CALL TO ORDER
ROLL CALL: Amy Cesich, Lynn Cullick, Scott Gryder (Chair), Judy Gilmour (Vice-Chair) and Jeff Wehrli

APPROVAL OF AGENDA

APPROVAL OF MINUTES: Approval of minutes from the October 7, 2013 meeting.

EXPENDITURE REPORT- (handed out at meeting) Approval to forward the claims to the Finance Committee in an amount not to exceed $40,000

PETITIONS
1. 13-17 Maly Poultry Processing Plant
   Request  A-1 Special Use
   Purpose  Special use for a Small Poultry & Small animal Processing Plant
   Location  16895 Lisbon Center Road

2. 13-29 Historic Preservation Ordinance Amendment
   Request Amendment to Historic Preservation Ordinance
   Purpose  To eliminate the language for owner’s consent and change the percentage for a historic district from 100% to 51% (pages 7, 10, 11, 12 & 13)

3. 13-30 FEMA MAP changes
   Request Resolution approving the map changes that go into effect on January 8, 2014
   Purpose  Panels 0035, 0045, 0065, 0130, 0135, 0140, 0145 & 0225 are being modified

OLD BUSINESS
Plumbing Inspector replacement discussion
Approve invoice for $2,700 to Wilkinson Excavating for Construction in Fields of Farm Colony – final close out invoice

NEW BUSINESS
Review and approval of the 2014 meeting date schedule

PUBLIC COMMENT

UPDATE ON HISTORIC PRESERVATION- Petition above

UPDATE ON CMAP LAND USE COMMITTEE MEETING- Had a tour of the Ninety7Fifty on the Park transit-oriented development in Orland Park, IL

PROJECT STATUS REPORT
PERMIT REPORT
REVENUE REPORT
CORRESPONDENCE
EXECUTIVE SESSION

ADJOURNMENT- Next meeting on December 9, 2013
KENDALL COUNTY
PLANNING, BUILDING & ZONING COMMITTEE
Kendall County Office Building
Rooms 209 & 210
111 W. Fox Street, Yorkville, Illinois
6:30 p.m.
Meeting Minutes of October 7, 2013

CALL TO ORDER
The meeting was called to order by Chairman Scott Gryder at 6:32 p.m.

ROLL CALL
Present: Chairman Scott Gryder, Amy Cesich, Lynn Cullick, Vice-Chair Judy Gilmour and Jeff Wehrli
Absent: None
Also present: Senior Planner Angela Zubko

APPROVAL OF AGENDA
Jeff Wehrli made a motion to approve the agenda as written, Lynn Cullick seconded the motion. All agreed and the motion was approved.

APPROVAL OF MINUTES
Judy Gilmour made a motion to approve the minutes from September 9, 2013. Amy Cesich seconded the motion. All agreed and the minutes were approved.

EXPENDITURE REPORT (handed out at meeting)
Since it was listed incorrectly on the agenda (needed a not to exceed amount) the Committee could not vote on the expenditure report in the amount of $16,102.25 and forward it onto the Finance Committee. However Mr. Gryder will ask the Finance chair to put the payment of the bills on the Finance Committee meeting agenda. There was some discussion on the open meetings act and how to change our agendas.

CITIZENS TO BE HEARD
There were no citizens to be heard at this time

PETITIONS- None

OLD BUSINESS–
Plumbing Inspector replacement- The PBZ Department is posting an ad in the Record newspaper for the next two weeks and still plan to have someone in place by December 1st.

Building Code Discussion- The plan is to bring the building code changes and proposed fee changes to an upcoming meeting.

Fields of Farm Colony Change Order- Planner Zubko stated in the packet is the 1 change order for the Fields of Farm Colony project. The change order was in the amount of $1,800 and took into account 4 subtractions and 4 additions. Planner Zubko stated all change orders need to be approved by the full County Board. Since this item was incorrectly list on the agenda no vote can be taken. Mr. Gryder will request from the County Board Chairman this item be placed on the County Board agenda. Ms. Zubko updated the Committee on where the bond amount is after we pay the contractor.
NEW BUSINESS
Review of IL APA Conference Planner Zubko attended- Planner Zubko stated the 2 day event was beneficial. She learned about big data, the Plat Act Affidavit and how to properly use it, online promoting and social media and a seminar on ethics.

Bed & Breakfast question- 1542 Plainfield Road- possible weddings on site- Planner Zubko stated in your packet is the original special use for a bed and breakfast for 1542 Plainfield Road. The owner is wondering if she would like to hold special events there if she would need to amend her special use and if it would be considered a minor or major change. Planner Zubko stated her opinion would be a major change but wanted a group consensus. No consensus could be taken since it was incorrectly put on the agenda.

Request from NaAuSay Township to pay ½ building permit fees in the amount of $218.20 (Total was $436.40)- Planner Zubko passed out a letter from the township highway commission requesting to lower the fees for another government body. The PBZ Committee typically reduces the fees to half but it needs to be approved by the PBZ Committee. Jeff Wehrli made a motion to reduce the fees for the NaAuSay Township salt building to the amount of $218.20, Lynn Cullick seconded the motion. With a roll call vote the fees were reduced.

PUBLIC COMMENT – None

UPDATE ON HISTORIC PRESERVATION- The Commission is preparing to change the text to hopefully become a Certified Local Government and also went though about 40 more windshield survey properties in Oswego Township. The next meeting will be October 16th at 7pm.

UPDATE ON CMAP LAND USE COMMITTEE MEETING- Planner Zubko updated the PBZ Committee she is part of the CMAP Land Use Committee and will update the group what is discussed each month. Last month there was discussion on the Illiana Corridor and we went around the room to see if each jurisdiction opposed it, supported it or took no position. It was a pretty even consensus. This will be voted by the CMAP Board on October 9th.

PROJECT STATUS REPORT- Reviewed
PERMIT REPORT- Reviewed
REVENUE REPORT- Reviewed
CORRESPONDENCE – Planner Zubko just wanted to state she received a few phone calls about the EcoCat fee and how County Board was writing a resolution against it and they were proud of the board for doing this. Kane County will probably follow.

EXECUTIVE SESSION- None

ADJOURNMENT- Next meeting will be on November 12, 2013 (TUESDAY)
Lynn Cullick made a motion to adjourn the meeting. Jeff Wehrli seconded the motion. All agreed. Chairman Gryder adjourned the meeting at 7:13 p.m.

Respectfully Submitted,
Angela L. Zubko
Senior Planner

10.7.13 PBZ Meeting Minutes
SITE INFORMATION
PETITIONERS Alan & Mary Maly
ADDRESS 16895 Lisbon Center Road
LOCATION On the north side of Lisbon Center Road about 0.32 miles east of Fennel Road

TOWNSHIP Big Grove
PARCEL # 07-08-100-011
SIZE 27 Acres of a 124.77 total acres
EXISTING LAND USE Agricultural/Farming
ZONING A-1 Agricultural

LRMP
<table>
<thead>
<tr>
<th>Land Use</th>
<th>County: Agricultural; Village of Newark: ?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Roads</td>
<td>Lisbon Center Road is a Big Grove Township Roadway and is designated as a local rural road</td>
</tr>
<tr>
<td>Trails</td>
<td>There are no trails shown for this area</td>
</tr>
<tr>
<td>Other</td>
<td>There are no wetlands or floodplain on this property</td>
</tr>
</tbody>
</table>

REQUESTED ACTION The petitioner is requesting approval of an A-1 Special Use Permit to operate a Small Poultry & Small animal Processing Plant.

APPLICABLE Pet. 13-16 (Text amendment to allow this as a special use in the A-1 district)
**REGULATIONS**  § 11.00 Off-street Parking and Loading  § 13.08 of the Zoning Ordinance (Special Uses)

**SURROUNDING LAND USE**

<table>
<thead>
<tr>
<th>Location</th>
<th>Adjacent Land Use</th>
<th>Adjacent Zoning</th>
<th>LRMP</th>
<th>Zoning within 1/2 Mile</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>Agricultural/Farming</td>
<td>A-1</td>
<td>Agricultural</td>
<td>Newark &amp; A-1</td>
</tr>
<tr>
<td>South</td>
<td>Agricultural/Farming</td>
<td>A-1</td>
<td>Agricultural</td>
<td>A-1</td>
</tr>
<tr>
<td>East</td>
<td>Agricultural/Farming</td>
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<td>Agricultural</td>
<td>A-1</td>
</tr>
<tr>
<td>West</td>
<td>Agricultural/Farming</td>
<td>A-1</td>
<td>Agricultural</td>
<td>A-1; LaSalle County</td>
</tr>
</tbody>
</table>

**PHYSICAL DATA**

**ENDANGERED SPECIES REPORT**

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.

**NATURAL RESOURCES INVENTORY**

The NRI indicates that 67.4% of the soils on this site are soils that are classified as being prime farmland and the most agronomically productive. 100% of the soils are very limited for local roads and streets; and 15.9% are very limited for shallow excavation. The site is located within the Fox River Watershed and Roods Creek Subwatershed. A drainage tile survey is recommended to be completed on the parcel.

Land Evaluation: 90  
Site Assessment: 113  
TOTAL: 203  
Level of Protection: Medium

**ACTION SUMMARY**

**TOWNSHIP**  
(Big Grove)  
It was discussed at the July 16, 2013 Big Grove Township Board and received an unanimous recommendation in favor of the petition.

**MUNICIPAL**  
(Village of Newark)  
Received a letter dated August 5, 2013 stating the Village of Newark Trustees reviewed the information and support the endeavor.

**ZPAC (7.1.13)**  
At the time of ZPAC there were a lot of open ended questions but they still made a favorable recommendation.

**RPC (8.28.13)**  
The Plan Commission made a favorable recommendation and added a condition that within 5 years, 50' of the driveway must be a minimum of tar and chipped and modified the condition to not allow retail sales on site instead of the previous wording. The main concerns brought up at this meeting were: the notification process, public hearing sign size, traffic, noise, the property values in the area, lighting, possible protests, landscaping, driveway construction, commercial retail on the site, possible water contamination, appearance, signage and waste.

**SUHO (9.3.13)**  
Bill Ford made a favorable recommendation to approve the special use. Also Mr. Ford felt the 5 year time limit to pave 50’ is too long of a timeline. The main concerns brought up at this meeting once again was the notification process and feels all residents of Newark should be notified, traffic, noise, smell, disease.
prevention, the well, septic, retention ponds on site, fire prevention, hazardous spills, rats, entrance appearance, landscaping, roadway conditions and lighting.

SUHO (10.15.13) Due to hearing back from the SAO about notification staff felt another public hearing should be held notifying the residents within 500' of the OVERALL parcels. Mr. Ford made another favorable recommendation to approve the special use stated no new evidence was submitted, they were all the same concerns as last meeting.

REQUESTED ACTION

GENERAL The petitioner is requesting approval of an A-1 Special Use Permit to operate a small Poultry & Small animal Processing Plant.

The petitioner has stated that all processing will take place in enclosed buildings. They are projecting to process a maximum of 3,000 chickens per day. They also will have a maximum of 30-35 employees.

SETBACKS From the proposed site plan all setbacks will be met for the building and parking lot.

STORMWATER DETENTION Staff has requested to start discussions with our consulting engineer with regards to their 2 proposed detention areas.

ACCESS/ROADWAY This road will be the jurisdiction of Big Grove Township Road Commissioner who I have spoken to and he did not feel this would be an issue. Most people will be bringing chickens in small trailers. For parking they would request tar and chip or pavers instead of asphalt. They do not anticipate a retail outlet or anything.

TRANSPORTATION In an average transport you can fit about 8-10 chickens per coop. The transport below can hold about 200 chickens.
HOURS OF OPERATION

The petitioner proposes to be open from 5:30am to 6pm Monday thru Friday except additional Saturdays in October and November to process Turkeys. The petitioners have stated that typically January to April are the slowest times of the year. Also typically the chickens will be dropped off in the morning, slaughtering typically takes place between 6-10am, then the customer picks up their processed chickens between 2-4pm. If the customer wants the chickens frozen they would typically pick them up the next day.

WASTE

The petitioner has stated they plan to have waste removed on a regular basis and have already been contacted by a rendering company in Joliet that will deal with the waste. Also it will be kept in sealed containers and picked up within 48 hours.

WATER/SEPTIC

The EPA and USDA will be in charge of the wastewater for animal products and the Health Department will be in charge of domestic waste and water. The IDPH will also regulate the well used for processing. Also staff is concerned about the waterway that runs on this property and if that could be contaminated in the future from this operation but that will be looked at more carefully while reviewing the engineering drawings.

SIGNAGE

No sign is proposed at this time, if a sign is installed at a later date it must comply with the sign regulations in Section 12 and requires a building permit.

LIGHTING

There will be security lighting on the building that will be shielded.

PARKING

The parking will mainly be used for employees as typically people will drop off their live chickens and pick up the processed chickens later that day. The Zoning Administrator may grant an exception in the agricultural (A-1) from the provision of having a hard surfaced parking lot where such uses generate low traffic volume. Handicapped parking stalls within the A-1 district shall be improved with a permanent, concrete, unit paver or asphalt surface and shall also provide a hard surface to the entrance of the structure a minimum of 6 feet wide. The petitioners request the parking lot be gravel instead of asphalt and staff is in support.

BUILDING CODES

The building inspector has not provided comments on this petition yet. We are waiting to see if the Department of Agricultural will be inspecting the buildings and do not know if the petitioner will be requesting inspections or going to apply as Agriculturally exempt.

FINDINGS OF FACT

§ 13.08.J of the Zoning Ordinance outlines findings that the Hearing Officer must make in order to grant a special use. Bill Ford made the following findings of fact...
at both hearings:

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. If the conditions are adhered to the establishment, maintenance, and operation of the special use shall not be detrimental to or endanger the public health, safety, morals, comfort or general welfare. The testimony has shown that the process as outlined by the petitioners will be a state of the art operation, there will be a USDA employee on site during the operations and ensure the public health and safety and monitoring of the employees and premises.

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 entire operation will take place within a building and the unloading area must be at least 400' from any principle structure on an adjoining lot. The zoning in the general area is agricultural which this process fits in with that classification.

That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. The special use will be utilizing the existing driveway and drainage will be closely evaluated when the engineering drawings are assessed.

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 EPA, Illinois Department of Health, Kendall County Health Department and the Kendall County Building Department all have jurisdiction over different aspects of the special use and the regulations must be followed and adhered to.

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. The review and action to be taken on the special use petition will coincide with a proposed text amendment (Petition 13-16) that will permit a small Poultry & Small animal Processing Plant as a special use in the A-1 District. The special use proposal will comply with all proposed conditions attached to the proposed text amendment.

RECOMMENDATION

Staff is comfortable with this request and recommends approval. If approved, Staff recommends the following conditions be placed on the controlling ordinance approving the A-1 Special Use:

1. A maximum of 21,000 units a week.
2. Facilities (the unloading area) must be located at least 400' from any principle structure.
3. No rendering may take place on the site.
4. Live animals may be held on the site for no more than twenty-four (24)
hours.
5. All slaughtering/processing permitted only in an enclosed building.
6. The hours of operation are to be 5:30am to 6pm Monday thru Friday except additional Saturdays in October and November to process turkeys.
7. In no event can poultry produced be sold for retail or wholesale by the processor on the processing site.
8. Parking shall be in accordance with Section 11 of the Zoning Ordinance including lighting.
9. All Applicable Federal, State and County rules and regulations shall apply.
10. Other such conditions as approved by the County Board.
11. Waste, by-products or any decomposable residue which results from the slaughtering of animals must be kept in a sealed container and picked up within 48 hours.
12. All signage shall comply with the provisions of Section 12 of the Kendall County Zoning Ordinance (Sign Regulations)
13. Shall satisfy all requirements of the Kendall County Health Department and Building Department prior to the issuance of occupancy permits.
14. Performance Standards. All activities shall conform to the performance standards set forth in section 10.01.G.
15. Engineering drawings including stormwater must be approved before a building permit can be released.
16. Within 5 years, 50' of the driveway must be a minimum of tar and chipped.
17. Kendall County staff will have access to the log books kept in house to verify the limits are being maintained with regards to how many animals are processed weekly.

Attachments:
1. ZPAC Meeting minutes on 7.1.13
2. RPC Meeting minutes on 8.28.13
3. Special Use Hearing Officer minutes on 9.3.13
4. Special Use Hearing Officer minutes on 10.15.13
5. Email of support from Jody & Beth Osmund
6. Letter of support from the Illinois Stewardship Alliance
7. Letter of support from Richard Durbin
8. Letter from Alice Marks with her concerns
9. Email from Tom & Renee Geistler
10. Email from Garrett & Gwendolyn Carlyle
11. Email from Cliff Thrall & Family
12. Email from Brent & Sheila Urton
13. Email from Mark Oldenburg
14. Map made by Mathew Marks showing what's in the area
15. Brower World Class Processing Equipment brochure
16. Draft Ordinance
17. Site Plan
18. Preliminary Concept Elevations
ZONING, PLATTING & ADVISORY COMMITTEE (ZPAC)
July 1, 2013 – Meeting Minutes

Planner Angela Zubko called the meeting to order at 9:01 a.m.

Present:
Megan Andrews – Soil & Water Conservation District
Aaron Rybski – Health Department
Fran Klaas- County Highway Department
Phil Smith – Sheriff’s Office
Amy Cesich – PBZ Member
Angela Zubko – PBZ Senior Planner

Absent:
Greg Chismark – Wills Burke Kelsey
Jason Petit- Forest Preserve

Also present:
Attorney Daniel Kramer
Alan & Mary Maly (Petitioners)
Darrell Poundstone (Renwick and Associates, in Ottawa)

AGENDA

A motion was made by Amy Cesich to approve the agenda, Fran Klaas seconded the motion. All were in favor and the motion carried.

MINUTES

Aaron Rybski made a motion, seconded by Fran Klaas, to approve the June 3, 2013 meeting minutes. All were in favor and the motion carried.

PETITIONS

#13-16 Poultry processing plant and slaughtering
Planner Zubko stated this is the text amendment to allow a poultry processing plant as a special use in the A-1 district and check the language of slaughtering in other sections. This text amendment directly relates to Petition 13-17. Planner Zubko stated she thought about changing the language of slaughter houses as that is not commonly used anymore but decided to keep it as that’s the language the state still uses. The text will be talked about more at Ad-hoc at the end of the month but they wanted it to go to ZPAC to get their comments and also hear from the Health Department. Planner Zubko read through the conditions and the following suggestions were made:
Condition h might be too limiting especially for small shops like in Lisbon
Condition m might also be too hard for some people to adhere to.

To help aid in the discussion on the text Planner Zubko went through Petition 13-17 at this time:

#13-17 Maly Poultry Processing Plant
Planner Zubko stated the petitioners; Alan & Mary Maly are requesting approval of an A-1 special use to operate a poultry and small animal processing plant. The property is located at 16895 Lisbon Center Road on the north side of Lisbon Center road about 0.3 miles east of Fennel Road. The petitioners own about 125 acres of land and are requesting 27 acres of it for the special use. The petitioners have stated that all processing will take place in enclosed buildings and projecting to process a maximum of 3,000 chickens a day. They will also employ about 30-35 employees. Once again staff has many questions the petitioners will be answering at ad-hoc or before ad-hoc to help aid in a decision to recommend

ZPAC Meeting Minutes 7.1.13
approval of the special use. Some of the questions were about wastewater, who has authority, unloading of the chickens, how garbage will be handled, deliveries and inspections.

Attorney Daniel Kramer introduced himself and the owners/future operators of the property. Mr. Kramer wanted to talk a little about the text. He thought 20 acres might be a hindrance for small processing like Lisbon. Mr. Kramer asked if it’s 200’ from the property line or from where the processing will take place? These don’t effect this special use but possible others that exist. Mr. Kramer stated near Thanksgiving or Christmas they might do more than 3,000 but on an average day probably will do way less than 3,000 chickens. Holiday hours might vary and quantities. As long as there is some flexibility they do not see an issue with putting the amount of chickens in the Special use. With regards to regulations it is the IL Department of Agriculture and the USDA, they only oversee the processing and machinery, not building. Building and water is all under local authorities.

Mr. Kramer briefly discussed about the Village of Newark concern about annexing the property and having to take ownership of the roadways. They will be going to the Village of Newark’s meeting on July 10th but does not think there will be any issues. They have also notified the township and talked to the road commission and no issues have been brought up to date.

Most people will be bringing chickens in small trailers. For parking they would request tar and chip or pavers instead of asphalt. They do not anticipate a retail outlet or anything.

Alan & Mary Maly came up to the podium to help aid with questions. Mrs. Mary Maly stated with regards to waste, it really depends on volume but definitely pick up on a regular basis. If they have a large quantity of chickens it could be on a daily basis. It would be in a covered trash cans stored inside the building. Blood, feathers and bones are separated and disposed of. Due to the location of the site they will not be using anything on their fields but it’s possible to compost everything and spread onto fields.

Darrell Poundstone with Renwick and Associates (consulting engineer out of Ottawa) stated with regards to the BOD’s (biochemical oxygen demand), the expected BOD’s to come through the waste water system is about 1/3 of what you’d see coming out of a small restaurant. The petitioners will be using a standard underground septic system that will be to the northeast of the property. The exact location will not be determined until the soil borings are competed.

Mr. Rybski asked if it was going to be a combined system with regards to bathrooms and the washout/clean up from the operation. The reason he asked is because EPA has rules and restrictions with regards to slaughtering operations. Domestic waste is permitted by the health department but not the other waste. The petitioner said ideally they would like to combine them but whatever the regulations are they will follow. There is a 6” well on site and they are already talking to a well contractor. On the concept plan the engineer is showing detention on the downstream sides of the property. The USDA does have standards for the building. State inspected facilities can sell only within state and the USDA permits interstate. USDA facilities have inspector at all times. There was talk about deliveries and the petitioner stated that a semi truck holds 30,000 chickens. They expect to have people with flatbeds/hay wagons or car haulers that hold about 1,000 chickens. In an average transport you can fit about 8-10 chickens per coop. The petitioners will bring in an example to ad-hoc to help educate. With regards to operations they might want to look at 5:30am due to heat, typically you slaughter from 6-10am. The petitioners stated that typically January to April are the slowest times of years. Typically pick up is from about 2-4pm. If they want the chickens frozen they would typically pick up the next day.

Planner Zubko stated it seems like conditions a, b, c, h, j and m need to be looked at further. Mr. Klaas suggested maybe making a weekly average so there is some give and take in the regulations.
Petition 13-16
With no further discussion Megan Andrews made a motion, seconded by Aaron Rybski to forward the petition with the suggestion changes and recommend approval to the Plan Commission. All were in favor.

Petition 13-17
With no further discussion Phil Smith made a motion, seconded by Amy Cesich to forward the petition and recommend approval to the Plan Commission. All were in favor.

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD
13-08 ZPAC Definition- changes are shown in the packet, approved on June 18th
13-13 Steven & Lori Seeler- approved as is on June 18th

Going to Board on July 16th:
12-03 Land Cash Ordinance
13-11 Any text related to guns or target practice
13-15 Subdivision Control Ordinance

PUBLIC COMMENT- There were no audience members to comment.

OLD BUSINESS- None

NEW BUSINESS- None

AJOURNMENT- Next meeting on August 5, 2013
With no further business to discuss Fran Klaas made a motion, seconded by Aaron Rybski to adjourn the meeting at 9:53 a.m. The motion carried.

Submitted by,
Angela L. Zubko
Senior Planner
KENDALL COUNTY
REGIONAL PLANNING COMMISSION

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

Meeting Minutes of August 28, 2013
(Unofficial until Approved)

Chairman Bill Ashton called the meeting to order at 7:04 pm.

ROLL CALL
Members Present: Chair Bill Ashton, Tom Casey, Bill Lavine, Vern Poppen, Tim Sidles, Claire Wilson, Walter Werderich, Budd Wormley and 1 vacancy (Big Grove)
Others present: Senior Planner Angela Zubko
Members Absent: Larry Nelson
In the Audience: Mary & Alan Maly, Desiree Edwards, Jody Osmund, Alice marks, Tina Suomi, Mathew Marks, Darrell Poundstone, Attorney Kelly Helland & Randy Mohr.

APPROVAL OF AGENDA
Claire Wilson made a motion to approve the agenda as written. Budd Wormley seconded the motion. All were in favor and the agenda was approved.

APPROVAL OF MINUTES
Claire Wilson made a motion to approve the minutes from June 26, 2013, Bill Lavine seconded the motion. All were in favor and the minutes were approved.

SPECIAL RECOGNITION
Chairman Bill Ashton wanted to present Randy Mohr with a recognition award for 21 years on the Plan Commission and thanked him for his time. Randy is now on the Zoning Board of Appeals. The audience applauded.

PETITIONS
#13-16 Poultry processing plant and slaughtering
Planner Zubko stated this is the text amendment to allow a small poultry and small animal processing plant as a special use in the A-1 district. Planner Zubko went through the memo and stated we are looking to add a definition of a small poultry and small animal processing plant and rendering. Planner Zubko went through all 14 conditions proposed. She stated the process to process chickens is at the end of the memo. She also stated she visiting a poultry processing plant and thought it was quite efficient, they had about 25 employees and about 2,500 chickens a day.

To help aid in the discussion on the text Planner Zubko went through Petition 13-17 at this time and stated all the same conditions are placed on the special use.
#13-17 Maly Poultry Processing Plant
Planner Zubko stated the petitioners; Alan & Mary Maly are requesting approval of an A-1 special use to operate a small poultry and small animal processing plant. The property is located at 16895 Lisbon Center Road on the north side of Lisbon Center road about 0.3 miles east of Fennel Road. The petitioners own about 125 acres of land and are requesting 27 acres of it for the special use. The Big Grove Township board made a unanimous recommendation in favor of the petition. Planner Zubko has received a letter from the Village of Newark Trustees saying they reviewed the information and support the endeavor. The petitioners have stated that all processing will take place in enclosed buildings and projecting to process a maximum of 3,000 chickens a day. They will also employ about 30-35 employees. They do meet all the setback requirements. Staff has requested to start discussions with our consulting engineer with regards to their 2 proposed detention areas. There is an existing driveway the petitioner proposes to use. This road will be the jurisdiction of Big Grove Township Road Commissioner who I have spoken to and he did not feel this would be an issue. Most people will be bringing chickens in small trailers. For parking they would request tar and chip or pavers instead of asphalt. They do not anticipate a retail outlet or anything. In an average transport you can fit about 8-10 chickens per coop. The picture in the report can hold about 200 chickens. The petitioner proposes to be open from 5:30am to 6pm Monday thru Friday except additional Saturdays in October and November to process Turkeys. The petitioners have stated that typically January to April are the slowest times of the year. Also typically the chickens will be dropped off in the morning, slaughtering typically takes place between 6-10am, then the customer picks up their processed chickens between 2-4pm. If the customer wants the chickens frozen they would typically pick them up the next day. The petitioner has stated they plan to have waste removed on a regular basis and have already been contacted by a rendering company in Joliet that will deal with the waste. Also it will be kept in sealed containers and picked up within 48 hours. For the well and septic there will be a combined effort. The IL EPA and the US Department of Agriculture are in charge of the water and waste from the animal by-products. Our Health department is in charge of the waste from the toilets and hand washing instead. The IDPH (IL Department of Public Health) will regulate the well used for the processing plant. No sign is proposed at this time, if a sign is installed at a later date it must comply with the sign regulations in Section 12 and requires a building permit. Parking lot lighting will be needed unless a variance is requested. The parking lot will mainly be used by employees. The Zoning Administrator may grant an exception to agricultural (A-1) zoned properties with low traffic volume to not asphalt the parking lot. The petitioners request the parking lot be gravel instead of asphalt and staff is in support. The building inspector has not provided comments on this petition yet. We are waiting to see if the Department of Agricultural
will be inspecting the buildings and do not know if the petitioner will be requesting inspections or going to apply as Agriculturally exempt. This property will be a USDA facility so a USDA employee will be on site when the operation is open. In the packet is an email from Jody and Beth Osmund in support of this proposed facility. There is another letter of support from the Illinois Stewardship Alliance. Also in the packet is a site plan and elevations of the proposed building. Staff is comfortable with this request and recommends approval with the 15 listed conditions.

Ms. Wilson asked why this use would be limited to not allow retail or wholesale to restaurants or middlemen. Planner Zubko stated that was something from ad-hoc and they wanted it to be more local and not allow retail on site.

Bill Lavine wanted to clarify the process and retail condition. The Commission might need to clarify this condition or take it out so we are protecting them to make sure they are not in violation.

Jody Osmund wanted to clarify the condition as well to state the petitions will not engage in retail sale as he’s a farmer and does distribute his chickens to sell and will be using this facility.

Desiree Edwards asked if the special use follows the land or owners. Mr. Ashton stated it would only be for this parcel.

Mr. Ashton asked if the number they process recorded by the USDA? Mr. Maly stated they have to keep something called total records in the books for the USDA. Every chicken that comes in has to be recorded into the books including daily tallies. There was discussion if year logs need to be given to Planner Zubko? Planner Zubko stated she thought if there was a question she could ask for the logs or tell them to prove how many chickens a week or year they are producing. The petitioners were fine with whatever condition was placed on the ordinance.

Tom Marks asked what facility Planner Zubko visited. Planner Zubko stated she visited Central Illinois Poultry Processing in Arthur which is also a USDA site. There was discussion that the Undesser’s is not a USDA site.

Mathew Marks owns property around this property. He stated he has talked to many neighbors and this is the first time he’s heard about this. He asked the legal way to notify the neighbors. Mr. Ashton stated it’s the adjacent land owners (from the special use), in the paper and a public hearing sign. Mr. Marks stated the public hearing sign is quite small to read. Mr. Marks passed out a map showing surrounding homes and wanted to know what this special use will mean for the area. Mr. Ashton stated anything in the town of Newark, Kendall County does not have any control over. Anything in Big Grove Township on the comprehensive plan shows the area will remain agricultural. This is a special use in the A-1 Agricultural district. Planner Zubko stated
this will look like an agricultural operation. Mr. Marks also had concerns about lighting on site. Mr. Marks asked what would happen if there were protests on site. He also asked about landscaping and the driveway. Mr. Ashton stated the Sheriff’s office would have to deal with protestors if needed. Mr. Marks also stated a lot of the neighbor’s have concrete driveways and would like to keep aesthetics of the neighborhood. He was also concerned about having commercial on the site or setting precedence. His last questions was about the environment and impacts. Mr. Lavine stated the soils were tested with the Natural resource inventory and the IL database was access to see if there were any endangered species (which there are none.)

Mr. Marks asked what the Plan Commission’s obligations are here. Mr. Lavine stated it is to weigh both sides of the issue and take a vote to recommend approval or recommend denial to the County Board. Mr. Ashton stated he understands what he’s saying and whether it’s a poultry processing plant verse any other farm operation.

Mr. Randy Mohr stated if we want to put condition ‘g’ it should only be only on the special use and not the text. He also stated there’s been a turkey processing plant for over 35 years and there has never been a protest.

Jody Osmund wanted to discuss the appropriateness of the scale and its community. It will help preserve farms on a less industrial scale. His farm has produced about 3,000 birds and travels to Arthur for processing. Their farm will be more viable with a close processing plant. He supports this small-scale type of production and their endeavors.

Alice Marks who owns the property right next door has a couple concerns and passed out a paper listing her concerns. Some concerns were how it would affect her property values? She feels maybe we’re underestimating the traffic to this property due to employees and farmers dropping off their chickens. She asked if maybe the customers can use Fennel Road instead of Townhouse Road. She’s concerned about the possibility of contamination to her well. She also is worried what is will look like as it would be right out her window. Lighting at night is a concern and signage. Mr. Ashton stated the lighting could not spill over onto the next property and the sign could only be a maximum of 32 square feet.

Matt Marks stated he has a 6-horse trailer that cannot make a turn from Fennel onto Lisbon Center Road. He just wanted to mention that could be an issue. Mr. Ashton stated that would be up to the road commissioner.

Desiree Edwards asked a question about annexation with regards to the sewers. Attorney Kramer stated there is no discussion about annexation and does not believe the sewers could even accommodate this site.

Ms. Kramer wanted to state with this being a special use another land owner could not use this petition as precedence if it is approved. It’s very specific to this property. Also the 30 employees is in the future, 5-15 is ideal at this time. She also stated there is a lot
of traffic on Townhouse Road. She also feels because this is a USDA site there are a lot more regulations then typically on a barn or other type of facility.

Mr. Casey asked about waste, Ms. Kramer stated it would be kept inside until picked up.

Mr. Sidles asked if there was any discussion on the parking lot or screening. Ms. Kramer stated currently they do not have a fence or anything proposed but she can discuss it with her clients.

Mr. Sidles asked planner Zubko about noise. Planner Zubko stated the only noise would be chickens that are waiting to be slaughtered.

Ms. Wilson is encouraged about the possible employment and helping the surrounding farmers. She thinks this fits in and will be un-obtrusive to the neighbors.

**Petition 13-16 recommendation**
Ms. Wilson recommended approval of the text amendment with the deletion of condition ‘g’. Mr. Werderich seconded the motion. With a roll call vote all were in favor of the text amendment as modified.

Mr. Ashton asked how many cars a day do the petitioners propose. Mr. Maly stated in 5 years they could be at maximum capacity with 30 employees. There could be 6-8 customers a day. Probably a maximum of 80 trips total a day including supplies, customers and employees. Mr. Ashton is asking due to possibly paving the apron of the driveway. Ms. Wilson does not see the need for pavement at the end of the driveway. She does recommend in the interest of being a good neighbor to possibly put something into the plans for asphalt between the parking lot and neighbors. Mr. Maly thought about berming around some of the property. Mr. Sidles would like something in writing for something to be done but keep it pretty open. There was talk about adding a condition about asphalt the end of the driveway within 5 years. Ms. Kramer stated her clients have not discussed it at length but it is not something her petitioners would like to do. Lisbon Center Road is a tar and chip roadway and the majority of the traffic is going to be cars except the rendering truck most likely. Ms. Osmond has been to the Arthur plant and has not seen it being an issue. Tom Marks stated if the petitioners will work with them they can be very good neighbors.

**Petition 13-17 recommendation**
Claire Wilson made a motion to approve petition 13-17 subject to the modified conditions with are the modification of number 7 to state in no event can poultry produced be sold for retail or wholesale by the processor on the processing site and add a condition that within 5 years, 50’ of the driveway must be minimum tar and chipped. Tom Casey made a second. With a roll call vote all were in favor.

**REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD**
Chairman Ford swore in all members of the audience that wished to talk about the petition including the special use for a small poultry and small animal processing plant.

PETITIONS

#13-17 Maly Poultry Processing Plant

Planner Zubko stated the petitioners; Alan & Mary Maly are requesting approval of an A-1 special use to operate a small poultry and small animal processing plant. The property is located at 16895 Lisbon Center Road on the north side of Lisbon Center road about 0.3 miles east of Fennel Road. The petitioners own about 125 acres of land and are requesting 27 acres of it for the special use. The Big Grove Township board made a unanimous recommendation in favor of the petition. Planner Zubko has received a letter from the Village of Newark Trustees saying they reviewed the information and support the endeavor. The petitioners have stated that all processing will take place in enclosed building and projecting to process a maximum of 3,000 chickens a day. They will also employ about 30-35 employees probably in about 5 years. They do meet all the setback requirements. Staff has requested to start discussions with our consulting engineer with regards to their 2 proposed detention areas. There is an existing driveway the petitioner proposes to use. This road will be the jurisdiction of Big Grove Township Road Commissioner who I have spoken to and he did not feel this would be an issue. Most people will be bringing chickens in small trailers. For parking they would request tar and chip or pavers instead of asphalt. They do not anticipate a retail outlet or anything. In an average transport you can fit about 8-10 chickens per coop. The picture in the report can hold about 200 chickens. The petitioner proposes to be open from 5:30am to 6pm Monday thru Friday except additional Saturdays in October and November to process Turkeys. The petitioners have stated that typically January to April are the slowest times of the year. Also typically the chickens will be dropped off in the morning, slaughtering typically takes place between 6-10am, then the customer picks up their processed chickens between 2-4pm. If the customer wants the chickens frozen they would typically pick them up the next day. The petitioner has stated they plan to have waste removed on a regular basis and have already been contacted by a rendering company in Joliet that will deal with the waste. Also it will be kept in sealed containers and picked up within 48 hours. For the well and septic there will be a combined effort. The IL EPA and the US Department of Agriculture are in charge of the water and waste from the animal by-products. Our Health department is in charge of the waste from the toilets and hand washing inside. The IDPH (IL Department of Public Health) will regulate the well used for the processing plant. No sign is proposed at this time, if a sign is installed at a later date it must comply with the sign regulations in Section 12 and requires a building permit. Parking lot lighting will be needed unless a variance is requested. The parking lot will mainly be used by employees. The Zoning Administrator may grant an exception to agricultural (A-1) zoned properties with low traffic volume to not asphalt the parking lot. The petitioners request the parking lot be gravel instead of asphalt and staff is in support. We are waiting to see if the Department of Agricultural will be inspecting the buildings and do not know if the petitioner will be requesting inspections or going to apply as Agriculturally exempt. This property will be a USDA facility so a USDA employee will be on site when the operation is open and must be built to USDA standards. In the packet is an email from Jody and Beth Osmund in support of this proposed facility. There is another letter of support from the Illinois Stewardship Alliance and I just received and passed out a letter from Richard Durbin from the United States Senate in support and urging to give this application serious consideration. Also in the packet is a site plan and elevations of the proposed building. Staff is comfortable with this request and recommends approval with the 16 listed conditions. Also near the back of the packet is a list of concerns from Alice Marks and a map showing some homes in the area. As mentioned earlier some concerns that were brought up at the Plan Commission meeting where: traffic, noise, the property values in the area, lighting, possible protests, landscaping, driveway construction, commercial retail on the site, possible water

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contamination, appearance, signage and waste. At the Plan Commission condition 16 was added that states that within 5 years, 50’ of the driveway must be a minimum of tar and chipped. Staff agrees with this condition. There was also discussion from the Plan Commission of a fence on the east side of the property or some type of landscaping but they did not want to put it as a condition at this time.

Attorney Kelly Helland stated the USDA employee/inspector will be onsite whenever the operation is open and every bird will be logged that comes through the site so the staff could inspect the 21,000 average per week is being abided for. Also the petitioners would be amendable to putting up some landscaping and screening along the parking lot and other locations that might be visible to the neighbors. The elevation of the building being proposed is an agricultural façade and fits in with the surrounding area and agricultural area. They do not feel the plant will have detrimental effect to the neighbors as the operation will be completely enclosed. Just to reiterate the petitioners are not looking to seek any retail on site. They are requesting a positive recommendation.

Chairman Ford asked what the function of the USDA function is. Attorney Helland stated he inspects the cleanliness and oversee any bacterial infections. Mary Maly stated they inspect every bird to make sure they are not diseased and also look at the trailers they are brought in to makes sure they’re hygienic and makes sure the site is clean. Mr. Ford asked about the process and how the waste products will be contained. Ms. Maly stated the birds are unloaded and kept in the unloading area until processing, in a shaded area to be less stressful on the birds. Once they are removed from the transport coup they are shackled, stunned, and conveyed over a trough to bleed out (which is collected and disposed of properly). The birds are then put into a scalder to loosen their feathers, then into a tumbler to remove the feathers. The birds are then hung on a separate conveyor system where the organs are removed and various stages and the bird is washed out. Then the birds are put in a chilled tank for a few hours. Once that is completed then they are packaged and put into refrigerator storage or freezer space. The organs are either saved to be packaged or in another barrel to be removed for waste products. Mr. Ford asked what will be different with this facility verse the Arthur facility. Alan Maly stated the Arthur plant was built over 15 years ago and they are Amish so they do a lot of things that need to conform to their religion. So this plant will be more up to date, will have lighting in their facility, use less water and have a little more modern machinery in this facility. Mr. Ford asked about the drain system. Mr. Maly stated there will be a main drain system and a separate drain for the wash down that contains harsh chemicals. Darren Poundstone stated the IL EPA will be regulating the process and permitted it. The Illinois Department of Agricultural is deciding if they also want to have a say but the minimum will be the IL EPA. There is a permit for construction and a permit for operation with the EPA. Mr. Ford asked about the water creek on site and Mr. Poundstone stated there is a swale on the property that is dry most of the time on the property. Mr. Ford asked about the well and the petitioner stated there is an existing well on site they plan to use. The EPA also requires sampling, quarterly he believed. Mr. Ford asked if there are any problems with smell. Attorney Helland stated she did not think this would be a problem since everything is done indoors. Planner Zubko stated the only area that smelled in Arthur was the unloading area which is why there is a condition it must be 400’ from a principle residence. Mr. Ford asked about the rendering company and asked if they pull into the building or how that works. Ms. Maly stated in Arthur they pick it up outside, at this facility they are not sure if it will be done inside or outside but it will only be in sealed containers.

At this time Mr. Ford opened up the public hearing with the following testimony heard:
Bill Regan is a resident of Newark and feels all residents of Newark should have been notified and is concerned about traffic. Ms. Helland said the majority of the traffic will be employee traffic and the chickens typically come from small farmers at about 200-1000 at a time. The Maly’s stated it would most likely be scattered like 1,000 chickens from 1 farmer, 500 from another and 200 from a couple more. All the chickens are scheduled; you cannot just show up and expect your chickens to be processed. They are also looking into organic processing which that would take a different day or time of the day vs. regular chickens vs. rabbits. Ms. Maly stated they are expecting around 40 trips a day, more employee traffic than farmers.

Peter Renz is also a Newark resident and has a couple questions. He asked about the odor and asked about the vented ridge roof, the well on site and concerns about the septic and retention, truck traffic and if they are going to sit there during the process, traffic overall, customers and how many, what if there is no USDA approval, disease prevention, fire prevention and is the building going to be sprinkled, when did rabbits come in? The parking lot and regards to spills and what they are going to do. He also stated why not expand the Undessors’ site as that’s poultry processing? Mr. Ford stated that is a totally separate location and up to the petitioners.

Attorney Helland stated with regards to the fire department they have not decided if it will be sprinkled yet or not. The onsite well might need to be dug deeper but that will be looked at. There will be no discharge into a sewer system. As far as the roadway goes the road is tar and chipped and does not foresee any more traffic than the current grain trucks. Some farmers may sit on site and some may wait. Planner Zubko wanted to clarify the text amendment was for the small poultry and small animal processing plant and the Maly’s are going above and beyond to have a USDA facility so they can still run without being a USDA facility.

Carol Henderson stated the road was graveled when she moved there and tar and chipped it recently, she is concerned about truck traffic. She is against this special use, she’s about a ¾ mile from this property on Fennel. She’s also concerned about the smell and worried about rats.

Matthew Marks stated he owns numerous properties around this facility. His concerns are traffic, noise, odors and this being more commercial then other types of farm. One question is are any overnight stays permitted? On the open venting have they done circulation numbers yet? He stated semi trucks will not be able to make the turn from Fennel to Lisbon Center Road. Fennel Road is done 2-3 times per season so this will affect the road conditions. He had some questions about the lighted cupola, is it decorate? With regards to outdoor lighting are shields going to be used so it is shining downwards. He brought up landscaping and asked if there is a landscaping plan? He asked about the existing trees along the drive and if they will stay? He stated all the adjacent properties have decorative landscaping and nice entranceway. Mr. Marks asked if an entrance light will be put it so people do not drive by and miss the site. He thought garbage should be removed daily and understood that would increase the traffic. Mr. Ford stated he understood a USDA employee will be on site at all time and the process will be regulated on a day to day process. Attorney Hellland stated no overnight guests will be permitted. No calculations have been done yet with regards to the open venting. With regards to the existing trees they will stay and no formal landscape plan has been drawn yet. The lighting in the cupola will be decorative and will have shields on their lights and there is no proposed parking lot lighting. With regards to waste the petitioners plan to remove it every day, the text amendment states within 48 hours for a day buffer in case it is not picked up or if there is a holiday. The petitioners do not have plans to light any signs at the driveway at this time.
Don Hartman stated a lot of the existing neighbors did not know this is going on and feels more notification needs to take place. Another concern is the traffic.

Tom Marks lives next to this property and would like to see a landscape plan approved. He is of the opinion the paved drive needs to be sooner than five years.

Planner Zubko asked Attorney Kramer if they went to any Village of Newark meetings or if the talks were internally with staff. Attorney Kramer said no formal meetings were held, they only talked to staff, no hearing was held at the Village of Newark.

Matthew Marks started hearing rumors about this plant about a year ago and did not receive information from the Village of Newark. Planner Zubko stated for the record the County received this application May 28, 2013 so we were not aware of this for a year.

Alice Marks’ letter was put on the record.

Attorney Kelly Helland wanted to submit in evidence the mechanical systems. She also stated she feels this will have very little impact compared to some other agricultural business permitted by right and not going to store ammonia on site. This will also add about 30 jobs in the next 5-10 years and also provide a service to local farmers and businesses.

With no further testimony Bill Ford closed the public hearing.

Special Use Hearing Officer Ford reviewed the Findings of Fact for a special use as follows:

§ 13.08.J of the Zoning Ordinance outlines findings that the Hearing Officer must make in order to grant a special use. Staff has answered as follows:

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. If the conditions are adhered to the establishment, maintenance, and operation of the special use shall not be detrimental to or endanger the public health, safety, morals, comfort or general welfare. The testimony has shown that the process as outlined by the petitioners will be state of the art operation, there will be a USDA employee on site during the operations and ensure the public health and safety and monitoring of the employees and premises.

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 entire operation will take place within a building and the unloading area must be at least 400’ from any principle structure on an adjoining lot. The zoning in the general area is agricultural which this process fits in with that classification.
That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. The special use will be utilizing the existing driveway and drainage will be closely evaluated when the engineering drawings are assessed.

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 EPA, Illinois Department of Health, Kendall County Health Department and the Kendall County Building Department all have jurisdiction over different aspects of the special use and the regulations must be followed and adhered to.

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. The review and action to be taken on the special use petition will coincide with a proposed text amendment (Petition 13-16) that will permit a small Poultry & Small animal Processing Plant as a special use in the A-1 District. The special use proposal will comply with all proposed conditions attached to the proposed text amendment.

Bill Ford made a favorable recommendation with this petition, with the above modified findings of fact and the 16 conditions specified on the special use. Mr. Ford wanted to state he is of the opinion 5 years is too long of a time.

**ADJOURNMENT**
Chairman Bill Ford adjourned the Special Use Hearing Officer meeting at 10:00 p.m.

Respectfully Submitted,
Angela L. Zubko
Senior Planner & Recording Secretary
CALL TO ORDER- SPECIAL USE HEARING OFFICER
At 7:04 p.m., Chairman Bill Ford called the Special Use Hearing Officer meeting to order.

ROLL CALL
Members present: Bill Ford
Also present: Planner Angela Zubko, Walter Werderich (future hearing officer) Jeff Nieland, Mark & Jill Oldenburg, Kim Ahnert, Darrell Poundstone, Cliff & Kate Thrall, Gwen Carlyle, Tom & Renee Geistler, Larry & Carol Henderson, Cheryl Harvey, Pam & Bill Kunke, The Hartmans, Scott & Claudia Paquet, Mark Croeger, Pamela Patterson, Brent & Cindy Harney, Cheryl Harvey, Steven Whitlock, Mary Maly & Attorney Kelly Kramer

MINUTES
Bill Ford motioned to approve the September 3, 2013 Special Use Hearing Officer Meeting minutes as written.

Chairman Ford stated that the record of these proceedings shall include all testimony, comments, evidence, or documents previously submitted at a prior hearing on September 3rd, 2013. A copy of the audio recording of the hearing on September 3rd, 2013 is hereby made a part of these proceedings and a copy of the findings of fact that took into account prior testimony used for the September 3rd, 2013 meeting is also hereby made a part of these proceedings.

Chairman Ford swore in all members of the audience that wished to talk about the petition for the special use for a small poultry and small animal processing plant.

PETITIONS
#13-17 Maly Poultry Processing Plant
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The petitioner proposes to be open from 5:30am to 6pm Monday thru Friday except additional Saturdays in October and November to process Turkeys. The petitioners have stated that typically January to April are the slowest times of the year. Also typically the chickens will be dropped off in the morning, slaughtering typically takes place between 6-10am, then the customer picks up their processed chickens between 2-4pm. If the customer wants the chickens frozen they would typically pick them up the next day. The petitioner has stated they plan to have waste removed on a regular basis and have already been contacted by a rendering company in Joliet that will deal with the waste. Also it will be kept in sealed containers and picked up within 48 hours, the petitioner’s goal is within 24 hours. For the well and septic there will be a combined effort. The IL EPA and the US Department of Agriculture are in charge of the water and waste from the animal by-products. Our Health department is in charge of the waste from the toilets and hand washing inside. The IDPH (IL Department of Public Health) will regulate the well used for the processing plant. No sign is proposed at this time, if a sign is installed at a later date it must comply with the sign regulations in Section 12 and requires a building permit. No parking lot lighting is requested. The parking lot will mainly be used by employees. The Zoning Administrator may grant an exception to agricultural (A-1) zoned properties with low traffic volume to not asphalt the parking lot. The petitioners request the parking lot be gravel instead of asphalt and staff is in support. This property will be a USDA facility so a USDA employee will be on site when the operation is open and must be built to USDA standards. In the packet is an email from Jody and Beth Osmund in support of this proposed facility. There is another letter of support from the Illinois Stewardship Alliance, also in the packet is a letter from Richard Durbin from the United States Senate in support and urging to give this application serious consideration. Also in the packet is a site plan and elevations of the proposed building. Staff is comfortable with this request and recommends approval with the 17 listed conditions. Also near the back of the packet is a list of concerns from Alice Marks and a map showing some homes in the area. Some of the concerns that were brought up at the Plan Commission and prior hearing meeting where: traffic, noise, the property values in the area, lighting, possible protests, landscaping, driveway construction, commercial retail on the site, possible water contamination, appearance, signage and waste. At the Plan Commission condition 16 was added that states that within 5 years, 50’ of the driveway must be a minimum of tar and chipped. Staff agrees with this condition. There was also discussion from the Plan Commission of a fence on the east side of the property or some type of landscaping but the Plan Commission did not want to put it as a condition at this time. It was suggested to bring this up at the Planning, Building and Zoning meeting as they have the authority to add conditions. Planner Zubko read through all the conditions:

1. A maximum of 21,000 units a week.
2. Facilities (the unloading area) must be located at least 400’ from any principle structure.
3. No rendering may take place on the site.
4. Live animals may be held on the site for no more than twenty-four (24) hours.
5. All slaughtering/processing permitted only in an enclosed building.
6. The hours of operation are to be 5:30am to 6pm Monday thru Friday except additional Saturdays in October and November to process turkeys.
7. In no event can poultry produced be sold for retail or wholesale by the processor on the processing site.
8. Parking shall be in accordance with Section 11 of the Zoning Ordinance including lighting.
9. All Applicable Federal, State and County rules and regulations shall apply.
10. Other such conditions as approved by the County Board.
11. Waste, by-products or any decomposable residue which results from the slaughtering of animals must be kept in a sealed container and picked up within 48 hours.
12. All signage shall comply with the provisions of Section 12 of the Kendall County Zoning Ordinance (Sign...
13. Shall satisfy all requirements of the Kendall County Health Department and Building Department prior to the issuance of occupancy permits.

14. Performance Standards. All activities shall conform to the performance standards set forth in section 10.01.G.

15. Engineering drawings including stormwater must be approved before a building permit can be released.

16. Within 5 years, 50’ of the driveway must be a minimum of tar and chipped.

17. Kendall County staff will have access to the log books kept in house to verify the limits are being maintained with regards to how many animals are processed weekly.

Planner Zubko mentioned she has received letters from the following people and that the letters have also been read by the hearing officer and will be information given to the County Board as well:

Tom & Renee Geistler
Garrett & Gwendolyn Carlyle
Cliff Thrall & Family
Brent & Sheila Urton
Mark Oldenburg
Jody & Beth Osmund
Illinois Stewardship Alliance
United States Senator Richard J. Durbin
Alice Marks

Attorney Kelly Kramer wanted to stress there will be a well and septic and there will be no hook-up to Newark’s sewer and water system.

At this time Mr. Ford opened up the public hearing with the following testimony heard:

Tom Geistler had a few questions: why did Newark vote down the process? Planner Zubko stated the Village did not take a formal vote, they took no stance but the project is in the County and they support the endeavor. How much water will be used for the plant? What kind of chemicals will the plant use and disposing of the chemicals? How many shifts a day will take place? Where will waste water go, will there be a lagoon? Why isn’t there a location set aside where light industry can go instead of a rural setting?

Attorney Kelly Kramer stated the well depth and water consumption have had preliminary discussions with J & W and they believe the depth will be about 400’-600’ and it should not stress the existing aquifer. The existing well onsite is about 400’ into the ground. The waste product will be picked up on a daily basis, the waste water will be determined by the USDA and public health department. There have been preliminary discussion on waste water and well and septic. No further in depth discussion have happened as the petitioner’s are awaiting to see what happens with this special use petition. Mary Maly stated that in Arthur they have a septic field existing and if there was a new facility it would need something along the lines of a treatment facility. Darrel Poundstone (Engineer) stated this is pursuit to the IL EPA and IL Department of Agriculture. The design will be approved and monitored through those agencies. Kelly Kramer stated the chemicals are regulated by the USDA, but the petitioners stated that chlorine will be used to clean. Mary Maly stated that
she talked to J & W and in comparison the water usage described to them would be less than irrigating the former nursery nearby.

Cliff Thrall stated that 9.3 gallons will be used and about 5 times that for turkeys. It comes close to 195,000 in a five day work week. He is worried about what will get to Newark’s water table and how much it will affect the water table. His biggest concern is if the facility starts using that amount of water and the system fails the Village of Newark might need to re-do their treatment system and are close to capacity right now. He believes there is ample vacant light industrial locations in the county and suggested the vacant Lowe’s in Oswego for this type of operation. He has read a lot about the EPA standards and is not sure the EPA would allow a gravel driveway and parking area. He also had the guidelines if anyone would like to see them from the EPA.

Bill Kunke stated he raises chickens and have met the Maly’s once. He wanted to discuss possible traffic and stated in Arthur they average about 2,500 chickens a day and they do use pick-up trucks, horse trailers or livestock trailers. There’s a time schedule so no one is backed up and waiting. He is of the opinion the dust is null and void as you’re moving slowly through the parking lot. There are no semi-trucks coming in and out except maybe for the dumpster. He stated the smell is minimal. He also briefly discussed the water and rain ratios. He stated if there was no sign in Arthur you would not know it existed. He stated there are a lot worse neighbors you can have. There is a need for it and it’s not as bad as people are thinking in their mind. He supports this endeavor and will use the facility when it opens. He also mentioned it brings local business while the farmer’s are waiting for the chickens to be processed.

Pamela Patterson wanted to state she has a 10 acre farmette and a half a dozen chickens and supports this rural endeavor. There is a definite need for this type of facility. She also stated there are a lot of chemicals that farmers use on their crops currently and feels that’s the least of people’s concerns. She will also use it as well, not every year but every couple of years. It’s been said before the city has moved around her.

Mark Goldenberg stated Arthur is 2 miles from every residential area. Mr. Goldenberg submitted a picture from his daughter’s window. The silo is where the facility will be located. His concern is the smell on a calm, hot day. His feels a lot more needs to go into this before a decision is made.

Gwen Carlyle lives north of the site. She feels this is a kill plant and not an agricultural operation. She does not believe it belongs there and feels it is a manufacturing facility. They are not opposed to livestock but opposed to a slaughtering facility. She feels it changes the landscape of the neighbors that exist there. She’s worried about quality of life and smell. She feels there needs to be a lot more planning and critical review before it goes into her backyard. She talks about the southerly winds and stated she is worried it will smell. Chlorine is harmful to the public and a known cancer causing agent. She does not feel it will bring Newark extra money but just extra people and not enough police force. She also discussed her concerns for their property values. She talked a little about possible expansion and what would be done at that time, who would police all the people.

Brent Harney lives about 400 yards west of this property. He is worried about water runoff and his well is not 400’ deep but 80’ deep. He is worried about the smells and stated it will smell. He stated he’s been trying to get the township road commissioner to fix the culvert by his house and the township road commissioner stated there is no money. He is worried about possible expansion and needs more studying.
Cheryl Harvey owns property adjacent to this facility and would use the facility. She thinks people are more concerned and ahead of themselves. She raises about 100 chickens a year. She also stated there are many chemicals used on farms. She owns 100 acres at Fennel and Lisbon Center Road.

Peggy Hartman lives on Fennel Road and stated this property runs towards them, their property is lower. She stated this petition concerns her, she’s worried about property values and water. She stated when she bought her property this property was a dairy farm and is just concerned.

Tom Geistler requested the County get information from the Village of Newark and their concerns with regards to wastewater. Ms. Zubko read the letter from the Village of Newark dated August 5, 2013. Kelly Kramer stated the petition was never filed officially with the Village of Newark. The owners made the decision to NOT annex into the Village of Newark. Newark was never given that opportunity to vote. The sludge trucks were mentioned and Ms. Kramer stated they wished the renderings to be picked up every day. He stated he hopes the business is successful and wonders why it would not go into an industrial area of the county. Ms. Kramer stated the term special use and non permitted use are being used simultaneously. The special use is used more for the Board to attach conditions to the special use that are appropriate for that area. Mr. Geistler stated he is worried about groundwater and water run-off. He is concerned about the Village of Newark.

Gwen Carlyle wanted to know why she was not notified and if the Village of Newark has discussed water issues. Ms. Kramer stated that is up to who they elect and if they are informed. She is also concerned about the police force.

Mark Goldenberg wants to know what type of mechanisms will be put in place if something becomes an issue. Ms. Kramer stated he can contact the Planning, Building and Zoning Committee, a group can sue them. Based on intentions he feels this is a bad idea.

Kim Ahnert stated his property looks out at this property. Everyone has a lot of concerns about this petition and thinks there is a better property to suit this special use.

Renee Geistler feels the EPA needs to be involved now instead of later. She stated she lived by a chicken farm and it smelled. She asked if we would like it in our backyard? She feels a lot more needs to be studied.

Mr. Ford asked Mr. Kunke about the smell at Arthur. He stated in the morning it does not smell but in the afternoon it might smell. He stated there is not no smell but when you go by the dumpster it smells a little.

Ms. Kramer wanted to ask Mr. Kunke a few questions: the dumpsters are outside at Arthur, correct? Mr. Kunke stated that is correct. Ms. Kramer asked if he was aware the waste on this property would be kept inside? Mr. Kunke stated he was not aware but now aware. Ms. Kramer asked if Mr. Kunke notices on approaching the Arthur plant any odor if his window’s are down in the spring? Mr. Kunke stated he never has. She asked if the odor ever noticed is from the dumpsters or the processing itself? Mr. Kunke stated if he had to pick one it would be the dumpster. Ms. Kramer asked if he’s been to the plant in the summer and if the odor increases? Mr. Kunke stated he’s been to the plant in the summer and the smell is the same in the summer and in November. Ms. Kramer asked how many chickens he raises? Mr. Kunke stated about 400-500 chickens. Ms. Kramer asked when cleaning out the chicken coops do they smell? Mr. Kunke stated yes. Ms.
Kramer also asked about hogs & cattle? Mr. Kunke stated they all smell. Mr. Kunke stated personally the worst smell to him is the Grain Co F.S. fertilizer plant near Minooka.

Cliff Thrall is wondering where on the property the trash will be contained? He also brought up parking lot lighting and if the parking lot will or will not having lights? He also stated the waste will be picked up after hours and asked if the USDA requires the septic to be pumped? He also is wondering about the weight of the rendering vehicle. He is also worried about the safety of kids walking on the roadways.

Gwen Carlyle stated she is worried about vermin and attracting major rodents and vultures.

Ms. Kramer stated everything is done inside the structure. The waste will not be stored outside.

Ms. Kramer wanted to verify the previous testimony will be included in this hearing. Planner Zubko stated yes the September 3rd audio will

Special Use Hearing Officer Ford closed the public testimony and reviewed the Findings of Fact for a special use as follows:

§ 13.08.J of the Zoning Ordinance outlines findings that the Hearing Officer must make in order to grant a special use. Staff has answered as follows:

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. If the conditions are adhered to the establishment, maintenance, and operation of the special use shall not be detrimental to or endanger the public health, safety, morals, comfort or general welfare. The testimony has shown that the process as outlined by the petitioners will be a state of the art operation, there will be a USDA employee on site during the operations and ensure the public health and safety and monitoring of the employees and premises.

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 entire operation will take place within a building and the unloading area must be at least 400' from any principle structure on an adjoining lot. The zoning in the general area is agricultural which this process fits in with that classification.

That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. The special use will be utilizing the existing driveway and drainage will be closely evaluated when the engineering drawings are assessed.

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 EPA, Illinois Department of Health, Kendall County Health Department and the Kendall County Building Department all have jurisdiction over different aspects of the special use and the regulations must be followed and adhered to.

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. The review and action to be taken on the special use petition will coincide with a proposed text amendment (Petition 13-16) that will permit a small Poultry & Small animal Processing Plant as a special use in the A-1 District. The special use proposal will comply with all proposed conditions attached to the proposed text amendment.

Bill Ford stated he did not hear any new testimony and will keep the same findings of fact and made a favorable recommendation with this petition, with the above modified findings of fact and the 17 conditions specified on the special use.

The PBZ Committee will be November 12th at 6:30pm.

**ADJOURNMENT**
Chairman Bill Ford adjourned the Special Use Hearing Officer meeting at 8:38 p.m.

Respectfully Submitted,
Angela L. Zubko
Senior Planner & Recording Secretary
July 31, 2013

Angela Zubko
Senior Planner
Kendall County Regional Planning Commission
111 West Fox Street
Room 203
Yorkville, IL 60560-1098

Dear Ms Zubko:

We write to you today in support of the poultry processing plant special use permit application of Al and Mary Maly of Ferndell Farm in Newark, IL.

Cedar Valley Sustainable Farm is a community supported agriculture enterprise that delivers locally raised beef, chicken, pork, and eggs to approximately 200 families a month. Currently, all of our poultry (approximately 2000 birds) are processed by Central Illinois Processing in Arthur Illinois (a 3 ½ hour one-way drive from our Ottawa, IL farm) as it is the only USDA inspected facility in the state that accepts birds from independent producers.

The extreme distance to the processor and limits to the Arthur facility’s capacity makes expansion of poultry operations in northern Illinois very challenging despite ever increasing demand for locally grown poultry. We know of farms near the Wisconsin border that make a five hour one-way trip to Arthur for processing.

The Maly’s plant would be a good first step in addressing the poultry processing bottleneck in Illinois. With the Newark plant, Cedar Valley Sustainable Farm’s distance to processing would be one tenth of what it is now. Given the close proximity to processing, we WILL expand production numbers and processing frequency, and we are confident that existing poultry operations in this part of the state will do the same. Also, it is likely that other producers will emerge as the time/distance challenge is removed.

Obviously, a new poultry processing plant will benefit local producers. It will be a boon to Newark and the Kendall county as well - 20+ new jobs and a number of ancillary economic multipliers. On average, five to twelve poultry producers will travel to the plant each day. While their birds are processed, they will refuel trucks at local stations, eat at local restaurants, and purchase goods at local businesses. I know that Cedar Valley Sustainable farm spends $100 plus in Arthur with each processing trip. Surely, $2500 - $6000 per week in spending would help the local economy.

Lastly, we would like to point out the appropriateness of the scale the Maly’s project (3,000 birds per day). Rather than a mega-plant processing 200,000 birds a day and straining water, power, road, and community resources, this plant will be humane to employees, animals, the community, and the environment. It will, also, make small poultry operations like ours more sustainable and foster rural businesses in northern Illinois.
Sincerely,

Jody & Beth Osmund

Farmers

Jody & Beth Osmund
Cedar Valley Sustainable Farm CSA
1985 N. 3609th Road
Ottawa, IL 61350
815-431-9544
815-993-3387 (cell)
cdrvalleyfarm@gmail.com
www.cedarvalleysustainable.com
Angela Zubko  
Senior Planner  
Kendall County Regional Planning Commission  
111 West Fox Street  
Room 203  
Yorkville, IL 60560-1098  

Dear Ms. Zubko:

I am writing you today in support of the poultry processing plant special use permit application of Al and Mary Maly of Ferndell Farm in Newark, IL. The Maly’s proposed processing plant would mean significant economic development for the community and region, both directly and indirectly.

Illinois Stewardship Alliance (ISA) is a state-wide non-profit organization that promotes the growth of local food systems and sustainable agriculture. As an organization interested in the development of community-based food systems, we strongly support the creation and expansion of the infrastructure, such as a poultry processing plant, that is necessary for local food systems to grow. Demand for locally produced food, including poultry, is growing.

Currently, Central Illinois Processing in Arthur, Illinois is the only United States Department of Agriculture (USDA) inspected facility in the state that processes poultry from independent producers. The lack of poultry processing facilities in the state creates a bottleneck and significant barrier to meeting the demand for local food. Farms all across northern Illinois are currently driving six to ten hours round-trip to Arthur to have their birds processed, cutting into already slim profit margins and consuming limited time and resources that could otherwise be re-invested in expanding production to meet the ever increasing demand. In addition to the direct impact on those poultry producers traveling to Arthur, a poultry processing plant in Newark would create new jobs associated with its construction and operation. Additionally, the poultry producers that travel to Newark to take advantage of the plant with likely be spending additional money at local businesses.

Large processing plants that are processing an average of 200,000 birds a day have significant impacts on local infrastructure, straining water, power, sewer, waste disposal and road systems in the community. At an average of 3,000 birds per day, the Maly’s proposed poultry processing plant is of a scale that is appropriate and consistent with the values of local community-based food systems and will not have the kind of significant negative impacts on local resources and infrastructure associated with large facilities.

For the reasons enumerated above I urge the Kendall County Planning Commission to support the poultry processing plant special use permit application of Al and Mary Maly of Ferndell Farm in Newark, IL.

Sincerely,

Wes King  
Interim Executive Director
Ms. Angela Zubko  
Kendall County Regional Planning Commission  
111 West Fox Street  
Room 203  
Yorkville, Illinois 60560  

Dear Ms. Zubko:  

I am writing in support of the poultry processing plant special use permit application of Al and Mary Maly of Ferndell Farm in Newark, Illinois.  

Currently, Central Illinois Processing in Arthur, Illinois is the only poultry processing plant in the state approved by the United States Department of Agriculture that accepts birds from independent producers. Even though the demand for locally grown poultry is increasing, farmers in northern Illinois experience cuts in their resources and profit margins because they must drive up to ten hours to have their birds processed. A poultry processing plant in northern Illinois would allow operations in the region to expand production and processing frequency by reducing travel time and cost.  

A processing plant in Newark would bring other economic benefits to the community and the region. The plant would create new construction and operations jobs in Newark. Local businesses would see an increase in customers due to the five to twelve poultry producers expected to visit each day. Compared to larger plants that processes 20,000 birds a day, the Malys’ intent to process 3,000 birds a day is of a scale that is appropriate for the region and will not strain community resources.  

I urge you to give Al and Mary Maly’s application the most serious consideration. Please contact my Springfield office at 217-492-4062 if you have any questions. Thank you for your attention to this matter.  

Sincerely,  

Richard J. Durbin  
United States Senator
Concerns regarding the proposed chicken processing facility on Lisbon Center Rd, Newark, Il.

I am the property owner directly to the east of the proposed chicken plant. I have several concerns listed in order of importance to me.

1---How will this affect my future property value? I am concerned that rezoning will set a precedent for future rezoning and eventually the surrounding property will lose its country flavor.

2---What is the possibility of contamination to my well?

3---Increased traffic on a lightly traveled road. Right now during the day there may be 3-5 cars per hour and most of it is local farmers. I read there will be 30 employees and about 5-6 farmers visiting the site daily to drop off and pick up chickens. If entrance to the facility is 1 car and exit is counted as a second car trip that would be at least 50 more cars driving on Lisbon Center Rd. per day. I am assuming not every employee will be working each day and that they will not be leaving the property to find lunch or to run an errand to Walgreens, etc. I understand the farmers will come early in the morning and return in the afternoon. That would be 4 car passes per farmer or 20/day. Total extra cars driving on Lisbon Center Rd. would be 70 extra cars per day on that small road. I also understand that there will be daily dumpster pick up. Perhaps employees and farmers could be encouraged to approach the property from Fennel Rd instead of Townhouse Rd in order to avoid as many residential areas as possible.

4---What will I be looking at from my kitchen window and back yard deck? The picture I saw on line of the proposed structure would be similar to a large barn. I am fine with that but could not determine where the parking area will be. I would hope it would be on the west side of the building so it is not facing my home. Will the parking area be screened with evergreens? If my large tree line remains healthy I probably would not see the facility during the summer months but in the winter when the trees are barren of leaves I would have full view from the back of my house.

5---What will the parking lot lighting be like? How bright?

6---Will signage to the property be low profile?

Thank you for considering my concerns with this proposed project. I hope to have a good working relationship with the owners of the property to resolve any problems that may present themselves in the future with regard to this property and project.

Alice Marks

16675 Lisbon Center Road, Newark, IL

Cell -1-630-738-2370 Land line 1-630-323-2370
Scott R. Gryder
Kendall County Board Member
Forest Preserve Commissioner

111 W. Fox St.
Yorkville, IL 60560
630-699-8814
sgryder@co.kendall.il.us

From: Thomas Geistler [tgeistler@gmail.com]  
Sent: Saturday, October 12, 2013 3:04 PM  
To: Amy L. Cesich; Lynn Cullick; Elizabeth Flowers; igilmour@co.kendall.il.us; Scott R. Gryder; Dan Koukol; Matthew G. Prochaska; ipurcell@co.kendall.il.us; jshaw@co.kendall.il.us; Jeff Wehrli  
Subject: Poultry Processing Plant

Dear Sirs and Madams,

Thank you for your time and attention relating to the construction of a slaughterhouse at 16895 Lisbon Center Road. We are contacting the board because such a plant we feel does not belong in a quiet farming community. We feel this will have a negative effect on the residents of the county and the Village of Newark, some of which have homes not far from the proposed site.

This parcel of land is not just another farm, but a manufacturing facility. If this were just another type of farming facility, then why is there a need for a special permit to be issued for its construction as stated in the minutes from the April 8, 2013 meeting. A processing plant would bring in an industrial operation which would definitely effect those living in the community and especially those homes surrounding that area.

There should also be concern for the smell that this type of manufacturing would incur. There is no way that the odor wouldn’t cause a distraction to outdoor activities during the warmer months when families would want to be outside and enjoying the warmer weather.

People have worked hard to afford homes on Rennesoy Drive and surrounding areas. Why should their property values drop because of this type of construction. The lighting from the parking lot will change the night sky. Those living in a city might not care, but people who chose to live in the country would be greatly effected.

We would hope the board would listen to the home owners of Newark and the county and not allow this processing plant be constructed in the quiet farming community that values the people who live near and around where this proposed construction would be in the future.

Thank you for your time as board members to heard the feelings and concerns for the citizens of the Village of Newark and the surrounding areas.

Respectfully,
Scott R. Gryder  
Kendall County Board Member  
Forest Preserve Commissioner  

111 W. Fox St.  
Yorkville, IL 60560  
630-699-8814  
sgryder@co.kendall.il.us

From: Gwendolyn Carlyle [gwen.carlyle@gmail.com]  
Sent: Monday, October 14, 2013 7:07 AM  
To: Amy L. Cesich; Lynn Cullick; Elizabeth Flowers; Judy Gilmour; Scott R. Gryder; Dan Koukol; Matthew G. Prochaska; John Purcell; jshaw@co.kendall.il.us; Jeff Wehrli  
Subject: Poultry Slaughterhouse at 16895 Lisbon Center Road, Newark

Dear Sirs and Madams,

Thank you for your time and attention in regards to my concerns with the proposed poultry slaughterhouse at 16895 Lisbon Center Road. I am a resident of Newark and find my home exactly one half mile directly north of the proposed site. I do not feel this plant belongs in a farming community and feel there are strong reasons why this would negatively affect the residents of the county and the Village of Newark whose homes are in the area.

First, this is not another farm, or farming operation, it is a manufacturing facility. A manufacturing facility that would be located in an agricultural area. I understand that poultry and agriculture go hand in hand, however, the simple fact that a special use permit is required testifies to the argument that this facility is an exception to, not an addition of an agricultural community. Looking at the Planning, Building and Zoning minutes from April 8, 2013 the Village of Newark was thinking of "rezoning this to manufacturing." The reply from the facility's attorney, Mr. Kramer, was to say "the special use makes more sense in the County especially since no other manufacturing is in the area." Considering those opinions I become confused when I look at the Poultry Processing Plant petition 13-17 which makes two exceptions by granting first, a Limited Manufacturing District for poultry and rabbit slaughtering and second, a Heavy Industrial District for a Special Use Slaughter House. The opinion of the Village of Newark seemed to be that this facility is by nature a manufacturing operation. Mr. Kramer then pointed out that in fact there is no manufacturing in the area. Why then would it be considered beneficial to grant a special use permit for manufacturing when a community has flourished for so long without it?

Secondly, my concern as a resident is how this facility would affect the quality of our daily life and ultimately the property value of our homes. I do not feel it would be honest to say that a slaughterhouse would not cause an offensive odor. I know the general thinking seems to say offensive odor would be minimal, but for myself and many other nearby residents who would deal with the odor day in and day out, I believe that constant would be a more accurate description than minimal. The facility said its peak months of operation would be the warmer months of the year and also stated that they typically perform the slaughtering between six and ten a.m. because of the heat. Am I to understand that 3,000 units a day would be processed in four hours? The permit request an extension of slaughtering times during holiday periods, which I interpret to mean slaughtering would take place all day. This throws up a flag, in my opinion, that the smell of facility will most definitely be noticed especially during the warmer months of the year. The months that most people have their windows open and are outside enjoying the weather. Also I feel it should be noted that during summer months the prevailing winds would push the smell and noise from the plant towards the village not away from it. The special permit
also looks to include a lighted parking lot for the facility. Living in both the city and now the country I know how light pollution changes from one place to the next. Being only a half a mile away from the proposed site, I'm sure the light from the parking lot would reach the homes along the south side of Rennesoy Drive, removing the quiet landscape that motivates a person to want to live in the country in the first place.

I believe that the constant light along with my previously mentioned concerns about the offensive odor and the sudden existence of a manufacturing facility would be certain have negative effects on property values for myself and my neighbors. One could not say in good conscious that granting a special manufacturing permit to construct a poultry slaughterhouse one half mile from a residential subdivision would have no effects on property values. I also know that it takes every effort for me and my family afford and maintain our small home. It's one we are proud of and enjoy very much but financially it is a drop in the bucket compared to the cost of the farms located the nearby area. To us to have one more reason for property values to fall is something that no one wants, can afford or wishes to tolerate. I've been told by those whose personal lives will not be affected by the facility that it will pop up and after a few years be shut down just like everything else. If this view is correct, then why are we are voting on a bad investment and assisting the creation of more empty foreclosed property. If this view is incorrect, and the facility is successful and expands to the additional sites they have listed on their building plans for future growth then the "minimal" effects from processing animals grows into a much larger one and an area which was once said to have no manufacturing is now one with multiple manufacturing facilities. Either way I do not feel it is consistent with the traditions or wishes of the community and feel it would be harmful to the general well being of those who have gone through the hard work and effort to plant their roots in the area.

I again thank you very much for your time and attention. I also thank you for all the hard work and concern you have had and continue to have for Kendall County.

Respectfully,

Garrett and Gwendolyn Carlyle
for the record

From: Cliff Thrall [explor224@aol.com]
Sent: Saturday, September 28, 2013 7:45 PM
To: Scott R. Gryder
Subject: Dear Kendall co. Board members,

Dear Kendall co. Board members,

Just recently I became aware of a proposed slaughterhouse here in Newark. This is very concerning since no notice was given to the only residential subdivision near this project. No one will ever buy our homes that back up to a slaughterhouse, hence lowering our already depreciated home values. Beyond the obvious concerns (lighting, smells, dust, dander, noise exceeding 55db, increased traffic in a village with little to no sidewalks) the fact that Newarks public works said no means no guarantee to waste water pollution. I'm a licensed septic installer here in Illinois, knowing the facts about wastewater treatment is my job. This plant does not meet the requirements of the kchd or idph it will fall under the EPA. Industry standards are 5-10 gal. Per bird, this equals 15000-30000 gallons of water per day. The only ways to treat this wastewater is 1. A lagoon 2. Aerobic treatment and spray irrigation 3. Large holing tanks . None of which have a positive impact on our quality of life. I believe that this is not the proper location this facility. It must be connected to city sewer, and a water supply of sufficient size within city limits in a commercial zoned area. As stewards of Kendall county I pray that you( members of the board) take much more into consideration than the Special provisions. Please vote no!

With gravitas,

Cliff Thrall and Family

Sent from my iPad
Dear Kendall County Board member,

As you know, there is a proposed chicken processing facility currently under consideration, intended to be constructed on Lisbon Center Road, just west of Townhouse Road, in Big Grove Township, referenced parcel #07-08-100-011.

Our understanding is that the petitioner is requesting approval of an A-1 Special Use Permit, in order to construct the above referenced facility and begin operations.

**We are against the granting of this Special Use Permit and/or the necessary rezoning of this land that would allow this operation to commence.**

The reasons we oppose the granting of the Special Use Permit and/or the necessary rezoning are:

1. **Wastewater handling:** As Kendall County has already informed the owners, no septic system will be allowed. Therefore, the generated wastewater will have to be either trucked out on a daily basis, or used in some manner of sprayed irrigation on adjacent fields. Holding tanks have the potential of cracking and leaking, thereby eventually polluting the water table.

2. **Air Pollution:** The odors from such an operation will most certainly permeate into our homes, as we are located less than a mile to the north of this proposed site. Personally, our family utilizes an outdoor clothesline three seasons of the year for 95% of our laundry. That allows us much savings on our natural gas bill. The odors from such an operation would most certainly force us to discontinue use of the clothesline.

3. **After Hours Operations:** The waste pickup and pumping of any holding tanks will not be able to be accomplished during normal daytime operating hours. Furthermore, we suspect that the cleaning and sanitation of such facility will also need to be done on a schedule after the advertised 6:00pm closing time.

4. **Non-Conforming Zoning:** There is empty commercial property all over Kendall County. We built our home at the location where it is simply because of the surroundings! If we had wanted to live in a commercially developed area, we would have made our home elsewhere. The existence of such a facility in close proximity to our homes will most certainly cause ours, as well as our neighbors' property values to drop. I know that if I had the choice of buying a home in a subdivision so close to such a facility, I would have chosen to live elsewhere. We, as voters, are urging you to vote against the granting of the Special Use Permit and/or the rezoning of the parcel of land that would allow the operation of this proposed facility. Please feel free to phone us at our residence to discuss this matter further.

Thank you for your time and consideration.

Sincerely,
Brent and Sheila Urton
410 E. Rennesoy Dr.

Ph. 815-695-5547

Newark, IL 60541
From: markold1 [markold1@att.net]
Sent: Friday, October 11, 2013 8:20 AM
To: Scott R. Gryder
Subject: Poultry plant concerns

I have several comments about the proposed poultry processing plant located at 16895 Lisbon Center Road. Please keep in mind also, I understand the Maly’s have been doing some due diligence. I also understand the “feeling” that there is a need for an operation like this in northern Illinois. Overwhelmingly one must consider also, only one other operation like this exists in our state and I think it has to do with the unpopularity of this industry close to residential areas.

All comparisons are made with a poultry processing plant located in Arthur, IL. What is not mentioned is that plant is located a bit over 2 miles south of Arthur on a County road. Much farther away from any residential areas and positioned right off a road improved for frequent truck traffic.

In contrast, the processing plant proposed near Newark is ¼ mile south of town, at most, 3000 feet away from my doorstep. It will be located on a Big Grove Township roadway at best designed for occasional truck traffic during spring planting and fall harvest. The surrounding roads certainly were not designed for day to day deliveries, finished product pick-ups, hauling poultry by-products or decomposable residue, not to mention other significant waste removal. In fact, the proposal is a small industrial operation situated in a rural area introducing several undesirable activities and their inherent problems.

More truck traffic will add noise to a delightfully quiet location, not to mention the commotion of the plant itself. When I walk outside can I now expect to hear chickens too, day in day out? There is the possibility of water contamination from any waste products leaching into the aquifer. I have to believe a significant amount of water goes into processing 3000 birds a day. Where will that water come from? If winds are out of the South what smells might I experience on any given day but particularly what will that be like on say a 95 degree day? What about feathers or dander lost by birds during transport or off-loading? Will that become an issue in my neighborhood? Has any thought been given to disease or sickness a contaminated bird or birds might introduce into the area I live? After all one of your conditions is 21,000 birds a week that’s over 1,000,000 birds a year. In addition to this activity to look forward to just a few thousand feet away, the lighting that will undoubtedly be on the property will be an additional nuisance.
If the plant is built and there is a problem whose jurisdiction will it fall under? Once you make the approval does Kendall County have mechanisms in place to address this (in other words the expertise?) or would it fall to the cash strapped State of Illinois? Or, worse yet, if the plant is USDA approved would any problem be handled at the federal level?

What about expansion? Surely, once built why would the owners not think they could expand? After all, an agreeable county board granted the initial variance. If the business is somehow threatened by not expanding what is to prevent that?

Moving beyond the obvious concerns; invariably at some point it will be determined improvements need to be made to the streets and roads supporting this industrial operation. Will these costs be undertaken by the plant owner as part of the granted variance? Or, will the more likely outcome be an increase of taxes where everyone in the county pays for this special interest?

And, speaking of taxes, no mention is made (that I can find) as to what tax rate will be applied to this new industry. If the variance is applied to a piece of property currently zoned agricultural do they continue to pay taxes at the very low agricultural rate or will that portion be taxed at a higher commercial or industrial rate?

I strongly believe the residents of Yorkville, Plano and Oswego could care less what happens in the Southwest corner of the county. And, it would seem, those communities take seriously their city planning. I realize we are talking about an unincorporated portion of the county but would this commercial enterprise be considered near one of those communities? Perhaps there is a location closer to one of those towns, zoned properly and already improved, which would raise less concern and be an ideal fit?

At the very least an engineering impact study should be done based on full capacity and real operations observed over several days. A better estimate as to how the area will be affected would be achieved this way. All comparisons to the Arthur, IL location appear to be based on nothing more than a field trip.

Unintended consequences has become a catch phrase of late when governments; including Federal, State or Local, pass laws or change zoning to favor the petitioner at the expense of the rest of the tax-payers.

Will our property taxes continue to rise even though our quality of life has been upset? What about when we go to sell our houses and find the value dropped due to the undesirability of the location, particularly those of us closest to the operation?

Lastly, if this industrial operation is put in place and residents of Newark feel there is a quality of life, quality of health, nuisance or other unforeseen issue what recourse do we really have?

Mark Oldenburg

309 E. Rennesoy Dr.

Newark, IL 60541

815-695-5448
WORLD CLASS PROCESSING EQUIPMENT

Turnkey Equipment and Supplies for Processing Poultry in Small and Medium Sized Plants

Telephone: 319-469-4141
Fax: 319-469-4402
E-mail: broweriowa@aol.com
Web site: www.browerequip.com

Highway 16 West * P.O. Box 2000
Houghton, Iowa 52631 * USA
To Our Customers:

Brower specializes in serving the small- and medium-sized poultry producer and has successfully served this market for nearly eight decades. We are proud to have added this quality line of processing equipment. When you buy Brower, you get:

1. State-of-the-art designs for the markets we serve.
2. A commitment to service from our family business to your family business.
3. The resources of a Top Gun manufacturing and engineering group, a modern 200,000-square-foot facility and the latest CNC fabricating equipment.
4. The best workmanship at competitive prices.

Be sure to write and ask for our production catalog — top quality small flock equipment as well as equipment for livestock, pets and wildlife.

Please let us know how we can serve you.

Sincerely,

[Signature]

Thomas W. Wenstrand
President

A DIVISION OF HAWKEYE STEEL PRODUCTS INC.

PROCESSING PLANS

We have Processing Plans which include complete lists of equipment, floor plans, manning suggestions, and operating tips for three sizes of processing plants — up to 400 broilers per hour (BPH), up to 600 broilers per hour and up to 1000/1200 broilers per hour. These plans are free by writing or calling us. The basic units in these plans are as follows:

<table>
<thead>
<tr>
<th>KILL</th>
<th>MODEL NO.</th>
<th>400 BPH</th>
<th>600 BPH</th>
<th>1000 TO 1200 BPH</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>BT8SS WITH CONES</td>
<td>KILL 16</td>
<td>KILL 22</td>
<td></td>
</tr>
<tr>
<td>SCALD</td>
<td>MODEL NO.</td>
<td>BM60</td>
<td>SS36SS</td>
<td>SS48SS</td>
</tr>
<tr>
<td>PICK</td>
<td>MODEL NO.</td>
<td>BP30SS</td>
<td>SP30SS</td>
<td>SP38SS</td>
</tr>
<tr>
<td>EVISCERATE</td>
<td>MODEL NO.</td>
<td>SS40ET OR SE10</td>
<td>EV16 OR SE10</td>
<td>EV22</td>
</tr>
</tbody>
</table>

These units can be interchanged to fit your needs.

KILLING EQUIPMENT
Page 3-4
SCALDING EQUIPMENT
Pages 4-5
PICKING EQUIPMENT
Pages 6-7
EVISCERATING EQUIPMENT,
SHACKLES, BIRD WASHER,
GIZZARD PEELER, GIBLET PANS
Pages 8-9
AUTOMATIC ACCESSORIES, HOCK & NECK KNIVES, VENT CUTTER, LUNG REMOVER, VAC-SYSTEM™
Pages 10-11
CHILLING EQUIPMENT
COOLING RACK, COMMERCIAL ICE SYSTEMS,
CHILLING TANKS & PUMPS
Page 11
AUTOMATIC BAGGING & CLOSING EQUIPMENT, BAGS & TRAYS
Page 12
CARTS, SHELVING, TABLES, KNIVES, SCALES, APRONS & OTHER ACCESSORIES
Pages 12-14
HOME PICKERS, COOPS
Page 15

CATALOG NO. PROC21

WARNING!! Gas and electrical hookups required to connect utilities to all killing lines, scalders, pickers, eviscerating lines, gizzard peelers, bagging machines, any other accessories and any other products sold by Brower must be made by qualified gas and electrical technicians. All line sizes and other specifications must meet or exceed local and national codes. There must be proper electrical grounding at all times.

All dimensions and capacities are approximate. Dimensions shown are those when unit is set up, not shipping dimensions.

CAPACITIES ARE NOT GUARANTEED.
The ability to achieve capacities indicated depends on many factors including, but not limited to, labor force experience, plant layout and availability of constant supply of birds.
**Killing Line Conveyors**

Conveyors are built for USDA approval. Units can be used with killing tunnels. Reversible. Vari-speed drive. Corrosion-resistant aluminum gearbox, drive and take-up. Stainless steel track and trolleys. Our bolt together design allows quick assembly and also permits easy expansion. 3/4 horsepower motor, 115V, 60HZ.

Order shackles separately. See page 8.

<table>
<thead>
<tr>
<th>Model No.</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>KILL 16</td>
<td>16 foot (4.9 meters) long conveyor, 26&quot; wide (66 cm), 33 shackles spaces</td>
</tr>
<tr>
<td>KILL 22</td>
<td>22 foot (6.7 meters) long conveyor, 26&quot; wide (66cm), 44 shackles spaces</td>
</tr>
<tr>
<td>CONVEKT</td>
<td>Extends overall conveyor length 5 feet (1.5 meters) - adds 10 linear feet (3.0 meters) and 10 shackles</td>
</tr>
</tbody>
</table>

**Stainless Steel Killing Tunnel**

Two models are available to work with either KILL16 or KILL22 killing line conveyors. Birds are killed as they enter the tunnel on shackles. The tunnel base is tapered with a drain hole. Both sides have wash nozzles with trigger valves and hose to keep tunnel washed down at intervals. On KLD1, KLD1W, KLD2 and/or KLD2W, you can add a 48" (121.9 cm) extension. Order KLDTEXT for standard 30" (76.2 cm) width; order KLDTEXTW for 48" (121.9 cm) wide tunnels.

<table>
<thead>
<tr>
<th>Model No.</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>KLD1</td>
<td>Stainless Steel Killing Tunnel, 30&quot; wide x 94&quot; long x 79&quot; high, (76 cm wide x 239 cm long x 201 cm high). Use with KILL16 or KILL22. Model KLD1W has the same dimensions as KLD1 but is 48&quot; wide (121.9 cm).</td>
</tr>
<tr>
<td>KLD2</td>
<td>Stainless Steel Killing Tunnel, 30&quot; wide x 142&quot; long x 79&quot; high, (76 cm wide x 361 cm long x 201 cm high). Recommended for use with KILL22. Model KLD2W has the same dimensions as KLD2 but is 48&quot; wide (121.9 cm).</td>
</tr>
</tbody>
</table>

**Stunning Knife**

Stunned birds are easier to handle and they bleed more quickly and thoroughly. Stunned birds have fewer bruises and broken wings. You speed up your processing operation. You can control voltage to various ages and sizes of birds or for changing environmental conditions. Virtually the only way to kill turkey.

<table>
<thead>
<tr>
<th>Model No.</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>SK200</td>
<td>Electronic Stunning Knife, 110V, 50 HZ, or 60 HZ, single phase. Variable power setting. Includes power cabinet, safety knife and rubber glove. Unit features easy reset overload and ground fault interrupter for operator safety. Available with 220V, 50HZ - 60HZ. Order Model SK20020.</td>
</tr>
</tbody>
</table>

**Adjustable Bleed Rack For Killing Cones**

Designed to hold these cones (see page 4): 6-54K; 8-53K (recommended for pastured poultry); 8 to 10-52K; 8-51K. Order cones separately and you must order a QRKT1A Bracket for each cone. Rack features four leveling feet, easy rack height adjustment up to 60" (152 cm) high. 304 stainless steel construction. Can be disassembled and stored flat. Designated to set over a 2'W x 4'L x 1'H stock tank (order separately) for blood collection.

<table>
<thead>
<tr>
<th>Model No.</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>BR48</td>
<td>Adjustable Bleed Rack, 24&quot; wide x 48&quot; long x 60&quot; high (61 cm wide x 122 cm long x 152 cm high)</td>
</tr>
</tbody>
</table>

**Stainless Steel Bleeding Trough**

Keep Your Processing Area Clean and Sanitary. When a fully automatic system is not needed, use our killing cones and stainless bleeding trough. Blood flows down back panel and into sloped trough. Position any receptacle under the drain hole on one end.

<table>
<thead>
<tr>
<th>Model No.</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>BT86</td>
<td>Stainless Steel Bleeding Trough and Back Panel 85&quot; long x 40&quot; high (218 cm long x 102 cm high). Trough is 5&quot; (13 cm) wide.</td>
</tr>
<tr>
<td>BT134</td>
<td>Stainless Steel Bleeding Trough and Back Panel 134&quot; long x 40&quot; high (340 cm long x 102 cm high). Trough is 5&quot; (13 cm) wide.</td>
</tr>
</tbody>
</table>

Other sizes manufactured upon request.
Killing Cones
Four sizes are available, all constructed of 20 gauge stainless steel. Hemmed edges and lockformed seams assure no snags.
For slot mounting, order model QRBT1A bracket (shown right). For wall mounting or for use with BT86 and BT134 bleeding troughs (see page 3), order Q781 Cone Rail (shown right). Q781 is 5" wide x 56" long x 1" deep. Holds up to 4-54k cones.

Scalding Equipment

Scalers
Our SuperScald Rotary Scalers will Scald More Birds per Hour Than Dunk Scalers and No Air Compressor Is Required.

Scalder requires a broiler to be immersed in 145°F (63°C) water for about 60 seconds — regardless of the type of scalded used. Our SuperScald Rotary Scalers have at least three times the capacity of competitive dunk-type scalder. Also, you do not have to attach the birds to shackles.

Superscald
* All Stainless Steel
* Maximum Production in Limited Space
* Minimum Labor

We offer two models of Superscald. Both feature, as standard, an accurate 0-5 minute timer with second graduations, sensitive thermostat, digital thermometer (registers in °F and °C), and work table. Birds tumble freely, assuring a thorough scald. You'll get more production with less labor than any other competing scalders. Setup for LP gas is standard. Natural gas orifices included for easy conversion.

Both units are 220/110V, 60HZ. Contact us about your specific electrical requirements.

WARNING!
Scalading requires 145°F (63°C) water which can severely burn operator. Exercise caution at all times.

<table>
<thead>
<tr>
<th>Model No.</th>
<th>Approximate per Hour Capacities</th>
<th>Tank Dimensions</th>
<th>Overall Dimensions</th>
<th>Motor</th>
</tr>
</thead>
<tbody>
<tr>
<td>SS36SS</td>
<td>500-750 Broilers 500-750 Pheasants 100-120 Turkey Hens 80 Turkey Toms 500-700 Ducks 1000 Quail</td>
<td>W: 30&quot; (76 cm) L: 36&quot; (91 cm) H: 27&quot; (69 cm)</td>
<td>W: 33&quot; (84 cm) L: 67&quot; (170 cm) H: 42&quot; (107 cm)</td>
<td>1/2 HP 220 / 110V 60 HZ 250,000 BTU</td>
</tr>
<tr>
<td>SS48SS</td>
<td>1000-1200 Broilers 1000-1200 Pheasants 250-350 Turkey Hens 125 Turkey Toms 1000-1200 Ducks 1800 Quail</td>
<td>W: 30&quot; (76 cm) L: 53&quot; (135 cm) H: 28&quot; (71 cm)</td>
<td>W: 33&quot; (84 cm) L: 85&quot; (216 cm) H: 42&quot; (107 cm)</td>
<td>1/2 HP 220 / 110V 60 HZ 375,000 BTU</td>
</tr>
</tbody>
</table>
Why Superscald Gives a Fast, Thorough Scald

Loaded—ready to start scald cycle. Consider the ease in loading—no basket to open or shackles to load. Just push the start button to begin operation. Timer automatically resets to desired time.

Position after platform has made about 1/4 of a cycle. Birds are dumped to bottom of tank. The water level backs up ahead of platform. Water sprays through holes in platform onto birds, giving a spray-action scald.

Position after platform has made 1/2 of a cycle. Birds are completely submerged—not confined in any way but free to tumble in all positions thus assuring a thorough scald.

Birds are tumbled through the water by the revolving platform and then out of the water to the stop position. The platform rotates at 10 RPM and will rotate several times depending on length of scald.

Economy Gas Scaler
Our manual gas scalers can be used with either LP or Natural Gas. Tanks are hot dipped galvanized after fabrication. Easily accessible pilot light. Requires vent tube. Standard drain table adds 26" (66 cm) of length. Automatic water level and heat controls. 115V, 50/60 Hz.

<table>
<thead>
<tr>
<th>Model No.</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>BM38</td>
<td>Holds about 38 gallons. Ideal scald for pastured poultry operations. 23&quot; wide x 28&quot; long x 36&quot; high (58 cm x 71 cm x 91 cm). Tank dimensions: 20&quot; wide x 20&quot; long x 23&quot; deep (50.8 cm x 50.8 cm x 58.4 cm)</td>
</tr>
<tr>
<td>BM60</td>
<td>Holds about 60 gallons. 28&quot; wide x 42&quot; long x 37&quot; high (71 cm x 107 cm x 94 cm). Tank dimensions 27&quot; wide x 32&quot; long x 23&quot; deep (69 cm x 81 cm x 58 cm high).</td>
</tr>
</tbody>
</table>
6 Picking Equipment

Our commercial pickers have one superior design advantage — a conical-shaped centrifuge. The cone shape permits birds to freely rotate for a clean pick. By contrast, flat centrifuges result in birds piling up in the center. The result is a poor pick, having to run the picker longer (at risk to skin breakage) or having to hand pick birds. All centrifuges are made of heavy duty aluminum. Choose between 2 models of SUPERPIK, our BATCHPIK, our new Utility Picker or our Junior BATCHPIK.

Regardless of which model you choose — EVEN WHEN THEY’RE EMPTY, THEY’RE LOADED.

SUPERPIK
Stainless Steel, Automatic Pickers

Features (all standard)

* Automatic unloading door is self closing; latch is operated by a start button which simultaneously starts the timer and opens the automatic water valve. Set 0-5 minute timer for 30 second pick or as required.

* Feather exhaust.

* Shipped fully assembled and ready to use.

<table>
<thead>
<tr>
<th>Model No.</th>
<th>Capacity Birds per Hour</th>
<th>Dimensions</th>
<th>Loading Height</th>
<th>Cylinder Diameter</th>
<th>Motor</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>W</td>
<td>L</td>
<td>H</td>
<td></td>
</tr>
<tr>
<td>SP30SS</td>
<td>400-700 Broilers</td>
<td>35&quot;</td>
<td>76&quot;</td>
<td>47.5&quot;</td>
<td>43&quot;</td>
</tr>
<tr>
<td></td>
<td>400-700 Pheasants</td>
<td>89 cm</td>
<td>193 cm</td>
<td>120 cm</td>
<td>109 cm</td>
</tr>
<tr>
<td></td>
<td>100-120 Turkey Hens</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>60-80 Turkey Toms</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>400-700 Ducks</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>1000 Quail</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Length includes bird catch table which is 34&quot; (86 cm) long.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>SP38SS</td>
<td>800-1000 Broilers</td>
<td>54&quot;</td>
<td>90&quot;</td>
<td>63&quot;</td>
<td>43&quot;</td>
</tr>
<tr>
<td></td>
<td>800-1000 Pheasants</td>
<td>120 cm</td>
<td>229 cm</td>
<td>160 cm</td>
<td>109 cm</td>
</tr>
<tr>
<td></td>
<td>250-300 Turkey Hens</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>125 Turkey Toms</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>800-1000 Ducks</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>1800 Quail</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Length includes bird catch table which is 34&quot; (86 cm) long.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
**BatchPik**  
All Stainless Steel  
Features (all standard)  
* Built-in feather exhaust  
* 0-5 minute timer with second graduations  
* Shipped fully assembled and ready to use  

This unit is perfect for small poultry retail stores where customers want live birds processed on the spot. It also works great for hunting preserves where game birds are brought in from fields to be picked in batches.

<table>
<thead>
<tr>
<th>Model No.</th>
<th>Capacity Birds per Hour</th>
<th>Dimensions</th>
<th>Loading Height</th>
<th>Cylinder Diameter</th>
<th>Motor</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>W</td>
<td>L</td>
<td>H</td>
<td></td>
<td></td>
</tr>
<tr>
<td>BP30SS</td>
<td>300-400 Broilers</td>
<td>22&quot;</td>
<td>43&quot;</td>
<td>43&quot;</td>
<td>30&quot;</td>
</tr>
<tr>
<td></td>
<td>300-400 Pheasants</td>
<td>89 cm</td>
<td>109 cm</td>
<td>109 cm</td>
<td>76 cm</td>
</tr>
<tr>
<td></td>
<td>75 Turkey Hens</td>
<td>35&quot;</td>
<td>43&quot;</td>
<td>43&quot;</td>
<td>30&quot;</td>
</tr>
<tr>
<td></td>
<td>50 Turkey Toms</td>
<td>92 cm</td>
<td>109 cm</td>
<td>109 cm</td>
<td>76 cm</td>
</tr>
<tr>
<td></td>
<td>350 Ducks</td>
<td>89 cm</td>
<td>109 cm</td>
<td>109 cm</td>
<td>76 cm</td>
</tr>
<tr>
<td></td>
<td>800 Quail</td>
<td>35&quot;</td>
<td>43&quot;</td>
<td>43&quot;</td>
<td>30&quot;</td>
</tr>
</tbody>
</table>

**Utility Picker**  

<table>
<thead>
<tr>
<th>Model No.</th>
<th>Capacity Birds per Hour</th>
<th>Dimensions</th>
<th>Loading Height</th>
<th>Cylinder Diameter</th>
<th>Motor</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>W</td>
<td>L</td>
<td>H</td>
<td></td>
<td></td>
</tr>
<tr>
<td>BP25SS</td>
<td>22&quot;</td>
<td>43&quot;</td>
<td>43&quot;</td>
<td>30&quot;</td>
<td>2HP, 115/220V, 60 HZ</td>
</tr>
</tbody>
</table>

**Junior BatchPik**  
Especially designed for quail  
Features (all standard)  
* Feather exhaust  
* Work shelf  
* 0-5 minute manual timer  
* Aluminum centrifuge, galvanized steel frame  
* Shipped fully assembled and ready to use  

This picker is designed for quail but is also a nifty economy unit for any requirement — broilers, pigeons, or pheasant. Compared to our other pickers, the fingers are more densely placed on the centrifuge and cylinder.

<table>
<thead>
<tr>
<th>Model No.</th>
<th>Capacity Birds per Hour</th>
<th>Dimensions</th>
<th>Loading Height</th>
<th>Cylinder Diameter</th>
<th>Motor</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>W</td>
<td>L</td>
<td>H</td>
<td></td>
<td></td>
</tr>
<tr>
<td>QBP23</td>
<td>700 Quail</td>
<td>26 1/2&quot;</td>
<td>42&quot;</td>
<td>43&quot;</td>
<td>43&quot;</td>
</tr>
<tr>
<td></td>
<td>100 Broilers</td>
<td>67 cm</td>
<td>107 cm</td>
<td>109 cm</td>
<td>58 cm</td>
</tr>
<tr>
<td></td>
<td>100 Pheasants</td>
<td>26 1/2&quot;</td>
<td>42&quot;</td>
<td>43&quot;</td>
<td>43&quot;</td>
</tr>
<tr>
<td></td>
<td>100 Ducks</td>
<td>67 cm</td>
<td>107 cm</td>
<td>109 cm</td>
<td>58 cm</td>
</tr>
</tbody>
</table>

**Whisper Fingers**

<table>
<thead>
<tr>
<th>Model No.</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>T1</td>
<td>Used in all picker centrifuges and feather exhausts. Total length — 3 1/2 inches (8.9 cm); fits a 3/4 inch (1.9 cm) hole.</td>
</tr>
</tbody>
</table>

Virtually any other type of finger available upon request.

**Spare Parts Kit for SuperPik**  
Recommended for all export shipments.

<table>
<thead>
<tr>
<th>Model No.</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>KIT30</td>
<td>Spare Parts Kit for SP30SS</td>
</tr>
<tr>
<td>KIT38</td>
<td>Spare Parts Kit for SP38SS</td>
</tr>
</tbody>
</table>
EvIscerating Equipment

EvIscerating Line conveyor System
The conveyor is the same equipment used for our Killing Line Conveyor shown on page 3. We add components shown below to make an evIscerating system. Hardware for ceiling suspension is not included. Vari-speed drive allows you to adjust line speed. Reversible. Components included with each system are:

- Water Flushed Trough — Stainless steel, 31" width standard (79 cm width), 43" available upon request. EV16 has 10' (3 meters) trough 12" (30 cm) deep; EV22 has 15' (4.6 meters) trough 12" (30 cm) deep.
- Inside wash nozzle with trigger valve and hose.
- 2 gooseneck wash nozzles on 10' (3m) trough for EV16; 4 nozzles on 15' (4.6m) trough for EV22.
- Splash shield mounts where birds are washed.
- Stainless steel giblet station, 20" wide, 33" long, 37 1/2" tall (51 cm wide x 84 cm long x 95 cm high).
- Shackles — EV16 has 33 shackle spaces; EV22 has 44 shackle spaces; spaced at about 1' intervals. Order shackles separately.

<table>
<thead>
<tr>
<th>Model No.</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>EV16</td>
<td>EvIscerating Line conveyor System, 26 1/2&quot; wide (67 cm), 16&quot; long (4.9 meters) complete with all above listed accessories. Recommended for 800 birds per hour operations. 115 volt, 60HZ.</td>
</tr>
<tr>
<td>EV22</td>
<td>EvIscerating Line conveyor System, 25 1/2&quot; wide (67 cm), 22&quot; long (6.7 meters) complete with all above listed accessories. Recommended for 1200 birds per hour operations. 115 volt, 60HZ.</td>
</tr>
</tbody>
</table>

As your operation grows, you can expand EV16 and EV22 by adding trough and conveyor sections. Order CONVEeXT to extend conveyor (see page 3). Order EVeXT or EwWEXT to extend the trough. Extension adds about 48" (122 cm) of Length.

Shackles For Kill and EvIscerating conveyors
Brite finish, 5/16" (.79 cm) round bar material, 3/8" (.95 cm) suspension rod. Order 33 shackles for 16' (4.9 m) conveyor; 44 for 22' (6.7 m) conveyor; 10 for CONVEEXT Stainless steel.

<table>
<thead>
<tr>
<th>Model No.</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>KSSSR</td>
<td>Rigid Standard Poultry 68 Shackle with Rigid Hook</td>
</tr>
<tr>
<td>TCOMBK</td>
<td>turkey Poultry Kill Shackle with Rigid Hook</td>
</tr>
<tr>
<td>ESSSR</td>
<td>Rigid Standard EvIsceration Shackle with Swivel Top and Three Point Bird Suspension</td>
</tr>
<tr>
<td>TCOMBE</td>
<td>turkey Poultry Combination EvIsceration Shackle with Swivel Top and Three Point Bird Suspension</td>
</tr>
</tbody>
</table>

Inline Bird Washer
Designed to be installed with our EV22 evIscerating line. All stainless steel construction. A top performing commercial unit at a reasonable cost. 18 spray jets. Washes birds on outside only. Recommended for our 1000-1200 bird per hour system.

<table>
<thead>
<tr>
<th>Model No.</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>OBW4</td>
<td>3 Foot Bird Washer 25 1/2&quot; wide x 36&quot; long x 56&quot; high (65 cm wide x 91 cm long x 142 cm high).</td>
</tr>
</tbody>
</table>

Offal Cart
This offal cart is a handy accessory for use with evIscerating lines, tables or stationary evIscerating units. Use it to catch inedible offal. The perforated insert collects solids while liquids remain at the bottom. Completely portable with four (4) casters and handle.

<table>
<thead>
<tr>
<th>Model No.</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>OFFAL</td>
<td>Offal Cart with Insert and 4 Casters. 23&quot; wide x 34 1/2&quot; long x 32&quot; high (58 cm wide x 88 cm long x 81 cm high).</td>
</tr>
<tr>
<td>28BG</td>
<td>Perforated Insert. Having an extra insert for each cart is highly recommended. You will not have to slow down your evIscerating operation because you can quickly change inserts when one is full.</td>
</tr>
</tbody>
</table>
STAINLESS STEEL
EVISCERATING TABLES—TWO OPTIONS
All stainless-steel model SS40ET (shown right) is designed for cleanliness, long wear, and economy. The top is one piece and seamless, has 1 1/2" (3.8 cm) lip. Unit comes complete with two (2) four inch eviscerating tubes and a center drain, two (2) goose neck wash valves, and two (2) trigger valves with hose. The table accommodates up to 4 operators. Use for fish and small game as well.

<table>
<thead>
<tr>
<th>Model No.</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>SS40ET</td>
<td>Stainless Steel Four Operator Eviscerating Table 43&quot; wide x 55&quot; long x 36&quot; high (overall height is 58 1/2&quot;). (109 cm wide x 140 cm long x 91 cm high).</td>
</tr>
<tr>
<td>ETSB</td>
<td>Optional adjustable shackle bar for SS40ET to use for shackle evisceration. Shown attached to model ET below left (ETSB fits both SS40ET and ET). Total height of SS40ET with shackle bar is 78&quot; (198 cm). Order shackles separately. See page 8</td>
</tr>
</tbody>
</table>

EVISCERATING TABLE
An economical table for pastured poultry processing. One piece top with 1" (2.54 cm) lip; 1.75" (4.4 cm) center drain. Unit comes with two (2) goose neck wash valves and two (2) trigger valves with hose. Stainless Steel.

<table>
<thead>
<tr>
<th>Model No.</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>ET</td>
<td>Eviscerating table 29&quot; wide x 54&quot; long x 37&quot; tall. Overall height is 55&quot;</td>
</tr>
<tr>
<td>ETSB</td>
<td>Optional, Adjustable Shackle Bar to use for shackle evisceration. Total height of ET with shackle bar is 79&quot; (201 cm). Shown attached to ET in photo to the left. ETSB is an option and the shackles also must be ordered separately. See page 8</td>
</tr>
</tbody>
</table>

STAINLESS STEEL
GIZZARD PEELER
The hardened, spiral cut rolls are direct driven. The drive cannot slip as with a belt driven machine. A 1/3 horsepower motor with gear reducer turns the peeler rolls at 288 RPM. A double pole switch allows you to reverse the rolls in the event anything becomes entrapped in the rolls.

<table>
<thead>
<tr>
<th>Model No.</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>SSAK4</td>
<td>Gizzard Peeler complete with floor stand and motor 110V, 60HZ, single phase (as pictured) 19&quot; wide x 33&quot; long x 40 1/2&quot; high (48 cm wide x 84 cm long x 103 cm high).</td>
</tr>
<tr>
<td>SSAK450</td>
<td>Gizzard Peeler complete with floor stand and motor 220V 50HZ, 3 phase 19&quot; wide x 33&quot; long x 40 1/2&quot; high (48 cm wide x 84 cm long x 103 cm high).</td>
</tr>
<tr>
<td>HAK4</td>
<td>Gizzard Peeler Head.</td>
</tr>
<tr>
<td>RAK4</td>
<td>Peeler Rolls only.</td>
</tr>
</tbody>
</table>

TEN FOOT STATIONARY EVISCERATING UNIT
The 10 foot (3 meter) stationary eviscerating unit fills the need between a processor who needs more capacity than our eviscerating table, but who does not require an automatic line. The stainless steel trough [30 inches wide, 12 inches deep (76 cm wide, 30 cm deep)] is the same as the trough section on our EV16 line. There are four goose neck wash spigots and 4 trigger valves and hose for four operators. Place our offal cart at the end of the trough as you would with our automatic lines.

<table>
<thead>
<tr>
<th>Model No.</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>SE10</td>
<td>10 Foot (3 meter) Stationary Eviscerating Unit 30 1/2&quot; wide x 10&quot; long x 86&quot; high (77 cm wide x 3 meters long x 2.2 meters high). Includes 10 ESSS Eviscerating Shackles.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Model No.</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>12504</td>
<td>Perforated Stainless Giblet Pan 20 3/4&quot; x 12 3/4&quot; x 4&quot; (53 cm x 32 cm x 10 cm).</td>
</tr>
<tr>
<td>12524</td>
<td>Perforated Stainless Giblet Pan 12 3/4&quot; x 10 1/2&quot; x 4&quot; (32 cm x 27 cm x 10 cm).</td>
</tr>
<tr>
<td>12003</td>
<td>Solid Stainless Giblet Pan 20 3/4&quot; x 12 3/4&quot; x 2 1/2&quot; (53 cm x 32 cm x 6 cm).</td>
</tr>
</tbody>
</table>
COMMERCIAL ICE SYSTEMS—WALK IN COOLERS, FREEZERS AND ICE STORAGE BINS
We will work with you on your specific requirements. All purpose ice machines available. Single phase and three phases. 208/230V, 50HZ and 60HZ. We also have sourced walk-in coolers and freezers for large installations. Let us know your needs.

CHILL TANK AGITATOR PUMP
(Shown attached to PP430 Chilling Tank in photo to right)
Agitator pump maintains constant water temperature assuring a uniform chill. The pump can be moved so you need only one pump for several tanks. The standard unit fits over the PP430 or PP412 chilling tanks. However, the standard unit can be easily modified to fit other tanks. Advise us of your tank dimensions and the type of material (metal, fiberglass, etc.) and we will quote.

<table>
<thead>
<tr>
<th>Model No.</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>CTAP50</td>
<td>Chill Tank Agitator Pump. 220V, 50H</td>
</tr>
<tr>
<td>CTAP60</td>
<td>Chill Tank Agitator Pump. 115V, 60H</td>
</tr>
</tbody>
</table>

LARGE CAPACITY CHILLING TANKS
These popular chilling tanks are replacing all other types in the field. Each unit comes standard with a heavy duty metal frame, heavy duty casters and a drain. Choose from three (3) sizes.

<table>
<thead>
<tr>
<th>Model No.</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>PP430</td>
<td>Jumbo Polyethylene Chilling Tank 32” wide x 44 1/2” long x 37 1/4” high (81 cm wide x 113 cm long x 95 cm high). Holds 160 gallons (600 liters).</td>
</tr>
<tr>
<td>PP412</td>
<td>Large Polyethylene Chilling Tank 18” wide x 29” long x 27” high (46 cm wide x 74 cm long x 69 cm high). Holds 48 gallons (180 liters).</td>
</tr>
<tr>
<td>PP433</td>
<td>Small Polyethylene Chilling Tank 23” wide x 24 1/2” long x 19” high (58 cm wide x 62 cm long x 48 cm high). Holds 20 gallons (76 liters). (This tank is popular for giblets in larger plants.)</td>
</tr>
</tbody>
</table>
12 BAGGING EQUIPMENT

AUTOMATIC BAGGING AND CLOSING EQUIPMENT

Bagger blows open bags. Vacuum removes air from bag before sealing. Includes twist tie sealer — vinyl coated wire is pulled off of a reel, is cut to size and then twisted around neck of bag. A very fast and efficient system. Great value for small and medium sized operator. Capacity of up to 10 packages per minute.

<table>
<thead>
<tr>
<th>Model No.</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>BVS40</td>
<td>Complete bagging unit includes vacuum and electric tie. 26&quot; wide x 48&quot; long x 60&quot; high, 115V, 50/60Hz (66 cm wide x 122 cm long x 152 cm high)</td>
</tr>
<tr>
<td>BAG35</td>
<td>Special Wicketed Plastic Bags for use with BVS40. 8&quot; x 2&quot; x 14&quot; (20.3 cm x 5.1 cm x 35.6 cm). The length is 15 1/2&quot; (39.4 cm) including a 1-1/2&quot; (3.8 cm) wicket lip.</td>
</tr>
<tr>
<td>312</td>
<td>2000 ft. spool of vinyl-coated wire. Yields 6400 ties.</td>
</tr>
</tbody>
</table>

YOUR Logo CAN BE IMPRINTED AT EXTRA COST. ASK FOR QUOTATION AND MINIMUM ORDER REQUIREMENT.

POULTRY BAGS

Smartly display your dressed fowl with our polyethylene, gusseted bags. There is no center seam and these bags are made of the clearest material on the market. Designed for easy loading. All bags are .0015 material except 12 x 8 x 30 which is .002. All bags packed either 100 or 1000 quantities.

<table>
<thead>
<tr>
<th>Model No.</th>
<th>Size</th>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>6 x 3 x 15</td>
<td>Broilers, Fryers, Small Roasters</td>
</tr>
<tr>
<td></td>
<td>(15 cm x 7.6 cm x 38 cm)</td>
<td></td>
</tr>
<tr>
<td>9 x 3 x 18</td>
<td>9&quot; x 3&quot; x 18&quot; (23 cm x 7.6 cm x 46 cm)</td>
<td>Large Rosters, Capons, Small Hens Turkey</td>
</tr>
<tr>
<td>12 x 6 x 24</td>
<td>12&quot; x 6&quot; x 24&quot; (30 cm x 15 cm x 61 cm)</td>
<td>Turkeys, Large Ducks</td>
</tr>
<tr>
<td>12 x 8 x 30</td>
<td>12&quot; x 8&quot; x 30&quot; (30 cm x 20 cm x 76 cm)</td>
<td>Large Turkeys</td>
</tr>
<tr>
<td>TIE</td>
<td>—</td>
<td>Vinyl Coated Wire Tying Strips tie any of the above (5&quot; long)</td>
</tr>
</tbody>
</table>

DRESSED POULTRY TRAY

Ideal for storing and/or chilling dressed poultry. Size is an easy one for one person to handle. Tray will stack when full or nest when empty. Constructed to withstand freezer conditions.

<table>
<thead>
<tr>
<th>Model No.</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>28BG</td>
<td>Plastic Tray for Dressed Poultry 16&quot; wide x 23 3/4&quot; long x 7 3/8&quot; high (41 cm wide x 60.3 cm long x 18.7 cm high)</td>
</tr>
</tbody>
</table>

GIBLETS CARTS

<table>
<thead>
<tr>
<th>Model No.</th>
<th>LS311</th>
<th>LS2000</th>
<th>LS459</th>
</tr>
</thead>
<tbody>
<tr>
<td>Shelf Size</td>
<td>15 1/2 x 24&quot; (39.4 x 61 cm)</td>
<td>15 1/2 x 24&quot; (39.4 x 61 cm)</td>
<td>20 1/2 x 47&quot; (52.1 x 119.4 cm)</td>
</tr>
<tr>
<td>Overall Size</td>
<td>16 1/4 x 27 1/2&quot; x 32&quot; (41.3 x 69.9 x 61.3 cm)</td>
<td>17 1/8&quot; x 32 1/2&quot; x 34 7/8&quot; (43.5 x 82.6 x 88.6 cm)</td>
<td>22 3/4&quot; x 54 1/8&quot; x 37 1/4&quot; (57.8 x 137.5 x 94.6 cm)</td>
</tr>
<tr>
<td>Clearance Between Shelves</td>
<td>11 3/4&quot; (29.8 cm)</td>
<td>12 1/8&quot; (30.8 cm)</td>
<td>13 1/6&quot; (33.3 cm)</td>
</tr>
<tr>
<td>Diameter of Casters</td>
<td>3 1/2&quot; (8.9 cm) Swivel</td>
<td>4&quot; (10.2 cm) Swivel</td>
<td>2-5&quot; (12.7 cm) Swivel, 2-5&quot; Fixed.</td>
</tr>
<tr>
<td>Capacity</td>
<td>200 lbs. (90.9 kg)</td>
<td>200 lbs. (90.9 kg)</td>
<td>400 lbs. (181.8 kg)</td>
</tr>
<tr>
<td>Construction</td>
<td>Stainless Steel</td>
<td>Legs - ABS Plastic Shelves Polypropylene</td>
<td>Stainless Steel</td>
</tr>
</tbody>
</table>

CART PRICES SUBJECT TO CHANGE
# Accessories

## Accessories for Killing and Eviscerating

Select from our complete line of knives for killing, boning and pinning; lung removers; and trimming shears.

### APRONS

Heavy Duty Plastic Aprons
- .015 gauge vinyl
- semi-transparent
- withstands abrasion, acids, and alkalis
- 29" x 35" (74 cm x 89 cm) or 29" x 45" (74 cm x 14 cm).

Low Cost Disposable Aprons
- light and comfortable
- use and discard
- withstands abrasion, acids, and alkalis
- 28" x 46" (71 cm x 117 cm)

<table>
<thead>
<tr>
<th>Model No.</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>P400</td>
<td>Heavy Duty Apron, Packed 1.</td>
</tr>
<tr>
<td>P401</td>
<td>Heavy Duty Apron, Knee Length, Packed 1.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Model No.</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>DA2846</td>
<td>Disposable White-Coated Tyvek Apron.</td>
</tr>
</tbody>
</table>

### Poultry Scale

Obtain fast, accurate weights on individual birds with our dial scale. Included are top and bottom hooks and easy to read dials. Twenty pound capacity with one ounce graduations. One year warranty. Cone not included. Order cones shown on page 4.

<table>
<thead>
<tr>
<th>Model No.</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>7842</td>
<td>Dial Scale with Capacities Marked in Ounces and Pounds.</td>
</tr>
</tbody>
</table>

---

## Plastic Coated Scalding Baskets

These baskets are a big asset in speeding up your manual scalding operation. Heavy wire is coated with tough vinyl plastic.

<table>
<thead>
<tr>
<th>Model No.</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>215</td>
<td>Plastic Coated Scalding Basket, 14-1/2&quot; diameter, (36.8 cm) top, 10&quot; (25.4 cm) bottom, 9&quot; (22.9 cm) high, Packed 1.</td>
</tr>
</tbody>
</table>
**Home Picking Options**

**Home Picker Table Top**
Model HPTT has 28 fingers on a 10 inch drum. Galvanized steel construction. 1/4HP, 110V, 60 Hz. 15" wide x 22" long x 12" high.

**Leg Mounted Home Picker**
Model HPJR has 54 fingers on a 12 inch drum. Galvanized steel construction. Can be washed without disassembly. 1/3 HP, 110V, 60 Hz. 17" wide x 28" long x 50" high.

**Transport Coop**

**COOP 9**

**COOPS STACKED**

**COOPS WITH EXTENSION**

**Transport Coops**
Designed for optimum air flow. Interlock for transport and stacking. Easily washed and sanitized. High density polyethylene with stainless steel hinges and fasteners. 12 1/2" x 16 1/2" (31.8 cm x 41.9 cm) door. Optional 2" (5 cm) extension for use with medium sized turkeys, show birds, and the like. Assembly required (takes about 10 minutes).

<table>
<thead>
<tr>
<th>Model No.</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>COOP 9</td>
<td>Poultry Transport Coop: 10 broiler capacity (approx.) 24 1/2&quot; wide x 36 1/2&quot; long x 8&quot; high (62.2 cm wide x 92.7 cm long x 20.3 cm high).</td>
</tr>
<tr>
<td>COOP9EXT</td>
<td>2&quot; (5 cm) bolt in extension spacer with fasteners; 6 turkey capacity (approx.) Comes in 4 poly strips that bolt together. Shown above on the right.</td>
</tr>
</tbody>
</table>
IOWA GOVERNOR'S AWARD
FOR EXCELLENCE IN EXPORTING

PRIDE IN QUALITY

IOWA USA
ORDINANCE NUMBER 2013 - ______

GRANT A SPECIAL USE AT 16895 LISBON CENTER ROAD
FOR A SMALL POULTRY & SMALL ANIMAL PROCESSING PLANT THAT IS
USDA APPROVED

WHEREAS, Alan and Mary Maly have filed a petition for a Special Use within the A-1 Agricultural Zoning District for a 27 acre property located at 16895 Lisbon Center Road, (PIN #07-08-100-011), in Big Grove Township, and;

WHEREAS, said petition is to allow the operation of a small poultry and small animal processing plant; and

WHEREAS, petition #13-16 was approved the same day as a text amendment to allow such a use as a special use in the A-1 Agricultural district; and

WHEREAS, said petitioners stated this will be a USDA facility and conform to the rules and regulations to operate and USDA facility; and

WHEREAS, said property is legally described as:

THAT PART OF SUB LOT 4 IN SECTION 8, TOWNSHIP 35 NORTH, RANGE 6, EAST OF THE THIRD PRINCIPAL MERIDIAN, WITH Bearings AND GRID DISTANCES REFERENCED TO THE ILLINOIS STATE PLANE COORDINATE SYSTEM, EAST ZONE NAD 83 (2011), MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A RECOVERED SURVEY NAIL LOCATED AT THE NORTHWEST CORNER OF SAID SECTION 8; THENCE SOUTH 01 DEGREES 03 MINUTES 59 SECONDS EAST 2,131.17 FEET ON THE WEST LINE OF SAID SECTION 8 TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 01 DEGREES 03 MINUTES 59 SECONDS EAST 974.00 FEET ON SAID WEST LINE TO THE SOUTHWEST CORNER OF SAID SUB LOT 4; THENCE NORTH 89 DEGREES 15 MINUTES 00 SECONDS EAST 1,207.60 FEET ON THE SOUTH LINE OF SAID SUB LOT 4 TO THE WEST LINE OF THE EAST 350.00 FEET OF SAID SUB LOT 4; THENCE NORTH 01 DEGREES 03 MINUTES 30 SECONDS WEST 974.00 FEET ON SAID WEST LINE; THENCE SOUTH 89 DEGREES 15 MINUTES 00 SECONDS WEST 1,207.60 FEET PARALLEL WITH THE SOUTH LINE OF SAID SUB LOT 4 TO THE POINT OF BEGINNING, CONTAINING 27.00 ACRES, MORE OR LESS; SITUATED IN THE COUNTY OF KENDALL AND STATE OF ILLINOIS.

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 13.08J of the Zoning Ordinance, and recommendation for approval by the Special Use Hearing Officer on September 3, 2013 & October 15, 2013; and

WHEREAS, the findings of fact were approved as follows (on September 3, 2013 & October 15, 2013):
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. If the conditions are adhered to the establishment, maintenance, and operation of the special use shall not be detrimental to or endanger the public health, safety, morals, comfort or general welfare. The testimony has shown that the process as outlined by the petitioners will be a state of the art operation, there will be a USDA employee on site during the operations and ensure the public health and safety and monitoring of the employees and premises.

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 entire operation will take place within a building and the unloading area must be at least 400' from any principle structure on an adjoining lot. The zoning in the general area is agricultural which this process fits in with that classification.

That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. The special use will be utilizing the existing driveway and drainage will be closely evaluated when the engineering drawings are assessed.

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 FPA, Illinois Department of Health, Kendall County Health Department and the Kendall County Building Department all have jurisdiction over different aspects of the special use and the regulations must be followed and adhered to.

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. The review and action to be taken on the special use petition will coincide with a proposed text amendment (Petition 13-16) that will permit a small Poultry & Small animal Processing Plant as a special use in the A-1 District. The special use proposal will comply with all proposed conditions attached to the proposed text amendment.

WHEREAS, the Kendall County Board has considered the findings and recommendation of the Special Use 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 an A-1 Agricultural special use to operate a small poultry and small animal processing plant as indicated on the submitted Site Plan included as “Exhibit A” attached hereto and incorporated
herein subject to the following conditions:

1. A maximum of 21,000 units a week.
2. Facilities (the unloading area) must be located at least 400’ from any principle structure.
3. No rendering may take place on the site.
4. Live animals may be held on the site for no more than twenty-four (24) hours.
5. All slaughtering/processing permitted only in an enclosed building.
6. The hours of operation are to be 5:30am to 6pm Monday thru Friday except additional Saturdays in October and November to process turkeys.
7. In no event can poultry produced be sold for retail or wholesale by the processor on the processing site.
8. Parking shall be in accordance with Section 11 of the Zoning Ordinance including lighting.
9. All Applicable Federal, State and County rules and regulations shall apply.
10. Other such conditions as approved by the County Board.
11. Waste, by-products or any decomposable residue which results from the slaughtering of animals must be kept in a sealed container and picked up within 48 hours.
12. All signage shall comply with the provisions of Section 12 of the Kendall County Zoning Ordinance (Sign Regulations)
13. Shall satisfy all requirements of the Kendall County Health Department and Building Department prior to the issuance of occupancy permits.
14. Performance Standards. All activities shall conform to the performance standards set forth in section 10.01.G.
15. Engineering drawings including stormwater must be approved before a building permit can be released.
16. Within 5 years, 50’ of the driveway apron must be a minimum of tar and chipped.

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 by the Kendall County Board this 19th day of November, 2013.

Attest:

Kendall County Clerk
Debbie Gillette

Kendall County Board Chairman
John Shaw
CERTIFIED LOCAL GOVERNMENT PROGRAM

The Certified Local Government Program is a preservation partnership between local, state and national governments focused on promoting historic preservation at the grass roots level. The program is jointly administered by the National Park Service (NPS) and the State Historic Preservation Offices (SHPOs) in each state, with each local community working through a certification process to become recognized as a Certified Local Government (CLG). CLGs then become an active partner in the Federal Historic Preservation Program and the opportunities it provides.

Why become a CLG? There are many reasons that are described in depth in the links provided, but the key reason is the access certification provides to the expert technical advice of the State Offices as well as the NPS. Partnerships with the National Alliance of Preservation Commissions, Preserve America, the National Trust for Historic Preservation, and the National Main Street Center are also networks that CLGs have an opportunity to tap into. Of course, access to Federal funding is another benefit, making certified communities able to access the portion of Federal funds set aside by each SHPO for just CLGs annually. Being a CLG also shows your community's commitment to keeping what is significant from the past for future generations. As a certified town, city, or county seeking other opportunities, it becomes easy to demonstrate a readiness to take on a preservation project and be successful.

BENEFITS OF BECOMING A CERTIFIED LOCAL GOVERNMENT

- Special grants from the State Historic Preservation Officer
- Local historic preservation expertise recognized by state and Federal agencies
- Technical assistance and training from the State Historic Preservation Office
- Participation in nominations to the National Register of Historic Places
- National historic preservation assistance network: publications, professional assistance
- Information exchange with the State Historic Preservation Office
- Participation in statewide preservation programs and planning

RESPONSIBILITIES OF A CERTIFIED LOCAL GOVERNMENT

- Maintain a historic preservation commission
- Survey local historic properties
- Enforce state or local preservation laws
- Provide for public participation
- Other functions delegated or required by the state
ARTICLE I

PURPOSES, DEFINITIONS AND GENERAL PROVISIONS

1. PURPOSES & INTENT
The purposes and intent of this Ordinance are as follows:

A) To identify, designate, protect, preserve, and encourage the restoration, rehabilitation, and adaptation for continued use of those properties and structures which represent or reflect the historic, cultural, artistic, social, economic, ethnic or political heritage of the United States of America, State of Illinois, or Kendall County or which may be representative of an architectural or engineering type inherently valuable for the study of style, period, craftsmanship, method of construction or use of indigenous materials;

B) To safeguard the County's historic, aesthetic and cultural heritage as embodied and reflected in such structures and landscape features;

C) To stabilize and improve the economic vitality and value of designated landmarks and historic districts in particular and of the County in general;

D) To foster civic pride in the beauty and noble accomplishments of the past in order that both the pride and the accomplishments themselves may be passed on to future generations;

E) To protect and enhance the County's attractions for tourists and visitors as well as to support and provide stimulus to business and industry;

F) To strengthen the economy of the County;

G) To promote the use of historic districts and landmarks for the education, pleasure, and welfare of the citizens of Kendall County and;

H) To educate the general public, government officials and real estate interests about the value of historic preservation to the economy, and long-term quality of life for those who live and work in the County.

2. DEFINITIONS
For the purposes of this Ordinance, certain words, phrases, and terms shall have the following meanings:

A) Alteration: Any act or process that changes one or more historic, architectural, or physical features of an area, site, landscape, place, and/or structure, including, but not limited to, the erection, construction, reconstruction, or removal of any structure; the expansion or significant modification of agricultural activities;
surface mining; and clearing, grading or other modification of an area, site or landscape that changes its current or natural condition.

B) *Architectural Significance:* Embodying the distinctive characteristics of a type, period, style or method of construction or use of indigenous materials, or representing the work of an important builder, designer, architect, engineer, or craftsman who has contributed to the development of the community, County, State or Nation.

C) *Archaeological Significance:* Importance as an area, site, place or landscape that has yielded or is likely to yield information concerning past patterns of human settlement, or artifacts or information concerning previous cultures in Illinois or previous periods of the present culture. Areas, sites or landscapes of archaeological significance may include, but are not limited to, aboriginal mounds, forts, earthworks, burial grounds, historic or prehistoric ruins, locations of villages, mine excavations or tailing.

D) *Building:* Any structure designed or constructed for residential, commercial, industrial, agricultural or other use.

E) *Certificate of Appropriateness:* A certificate issued by a Preservation Commission indicating its approval of plans for alteration, construction, demolition, or removal affecting a nominated or designated landmark or property within a nominated or designated historic district.

F) *Certificate of Economic Hardship:* A certificate issued by the Preservation Commission authorizing an alteration, construction, removal or demolition even though a Certificate of Appropriateness has previously been denied or may be denied.

G) *Commissioners:* Members of the Preservation Commission.

H) *Conservation Right:* A term that includes easements, covenants, deed restrictions or any other type of less than full fee simple interest as that term is defined in Illinois Revised Statutes, Section 1 of "An Act relating to conservation rights in real property," approved September 12, 1977, as amended.

I) *Construction:* The act of adding an addition to a structure or the erection of a new principal or accessory structure on a lot or property.

J) *Demolition:* Any act or process which destroys in part or in whole a landmark or a building or structure within a historic district.

K) *Demolition by Neglect:* Neglect in the maintenance of any landmark and/or building or structure within a preservation district resulting in the deterioration of that building to the extent that it creates a hazardous or unsafe condition as determined by the Kendall County Building and Zoning Department or the
Kendall County Department of Health.

L) *Design Criteria*: Standards of appropriate activity that will preserve the historic, architectural, scenic or aesthetic character of a landmark or historic district.

M) *Development Rights*: The development rights of a landmark or of a property within a historic district as defined in Section 11-48.2-1A of the Illinois Municipal Code.


O) *Exterior Architectural Appearance*: The architectural character and general composition of the exterior of a building or structure, including but not limited to the kind, color and texture of the building material and the type, design and character of all windows, doors, light fixtures, signs and appurtenant elements.

P) *Historic Significance*: Character, interest or value as part of the development, heritage, or culture of the community, County, State or Nation; or as the location of an important local, County, State or national event; or through identification with a person or persons who made important contributions to the development of the community, County, State or Nation.

Q) *Landmark*: A property or structure designated as a "Landmark" by ordinance of the County Board, pursuant to procedures prescribed herein, which is worthy of rehabilitation, restoration, or preservation because of its historic, scenic, or architectural significance.

R) *Landscape*: A natural feature or group of natural features such as, but not limited to: valleys, rivers, lakes, marshes, swamps, forests, woods, or hills; or a combination of natural features and buildings, structures, objects, cultivated, fields, or orchards in a predominantly rural setting.

S) *Object*: Any tangible items, including any items of personal property, including, but not limited to: wagons, boats, and farm machinery that may be easily moved or removed from real estate property.

T) *Owner*: The person or corporation or other legal entity in whose name or names the property appears on the records of the County Recorder of Deeds.

U) *Historic district*: An area designated as a "historic district" by ordinance of the County Board and which may contain within definable geographic boundaries one or more landmarks and which may have within its boundaries other properties, areas, sites, landscapes or structures, while not of such historic, architectural or scenic significance to be designated as landmarks, nevertheless contribute to the overall visual characteristics of the district.
V) **Removal:** Any relocation of a structure, object or artifact on its site or to another site.

W) **Repair:** Any change that is not construction, alteration, demolition, or removal and is necessary or useful for continuing normal maintenance.

X) **Scenic Significance:** Importance as a result of appearance or character that remains relatively unchanged from and embodies the essential appearance related to a culture from an earlier historic or prehistoric period; or as a result of a unique location, appearance, or physical character that creates an established or familiar vista or visual feature; or as a geologic or natural feature associated with the development, heritage, or culture of the community, County, State, or Nation.

Y) **Site:** The traditional, documented or legendary location of an event, occurrence, action, or structure significant in the life or lives of a person, persons, group, or tribe, including but not limited to cemeteries, burial grounds, campsites, battlefields, settlements, estates, gardens, groves, river crossings, routes, trails, caves, quarries, mines, or significant trees or other plant life.

Z) **Structure:** Anything constructed or erected, the use of which requires permanent or temporary location on or in the ground including (but without limiting the generality of the foregoing) barns, smokehouses, advertising signs, billboards, backstops for tennis courts, bridges, fences, pergolas, gazebos, radio and television antennae, solar collectors, microwave antennae including supporting towers, roads, ruins or remnants (including foundations), swimming pools or walkways.

AA) **Survey:** The systematic gathering of information on the architectural, historic, scenic, and archaeological significance of buildings, sites, structures, areas, or landscapes through visual assessment in the field and historical research, for the purpose of identifying landmarks or districts worthy of preservation.

### 3. GENERAL PROVISIONS

The following are general provisions propounded to make more clear matters relative to scope and jurisdiction of this Ordinance.

A) No provision herein shall supersede the powers of other local legislative or regulatory bodies or relieve any property owner from complying with the requirements of any other state statute or code or ordinance of Kendall County or individual municipal ordinances or regulations, and any permit or license required there under shall be required in addition to any Certificate of Appropriateness or Economic Hardship which may be required hereunder; provided, however, that where a Certificate of Appropriateness or Economic Hardship is required, no such other permit or license shall be issued by any other agency under the jurisdiction of the Kendall County Board before a certificate has been issued by the
Commission as herein provided.

B) The use of property and improvements which have been designated under this Ordinance shall be governed by the Kendall County Zoning Ordinance, as amended.

G) If any particular section of this Ordinance is declared to be unconstitutional or void, only the particular section is affected, and all other sections of this Ordinance shall remain in full force and effect.

H) For purposes of remedi ing emergency conditions determined to be dangerous to life, health or property, the Commission may waive the procedures set forth herein and grant immediate approval for a Certificate of Appropriateness. The Commission shall state its reasons in writing for such approval.

I) No member of the Preservation Commission shall vote on any matter that may materially or apparently affect the property, income, or business interest of that member.

ARTICLE II

THE HISTORIC PRESERVATION COMMISSION

1. ORGANIZATION

A) Appointment. The Kendall County Board shall by ordinance appoint members to the Kendall County Preservation Commission from names submitted by the County Board Chair.

B) Composition. The Preservation Commission shall consist of nine (9) members. All members shall be residents of Kendall County. The County Board Chair shall nominate to the Preservation Commission at least one (1) attorney, one (1) historian or architectural historian, one (1) architect/engineer, and one (1) real estate professional knowledgeable in historic preservation; the other members shall be persons with a demonstrated interest in archaeology, Kendall County history, architecture, engineering, preservation and/or the preservation of community character. Commission vacancies shall be posted in a newspaper of general circulation within the county and on the county internet website. Included in the nine (9) voting members, the County Board may appoint one of their members or staff to serve as a voting member of the Commission and liaison to the County Board.

C) Terms. Terms of the initial members shall be staggered so that three serve for one year; three for two years; and three for three years. Successors to initial members shall serve for three year terms. All ex officio members shall serve the term of their elected or appointed office. All members shall serve until their
successors are appointed. Vacancies shall be filled by the Kendall County Board from names submitted by the County Board Chair.

D) *Officers.* Officers shall consist of a Chair, Vice-Chair and a Secretary elected by the Preservation Commission. The Chair shall preside over meetings. In the absence of the Chair, the Vice Chair shall perform the duties of the Chair. If both the Chair and the Vice-Chair are absent, a temporary Chair shall be elected by those present. The Chair, Vice-Chair and secretary shall serve a term of one (1) year and shall be eligible for re-election. No member shall serve as an officer in the same capacity for more than three (3) consecutive years. Once the member has served in the same capacity for three (3) years a one (1) year hiatus from that office must be followed. The Chair shall ensure that the following duties are performed:

i) That minutes are taken of each Preservation Commission meeting;

ii) That copies of the minutes, reports, and decisions of the Preservation Commission be published and distributed to the members of the Preservation Commission.

iii) The Kendall County Board Chair is advised of vacancies on the Preservation Commission and expiring terms of members; and

iv) That there be prepared and submitted to the Kendall County Board a complete record of the proceedings before the Preservation Commission on any matters requiring County Board consideration. The Kendall County Planning, Building & Zoning Department shall be the official keeper of the records.

E) *Rules and Procedures.* The Historic Preservation Commission shall have the authority to develop and adopt rules and procedures necessary to carry out its functions under the provisions of this Ordinance.

F) *Meetings.* Meetings of the Preservation Commission shall be held no less than monthly, except in those months when no business is pending, and shall be held at such times and places within the County as the Commission shall decide. Special meetings may be called by the Chair or by the consent of three (3) members. All meetings of the Commission shall be open to the public, shall follow all provisions of the Open Meetings Act and shall adhere to Robert’s Rules of Order. The Commission shall keep minutes of its proceedings, showing a vote of each member upon every question, or if absent or failing to vote, and shall also keep records of its official actions. Such minutes and records shall be open to the public for inspection at offices of the Kendall County Planning, Building & Zoning Department.

G) *Quorum.* A quorum shall consist of five (5) members. The transaction of
business shall be made by a majority vote of those members in attendance while a quorum is present, except that the adoption, modification or rescission of any rule or part thereof shall require the affirmative vote of five (5) members.

H) Compensation. The members shall serve without compensation, but they shall be reimbursed for their expenses necessarily incurred in the performance of their duties as such and approved by the Director of the Planning, Building & Zoning Department, and if funds are available in the Historic Preservation Commission’s reserves.

I) Annual Report. The Commission shall submit an annual report of its activities to the Kendall County Board.

2. POWERS & AUTHORITIES
The Preservation Commission shall have the following powers and authority.

A) To conduct an ongoing survey of the County to identify buildings, structures, areas, sites and landscapes that are of historic, archaeological, architectural, or scenic significance, and, therefore, potential landmarks or historic districts;

B) To hold public hearings and recommend to the County Board the designation of landmarks or historic districts;

C) To compile information concerning and prepare descriptions of the landmarks and historic districts identified and recommended for designation and the characteristics that meet the standards for designation;

D) To prepare, keep current, and publish a map or maps showing the locations and exact boundaries of proposed and designated landmarks and historic districts and, if the Commission so chooses, the locations and boundaries of designated state or federal landmarks or districts;

E) To keep a register of all designated landmarks and historic districts;

F) To establish an appropriate system of markers or plaques for all designated landmarks, historic districts, and for streets, roads, trails, and highways leading from one landmark or historic district to another and to confer recognition upon the owners of landmarks or property within historic districts by means of certificates, plaques, or markers;

G) To nominate, with owners’ consent, landmarks and historic districts to any state or federal registers of historic places;

H) To advise and assist owners of landmarks and property within historic districts on physical and financial aspects of preservation, renovation, rehabilitation, and reuse, and on procedures for inclusion on any state or federal register of historic
places;

I) To inform and educate the citizens of the County concerning the historic, archaeological, architectural, or scenic heritage of the County by publishing appropriate maps, newsletters, brochures, and pamphlets, and by holding programs and seminars;

J) To hold public hearings and to review applications for construction, alteration, removal, or demolition affecting landmarks or property within historic districts and issue or deny Certificates of Appropriateness for such actions;

K) To consider applications for Certificates of Economic Hardship that would allow the performance of work for which a Certificate of Appropriateness has previously been denied;

L) To develop specific criteria and guidelines for the proper alteration, construction, demolition, or removal of landmarks, or of property within historic districts;

M) To review proposed amendments to zoning regulations and map amendments, applications for special uses or applications for zoning variations that affect any and all landmarks or historic districts. Proposed zoning amendments, applications for special use, or zoning variations that affect any landmark or historic district as defined in this ordinance or any application for demolition of any structure which is more than 50 years old shall be reviewed by support staff and forwarded to the Preservation Commission for review within seven (7) working days.

N) To administer on behalf of the County Board any property, or full or partial interest in real property, including a conservation right, by approval of the County Board;

O) To accept and administer on behalf of the County Board gifts, grants, money or other personal property as may be appropriate for the purpose of this Ordinance. Such money may be expended for publishing maps and brochures, for hiring staff or consultants or performing otherwise appropriate functions for the purpose of carrying out the duties and powers of the Preservation Commission and the purposes of this Ordinance.

P) To administer any system established by the County Board for the transfer of development rights;

Q) To call upon available County agencies and staff as well as other experts for technical advice; costs to be determined prior to activities and paid by petitioner except where included in the existing approved budget;

R) To retain specialists or consultants, or to appoint citizen, neighborhood or area
advisory committees, as may be required, costs to be determined prior to activities and paid by petitioner except where included in the existing approved budget;

S) To testify before all boards, commissions, committees and municipalities on any matter affecting potential or designated landmarks or historic districts;

T) To periodically review any County Land resource management plan and to develop a preservation component in any comprehensive plan of the County and to recommend it to the Regional Plan Commission, the Planning, Building & Zoning Committee and the County Board;

U) To periodically consult the County zoning administrator, review any County zoning ordinance and building code, and to recommend to the County Board any amendments appropriate for the protection and continued use of landmarks or property within historic districts;

V) To undertake any other action or activity necessary or appropriate to the implementation of its powers and duties or the implementation of the purposes of this Ordinance.

W) To recommend to the County Board the adoption of intergovernmental agreements between the County Board and Kendall County municipalities that allow for the nomination and designation by the County Board of individual landmarks and historic districts within incorporated areas and that afford the protection of landmarks and historic districts through the provisions of this Article, and

X) To periodically monitor designated landmarks and preservation districts for demolition by neglect and to refer negligent cases to the appropriate county agency for enforcement.

ARTICLE III

DESIGNATION OF LANDMARKS AND HISTORIC DISTRICTS

1. INVESTIGATION & RESEARCH
The Preservation Commission shall undertake an ongoing investigation and research effort in the County to identify areas, sites, structures, and objects that have historic, cultural, community, architectural or aesthetic importance, interest, or value. As part of the investigation, the Commission shall review and evaluate any prior surveys and studies by any unit of government, private organization or individual and compile appropriate descriptions, facts, and photographs.

The Commission shall make an effort to systematically identify potential landmarks and districts and adopt procedures to nominate them individually or in groups based upon the following criteria:
a) The potential landmarks or districts in one township or distinct geographical area of the County;

b) The potential landmarks associated with a particular person, event, or historical period;

c) The potential landmarks of a particular architectural style or school, or of a particular architect, engineer, builder, designer, or craftsman; or of a particular building material.

d) Such other criteria as may be adopted by the Preservation Commission to assure systematic survey and nomination of all potential landmarks within the County;

2. PRESERVATION PLAN
A) The Historic Preservation Commission shall, through the aforesaid surveys and research, so as to become thoroughly familiarized with buildings, structures, objects, sites, districts, areas and lands within the County which may be eligible for designation as historic landmarks or districts, prepare a "Historic Landmark and District Preservation Plan."

B) The Preservation Plan shall be presented to the Kendall County Planning, Building & Zoning Department for consideration and recommendation to the County Board for possible inclusion in the Kendall County Land Resource Management Plan as amended. From time to time, the Commission shall review the Plan and insert in the Historic Preservation Commission minutes a report of such review and take appropriate action on any amendments to the Plan deemed necessary.

3. NOMINATION OF LANDMARKS AND HISTORIC DISTRICTS
A) Landmarks
The Preservation Commission or any person may propose landmarks for designation by the County Board by filing a nomination including written proof of owner consent, for any property or properties and structures located in an unincorporated area or in an incorporated area by intergovernmental agreement with the appropriate municipality within the geographical boundaries of Kendall County. Nomination forms shall be filed with the Kendall County Planning, Building & Zoning Department.

Such forms shall be provided by the Commission. Nomination forms submitted for landmarks or historic districts shall include or be accompanied by the following information:

a) The name and address, as shown on the tax assessor's rolls, of the
owners of record of the property proposed for designation.

b) The Permanent Index Number (PIN), legal description, and common street address of the property proposed for designation.

c) A map delineating the boundaries and location of the property proposed for designation.

d) A written statement describing the property and setting forth reasons in support of the proposed designation.

e) If nominating an area for designation as a historic district, a list enumerating all properties and improvements previously designated, or currently pending designation, as a landmark by this Commission or listed on any state or federal registers of historic places.

f) The County Board reserves the right to set appropriate fees for administering this ordinance.

B.) Historic Districts
The Preservation Commission or any person may propose historic districts for designation by the County Board by filing a nomination including written proof of owners' consent, for any property or properties and structures located in an unincorporated area or in an incorporated area by intergovernmental agreement with the appropriate municipality within the geographical boundaries of Kendall County. Nomination forms shall be filed with the Kendall County Planning, Building & Zoning Department.

Such forms shall be provided by the Commission. Nomination forms submitted for historic districts shall include or be accompanied by the following information:

a) The names and addresses, as shown on the tax assessor's rolls, of the owner of record of the property proposed for designation and a notarized signed statement of consent of 100% 51% of the owners

b) The Permanent Index Numbers (PIN), legal descriptions, and common street addresses of the properties proposed for designation.

c) A map delineating the boundaries and location of the properties proposed for designation.

d) A written statement describing the properties and setting forth reasons in support of the proposed designation.

e) If nominating an area for designation as a historic district, a list
enumerating all properties and improvements previously designated, or currently pending designation, as a landmark by this Commission or listed on any state or federal registers of historic places.

f) The County Board reserves the right to set appropriate fees for administering this ordinance.

4. CRITERIA FOR DESIGNATION

A.) Landmarks

The Commission may recommend to the County Board the designation of landmarks upon written proof of owner consent. In addition to property owner consent, landmarks shall only be recommended for designation when a thorough investigation results in a determination that the property, structure, improvement or area so recommended meets one (1) or more of the following criteria:

A) It has character, interest, or value which is part of the development, heritage, or cultural characteristics of a local community, the County, the State of Illinois or the Nation;

B) Its location is a site of a significant local, County, State, or National event;

C) It is identified with a person or persons who significantly contributed to the development of the local community, the County, the State of Illinois, or the Nation;

D) It embodies distinguishing characteristics of an architectural style valuable for the study of a period, type, method of construction, or use of indigenous materials;

E) It is identified with the work of a master builder, designer, architect, engineer, or landscape architect whose individual work has influenced the development of the local area, Kendall County, the State of Illinois, or the Nation;

F) It embodies elements of design, detailing, materials, or craftsmanship that render it architecturally significant;

G) It embodies design elements that make it structurally or architecturally innovative;

H) It has a unique location or singular physical characteristics that make it an established or familiar visual feature;

I) It is a particularly fine or unique example of a utilitarian structure with a high level of integrity or architectural significance;

J) It is suitable for preservation or restoration;
K) It is included in the National Register of Historic Places and/or the Illinois Register of Historic Places.

L) It has yielded, or may be likely to yield, information important to pre-history, history or other areas of archaeological significance.

M) It is an exceptional example of an historic or vernacular style or type or one of few remaining in the County.

B.) Historic Districts
The Commission may recommend to the County Board the designation of Historic Districts upon written proof of 100% of property owners’ consent whose property is located within the boundaries of the proposed district. In addition to owners’ consent, where at least fifty-one percent (51%) of the property owners whose property is located within the boundaries of the proposed district consent to designation. Historic Districts shall only be recommended for designation when a thorough investigation results in a determination that the properties, structure, improvement or area so recommended meets one (1) or more of the following criteria:

A) It has character, interest, or value which is part of the development, heritage, or cultural characteristics of a local community, the County, the State of Illinois or the Nation;

B) Its location is a site of a significant local, County, State, or National event;

C) It is identified with a person or persons who significantly contributed to the development of the local community, the County, the State of Illinois, or the Nation;

D) It embodies distinguishing characteristics of an architectural style valuable for the study of a period, type, method of construction, or use of indigenous materials;

E) It is identified with the work of a master builder, designer, architect, engineer, or landscape architect whose individual work has influenced the development of the local area, Kendall County, the State of Illinois, or the Nation;

F) It embodies elements of design, detailing, materials, or craftsmanship that render it architecturally significant;

G) It embodies design elements that make it structurally or architecturally innovative;

H) It has a unique location or singular physical characteristics that make it an established or familiar visual feature;
I) It is a particularly fine or unique example of a utilitarian structure with a high level of integrity or architectural significance;

J) It is suitable for preservation or restoration;

K) It is included in the National Register of Historic Places and/or the Illinois Register of Historic Places.

L) It has yielded, or may be likely to yield, information important to pre-history, history or other areas of archaeological significance.

M) It is an exceptional example of an historic or vernacular style or type or one of few remaining in the County.

5. INITIAL REPORT & RECOMMENDATION OF PRESERVATION COMMISSION
The Preservation Commission shall, within thirty (30) calendar days from receipt of a completed application for designation, cause to be written an initial recommendation and report stating whether the nominated landmark, historic district does or does not meet the criteria for designation as provided for in Article III, Section 4 herein. The report shall contain the following information:

A) An explanation of the significance or lack of significance of the nominated landmark or historic district as it relates to the criteria for designation;

B) A description of the integrity or lack of integrity of the nominated landmark or historic district;

C) A map showing the location of the nominated landmark or the boundaries of the nominated historic district.

In addition, in the case of a nominated landmark found to meet the criteria for designation, the report shall include:

A) A description of the significant exterior architectural features of the nominated landmark that should be protected;

In the case of a nominated historic district found to meet the criteria for designation the report shall include:

A) A list of addresses and Permanent Index Numbers showing which properties are contributing and which are non-contributing;

B) A description of the types of significant exterior architectural features of the structures within the nominated district that should be protected;
In the case of a nominated landmark or historic district the recommendation and report shall be available to the public in the office of the County Planning, Building & Zoning Department.

6. NOTIFICATION OF NOMINATION
The Preservation Commission shall, within thirty (30) days from completion of the initial report and recommendation as described above in Article III, Section 5, cause to be scheduled a public hearing on the nomination. Notice of the date, time, place and purpose of the public hearing shall be sent by certified mail to the owner(s) of record and to the nominators at least fifteen (15) days prior to the date of the hearing. Such notice shall also be published in a newspaper having general circulation in the area surrounding the nominated property or district at least fifteen (15) days prior to the date of the hearing. All notices shall state the street, address and Permanent Index Number or legal description of a nominated landmark or the boundaries of a nominated historic district.

7. HEARING
A public hearing shall be scheduled, and notification made thereof, pursuant to Article III, Section 6, above. Oral or written testimony shall be taken at the public hearing concerning the nomination. The Preservation Commission may solicit expert testimony or present its own evidence regarding the historic, archaeological, or scenic significance of a proposed landmark or of any property within a proposed historic district relative to compliance with criteria for consideration set forth above in Section 4 of this Article. The hearing shall be closed upon completion of testimony.

8. RECOMMENDATION OF PRESERVATION COMMISSION
Within thirty (30) days following the close of the public hearing, the Commission shall make its determination upon the evidence whether the proposed landmark or historic district does or does not meet the criteria for designation. A recommendation to the County Board regarding the proposed landmark or historic district shall be passed by resolution of the Preservation Commission. This recommendation shall be accompanied by a report stating the findings of the Preservation Commission concerning the historic, archaeological, architectural or scenic significance of the proposed landmark or historic district. The Preservation Commission shall forward copies of the resolution and report to the applicant and the owner of the subject property or representative for petitioners of the subject area.

9. DESIGNATION
The County Board, upon a recommendation from the Preservation Commission that the proposed landmark or historic district should be designated, shall review the report and recommendations of the Preservation Commission.

For individual landmarks applications, the County Board, after reviewing the report and recommendation, shall, within sixty (60) days from receipt of the recommendation of the Preservation Commission, take one of the following steps:
A) Designate the landmark by ordinance; or

B) Refer the report and recommendation back to the Preservation Commission with suggestions for revisions, stating its reason for such action.

C) Reject the nomination application.

Upon return of the report and recommendation to the Commission, the Commission shall review and prepare new findings within forty-five (45) days of the County Board’s original decision. The County Board shall designate or not designate the landmark at the next regularly scheduled County Board meeting.

10. RESUBMISSION OF APPLICATION
Resubmission of any application for landmark or historic district designation may be made no sooner than ninety (90) days after County Board action on the nomination. Not more than one re-submission may be made within a twelve (12) month period.

11. NOTICE OF DESIGNATION
Notice of the action of the County Board, including a copy of the ordinance designating the landmark, historic district shall be sent by regular mail to all owners of record, including but not limited to each owner of record of a landmark or property within a historic district. Further, as soon as is reasonably possible, the County Board Chair shall cause to be notified the Kendall County Planning, Building & Zoning Department, the Recorder of Deeds, the County Clerk, and the Kendall County Collector by forwarding to each a copy of the designation ordinance. The Recorder of Deeds shall ensure that the designation be recorded on all directly affected parcels.

12. PUBLICATION OF MAP
A map showing the location of all designated landmarks and historic districts shall be published and amended upon each designation. Copies of the map shall be available to the public at the Kendall County Planning, Building & Zoning office, the same location and in the same manner as any County zoning map.

13. APPEALS
Adoption of an ordinance designating a landmark or historic district by the Kendall County Board shall be a final action reviewable under Section 3-101 of the Illinois Administrative Review Law.

14. INTERIM CODE
No building, zoning, site development, access, utility or other permit shall be issued by the Planning, Building & Zoning Department, the Highway Department or other County department without a Certificate of Appropriateness being issued in accordance with Article IV Section 2 for alteration, construction, demolition, or removal of a nominated landmark or the alteration of any physical feature of a property or structure within a nominated historic district from the date the nomination form is received by the County office until the final disposition of the nomination by the County Board unless such
alteration, removal, or demolition is necessary for public health, welfare, or safety.

15. **MARKING BY ATTACHMENT OF A PLAQUE**
Each designated landmark or historic district may be marked by an appropriate plaque carrying a brief description and account of the historic significance of the property. The plaque shall be provided by the County at the expense of the property owner.

16. **AMENDMENT & RESCISSION OF DESIGNATION**
The County Board, upon recommendation of the Preservation Commission, may amend or rescind designation by the same procedure and according to the same standards and considerations set forth for designation. No amendment or rescission shall be made to a designation of a landmark or historic district based solely on a change in owner’s consent.

17. **TRANSFER OF JURISDICTIONAL CONTROL**
Should a designated landmark or historic district be incorporated into a municipality with a preservation ordinance, that municipality's preservation ordinance shall govern. If a municipality annexes a designated landmark or historic district and does not have a preservation ordinance, the County's preservation ordinance will continue to govern.

**ARTICLE IV**

**ALTERATION, CONSTRUCTION, DEMOLITION, AND MAINTENANCE**

1. **SCOPE**
Work on property and improvements so designated pursuant to this ordinance shall be regulated as follows:

   A) **Landmarks**: No significant alterations, exterior construction or exterior demolition or interior alteration which may affect the exterior appearance may be performed on property and structures which have been designated under this ordinance as landmarks, except as shall be approved by a Certificate of Appropriateness.

   B) **Historic districts**: No significant alterations, exterior construction or exterior demolition or interior alteration which may affect the exterior appearance may be performed on property and structures located within an area which is designated under this ordinance as a historic district, except as shall be approved by a Certificate of Appropriateness.

2. **CERTIFICATE OF APPROPRIATENESS**

   A) A Certificate of Appropriateness from the Preservation Commission established pursuant to this Ordinance shall be required before any significant alteration, construction, demolition or removal that affects pending or designated landmarks or historic districts is undertaken. Such a certificate is required for all
such actions from the date a nomination form is submitted to the Preservation Commission.

B) Applications for Certificates of Appropriateness.

i) Every application submitted to the Kendall County Planning, Building & Zoning Department for a permit wherein the applicant represents and/or delineates plans to commence any action as immediately described above in subsection (A) affecting any such property, improvements or areas therein described, shall be forwarded by the Director of Planning, Building and Zoning to a representative or representatives of the Preservation Commission, within five (5) business days following the receipt of said application by the Planning, Building & Zoning Department.

The Planning, Building & Zoning Department shall not issue the building or demolition permit until a Certificate of Appropriateness has been issued by the Preservation Commission. Any applicant may request a meeting with the Preservation Commission before the application is sent by the Director of Planning, Building and Zoning to the Preservation Commission or during the review of the application.

ii) Application for review of construction, alteration, demolition, or removal not requiring a building permit for which a Certificate of Appropriateness is required shall be made on a form prepared by the Preservation Commission and available at the office of Kendall County Planning, Building & Zoning Department. The Preservation Commission may schedule, provide notice and conduct a public hearing concerning the application in the manner previously described in Article III, Section 6 and 7.

iii) If a public hearing is not scheduled, the Commission may consider the completed application at its next regular meeting and may grant a Certificate of Appropriateness at that time. The Commission may further designate support staff to be responsible for reviewing routine applications for Certificates of Appropriateness when the proposed work is clearly appropriate and in accordance with the criteria set forth in Article IV, Sections 2(c) and (d) below, and the purposes of this Ordinance.

iv) The Commission may seek technical advice from outside its members on any application for a Certificate of Appropriateness. The applicant and each commissioner shall receive a copy of the consultant's written opinion at least seven (7) days before a determination is to be made on the application. The costs for this technical advice will be paid by petitioner unless included as part of the annual approved budget for the Commission.

v) The Commission shall act promptly and in a reasonable manner in its
judgment of plans for new construction or for alteration, removal, or demolition of structures in historic districts that have little historic value, except where such construction, alteration, removal, or demolition would seriously impair the historic or architectural value of surrounding structures or the surrounding area.

C) Design Guidelines. The Commission shall consider the following factors in reviewing applications for Certificates of Appropriateness:

i) *Height*: The height of any proposed alteration or construction should be compatible with the style and character of the landmark and with surrounding structures in a historic district.

ii) *Proportions of Windows and Doors*: The proportions and relationships between doors and windows should be compatible with the architectural style and character of the landmark and with surrounding structures within a historic district.

iii) *Relationship of Building Masses and Spaces*: The relationship of a structure within a historic district to open space between it and adjoining structures should be compatible or similar to relationships commonly found between similar structures in the district.

iv) *Roof Shape*: The design of the roof should be compatible with the architectural style and character of the landmark and surrounding structures which are similar in design in a historic district.

v) *Landscaping*: Landscaping should be compatible with the architectural character and appearance of the landmark and of surrounding structures and landscapes in historic districts.

vi) *Scale*: The scale of the structure after alteration, construction, or partial demolition should be compatible with its architectural style and character and with surrounding structures in a historic district.

vii) *Directional Expression*: Facades in historic districts should blend with other structures with regard to directional expression. Structures in a historic district should be compatible with the dominant horizontal or vertical expression of surrounding structures or of its stylistic design. The directional expression of a landmark after any alteration, construction, or partial demolition should be compatible with its original architectural style and character.

viii) *Architectural Details*: Architectural details, including materials and textures, should be treated so as to make a landmark compatible with its original architectural style or character.
D) Standards for Review. The Commission, in considering the appropriateness of any alteration, demolition, new construction, or removal to any property or structures designated or pending designation as a landmark, or any area designated or pending designation as a historic district, shall be guided by the following general standards and any design guidelines in the ordinance designating the landmark or historic district as well as conformance to applicable zoning classification, height, and area limitation:

i) Every reasonable effort shall be made to provide a compatible use for a property that requires minimal alteration of the building, structure, or site and its environment, or to use a property for its originally intended purpose.

ii) The distinguishing original qualities or character of a building, structure, site, and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural feature should be avoided whenever possible.

iii) All buildings, structures, and sites shall be recognized as products of their time. Alterations that have no historical basis or that seek to create an earlier/later appearance shall be discouraged.

iv) Changes that may have taken place in the course of time are evidence of the history and development of a building, structure, or site and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.

v) Distinctive stylistic features or examples of skilled craftsmanship that characterize a building, structure, or site shall be treated with sensitivity.

vi) Deteriorated architectural features shall be repaired rather than replaced, wherever possible. In the event replacement is necessary, the new material should match the material being replaced in composition, design, color, texture, and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplication of features substantiated by historic, physical, or pictorial evidence, rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.

vii) The surface cleaning of structures shall be undertaken with the utmost care and consideration. Sandblasting and other cleaning methods that will damage the historic building materials shall not be undertaken.

viii) Every reasonable effort shall be made to protect and preserve archaeological resources affected by or adjacent to any project.
ix) Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant historical, architectural, or cultural material, and such design is compatible with the size, scale, color, material, and character of the property, neighborhood, or environment.

x) Wherever possible, new additions or alterations to structures should be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the structure would not be impaired.

E) Determination by Preservation Commission. Within fifteen (15) business days after support staff review, or from the date of the regular meeting, or from the close of a public hearing concerning an application for a Certificate of Appropriateness, or within such further time as the applicant for said certificate (and/or permit) approves in writing, the Commission shall determine whether:

i) The proposed construction, alteration, demolition, removal or other modification will be appropriate to the preservation of the particular landmark or historic district and a Certificate of Appropriateness may be issued; or

ii) Such proposed modification is inappropriate to the preservation of the particular landmark or historic district and a Certificate of Appropriateness may be denied.

Written notice of the approval or denial of the application for a Certificate of Appropriateness shall be provided the applicant, sent by certified mail with return receipt requested, and to the Kendall County Planning, Building & Zoning Department within seven (7) days (Saturdays, Sundays, and legal holidays excluded) following the determination and shall be accompanied by a Certificate of Appropriateness in the case of an approval.

F) Denial of Certificate of Appropriateness. A denial of a Certificate of Appropriateness shall be accompanied by a statement of the reasons for the denial. The Preservation Commission shall make recommendations to the applicant concerning changes, if any, in the proposed action that would cause the Preservation Commission to reconsider its denial and shall confer with the applicant and attempt to resolve as quickly as possible the difference(s) between the applicant and the Commission. The applicant may resubmit an amended application or reapply for a building or demolition permit that takes into consideration the recommendations of the Preservation Commission.

G) Decision Binding on Planning, Building & Zoning Department. The Director of the Kendall County Planning, Building & Zoning Department shall be bound
by the determination of the Commission and approve, if in conformance with other provisions of the Building Code, or disapprove any application for the proposed construction, alteration, removal of an exterior architectural feature, or demolition of any building or structure in a historic district or any landmark in accordance with said determination.

H) Failure of Commission to Review Application in a Timely Manner. Failure of the Commission to act upon an application for Certificate of Appropriateness within ninety (90) days shall constitute approval and no other evidence shall be needed. This time limit may be waived only by mutual consent of the applicant and the Commission.

I) Demolitions. Pursuant to Article IV, Sections 2(c) and (d) above, the Preservation Commission may deny any application for a Certificate of Appropriateness where demolition is proposed upon a finding that such proposed action will adversely affect the historic, archeological, architectural, or scenic significance of a landmark or historic district. Upon receipt of an application for a Certificate of Appropriateness for demolition, the Preservation Commission shall as soon as possible make a determination, supported by written findings, whether one or more of the following criteria are met:

i) The structure or visual resource is of such interest or quality that it would reasonably meet national, state or local criteria for designation as an historic or architectural landmark.

ii) The structure or visual resource is of such unusual or uncommon design, texture or materials that it could not be reproduced, or could be reproduced only with great difficulty and expense.

iii) Retention of the structure or visual resource would aid substantially in preserving and protecting another structure or visual resource which meets criteria (i) or (ii) hereinafore.

Where the Preservation Commission determines that one or more of these criteria are met, no Certificate of Appropriateness shall be issued and the application shall be denied.

If a demolition permit is issued, the Preservation Commission shall require the applicant to submit for review and consideration post-demolition plans which shall include drawings and sketches with sufficient detail to show, as far as they relate to exterior appearance, the architectural design of any and all improvements incorporated in such plans.

J)) Compliance with Certificate. A Certificate of Appropriateness will become void if:
i) If there is any change in the scope of work pursuant to the approved application subsequent to the issuance of the Certificate; or

ii) If twelve (12) months have elapsed after issuance of the Certificate and no building permit has been issued.

K) Appeals. A denial of a Certificate of Appropriateness is an administrative decision as defined in Section 3-101 of the Illinois Administrative Review Law, and it shall be subject to judicial review pursuant to provisions of said Administrative Review Law and all amendments and modifications thereof, and the rules adopted thereto.

3. ECONOMIC HARDSHIP

A) The Preservation Commission may issue a Certificate of Economic Hardship upon determination that the failure to issue a Certificate of Appropriateness has denied, or will deny the owner of a landmark or of a property within a historic district all reasonable use of, or return on, the property. Application for a Certificate of Economic Hardship shall be made on a form and in the manner as prescribed by the Preservation Commission. The Preservation Commission may schedule a public hearing concerning the application and provide notice in the same manner as prescribed in Article III, Section 6, of this Ordinance and conduct the hearing in the same manner as prescribed in Article III, Section 7, of this Ordinance.

B) The Preservation Commission may solicit expert testimony and the applicant for a Certificate of Economic Hardship shall submit all of the following information in order to assist the Preservation Commission in its determination on the application:

i) An estimate of the cost of the proposed construction, alteration, demolition, or removal, and an estimate of any additional cost that would be incurred to comply with the recommendations of the Preservation Commission for changes necessary for the issuance of a Certificate of Appropriateness;

ii) A report from a licensed engineer or architect with experience in rehabilitation as to the structural soundness of any structures on the property and their suitability for rehabilitation;

iii) Estimated market value of the property in its current condition; after completion of the proposed construction, alteration, demolition, or removal; after any changes recommended by the Preservation Commission; and, in the case of a proposed demolition, after renovation of the existing property for continued use;

iv) In the case of a proposed demolition, an estimate from a person or
entity experienced in rehabilitation as to the economic feasibility of rehabilitation or reuse of the existing structure on the property;

v) Amount paid for the property, the date of purchase, and the party from whom purchased, including a description of the relationship, of any, between the owner of record or applicant and the person from whom the property was purchased, and any terms of financing between the seller and buyer;

vi) If the property is income-producing, the annual gross income from the property for the previous two (2) years; itemized operating and maintenance expenses for the previous two (2) years; and depreciation deduction and annual cash flow before and after debt service, if any, during the same period;

vii) Remaining balance on any mortgage or other financing secured by the property and annual debt service, if any, for the previous two (2) years;

viii) Any listing of the property for sale or rent, price asked and offers received, if any, within the previous two (2) years;

ix) Assessed value of the property according to the two (2) most recent assessments;

x) Real estate taxes for the previous two (2) years;

xi) Form of ownership or operation of the property, whether sole proprietorship, for profit or not-for-profit corporation, limited partnership, joint venture, or other.

xii) Any other information, including the income tax bracket of the owner, applicant, or principal investors in the property considered necessary by the Preservation Commission to make a determination as to whether the property does yield or may yield a reasonable return to the owners.

C) Determination of Economic Hardship. Within sixty (60) days from receiving a request for a Certificate of Economic Hardship, the Commission, upon a determination that the denial of a Certificate of Appropriateness has denied, or will deny the owner of a landmark or of a property within a historic district all reasonable use of or return on the property, may undertake one of the following actions:

i) Offer the owner of the property reasonable financing, tax or other incentives sufficient to allow a reasonable use of, or return on, the property; or
ii) Offer to purchase the property at a reasonable price or institute eminent domain proceedings pursuant to Article VII of the Illinois Code of Civil Procedure; or

iii) Issue a Certificate of Appropriateness for the proposed construction, alteration, demolition or removal.

Written notice of the determination shall be provided in the same manner as required by Article IV, Section 2(e) of this Ordinance. This time limit may be waived only by mutual consent of the applicant and the Commission.

D) Appeals. A denial of a Certificate of Economic Hardship is an administrative decision as defined in Section 3-101 of the Illinois Administrative Review Law, and it shall be subject to judicial review pursuant to provisions of said law and all amendments and modifications thereof, and the rules adopted thereto.

4. MAINTENANCE OF HISTORIC PROPERTIES
Nothing in this Article shall be construed to prevent the ordinary maintenance of any exterior elements of a property or structures designated or nominated as a landmark or located within a designated or nominated historic district.

5. PUBLIC SAFETY EXCLUSION
None of the provisions of this ordinance shall be construed to prevent any measures of construction, alteration, or demolition necessary to correct or abate the unsafe or dangerous condition of any structure, other feature or part thereof, where such condition has been declared unsafe or dangerous by the Director, Kendall County Planning, Building & Zoning Department, the Kendall County Health Department or any Fire Protection District and where the proposed measures have been declared necessary, by such department or departments to correct the said condition; provided, however, that only such work as is reasonably necessary to correct the unsafe or dangerous condition may be performed pursuant to this Section.

In the event any structure or other feature shall be damaged by fire or other calamity, or by Act of Nature or by the public enemy, to such an extent that, in the opinion of the aforesaid department or departments, it cannot reasonably be repaired and restored, it may be removed in conformity with normal permit procedures and applicable laws.

6. DEMOLITION BY NEGLECT
It is the intent of this section to preserve from deliberate or inadvertent neglect the features of landmarks and contributing buildings and structures within designated historic districts.

Periodically, the Commission shall, in conjunction with its ongoing survey operations, survey the exterior of each designated landmark and each property within a historic district to ensure that the property is not suffering from demolition by neglect, as defined in the ordinance. The Commission's Secretary shall document the performance of each
annual neglect survey.

Any owner who fails to maintain their building or structure in compliance with this section shall be subject to remedial procedures. Upon a finding by the Commission that a historic landmark or a contributing building or structure within a historic district is threatened by demolition by neglect, the Commission shall:

(a) Notify the County Board so that they or the appropriate county agency will require the owner to repair all conditions contributing to demolition by neglect.

(b) If the owner does not make repairs within a reasonable period of time the County Board or their agents may make such repairs as are necessary to prevent demolition by neglect. The costs of such work shall be charged to the owner, and may be levied as a special assessment or lien against the property.

ARTICLE V
ENFORCEMENT, PENALTIES AND EQUITABLE RELIEF

1. ENFORCEMENT
The Kendall County Planning, Building & Zoning Department shall give written notification, sent by certified mail, return receipt, postage prepaid requested, of any violation of this Ordinance to the owner of record, lessor, the trustee, or other legally responsible party for such property, stating in such notification that they have inspected the property and have found it in violation of this Ordinance. They shall state in the notification, in clear precise terms, a description or explanation of the violation. The property owner of record, trustee, lessor, or legally responsible party shall have thirty (30) days from the date he receives the notice in which to correct such violation or to give satisfactory evidence that he has taken steps that will lead to correcting such violation within a stated period of time, which time must be agreeable to the Planning, Building & Zoning Department as being fair and reasonable.

Upon petition of the Preservation Commission, the Circuit Court for Kendall County may restrain and/or enjoin any construction, removal, alteration, or demolition in violation of this Act and may order the removal in whole or part of any exterior architectural feature existing in violation of this Ordinance and may further order such reconstruction as may be necessary or desirable to redress any alteration or demolition in said violation.

2. PENALTIES
Any person, firm, or corporation who violates, disobeys, omits, neglects, or refuses to comply with, or who resists enforcement of any provisions of this Ordinance, shall be subject to a fine of not less than twenty-five dollars ($25.00) nor more than five hundred dollars ($500.00) for each offense. Each day a violation is permitted to exist after notification thereof shall constitute a separate offense.

In the case of an unauthorized demolition of a landmark or any property within a designated preservation district, the Kendall County Building and Zoning Department will refuse to issue a building permit for the subject property for a period of five (5) years
after the date of demolition.

The owner or tenant of any building, structure, or land, and any architect, planner, surveyor, engineer, realtor, attorney, builder, contractor, agent, or other person who commits, participates in, assists in, or maintains such violation may be found guilty of a separate offense and suffer the penalties herein provided.

Nothing herein contained shall prevent the County from taking such other lawful action as is necessary to prevent or remedy any violation.

3. EQUIitable RELIEF
In addition to other remedies provided by law, Kendall County may institute any appropriate action or proceeding to prevent, restrain, abate or correct a violation of this Ordinance, including, but not limited to, requiring the restoration of property and improvements to its appearance prior to the violation.
Due to extensive engineering studies the panels in blue will be changing. There were extensive studies performed along the Aux Sable Creek, Morgan Creek & Blackberry Creek.

The results of the Physical Map Revision were reviewed at the final consultation coordination officer (CCO) meeting held on November 15, 2012 in Yorkville, Illinois, and attended by representatives of Kendall County, the villages of Montgomery and Plattville, and the cities of Joliet and Yorkville. All problems raised at that meeting have been addressed in this study.
RESOLUTION 2013-_____

A RESOLUTION ADOPTING THE REVISED FLOOD INSURANCE RATE MAPS
EFFECTIVE JANUARY 8, 2014

WHEREAS, the National Flood Insurance Program (NFIP) was established with the passage of the National Flood Insurance Act of 1968; and

WHEREAS, the NFIP is a Federal program enabling property owners in participating communities to purchase insurance as a protection against flood losses in exchange for State and community floodplain management regulations that reduce future flood damages; and

WHEREAS, Kendall County has and is currently participating in the NFIP; and

WHEREAS, when FEMA provides our community with additional flood hazard data, our community must adopt new floodplain management regulations or amend existing regulations to incorporate the new data and meet any additional requirements that result from any changes in the data; and

WHEREAS, Kendall County is responsible for making sure that its floodplain management regulations meet or exceed the minimum requirements of the NFIP; and

WHEREAS, Kendall County regulates development that meets the minimum requirements of the NFIP under authority of its Countywide Stormwater Ordinance; and

WHEREAS, FEMA amends the Flood Insurance Rate Maps (FIRM’s) from time to time in the public interest; and

WHEREAS, FEMA has conducted a new Flood Insurance Study (FIS) report and proposes to amend panels 0035, 0037, 0039, 0045, 0065, 0130, 0135, 0140, 0145 & 0225; and

WHEREAS, all procedures for revising existing data have been followed including a consultation coordination officer meeting held on November 15, 2012 in Yorkville, Illinois and attended by representatives of Kendall County, the villages of Montgomery and Plattville, and the cities of Joliet and Yorkville. All problems raised at that meeting have been addressed in this study.

NOW, THEREFORE, BE IT RESOLVED, that the Kendall County Board hereby supports and approves the amended FIRM’s that will go into effect on January 8, 2014.

ADOPTED BY THE COUNTY BOARD THIS 19th DAY OF NOVEMBER, 2013.

Attest:

Debbie Gillette                        John Shaw
Kendall County Clerk                  Kendall County Board Chairman
Listing of PBZ Dates for 2014
6:30PM

January 13, 2014
February 10, 2014
March 10, 2014
April 7, 2014
May 12, 2014
June 9, 2014
July 7, 2014
August 11, 2014
September 8, 2014
October 6, 2014
November 10, 2014 (next day off for Veteran’s Day)
December 15, 2014
PBZ Projects and Activities-11.5.13

Active Zoning Petitions (not including petitions on hold)
12-19 LRMP Update- Trails
13-17 Maly Processing Plant (A-1 Special Use)
13-25 Kevin & Wendy Bernard (Administrative Variance)
13-26 Green Organics, Inc. (Major amendment to Special Use)
13-27 Cheryl Harvey (Variance)
13-28 Fox Valley YMCA (Variance)
13-29 Historic Preservation Ordinance (Text Amendment)
13-30 New Floodplain Maps

Active Site Development Permits- 12 active

Subdivisions
Subdivisions that are under construction:
   Fields of Farm Colony- Complete
Subdivisions still open:
   Highpoint Meadows- Might vacate otherwise will need a new LOC or bond
   Schaefer Glen- For Sale
   Light Road Industrial park- Bought through foreclosure, nothing going on
   High Grove- Sold some property to the Park District
   Tanglewood Trails-Potential investor interested in buying

Projects outside the office
   NWPA Planning Committee
   Drainage District meetings through the Farm Bureau
   Kane/Kendall Bike & Pedestrian Plan
   County Director Meetings
   Village of Montgomery’s Comp Plan meeting
   Land Use Committee Meeting (CMAP)

Other Projects in the office
   Investigate floodplain/zoning issues (2 pretty large water issues currently)
   Stormwater mapping in the field- completed 53 subdivisions so far (Finished Little Rock Township)
   Working on the windshield Survey for Historic Preservation- going through Oswego pictures
   Continue improving the GIS website with regards to information on zoning, permits, etc.
   Work with mapping to convert hard copy allocation maps into an Ag Allocation layer in GIS
   Convert information from pre 1993 permit cards into an excel database to create searchable system of old permit records by PIN or permit number.
Mobile Home Permits - 5 active
Cleaning up office with regards to getting old files scanned - All petitions are scanned, working on 2007 in building permits; have some more site development permits to scan
FOIA’s
Keep track of escrow accounts
Update website - minutes, applications and ordinances
Normal day-to-day things - phone calls, people with questions, organizing, scheduling, posting, etc.

A weekly log sheet showing what I’ve done for that week is available upon request and submitted to Mr. Wilkins weekly

Night meeting hours attended in 2013 so far: 106.25 Hours (62 Meetings)
Night meeting hours attended in 2012 so far: 111.00 Hours (67 Meetings)
Night meeting hours attended in 2011: 98.5 Hours (56 Meetings)
Night meeting hours attended in 2010: 77.50 Hours (37 Meetings)
Night meeting hours attended in 2009: 51.75 Hours (36 Meetings)
Night meeting hours attended in 2008: 53.5 Hours (27 Meetings)
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Copyright (C) 1997-2013 DEVNET Incorporated
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