KENDALL COUNTY
REGIONAL PLANNING COMMISSION
111 West Fox Street • Rooms 209 and 210 • Yorkville, IL • 60560
AGENDA

Wednesday, December 4, 2013 – 7:00 p.m.

CALL TO ORDER

ROLL CALL: Bill Ashton (Chair), Tom Casey, Bill Lavine, Larry Nelson, Vern Poppen, Tim Sidles, Claire Wilson, Budd Wormley and two vacancies (Big Grove & Kendall)

APPROVAL OF AGENDA

APPROVAL OF MINUTES Approval of minutes from the August 28, 2013 meeting

PETITIONS
1. 13-26 Green Organics Inc.
   Request Major Amendment to a Special Use
   Location 1270 E. Beecher Road, Bristol
   Purpose Request for a major amendment to their special use to add and subtract land and change the layout of the site

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD
13-17 Maly Poultry Processing Plant- approved 5-3 at the 11.19.13 CB Meeting

CITIZENS TO BE HEARD

NEW BUSINESS
Review and approval of the 2014 scheduled meeting dates

OLD BUSINESS

ADJOURNMENT Next regularly scheduled meeting on Wednesday, January 22, 2014
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, Tom 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 asphalting 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 rending 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
13-11 Any text related to guns or target practice- approved as modified on 7.16.13
12-03 Land Cash Ordinance- approved with minor modifications on 7.16.13
13-15 Subdivision Control Ordinance- approved as is on 7.16.13

CITIZENS TO BE HEARD
No more citizens were there to talk

NEW BUSINESS
None

OLD BUSINESS
None

ADJOURNMENT
The next meeting will be on September 25, 2013. Bill Ashton wanted to talk about the notification process and who is notified. Because the special use is inside their property only properties with 500’ of the special use needs to be notified instead of properties with 500’ of the overall site. Everyone agreed that needs to be discussed or looked at. Planner Zubko will contact the SAO to see what is legal or we can interpret it ourselves. Claire Wilson made a motion to adjourn the meeting, Walter Werderich seconded the motion. All were in favor and the meeting was adjourned at 8:43 p.m.

Submitted by,
Angela L. Zubko, Senior Planner
DEPARTMENT OF PLANNING, BUILDING & ZONING
111 West Fox Street • Room 203
Yorkville, IL • 60560
(630) 553-4141 • Fax (630) 553-4179

13-26
Green Organics Inc.
Major Amendment to an A-1 Special Use

SITE INFORMATION
PETITIONERS Green Organics Inc.
ADDRESS 1270 East Beecher Road, Bristol
LOCATION Northeast corner of Caton Farm Road & Ashley Road
TOWNSHIP Bristol
PARCEL # 02-08-100-006 (Un-incorporated); 41.91 Acres/ 15.98 for operation currently
Part of Pin # 02-08-200-015 (Yorkville) 6.40 acres
Part of Pin # 02-08-200-018 (Yorkville) 0.27 acres
Part of Pin # 02-08-200-019 (Yorkville) 6.71 acres
Part of Pin # 02-08-200-022 (Yorkville) 0.35 acres

ELIMINATING
Part of Pin # 02-08-200-013 (Yorkville) @ 7.37 acres
Part of Pin # 02-08-200-009 (Yorkville) @ 3.07 acres

SIZE Existing Special Use: 57.81 Acres (31.88 Acres used); Proposed Special Use:
55.63 Acres (29.7 acres used); 15.98 acres used in the County and 13.72
acres in the City of Yorkville

EXISTING LAND USE Existing regional compost facility for landscape and some food waste

ZONING A-1 Special Use for landscape waste, food waste and composting site:
Ordinance #10-25-11: Minor Amendment to allow the facility to begin
accepting and processing food waste
Ordinance #2008-17: Renewal of Special Use
Ordinance #2000-18: Renewal of Special Use
Ordinance #1997-13: Renewal of Special Use
Ordinance #1993-19: Rezone to Special Use for Landscaping waste
composting site

<table>
<thead>
<tr>
<th>LRMP</th>
<th>Suburban Residential (Max. Density 1.00 du/acre) and Mixed Use business along Beecher Road</th>
</tr>
</thead>
<tbody>
<tr>
<td>Roads</td>
<td>Beecher Road is considered a local roadway</td>
</tr>
<tr>
<td>Trails</td>
<td>There is a proposed trail shown on the west side of Beecher Road.</td>
</tr>
</tbody>
</table>

REQUESTED ACTION Approval of a major amendment to the existing Special Use Permit to
continue operation of their regional compost facility at 1270 E. Beecher Road
modifying the site plan to eliminate about 10.5 acres, add about 9.5 acres
northeast in the City of Yorkville and seek new conditions on property.
SURROUNDING LAND USE

<table>
<thead>
<tr>
<th>Location</th>
<th>Adjacent Land Use</th>
<th>Adjacent Zoning</th>
<th>LRMP</th>
<th>Zoning within ½ Mile</th>
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<td>North</td>
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<td>A-1</td>
<td>Suburban Res.</td>
<td>A-1; Yorkville</td>
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<tr>
<td>South</td>
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<td>A-1 SU</td>
<td>Suburban Res.</td>
<td>A-1; A-1 SU; Yorkville</td>
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<tr>
<td>East</td>
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<td>Urban Area.</td>
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<tr>
<td>West</td>
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<td>M-3 SU</td>
<td>Suburban Res.</td>
<td>M-3 SU; M-2; A-1 SU &amp; A-1</td>
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</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 soils on this parcel scored a 93 out of a possible 100 points indicating the soils are not well suited for agricultural uses. In addition, soils can have potential limitations for development. This report indicates that for soils located on the parcel: 100% of the soils are very limited for local roads and streets, 41.1% of the soils are very limited for shallow excavations; and 16.8% are very limited for application of manure and food-processing waste. This information is based on the soil in an undisturbed state. Some soil reclamation, special design, or maintenance may be required to obtain suitable soil conditions to support these types of development. In addition, since the scope of the operation includes composting, please continue to consult with the Kendall County Health Department as needed. This site is located within the Fox River Watershed and Rob Roy Creek Subwatershed. This development should include a soil erosion sediment control plan to be implemented during construction. Sediment may become a primary non-point source of pollution. Eroded soils during the construction phase can create unsafe conditions on roadways, degrade water quality and destroy aquatic ecosystems lower in the watershed.

ACTION SUMMARY
TOWNSHIP
(Bristol)
The petitioners have the Township Plan Commission on December 4th.

MUNICIPAL
(Yorkville)
The petition is simultaneously going through the City of Yorkville's process as the additional land is in the City of Yorkville. They are amending their development agreement.

REQUESTED ACTION
GENERAL
Approval of a major amendment to the existing Special Use Permit to continue operation of their regional compost facility at 1270 E. Beecher Road modifying the site plan to eliminate about 10.5 acres, add about 9.5 acres northeast in the City of Yorkville and seek new conditions on property. Changing the site boundaries will make the site more efficient allowing for taller wind rows and allows the facility to take in more cubic yards.

REGULATORS
This facility is also regulated through the IEPA and Green Organics, Inc. has a bond with the EPA if for some reason something happens and they shut the doors, the County or City would have to responsibility with any compost left on site. Also to note that Green Organics' leases the property so have lease agreements with each owner.

OPERATION
The facility was initially designed to process 150,000 cubic yards of source-separated landscape materials (brush, leaves, tree trimmings, and grass) into usable organic products such as high-quality soil amendments. In 2010, the facility was permitted to accept food scraps for composting equaling at most 10% of the total allowed site volume. All incoming materials are shredded, incorporated into windrows and allowed to compost aerobically to form a humus-like product. As part of the request to reconfigure the site they are also seeking to increase the amount of permitted materials to 175,000 cubic yards.

SITE LAYOUT
The site is generally separated into 4 main areas, a receiving/processing area (for the incoming materials and screening of finished compost); a composting area for
the windrows (an organic storage area for leavings and “tailings”); and the preliminary and final cure areas for compost storage prior to screening. In addition to the existing basin north of the office trailer, a detention basin is proposed in the southeast corner of the new site area.

ACCESS  The property has access from a private drive off Beecher Road by a gate. The gate is closed during non-business hours. There is no new access requested.

TRAFFIC  Upon arrival to the site, all vehicles stop at the office trailer to log in. Collection vehicles then proceed to the receiving area, where they discharge their materials via the tipper or onto the receiving pad. Upon completion of unloading, they exit the receiving area and proceed along the main road and exit the site. Tractor-trailers or other vehicles used to haul finished compost proceed directly to the organics storage area where they are loaded using a front-end loader. When loaded, they log out at the office building and exit via the main road.

COMPLAINTS  To date no complaints have been received on this property, they work closely with Marlin Hartman from the Health Department.

HOST FEES  As of April 18, 2000 the host fee was $0.60 fee per ton of landscape waste received. That fee increased to $0.65 on September 1, 2003 and to $0.70 on September 1, 2006. The current host fee is $0.70 per ton of landscape waste received. To date the following has been receive:

<table>
<thead>
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<th></th>
<th>2008</th>
<th>2009</th>
<th>2010</th>
<th>2011</th>
<th>2012</th>
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<tbody>
<tr>
<td>Host Fees Collected</td>
<td>$19,077.30</td>
<td>$18,827.01</td>
<td>$16,262.36</td>
<td>$19,638.63</td>
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<td>Tons of material</td>
<td>27.253</td>
<td>26.856</td>
<td>23.232</td>
<td>28.055</td>
<td>16.548</td>
</tr>
</tbody>
</table>

To date any new host fees or the percentage to be given to the City of Yorkville has not been discussed.

HOURS OF OPERATION  Per the ILEPA permit, Green Organics is permitted to receive incoming materials at the facility between the hours of 7:00 am to 6:00 pm Monday through Saturday. Typically the site is closed by 4:00 pm. Processing activities maintain the same schedule, but may continue into the evening, if necessary, to allow staff sufficient time to properly incorporate material into windrows and prepare the site for the following day’s activities.

LANDSCAPING  A berm is proposed around the new property area.

PARKING  An adequate amount of graveled area exists to be able to provide parking for employees of the operation and visiting patrons.

SIGNAGE  Signage already exists at the property.

ENGINEERING  Since all new development will be in the City of Yorkville staff will defer to the city for review.

PREVIOUS CONDITIONS  Conditions from Ordinance 2000-18:

1. The facility shall meet all Illinois Environmental Protection Agency requirements as identified in Title 35, Subtitle G, Chapter 1, Sub-chapter 1, Part 830, Standards for Compost Facilities.

2. Operational personnel shall be present on site during all hours which the facility is open for the receipt of landscape waste.

3. The hours during which landscape waste may be received shall be 7:00
a.m. to 4:00 p.m. Monday through Friday and 7:00 a.m. to 12:00 noon Saturday. Processing operations shall cease after each day’s receipts have been processed and placed in windrows, not to exceed three (3) additional hours.

4. The decibel levels at the property line shall not exceed Illinois Pollution Control Board standards.

5. A locked gate shall restrict vehicle access during closed hours except that a “lock-box” shall allow access to emergency vehicles.

6. Water samples shall be taken by an independent testing service and analyzed by an independent laboratory. The location, methods and frequency of sampling and testing shall be approved by the Kendall County Environmental Health Department Director. The test results shall be sent to the Environmental Health Department within forty-five (45) days of sampling. The water samples shall be tested for the elements listed within “Appendix A” and any others specified by the State of Illinois or Kendall County upon request.

7. Soil samples shall be taken by an independent testing service and analyzed by an independent laboratory. The locations, methods and frequency of sampling and testing shall be approved by the Kendall County Environmental Health Department Director. The test results shall be sent to the Environmental Health Department within forty-five (45) days of sampling. The soil samples shall be tested for the elements listed within “Appendix B” and any others specified by the State of Illinois or Kendall County upon request. Soil quality shall not exceed State of Illinois standards.

8. Authorized Kendall County personnel shall be allowed on site during business hours for inspection and testing.

9. The facility operator shall send up-to-date copies of the State permit and related documents including Operational Plan, Surface water Management Plan, Pest Control Plan, Site Drawing, and an Annual Report to the County Solid Waste Coordinator.

10. The facility operator shall maintain plantings on the berm and ditch as shown on attached Exhibit B.

11. The facility operator shall maintain the gate and landscaping as indicated on attached Exhibit C.

12. The County Solid Waste Coordinator shall maintain a log of complaints received on the facility.

13. A host fee shall be paid to the County on a monthly basis in accordance with the schedule on previous Exhibit D.

14. Any violation of this Special Use Permit could be subjected to a fine of $25.00 to $500.00 per day, per violation, with each day being a separate violation.

15. This special use Ordinance shall expire on September 1, 2009.


17. Truck weights shall be limited to 72,380 pounds.

18. The operator shall provide weight receipts to Kendall County.

19. Off-site debris and trash generated by this site must be cleaned-up on a daily basis on properties abutting Beecher Road and/or Galena Road, with owner’s permission.

Below as you will notice conditions one through nine and seventeen through nineteen were eliminated since the special use requirements concerning composting and landscape waste facilities was revised to add specific requirements that such facilities must comply with.

The current conditions of Green Organics are as follows per ordinance 2008-17:

1. The facility operator shall maintain plantings on the berm and ditch as
shown on previous Exhibit B.
2. The facility operator shall maintain the gate and landscaping as indicated on previous Exhibit C.
3. The County Solid Waste Coordinator shall maintain a log of complaints received on the facility.
4. A host fee shall be paid to the County on a monthly basis in accordance with the schedule on previous Exhibit D.
5. The plat shall be kept on file as shown on previous Exhibit E.
6. The facility operator shall maintain a tailing plan as shown on previous Exhibit F.
7. The facility operator shall maintain an operations map as shown on previous Exhibit G.
8. The facility operator shall maintain a sampling schedule as shown on previous Exhibit H.
9. Any violation of this Special Use Permit could be subjected to a fine of $25.00 to $500.00 per day, with each day being a separate violation.
10. This special use Ordinance shall expire on September 1, 2018.
11. A petition for renewal shall be made prior to March 1, 2018.
12. The tailings that have been existing on the facility over six months (6) will be monitored by the Kendall County Health Department and if needed, be brought up in front of the appropriate Committee.
13. If any Illinois Environmental Protection Agency (IEPA) violations or citations are received they need to be submitted to the County Solid Waste Coordinator within 30 days.

Per the Zoning Ordinance the following conditions must be met for a Composting of landscape waste and food waste, subject to the following:

a. The facility shall meet all Illinois Environmental Protection Agency requirements as identified in Title 35, Subtitle G, Chapter 1, Sub-chapter 1, Park 830, Standards for compost facilities.
b. Operational personnel shall be present on site during all hours which the facility is open for the receipt of landscape waste.
c. The hours during which landscape waste may be received shall be 7:00am to 4:00pm Monday through Friday and 7:00am to 12:00 noon Saturday. Processing operations shall cease after each day’s receipts have been processed and placed in windrows, not to exceed three (3) additional hours.
d. The decibel levels at the property line shall not exceed Illinois Pollution Control Board standards.
e. A locked gate shall restrict vehicle access during closed hours except that a “lock-box” shall allow access to emergency vehicles.
f. Water samples shall be taken by an independent testing service and analyzed by an independent laboratory. The locations, methods and frequency of sampling and testing shall be approved by the Kendall County Environmental Health Department Director. The test results shall be sent to the Environmental Health Department within forty-five (45) days of sampling.
g. Soil samples shall be taken by an independent testing service and analyzed by an independent laboratory. The locations, methods and frequency of sampling and testing shall be approved by the Kendall County Environmental Health Department Director. The test results shall be sent to the Environmental Health Department within forty-five (45) days of sampling.
h. Authorized Kendall County personnel shall be allowed on site during business hours for inspection and testing.
i. The facility operator shall send up-to-date copies of the State permit and
related documents including Operational Plan, Surface water management Plan, Pest Control Plan, Site Drawing, and an Annual Report to the County Solid Waste Coordinator.

j. Truck weights shall be limited to 73,280 pounds.
k. The operator shall provide weight receipts to Kendall County.
l. Off-site debris and trash generated by the site must be cleaned-up on a daily basis on surrounding properties with the owner's permission.
m. Other conditions as appropriate for the particular facility. (Amended 8/20/2006)

RECOMMENDATION  Staff recommends approval of the major amendment to the special use for Green Organics Inc. with the following conditions.

1. The facility shall comply with the conditions listed in Section 7.01.D.15 (composting of landscape waste and food waste) of the Zoning Ordinance
2. The site plan shall be kept on file as “Exhibit A” attached hereto
3. The facility operator shall maintain plantings on the berm and ditch as shown on “Exhibit A” attached hereto
4. The facility operator shall maintain the gate and landscaping as indicated on “Exhibit B” attached hereto
5. A host fee shall be paid to the County on a monthly basis in accordance with the schedule on “Exhibit C”
6. The facility operator shall maintain a sampling schedule as shown on “Exhibit D” attached hereto
7. The County Solid Waste Coordinator shall maintain a log of complaints received on the facility.
8. This special use Ordinance shall expire on December 1, 2023.
9. A petition for renewal shall be made prior to July 1, 2023.
10. If any Illinois Environmental Protection Agency (IEPA) violations or citations are received they need to be submitted to the County Solid Waste Coordinator within 30 days.

ATTACHMENTS
1. Overview
2. Site Plan
3. Ordinance #10-25-11: Minor Amendment to allow the facility to begin accepting and processing food waste
4. Ordinance # 2008-17: Renewal of Special Use
5. Ordinance # 2000-18: Renewal of Special Use
6. Ordinance # 1997-13: Renewal of Special Use
7. Ordinance # 1993-19: Rezone to Special Use for Landscaping waste composting site
United City of Yorkville  
Community Development  
Attn: Ms. Krysti Noble,  
Community Development Director  
800 Game Farm Road  
Yorkville, IL 60560

Kendall County  
Planning, Building & Zoning  
Ms. Angela Zubko  
Senior Planner  
111 West Fox Street, Room 316  
Yorkville, IL 60560

Re: Green Organics, Inc. Site Reconfiguration

Green Organics currently operates a regional compost facility at 1270 E. Beecher Road, with portions of the facility in both Yorkville and unincorporated Kendall County. It was initially approved for the Scotts Corporation in 1992; the current owners acquired it in 1999 and have operated continuously since that time. During the current owners’ management of the company, there have been no citations issued by ILEPA and the County has likewise had no complaints about the operation.

The Facility was initially designed to process 150,000 cubic yards of source-separated landscape materials, e.g., brush, leaves, tree trimmings, and grass, into usable organic products, such as high-quality soil amendments. In 2010, the Facility was permitted to accept food scraps for composting equaling at most 10 percent of the total allowed site volume. All incoming materials are shredded, incorporated into windrows, and allowed to compost aerobically to form a humus-like product. As part of the current request to reconfigure the site we are also seeking to increase the amount of permitted materials to 175,000 cubic yards.

There are currently 2 approvals, one from the State, which is valid for 5 years, the other from the County, which is valid for 10 years.

As an existing facility, the proposed site reconfiguration will not be unreasonably detrimental to the public health, safety, morals, comfort or general welfare of surrounding properties.

Land Ownership

The land is currently owned by two entities.

Milroy Farms, LLC  
287 Woodstock Drive  
Glen Ellyn, IL 60137

PIN: 02-08-100-00

Bristol Ventures, LLC  
10318 Galena Road  
Bristol, IL 60523

PIN's: 02-08-200-015, -018, -019, -022

Portions thereof

Parcel 1 is zoned A1-SU (Agricultural – Special Use) in unincorporated Kendall County is owned by Milroy Farms. Parcels 2 is owned by Bristol Ventures and is situated in the United City of Yorkville and is currently zoned R-2 (One Family Residential).
Parcel 1

That part of the northwest quarter of Section 8, Township 37 North, Range 7 East of the third principal meridian being described as follows: commencing at the northwest corner of said quarter section; thence north 88 degrees 29 minutes 44 seconds east along the north line of said northwest quarter, 953.68 feet to a point in the centerline of a branch of the Rob Roy Creek for the point of beginning; thence continuing north 88 degrees 29 minutes 44 seconds east along said north line, 1699.46 feet to the northeast corner of said quarter section; thence south 00 degrees 07 minutes 06 seconds east along the east line of said quarter section that is 1126.52 feet south of the northwest corner of said section; thence north 00 degrees 01 minutes 23 seconds east along said west line, 100.00 feet; thence north 87 degrees 51 minutes 12 seconds east, 1498.53 feet to a point in the center of said Rob Roy Creek; thence north 28 degrees 38 minutes 38 seconds west along said creek, 1134.24 feet to the point of beginning, in the Township of Bristol, Kendall County, Illinois.

Parcel 2

THAT PART OF THE NORTHEAST QUARTER OF SECTION 8 IN TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID NORTHEAST QUARTER; THENCE NORTH 87 DEGREES 36 MINUTES 31 SECONDS EAST, ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER, 187.01 FEET; THENCE SOUTH 61 DEGREES 46 MINUTES 39 SECONDS EAST, 332.00 FEET; THENCE SOUTH 71 DEGREES 34 MINUTES 14 SECONDS EAST, 463.00 FEET; THENCE SOUTH 45 DEGREES 09 MINUTES 49 SECONDS EAST, 58.00 FEET; THENCE SOUTH 00 DEGREES 33 MINUTES 15 SECONDS WEST, 356.00 FEET; THENCE SOUTH 89 DEGREES 48 MINUTES 46 SECONDS WEST, 541.26 FEET TO A POINT ON THE EAST LINE OF A PARCEL OF LAND; THENCE NORTH 01 DEGREE 14 MINUTES 06 SECONDS WEST, ALONG SAID EAST LINE OF A PARCEL OF LAND, ALSO BEING A LINE 400.00 FEET EAST OF, AND PARALLEL WITH, THE WEST LINE OF SAID NORTHEAST QUARTER, 303.00 FEET TO ITS NORTHEAST CORNER; THENCE SOUTH 88 DEGREES 45 MINUTES 54 SECONDS WEST, ALONG THE NORTH LINE OF SAID PARCEL OF LAND, 400.00 FEET TO ITS NORTHWEST CORNER, SAID CORNER ALSO BEING ON SAID WEST LINE OF THE NORTHEAST QUARTER; THENCE NORTH 01 DEGREE 14 MINUTES 06 SECONDS WEST, ALONG SAID WEST LINE, 400.00 FEET TO THE POINT OF BEGINNING, ALL IN KENDALL COUNTY, ILLINOIS.

Land Use

The land use in the immediate vicinity of the site is primarily agricultural, including the land zoned residential, with some industrial operations, specifically an asphalt manufacturing plant and a concrete reclamation plant, located to the west of the site. Adjacent properties are zoned as follows:

North: Kendall County A-1, Agricultural District
South: Kendall County A-1-SU, Agricultural District, Special Use
East: Yorkville R-2, One Family Residence District
Site Layout

The site is generally separated into 4 main areas: a receiving/processing area, for the incoming materials and screening of finished compost; a composting area, for the windrows; an organics storage area, for leaves and "tailings;" and the preliminary / final cure areas, for compost storage prior to screening. In addition to the existing basin north of the office trailer, a detention basin is proposed in the southeast corner of the new site area.

Traffic

Access to the site is via a private drive located south of Galena Road and east of East Beecher Road. Upon arrival at the site, all vehicles stop at the office trailer to log in. Collection vehicles then proceed to the receiving area, where they discharge their materials via the “tipper” or onto the receiving pad. Upon completion of unloading, they exit the receiving area and proceed along the main road and exit the site. Tractor-trailers or other vehicles used to haul finished compost proceed directly to the organics storage area, where they are loaded using front-end loader. When loaded, they log out at the office building and exit via the main road. Personal automobiles enter the site via the access road and park in the area to the north of the office trailer. Sufficient parking spaces are provided for both Facility employees and visitors.

The Facility is designed such that movement of raw material and finished compost to and from the windrow areas occurs away from the traffic pattern used by collection vehicles and trailers. The Facility has been designed to operate 52 weeks per year, assuming normal weather patterns. Adequate drainage control features have been incorporated to permit the Facility to remain operations during periods of medium or heavy rainfall. During winter months, the road will be cleared of snow to facilitate safe vehicle movement.

The proposed increase in site volume will result in approximately 1.5 additional vehicles during the summer months for grass and brush and 3 additional vehicles per day during “leaf” season.

Hours

Per the ILEPA permit, Green Organics is permitted to receive incoming materials at the Facility between the hours of 7:00 am to 6:00 pm, Monday through Saturday, though the site is generally closed by 4:00 pm. Processing activities maintain the same schedule, but may continue into the evening, if necessary, to allow Green Organics staff sufficient time to properly incorporate material into windrows and prepare the site for the following day’s activities. An existing gate at the access drive prevents unauthorized entry during non-operating hours.
WHEREAS, Green Organics, has filed a petition for a minor amendment to their existing Special Use within the A-1 Agricultural Zoning District to modify their current operating permit for its Landscape Waste Composting Facility in order to allow the facility to begin accepting and processing food waste pursuant to Section 7.01.D. of the Kendall County Zoning Ordinance for a 57.597 acre property located on the south side of Galena Road east of East Beecher Road, Pin # 02-08-100-006 & Part of 02-08-200-013 & 02-08-200-015 (these two pins are annexed into Yorkville), in Bristol Township, is legally described as:

That part of the northwest quarter of section 8, township 37 north, range 7 east of the third principle meridian as described as follows: Commencing at the Northwest corner of said quarter section; thence north 88°29'44" east, along the north line of said northwest quarter, 953.68 feet to a point in the centerline of a branch of the Rob Roy Creek for the point of beginning; thence continuing north 88°29'44" east, along said north line, 1699.46 feet to the northeast corner of said quarter section, thence south 00°07'06" east, along the east line of said quarter section, 1124.58 feet; thence south 88°27'18" west, 2655.97 feet to a point on the west line of said quarter section that is 1126.52 feet south of the northwest corner of said quarter section; then north 00°01'23" east, along said west line, 100.0 feet; thence north 87°51'12" east, 1498.53 feet to a point in the center of said Rob Roy Creek; thence north 28°38'38" west, along said creek, 1134.24 feet to the point of beginning, in Bristol Township, Kendall County, Illinois.

WHEREAS, Green Organics, Inc., designated lessor and operator, was granted a Special use Permit for a Landscape Waste Composting Site under Kendall County Ordinance #97-13 and renewed under Ordinance #08-17; and

WHEREAS, the Planning, Building and Zoning Department received a petition for modification from the IEPA on October 21, 2010; and

WHEREAS, the petitioner would like to add the accepting and processing of food waste to their permit; and
WHEREAS, the total quantity of food waste will not exceed 10% of the material processed at the facility; and

WHEREAS, all procedures required by the Kendall County Zoning Ordinance were followed including recommendation for approval by the Zoning Administrator on October 25, 2011; and

NOW, THEREFORE, BE IT ORDAINED, that the Kendall County Zoning Administrator and/or deputies grants approval of a minor amendment to an existing special use per section § 13.07.N of the Zoning Ordinance subject to the same following conditions as Ordinance #08-17:

1. The facility operator shall maintain plantings on the berm and ditch as shown on previous Exhibit B.
2. The facility operator shall maintain the gate and landscaping as indicated on previous Exhibit C.
3. The County Solid Waste Coordinator shall maintain a log of complaints received on the facility.
4. A host fee shall be paid to the County on a monthly basis in accordance with the schedule on previous Exhibit D.
5. The plat shall be kept on file as shown on previous Exhibit E.
6. The facility operator shall maintain a tailing plan as shown on previous Exhibit F.
7. The facility operator shall maintain an operations map as shown on previous Exhibit G.
8. The facility operator shall maintain a sampling schedule as shown on previous Exhibit H.
9. Any violation of this Special Use Permit could be subjected to a fine of $25.00 to $500.00 per day, per violation, with each day being a separate violation.
10. This special use Ordinance shall expire on September 1, 2018.
11. A petition for renewal shall be made prior to March 1, 2018.
12. The tailings that have been existing on the facility over six months (6) will be monitored by the Kendall County Health Department and if needed, be brought up in front of the appropriate Committee.
13. If any Illinois Environmental Protection Agency (IEPA) violations or citations are received they need to be submitted to the County Solid Waste Coordinator within 30 days.

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

IN WITNESS OF, this ordinance has been enacted on October 25, 2011.

Attest:

Nancy Martin  
PBZ Chairman/ Zoning Administrator  

Angela L Zubko  
Zoning Administrator Deputy
ORDINANCE NUMBER 2008 - 17

GRANTING A RENEWAL OF THE SPECIAL USE for the
OPERATION OF
GREEN ORGANICS, INC.
Landscape Waste Composting Site

WHEREAS, Green Organics, has filed a petition for a Special Use renewal within the A-1 Agricultural Zoning District for the operation of a landscape waste composting site pursuant to Section 7.01.D.30 of the Kendall County Zoning Ordinance for a 57.597 acre property located on the south side of Galena Road east of East Beecher Road, Pin # 02-08-100-006; 02-08-200-009 & Part of 02-08-200-008 & 02-08-200-013, in Bristol Township, as legally described in “Exhibit A”; and

WHEREAS, Green Organics, Inc., designated lessor and operator, was granted a Special use Permit for a Landscape Waste Composting Site under Kendall County Ordinance #97-13 and renewed under Ordinance #2000-18; and

WHEREAS, Condition #16 of said Ordinance states "A petition for renewal shall be made prior to March 1, 2009; and

WHEREAS, the Planning, Building and Zoning Department received a petition for renewal on February 4, 2008; and

WHEREAS, said use is in accordance with said Special Use Permit; and

WHEREAS, the Kendall County Board finds that said petition for renewal is in general conformance with Kendall County Ordinance #2000-18; and

NOW, THEREFORE, BE IT ORDAINED, that the Kendall County Board hereby repeals Kendall
County Ordinance #2000-18 in its entirety prior to its scheduled termination date of September 1, 2009 and replaced in its entirety by this ordinance.

**BE IT FURTHER ORDAINED.** the Kendall County Board grants approval of the renewal of the special use zoning permit per section § 7.01.D.30 (A-1 Special Uses-Composting of landscape waste) to continue operating a landscape waste composting site with the following conditions:

1. The facility operator shall maintain plantings on the berm and ditch as shown on attached Exhibit B.
2. The facility operator shall maintain the gate and landscaping as indicated on attached Exhibit C.
3. The County Solid Waste Coordinator shall maintain a log of complaints received on the facility.
4. A host fee shall be paid to the County on a monthly basis in accordance with the schedule on attached Exhibit D.
5. The plat shall be kept on file as shown on attached Exhibit E.
6. The facility operator shall maintain a tailing plan as shown on attached Exhibit F.
7. The facility operator shall maintain an operations map as shown on attached Exhibit G.
8. The facility operator shall maintain a sampling schedule as shown on attached Exhibit H.
9. Any violation of this Special Use Permit could be subjected to a fine of $25.00 to $500.00 per day, per violation, with each day being a separate violation.
10. This special use Ordinance shall expire on September 1, 2018.
11. A petition for renewal shall be made prior to March 1, 2018.
12. The tailings that have been existing on the facility over six months (6) will be monitored by the Kendall County Health Department and if needed, be brought up in front of the appropriate Committee.
13. If any Illinois Environmental Protection Agency (IEPA) violations or citations are received they need to be submitted to the County Solid Waste Coordinator within 30 days.

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

**IN WITNESS OF,** this ordinance has been enacted on May 20, 2008.
State of Illinois
County of Kendall

Attest:

John A. Church
Kendall County Board Chairman

Rennetta Mickelson
Kendall County Clerk
EXHIBIT A

LEGAL DESCRIPTION OF 39.8747 ACRE TRACT:

That part of the Northwest Quarter of Section 8, Township 37 North, Range 7 East of the Third Principal Meridian described as follows: Commencing at the Northwest Corner of said Quarter Section; thence North 88°29'44" East, along the North Line of said Northwest Quarter, 953.68 feet to a point in the Centerline of a branch of the Rob Roy Creek for the point of beginning; thence continuing North 88°29'44" East, along said North Line, 1699.46 feet to the Northeast Corner of said Quarter Section; thence South 00°07'06" East, along the East Line of said Quarter Section, 1124.58 feet; thence South 88°27'18" West, 2655.97 feet to a point on the West Line of said Quarter Section that is 1126.52 feet South of the Northwest Corner of said Quarter Section; thence North 00°01'23" East, along said West Line, 100.0 feet; thence North 87°51'12" East, 1498.53 feet to a point in the Center of said Rob Roy Creek; thence North 28°38'38" West, along said Creek, 1134.24 feet to the point of beginning, in Bristol Township, Kendall County, Illinois.
EXHIBIT D

HOST FEE SCHEDULE

<table>
<thead>
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<th>Date Beginning</th>
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<tr>
<td>September 1, 2006</td>
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</table>
PLAT OF
PART OF THE SOUTHWEST QUARTER OF SECTION 5, T37N-R7E and
PART OF THE NORTH HALF OF SECTION 8, T37N-R7E, 3rd PM
BRISTOL TOWNSHIP    KENDALL COUNTY    ILLINOIS

LEGAL DESCRIPTION OF PARCEL 1:
The South part of the Southwest Quarter of Section 5, Township 37 North, Range 7 East of the Third Principal Meridian described as follows: Beginning at the South line of Section 2, T37N, R7E, in the South line of Bristol Township, Kendall County, Illinois:

LEGAL DESCRIPTION OF PARCEL 2:
The West part of the North Half of Section 8, Township 37 North, Range 7 East of the Third Principal Meridian described as follows: Beginning at the North line of Section 2, T37N, R7E, in the North line of Bristol Township, Kendall County, Illinois:

LEGAL DESCRIPTION OF PARCEL 3:
The East part of the Southeast Quarter of Section 5, Township 37 North, Range 7 East of the Third Principal Meridian described as follows: Beginning at the East line of Section 8, T37N, R7E, in the East line of Bristol Township, Kendall County, Illinois:

Witness:

[signature]

[stamp]

[address]

[phone]
EXHIBIT F

Phase 1
1. Remove Material From North Tailings Pile. This Material to be rescreened. New Compost to be shipped off site. Remaining tailings to be inserted in composting Windrows, or used for roadways.
2. Do not begin removal of South Tailings Pile until North is removed.
3. Time to remove North is 6 months.

Phase 2
1. Remove Material From South Tailings Pile. This Material to be rescreened. New Compost to be shipped off site. Remaining tailings to be inserted in composting Windrows, or used for roadways.
2. Begin to replace Tailings from normal operations back in North Tailings Pile.
3. Time to remove South is 6 months.
March 11, 2008

Mr. Joseph Mazza
Green Organics
290 Main Place
Carol Stream, IL 60188

Dear Mr. Mazza:

You requested confirmation of the sampling schedule that is used by Analytical Chemistry & Environmental Services, Inc. (AC&E Services, Inc.) at your compost facility in Bristol, Illinois.

The compost is tested according to 35 Illinois Administration Code (IAC) Section 830.507(a) for each 5000 tons shipped.

The well at the site is tested once per year in May in accordance with your current permit. The soil is tested once per year in September. Two composite soil samples are taken; one in the detention pond at the west side of the facility and one taken at the end of the windrows at the south end of the property. The testing is performed in accordance with your current permit.

I hope this answers your questions concerning your current testing requirements. If any further help is needed, do not hesitate to contact us.

Regards,

[Signature]

Terese M. Laciak
President

EXHIBIT H

TML/cab

cc: Steven B. Curatti, Director of Environmental Health, Kendall County
ORDINANCE NUMBER 2000-18

SPECIAL USE ORDINANCE
GREEN ORGANICS, INC.
Landscape Waste Composting Site

WHEREAS, Green Organics, Inc., designated lessor and operator, was granted a Special Use Permit for a Landscape Waste Composting Site under Kendall County Ordinance #97-13; and

WHEREAS, said Special Use Permit is for property legally described in attached Exhibit A; and

WHEREAS, Condition #13 of said Ordinance states "A petition for renewal of this ordinance shall be made by February 19, 2000;" and

WHEREAS, the Planning Building and Zoning Department receive a petition for renewal on February 14, 2000; and

WHEREAS, said use is in accordance with said Special Use Permit; and

WHEREAS, the Kendall County Board finds that said petition for renewal is in general conformance with Kendall County Ordinance #97-13.

NOW, THEREFORE, BE IT ORDAINED, that the Kendall County Board hereby repeals Kendall County Ordinance #97-13 in its entirety prior to its scheduled termination date of August 19, 2000.

BE IT FURTHER ORDAINED, the Kendall County Board grants the renewal of the special use permit to continue operating a landscape waste composting site with the following conditions:

1. The facility shall meet all Illinois Environmental Protection Agency requirements as identified in Title 35, Subtitle G. Chapter 1, Sub-Chapter 1, Part 830, Standards for Compost Facilities.
2. Operational personnel shall be present on site during all hours which the facility is open for the receipt of landscape waste.
3. The hours during which landscape waste may be received shall be 7:00 a.m. to 4:00 p.m. Monday through Friday and 7:00 a.m. to 12:00 noon Saturday. Processing operations shall cease after each day's receipts have been processed and placed in windrows, no to exceed three (3) additional hours.
4. The decibel levels at the property line shall not exceed Illinois Pollution Control Board standards.
5. A locked gate shall restrict vehicle access during closed hours except that a "lockbox" shall allow access to emergency vehicles.
6. Water samples shall be taken by an independent testing service and analyzed by an independent laboratory. The locations, methods and frequency of sampling and testing shall be approved by the Kendall County Environmental Health Department.
Director. The test results shall be sent to the Environmental Health Department within forty-five (45) days of sampling. The water samples shall be tested for the elements listed within "Appendix A" and any others specified by the State of Illinois or Kendall County upon request.

7. Soil samples shall be taken by an independent testing service and analyzed by an independent laboratory. The locations, methods and frequency of sampling and testing shall be approved by the Kendall County Environmental Health Department Director. The test results shall be sent to the Environmental Health Department within forty-five (45) days of sampling. The soil samples shall be tested for the elements listed within "Appendix B" and any others specified by the State of Illinois or Kendall County upon request. Soil quality shall not exceed State of Illinois standards.

8. Authorized Kendall County personnel shall be allowed on site during business hours for inspection and testing.

9. The facility operator shall send up-to-date copies of the State permit and related documents including Operational Plan, Surface water Management Plan, Pest Control Plan, Site Drawing, and an Annual Report to the County Solid Waste Coordinator.

10. The facility operator shall maintain plantings on the berm and ditch as shown on attached Exhibit B.

11. The facility operator shall maintain the gate and landscaping as indicated on attached Exhibit C.

12. The County Solid Waste Coordinator shall maintain a log of complaints received on the facility.

13. A host fee shall be paid to the County on a monthly basis in accordance with the schedule on attached Exhibit D.

14. Any violation of this Special Use Permit could be subjected to a fine of $25.00 to $500.00 per day per violation, with each day being a separate violation.

15. This special use ordinance shall expire on September 1, 2009.


17. Truck weights shall be limited to 72,380 pounds.

18. The operator shall provide weight receipts to Kendall County.

19. Off-site debris and trash generated by this site must be cleaned-up on a daily on properties abutting Beecher Road and/or Galena Road, with owner’s permission.

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

IN WITNESS OF, this ordinance has been enacted on April 18, 2000.

[Signature]
John A. Church
Kendall County Board Chairman

Attest: [Signature]
Kendall County Clerk
Appendix A: Water Sampling Constituents
Arsenic
Nickel
Mercury
pH
Nitrate
Total Organic Carbon
Specific Conductivity
Total Dissolved Solids
Chromium
Zinc
Selenium
Boron
Manganese
Lead
Cadmium
Iron
Total Phosphorous
Chloride
Copper

Appendix B: Soil Sampling Constituents
Arsenic
Nickel
Mercury
pH
Nitrate
Total Organic Carbon
Chromium
Zinc
Selenium
Boron
Manganese
Lead
Cadmium
Iron
Total Phosphorous
Chloride
Copper
EXHIBIT A: LEGAL DESCRIPTION

Parcel 1
That part of the Northwest Quarter of Section 8, Township 37 North, Range 7 East of the Third Principal Meridian being described as follows: Commencing at the Northwest corner of said quarter section; thence North 88°29'44" East along the North Line of said Northwest Quarter, 953.68 feet to a point in the centerline of a branch of the Rob Roy Creek for the point of beginning; thence continuing North 88°29'44" East along said North Line, 1,699.46 feet to the Northeast corner of said quarter section; thence South 00°07'06" East along the East Line of said quarter section, 1,124.58 feet; thence South 88°27'18" West, 2,655.97 feet to a point on the West line of said quarter section that is 1,126.52 feet South of the Northwest corner of said section; thence North 00°01'23" East along said West line, 100.00 feet; thence North 87°51'12" East 1,498.53 feet to a point in the center of said Rob Roy Creek; thence North 28°38'38" West along said creek, 1,134.24 feet to the point of beginning, in the Township of Bristol, Kendall County, Illinois.

Parcel 2
That part of the Northeast Quarter of Section 8, Township 37 North, Range 7 East of the Third Principal Meridian being described as follows: Commencing at the Northwest corner of said quarter section; thence South 00°07'06" East, 400.00 feet along the West Line of the said Northeast quarter; to the point of beginning; thence North 89°52'54" East, 400.00 feet along a line measured at a right angle to the said West Line of the said Northeast quarter; thence South 00°07'06" East, 1,730.00 feet, along a line parallel with the said Northeast quarter; thence South 89°52'54" West, 400.00 feet along a line measured at a right angle to the said West Line of the said Northeast quarter to a point on the West Line of said quarter section; thence North 00°07'06" West, 1,730.00 feet along the West Line of said quarter section to the point of beginning, in the Township of Bristol, Kendall County, Illinois.
### EXHIBIT D
HOST FEE SCHEDULE

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<td>$0.65</td>
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<td>September 1, 2006</td>
<td>$0.70</td>
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State of Illinois  
County of Kendall

Ordinance 97-13

GRANTING SPECIAL USE ZONING  
SCOTTS COMPOSTING FACILITY  
East Beecher Road, Bristol

WHEREAS, Kendall County passed ordinance 9319 on October 19, 1993 granting A-1 Special Use approval to establish a landscaping waste composting site, and

WHEREAS, said ordinance pertained to a site commonly located on the east side of East Beecher Road approximately 1/4 mile south of Galena Road in section 8 of Bristol Township that is further described in the attached Exhibit A, and

WHEREAS, said Ordinance expired and the leaseholder of the said site, The Scotts Company, has petitioned for renewal of the special use ordinance, and

WHEREAS, administrative procedures required by the Kendall County Zoning Ordinance were followed including review by Bristol Township, Regional Planning Commission, notice of public hearing, and recommendation by Zoning Board of Appeals, and

WHEREAS, the Kendall County Board finds that the said Petition complies with the provisions of the Kendall County Zoning Ordinance.

NOW THEREFORE, BE IT ORDAINED, that the Kendall County Board hereby grants approval of a special use permit to continue operating a landscaping waste composting facility on the site described in the attached Exhibit A and in substantial conformance with the site plan shown in the attached Exhibit B and in conformance with the following conditions.

1. Operational personnel shall be present on site during all hours which the facility is open for the receipt of landscape waste.  
2. The hours during which landscape waste may be received shall be 7:00 AM to 4:00 PM Monday through Friday and 7:00 AM to 12:00 noon Saturday. Processing operations shall cease after each day's receipts have been processed and placed in windrows, not to exceed 3 additional hours.  
3. Decibel levels at the property line shall not exceed Illinois Pollution Control Board standards.  
4. A locked gate shall restrict vehicle access during closed hours except that a 'lock-box' shall allow access to emergency vehicles.  
5. Water samples shall be taken by an independent testing service and analyzed by an independent lab. The locations, methods, and frequency of sampling and testing shall be
approved by the County Director of Environmental Health. The test results shall be sent to the County Director of Environmental Health within 45 days of sampling. The water samples shall be tested for the following parameters and any others specified by the State of Illinois. Water quality shall not exceed State of Illinois standards.

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<td>Ammonia</td>
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</tr>
<tr>
<td>Nitrate</td>
<td></td>
</tr>
<tr>
<td>Ortho-phosphorus</td>
<td></td>
</tr>
<tr>
<td>Total-phosphorus</td>
<td></td>
</tr>
<tr>
<td>Dissolved oxygen</td>
<td></td>
</tr>
<tr>
<td>Boron</td>
<td></td>
</tr>
<tr>
<td>Manganese</td>
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<td>PH</td>
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6. Soil samples shall be taken by an independent testing service and analyzed by an independent lab. The locations, methods, and frequency of sampling and testing shall be approved by the County Director of Environmental Health. The test results shall be sent to the County Director of Environmental Health within 45 days of sampling. The soil samples shall be tested for the same parameters as the water samples listed above except for chemical oxygen demand, biological oxygen demand, ortho-phosphorus, and total solids. Soil quality shall not exceed State of Illinois standards.

7. County authorized personnel shall be allowed on site during business hours for inspection and testing.

8. The facility operator shall send up-to-date copies of their state permit and related documents including Operating Plan, Surface Water Management Plan, Pest Control Program, and Annual Report to the County Solid Waste Coordinator.

9. The facility operator shall maintain the plantings as shown on Exhibit C.

10. The County shall keep a log of complaints received on this facility.

11. A host fee of $.55/ton of material received shall be paid to the County.

12. The facility operator shall plant grass seed on the berm and ditch and maintain same as shown in the Site Grading and Drainage Plan attached as Exhibit B.

13. This special use ordinance shall expire on August 19, 2000.


IN WITNESS OF, this ordinance has been enacted on August 19, 1997.

John A. Church, Kendall County Board Chairman

Paul Anderson, Kendall County Clerk
Kendall County
Ordinance 97 -
SCOTTS SPECIAL USE

Exhibit A: Legal Description

PARCEL 1
That part of the Northwest Quarter of Section 8, Township 37 North, Range 7 East of the Third Principal Meridian being described as follows: Commencing at the Northwest corner of said quarter section; thence North 88 degrees 29 minutes 44 seconds East along the North line of said Northwest Quarter, 953.68 feet to a point in the centerline of a branch of the Rob Roy Creek for the point of beginning; thence continuing North 88 degrees 29 minutes 44 seconds East along said North line, 1699.46 feet to the Northeast corner of said quarter section; thence South 00 degrees 07 minutes 06 seconds East along the East line of said quarter section, 1124.58 feet; thence South 88 degrees 27 minutes 18 seconds West, 2655.97 feet to a point on the West line of said quarter section that is 1126.52 feet South of the Northwest corner of said section; thence North 00 degrees 01 minutes 23 seconds East along said West line, 100.00 feet; thence North 87 degrees 51 minutes 12 seconds East, 1498.53 feet to a point in the center of said Rob Roy Creek; thence North 28 degrees 38 minutes 38 seconds West along said creek, 1134.24 feet to the point of beginning, in the Township of Bristol, Kendall County, Illinois.

PARCEL 2
That part of the Northeast quarter of Section 8, Township 37 North, Range 7 East of the Third Principal Meridian being described as follows: Commencing at the Northwest corner of Aforesaid quarter section; thence South 00 degrees 07 minutes 06 seconds East 400.00 feet along the West line of the said Northeast quarter; to the point of beginning; thence North 89 degrees 52 minutes 54 seconds East 400.00 feet along a line measured at a right angle to the said West line of the said Northeast quarter; thence South 00 degrees 07 minutes 06 seconds East 1930.00 feet, along a line parallel with the said Northeast quarter; thence South 89 degrees 52 minutes 54 seconds West 400.00 feet along a line measured at a right angle to the said West line of the said Northeast quarter to a point on the West line of the said quarter section; thence North 00 degrees 07 minutes 06 seconds West 1930.00 feet along the West line of said quarter section to the point of beginning, all in the Township of Bristol, Kendall County, Illinois.
ORDINANCE #23-19
GRANTING A SPECIAL USE

WHEREAS The O. M. Scott & Sons Company did petition the Kendall County Board in the manner required by law and the ordinances of Kendall County, Illinois for a Special Use to establish a landscaping waste composting site pursuant to Section 7.00 B. of the Kendall County Zoning Ordinance; and

WHEREAS, the Kendall County Zoning Board of Appeals did hold a public hearing regarding the proposed Special Use and did recommend that the request be granted subject to conditions;

NOW THEREFORE BE IT ORDAINED by the County Board of Kendall County, Illinois that the following described property be granted the Special Use as requested:

PARCEL 1
That part of the Northwest Quarter of Section 8, Township 37 North, Range 7 East of the Third Principal Meridian being described as follows: Commencing at the Northwest corner of said quarter section; thence North 88 degrees 29 minutes 44 seconds East along the North line of said Northwest Quarter, 953.68 feet to a point in the centerline of a branch of the Rob Roy Creek for the point of beginning; thence continuing North 88 degrees 29 minutes 44 seconds East along said North line, 1699.46 feet to the Northeast corner of said quarter section; thence South 00 degrees 07 minutes 06 seconds East along the East line of said quarter section, 1124.58 feet; thence South 88 degrees 27 minutes 18 seconds West, 2655.97 feet to a point on the West line of said quarter section that is 1126.52 feet South of the Northwest corner of said section; thence North 00 degrees 01 minutes 23 seconds East along said West line, 100.00 feet; thence North 87 degrees 51 minutes 12 seconds East, 1498.53 feet to a point in the center of said Rob Roy Creek; thence North 28 degrees 38 minutes 38 seconds West along said creek, 1134.24 feet to the point of beginning, in the Township of Bristol, Kendall County, Illinois.

PARCEL 2
That part of the Northeast quarter of Section 8, Township 37 North, Range 7 East of the Third Principal Meridian being described as follows: Commencing at the Northwest corner of Aforesaid quarter section; thence South 00 degrees 07 minutes 06 seconds East 400.00 feet along the West line of the said Northeast quarter; to the point of beginning; thence North 89 degrees 52 minutes 54 seconds East 400.00 feet along a line measured at a right angle to the said West line of the said Northeast quarter; thence South 00 degrees 07 minutes 06 seconds East 1930.00 feet, along a line parallel with the said Northeast quarter; thence South 89 degrees 52 minutes 54 seconds West 400.00 feet along a line measured at a right angle to the said West line of the said Northeast quarter to a point on the West line of the said quarter section; thence North 00 degrees 07
minutes 06 seconds West 1930.00 feet along the West line of said quarter section to the point of beginning, all in the Township of Bristol, Kendall County, Illinois.

BE IT FURTHER ORDIANED that this Special Use be granted subject to the stipulations listed on EXHIBIT A attached.

The Zoning Map of Kendall County will be changed to show this Special Use.

Passed this 19th day of October, 1993.

[Signature]
Chairman, County Board of Kendall County, Illinois

TTEST: [Signature]
County Clerk
EXHIBIT A

Stipulations for SPECIAL USE ORDINANCE

For O. M. Scott, Co.

1. Operational personnel shall be present on site during all hours which the facility is open for the receipt of landscape waste.

2. The hours during which landscape waste may be accepted shall be 7:00 am. to 4:00 p.m. Monday through Friday and 7:00 a.m. to 12:00 noon on Saturday. Processing operations will cease after each day’s receipts have been processed and placed in windrows, not to exceed 3 additional hours.

3. At no point on or beyond the boundary line of the subject property shall the sound pressure level resulting from any use or activity exceed the maximum permitted decibel levels for the designated octave band as set forth by OSHA.

4. A gate shall be constructed to bar access to the site by vehicles during the hours that the facility is closed for the receipt of landscape waste. This gate shall be locked during all non-receiving hours. An "Emergency Loc-Box" shall be purchased from the Bristol-Kendall Fire Department for emergency access.

5. Soils samples shall be taken prior to the commencement of operations at the site to establish a base line for future monitoring.

6. Surface waters leaving the site shall be tested prior to the beginning of composting operations for the following parameters:

   Cadmium  Dicamba  Ammonia
   Copper    Medcoprop  Nitrate
   Lead      2.4 D  ortho-phosphorus
   Zinc      Diazinon  total phosphorus
   Magnesium Dursban  dissolved oxygen
   Iron      Oftanol  boron
   Manganese Sevin  biological oxygen

   pH
   Chemical oxygen demand (COD)
   biological oxygen demand (BOD)
   Total solids

7. Soil samples shall be monitored by the operators following the commencement of operations for the parameters listed in Condition #6 above excluding chemical oxygen demand, biological oxygen demand, ortho-phosphorus and total solids. Surface waters shall be monitored by the operators.
following the commencement of operations for the parameters
listed in Condition #6. See Attachment I for timetable of
further surface water and soil sampling.

8. Surface water and soil samples shall be expeditiously
submitted for analysis to independent laboratories. The results
shall be submitted to the Kendall County Health Department and
immediately upon receipt copies forwarded to the County’s Solid
Waste Coordinator. The Kendall County Health Department shall
review if the water samples meet the standards established by the
IEPA.

9. Kendall County Solid Waste Coordinator, Health Dept or their
agents may enter the site during normal business hours to conduct
an independent environmental assessment of the operation and may
independently monitor soil and water at the site.

10. The facility shall be designed and operated in accordance
with the operator’s IEPA permit, Operating Plan, Surface Water
Management Plan, and Pest Control Program, except as modified by
the terms and conditions of this permit.

11. This Special Use Ordinance shall initially remain valid for
three years. Within four (4) months prior to expiration, the
applicant shall request through the Kendall County Building &
Zoning Department that a public hearing be conducted by the
Kendall County Zoning Board of Appeals to receive public input to
ensure compliance with all of the above conditions. The Zoning
Board of Appeals at that time shall make a recommendation to the
County Board whether the Special Use should be renewed and for
what period of time it should be renewed.

12. A copy of the required EPA annual report (page 4, section 5
of the Permit Application) will be sent to the Solid Waste
Coordinator.

13. A landscape drawing shall be made a part of the Special Use
application.

14. A complaint log will be kept at the Building & Zoning Office
to track areas where odors or other non-compliances can be
monitored. This log will be reviewed by the Zoning Board at the
required public hearing. The Solid Waste Coordinator will
monitor this log on a bimonthly basis or on an as-needed basis.

15. If any of the above conditions are violated, the operators
shall stop receiving yard waste immediately or an Injunction will
be filed through the States Attorney’s Office to halt operation.

16. A host fee of $.50 per ton for all yard waste material
brought onto the site will be paid to Kendall County.
O. M. Scott - Special Use Stipulations

ATTACHMENT I

Sampling Timetable for
Surface Water and Soil Sampling

1. Prior to Composting operations commencing to establish a baseline.

2. Six (6) months after windrow composting operations have commenced.

3. One (1) year after windrow composting operations have commenced.

4. Two (2) years after windrow composting operations have commenced.
EXHIBIT B - Ordinance #9319

RE: O. M. Scott, Company Special Use

Comments from Bristol Township Board

1. Galena Road should be re-considered for the entrance, recognizing the long term traffic flow that will be existing from the Scott's facility if they begin a bagging/processing function on-site.

2. All County bodies involved in the sighting of future compost facilities recognize the potential hazards of sighting more than one compost facility in a general area without adequate testing and evaluation of the initial facility. Therefore Bristol Township will not approve more than one compost facility within the Township.
Listing of KCRPC Dates for 2014

7:00PM

January 22, 2014
February 1, 2014 (Annual Meeting)
February 26, 2014
March 26, 2014
April 23, 2014
May 28, 2014
June 25, 2014
July 23, 2014
August 27, 2014
September 24, 2014
October 22, 2014
November (No Meeting)
December 3, 2014 (1 week after typical date)