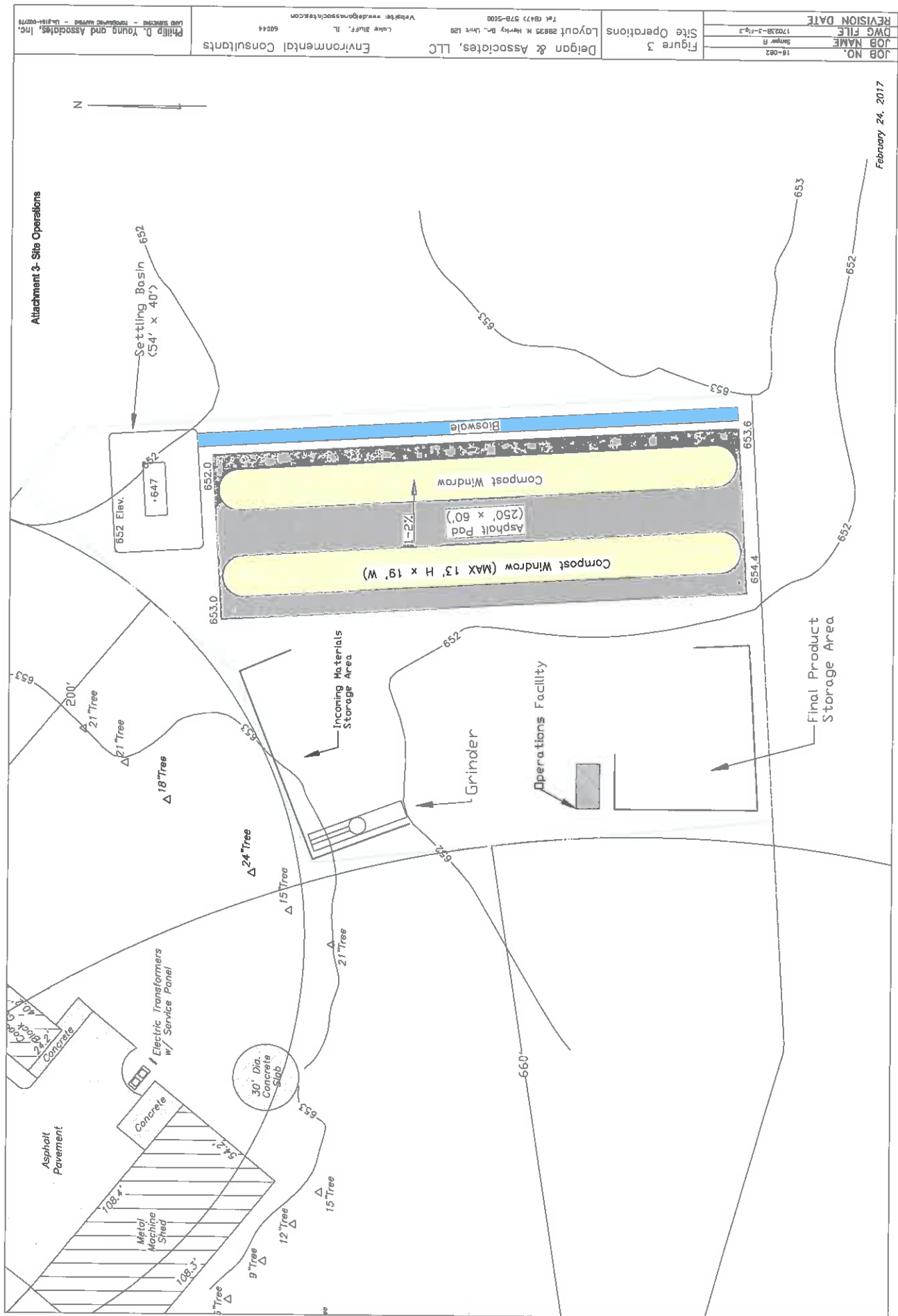
I, Phillip D. Young, an Illinois Professional Land Surveyor and an officer of Phillip D. Young and Associates, Inc., state that I have surveyed the attached described tract as shown by the plat hereon drawn which is a representation of said survey. Field work was completed February 24, 2017. This professional service conforms to the current Illinois minimum standard for a boundary survey.

Dated April 13, 2017 at Yorkville, Illinois

Phillip D. Young

Phillip D. Young
Illinois Professional Land Surveyor No. 2678
(Expires 11/30/18)





Attachment 3- Site Operations

February 24, 2017

JOB NO.	18-082
DWG FILE	17023B-3-Fig.3
REVISION DATE	17023B-3-Fig.3
Site Operations	Figure 3
Deigan & Associates, LLC	Layout 28835 N. Hwy 120
Environmental Consultants	60544
Philip D. Young and Associates, Inc.	60544
Lee S. Young - President	60544
Lee S. Young - President	60544



Attachment 5-Application Materials



Deigan & Associates, LLC
Environmental Consultants

28835 N Herky Dr. Unit 120

Lake Bluff, Illinois 60044

Phone 847.578.5000

Fax 847.549.3242

www.deiganassociates.com

January 24, 2017

Department of Planning, Building & Zoning
Kendall County
111 West Fox Street
Yorkville, Illinois 60560

Re: Special Use Application for Compost Facility
Semper Fi Land Inc.
1996 Cannonball Trail
Bristol, Kendall County, Illinois 60512

To Whom It May Concern:

Enclosed for your review is a Special Use application to develop a landscape waste compost facility for Semper Fi Land, Inc. located at 1996 Cannonball Trail in Bristol, Kendall County, Illinois. Please contact the applicant and the undersigned with questions or should your Staff need additional information.

Sincerely,
Deigan & Associates, LLC

Steven M. Schilling, P.E.
Sr. Project Manager/Sr. Engineer

Gary J. Deigan
Principal

Enclosures

Sustainable Environmental Solutions

www.deiganassociates.com

Special Use Application Landscape Waste Compost Facility

Owner:



Robert R. Velazquez

SEMPER FI LAND INC.

VOSB CVE MBE DBE SBE

Facility Location:
1996 Cannonball Trail
Bristol, Kendall County, Illinois 60512

January 24, 2017

Submitted to:
Kendall County
Department of Planning, Building & Zoning
111 West Fox Street
Yorkville, Illinois 60560

Prepared by:



Deigan & Associates, LLC
Environmental Consultants

28835 N Herky Dr. Unit 120
Lake Bluff, Illinois 60044

Phone 847.578.5000

Fax 847.549.3242

www.deiganassociates.com

Sustainable Environmental Solutions

www.deiganassociates.com

**DEPARTMENT OF PLANNING, BUILDING & ZONING**

111 West Fox Street • Yorkville, IL • 60560
(630) 553-4141 Fax (630) 553-4179

APPLICATIONPROJECT NAME Semper Fi Compost FacilityFILE # 17-09

NAME OF APPLICANT Robert Velazquez		
CURRENT LANDOWNER/NAME(s) Robert Velazquez		
SITE INFORMATION ACRES 5.2	SITE ADDRESS OR LOCATION 1996 Cannonball Trail, Bristol, Illinois	ASSESSOR'S ID NUMBER (PIN) 02-15-101-003
EXISTING LAND USE Ag - Residential	CURRENT ZONING A-1	LAND CLASSIFICATION ON LRMP Suburban Residential
REQUESTED ACTION (Check All That Apply) <input checked="" type="checkbox"/> SPECIAL USE <input type="checkbox"/> MAP AMENDMENT (Rezone to _____) <input type="checkbox"/> VARIANCE <input type="checkbox"/> ADMINISTRATIVE VARIANCE <input type="checkbox"/> A-1 CONDITIONAL USE for _____ <input type="checkbox"/> SITE PLAN REVIEW <input type="checkbox"/> TEXT AMENDMENT <input type="checkbox"/> PRELIMINARY PLAT etc.) <input type="checkbox"/> RPD (<input type="checkbox"/> Concept, <input type="checkbox"/> Preliminary, <input type="checkbox"/> Final) <input type="checkbox"/> ADMINISTRATIVE APPEAL <input type="checkbox"/> FINAL PLAT <input type="checkbox"/> OTHER PLAT (Vacation, Dedication, AMENDMENT TO A SPECIAL USE (<input type="checkbox"/> Major, <input type="checkbox"/> Minor)		
PRIMARY CONTACT Robert Velazquez	PRIMARY CONTACT MAILING ADDRESS 1996 Cannonball Trail, Bristol, IL	PRIMARY CONTACT EMAIL
PRIMARY CONTACT PHONE # 	PRIMARY CONTACT FAX # 	PRIMARY CONTACT OTHER # (Cell, etc.)
ENGINEER CONTACT Gary Deigan	ENGINEER MAILING ADDRESS 28835 N. Herky Drive, Unit 120, Lake Bluff, IL	ENGINEER EMAIL
ENGINEER PHONE # 	ENGINEER FAX # 	ENGINEER OTHER # (Cell, etc.)
I UNDERSTAND THAT BY SIGNING THIS FORM, THAT THE PROPERTY IN QUESTION MAY BE VISITED BY COUNTY STAFF & BOARD/ COMMISSION MEMBERS THROUGHOUT THE PETITION PROCESS AND THAT THE PRIMARY CONTACT LISTED ABOVE WILL BE SUBJECT TO ALL CORRESPONDANCE ISSUED BY THE COUNTY.		
I CERTIFY THAT THE INFORMATION AND EXHIBITS SUBMITTED ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND THAT I AM TO FILE THIS APPLICATION AND ACT ON BEHALF OF THE ABOVE SIGNATURES.		
SIGNATURE OF APPLICANT 		DATE 1-24-17

FEE PAID: \$ _____

CHECK #: _____

¹Primary Contact will receive all correspondence from County²Engineering Contact will receive all correspondence from the County's Engineering Consultants



Deigan & Associates, LLC
Environmental Consultants

Project Narrative

Special Use Application – Sempre Fi Land Inc.
1996 Cannonball Trail, Bristol, Kendall County, Illinois

Sustainable Environmental Solutions
www.deiganassociates.com

1.0 Applicant Identification and Location Information

The Special Use Application proposes to utilize the property located at 1996 Cannonball Trail in Bristol, Kendall County, Illinois (the "Site"), depicted in **Figure 1** (the Site Map), as a landscape waste composting facility operated by Semper Fi Land, Inc. (Semper Fi). The property is currently approved for operation as a landscape contracting Co. This special use application would simply allow yard waste to be processed into mulch as an important recycling benefit to managing yard waste. Semper Fi is a veteran-owned small, disadvantaged business enterprise, owned and operated by Mr. Robert Velazquez. Semper Fi has been operating as a business in Kendall County for over 10 years.

Semper Fi has completed the Special Use Application (including the application fee) which is included as an attachment.

According to the Plat of Survey, the legal description of the Site is as follows:

"THAT PART OF THE SOUTHWEST QUARTER OF SAID SECTION 10 TOWNSHIP 37 NORTH RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN AND THAT PART OF THE NORTHWEST QUARTER OF SAID SECTION 15, TOWNSHIP AND RANGE AFORESAID DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHWEST QUARTER; THENCE SHOUTHEASRTLY ALONG A LINE WHICH IF EXTENDED WOULD INTERSECT THE NORTHERLY LINE OF THE FORMER LANDS OF CHARLES HUNT AT A POINT ON SAID NORTHERLY LINE WHICH IS 1551.80 FEET WESTERLY OF THE WEST LINE OF A TRACT OF LAND CONVETED BY NELSON C. RIDER TO JERRY W. RIDER BY A WARRANTY DEED RECORDER NOVEMBER 29, 1911 IN BOOK 66 DEEDS, PAGE 25 AND DEPICTED IN PLAT BOOK 1 AT PAGE 62, A DISTANCE OF 938.61 FEET TO THE CENTER LINE OF CANNONBALL TRAIL, FOR A POINT OF BEGINNING; THENCE SOUTHEARLY ALONG THE LAST DESCRIBED COURSE EXTENDED, 447.72 FEET TO SAID NORTHERLY LINE; THENCE EASTERLY ALONG SAID NORTHERLY LINE, WHICH FORMS AN ANGLE OF 160 DEGREES 49 MINUTES 30 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED CLOCKWISE THEREFROM, 296.83 FEET; THENCE NORTHERLY AT RIGHT ANGLES TO THE LAST DESCRIBED COURSE, 309.14 FEET; THENCE NORTHWESTERLY ALONG A LINE WHICH FORMS AN ANGLE OF 132 DEGREES 19 MINUTES 35 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURE CLOCKWISE THEREFROM, 386.56 FEET TO THE CETNER LINE OF CANNONBALL TRAIL; THENCE SOUTHWESTERLY ALONG CENTERLINE TO THE POINT OF BEGINNING, EXCEPTING THEREFORE THAT PART TAKEN FOR PUBLIC ROAD PURPOSES. IN BRISTOL TOWNSHIP KENDALL COUNTY ILLINOIS."

A. Proposed Use of Site

Semper Fi has applied for all necessary Illinois EPA permits to become a landscape waste compost facility concurrently with its application for Special Use Zoning. A landscape waste compost facility provides important recycling and processing of landscape waste into mulch. Semper Fi will utilize only landscape waste including yard waste and other woody material for compost material. Food waste or other organic waste will not be received. Approximately 85% of the landscape waste will be processed into mulch and the other 15% of the material will be processed compost material that is used as a soil supplement for planting.

The site's existing use as landscape waste contractor yard and its rural setting with large buffer zones and proposed vegetative screening make this property a compatible use for compost/mulch production. The Semper Fi Owner resides on the property, thus further ensuring that the facility will be a good neighbor.

B. Days and Hours of Operation

Business hours for the landscape waste composting facility will be 7 AM to 3:00 PM Monday through Friday. The facility will be closed on Saturday and Sunday. The grinder will only be operated during the above business hours.

At the entrance of the compost facility a permanent sign will be placed containing pertinent information for operating such landscape waste compost facility. The sign shall read:

Semper Fi Land Inc. Landscape Waste Compost Facility

1996 Cannonball Trail, Bristol, Illinois 60512

Operating Hours: M – F 7 AM – 3 PM (post project contractor landscape waste unloading may occur until 7PM).

Materials Accepted: Wood materials including wood chips, branches and logs

Yard waste including leaves, grass clippings and small branches

COMPLAINTS CONCERNING THIS FACILITY CAN BE MADE TO THE FOLLOWING PERSONS: OWNER/OPERATOR: ROBERT VELAZQUEZ, (630) 518-8484 ILLINOIS ENVIRONMENTAL PROTECTION AGENCY, BUREAU OF LAND (217) 782-3397

It is important to note that IEPA or its delegated inspection program to the County will have authority to inspect this facility and cite non-compliance matters.

C. Employees & Training Procedures

It is estimated that 2-5 employees will be used for the Semper Fi composting operation. These employees can be broken down into the following job descriptions: facility owner, equipment operators, and landscape waste truck drivers.

The facility owner/manager is directly responsible for overall day-to-day operations. Additional employees on-site will include two equipment operators. Responsibilities will be to keep the operating areas clean and organized. The equipment operators will also be responsible for greeting visitors, completing paperwork, and directing customers to designated landscape waste areas for processing. Equipment operators move landscape waste from designated storage areas to the facility grinder for processing. Equipment operators will process materials to make mulch and compost. Semper Fi drivers will transport landscape waste from Semper Fi jobs for processing. Operating hours for material brought to the site are from 7 AM to 7 PM, all material brought to the site will be processed within the applicable IEPA standards. The tub grinder will only operate from 7AM to 3PM.

Semper Fi management and employees will be trained to ensure compliance with all conditions of the IEPA permit and Kendall County requirements.

D. Logistics

Landscape waste is processed at the facility as shown on **Figure 3**. Landscape waste is delivered to the facility by Semper Fi trucks, other landscape waste contractors, or homeowners who have generated landscape waste. To access the compost facility operations a driveway will be constructed on the southern portion of the Site, that provides access from Cannonball Trail. This proposed driveway will be the main path for incoming and outgoing trucks. The road will provide suitable load bearing capacity and appropriate turning radius for the types of trucks that enter and exit the Semper Fi Facility. As trucks enter the facility, they are directed to operations building to gather information on the incoming material and complete an inspection of the material. The visual inspection will ensure raw materials brought to the facility are only woody materials or landscape waste and are free of any materials that would pose as a hazard to human health, including glass or metal shards. The visual inspections will ensure materials brought to the site do not contain man made materials larger than four millimeters in size. Once incoming material is inspected and recorded, trucks are directed to the appropriate unloading area by employees. The quantity of incoming compost material and mulch will be measured by monitoring the size of the truck loads, and maintaining a count of loads per day. Records will be kept in the operations building onsite.

Semper Fi will accept woody material and yard waste including wood chips, branches, logs, leaves, grass clippings, and small tree limbs for compost material. The material accepted at the Site will consist of approximately 70% woody material and 30% landscape waste. The landscape waste brought to the facility will be sorted into material requiring further processing including size separation and grinding. The estimated amount of

landscape waste to be received by the facility ranges between 100 and 150 cubic yards per day. The maximum the facility anticipates receiving in a day is 250 cubic yards. This low volume will ensure timely processing (which ensures odors are mitigated) and reasonable, low profile material stockpiles.

The typical composition of the daily recycle stream is approximated in the following table. Percentages are based on waste composition by quantity of material received.

Daily Recycle Stream Categories	Material Types	% of Total Recycle Stream (By Weight)
Wood Material	Wood Chips	70%
	Branches	
	Logs	
Landscape Waste	Grass Clippings	30%
	Leaves	
	Small tree limbs	

This typical composition may vary widely based on the type of landscape jobs being completed in the area. Approximately 85% of material will be processed into mulch and 15% will be processed into compost material.

F. Composting and Mulching Procedure

Two equipment operators will be employed at the Site. The equipment operators will be responsible for maintaining the operations area, greeting and directing customers, managing paperwork, and processing composting material. Semper Fi anticipates receiving approximately 2,000 to 3,000 cubic yards of landscape waste per month to process during the 9-10 month landscape season. Incoming composting waste will be quantified through monitoring incoming truck loads and the various truck sizes.

Methods implemented to control the type of landscape waste received will include inspecting each load received to verify that non-compostable waste is not being transported to the Site. If non-compostable material is transported to the Site, the non-compostable material will be rejected and prohibited from being dumped on-site.

Staging areas on-site will be adequate in size and design to facilitate the unloading of landscape waste from delivery vehicles. The southeast portion of the Site property will be utilized for vehicle delivery and turnaround, staging of unprocessed materials (drop-off), tub grinder operations, and stockpiled compost material. The staging areas on-site comprise approximately 1.2 acres.

Prior to windrowing, the compost waste will be processed through a tub grinder. The maximum length of time required to process each day's receipt of waste into windrows will be by the end of day.

The windrows will be constructed for optimum oxygen transfer, while maintaining temperatures in the proper range. Windrow construction will include lifting the compostable material with an excavating bucket of a front-end loader, and letting it cascade to the ground to form a loose pile of compost. After windrowing the compostable material, the material will be lightly compacted with a loader or excavator bucket. The dimensions of the two windrow piles will each be approximately 13 feet high by 19 feet wide, and between 200-250 linear feet. Both windrow piles will be turned at least monthly (or more frequently as needed) using a front-end loader. The Site will be lined with trees that will provide a visual buffer and aesthetics. Some areas of the site may be fenced to prevent unknowing trespasser safety concerns around equipment.

Approximately 85% of landscape waste brought to the Site will be ground into mulch for reuse and resale. The woody material will be ground and placed in the designated storage areas for Semper Fi landscape jobs or resale to contractors and home owners.

The source and providers of landscape waste will include Semper Fi and others who have clean usable materials available. The end users will include Semper Fi, homeowners, and other landscape contractors.

II. Equipment

Semper Fi Trucks: The Semper Fi truck fleet will bring landscape waste to the Site from Semper Fi jobs for composting.

Tub Grinder: The role of the Morbark 1000 Tub Grinder is to reduce the landscape waste to mulch/compost material. The grinder can operate at a capacity of 30 tons/hour. The grinder is 48'2" in length, 8'6" wide, 12'11" in height, and weighs approximately 28,740 lbs.

Wheel Loader: A three-yard wheel loader will be used to support the unloading/sorting process and to move heavy objects around the facility.

Skid-steer Loader: A tracked skid-steer will be used for onsite operations, primarily for clean up around site operation equipment. They are also used for other site tasks when needed.

In the event of equipment break down causing facility operations to cease, proper equipment will be leased/rented until repairs can be made to ensure processing times and composting procedures are achieved.

I. Dust, Odor, Noise, and Vector Control

In the unlikely event that temporary odors are observed on-site, the compost piles will be immediately aerated. Compost piles will be aerated frequently to prevent potential odors at the Site.

All loads delivered to the Site will undergo visual inspection to ensure only landscape material is brought onsite prior to proper dumping. Loads that are observed with improper material will be directed off the premises by Semper Fi employees.

If noticeable dust is observed at the Site, Semper Fi Land, Inc. will wet the ground (or source of dust) with water to prevent further spreading. Noise mitigation strategies will be implemented at the Site through the use of a vegetative perimeter buffer. If noise issues persist at the Site, an engineered noise barrier will be installed at the Site. Further, the Site will only operate during regular business hours to not disrupt the surrounding residences.

Vectors, such as insects, ticks, rodents, some birds, and other animals, will be controlled through various strategies. One method of vector control would be density reduction, by focusing population density controls at the breeding sites. Methods would include environmental management (drainage, filling, leveling of depressions and borrow pits, etc.) or the use of insecticides (larvicides). Larvicides may only be used as a last resort and in extreme cases, and if larvicides are used, the chemical should not kill non-target organisms or contaminate soil or groundwater. Additionally, garbage will not be left out at the Site and odor will be controlled with methods previously described.

J. Daily Cleanup

The facility is maintained on a daily basis by placing incoming landscape waste into designated storage area for processing. Once material have been processed, material will be placed in the correct corresponding area for making compost material. The loading/unloading area is cleaned with the tracked skid-steer to maintain safe truck access. Facility is cleaned daily to minimize dust, debris, odors, and vectors onsite by utilizing equipment onsite, hand brooms, and/or wetting surfaces when necessary.

3. Stormwater Runoff Management

Stormwater and landscape waste leachate controls as required pursuant to 35 IAC 830.204 will be used. Stormwater or other water which comes into contact with landscape waste will be considered landscape waste leachate and will be collected and reused in the process.

properly disposed of off-site, or treated as necessary prior to discharge off-site. Particular design measures will prevent ponding of landscape waste leachate on-site.

The design of the facility will prevent any compost material from being placed within five feet of the water table pursuant to 35 IAC 830.203(a)(3). Published groundwater data (obtained from the ISGS IL.WATER Interactive Online Map) shows that the static groundwater level at the nearest private water well located approximately 585 feet to the west of the Site is approximately 19 feet below ground surface (bgs). Further, the Site elevation at this well is noted as 669 feet above mean sea level (amsl). It is likely that groundwater elevation at the Site is similar to that of the nearby well. Thus, due to the location of the water table in relation to site elevation, compost material would not be placed within five feet of the water table. Additionally, during the sub-surface investigation on-site on September 2, 2016, a soil boring was advanced to 12 feet below ground surface (bgs). The water table was not encountered during this investigation, thus indicating that the water table is located greater than 12 feet bgs at the Site.

According to 35 IAC Part 830, Standards for Compost Facilities, soil on-site must be "relatively impermeable soil", meaning soil located above the water table that has a hydraulic conductivity no greater than 1×10^{-5} centimeters per second for a thickness of at least one foot. Test results from the permeability tests reveal a hydraulic conductivity of 1.33 cm/sec. This result will require construction of an impermeable surface at the Site.

To ensure any stormwater that comes in contact with the Site will not infiltrate to the native soils, an impermeable surface will be constructed in the entire compost facility operations. The compost facility surface will be constructed of impermeable surfaces including asphalt, concrete, compacted asphalt grindings, or another impermeable surface. The impermeable surface will be sloped approximately 0.5% to 2% from west to east towards the bioswale that will collect and infiltration stormwater eliminating any non-stormwater discharge. Impermeable surfaces will be inspected frequently to ensure compliance. Measures will be taken to correct any impermeable surface imperfections that would otherwise allow infiltration to the native soils below.

Drainage on the eastern portion of the property will be directed to a 300' bioswale that will collect, infiltrate, and filter runoff from the site. During large storm events water will be diverted to an under drain system below the bioswale to collect water and transport to the settling basin depicted in **Figure 3**. The settling basin will allow for additional settlement/treatment of stormwater runoff that is not treated from the bioswale. Excess water from the settling basin will be utilized for dust control operations as well as composting moisture. This allows for a 100% recycling operation of stormwater. A Kendall County Stormwater Permit Application has been prepared for the facility using stormwater best management practices.

Semper Fi Land, Inc.
Bristol, Kendall County, Illinois
Application for Permit
REV – 0
January 24, 2017



According to the Illinois State Geological Survey (ISGS) Illinois Water Well (ILWATER) Interactive Online Map, the nearest well (API 120932485100) is located approximately 585 feet to the west-southwest of the Site (depicted in **Figure 3**).

According to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) Map Number 17093C0035H, the Site is located outside the boundary of the 10-year floodplain.



Deigan & Associates, LLC
Environmental Consultants

Proof of Ownership

Special Use Application – Sempre Fi Land Inc
1996 Cannonball Trail, Bristol, Kendall County, Illinois

Sustainable Environmental Solutions
www.deiganassociates.com



AFTER RECORDING RETURN TO: !

- Mr. D. H. R.

Robert Velazquez

201200020/34

DEBBIE
GILLETTE
KENDALL COUNTY, IL

RECORDED: 10/23/2012 12:10 PM
WD: 511.00 RNSPS FEE: 10.00
PAGES: 3

PERMANENT INDEX NUMBER:

02-15-101-003

PROPERTY ADDRESS:

1996 Cannonball Trail
Bristol, Illinois 60512

SPECIAL WARRANTY DEED

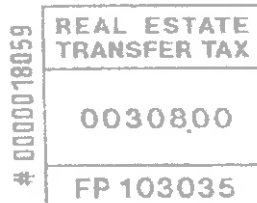
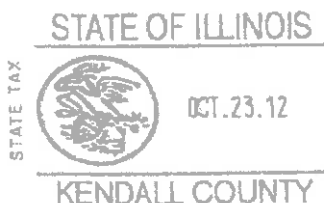
THIS INDENTURE is made as of September 28 2012 between PB IL OREO, LLC, an Illinois limited liability company, having an address of 70 W. Madison Street, Suite 200, Chicago, Illinois 60602 (the "Grantor"), and ROBERT VELAZQUEZ, having an address of 1275 Golfview Street, Aurora, Illinois 60506 (the "Grantee"):

WITNESSETH, Grantor, for and in consideration of the sum of Ten Dollars in hand paid by the Grantee, the receipt whereof is hereby acknowledged, by these presents does hereby GRANT, SELL AND CONVEY unto the Grantee, his successors and assigns, the following described real estate, together with any and all improvements located thereon and all rights, easements and appurtenances thereto in any way belonging (collectively, the "Property"), situated in the County of Kendall, State of Illinois, and described on Exhibit A attached hereto.

Grantor hereby covenants, promises and agrees, to and with Grantee, its successors and assigns, that it has not done or suffered to be done, anything whereby the Property granted is, or may be, in any manner encumbered or charged, except as herein recited; and that the Property, against all persons lawfully claiming, or to claim the same, by, through or under it, it WILL WARRANT AND DEFEND.

[SIGNATURE PAGE FOLLOWS]

154.00 DT



FIDELITY NATIONAL TITLE

IN WITNESS WHEREOF, Grantor has signed this instrument the day and year first above written.

PB IL OREO, LLC

By: 

Its: MANAGING DIRECTOR


By: 

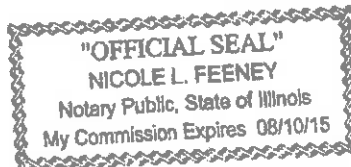
Its: James Thompson
Managing Director

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

The undersigned, Nicole L. Feeney, a notary public in and for said County, in the State aforesaid, DOES HEREBY CERTIFY that Andrew Catulina and Edward Corbett, personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person and severally acknowledged that they signed and delivered the said instrument as their and voluntary act, on behalf of PB IL OREO, LLC, for the uses and purposes therein set forth.

GIVEN under my hand and official seal this 28th day of September, 2012.


Notary Public



This instrument was prepared by: H. Jeffrey McCown, McCown Law Offices, 22837 S. Wirth, Frankfort, Illinois 60423

Exhibit A

Legal Description

THAT PART OF THE SOUTHWEST QUARTER OF SAID SECTION 10 TOWNSHIP 37 NORTH RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN AND THAT PART OF THE NORTHWEST QUARTER OF SAID SECTION 15. TOWNSHIP AND RANGE AFORESAID DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHWEST QUARTER; THENCE SOUTHEASTERLY ALONG A LINE WHICH IF EXTENDED WOULD INTERSECT THE NORTHERLY LINE OF THE FORMER LANDS OF CHARLES HUNT AT A POINT ON SAID NORTHERLY LINE WHICH IS 1551.80 FEET WESTERLY OF THE WEST LINE OF A TRACT OF LAND CONVEYED BY NELSON C. RIDER TO JERRY W. RIDER BY A WARRANTY DEED RECORDED NOVEMBER 29, 1911 IN BOOK 66 DEEDS, PAGE 25 AND DEPICTED IN PLAT BOOK 1 AT PAGE 62, A DISTANCE OF 938.61 FEET TO THE CENTER LINE OF CANNONBALL TRAIL, FOR A POINT OF BEGINNING; THENCE SOUTHEASTERLY AOLNG THE LAST DESCRIBED COURSE EXTENDED, 447.72 FEET TO SAID NORTHERLY LINE; THENCE EASTERLY ALONG SAID NORTHERLY LINE, WHICH FORMS AN ANGLE OF 160 DEGREES 49 MINUTES 30 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED CLOCKWISE THEREFROM, 296.83 FEET; THENCE NORTHERLY AT RIGHT ANGLES TO THE LAST DESCRIBED COURSE, 309.14 FEET; THENCE NORTHWESTERLY ALONG A LINE WHICH FORMS AN ANGLE OF 132 DEGREES 19 MINUTES 35 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED CLOCKWISE THEREFROM, 386.56 FEET TO THE CENTER LINE OF CANNONBALL TRAIL; THENCE SOUTHWESTERLY ALONG SAID CENTERLINE TO THE POINT OF BEGINNING IN BRISTOL TOWNSHIP KENDALL COUNTY ILLINOIS.

PERMANENT INDEX NUMBER:

02-15-101-003

PROPERTY ADDRESS:

1996 Cannonball Trail
Bristol, Illinois 60512

Kendall County Land Evaluation and Site Assessment (LESA):

Decision-makers in Kendall County use the Land Evaluation and Site Assessment (LESA) system to determine the suitability of a land use change and/or a zoning request as it relates to agricultural land. The LESA system was developed by the United States Department of Agriculture-Natural Resources Conservation Service (USDA-NRCS) and takes into consideration local conditions such as physical characteristics of the land, compatibility of surrounding land-uses, and urban growth factors. The LESA system is a two-step procedure that includes:

- **LAND EVALUATION (LE)** – The soils of a given area are rated and placed in groups ranging from the best to worst suited for a stated agriculture use, cropland or forestland. The best group is assigned a value of 100 and all other groups are assigned lower values. The Land Evaluation is based on data from the Kendall County Soil Survey. The Kendall County Soil and Water Conservation District is responsible for this portion of the LESA system.
- **SITE ASSESSMENT (SA)** – The site is numerically evaluated according to important factors that contribute to the quality of the site. Each factor selected is assigned values in accordance with the local needs and objectives. The Kendall County LESA Committee is responsible for this portion of the LESA system.

Table 4a: Land Evaluation Computation

Soil Type	Value Group	Relative Value	Acres	Product (Relative Value x Acres)
318C2	6	69	0.8	55.2
369A	2	94	3.9	366.6
791A	4	79	0.3	23.7
Totals			5.0	445.5
LE Score		LE= 445.5/5.0		LE= 89.1 (89)

The Land Evaluation score for this site is **89**, indicating that this site is predominately prime farmland well suited for agricultural production.

Table 4b: Site Assessment Computation

A.	Agricultural Land Uses	Points
	1. Percentage of area in agricultural uses within 1.5 miles of site. (20-10-5-0)	5
	2. Current land use adjacent to site. (30-20-15-10-0)	30
	3. Percentage of site in agricultural production in any of the last 5 years. (20-15-10-5-0)	10
	4. Size of site. (30-15-10-0)	0
B.	Compatibility / Impact on Uses	
	1. Distance from city or village limits. (20-10-0)	0
	2. Consistency of proposed use with County Land Resource Management Concept Plan and/or municipal comprehensive land use plan. (20-10-0)	10
	3. Compatibility of agricultural and non-agricultural uses. (15-7-0)	0
C.	Existence of Infrastructure	
	1. Availability of public sewage system. (10-8-6-0)	8
	2. Availability of public water system. (10-8-6-0)	8
	3. Transportation systems. (15-7-0)	7
	4. Distance from fire protection service. (10-8-6-2-0)	2
	Site Assessment Score:	80

Land Evaluation Value: 89 + Site Assessment Value: 80 = LESA Score: 169

LESA SCORE	LEVEL OF PROTECTION
0-200	Low
201-225	Medium
226-250	High
251-300	Very High

The LESA Score for this site is **169** which indicates a low level of protection for the proposed project site. Note: Selecting the project site with the lowest total points will generally protect the best farmland located in the most viable areas and maintain and promote the agricultural industry in Kendall County.

LAND USE OPINION:

The Kendall County Soil and Water Conservation District (SWCD) Board has reviewed the proposed development plans for Petitioner Semper Fi Land Service for the proposed Semper Fi Compost Facility project. This parcel is located in Section 10 & 15 of Bristol Township (T.37N.-R.7E. of the 3rd Principal Meridian) in Kendall County. Based on the information provided by the petitioner and a review of natural resource related data available to the Kendall County SWCD, the SWCD Board has the following opinions and recommendations.

The Kendall County SWCD has always had the opinion that Prime Farmland should be preserved whenever feasible. A land evaluation, which is a part of the Land Evaluation and Site Assessment (LESA) was conducted on this parcel. The soils on this parcel scored a 89 out of a possible 100 points indicating the soils found on the project site are predominately prime farmland well suited for agricultural production. All of the soils identified onsite are designated as prime farmland. The proposed project is requesting an A-1 Special Use permit to operate a landscape waste compost facility.

For proposed land uses, soils can have potential limitations. This report indicates that for soils located on the parcel, 100% of the soils are very limited for shallow excavations; 85.5% of the soils are very limited for local roads/streets and 15% are rated as unsuitable for onsite conventional sewage disposal systems. This information is based on the soil in an undisturbed state and does not replace the need for site specific soil testing. Some soil reclamation, special design, or maintenance may be required to obtain suitable soil conditions to support development with significant limitations. Additionally, if the scope of the project includes the use of onsite septic systems, please consult with the Kendall County Health Department.

This site is located within the Fox River Watershed and Blackberry Creek subwatershed.

This development should include a soil erosion sediment control plan to be implemented during construction. Sediment may become a primary non-point source of pollution. Eroded soils during the construction phase can create unsafe conditions on roadways, degrade water quality and destroy aquatic ecosystems lower in the watershed.

For intense project uses it may be necessary to have a drainage tile survey completed on the parcel to locate any subsurface drainage tile if suspected onsite. Drainage tile expedites drainage and facilitates farming. It is imperative that these drainage tiles remain undisturbed. Impaired tile may affect a few acres or hundreds of acres of drainage.

The information that is included in this Natural Resources Information Report is to assure the Land Developers take into full consideration the limitations of that land that they wish to develop. Guidelines and recommendations are also a part of this report and should be considered in the planning process. The Natural Resource Information Report is required by the Illinois Soil and Water Conservation District Act (Ill. Compiled Statutes, Ch. 70, Par 405/22.02a).


Chair

Date



Deigan & Associates, LLC
Environmental Consultants

Endangered Species Consultation Report

Special Use Application – Sempre Fi Land Inc.
1996 Cannonball Trail, Bristol, Kendall County, Illinois

Sustainable Environmental Solutions
www.deiganassociates.com

Applicant: Deigan & Associates
Contact: Katie Kult
Address: 28835 N. Herky Drive, Unit 120
Lake Bluff, IL 60044

Project: Semper Fi Compost Facility
Address: 1996 Cannonball Trail, Bristol, IL

IDNR Project Number: 1706246
Date: 01/16/2017

Description: The EcoCAT is being submitted for the development of a Compost Facility for the property located at 1996 Cannonball Trail in Bristol, Kendall County, Illinois as a landscape waste composting facility operated by Semper Fi Land, Inc. Semper Fi is owned and operated by Robert Velazquez. The compost facility will be developed in accordance to Title 35 Illinois Administrative Code 830 and other Federal, State, and Local rules and regulations. The Site is currently utilized as a residential dwelling and agricultural land.

Natural Resource Review Results

Consultation for Endangered Species Protection and Natural Areas Preservation (Part 1075)

The Illinois Natural Heritage Database contains no record of State-listed threatened or endangered species, Illinois Natural Area Inventory sites, dedicated Illinois Nature Preserves, or registered Land and Water Reserves in the vicinity of the project location.

Consultation is terminated. This consultation is valid for two years unless new information becomes available that was not previously considered; the proposed action is modified; or additional species, essential habitat, or Natural Areas are identified in the vicinity. If the project has not been implemented within two years of the date of this letter, or any of the above listed conditions develop, a new consultation is necessary. Termination does not imply IDNR's authorization or endorsement.

Location

The applicant is responsible for the accuracy of the location submitted for the project.

County: Kendall

Township, Range, Section:

37N, 7E, 10

37N, 7E, 15



IL Department of Natural Resources
Contact
Keith Shank
217-785-5500
Division of Ecosystems & Environment

Government Jurisdiction
Kendall County
Brian Holdiman
111 West Fox Street Room 203
Yorkville, Illinois 60560

Disclaimer

The Illinois Natural Heritage Database cannot provide a conclusive statement on the presence, absence, or condition of natural resources in Illinois. This review reflects the information existing in the Database at the time of this inquiry, and should not be regarded as a final statement on the site being considered, nor should it be a substitute for detailed site surveys or field surveys required for environmental assessments. If additional protected resources are encountered during the project's implementation, compliance with applicable statutes and regulations is required.

Terms of Use

By using this website, you acknowledge that you have read and agree to these terms. These terms may be revised by IDNR as necessary. If you continue to use the EcoCAT application after we post changes to these terms, it will mean that you accept such changes. If at any time you do not accept the Terms of Use, you may not continue to use the website.

1. The IDNR EcoCAT website was developed so that units of local government, state agencies and the public could request information or begin natural resource consultations on-line for the Illinois Endangered Species Protection Act, Illinois Natural Areas Preservation Act, and Illinois Interagency Wetland Policy Act. EcoCAT uses databases, Geographic Information System mapping, and a set of programmed decision rules to determine if proposed actions are in the vicinity of protected natural resources. By indicating your agreement to the Terms of Use for this application, you warrant that you will not use this web site for any other purpose.

2. Unauthorized attempts to upload, download, or change information on this website are strictly prohibited and may be punishable under the Computer Fraud and Abuse Act of 1986 and/or the National Information Infrastructure Protection Act.

3. IDNR reserves the right to enhance, modify, alter, or suspend the website at any time without notice, or to terminate or restrict access.

Security

EcoCAT operates on a state of Illinois computer system. We may use software to monitor traffic and to identify unauthorized attempts to upload, download, or change information, to cause harm or otherwise to damage this site. Unauthorized attempts to upload, download, or change information on this server is strictly prohibited by law.

Unauthorized use, tampering with or modification of this system, including supporting hardware or software, may subject the violator to criminal and civil penalties. In the event of unauthorized intrusion, all relevant information regarding possible violation of law may be provided to law enforcement officials.

Privacy

EcoCAT generates a public record subject to disclosure under the Freedom of Information Act. Otherwise, IDNR uses the information submitted to EcoCAT solely for internal tracking purposes.



EcoCAT Receipt

Project Code 1706246

APPLICANT

DATE

Deigan & Associates
Gary Deigan
28835 N. Herky Drive, Unit 120
Lake Bluff, IL 60044

1/16/2017

DESCRIPTION

FEE

CONVENIENCE FEE

TOTAL PAID

EcoCAT Consultation

\$ 500.00

\$ 11.75

\$ 511.75

TOTAL PAID

\$ 511.75

Illinois Department of Natural Resources
One Natural Resources Way
Springfield, IL 62702
217-785-5500
dnr.ecocat@illinois.gov



Deigan & Associates, LLC
Environmental Consultants

Special Use Findings of Fact

Special Use Application – Sempre Fi Land Inc
1996 Cannonball Trail, Bristol, Kendall County, Illinois

Sustainable Environmental Solutions
www.deiganassociates.com

Please fill out the following findings of fact to the best of your capabilities. §13.08.J of the Zoning Ordinance outlines findings that the Hearing Officer shall consider in rendering a decision, but is not required to make an affirmative finding on all items in order to grant a **special use**. They are as follows:

That the establishment, maintenance, and operation of the special use will not be detrimental to, or endanger, the public health, safety, morals, comfort, or general welfare.

The facility will be constructed and operated in accordance with all Kendall County ordinances and Illinois EPA permits/regulations and will not be detrimental or endanger the public health, safety, morals, comfort, or general welfare.

That the special use will not be substantially injurious to the use and enjoyment of other properties in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood. The Zoning classification of property within the general area of the property in question shall be considered in determining consistency with this standard. The proposed use shall make adequate provisions for appropriate buffers, landscaping, fencing, lighting, building materials, open space and other improvements necessary to insure that the proposed use does not adversely impact adjacent uses and is compatible with the surrounding area and/or the County as a whole.

Property surrounding the Site is predominantly zoned agricultural land. The petitioners propose using the property as a compost business which is compatible with agricultural farming.

That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided.

The proposed compost facility has adequate access from Cannonball Trail. The petitioners will submit a Stormwater Submittal in accordance with Article 5, Table 502 of the Countywide Stormwater Ordinance for review and approval prior to construction.

That the special use shall in all other respects conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the County Board pursuant to the recommendation of the Hearing Officer.

The proposed Special Use will allow for the existing permitted landscaping operation to effectively manage landscape waste. Petitioners have provided a construction and operating plan that conforms to the applicable regulations of the A-1 District.

That the special use is consistent with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies.

This Special Use is consistent with the LRMP in providing an essential service to the surrounding land use categories contemplated by the Future Land Use Plan. The agricultural nature of this facility is consistent with the overall character of the area.

Attachment 6- Application Addendum



Deigan & Associates, LLC
Environmental Consultants

28835 N Herky Dr. Unit 120

Lake Bluff, Illinois 60044

Phone 847.578.5000

Fax 847.549.3242

www.deiganassociates.com

April 17, 2017

Matthew H. Asselmeier, AICP
Senior Planner
Kendall County Planning, Building & Zoning
111 West Fox Street
Yorkville, IL 60560-1498

Re: Addendum to Special Use Permit Application
Semper Fi Land Inc.
1996 Cannonball Trail
Bristol, Kendall County, Illinois 60512

Dear Mr. Asselmeier:

Enclosed are revised Plat of Survey and Site Plan for the Special Use Permit application to develop a landscape waste compost facility for Semper Fi Land, Inc. located at 1996 Cannonball Trail in Bristol, Kendall County, Illinois. These drawings replace Figures 1 and 3 in our original submittal. In addition, we have included a Stormwater Submittal of which the Plat of Survey and Site Plan are components.

Please contact the undersigned with questions.

Sincerely,

Deigan & Associates, LLC

Gary J. Deigan
Principal

Steven Schilling, P.E.
Sr. Project Manager/Sr. Engineer

Sustainable Environmental Solutions

www.deiganassociates.com

Addendum to Application for a Special Use Permit



Facility Location:
1996 Cannonball Trail
Bristol, Kendall County, Illinois 60512

April 17, 2017

Submitted to:
Kendall County Planning,
Building & Zoning Department

Prepared by:



Deigan & Associates, LLC
Environmental Consultants

28835 N Herky Dr. Unit 120
Lake Bluff, Illinois 60044

Phone 847.578.5000

Fax 847.549.3242

www.deiganassociates.com

Sustainable Environmental Solutions

www.deiganassociates.com

Addendum Contents

Supplemental Narrative Text – Stormwater Submittal

**Figure 1 – Zoning Plat for Special Use Permit (1-
24"x36" plus 15-11"x17" Copies)**

**Figure 3 – Site Operations Layout (1-24"x36" plus
15-11"x17" Copies)**

Figure 4 – ISGS Illinois Water Well Map

Figure 5 – FEMA Flood Insurance Map

Figure 6 – Settling Basin Detail

Stormwater Submittal

Applicant Identification and Location Information

The Kendall County Stormwater Application has been prepared for the development of a Compost Facility for the property located at 1996 Cannonball Trail in Bristol, Kendall County, Illinois (the “Site”), depicted in Figure 1 (the Site Map), as a landscape waste composting facility operated by Semper Fi Land, Inc. (Semper Fi). Semper Fi is owned and operated by Robert Velazquez.

The compost facility will be developed in accordance to Title 35 Illinois Administrative Code 830 and other Federal, State, and Local rules and regulations. The Site is currently utilized as a residential dwelling and agricultural land. Surrounding land uses include both residential and agricultural. According to the Kendall County Geographic Information Systems (GIS) Online Mapper, the Site is zoned agricultural – special use (A1-SU).

Immediately adjoining land uses relative to the Site include:

- North—Cannonball Trail followed by cultivated agricultural land.
- East— Cultivated agricultural land.
- West—Cannonball Trail followed by cultivated agricultural land.
- South—Cultivated agricultural land followed by residential use.

Logistics and Operation

The facility will operate as a composting facility that will utilize only landscape waste including yard waste and other woody material for compost material. Organic waste will not be received or processed at the facility. Approximately 70% of the landscape waste proposed to be received by the facility includes wood material (wood chips, branches and logs) and the other 30% of the material will be yard waste (compost) including leaves, grass clippings and small branches.

Landscape waste processed at the facility is delivered by Semper Fi trucks, other landscape waste contractors, or homeowners who have generated landscape waste. The facility will not accept organic waste. The estimated amount of landscape waste to be received by the facility ranges between 100 and 150 yards per day. The maximum the facility anticipates receiving in a day is 250 yards. Business hours for the landscape waste composting facility will be 7:00 a.m. to 3:00 p.m. Monday through Friday. The facility will be closed on Saturday and Sunday.

The material processed at the Site will consist of approximately 85% mulch and 15% compost. The landscape waste brought to the facility will be sorted into material requiring

further processing. The composting operation on-site will be a large-scale composting business, utilizing windrow composting methods to produce compost material. A mixture of composting ingredients will be placed in long, narrow piles. The initial step in constructing the compost pile will be to grind and shred ingredients using an on-site grinder. The grinder will only be operated during the Site operating hours mentioned above. Grinding ingredients also reduces the particle size which increases temperature and thus speeds up the composting process. Materials will then be mixed and the windrow piles will be constructed. The dimensions of the windrows will be approximately 13 feet high by 19 feet wide, and 250 linear feet. A tracked skid-steer and a three-yard wheel loader will be utilized to load the windrow piles. These machines will also be used to turn the windrow piles to redistribute the heat and also aerate the compost, aiding in the decomposition process.

Staging areas on-site will be adequate in size and design to facilitate the unloading of landscape waste from delivery vehicles. The southeast portion of the Site operations area will be utilized for vehicle delivery and turnaround, staging of unprocessed materials (drop-off), tub grinder operations, and stockpiled compost material. The processing and staging areas on-site comprise approximately 1.2 acres.

Stormwater Runoff Management

Stormwater and landscape waste leachate controls as required pursuant to 35 IAC 830.204 and the Kendall County Stormwater Ordinance. Stormwater or other water which comes into contact with landscape waste will be considered landscape waste leachate and will be collected and reused in the process, properly disposed of off-site, or treated as necessary prior to discharge off-site. Stormwater that comes in contact with the site will be collected in the adjacent bioswales within the Site operations area and the filtered water will be collected in the onsite operations settling basin. Further detail detailed design measures are discussed **Section B** and depicted in **Figure 3**. Design measures will prevent ponding of landscape waste leachate on-site.

Additionally, soil surfaces will not come into contact with the compost piles, as impervious surfaces will be present (depicted in **Figure 3**). Thus, the compost material will remain in aerobic conditions and drain into the onsite bioswale.

A. Hydrology of the Compositing Facility

According to the Illinois State Geological Survey (ISGS) Illinois Water Well (ILWATER) Interactive Online Map, the nearest well (API 120932485100) is located approximately 585 feet to the west-southwest of the Site. The ISGS Illinois Water Well Map is included as **Figure 4**.

According to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) Number 17093C0035H, the Site is located outside the boundary of the 10-year and 100-year floodplain (depicted in **Figure 5**).

The design of the facility will prevent any compost material from being placed within five feet of the water table pursuant to 35 IAC 830.203(a)(3). Published groundwater data (obtained from the ISGS ILWATER Interactive Online Map) shows that the static groundwater level at the nearest private water well located approximately 585 feet to the west of the Site (discussed above) is approximately 19 feet below ground surface (bgs). Further, the Site elevation at this well is noted as 669 feet above mean sea level (amsl). Due to the relatively flat topography and no major water body (lake or ocean) nearby, it is likely that groundwater elevation at the Site is similar to that of the nearby well. Thus, it is inferred that due to the location of the water table in relation to site elevation, compost material would not be placed within five feet of the water table.

According to 35 IAC Part 830, Standards for Compost Facilities, soil on-site must be “relatively impermeable soil”, meaning soil located above the water table that has a hydraulic conductivity no greater than 1×10^{-5} centimeters per second (cm/sec) for a thickness of at least one foot. Test results from the permeability tests reveal a hydraulic conductivity of 1.33 cm/sec. During the sub-surface investigation on-site on September 2, 2016, a soil boring was advanced to 12 feet below ground surface (bgs). The water table was not encountered during this investigation, thus indicating that the water table is located greater than 12 feet bgs at the Site.

To ensure any stormwater that comes in contact with the Site is properly managed, an impermeable surface will be constructed within the entire composting area. The composting area surface will be constructed of impermeable surfaces including asphalt, concrete, compacted asphalt grindings, or another impermeable surface. The impermeable surface will be sloped approximately 1% to 2% from west to east towards the bioswale that will collect and filter the stormwater. Impermeable surfaces will be inspected frequently to ensure compliance. Measures will be taken to correct any impermeable surface imperfections that would otherwise allow infiltration to the native soils below.

Detailed below is the current stormwater runoff rate:

$$Q \text{ (Peak Runoff Rate)} = C \text{ (Runoff Coefficient)} i \text{ (rainfall intensity)} A \text{ (Drainage Area)}$$

$$C = 0.2$$

$$i_{2 \text{ yr. } 24 \text{ hr.}} = 3.04 \frac{\text{inches}}{24 - \text{hour}}$$

$$i_{10 \text{ yr. } 24 \text{ hr.}} = 4.47 \frac{\text{inches}}{24 - \text{hour}}$$

$$A = 5.4 \text{ acres}$$

$$Q_{2 \text{ yr.}} = 3.23 \text{ cubic feet per second (cfs)}$$

$$Q_{10 \text{ yr.}} = 4.86 \text{ cfs}$$

Using the American Society of Civil Engineers Coefficient Table, a runoff coefficient of 0.2 was selected based on the current Site conditions being comprised of majority residential area with vegetation and portions being agricultural lands with crop coverage. Using the duration of 24-hours, the rainfall intensity constants for a 2-year storm and 10-year storm were selected from the Bulletin 70 Rainfall Distribution and Hydroclimatic Characteristics of Heavy Rainstorms in Illinois provided by Illinois State Water Survey.

B. Stormwater and Landscape Waste Leachate Controls

The Site composting operations only utilize the eastern portion of the property and a driveway connecting Cannonball Trail to the operations area; therefore, the western half of the property will continue to drain as it did prior to this development.

Material staged outdoors will be conducted on an improved surface consisting of concrete, asphalt, or compacted asphalt grindings. The Site will be sloped to allow drainage from the composting operations to the bioswale system discussed below. Materials to be staged outdoors will consist of mulch and compost material. Runoff that contacts material and equipment stored outside is managed through the constructed bioswale and settling basins.

Drainage within the operations area of the property will be directed to a 250' bioswale that will collect, infiltrate, and filter runoff from the site. The bioswale will include native plantings that aid in the filtration process through microbial activity removing any contaminants generated from the composting process. During large storm events, water will be diverted to an under-drain system below the bioswale to collect water and transport to the settling basin as depicted on **Figure 3**. The settling basin will allow for additional storage, infiltration and settlement/treatment of stormwater runoff that is not treated from the bioswale. Excess water from the settling basin will be utilized for dust control operations as well as composting moisture. This allows for a 100% recycling operation of stormwater.

A. Site Development Runoff Calculations

The Site development will consist of a 0.3 acre impervious asphalt pad. To be conservative, calculations have been based on 1.2-acres of impervious surface for the composting area. Detailed below is the stormwater runoff rate with the impervious surface used in the composting area.

Q (Peak Runoff Rate)

$$= C(\text{Runoff Coefficient}) i (\text{rainfall intensity}) A (\text{Drainage Area})$$

$$C = 0.7$$

$$i_{2 \text{ yr. } 24 \text{ hr.}} = 3.04 \frac{\text{inches}}{24 - \text{hour}}$$

$$i_{10 \text{ yr. } 24 \text{ hr.}} = 4.47 \frac{\text{inches}}{24 - \text{hour}}$$

$$A = 1.2 \text{ acres}$$

$$Q_{2 \text{ yr.}} = 2.51 \text{ cubic feet per second (cfs)}$$

$$Q_{10 \text{ yr.}} = 3.78 \text{ cfs}$$

Using the American Society of Civil Engineers Coefficient Table, a runoff coefficient of 0.7 was selected based on the Site being developed with an impervious surface. The Site is relatively flat, with an approximated drainage slope of 0.3%. Using the duration of 24-hours, the rainfall intensity constants for a 2-year storm and 10-year storm were selected from the Bulletin 70 Rainfall Distribution and Hydroclimatic Characteristics of Heavy Rainstorms in Illinois provided by Illinois State Water Survey.

B. Bioswale Sizing

The bioswale has been designed to infiltrate 50% of the largest designed storm event. Stormwater that falls onto the impervious site operations area will be directed to the 250' linear bioswale located along the east portion of the property. The impervious surface within the operations area will slope approximately 1% to 2% from west to east to allow for drainage into the bioswale and eliminate any non-stormwater discharge from the Site. The bioswale will be 250' in length, 5' in width, and a minimum 12" in depth. The bioswale will be backfilled with the permeable soils and planted with native species to promote infiltration. Test results from a Site permeability tests reveal a hydraulic conductivity of 1.33 cm/sec. Side slopes within the bioswale will be no greater than 3:1. Native plantings will include grasses and a couple of varieties of flower plants for a visual aesthetics. The

bioswale will be sloped approximately 0.3% to 0.5% longitudinally to allow for flow of excess filtered stormwater to the settling basin.

To accommodate large storm events a perforated pipe will be placed approximately 12" longitudinal below ground surface that will drain into a sedimentation basin discussed in the following Section. In the event the bioswale becomes inundated with stormwater, water will move to a 12" diameter perforated pipe embedded in open graded aggregate wrapped in filter fabric to transport to the settling basin. This pipe will be flat in order to encourage infiltration for stormwater cleansing before leaving the pipe to the settling basin.

$$d \text{ (pipe diameter)} = \sqrt{\frac{4 Q_{10 \text{ yr.}}}{\pi v}}$$

Assumed velocity (v) = 5 ft/s

$$d \text{ (pipe diameter)} = 11.8 \text{ inches}$$

C. Settling Basin Sizing

Stormwater that is not able to be infiltrated through the natural soils will flow through the 12" diameter perforated pipe that is sloped longitudinally 0.5% to 2.0% towards the settling basin.

$$\text{Volume Storage} = i_{10 \text{ yr } 24 \text{ hr}} * C_{\text{Developed}} * A_{\text{Developed}}$$

$$\text{Volume Storage} = 4.47 \text{ in} * \frac{1 \text{ ft}}{12 \text{ in}} * 0.7 * 1.2 \text{ acres} * \frac{43560 \text{ ft}^2}{1 \text{ ac}}$$

$$\text{Volume Storage Needed} = 13,629.9 \text{ ft}^3$$

The bioswale provides approximately 1,650 ft³ of stormwater storage. The bioswale has been designed to infiltrate 50% of the largest designed storm event. The volume of stormwater storage required for a settling basin, if 50% of the stormwater is infiltrated in the bioswale and 1,650 ft³ of stormwater can be stored is 5,164 ft³. A conservative approach is to allow for excess storage in the basin.

$$\text{Basin Size (truncated right pyramid)} =$$

$$54 \text{ ft (l)} \text{ by } 40 \text{ ft (w)} \text{ by } 5 \text{ ft (d)} = 5,250 \text{ ft}^3$$

The settling basin will allow for additional settlement/treatment of stormwater runoff that is not treated from the bioswale. Excess water from the settling basin will be utilized for dust control operations as well as composting moisture. This allows for a 100% recycling operation of stormwater. A detail of the settling basin layout and storage calculation is shown on **Figure 6**.

C. Additional Permitting Requirements

Construction of the facility will require a NPDES Permit for Construction Site Activities from the Illinois Environmental Protection Agency. A Notice of Intent for General Permit will be filed no later than 30 days prior to commencement of construction and will include a Storm Water Pollution Prevention Plan (SWPPP).

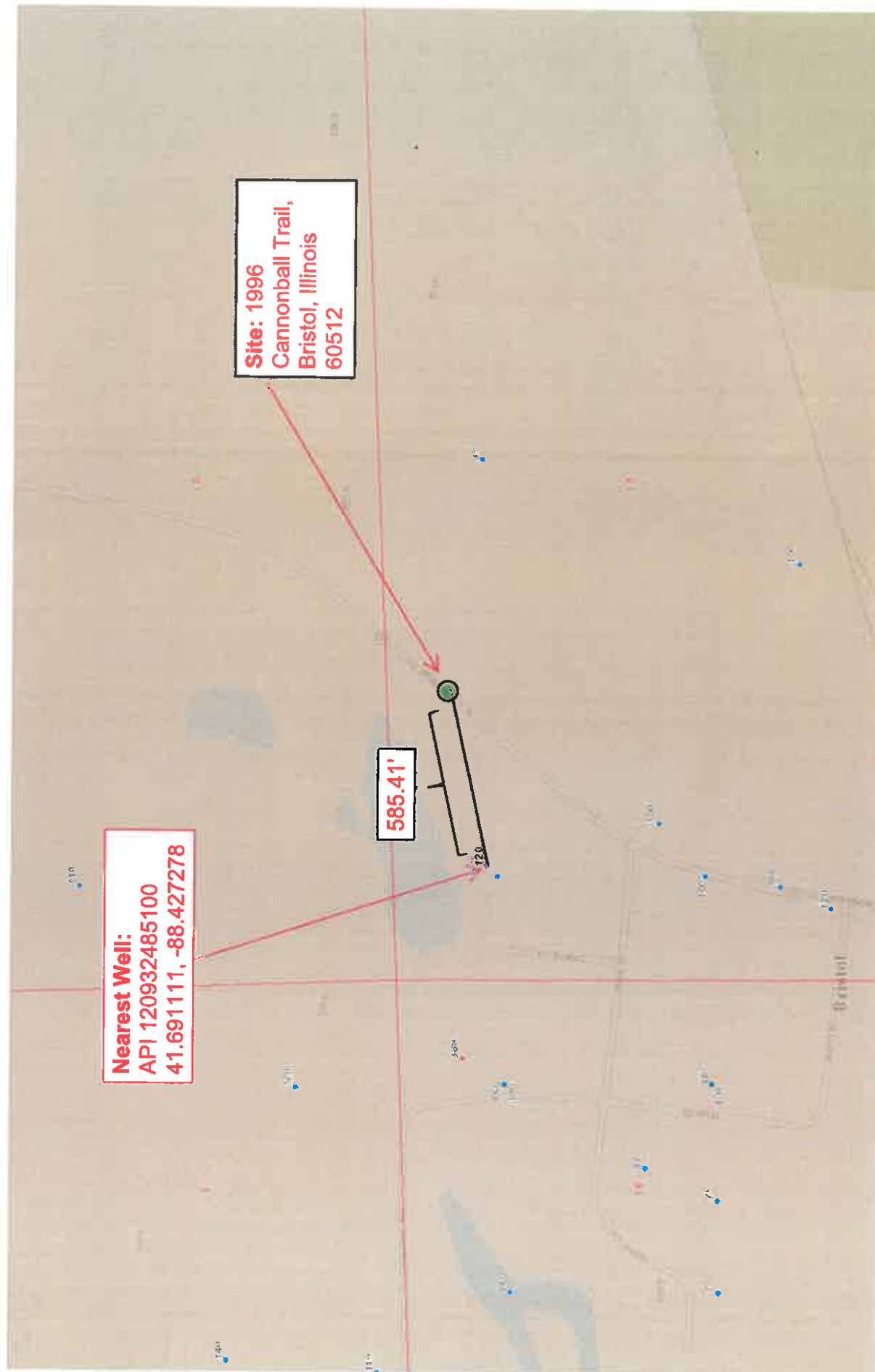
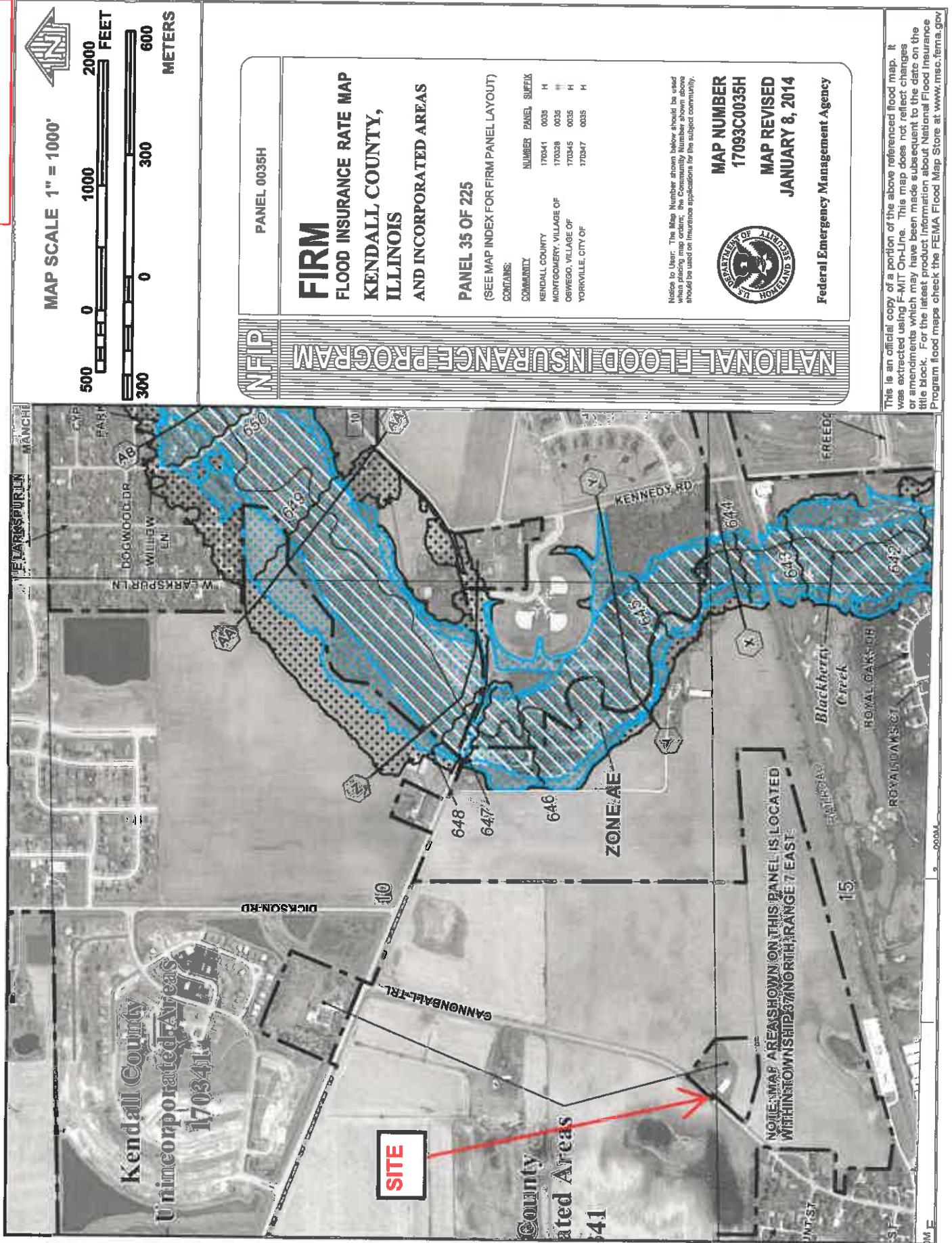


FIGURE 5





BY SAS	DATE 2-17-2017	SUBJECT STORMWATER SETTLING BASIN	SHEET NO. 1 OF 1
CHECKED BY	DATE	SEMPRE FI COMPOSTING	PROJECT NO. 16-082

SETTLING BASIN (TRUNCATED RIGHT PYRAMID)

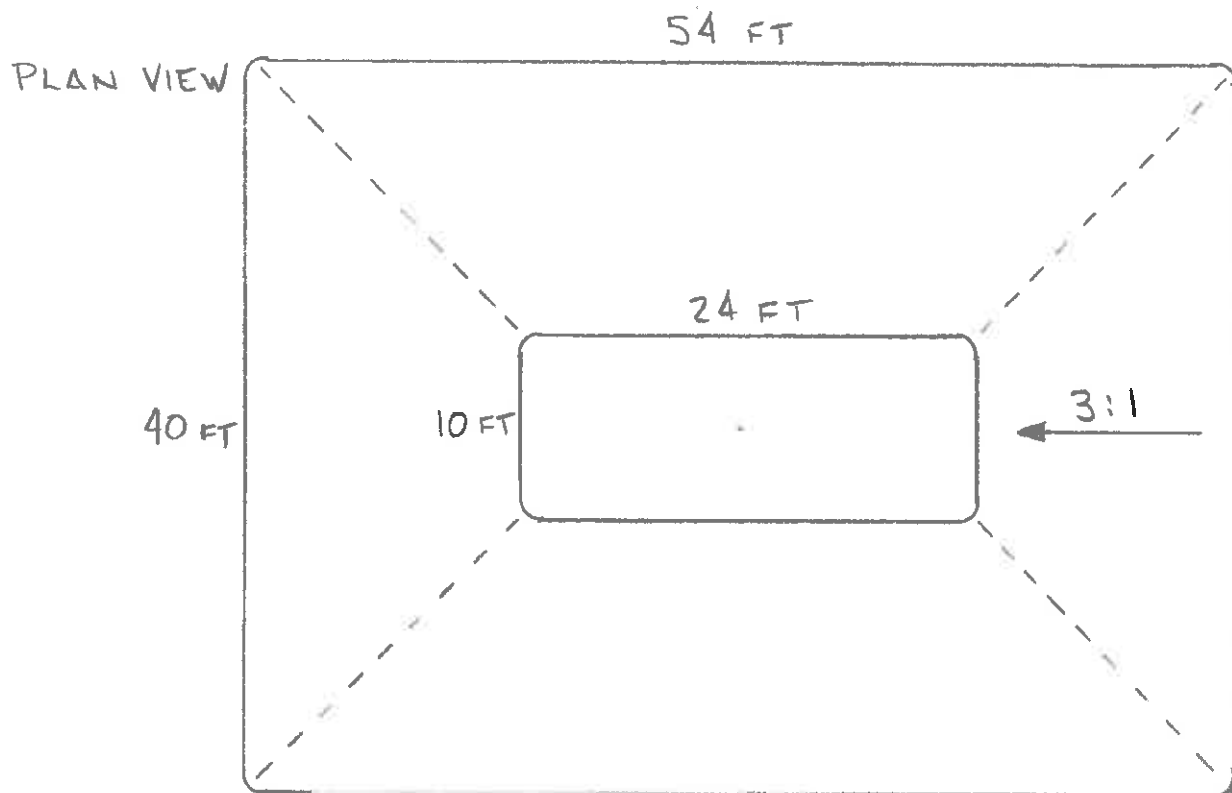
3:1 MAXIMUM SIDE SLOPES

5,200 FT³ STORAGE NEEDED

$$V = \frac{1}{6} \times H \times (B + (a+c) \times (b+d) + T)$$

$$= \frac{1}{6} \times 5 \times [(54 \times 40) + (54+24) \times (40+10) + (24 \times 10)] \quad * \text{ ALL IN FT}$$

$$= 5,250 \text{ FT}^3$$



ELEVATION

5 FT DEPTH

3:1

Bioswale

Definition

- Vegetated swale system with an infiltration trench designed to retain and temporarily store stormwater. Bioswales are planted with native grasses and forbs that enhance filtration, cooling, and cleansing of water in order to improve water quality and prevent sealing of subsoils.



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bioswale in a parking lot (Tollabs, Naperville, IL)
(Conservation Design Forum)

Applicability

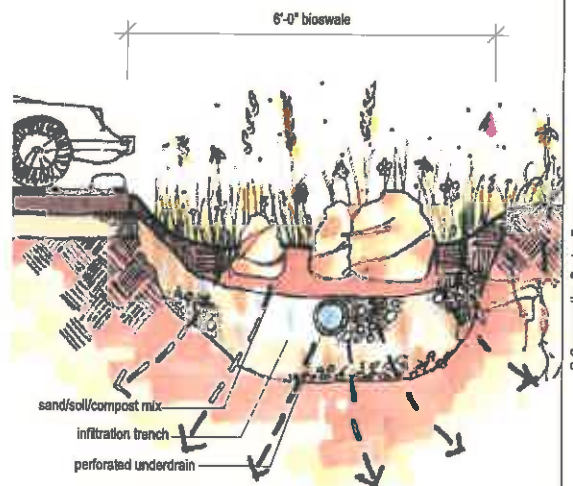
- | | | | | |
|-----------------|---|---|---|--|
| ➤ Scale | <input type="checkbox"/> Watershed/County | <input type="checkbox"/> Town/Village | <input checked="" type="checkbox"/> Neighborhood | <input checked="" type="checkbox"/> Lot |
| ➤ Applications | <input checked="" type="checkbox"/> Retrofit | <input checked="" type="checkbox"/> New | <input type="checkbox"/> Ongoing/ Maintenance | |
| | <input checked="" type="checkbox"/> Preventive | <input checked="" type="checkbox"/> Remedial | <input type="checkbox"/> Driveways | |
| | <input type="checkbox"/> Roofs | <input checked="" type="checkbox"/> Streets | <input type="checkbox"/> Sensitive Areas | |
| | <input checked="" type="checkbox"/> Parking Lots | <input type="checkbox"/> Lawn | <input type="checkbox"/> Physical Habitat Preservation/Creation | <input checked="" type="checkbox"/> Sediment Pollution Control |
| ➤ Effectiveness | <input checked="" type="checkbox"/> Runoff Rate Control | <input checked="" type="checkbox"/> Runoff Volume Control | <input checked="" type="checkbox"/> Other Pollutant Control | |
| | <input checked="" type="checkbox"/> Nutrient Control | <input checked="" type="checkbox"/> BOD Control | | |

Benefits

- Reduces impervious runoff volumes and rates.
- Recharges groundwater and sustains base flows.
- Reduces sediment and nutrient runoff.
- Can reduce detention needs.

Design Considerations

- Bioswales must be sized and designed to account for drainage area and soils.
- Filtration benefits can be improved by planting native deep-rooted vegetation.
- Infiltration storage should be designed to drain in 24 hours to prevent sealing of subsoils.
- Topsoil should be amended with compost and/or sand to improve organic content for filtering and to achieve adequate infiltration rates.
- Bioswales should be protected from construction site runoff to prevent sealing of topsoil and/or subsoils.
- Direct entry of stormwater runoff into infiltration trench should be prevented to preserve groundwater quality and to prevent sealing of subsoils.
- Underdrain should be sufficiently low in the trench to provide adequate drainage of aggregate base of adjacent paved areas but sufficiently high to provide infiltration storage.

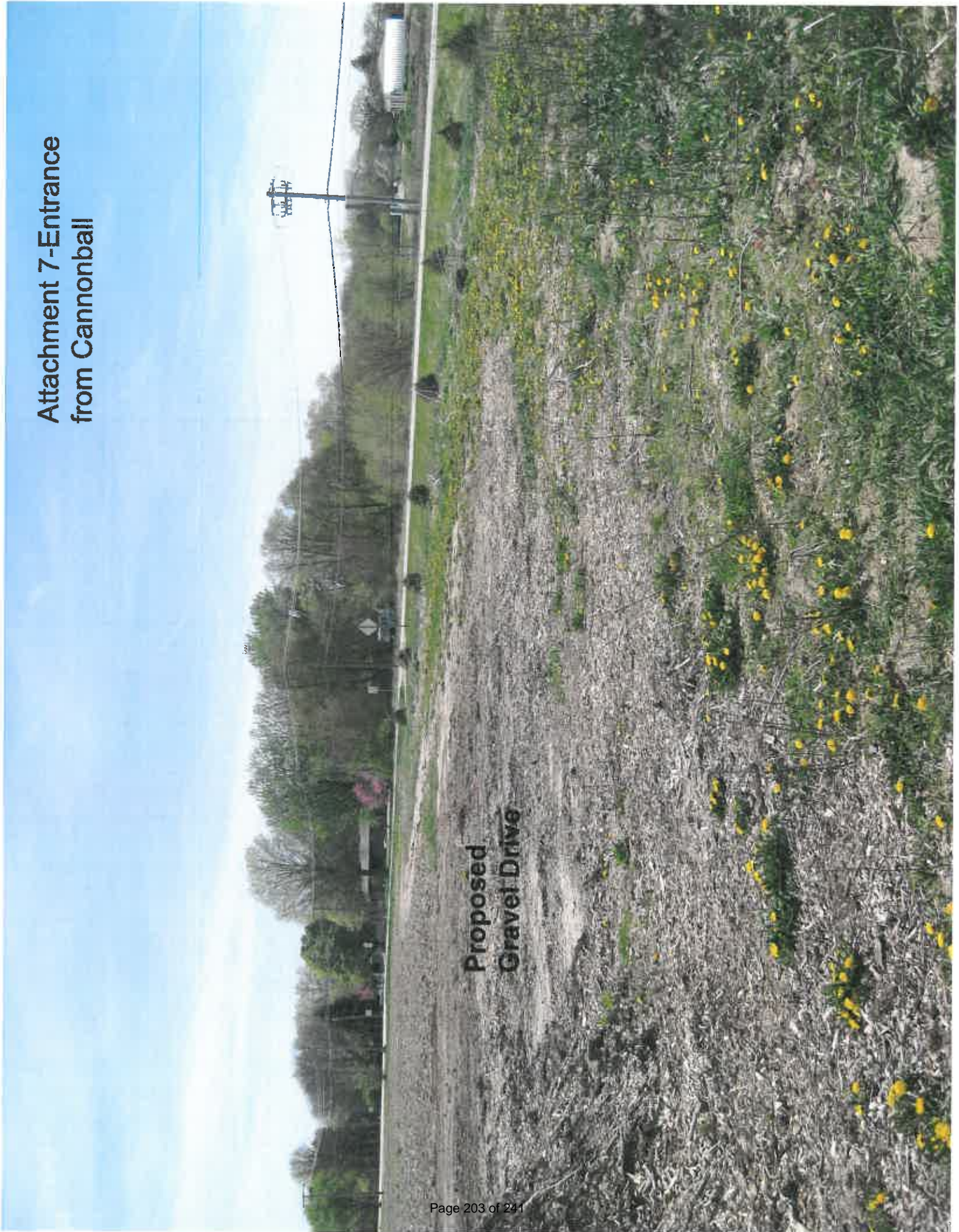


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cross section of bioswale (Conservation Design Forum)

Attachment 7-Entrance from Cannonball

Proposed
Gravel Drive



Attachment 8- Looking East

**Approximate
Location of
Operations**



**Attachment 9-Looking East at
Southeast Corner of Grass**

**Approximate Location
of Operations**



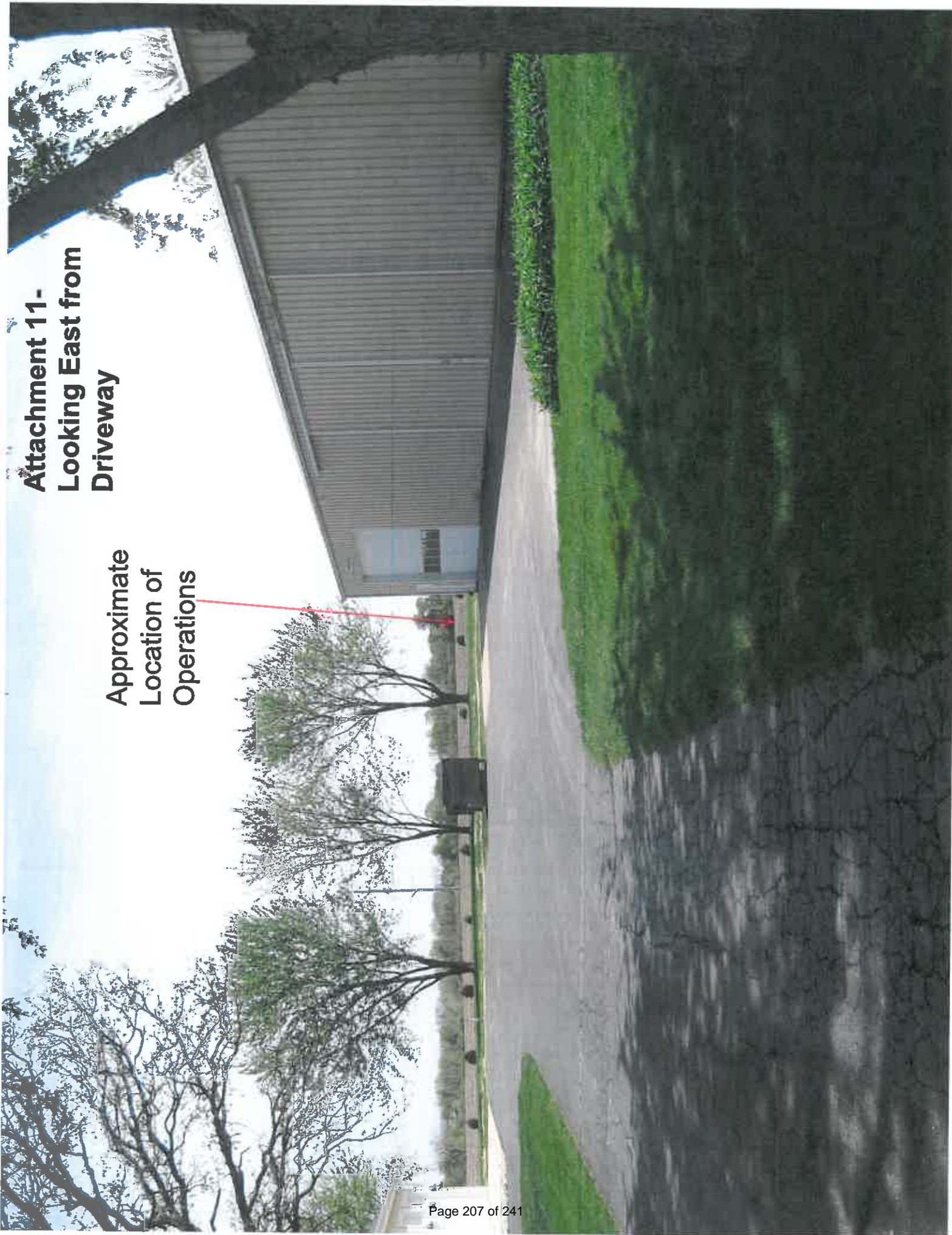
Attachment 10- Looking Southeast

Approximate
Location of
Operations



**Attachment 11-
Looking East from
Driveway**

Approximate
Location of
Operations



Attachment 12-Looking
South from Driveway

Gravel
Driveway

Gravel
Driveway

Attachment 13-Looking
North from Driveway



Attachment 14-
Ordinance 12-23

State of Illinois
County of Kendall

Zoning Petition
#12-32

ORDINANCE NUMBER 2012 - 23

GRANTING A SPECIAL USE FOR
1996 CANNONBALL TRAIL
SEMPER FI YARD SERVICES INC.

WHEREAS, Semper Fi Yard Services Inc. has filed a petition for a Special Use within the A-1 Agricultural Zoning District for a 5.2 acre property located on the east side of Cannonball Trail about 0.5 miles south of Galena Road, commonly known as 1996 Cannonball Trail (PIN# 02-15-101-003), in Bristol Township, and;

WHEREAS, said petition is to allow the operation of a landscape business and live in the house; and

WHEREAS, said property is currently zoned A-1 Agricultural; and

WHEREAS, said property is legally described as:

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 10, TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN AND THAT PART OF THE NORTHWEST QUARTER OF SECTION 15, TOWNSHIP AND RANGE AFORESAID DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHWEST QUARTER, THENCE SOUTHEASTERLY ALONG A LINE WHICH IF EXTENDED WOULD INTERSECT THE NORTHERLY LINE OF THE FORMER LANDS OF CHARLES HUNT AT A POINT OF SAID NORTHERLY LINE WHICH IS 1551.80 FEET WESTERLY OF THE WEST LINE OF A TRACT OF LAND CONVEYED BY NELSON C. RIDER TO JERRY W. RIDER BY A WARRANTY DEED RECORDED NOVEMBER 29, 1911 IN BOOK 66 DEEDS, PAGE 25 AND DEPICTED IN THE PLAT BOOK 1 AT PAGE 62, A DISTANCE OF 938.61 FEET TO THE CENTER LINE OF CANNONBALL TRAIL, FOR A POINT OF BEGINNING, THENCE SOUTHEASTERLY ALONG THE LAST DESCRIBED COURSE EXTENDED, 447.72 FEET TO SAID NORTHERLY LINE; THENCE EASTERLY ALONG SAID NORTHERLY LINE, WHICH FORMS AN ANGLE OF 160°49' 30" WITH THE LAST DESCRIBED COURSE, MEASURED CLOCKWISE THEREFROM, 296.83 FEET; THENCE NORTHERLY AT RIGHT ANGLES TO THE LAST DESCRIBED COURSE, 309.14 FEET; THENCE NORTHWESTERLY ALONG A LINE WHICH FORMS AN ANGLE OF 132°19'35" WITH THE LAST DESCRIBED COURSE, MEASURED CLOCKWISE THEREFROM, 386.56 FEET TO THE CENTER LINE OF CANNONBALL TRAIL; THENCE SOUTHWESTERLY ALONG SAID CENTER LINE TO THE POINT OF BEGINNING IN BRISTOL TOWNSHIP KENDALL COUNTY ILLINOIS AND CONTAINING 5.727 ACRES.

WHEREAS, all procedures required by the Kendall County Zoning Ordinance were followed including notice for public hearing, preparation of the findings of fact in accordance with Section 13.07.J of the Zoning Ordinance, and recommendation for approval by the Special Use Hearing Officer on October 1, 2012; and

WHEREAS, the findings of fact were approved as follows:

That the establishment, maintenance, and operation of the special use will not be detrimental to, or endanger, the public health, safety, morals, comfort, or general welfare. All equipment will be stored inside the structures and shall not be detrimental or endanger the public health, safety, morals,

That the special use will not be injurious to the use and enjoyment of other properties in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood. The Zoning classification of property within the general area of the property in question shall be considered in determining consistency with this standard. The proposed use shall make adequate provisions for appropriate buffers, landscaping, fencing, lighting, building materials, open space and other improvements necessary to insure that the proposed use does not adversely impact adjacent uses and is compatible with the surrounding area and/or the County as a whole. All property surrounding this piece of land is farm land. The petitioners will still be using the property as a landscape business which is compatible with agricultural farming. The zoning classification within the general area is still agricultural.

That the establishment of the special use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district. The special use permit requested is consistent with the existing zoning and uses within the district.

That adequate utilities, access roads, drainage, and/or other necessary facilities have been or are being provided. All the utilities, access roads and drainage already exist for this site.

That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets. The site currently has two entrances at the north and south end of the property. The proposed special use will add minimal additional traffic to the site and will not cause congestion on Cannonball Trail.

That the special use shall in all other respects conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the County Board pursuant to the recommendation of the Hearing Officer. The building already exists and the petitioner is not requesting any variances.

That the special use is consistent with the spirit of the Land Resource Management Plan and other adopted County or municipal plans and policies. This special use permit will be consistent with the County's LRMP and the City of Yorkville's future plan which calls for the property to be residential. The petitioners will live in the home and a landscape business will have the same equipment and hours of operation as the surrounding farms.

WHEREAS, the Kendall County Board has considered the findings and recommendation of the Hearing Officer and finds that said petition is in conformance with the provisions and intent of the Kendall County Zoning Ordinance; and

WHEREAS, this special use shall be treated as a covenant running with the land and is binding on the successors, heirs, and assigns as to the same special use conducted on the property; and

NOW, THEREFORE, BE IT ORDAINED, that the Kendall County Board hereby grants approval of a special use zoning permit to operate a landscape business in accordance to the submitted Site Plan included as "Exhibit A" attached hereto and incorporated herein subject to the following conditions:

1. All equipment must be stored inside buildings at night.

2. Dedication of a 15' trail easement within sixty (60) days of the approval of the special use.
3. Plat of Dedication of 35' of right of way on the northwest side of the property within sixty (60) days of the approval of the special use. Please contact the Highway Department with any questions.
4. The current sign on Route 71 be permitted to be moved to this site and be lit.
5. Any existing or proposed storage of fuel, pesticides or other hazardous materials shall comply with any and all applicable codes and permit requirements including those required by the State Fire Marshall.

Failure to comply with the terms of this ordinance may be cited as a basis for amending or revoking this special use permit.

IN WITNESS OF, this ordinance has been enacted on October 16, 2012.

Attest:



Debbie Gillette
Kendall County Clerk



John Purcell
Kendall County Board Chairman

NORTH

ANCES IN FEET AND DECIMAL PARTS THEREOF, NO
INGS TO BE ASSUMED FROM SCALING.
: YOUR DESCRIPTION AND SITE MARKINGS WITH THIS PLAT
ONCE REPORT ANY DISCREPANCIES WHICH YOU MAY FIND.
USE BUILDING LINE RESTRICTIONS OR EASEMENTS SHOWN ON
IDED SUBDIVISION PLAT ARE SHOWN HEREIN UNLESS THE
TIONS ORDERED TO BE SURVEYED CONTAINS A PROPER
TION OF THE REQUIRED BUILDING LINES OR EASEMENTS.

LEGEND

- (M) MEASURED
- (D) DEED
- UTILITY POLE
- OVERHEAD WIRE(S)

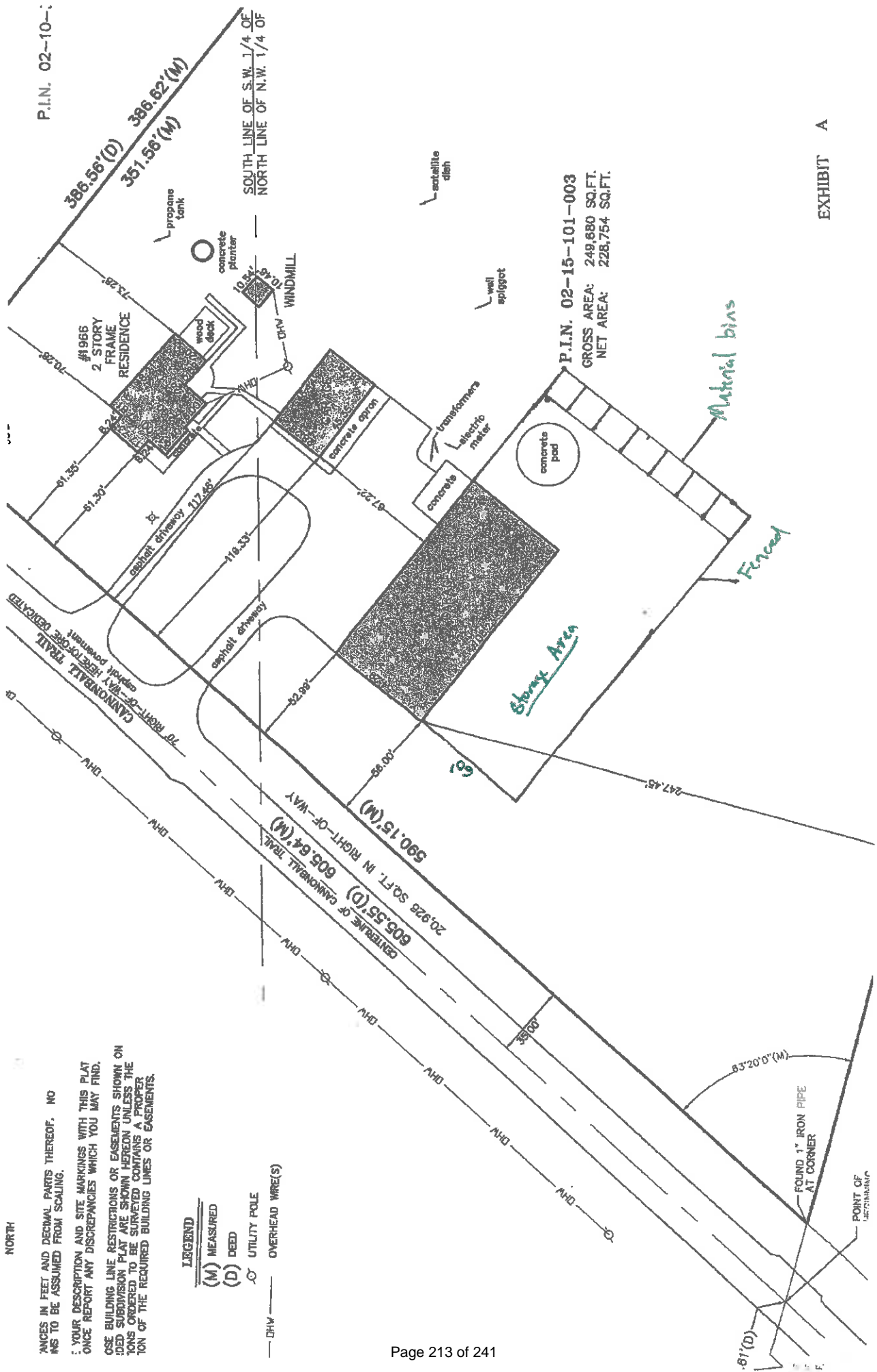


EXHIBIT A

Attachment 15-WBK Letter



May 1, 2017

Mr. Matthew Asselmeier, AICP
Senior Planner
Kendall County Planning, Building & Zoning
111 West Fox Street
Yorkville, IL 60560

Subject: Semper Fi Land Inc. 1996 Cannonball Trail
Kendall County (WBK Project No. 16-0100.K)

Dear Mr. Asselmeier:

WBK Engineering LLC has completed a review of the documents submitted for the subject project. The following material was provided to us for review:

- Plat of Survey prepared by Philip D. Young and Associates, Inc. dated April 13, 2017 and received April 18, 2017.
- Figure 3 Site Operations Plan prepared by Deigan and Associates dated February 24, 2017 and received April 18, 2017.
- Stormwater Submittal prepared by Deigan and Associates dated April 17, 2017 and received April 18, 2017.

The following comments require resolution prior to our recommendation for a special use:

Figure 3

1. Depict the limits of grading and project disturbance. Will areas west of the compost piles (incoming storage area and final product storage area) drain west or north and east to the settling basin?
2. Depict proposed grades for areas around the Incoming Materials and Final Product storage areas.
3. Will gravel be placed to accommodate vehicle operations near storage areas and the tub grinder? If so depict all gravel areas including access roads.
4. Depict the normal and emergency discharge locations from the settling basin.
5. Provide a bioswale cross section and depict proposed piping.

Stormwater Submittal

1. Page 5 identifies runoff which comes in contact with landscape waste as landscape waste leachate. This will be reused, disposed off-site or treated and discharged. However, the bioswale is intended to infiltrate the leachate into the ground. Does the bioswale provide adequate treatment pursuant to the leachate control requirements.
2. Runoff rate calculations using the rational method are acceptable. The rate shall be based on a tributary area to a point of discharge or point of concern. One calculation has an area of 5.4 acres. Define this area. Where is it draining to? Another calculation has an area of 1.2 acres. What is the basis for this area? That calculation states it is considered impervious surface but uses a C value that is too low.

WBK Engineering, LLC
WBKEngineering.com



Robert J. and Michael J. Matlock, P.E.

St. Charles Office
116 West Main Street, Suite 201
St. Charles, IL 60174
630.443.7755

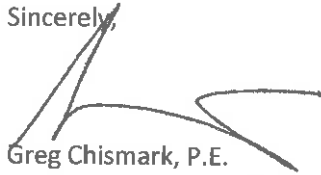
Aurora Office
8 East Galena Boulevard, Suite 402
Aurora, IL 60506
630.701.2245

3. The rainfall intensity used in the rational method shall come from the IDF curves for northeastern Illinois. Because the rational method is not dimensionally consistent. The rainfall intensity is determined by the time of concentration. The 24 hour rainfall depth (in) from Bulletin 70 is not the same as the intensity (in/hr) in the IDF curves.
4. The rational method runoff rates shall consider the 100 year event.
5. The rational method is intended to derive peak flows and not total runoff volumes. The County ordinance provides a simple chart to determine runoff volumes for 100 year and 2 year design events.
6. The bioswale sizing calculation identifies soil testing. Provide the test locations and results for infiltration. Any soil borings or infiltrometer test results should be submitted with the report.

The applicant's design professionals are responsible for performing and checking all design computations, dimensions, details, and specifications in accordance with all applicable codes and regulations, and obtaining all permits necessary to complete this work. In no way does this review relieve applicant's design professionals of their duties to comply with the law and any applicable codes and regulations, nor does it relieve the Contractors in any way from their sole responsibility for the quality and workmanship of the work and for strict compliance with the permitted plans and specifications.

If you have any questions or comments, please contact me at (630) 443-7755.

Sincerely,



Greg Chismark, P.E.
Municipal Practice Principal

Attachment 16-Stormwater Response



Deigan & Associates, LLC
Environmental Consultants

Illinois:

28835 N Herky Dr. Unit 120

Lake Bluff, Illinois 60044

Phone 847.578.5000

Fax 847.549.3242

www.deiganassociates.com

May 8, 2017

Matthew H. Asselmeier, AICP
Senior Planner
Kendall County Planning, Building & Zoning
111 West Fox Street
Yorkville, IL 60560-1498

Dear Mr. Asselmeier:

This letter is in response to the comments included in a letter dated May 1, 2017 from WBK Engineering, LLC regarding the Stormwater Submittal for Semper Fi Land, Inc. 1996 Cannonball Trail.

The proposed facility is in an area with little to no elevation change and where infiltration is the controlling natural stormwater attribute. Grading of the site will be minimal and only as necessary to provide drainage for the "composting area" (the impervious asphalt pad required by the IEPA). The design of the bioswale and settling basin are intended to mitigate the impacts of the composting area through treatment, storage, and infiltration. This agrees with Sec. 102.2(j) of the Kendall County Stormwater Ordinance "To require stormwater storage and encouraging the use of and infiltration of stormwater in preference to stormwater conveyance." The proposed facility provides all three elements from Sec. 102.2(j) including storage in the bioswale and settling basin; use of stormwater for process water in composting; and infiltration in the natural soils, bioswale, and settling basin.

Responses to specific inquiries in the letter are detailed below:

Regarding Figure 3.

1. Depict the limits of grading and project disturbance. Will areas west of the compost piles (incoming storage area and final product storage area) drain west or north and east to the settling basin?

The limits of grading and project disturbance are depicted on Figure 3 by the green line. Nearly all of the disturbance will be due to the asphalt pad and construction of the bioswale and settling basin. Areas West of the composting area will continue existing infiltration and drainage patterns to the West/Southwest.

Sustainable Environmental Solutions

www.deiganassociates.com

2. Depict proposed grades for areas around the Incoming Materials and Final Product storage areas.

No grading is proposed nor needed for the areas around the Incoming Materials and Final Product storage areas. Existing grades will remain in these areas.

3. Will gravel be placed to accommodate vehicle operations near storage areas and the tub grinder? If so depict all gravel areas including access roads.

Gravel will not be used to accommodate vehicle operations. Even small amounts of gravel can cause significant damage to the tub grinder and can contaminate the compost. Wood chips which are readily available from the facility operations will be used to control mud and dust at the facility. Wood chips have the added benefit of storing stormwater and promoting infiltration.

4. Depict the normal and emergency discharge locations from the settling basin.

Discharge under normal conditions is not expected from the settling basin. Water from the basin will be reused to enhance the water content of the compost, infiltrate, or evaporate under normal conditions. Under emergency conditions, a rock protected outfall (elevation 652 ft.) will be located in the Southwest corner of the basin (as depicted on the revised Figure 3). This emergency discharge will follow the existing natural infiltration and drainage pattern to the West/Southwest (on to the facility property.)

5. Provide a bioswale cross section and depict proposed piping.

The bioswale will be constructed in accordance with the Illinois Urban Manual. Attached is Standard Drawing IUM-500. The bioswale will be 6 feet wide and include a 12" perforated underdrain pipe. The pipe will outfall into the settling basin as indicated on the revised Figure 3.

Regarding the Stormwater Submittal.

1. Page 5 identifies runoff which comes in contact with landscape waste as landscape waste leachate. This will be reused, disposed off-site or treated and discharged. However, the bioswale is intended to infiltrate the leachate into the ground. Does the bioswale provide adequate treatment pursuant to the leachate control requirements.

Landscape waste leachate is a term defined by the IEPA. The "leachate" will not have any detrimental chemical composition but has the potential to have some suspended solids and nutrients such as nitrogen. This is no different than the stormwater that may contact the organic material found on forest floors. Bioswale are highly effective at filtering suspended solids and reducing nutrients in stormwater. This is why the Kendall County Stormwater Management Ordinance considers bioswales a "Best Management Practice".

2. *Runoff rate calculations using the rational method are acceptable. The rate shall be based on a tributary area to a point of discharge or point of concern. One calculation has an area of 5.4 acres. Define this area. Where is it draining to? Another calculation has an area of 1.2 acres. What is the basis for this area? That calculation states it is considered impervious surface but uses a C value that is too low.*
3. *The rainfall intensity used in the rational method shall come from the IDF curves for northeastern Illinois. Because the rational method is not dimensionally consistent. The rainfall intensity is determined by the time of concentration. The 24 hour rainfall depth (in) from Bulletin 70 is not the same as the intensity (in/hr) in the IDF curves.*
4. *The rational method runoff rates shall consider the 100 year event.*
5. *The rational method is intended to derive peak flows and not total runoff volumes. The County ordinance provides a simple chart to determine runoff volumes for 100 year and 2 year design events.*

To simplify the determination of detention volume, we will use Table 203 from the Ordinance as suggested:

The bioswale and settling basin are intended to manage the runoff from the composting area (asphalt pad). Assuming it is 90 percent impervious (C factor of 0.9), a detention volume of 0.475 acre-ft/acre is required.

$250 \text{ ft.} \times 60 \text{ ft.} = 15,000 \text{ sq.ft.} = 0.344 \text{ acres} \times 0.475 \text{ acre-ft/acre} = 0.1634 \text{ acre-ft} = 7,117 \text{ cu.ft.}$ required detention.

Bioswale dimensions are 3.25 ft. deep x 6 ft. wide x 250 ft. long = 4,875 cu.ft. in volume. Assuming an average porosity of 0.50 for the bioswale cross-section. The bioswale will provide $4,875 \text{ cu.ft} \times 0.50 = 2,437 \text{ cu.ft.}$ of storage.

Total storage = settling basin volume + bioswale storage = $5,250 \text{ cu.ft.} + 2,437 \text{ cu.ft.} = 7,687.5 \text{ cu.ft.} > 7,117 \text{ cu.ft.}$ required detention.

This is a conservative calculation as the infiltration from the bioswale and settling basin are ignored.

6. *The bioswale sizing calculation identifies soil testing. Provide the test locations and results for infiltration. Any soil borings or infiltrometer test results should be submitted with the report.*

Soil testing results are attached.

The intent of the design of the proposed facility is to meet the objectives of the Kendall County Stormwater Management Ordinance by providing stormwater storage and encouraging the use of and infiltration of stormwater in preference to stormwater conveyance. We feel this design meets this objective and all the objectives of the Ordinance.

Please contact me if you have any questions or comments.

Sincerely,

Deigan & Associates, LLC



Steven Schilling, P.E.
Senior Project Manager/Senior Engineer

Attachments:

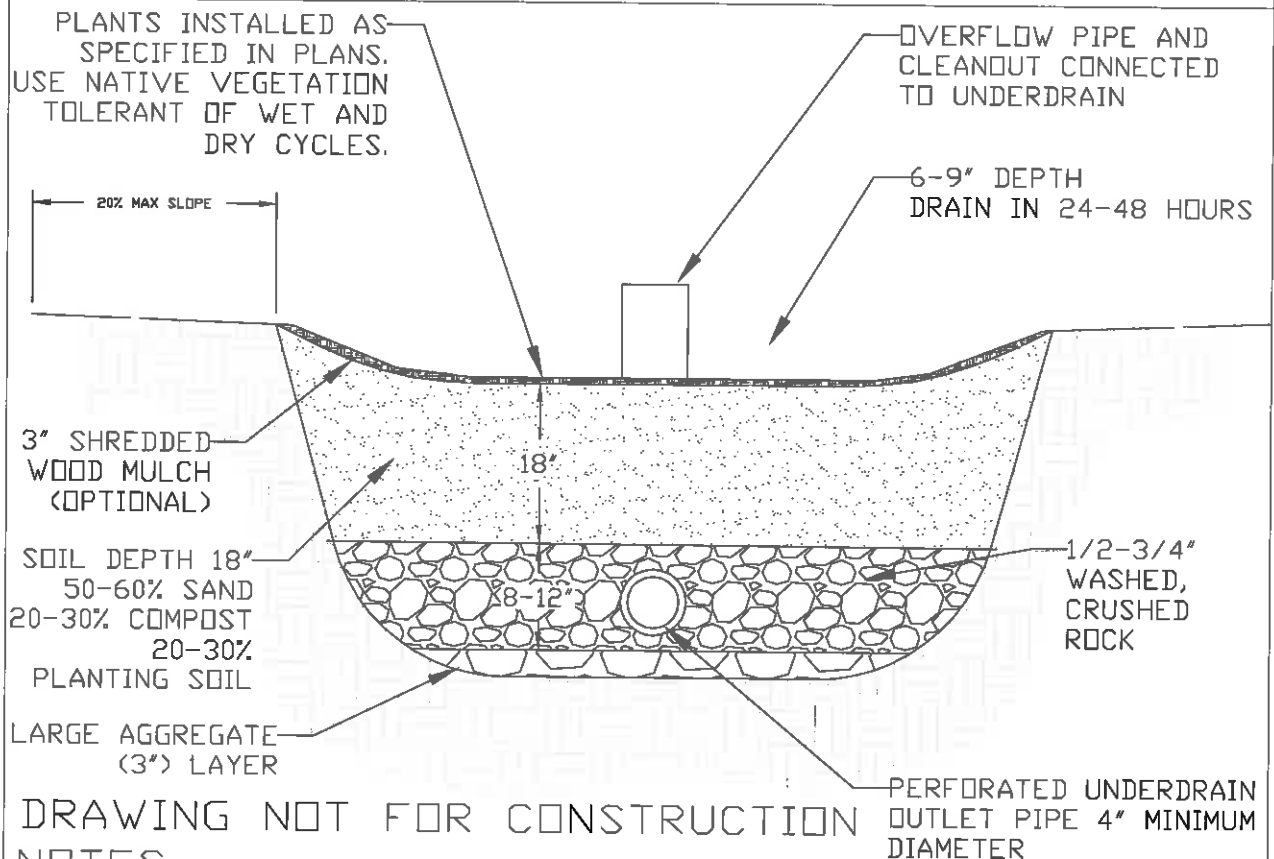
Revised Figure 3
Illinois Urban Manual Standard Drawing No. IUM-500
Soil Sample Analysis



Environmental Consultants

Lake Bluff, IL 50044
 Site: www.deiganassociates.com

BIORETENTION FACILITY PLAN



NOTES:

1. LOCATE FACILITIES AT LEAST 100 FEET FROM ANY WELLS OR SOURCE WATER LOCATIONS.
2. LOCATE FACILITY AT LEAST 25 FEET FROM ANY SEPTIC FIELDS AND UPGRADIENT IF POSSIBLE.
3. LOCATE FACILITY AT LEAST 25 FEET AND DOWNGRADIENT FROM BASEMENTS.
4. LOCATE FACILITY 5 FEET OR GREATER FROM A SLAB OR FOUNDATION.
5. RECOMMENDED MINIMUM AREA SHALL BE 200 SQUARE FEET WITH THE LENGTH AT A 2:1 RATIO OF THE WIDTH.
6. ADDITIONAL REGULATIONS MAY BE REQUIRED BY LOCAL ORDINANCES.
7. A GEOTEXTILE FABRIC SEPARATING THE LARGE AGGREGATE AND SOIL IS OPTIONAL.
7. DRAWING NOT TO SCALE.

REFERENCE
 Project _____
 Designed _____ Date _____
 Checked _____ Date _____
 Approved _____ Date _____



STANDARD DWG. NO.
 IUM-500
 SHEET 1 OF 1
 DATE 11-18-13



25231 West Chicago Avenue, Suite 100 • Ingleside, Illinois 60041 • 847.457.8200

September 16, 2016

Project No.: 09-16-G44

Mr. Gary J. Deigan
Deigan & Associates, LLC
28835 North Herky Drive, Suit 120
Lake Bluff, IL 60044

Re: Subsurface Exploration and Geotechnical Engineering Analysis Report
Sampfer Fi Compost Facility, 1996 Cannonball Trail, Bristol, IL

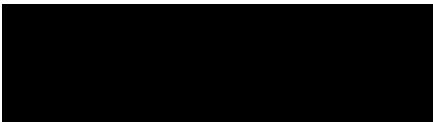
Dear Mr. Gary J. Deigan:

E4L Engineering, LLC (E4L) has performed laboratory testing on the soil sample from the Sampfer Fi Compost Facility for permeability. The sample was taken, sealed, and labeled by the client and picked up by an E4L representative from their office.

The sample tested consisted of brown sand with some gravel and the permeability of the sample was 1.33 cm/sec.

Thank you for giving us the opportunity to work with you on this project. If you have any questions with regard to the information and recommendations presented in this report or if we can be of further assistance, please do not hesitate to contact us.

Respectfully,
E4L Engineering, LLC



Peter M. Sidorczuk, P.E.
Geotechnical Engineer



Semper Fi Land, Inc.
Bristol, Kendall County, Illinois
Application for Permit
REV – 0
March 13, 2017



Deigan & Associates, LLC
Environmental Consultants

the Site, trucks will be on a schedule so as to allow incremented hauling and to avoid heavy traffic at the Site.

5.0 Closure Plan

At the end of the facility's operating life, Semper Fi will close the Site in a manner which minimizes the need for further maintenance and controls by removing all landscape waste/compost material from the Site. This closure approach will eliminate the potential for post-closure environmental problems related to the Semper Fi site activities including residual waste constituents, leachate, contaminated rainfall, release of waste, waste decomposition products making their way to groundwater, nearby surface water, and the atmosphere to the extent necessary to prevent threats to human health and the environment. Due to the nature of the material accepted at the facility, no equipment decontamination or site sampling for contaminants will be necessary after closure.

A. Anticipated Closure Steps

The final closure of the facility will result in the following steps necessary for closure:

1. The landscape waste that has yet to be processed into compost material will be placed into trucks for transport to designated landscape waste compost facilities for sale.
2. Compost material that does not meet the finishing standards will be properly disposed of at a licensed landfill.
2. Processed compost material will be sold to contractors and the general public. Material not sold before operations cease will be transported to a licensed compost facility and/or licensed solid waste facility.
3. The final volume of waste and cleanup/decontamination residues will be sent to a licensed solid waste facility for disposal.

Estimate of Cost to Close Facility

The cost to close the facility will be directly related to the inventory of compost material at the time of closure. The maximum amount expected to be at the facility at the time of closure is 5,000 cubic yards. For purposes of determining closure costs, it is assumed that maximum amount expected to be at the facility is 5,000 yards of landscape waste/compost material and 3,000 gallons of liquids/stormwater and sediment are present on-site at the time of necessary closure.

Task	Estimated Units	Unit Cost	Extended Cost
Load, Transport, and Dispose of landscape waste/compost material	5,000 yards	\$10/cy	\$50,000
Flush and Vacuum Truck Perimeter Collection Drain System	3,000-gallons	\$0.25/gal	\$750
Process Area/Equipment Cleanup	1 Job	\$3,000	\$3,000
TOTAL			\$53,750

Steps taken to ensure that damage to the environment does not occur during temporary suspension of the Site will include environmental monitoring on-site during the closure process. D&A, the selected environmental monitor, will monitor the Site to ensure that the air, soil vapor, groundwater, and soil are not impacted by closure activities.

Material remaining at time of closure will be transported to a licensed landfill for disposal. All manifests generated during the closure process will be kept in the operating record. Equipment used onsite, will undergo a decontamination process by cleaning equipment with water and soap. Any leachate generated will be collected in the bioswale for infiltration and natural treatment. Water collected in the settling basin will be vacuumed out by an environmental tanker truck and basin will be cleaned to remove any residues. Cleaning byproduct will be vacuumed out and transported to a waste water treatment plant for disposal. The timeframe anticipated to complete the closure of the site when the facility has commenced closure is estimated at 20 to 30 days. An expected year of closure is unknown at this time.

Until completion of closure has been certified, operators on-site will maintain a copy of the closure plan at the Site, which will be available during inspections of the Site. During inspections on-site, shall the closure plan need to be modified, the on-site operators will maintain the most recent and accurate closure plan. The closure plan will be implemented by the on-site operators within 30 days following the beginning of the closure. During the 30-day closure period, the operators will post visible signs at all access gates leading into the Site. The text on the signs will read "This facility is closed for all composting activities and all receipt of landscape waste materials. No dumping allowed. Violators will be prosecuted." in a font that is not less than three inches high. Upon closure of the Site, the operators will send notice of closure to the Agency within 30 days. A compost closure report will be submitted to the Agency, on a form provided by the agency, which will cover the time elapsed since the last inspection.

All facility equipment and materials will be removed from the site prior to vacating the premise eliminating any post-closure costs.

Upon completed closure of the Site, the operators will prepare and submit an affidavit, on a form provided by the agency, to the Agency stating that the facility has been closed in accordance with the closure plan.

A. Use of Site after Closure

Following closure, the site would be suitable for agricultural use as part of the A1-SU, agricultural use – special use zoning district, subject to local review/approval.

**ATTACHMENT 18
ZONING, PLATTING & ADVISORY COMMITTEE (ZPAC)
May 2, 2017 – Meeting Minutes**

Senior Planner Matt Asselmeier called the meeting to order at 9:05 a.m.

Present:

John Burscheid – Highway Department
Jason Langston – Sheriff's Office
Aaron Rybski – Health Department
David Guritz – Forest Preserve (Arrived at 9:12 a.m.)
Megan Andrews – Soil & Water Conservation District
Robert Davidson – PBZ Committee Chair (Arrived at 9:14 a.m.)
Matt Asselmeier – PBZ Department

Absent:

Brian Holdiman – PBZ Department
Greg Chismark – WBK Engineering, LLC

Audience: Robert Velazquez, Jeff Corneils and Robert Walker

AGENDA

Mr. Rybski made a motion, seconded by Ms. Andrews, to approve the agenda as proposed. With a voice vote of all ayes the motion carried.

MINUTES

Ms. Andrews made a motion, seconded by Mr. Rybski, to approve the March 7, 2017 meeting minutes. With a voice vote of all ayes the motion carried.

PETITION

17-09 Semper Fi Land, Inc. (Robert Velazquez) – Special Use Request to Operate a Landscape Waste Composting Facility at 1996 Cannonball Trail Approximately 0.5 Miles South of Galena Road in Bristol Township (PIN 02-15-101-003)

Mr. Asselmeier provided a summary of the request. The petitioner desires to operate a landscape waste composting facility at the subject property. The petitioner already possesses a special use permit to operate a landscaping business at the property; the petitioner lives at the subject property. The property is zoned A-1 Agricultural District. All of the adjoining properties are zoned Residential and are inside the boundaries of the United City of Yorkville. The Land Resource Management Plan calls for the area to be Rural Residential.

As part of the previous special use permit, the petitioner had to dedicate a certain amount of land for trails. The petitioner has dedicated the requested land. The Highway Department requested that the special use plat classify this area as right-of-way instead of trails only.

The EcoCat consultation was terminated and the LESA score was 169. Ms. Andrews stated that the proposed use would not prevent the property from reverting to other agricultural uses in the future.

The petitioner agreed to follow the standard noise regulations of 65 dBA during the day and 55 dBA during the night as measured at the property line.

The petitioner will have a sign as listed in their business plan.

The petitioner agreed to have all vehicles and equipment that could be placed inside during non-operational hours be placed inside one of the buildings.

WBK provided a letter regarding the petitioner's stormwater plans. The petitioner is working with his engineer to address the items mentioned in the letter.

The requirements for landscape waste composting facilities were discussed and the petitioner agreed to all of the requirements of the Zoning Ordinance. The petitioner agreed to cease operations at 3:00 p.m. and not have Saturday hours.

Mr. Rybski discussed soil and water sampling and host fee as they relate to this type of business. Mr. Rybski felt that the regulations were scalable and that the proposed business should follow the same regulations as other landscape waste composting facilities. The water and soil sampling should occur at least once per year; the Health Department would conduct additional sampling if complaints arose. The Health Department also conducts site visits. For the other company, the weights are reported with the payment of the host fee. The petitioner would like to cap the amount of material at 26,000 cubic yards per year. Based on the proposed host fee of \$0.80 per ton, the petitioner would have to pay about \$6,700 per year. The petitioner agreed to track type of material and quantity measured by size of truck. The conversion factor is 3.3. The petitioner agreed to pay the same host fee on a monthly basis.

Mr. Davidson asked what the petitioner was going to do with the yard waste. Mr. Velazquez responded he would process everything in a tub grinder and make into a compost or mulch for reuse on projects. Mr. Davidson requested a bond be created to fund a cleanup of the site if the petitioner abandoned the property. The petitioner agreed to research bond information. Mr. Davidson also requested a limit be placed on the amount of material be placed on the property. The petitioner agreed to cap the height of piles of material at 20 feet. The petitioner hopes to start operations in 2018.

Mr. Langston asked where the petitioner would get his material and if the business would cause an increase in traffic on Cannonball Trail. Mr. Velazquez responded that the majority of material would be generated from his business, but that he would accept material from other sources, small landscape businesses. He plans to have a maximum five (5) people onsite and does not anticipate an increase of traffic on Cannonball Trail because of his business.

Discussion occurred regarding fencing and buffering. The petitioner agreed to install evergreens along the east, south, and southwest portion of the property.

A gravel road shall be installed this fall.

Mr. Corneils expressed concerns regarding odor. There was no definitive answer to this concern, but Mr. Velazquez believes that the size of the operation will minimize odor.

Mr. Walker asked about the size of trucks going onto the property. The petitioner responded that material be dumped at his shop and then hauled to the site.

Mr. Rybski made a motion, seconded by Ms. Andrews, to forward the petition onto the Plan Commission with a favorable recommendation subject to the following conditions:

1. The special use plat shall be amended to show a dedicated ROW instead of a trail.
2. The host fee shall be the same as the fee paid by Green Organics (\$0.80 per ton until November 30, 2019 then the fee goes to \$0.85 per ton starting December 1, 2019).
3. The host fee shall be converted to per cubic yard.
4. The host fee shall be paid monthly.
5. The petitioner shall create a form to track deliveries and quantities.
6. Sampling of water shall occur at least one (1) time per year.
7. Sampling of soil shall occur at least one (1) time per year.
8. The petitioner shall supply a bond to Kendall County to fund the cleanup of the site. The petitioner shall research dollar amounts for the bond.
9. No piles of materials shall be stacked higher than 20 feet.
10. The petitioner shall plant evergreen trees along the eastern, southern and southwestern property lines for screening.
11. The petitioner shall maintain the existing tree line.
12. The petitioner shall replace trees as quickly as possible if they die or severely damaged.

By a roll call vote, the motion passed unanimously.

UPDATES OF PETITIONS

Mr. Asselmeier reported that the Delaney Gun Range Case will go before the PBZ Committee on May 8th and the Pagel rezoning case will also go before the PBZ Committee on May 8th.

The request by DKR Group on Walker Road was withdrawn by the petitioner.

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD

Mr. Asselmeier reported that the rezoning of 790 Eldamain Road from A-1 to M-1 went to the County Board on April 18th. Because Yorkville filed a formal objection, eight (8) members of the County Board were needed to approval the proposal and seven (7) members of the Board were present when the item came up for discussion. The proposal will go before the County Board on May 2nd.

OLD BUSINESS

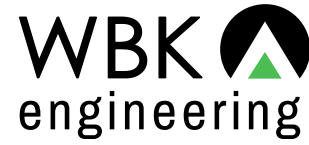
None

NEW BUSINESS

None

ADJOURNMENT

Ms. Andrews made a motion, seconded by Mr. Guritz, to adjourn. With a voice vote of all ayes, the motion carried. The ZPAC, at 9:50 a.m., adjourned.



May 12, 2017

Mr. Matthew Asselmeier, AICP
Senior Planner
Kendall County Planning, Building & Zoning
111 West Fox Street
Yorkville, IL 60560

Subject: Semper Fi Land Inc. 1996 Cannonball Trail
Kendall County (WBK Project No. 16-0100.K)

Dear Mr. Asselmeier:

WBK Engineering LLC has completed a review of the documents submitted for the subject project. The following material was provided to us for review:

- Response letter prepared by Deigan and Associates dated May 8, 2017 and received May 9, 2017 via e-mail.

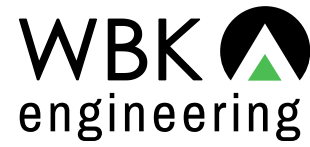
The following comments require resolution prior to our recommendation for a special use:

Figure 3

1. Depict a plan scale and calculate the area of project disturbance.
2. Depict proposed or existing grades for areas around the Incoming Materials and Final Product storage areas. There are no elevations depicted at the southwest corner of the site that would confirm a drainage pattern. Depicting all existing spot elevations surveyed would help define existing drainage patterns.
3. The proposed emergency discharge from the settling basin is one foot lower than the proposed and existing grades to the west. The routing of emergency overflow appears to be east on to adjacent property.
4. Dimension the bioswale on the plan or the cross section. The response letter identifies the width but it is not depicted on the plans.
5. Depict silt fence along the east and south property line adjacent to areas of disturbance.

Stormwater Submittal

1. If the project disturbance is less than one acre stormwater storage is not required. Verify disturbance and stormwater storage requirements.



The applicant's design professionals are responsible for performing and checking all design computations, dimensions, details, and specifications in accordance with all applicable codes and regulations, and obtaining all permits necessary to complete this work. In no way does this review relieve applicant's design professionals of their duties to comply with the law and any applicable codes and regulations, nor does it relieve the Contractors in any way from their sole responsibility for the quality and workmanship of the work and for strict compliance with the permitted plans and specifications.

If you have any questions or comments, please contact me at (630) 443-7755.

Sincerely,



Greg Chismark, P.E.
Municipal Practice Principal



Deigan & Associates, LLC
Environmental Consultants

Illinois:

28835 N Herky Dr. Unit 120

Lake Bluff, Illinois 60044

Phone 847.578.5000

Fax 847.549.3242

www.deiganassociates.com

May 24, 2017

Matthew H. Asselmeier, AICP
Senior Planner
Kendall County Planning, Building & Zoning
111 West Fox Street
Yorkville, IL 60560-1498

Dear Mr. Asselmeier:

This letter is in response to the comments included in a letter dated May 12, 2017 from WBK Engineering, LLC regarding the Stormwater Submittal for Semper Fi Land, Inc. 1996 Cannonball Trail.

As previously discussed, the proposed facility is in an area with little to no elevation change and where infiltration is the controlling natural stormwater attribute. Grading of the site will be minimal and only as necessary to provide drainage for the “composting area” (the impervious asphalt pad required by the IEPA). The design of the bioswale and settling basin are intended to mitigate the impacts of the composting area through treatment, storage, and infiltration. This agrees with Sec. 102.2(j) of the Kendall County Stormwater Ordinance “To require stormwater storage and encouraging the use of and infiltration of stormwater in preference to stormwater conveyance.” The proposed facility provides all three elements from Sec. 102.2(j) including storage in the bioswale and settling basin; use of stormwater for process water in composting; and infiltration in the natural soils, bioswale, and settling basin.

Responses to specific inquiries in the letter are detailed below:

Regarding Figure 3.

1. Depict a plan scale and calculate the area of project disturbance.

A graphical scale is now included on Figure 3. Nearly all of the disturbance will be due to the asphalt pad and construction of the bioswale and settling basin. These features total 18,336 sq. ft. (0.421 acres) of project disturbance.

2. Depict proposed or existing grades for areas around the Incoming Materials and Final

Product storage areas. There are no elevations depicted at the southwest corner of the site that would confirm a drainage pattern. Depicting all existing spot elevations surveyed would help define existing drainage patterns.

All available elevations for the areas around the Incoming Materials and Final Product storage areas are now shown on Figure 3. No grading is proposed nor needed for the areas around the Incoming Materials and Final Product storage areas. Existing grades will remain in these areas.

3. The proposed emergency discharge from the settling basin is one foot lower than the proposed and existing grades to the west. The routing of emergency overflow appears to be east on to adjacent property.

Discharge under normal conditions is not expected from the settling basin. Water from the basin will be reused to enhance the water content of the compost, infiltrate, or evaporate under normal conditions. We are proposing to create a one-foot tall berm surrounding the settling basin. This will put the rock protected outfall at an elevation of 652 ft. in the southwest corner of the basin (as depicted on Figure 3). This emergency discharge will follow the existing natural infiltration and drainage pattern to the west/southwest (on to the facility property.) The elevated asphalt pad will prevent flow to the east and on to adjacent property.

4. Dimension the bioswale on the plan or the cross section. The response letter identifies the width but it is not depicted on the plans.

The bioswale cross section now depicts project specific dimensions.

5. Depict silt fence along the east and south property line adjacent to areas of disturbance.

A silt fence is depicted on Figure 3 along the east and south

Regarding the Stormwater Submittal.

1. If the project disturbance is less than one acre stormwater storage is not required. Verify disturbance and stormwater storage requirements.

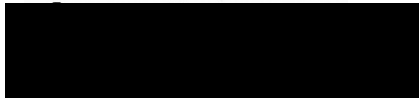
The project disturbance is less than one acre (0.421 acres) which normally wouldn't require stormwater storage under the Kendall County Ordinance. For this project, the settling basin is being proposed to meet Illinois Environmental Protection Agency regulations for landscape waste composting facilities (35 IAC Section 830.204).

The intent of the design of the proposed facility is to meet the objectives of the Kendall County Stormwater Management Ordinance and the IEPA regulations by providing stormwater storage and encouraging the use of and infiltration of stormwater in preference to stormwater conveyance. We feel this design meets this objective and all the objectives of the Ordinance.

Please contact me if you have any questions or comments.

Sincerely,

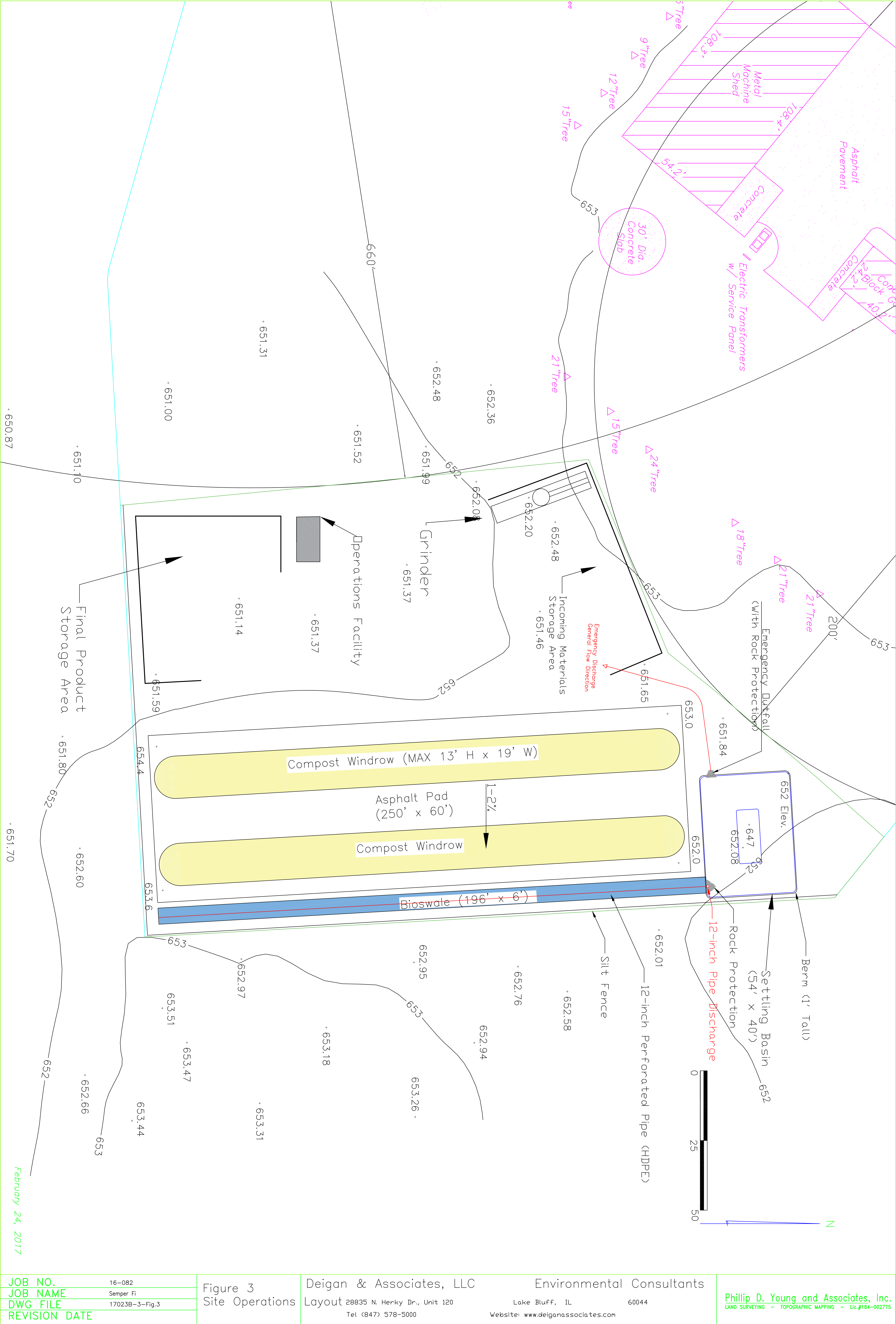
Deigan & Associates, LLC



Steven Schilling, P.E.
Senior Project Manager/Senior Engineer

Attachments:

Revised Figure 3
Illinois Urban Manual Standard Drawing No. IUM-500



JOB NO.	16-082
JOB NAME	Semper Fi
DWG FILE	17023B-3-Fig.3
REVISION DATE	

Figure 3
Site Operations

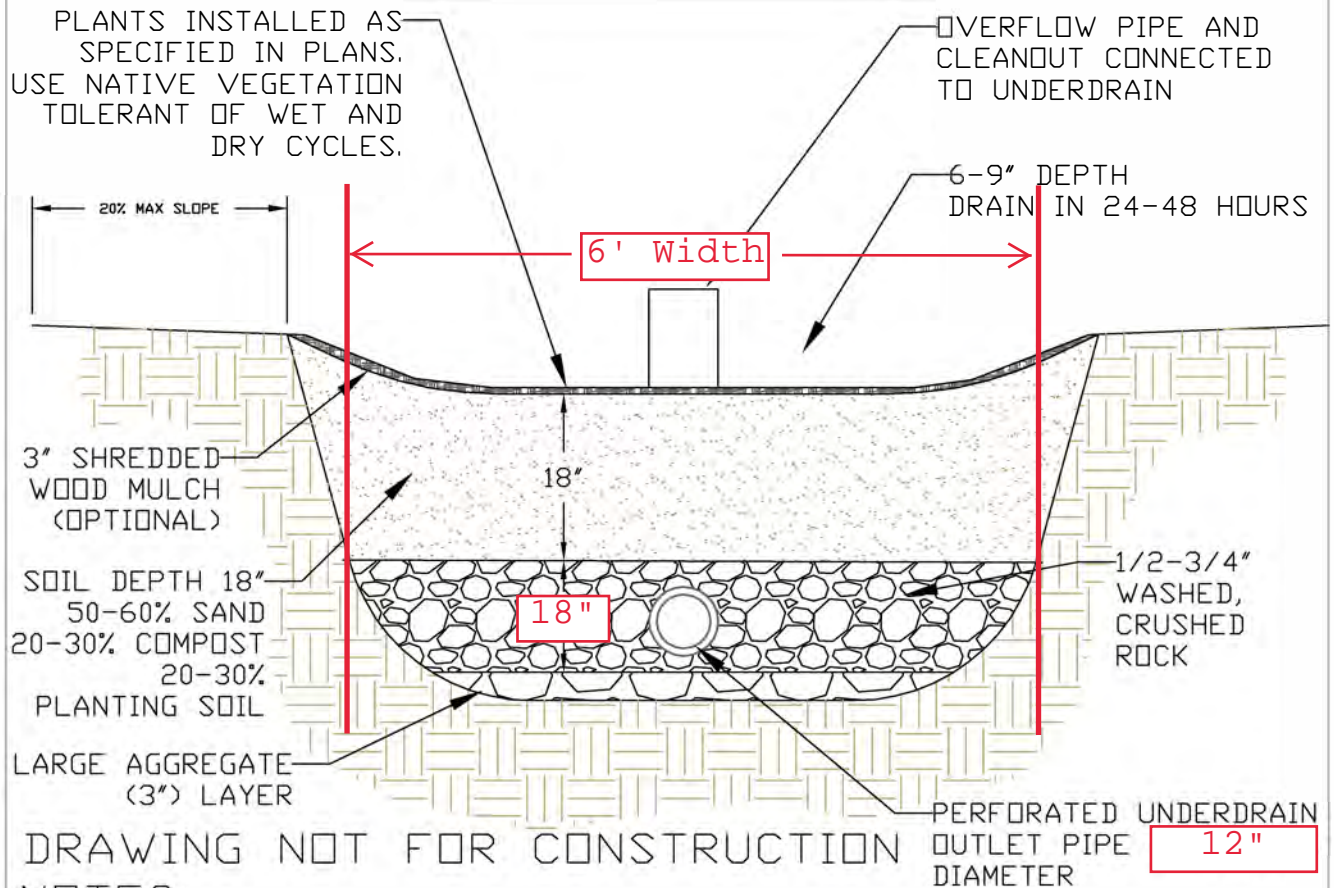
Deigan & Associates, LLC
Layout 28835 N. Herky Dr., Unit 120
Tel (847) 578-5000

Environmental Consultants
Lake Bluff, IL 60044
Website: www.deiganassociates.com

Phillip D. Young and Associates, Inc.
LAND SURVEYING - TOPOGRAPHIC MAPPING - Lic.#184-002775

BIORETENTION FACILITY PLAN

Semper Fi Landscape Waste Composting Facility



NOTES:

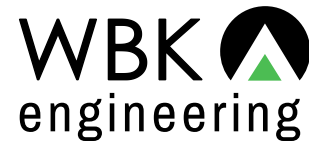
1. LOCATE FACILITIES AT LEAST 100 FEET FROM ANY WELLS OR SOURCE WATER LOCATIONS.
2. LOCATE FACILITY AT LEAST 25 FEET FROM ANY SEPTIC FIELDS AND UPGRADIENT IF POSSIBLE.
3. LOCATE FACILITY AT LEAST 25 FEET AND DOWNGRADIENT FROM BASEMENTS.
4. LOCATE FACILITY 5 FEET OR GREATER FROM A SLAB OR FOUNDATION.
5. RECOMMENDED MINIMUM AREA SHALL BE 200 SQUARE FEET WITH THE LENGTH AT A 2:1 RATIO OF THE WIDTH.
6. ADDITIONAL REGULATIONS MAY BE REQUIRED BY LOCAL ORDINANCES.
7. A GEOTEXTILE FABRIC SEPARATING THE LARGE AGGREGATE AND SOIL IS OPTIONAL.
7. DRAWING NOT TO SCALE.

REFERENCE
Project Semper Fi Compost
Designed SS Date 5-22-17
Checked _____ Date _____
Approved _____ Date _____

Page 235 of 241



STANDARD DWG. NO.
IUM-500
SHEET 1 OF 1
DATE 11-18-13



May 24, 2017

Mr. Matthew Asselmeier, AICP
Senior Planner
Kendall County Planning, Building & Zoning
111 West Fox Street
Yorkville, IL 60560

Subject: Semper Fi Land Inc. 1996 Cannonball Trail
Kendall County (WBK Project No. 16-0100.K)

Dear Mr. Asselmeier:

WBK Engineering LLC has completed a review of the documents submitted for the subject project. The following material was provided to us for review:

- Response letter prepared by Deigan and Associates dated May 24, 2017 and received May 24, 2017 via e-mail.

The plans are approved conditioned upon incorporation of the following comments:

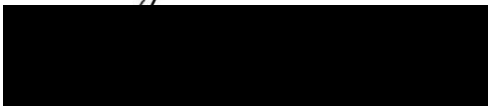
Figure 3

1. The area of project disturbance is noted as 18,336 sf in the response letter but depicted as 36,720 sf based on the green line previously referenced in project submittals and the scale depicted on the plans. This does not have a material impact on the approval but is noted for the record as actual project disturbance.
2. See the attached mark up for grading modifications to ensure overflows from the settling basin do not flow east.

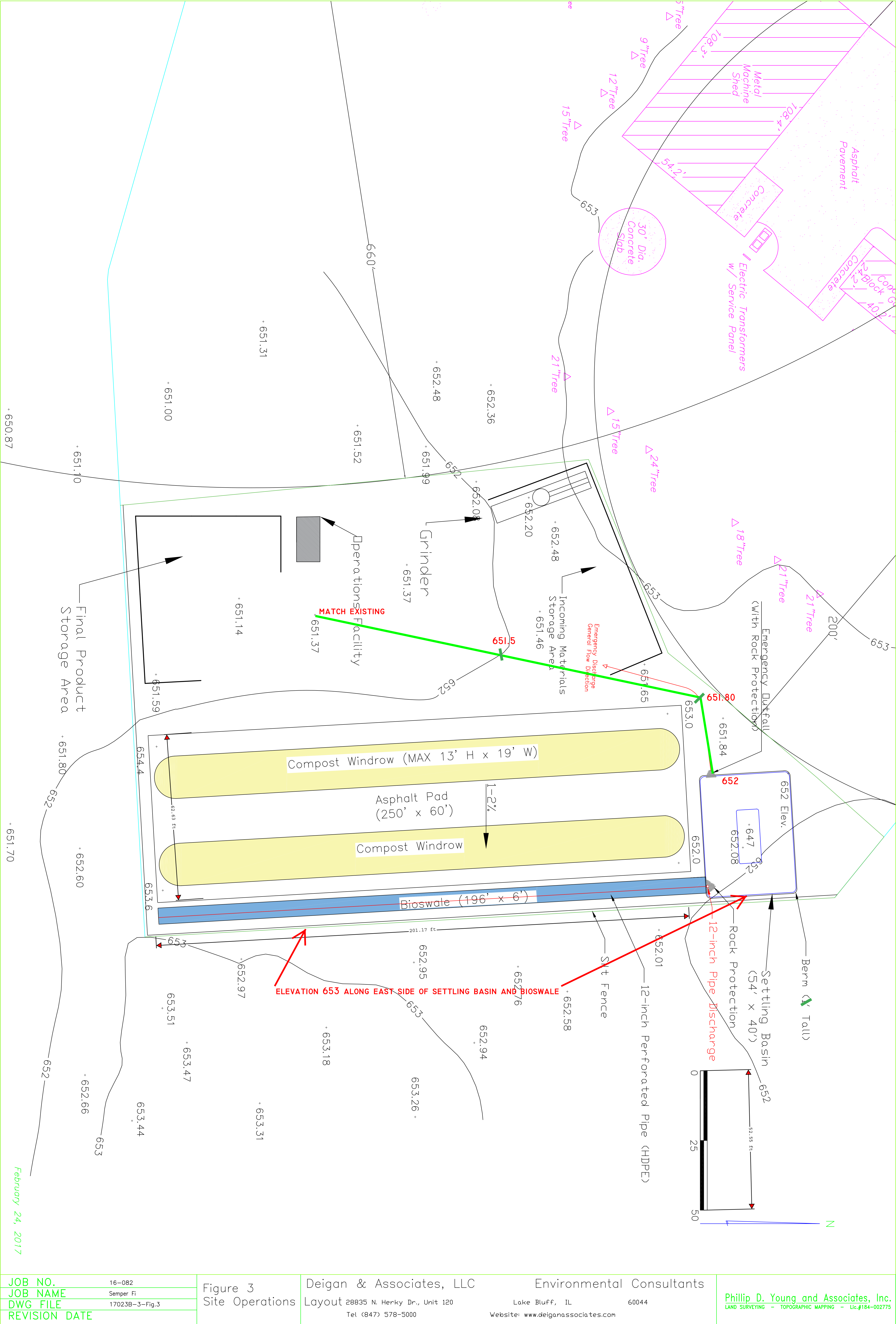
The applicant's design professionals are responsible for performing and checking all design computations, dimensions, details, and specifications in accordance with all applicable codes and regulations, and obtaining all permits necessary to complete this work. In no way does this review relieve applicant's design professionals of their duties to comply with the law and any applicable codes and regulations, nor does it relieve the Contractors in any way from their sole responsibility for the quality and workmanship of the work and for strict compliance with the permitted plans and specifications.

If you have any questions or comments, please contact me at (630) 443-7755.

Sincerely,



Greg Chismark, P.E.
Municipal Practice Principal



JOB NO.	16-082
JOB NAME	Semper Fi
DWG FILE	17023B-3-Fig.3
REVISION DATE	

Figure 3
Site Operations

Deigan & Associates, LLC
Layout 28835 N. Herky Dr., Unit 120
Tel (847) 578-5000

Environmental Consultants
Lake Bluff, IL 60044
Website: www.deiganassociates.com

Phillip D. Young and Associates, Inc.
LAND SURVEYING - TOPOGRAPHIC MAPPING - Lic.#184-002775

**KENDALL COUNTY
REGIONAL PLANNING COMMISSION**

*Kendall County Office Building
Rooms 209 & 210
111 W. Fox Street, Yorkville, Illinois*

Unapproved Meeting Minutes of May 24, 2017

Chairman Ashton called the meeting to order at 7:02 p.m.

ROLL CALL

Members Present: Bill Ashton, Tom Casey, Larry Nelson, Ruben Rodriguez, John Shaw and Claire Wilson

Staff Present: Matthew H. Asselmeier, Senior Planner

Members Absent: Roger Bledsoe, Budd Wormley and Angela Zubko

In the Audience: Robert Velazquez, Jim Menard and Donna Stere

APPROVAL OF AGENDA

Mr. Shaw made a motion, seconded by Ms. Wilson, to approve the agenda. With a voice vote of all ayes, the motion carried.

APPROVAL OF MINUTES

Mr. Nelson made a motion, seconded by Mr. Shaw, to approve the March 22, 2017 minutes. With a voice vote of all ayes, the motion carried.

PETITION

17-09 Semper FI Land, Inc. (Robert Velazquez)

Mr. Asselmeier summarized the request. The petitioner would like a special use permit to operate landscape waste composting facility at 1996 Cannonball Trail. This special use permit would be in addition to the existing special use permit at the property for a landscaping business. Mr. Asselmeier outlined the twenty-nine (29) restrictions proposed for the special use and noted that no restriction could entirely mitigate an odor issue if the business was not operated correctly. It was noted that the petitioner would be required to live on the property; if a foul odor existed, the petitioner would experience the same odor issues as his neighbors.

Ms. Wilson requested clarification regarding the property's relationship with the United City of Yorkville. Mr. Asselmeier stated that the property was entirely surrounded by Yorkville, but was in the unincorporated County. The adjoining properties are residentially zoned by Yorkville.

Staff from the United City of Yorkville requested that the driveway for the business be paved. Mr. Velazquez agreed to this condition.

Ms. Wilson asked how the regulations of the host agreement and weight receipts. Mr. Asselmeier responded that the information is gathered by the Kendall County Health Department; the host fee is then deposited into the General Fund.

Mr. Rodriguez asked about when the trucks were weighted. The weights will be measured in cubic yards. Mr. Velazquez stated weights will be classified by size of the truck and if the truck is full or half full. The information will be logged by Semper Fi and sent to the County monthly.

According to their present special use permit, Green Organics is permitted 175,000 cubic yards annually.

Semper Fi would manufacture mulch at the site and use the mulch at their landscaping business.

Ms. Wilson asked about plans to address odors. Mr. Velazquez responded there was not much he could do to mitigate odors. Since Mr. Rodriguez lives on the property, he plans to keep the site clean. Covering the windrows would be counterproductive.

Mr. Ashton asked where the petitioner will get his products. Mr. Velazquez responded that he would get his materials from local landscaping companies, but the majority would come from his business.

Mr. Velazquez stated the landscape waste would be placed in windrows; the mulch would be separate.

Mr. Casey asked about the asphalt area and turning the windrows. Mr. Velazquez explained the process of turning the windrows. The location of asphalt is on the site plan and would be required to be in place prior to the commencement of operations, per Illinois Environmental Protection Agency regulations. If approved the asphalt would be laid this fall and operations would start in spring 2018.

Mr. Nelson asked about garbage control in materials. Mr. Velazquez said that he would control which companies bring materials.

Mr. Rodriguez asked about storage of equipment. Mr. Velazquez said that he would use the existing pole barns.

Jim Menard, Oswego, works with the landowner that of the property that surrounds Mr. Velazquez's property; it is one hundred ninety (190) acres in size. The surrounding property is zoned residential by Yorkville and was preliminarily platted for four hundred twenty (420) residential units. The preliminary plat has expired; the subdivision was a PUD. They have owned the property for ten (10) years. Mr. Menard expressed concerns regarding odor and the impact of the proposal on property values. The annexation agreement with Yorkville is for twenty (20) years. Mr. Menard provided a site plan dated June 14, 2006. No specific timeline for developing this subdivision exist. The surrounding property and Mr. Velazquez's property were not owned by the same entity when the company Mr. Menard works with purchased the property for the subdivision in 2006.

Mr. Nelson asked when the first special use permit was granted. Mr. Asselmeier responded 2012; the special use permit is to operate a landscaping business and to allow the petitioner to live on the property.

Mr. Nelson noted that existence of the railroad would have an impact on a residential neighborhood. Mr. Nelson said the proposed development would possess buffering. The area is classified by Yorkville as estate residential.

Mr. Velazquez said that the operations will be on the east side of the property. The windrows will be located as shown on the site plan. The evergreens will be planted on the ground at the property line.

Donna Stere, Yorkville, asked where the operations would be on the property. Windrows would be on the southeast corner of the property. Access would be south of the existing house and pole barns. Ms. Stere also expressed concerns about odor.

Mr. Nelson made a motion to approve the petition granting a special use permit to operate a landscape waste composting facility with restrictions at 1996 Cannonball Trail, seconded by Mr. Shaw.

Yes – Ashton, Casey, Nelson, Rodriguez and Shaw (5)

No – Wilson (1)

Absent – Bledsoe, Wormley and Zubko (3)

The motion passed. This proposal will go to the Zoning Board of Appeals on June 5, 2017.

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OLD BUSINESS

Mr. Asselmeier stated that the Kendall County Forest Preserve District received the letter and they are evaluating their response. The Kendall County Forest Preserve District did not provide a timeline for a response. Commissioners requested that Mr. Asselmeier email the letter to all Kendall County Regional Planning Commissioners and the State's Attorney.

NEW BUSINESS

None

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD

Petition 16-22, the map amendment at 790 Eldamain Road was approved by the County Board at their May 2nd meeting.

Petition 16-26, the map amendment at 2380 Burkhardt Drive was approved by the County Board at their May 16th meeting.

OTHER BUSINESS/ANNOUNCEMENTS

The City of Plano approved their Comprehensive Plan update at their May 8th City Council meeting.

CITIZENS TO BE HEARD/ PUBLIC COMMENT

None

ADJOURNMENT

Mr. Nelson made a motion, seconded by Ms. Wilson to adjourn. With a voice vote of all ayes, the motion carried. The Regional Plan Commission meeting adjourned at 7:59 p.m.

Respectfully submitted by,
Matthew H. Asselmeier, AICP
Senior Planner

BRISTOL RIDGE SITE PLAN

JUNE 14, 2006

SITE DATA			
LAND USE	UNITS	ACRES	PERCENTAGE
SINGLE FAMILY	271	118.7 AC.	94.3 %
AVENUE LOT 14,000 S.F.			
AVENUE LOT 20,000 S.F.			
AVENUE LOT 25,000 S.F.			
DUPLEX	42	29.2 AC.	23.5 %
TOWNHOMES	57	50.1 AC.	39.8 %
PARK	1	36.0 AC.	28.7 %
OPEN SPACE / DETENTION		4.0 AC.	3.1 %
CANNONBALL TRAIL R.O.M.			
TOTAL	420	160.0 AC.	100.0 %
GRADE DICTATE, 400 UNITS/AC, AC-22 DU/AC.			

