CALL TO ORDER- SPECIAL USE HEARING
At 7:15 p.m., Special Use Hearing Officer Walter Werderich called the Special Use Hearing to order.

ROLL CALL
Member Present: Walter Werderich, Special Use Hearing Officer
Staff Present: Matthew Asselmeier, AICP, Senior Planner
In the Audience: Dan Kramer (Representing the Petitioner), Robert Delany, Eric Peterson, Joe Phillips, Greg Peterson, Sherman Tweet, Andrew Bassett, Bill Kunke, James Manning, and Todd Milliron

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

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

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

PETITIONS
16-14 Robert Delaney
Request: Special Use for an Outdoor Shooting Range in the A-1 Agricultural Zoning District.
Location: 16052 Church Road, Lisbon Township.
PIN(s): 08-25-300-006 and 08-25-300-009.
Purpose: Request for a Special Use Permit to Operate an Outdoor Shooting Range.

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

7. Firearms associated with the business allowed by this special use permit shall only be discharged in the area confined by the berm or HESCO barrier. Firearms can only be discharged when facing in a southerly direction.

8. A State recognized, nationally recognized or NRA Certified range supervisor shall be present at all times.

9. A range flag, a sign, or red light shall be displayed at all times when firing is taking place.

10. Access to the shooting range shall be controlled by a lockable gate.

11. A hazardous waste plan addressing lead management is required outlining lead removal occurring at least once a year.

12. Submission of a maintenance bond annually for removal of lead. The maintenance bond amount shall be $3,500 paid within 60 days of the issuance of the special use permit. The annual maintenance bond shall be submitted to the Planning, Building and Zoning Department by May 1 of each year.

13. No skeet shooting, trap shooting, or sporting clays shall be permitted.

14. No discharge of lead shall occur into any wetlands or onto land used for crop growth as of the date of the adoption of this special use permit.

15. No alcohol shall be allowed as it relates to the business allowed by this special use permit.

16. Hours of operation shall be limited to between thirty (30) minutes after sunrise and thirty (30) minutes before sunset for non-law enforcement related trainings. Trainings for law enforcement personnel may occur _________________. The County suggests restricting the hours of operation to between 8:00 a.m. and 8:00 p.m. Mondays through Saturdays and between Noon and 6:00 p.m. on Sundays for non-law enforcement related trainings. The regulations related to trainings for law enforcement personnel must be set at the special use hearing.

17. The shared access drive shall be treated with calcium chloride within (sixty) 60 days of approval of the special use provided that the owner of the shared driveway consents to the treatment.

18. The shared access drive shall be paved with a hard surface within one (1) year of approval of the special use provided that the owner of the shared driveway consents to the paving.

19. Only range staff and property owners shall be permitted to have a key to the gate to the shooting range.

20. No firearm sales shall occur on the property.

21. All applicable Federal, State and County rules and regulations shall be adhered to.

22. All applicable Federal and State licenses and approval shall be submitted to the Kendall County Planning, Building and Zoning Department prior to commencing operations and submitted annually thereafter.

23. The business allowed by this special use permit shall satisfy all requirements of the Kendall County Health Department.

24. A stormwater management permit shall be approved prior to the start of construction.

25. Proposed signage shall meet the requirements of Section 12 of the Zoning Ordinance. The sign shall be a maximum four foot by eight foot (4X8) in size and shall not be illuminated.

26. Lighting shall meet the standards of Section 11.02.F.12.d of the Zoning Ordinance. Lighting shall be installed in a manner that does not cause light to be shine into neighboring houses.

27. Must adhere to the Performance standards of Section 4.12 of the Zoning Ordinance.

28. Noise generated by the business allowed by this special use shall comply with the following:
a. **Day Hours:** No person shall cause or allow the emission of sound during daytime hours (7:00 A.M. to 10:00 P.M.) from any noise source to any receiving residential land which exceeds sixty-five (65) dBA when measured at any point within such receiving residential land provided; however, that point of measurement shall be on the residential property line of the complainant.

b. **Night Hours:** No person shall cause or allow the emission of sound during nighttime hours (10:00 P.M. to 7:00 A.M.) from any noise source to any receiving residential land which exceeds fifty-five (55) dBA when measured at any point within such receiving residential land provided; however, that point of measurement shall be on the residential property line of the complainant.

c. **EXEMPTION:** Powered equipment, such as lawn mowers, small lawn and garden tools, riding tractors, and snow removal equipment which is necessary for the maintenance of property is exempted from the noise regulations between the hours of seven o’clock (7:00) A.M. and ten o’clock (10:00) P.M.

29. The petitioner shall submit to the County within sixty (60) days of the approval of this special use ordinance a bond of $3,000 to ensure the completion of an appraisal of the property located at 16502 Church Road Unit A. If the property owner at 16502 Church Road Unit A does not request and complete an appraisal of the property at 16502 Church Road Unit A within one (1) year of the approval of this special use ordinance, the bond shall be released to the petitioner. If the property located at 16502 Church Road Unit A is sold within fifteen (15) years of the approval of this special use ordinance at a price less than what is stated in the aforementioned appraisal, the petitioner, and its successors, heirs, and assigns of the property, will financially compensate the property owners of 16502 Church Road Unit A the difference between the sale price and the appraisal.

30. The owner of business allowed by this special use permit shall have the property inspected at least on an annual basis by the Lisbon-Seward Fire Protection District.

31. The owner of the property awarded the special use permit by this ordinance may apply for a special use permit for an indoor shooting range at a future date.

32. Failure to comply with the above regulations and restrictions could result in the revocation of the special use permit.

33. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.

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

Mr. Werderich opened the public hearing for audience comment.

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

Mr. Kramer stated that their expert testified before the Regional Planning Commission meeting and stated that planning a specific lead recovery program could not be done until the frequency of shooting and amount of spent ammunition is known. The petitioner plans to use a heavy berm, 20 feet in height and 40-60 feet in width on the south side, coated with lime aggregate to prevent ricochet. Testing occurs quarterly. If lead
reaches a certain level, the soil is removed with a bobcat. Lead is recovered by a recovery company and soil is taken to a landfill. If volume is sufficient to support, a channel takes spent shells to a certain point and the shells are collected in barrels or buckets, or a hopper is placed under each target. The petitioner prefers the second method, using the channel, if volume is sufficient.

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

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

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

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

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

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

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

Mr. Delaney presented renderings of the property. On Delaney Rendering 1, buildings in orange have been removed; the structures in blue remain. On Delaney Rendering 2, another berm will be added to east on the drawing and an area to the north has been padded for a future building. The ADA parking area was identified and will have a paved sidewalk. Shooters would fire to the south. The berm would be 20 feet in height, the base would be 55-60 feet. Mr. Delaney plans to follow NRA recommendations for the construction of the berm. Mr. Delaney explained the locations of shooters and targets using Delaney Rendering 3. The shooter stands in the shed firing south with a rafter tailed down to prevent an errant shot from hitting the shooter. A wooden baffle would be located on top of the berm. Based on the measures shown on the renderings, the petitioner is confident that all rounds will be contained.
Mr. Delaney discussed the lead management issues. He stated that lead is not a hazardous material if it is actively managed and if the site is not abandoned. The petitioner will track the number of rounds shot onsite.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Mr. Kramer asked Mr. Peterson the location of his house in relation to the easement. Mr. Peterson responded that his house is south of the easement. Mr. Kramer noted that a road could be constructed on the Delaney property north of the easement. Mr. Kramer presented a copy of the easement showing the responsibility of Mr. and Mrs. Peterson to maintain the easement. Mr. Peterson indicated that he would allow Mr. Delaney to improve the driveway at Mr. Delaney’s expense if the special use is approved. Mr. Kramer stated that Mr. Peterson is not required to sell the property to Mr. Delaney. Mr. Peterson acknowledged that Mr. Delaney was the successful bidder on the property were the special use would be located.
Joe Phillips, Minooka, IL, submitted Joe Phillips Exhibit 1, copies of a petition to deny the special use permit in question, a map showing opposition by neighboring property owners, a housing market analysis by John Greene Realtor, information from Realtor.com showing the impact of property values in relation to certain neighboring uses, a graph showing property tax gains and losses from the location of a gun range in Greene County, Virginia, a map showing distances from the proposed gun range to Whitewillow Road, information on metallic cartridge travel distances, Kendall County Sheriff’s Office Case 2017-0986 Narrative, and information on individuals associated with Contego Defense Group.

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

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

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

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

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

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

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

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

FINDINGS OF FACT

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

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

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

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

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

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

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

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD
None

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

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

Respectfully submitted,
Matthew H. Asselmeier, AICP
Senior Planner

Exhibits:
1. Staff Report Dated March 31, 2017
2. Publication Notice (not included with the minutes, but on file)
3. Green Cards from Certified Mailing (not included with the minutes, but on file)
4. Section 7.01.D.33 of the Kendall County Zoning Ordinance
5. Cost Estimate for Removing Lead Contaminated Soil off Berm (signature redacted, original on file)
6. Picture of Delaney Rendering 1 (original rendering on file)
7. Picture of Delaney Rendering 2 (original rendering on file)
8. Picture of Delaney Rendering 3 (original rendering on file)
9. Greg Peterson Exhibit 1
10. Greg Peterson Exhibit 2
11. Greg Peterson Exhibit 3
12. Greg Peterson Exhibit 4 (signatures redacted, original on file)
13. Greg Peterson Exhibit 5
14. Greg Peterson Exhibit 6
15. Greg Peterson Exhibit 7
16. Greg Peterson Exhibit 8
17. Joe Phillips Exhibit 1 (signatures redacted, original on file)
In order to be allowed to present any testimony, make any comment, engage in cross-examination, or ask any question during this public hearing, you must enter your name, address, and signature on this form prior to the commencement of the public hearing. By signing this registration sheet, you agree that you understand that anything you say will be considered sworn testimony, and that you will tell the truth, the whole truth and nothing but the truth.

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<td>Kelly Helland</td>
<td>1107 A S. Bridge St.</td>
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<td>Robert Delany</td>
<td>13930 Arbeiter</td>
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<td>Dan Kramer</td>
<td>1223 Liberty St. Morris</td>
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<td>Eric Peterson</td>
<td>16502 A Church Rd. Mineoka</td>
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<tr>
<td>Joe Phillips</td>
<td>6718 White. How Rd. Mineoka</td>
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<tr>
<td>Sherrin Joel</td>
<td>8405 WATERSIDE DR</td>
<td></td>
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<tr>
<td>Andrew Bassett</td>
<td>1921 Bell</td>
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KENDALL COUNTY
ZONING BOARD OF APPEALS &/or HEARING OFFICER
April 3, 2017

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

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<th>NAME</th>
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<tr>
<td>James Manning</td>
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<td>61 Cotswold Dr</td>
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SITE INFORMATION

PETITIONER
Robert Delaney

ADDRESS
16502 Church Road

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

TOWNSHIP
Lisbon

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

LOT SIZE
38.49 acres

EXITING LAND USE
Agricultural

ZONING
A-1 Agricultural District

LRMP

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<td>Roads</td>
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<td>Trails</td>
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Fresh water emergent wetlands exist on the northwest portion of the property.

**REQUESTED ACTION**
A-1 Special Use to operate an outdoor shooting range

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

Section 13.08 – Special Use Procedures

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**PHYSICAL DATA**

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

**NATURAL RESOURCES INVENTORY**
The Kendall County Soil and Water Conservation District has provided an NRI Report Executive Summary. The property received a Land Evaluation score of 85 with a Site Assessment score of 140 for a LESA Score of 225 giving the property a medium level of protection.
ACTION SUMMARY
LISBON TOWNSHIP
The Lisbon Township Planning Commission met on July 26, 2016 and voted to not recommend approval of the request. The Lisbon Township Board met following the Planning Commission on July 26, 2016 and voted to accept the denial of the Planning Commission.

ZPAC (7.12.16)
Questions from the ZPAC committee were raised regarding the existing easement for ingress and egress for the site onto Church Road. The Health Department requested meeting with the petitioner to go over the requirements for well, septic, and food sanitation to ensure all applicable health department codes are being met. Issues on drainage and lead abatement were discussed and how these items will be handled including the required Stormwater Management Permit and the submittal of a hazardous waste plan to address lead removal on the property.

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

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

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

a. Requires conformity with NRA standards; provide appropriate berming based on surrounding land use and type(s) of firearms to be used. Such as berming shall generally be consistent with standards established in the NRA Source Book.

b. Requires minimum parcel size of 5 acres, depending on the venue.

c. Must have a sign that lists allowed firearm types, rules of operation; hearing and vision protection required.

d. State recognized, nationally recognized or NRA Certified range supervisor must be present.

e. Range flag flown, a sign or red light lit at all times that firing is taking place.

f. Hours and days of operation as specified in the Special Use Permit to be determined by the County Board.

g. Access must be controlled by a lockable gate.

h. Hazardous waste plan addressing lead management required.

i. No discharge of lead shot into wetland.

j. Must be at least 1,000’ from existing dwellings and property lines of schools, daycares, places of worship and airstrips.

k. No alcohol allowed.

l. No projectiles shall leave the boundaries of the site.

m. All applicable Federal, State and County rules and regulations shall be adhered to.

n. Must meet all requirements of the Kendall County Health Department.

o. Water and drainage plans must be approved by the Kendall County Planning, Building and Zoning Office.

p. Signage is permitted but must meet the Sign Ordinance regulations of Section 12 of the Zoning Ordinance.

q. Lighting shall meet the standards of Section 11.02.F.12.d of the Zoning Ordinance.
r. Must adhere to the Performance standards of Section 10.01.F of the Zoning Ordinance

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

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

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

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

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

Staff has not reviewed this plan.

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

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

ACCESS
The property is a landlocked parcel without direct access onto Church Road. The petitioner has indicated that access to Church Road is obtained through an easement agreement for ingress and egress with property to
the west of the subject parcel utilizing a private gravel drive that serves the residential dwelling unit on the property to the west of the subject parcel. The petitioner has indicated future intention of improving the gravel drive with tar and chip.

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

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

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

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

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

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

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

FINDINGS OF FACT

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

That the special use will not be substantially injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood. The Zoning classification of property within the general area of the property in question shall be considered in determining consistency with this standard. The proposed use shall make adequate provisions for appropriate buffers, landscaping, fencing, lighting, building materials, open space and other improvements necessary to insure that the proposed use does not adversely impact adjacent uses and
is compatible with the surrounding area and/or the County as a whole. **The proposed use could be injurious to the use and enjoyment of other property owners in the immediate vicinity by creating additional noise.** In addition, the property value of 16502 Church Road Unit A could be negatively impacted by the proposed use; the petitioner offered to pay for an appraisal and reimburse the property owner for lost value if a sale occurs within 15 years.

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

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

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

**CONCLUSION**

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

**RECOMMENDATION**

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

1. The shooting range operation shall conform with NRA standards established in the NRA Source Book, unless a subsequent restriction is stricter than the NRA standards.
2. The maximum number of outdoor shooting lanes shall be twenty-four (24).
3. The maximum number of thirty (30) non-law enforcement personnel may be on the property at a time, not including a maximum three (3) employees of the business allowed by this special use permit. **The maximum number of law enforcement personnel on the property for training purposes must be set at the special use hearing.**
4. Berming shall be a minimum height of twenty (20) feet per the NRA Range Source Book. The berm shall be located to the south, west, and east of the shooting area. A baffle between four (4) foot and six (6) foot in height should be erected on top of the southern berm. A HESCO barrier of the same height and in the same location may be substituted for a berm.
5. A sign shall be installed that is visible to all visitors of the shooting range that lists allowed firearm types, rules of operation – hearing and vision protection required.
6. Pistols shall be the only firearm permitted to be discharged as part of the business allowed by this special use permit.
7. Firearms associated with the business allowed by this special use permit shall only be discharged in the area confined by the berm or HESCO barrier. Firearms can only be discharged when facing in a southerly direction.
8. A State recognized, nationally recognized or NRA Certified range supervisor shall be present at all times.
9. A range flag, a sign, or red light shall be displayed at all times when firing is taking place.
10. Access to the shooting range shall be controlled by a lockable gate.
11. A hazardous waste plan addressing lead management is required outlining lead removal occurring at least once a year.
12. Submission of a maintenance bond annually for removal of lead. The maintenance bond amount shall be $3,500 paid within 60 days of the issuance of the special use permit. The annual maintenance bond shall be submitted to the Planning, Building and Zoning Department by May 1 of each year.
13. No skeet shooting, trap shooting, or sporting clays shall be permitted.
14. No discharge of lead shall occur into any wetlands or onto land used for crop growth as of the date of the adoption of this special use permit.
15. No alcohol shall be allowed as it relates to the business allowed by this special use permit.
16. Hours of operation shall be limited to between thirty (30) minutes after sunrise and thirty (30) minutes before sunset for non-law enforcement related trainings. Trainings for law enforcement personnel may occur ___________________. The County suggests restricting the hours of operation to between 8:00 a.m. and 8:00 p.m. Mondays through Saturdays and between Noon and 6:00 p.m. on Sundays for non-law enforcement related trainings. The regulations related to trainings for law enforcement personnel must be set at the special use hearing.
17. The shared access drive shall be treated with calcium chloride within (sixty) 60 days of approval of the special use provided that the owner of the shared driveway consents to the treatment.
18. The shared access drive shall be paved with a hard surface within one (1) year of approval of the special use provided that the owner of the shared driveway consents to the paving.
19. Only range staff and property owners shall be permitted to have a key to the gate to the shooting range.
20. No firearm sales shall occur on the property.
21. All applicable Federal, State and County rules and regulations shall be adhered to.
22. All applicable Federal and State licenses and approval shall be submitted to the Kendall County Planning, Building, and Zoning Department prior to commencing operations and submitted annually thereafter.
23. The business allowed by this special use permit shall satisfy all requirements of the Kendall County Health Department.
24. A stormwater management permit shall be approved prior to the start of construction.
25. Proposed signage shall meet the requirements of Section 12 of the Zoning Ordinance. The sign shall be a maximum four foot by eight foot (4X8) in size and shall not be illuminated.
26. Lighting shall meet the standards of Section 11.02.F.12.d of the Zoning Ordinance. Lighting shall be installed in a manner that does not cause light to be shine into neighboring houses.
27. Must adhere to the Performance standards of Section 4.12 of the Zoning Ordinance.
28. Noise generated by the business allowed by this special use shall comply with the following:
   a. Day Hours: No person shall cause or allow the emission of sound during daytime hours (7:00 A.M. to 10:00 P.M.) from any noise source to any receiving residential land which exceeds sixty-five (65) dBA when measured at any point within such receiving residential land provided; however, that point of measurement shall be on the residential property line of the complainant.
   b. Night Hours: No person shall cause or allow the emission of sound during nighttime hours (10:00 P.M. to 7:00 A.M.) from any noise source to any receiving residential land which exceeds fifty-five (55) dBA when measured at any point within such receiving residential land provided; however, that point of measurement shall be on the residential property line of the complainant.
   c. EXEMPTION: Powered Equipment: Powered equipment, such as lawn mowers, small lawn and garden tools, riding tractors, and snow removal equipment which is necessary for the maintenance of property is exempted from the noise regulations between the hours of seven o’clock (7:00) A.M. and ten o’clock (10:00) P.M.
29. The petitioner shall submit to the County within sixty (60) days of the approval of this special use ordinance a bond of $3,000 to ensure the completion of an appraisal of the property located at 16502 Church Road Unit A. If the property owner at 16502 Church Road Unit A does not request and complete an appraisal of the property at 16502 Church Road Unit A within one (1) year of the approval of this special use ordinance, the bond shall be released to the petitioner. If the property located at 16502 Church Road Unit A is sold within fifteen (15) years of the approval of this special use ordinance at a price less than what is stated in the aforementioned appraisal, the petitioner, and
its successors, heirs, and assigns of the property, will financially compensate the property owners of 16502 Church Road Unit A the difference between the sale price and the appraisal.

30. The owner of business allowed by this special use permit shall have the property inspected at least on an annual basis by the Lisbon-Seward Fire Protection District.

31. The owner of the property awarded the special use permit by this ordinance may apply for a special use permit for an indoor shooting range at a future date.

32. Failure to comply with the above regulations and restrictions could result in the revocation of the special use permit.

33. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.

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

- Hours of ops: 0900-½ hour before dusk, 6 days/week (7th day for maintenance)
  - Hours: Tues-Fri 1000 to 2000 OR ½ hr before dusk, whichever is first, Sat & Sun is 0900 to 2000 OR ½ hr before dusk, Mon closed
  - Online calendar will refer to Almanac for sunset time
  - Options available to rent portion or all of range
  - Reserve 2 lanes for private lessons
  - Have guns available for rental and ammo for sale
    - Will require amended (add) address for FFA license
  - Host regular and special events
    - i.e. Tuesday night steel or have special guest instructor

- Main concern is education & safety while providing a facility that will be available to the shooting public and LEO's.
  - Membership available for additional benefits
    - Discounted range fees (½ price)
    - Discount on ammo, training (10%) + free membership to CRA
    - Annual fee at $360
    - Weekdays: unlimited time, Weekends: 2 hour limit
    - Free shirt (contest for wearing shirt and posting on social media: maybe entered into raffle?)
    - Member appreciation days (guest instructors, guests, scenarios)
    - Multi-level? i.e. Gold vs Bronze
  - Food truck on site
    - Trucks pay for privilege of being on site ($50/hour or $250/day)
    - Available during peak hours
    - Multiple trucks can be scheduled (they need permit from Kendall County)
  - Porta-potty Rental
    - Typically $100-$200/month (includes weekly maintenance)
    - May use one at first with multiple units with growth

- Scheduling by the shooters will be over an internet site that enables the participant to check on availability and self-schedule
  - Calendar options are Square, Bizzflo, as well as our current merchant processing system candidate (which offers a calendar scheduling app)
    - Other options: BookEasy, Booker
  - Some lanes will be designated for reservations and others left available for walk-ins (not listed on calendar site)
    - Ratio can change for peak times (accommodate for more walk-ins during busiest hours)
  - Website designed and optimized by CDG contractors

- Range mgmt will be conducted to the highest level of safety and comfort, range officials will be certified and are in full control of all Range Activities.
  - First Aid & CPR Cert for all EEs
  - Need to create in-house training for all range EEs that would reiterate NRA and any additional standards created by us
“DIRT ROAD RANGE”
Operations Proposal

- All 1st time shooters required to watch safety video (this is currently not standard for any known range), and annually for repeat customers
  • CDG will track safety video requirement electronically
  • Safety video will be produced by CDG contractors

- This is a new concept to our shooting community and will provide the best use for this isolated parcel
- LEO’s will be able to use the range at their convenience at no charge
- Might be better to offer LEO/VET get ½ price on range fees—no other ranges in area offer totally free fees to LEO/VETs and few offer ½ price. This would still make us competitive.
- VET and LEO get ½ price on membership (plus 1st time free)
- We are thinking the total initial number of employees full-time and part-time at 10-12
  1 range safety per 12 lanes. Plus DR running the office. On weekends or peak times 1 or 2 additional personnel to assist with register and sales
  • Ex: 36 lanes on Saturday - 6 persons total: 3 safety and 3 in office.
  • Certain employees could rotate in office and on range duties
  • DR or JV to handle any transactions that need to be taken to Tom’s for FFA (i.e.: any gun sales)
- Reduce required RSO’s by requiring 1st time shooters to watch 10-15 minute safety video (no direct competitor is doing this, but it is common in other industries such as skydiving, paintball and go karting).
- Sales of items to enhance safety will include safety glasses, ear plugs, ear muffs, bottled water and assorted non-alcoholic canned or bottled water and sodas.
  • We found out that FFA can’t do business on the site for guns (until address change is registered with ATF), but all the non-firearm stuff is good to go.
  • We could advertise for FFA’s gun inventory on site, but buyers would have to physically travel to 14207 to actually transact any sales

- Operations on a daily basis will be managed and operated by CDG, a highly qualified group of Veterans of the Iraq and Afghanistan conflicts
- CDG will manage the range on a daily basis, with staff that is certified range management
  • Lighting, for security reasons, may be placed around office and gate on a timer.
  • JV & DR to handle all end of shift procedures. Including lock-up and security of money.
CIVIL PLANS
FOR
DIRT ROAD RANGE
MINOKA, IL.

LEGAL DESCRIPTION

SITE TABLE (DEVELOPED AREA)

PLAN SHEET INDEX
C-1 TITLE SHEET
C-2 SITE PLAN
C-3 GRADING PLAN

ZONING INFO
THE SUBJECT PARCELS ARE INTENDED TO BE ZONED AS A-1 AGRICULTURE

PROPERTY INFO
P.I.N.: 08-29-200-006 (2.84 AC.)
06-29-200-009 (3.06 AC.)
COMMONLY KNOWN AS:
16002 CHURCH ROAD
MINOKA, IL 60447

FLOOD ZONE INFO

BENCHMARKS

MAXIMUM BUILDING COVERAGE = 60%
INCREASE IN IMPERVIOUS COVERAGE = 10,541 SF
* INCLUDES GRAVEL, SILT AND CONCRETE SLAB AREAS
** INCLUDES BUILDINGS, GRAVEL, SILT AND CONCRETE SLAB AREAS

GENERAL NOTES
JULIE INFORMATION
NOTIFY JULIE 2 WORKING DAYS PRIOR TO EXCAVATION
1-800-862-0123

COUNTY: KENDALL
Municipality: MINOKA, IL
LOCATION: N.E. 1/4 DP S.W. 1/4 SECTION 25, T. 35N., R. 7E.
ADDRESS: 16002 CHURCH ROAD

JAMIE L. BRADLEY
ILLINOIS LICENER # 062-049261
EXPIRES 11/30/17
Senior Planner John Sterrett called the meeting to order at 9:00 a.m.

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

Absent: None

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

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

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

PETITIONS

#16-14 – Robert Delaney
Mr. Sterrett outlined the request for a special use in the A-1 Agricultural District to operate an outdoor shooting range, which is permitted as a special use in the A-1 Agricultural District with certain requirements. The property is located at 16502 Church Road in Lisbon Township. The property is just under 40 acres. The petitioner has submitted a business narrative to the PBZ Department including proposing twenty-four (24) shooting lanes with twelve (12) future lanes. The proposed range is located on the far eastern portion of the property, just west of the existing ComED right-of-way. Thirty-six (36) parking stalls are proposed for the use. Although the County’s Zoning Ordinance does not have a specific requirement for the number of parking stalls for an outdoor shooting range, the NRA Range Source book recommends at least 1.5 parking stalls for each shooting lane. The Zoning Ordinance requires that a 1,000’ buffer is maintained between a shooting range and any residential dwelling units. The petitioner has submitted an exhibit that depicts 1,000’ from the edge of the shooting range to the southeast corner of the nearest residential dwelling unit. The property is landlocked and does not have direct access onto Church Road. The petitioner has indicated that an easement for ingress and egress exists with the property owner to the west to obtain access on an gravel existing drive to Church Road. Staff has a series of conditions that are recommended primarily dealing with NRA standards. The conditions include:

- The shooting range operation shall conform with NRA standards established in the NRA Source Book
- Berms shall be a minimum height of twenty (20) feet per the NRA Range Source Book
- A sign shall be installed that is visible to all visitors of the shooting range that lists allowed firearm types, rules of operation – hearing and vision protection required
- A State recognized, nationally recognized or NRA Certified range supervisor shall be present at all times
- A range flag, a sign, or red light shall be displayed at all times when firing is taking place
- Access to the shooting range shall be controlled by a lockable gate.
- Hazardous waste plan addressing lead management required with a lead removal occurring at least once a year
- Submission of a maintenance bond annually for removal of lead
- Submission of the types of firearms to be used
- No discharge of lead shall occur into any wetlands
- No alcohol shall be allowed
- Sunday hours of operation shall be limited to 12:00pm to 8:00pm, or until one-half hour before dusk
- Baffles shall be installed to prevent projectiles from leaving the boundaries of the site
- All applicable Federal, State and County rules and regulations shall be adhered to
- Must meet all requirements of the Kendall County Health Department
- A stormwater management permit shall be approved prior to the start of construction
- Proposed signage shall meet the requirements of Section 12 of the Zoning Ordinance
- Lighting shall meet the standards of Section 11.02.F.12.d of the Zoning Ordinance
- Must adhere to the Performance standards of Section 10.01.F of the Zoning Ordinance

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

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

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

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

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

Minutes of July 27, 2016
Approved by the Regional Plan Commission August 24, 2016

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

ROLL CALL
Members Present: Bill Ashton, Claire Wilson, Tom Casey, Budd Wormley, Larry Nelson, Roger Bledsoe, Angela Zubko
Staff present: John Sterrett, Senior Planner
Members Absent: John Shaw, Vern Poppen
In the Audience: Approximately 60 people were in attendance. Those who spoke and/or signed the sign-in sheet included: Attorney Dan Kramer; Robert Delaney; Chris Jensen; Megan Jensen; Jeanne Freeman; Greg Peterson; Joe Phillipps; Jerry Lizalek; Roy Wake; Kathy Wake; Tom Christ; John Wolfinbarger; Scott Wallin; Jason Rome; Mike Kinzer; Eric Peterson; Virgil Karales; Dick Pedicord; Jonathan Villaneuva; David Rynite; John Miller; Daniel Eamon; Kevin Tomlanovich

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

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

PETITIONS
16-14 Robert Delaney
Request: Special Use to allow an outdoor shooting range in the A-1 Agricultural District
Location: 16502 Church Road in Lisbon Township
Mr. Sterrett outlined the request for a special use in the A-1 Agricultural District to operate an outdoor shooting range, which is permitted as a special use in the A-1 Agricultural District with certain requirements. The range is proposed on a 38 acre parcel zoned as A-1 Agricultural east of Church Road, one-quarter mile north of Whitewater Road in Lisbon Township.

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

The proposed shooting range will be located on the far eastern side of the property next to the ComED right-of-way property. The County’s Zoning Ordinance requires shooting ranges to be located a distance of 1,000’ from residential dwelling units. The petitioner has provided an exhibit depicting a 1,000’ buffer area from the southeast corner of the nearest residential structure to the west.
The petitioner is proposing 24 shooting lanes each 75' in length with a north-south orientation and firing taking place towards the south. The lanes are divided into two 12 lane bays with a 10' concrete wall dividing the two bays. A 10’ concrete wall is proposed on the western shooting bay and a 10’-20’ concrete wall is proposed on the eastern side of the bay near the ComED right-of-way property. A twenty foot earthen berm is proposed as a backstop for the range with a 6’ vertical wood baffle on top. The western side of the shooting range will feature a 20’ side berm as well extending north half way up the length of the shooting lanes. A proposed shooting canopy structure will be located on the western shooting bay to serve as a baffle device to prevent projectiles leaving the range area. The western shooting bay does not have this same canopy proposed. A series of evergreen trees will be planted on the western edge of the range.

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

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

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

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

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

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

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

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

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

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

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

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

Kathy Wake, 6232 Whitewillow Road, spoke in objection to the proposed range. Ms. Wake had concerns from existing shooting that is already taking place on the property as well as the added traffic from the proposed use. Ms. Wake stated that there are already gun ranges for people to use.
Tom Christ, 1570 River Street Morris, stated his wife and daughter own property north of the proposed range and spoke in objection to the proposed range. Mr. Christ stated that the noise from the range will have a negative impact and brought up safety concerns citing an accident at a shooting range in LaSalle County.

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

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

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

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

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

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

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

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

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

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

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

Dick Pedicord, lead management professional, discussed best management practices for lead disposal from shooting ranges. Mr. Pedicord stated that lead is reclaimed and recycled at shooting ranges consistent with EPA requirements. Mr. Pedicord stated there is no minimum timeframe for how often removal must take place but that is removed as is justified. Mr. Pedicord stated that the micro particulate from ammunition cannot be reclaimed. In between reclamation times, there must be management including design features and operation activities. Mr. Pedicord discussed range design to maintenance of lead between reclaming to minimize re-suspension of lead. Mr. Pedicord stated that lead is five times the density of soil and does not travel as far as disturbed soil but there is no standard for the distance it travels.
Jerry Lizalek, 25006 West Sue Drive Channahon, asked about the vegetation on the berm.

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

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

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

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

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

The Commission went into recess at 8:10pm.

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

16-16 Chris and Megan Jensen
Request: Special Use to allow a landscape operation and excavating operation
Location: 7225 Caton Farm Road in Kendall Township
Mr. Sterrett outlined the request for a special use in the A-1 Agricultural District to operate a landscape and excavating business at 7225 Caton Farm Road in Kendall Township on the north side of Caton Farm Road, just west of Church Road. Mr. Sterrett pointed out that excavating businesses are not permitted in the A-1 Agricultural District either by right or by special use and therefore the special use approval may only include a landscape operation.

The operation will include landscape maintenance, installation of landscaping, and related activities. No yard waste will be stored on-site with the possible exception of balled trees and bushes that have been prepared for installation. No retail or wholesale material will occur on site. No outdoor storage will take place and all equipment will be kept within a proposed building. No landscape waste will be stored on-site.
The meeting was called to order at 6:03 pm by Chairman David Smith. Tamara Eaton and Brian Westphal, board members, were present. Jeff Heap was absent. A quorum was present.

The purpose of this meeting was to hear a petition by the Delaney Family for a Special Usage permit to operate an Outdoor Shooting Range on the property located at 16502 Church Road (PIN 08-25-300-000-000-09).

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

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

Several community members asked questions and offered comment regarding

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

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

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

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

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

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

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

A roll call vote was taken:

Wayne Schlappi , Yes
Scott Wallin, Yes
Ken Jorstad, Yes
Bill Ashton, Present
Jim Horton, Yes

Passed 4 votes yes 1 vote present.

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

The meeting adjourned at 9:10pm

Respectfully Submitted,

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

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**LAND USE OPINION:**

The Kendall County Soil and Water Conservation District (SWCD) Board has reviewed the proposed development plans for Petitioner Robert Delaney for the proposed A-1 Special Use Dirt Road Range. This parcel is located in the NE1/4 SW1/4 of Section 25 in Lisbon Township (T.35N.-R.7E. of the 3rd Principal Meridian) in Kendall County. Based on the information provided by the petitioner and a review of natural resource related data available to the Kendall County SWCD, the SWCD Board has the following opinions and recommendations.

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

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

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

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

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

7/15/16

[Signature]

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

ROLL CALL
Members Present: Bill Ashton, Claire Wilson (arrived at 7:10), Tom Casey, Budd Wormley, Larry Nelson, Roger Bledsoe
Staff present: Mike Hoffman, Teska Associates, Inc.
Members Absent: John Shaw and Angela Zubko
In the Audience: Dan Kramer, Robert Delany, Joe Phillips, Greg Peterson, Sherman Tweet, John Wolfber, Tim Wallace

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

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

PETITIONS
16-14 Robert Delany
Mr. Hoffman briefly reviewed the case, summarizing the staff memorandum. Mr. Kramer then provided an update to the Commission. He noted that the hearing was closed previously, so they did not bring their witnesses. He reviewed the updated site plan. He noted that, due to a need to cross the ComEd Right-of-Way, an alternative entrance drive was not feasible. Mr. Kramer noted that, if acceptable to Mr. Peterson (owner of the exiting drive), Mr. Delany would improve the existing drive to have a hard surface.

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

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

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

Sherman Tweet noted his property is on Brisbin Road, and if a new road was built it would be near his property. He asked if the proposed economic impact agreement would apply to other residential properties in the area.
including his. Mr. Kramer suggested they would look at it, but they generally felt the only potentially impacted home was the adjacent Peterson residence.

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

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

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

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

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

OLD BUSINESS – None.

NEW BUSINESS – None.

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD
Mr. Hoffman summarized the following:

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

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

CITIZENS TO BE HEARD/ PUBLIC COMMENT - None

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

Respectfully submitted by,
Mike Hoffman, Teska Associates, Inc.
WARRANTY DEED
Joint Tenancy (Illinois)

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

for and in consideration of $10.00 Dollars in hand paid, CONVEYS and WARRANTS to:

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

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

See attached Legal Description

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

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

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

Dated this 29th day of April, 1999.

EUGENE G. PETERSON
Warranty Deed

STATE OF ILLINOIS  )
COUNTY OF Kendall   )

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

Given under my hand and notarial seal this 29th Day of April, 1999.

Notary Public

SEND SUBSEQUENT TAX BILLS TO:

THIS DOCUMENT PREPARED BY:

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

AFTER RECORDING RETURN TO:
LEGAL DESCRIPTION

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

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

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

SS.

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

DANIEL J. KRAMER

1107 A S. Bridge Street, Yorkville, IL 60560

Resides at

being duly sworn on oath, states that

That the attached deed represents:

1. A distinct separate parcel on record prior to July 17, 1959.

2. A distinct separate parcel qualifying for a Kendall County building permit prior to August 10, 1971.

3. The division or subdivision of the land is into parcels or tracts of five acres or more in size which does not involve any new streets or easements of access.

4. The division is of lots or blocks of less than one acre in any recorded subdivision which does not involve any new streets or easements of access.

5. The sale or exchange of parcels of land is between owners of adjoining and contiguous land.

6. The conveyance is of parcels of land or interests therein for use as right of way for railroads or other public utility facilities, which does not involve any new streets or easement of access.

7. The conveyance is of land owned by a railroad or other public utility which does not involve any new streets or easements of access.

8. The conveyance is of land for highway or other public purposes or grants or conveyances relating to the dedication of land for public use or instruments relating to the vacation of land impressed with a public use.

9. The conveyance is made to correct descriptions in prior conveyances.

10. The sale or exchange is of parcels or tracts of land following the division into no more than two parts of a particular parcel or tract of land existing on July 17, 1959, and not involving any new streets or easements of access.

11. The sale is of a single lot of less than five acres from a larger tract, evidenced by a survey made by a registered surveyor which single lot is the first sale from said larger tract as determined by the dimensions and configurations thereof on October 1, 1973, and which sale does not violate any local requirements applicable to the subdivision of land.

CIRCLE NUMBER ABOVE WHICH IS APPLICABLE TO ATTACHED DEED.

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

DANIEL J. KRAMER, Attorney at Law

SUBSCRIBED AND SWORN to before me

this 28th day of April, 1999.

Notary Public

"OFFICIAL SEAL"

PAT CALLMER
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES 1/25/2003
ADDENDUM TO

RESTATEMENT BY AGREEMENT OF

PERPETUAL EASEMENT FOR INGRESS AND EGRESS

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

It is further agreed that:

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

That part of the Northwest 1/4 of Section 25, Township 35 North, Range 7 East of the Third Principal Meridian, described as follows: Beginning at the Southwest corner of the Northwest 1/4 of said Section 25, thence North 89 degrees 59 minutes 55 seconds East along the South line of said Northwest 1/4, 1760.95 feet; thence North 0 degrees 43 minutes 25 seconds East, 33.00 feet; thence South 89 degrees 59 minutes 55 seconds West 1760.98 feet to the West line of the Northwest 1/4 of said Section 25, thence South 0 degrees 41 minutes 00 seconds West, 33.00 feet to the point of beginning, in Kendall County, Illinois.
2 The cost of maintaining the easement from Church Road and continuing east for approximately 1,760.98 feet shall be paid by Gregory and Becky, and their heirs, successors and assigns.

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

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

GREGORY F. PETERSON

BECKY L. PETERSON

EUGENE G. PETERSON ESTATE
BY: BARBARA FONG, INDEPENDENT EXECUTOR

STATE OF ILLINOIS
)
COUNTY OF GRUNDY
)

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

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

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

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

OFFICIAL SEAL
DENISE M VISCO
NOTARY PUBLIC STATE OF ILLINOIS
MY COMMISSION EXPIRES 07/17/16
RESTATEMENT BY AGREEMENT
OF
PERPETUAL EASEMENT FOR INGRESS AND EGRESS

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

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

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

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

WHEREAS, an Order was entered in the Grundy County Circuit Court on November 18, 2013 appointing Barbara J. Fonck as Independent Executor of the Estate of Eugene G. Peterson, and
WHEREAS, the Eugene G Peterson Estate is pending in the Grundy County Circuit Court as Case #2013 P 96, and

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

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

1. Gregory and Becky convey and grant to the Peterson Estate a non-exclusive easement for ingress and egress for the benefit of Parcels 1 and 2 as described on the attached Exhibit "B" over the real estate described in the attached Exhibit C.

2. This easement is perpetual and shall run with the land. The easement is binding upon the heirs, successors and assigns of Gregory, Becky, and the Peterson Estate.

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

DATED this 31st day of October, 2014.

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

EUGENE G. PETERSON ESTATE,
BY: BARBARA FONCK,
INDEPENDENT EXECUTOR
STATE OF ILLINOIS  
)  
COUNTY OF GRUNDY  
) SS

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

GIVEN under my hand and notarial seal, this 3rd day of October, 2014

OFFICIAL SEAL
DENISE M VISCO
NOTARY PUBLIC - STATE OF ILLINOIS
MY COMMISSION EXPIRES 07/17/15

NOTARY PUBLIC

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

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

GRANTOR: GREGORY P. PETERSON and BECKY L. HOOTMAN

GRANTEE: Minoesa, IL 60447

County of Kendall, State of Illinois

For consideration of $10.00 Dollars in hand paid, CONVEY S. and WARRANT S. TO:

县 of Kendall, in the State of Illinois to wit:

the following described Real Estate situated in the

See attached Legal Description

herby releasing and assigning all rights under and by virtue of the Homestead Exemption Laws of the

State of Illinois, TO HAVE AND TO HOLD said premises not in tenancy in common, but in joint

tenancy forever.

Permanent Real Estate Index Number: 12-25-300-002

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

Dated this 20th day of April, 1999.

EUGENE PETERSON
PARCEL 1

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

And

Excepting therefrom: Beginning at the Northwest corner of the Southwest Quarter of said Section 25; thence North 89 degrees 59 minutes 55 seconds East along the North line of said Southwest Quarter, 1333.03 feet to the Northwest corner of the Northeast Quarter of said Southwest Quarter; thence South 0 degrees 43 minutes 25 seconds West along the West line of said Northeast Quarter, 703.38 feet; thence North 89 degrees 59 minutes 55 seconds East 295.18 feet; thence North 0 degrees 43 minutes 25 seconds East, 736.38 feet to the North line of the South 2 rods of the South Half of said Northwest Quarter; thence South 89 degrees 59 minutes 55 seconds West along said North line, 1628.24 feet to the West line of said Northwest Quarter; thence South 0 degrees 41 minutes 00 seconds West 33.00 feet to the Point of Beginning.

Further excepting therefrom:

That part of the Northeast Quarter of the Southwest Quarter of Section 25 and part of the Northwest Quarter of Section 26, all in Township 35 North, Range 7 East of the Third Principal Meridian, described as follows

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

all in Kendall County, Illinois

PARCEL 2

That part of the Northeast Quarter of the Southwest Quarter of Section 25, Township 35 North, Range 7 East of the Third Principal Meridian, described as follows: Commencing at the Northwest corner of the Southwest Quarter of said Section 25, thence North 89 degrees 59 minutes 55 seconds East along the North line of said Southwest Quarter, 1333.03 feet to the Northwest corner of the Northeast Quarter of the Southwest Quarter of said Section 25, thence South 00 degrees 43 minutes 25 seconds West along the West line of the Northeast Quarter of the Southwest Quarter of said Section 25, for a distance of 295.18 feet to the Point of Beginning, thence North 89 degrees 59 minutes 55 seconds East, 295.18 feet, thence South 00 degrees 43 minutes 25 seconds West, 408.20 feet; thence South 89 degrees 59 minutes 55 seconds West 295.18 feet to the West line of the Northeast Quarter of the Southwest Quarter of said Section 25, thence North 00 degrees 43 minutes 25 seconds East along the West line of the Northeast Quarter of the Southwest Quarter of said Section 25, for a distance of 408.20 feet to the Point of Beginning, in Kendall County, Illinois
That part of the Northwest 1/4 of Section 25, Township 35 North, Range 7 East of the Third Principal Meridian, described as follows: Beginning at the Southwest corner of the Northwest 1/4 of said Section 25, thence North 89 degrees 59 minutes 59 seconds East along the South line of said Northwest 1/4, 1628.21 feet, thence North 0 degrees 43 minutes 26 seconds East, 33 00 feet, thence South 89 degrees 59 minutes 55 seconds West, 1628.24 feet to the West line of the Northwest 1/4 of said Section 25; thence South 0 degrees 41 minutes 00 seconds West, 33 00 feet to the point of beginning, in Kendall County, Illinois.
provided that such demolition shall not exceed 15% of the combined square footage of all existing structures on the premises. The combined square footage of existing structures shall be defined as the sum total of the square footage of all existing structures situated on a qualifying zoning parcel at the time of submission and approval of the first application for such a special use on said qualifying parcel.

6. Submission of a site plan and drawings indicating the location of existing structures and any proposed or existing additions thereto shall be supplied to demonstrate how the special use will serve to preserve or enhance the architecture of the existing structures and agricultural character of the property. Such plans and drawings shall include details regarding facilities for traffic movement, parking and loading; the design and appearance of all sides of any existing or future buildings to be maintained on the premises including any areas of demolition or expansion and the size thereof; details of any proposed landscaping or buffering as are necessary or appropriate to maintain the agricultural character of the premises and to fit harmoniously with the character, use and zoning of adjoining surrounding properties and to avoid any appreciable adverse effect upon such properties.

7. No sign, other than one identification sign as permitted in Chapter 12 of this ordinance shall be allowed.

8. Off-street parking shall be provided in accordance with the provisions of Chapter 11 of this ordinance. (AMENDED - 9/21/04)

32. Outdoor Commercial Sporting Activities including but not limited to swimming facilities and motocross sports. Appropriate regulations for lighting noise and hours of operation shall be included in the conditions. Outdoor commercial sporting activities shall exclude outdoor target practice, athletic fields with lights, paintball facilities and riding stables; including but not limited to polo clubs, and similar uses.

33. Outdoor Target Practice or Shooting (not including private shooting in your own yard) with the following conditions:
   a. Requires conformity with NRA standards; provide appropriate berming based on surrounding land use and type(s) of firearms to be used. Such as berming shall generally be consistent with standards established in the NRA Source Book.
   b. Requires minimum parcel size of 5 acres, depending on the venue.
   c. Must have a sign that lists allowed firearm types, rules of operation; hearing and vision protection required.
   d. State recognized, nationally recognized or NRA Certified range supervisor must be present
e. Range flag flown, a sign or red light lit at all times that firing is taking place.
f. Hours and days of operation as specified in the Special Use Permit to be determined by the County Board.
g. Access must be controlled by a lockable gate.
h. Hazardous waste plan addressing lead management required.
i. No discharge of lead shot into wetland.
j. Must be at least 1,000’ from existing dwellings and property lines of schools, daycares, places of worship and airstrips.
k. No alcohol allowed.
l. No projectiles shall leave the boundaries of the site.
m. All applicable Federal, State and County rules and regulations shall be adhered to.

n. Must meet all requirements of the Kendall County Health Department.
o. Water and drainage plans must be approved by the Kendall County Planning, Building and Zoning Office.
p. Signage is permitted but must meet the Sign Ordinance regulations of Section 12 of the Zoning Ordinance.
q. Lighting shall meet the standards of Section 11.02.F.12.d of the Zoning Ordinance.
r. Must adhere to the Performance standards of Section 10.01.F of the Zoning Ordinance.

34. Paintball Facilities subject to the following conditions:

a. Minimum lot size of 20 acres;
b. The facility shall have direct access to a road designated as a major collector (or higher) in County Land Resource Management Plan unless the Township Board of Supervisors finds that the type and amount of traffic generated by the facility is such that it will not cause an undue impact on the neighbors or adversely affect safety of road;
c. Hours and days of operation as specified in Special Use Permit to be determined by the County Board.
d. All safe and spectator areas must be protected by special paintball netting, and participants and spectators must wear approved paintball goggles; and

e. No paintball activity shall leave the boundaries of the site, including fired paintballs.
f. Requirement of netting to be installed around the property shall be determined by the County Board.
g. Paintball guns shall only be powered by carbon dioxide (CO2), high pressured air (HPA) or Nitrogen (N2).
h. All signage shall comply with the provisions of Section 12 of the Kendall County Zoning Ordinance.
i. Ammo for such paintball guns shall only include paintball pellets made of non-toxic, biodegradable water soluble substances.
PROPOSAL
S & K EXCAVATING & TRUCKING, INC.
P.O. Box 655
NEWARK, IL 60541
PHONE: (815) 695-1100
FAX: (815) 695-1101

PROPOSAL SUBMITTED TO: Robert Delaney

DATE: April 3, 2017

S & K EXCAVATING & TRUCKING, INC. HEREBY PROPOSES TO:
JOB: 136502 B Church Rd, Minooka
Description of Work:

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

**TOTAL** 3,500.00

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

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

**BY:**

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

Accepted By ___________________________ Date __________
Easement Basics

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

What Is an Easement?

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

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

Creation of an Easement

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

Legal “Scope” of Easements

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

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

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

Transferability

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

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

Other Legal Issues to Consider

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

Easements: Getting Legal Help

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

APPENDIX

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

- Firearm instructors
- Other employees
- Shooters

The firing range safety plan should:

- Protect their health and
- Minimize contamination to the environment
LEAD DUST IN A FIRING RANGE

Airborne lead dust is created by:

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

Other High Lead Dust Sources

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

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

The dust also can contaminate surfaces.

NEVER load bullets or melt lead:
- In an unventilated area
- Inside the home
- Anywhere children may live or play
Lead Dust Can Be Carried Home!

When employees and shooters are in the firing range, lead dust can:
- Settle on their bodies
- Settle on their hair
- Settle on their clothes
- Be picked up on their shoes

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

HEALTH EFFECTS

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

The body stores lead in the:
- **BLOOD** — for about 1 month
- **BODY ORGANS** — for several months
- **BONES** — for decades

It affects the:
- Brain and nervous system
- Digestive System
- Reproductive System
- Kidneys
- Ability to make blood

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

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

An elevated blood lead level is a sign that lead is building up in the body faster than it can be removed.
Adults can absorb lead at work or from hobbies. Lead dust and fumes can enter the body by:

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

### Health Effects in Adults

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<th>Condition</th>
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<td>Brain disorders</td>
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<tr>
<td>Anemia</td>
<td>80</td>
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<td>Brain &amp; nerve problems</td>
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<td>Kidney problems</td>
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<td>Decreased red blood cells</td>
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<tr>
<td>Slower reflexes</td>
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<tr>
<td>Reproductive problems</td>
<td>30-40</td>
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<tr>
<td>Blood Pressure</td>
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</tbody>
</table>

Health effects begin at approximately these levels, but not everyone experiences them.
INDOOR RANGES

LIMIT EXPOSURE

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

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

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

ISOLATE

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

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

It must have its own tempered and filtered air supply.

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

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

To reduce the airborne lead discharged in firing use:

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

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

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

**BULLET TRAP**

Avoid using angled backstops with sand traps.

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

Escalator backstops and their variations:

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

- Design ventilation systems for planned use of firing range.

- Ventilation system for range area must be separate from ventilation for rest of building.

- Exhaust air from range should not feed into air supplies for:
  - Offices
  - Meeting rooms
  - Other businesses

- Improper use or maintenance of ventilation system can defeat its purpose and increase lead contamination.

- Effective ventilation system produces smooth airflow.

- Ineffective ventilation system produces eddies and recirculation that can carry fumes and dusts from weapons to the area behind the firing line.

- Recirculation and channeling airflow can be caused by objects such as:
  - Overhead barriers
  - Sound barriers
  - Booth walls
  - Light fixtures
  - Poorly located air inlets
  - Shooters
Indoor firing ranges require frequent cleaning.

Clean walls, floors, ceilings, and bullet traps on a regular basis to:
- Prevent settled dust from becoming an airborne hazard and
- Make ventilation system work better.

Use appropriate methods to clean.
- DO NOT DRY SWEEP!
- Use a vacuum cleaner with a high-efficiency particulate (HEPA) filter to remove lead-contaminated dust.
- Use a wet cleaning method if vacuum cleaner with a HEPA filter is not available.
- Employees cleaning range must:
  - Wear appropriate protective equipment
  - Wear an approved respirator
  - Wear work clothing
  - Wear work shoes
  - Shower and change clothes before leaving site
- Work clothing must be disposable or laundered separately to prevent contaminating the home.
OUTDOOR RANGES

Airborne lead dust is also a concern in outdoor ranges. Employees or shooters can be exposed to lead dust. The surrounding environment can become contaminated by wind carrying the lead dust off-site and through water runoff.

BULLET TRAP

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

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

- The trap holds the bullets and fragments, minimizing lead pollution in the soil.

- The spent bullets can be recovered and sold without soil removal.

REFERENCES


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


ATSDR Toxicological Profiles, 1990.

WHAT EMPLOYEES AND SHOOTERS CAN DO

Use the ventilation systems. Make sure they are working properly.

Wash hands and face before eating - drinking - smoking.

Wash hands and face before leaving range.

Wash range clothes separately from family's clothes.

Always load bullets in a ventilated area.

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

Do not allow children into the bullet-loading area.

Keep bullet-loading area clean by using a high-phosphate detergent.
Publication funded in part by Grant #U60/CCU608464-01 from CDC, NIOSH. Contents are the sole responsibility of the authors and do not necessarily represent the official views of CDC.

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

Environmental & Occupational Epidemiology Program
Noncommunicable Disease Epidemiology &
Toxicology Division
Texas Department of Health
1100 W. 49th Street
Austin, Texas 78756
512-458-7269
512-458-7699 fax
Toll Free Number 1-800-588-1248
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<tr>
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<td>Scott Walsh</td>
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<td>Sharon McGrayd</td>
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<td>Property Owner</td>
<td>14640 Church Rd.</td>
<td>John Fitzgerald</td>
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<td>Tanya Morris</td>
</tr>
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<tr>
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<td>Paul Maria</td>
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<tr>
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<td>Property Owner</td>
<td>1574 Church Rd.</td>
<td></td>
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</table>

Petition to Deny A-1 Special Use

Use for an outdoor shooting range located at 15602 Church Rd. is inconsistent with overall land use and property values in this area. The shooting range is located on the opposite side of a residential neighborhood. The shooting range would increase traffic and noise, which would negatively impact the neighborhood.

We the undersigned, the concerned citizens, urge our elected officials to vote against the petition to deny A-1 Special Use for an outdoor shooting range located at 15602 Church Rd. We, the property owners and residents located near the proposed shooting range, are opposing to this petition to deny A-1 Special Use for an outdoor shooting range located at 15602 Church Rd.
PETITION SHEET #1

Special Use #16-14 Kendall County Illinois

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

Print circulator(s) name: Greg Peterson

Address
16502A Church Rd, Minooka, IL 60447

Signed

Date 3/28/2017
<table>
<thead>
<tr>
<th>Date</th>
<th>Comment</th>
<th>Address</th>
<th>Signature</th>
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<tbody>
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<td>7/23/16</td>
<td>Resident</td>
<td>3851 Holt Rd</td>
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</tr>
<tr>
<td>7/23/16</td>
<td>Resident</td>
<td>1385 Church Rd</td>
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<tr>
<td>7-23-16</td>
<td>Property Owner</td>
<td>7305 Show Me Awa</td>
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<td>7-23-16</td>
<td>Property Owner</td>
<td>3408 N. 31st St</td>
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</tr>
<tr>
<td>7-23-16</td>
<td>Property Owner</td>
<td>16700 8th Pl N</td>
<td></td>
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Use for an Outdoor Shooting Range located at 15028 Church Rd, Church Rd, Lisbon Twp (PIN 04-25-300-006-009)

We, the undersigned, are concerned citizens who have our families to seek the Petition #16-1.4 for an A-1 Special Use Permit for an Outdoor Shooting Range located at 15028 Church Rd, Church Rd, Lisbon Twp (PIN 04-25-300-006-009)

We the Property Owners and Residents located near the proposed Shooting Range are opposing to this Petition #16-1.4 due to the proximity of this Commercial Enterprise in a Residential Neighborhood.

on the loss of Property Value, loss of quality of life, safety, Environmental Hazards, increased Traffic and increased Noise

Petition summary and

Petition to Deny A-1 Special-Use

Sandy Schier

R. A. Alus

Don Stier

Rick Solomon

Aushin Green

Zoe Wilson

Krisfer Scott

Leona Reitz

Ira Parl Green

Mike Hailer

Petition Pledged for:
PETITION SHEET # 2

Special Use #16-14 Kendall County Illinois

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

Print circulator(s) name:
Greg Peterson

Address
16502 A Church Rd, Minooka, IL 60447

Signed

Date 3/28/2017
<table>
<thead>
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<th>Date</th>
<th>Property Owner</th>
<th>Address</th>
<th>Signature</th>
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</thead>
<tbody>
<tr>
<td>7-26-11</td>
<td>John Doe</td>
<td>11325 Sulliva Rd</td>
<td>Mark Thompson</td>
</tr>
<tr>
<td>7-26-11</td>
<td>Jim Brown</td>
<td>3205 E. Sheikly Rd</td>
<td>Ken Olson</td>
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<tr>
<td>7-26-11</td>
<td>Jane Smith</td>
<td>4005 California, IL</td>
<td>Barre Olson</td>
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<td>7-26-11</td>
<td>Bob Johnson</td>
<td>15840 Carrey Rd, San Antonio, TX</td>
<td>Al Schwartz</td>
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<tr>
<td>7-26-11</td>
<td>Mary Hunter</td>
<td>16045 Cardiff Rd, Mission Viejo</td>
<td>Maria Kukke</td>
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<td>7-26-11</td>
<td>Joe Bloggs</td>
<td>15665 Chester Rd, Mission Viejo</td>
<td>Regan Kukke</td>
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<tr>
<td>7-26-11</td>
<td>Jane Doe</td>
<td>123 Ling Sk, Mission Viejo</td>
<td>Ely Famen</td>
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<tr>
<td>7-26-11</td>
<td>John Smith</td>
<td>4975 N. Telesina Road, Mission Viejo</td>
<td>Donna Schneider</td>
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**Petition to Deny A-1 Special-Use**

We, the undersigned, are concerned citizens who urge our elected officials to deny the petition [16-14 for an A-1 Special-Use] for the proposed A-1 Special-Use due to the proximity of this commercial enterprise in a residential neighborhood.

**Petition Summary and Background:**

We the property owners and residents located near the proposed shooting range are opposing to this petition [16-14 based on the loss of property value, loss of quality of life, safety, environmental hazards, increased traffic and increased noise].
PETITION SHEET # 3

Special Use #16-14 Kendall County Illinois

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

Print circulator(s) name: Greg Peterson

Address
13502 A Church Rd., Minooka, IL 60447

Signed

Date 3/28/2017
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<td>1311 Persimmon Rd.</td>
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Petition to Deny A-1 Special Use

We, the undersigned, are concerned citizens who urge our leaders to act now to deny the petition #16-14 for an A-1 Special Use for an outdoor shooting range located at 16502 E Church Rd, Church Rd, Lithium Twp (PIN 06-25-006-000-009).

We are concerned about the increase in the loss of property value, loss of quality of life, safety, environmental hazards, increased traffic, and increased noise due to the proximity of the commercial enterprise in a residential neighborhood.

We, the property owners and residents located near the proposed Shooting Range are opposing this petition #16-14 based on the loss of property value, loss of quality of life, safety, environmental hazards, increased traffic, and increased noise.
PETITION SHEET # 4

Special Use #16-14 Kendall County Illinois

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

Print circulator(s) name:
Greg Peterson

Address
16502 A Church Rd, Minooka, IL 60447

Signed

Date 3/28/2017
PETITION SHEET # 5

Special Use #16-14 Kendall County Illinois

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

Print circulator(s) name:
Greg Peterson

Address
16502 A Church Rd, Minooka, IL 60447

Signed

Date 3/28/2017
Log in to prove it.

scarcest day of his life. And if I'll have 1
his clay friends and tell them about it.
wounded it pretty bad. It will go back
missed that all dayarget but really
I might look

108 views

Sign up

Get the app
Log in to prove it.

Scarcest day of its life. And if it's wounded it pretty bad. It will be missed that 4th clay target. It might...
Log In to prove it.

scarcest day of its life, Wounded, it's clay friends and 108 views

Get the e
CCP instructor David Rynecki teaching basic marksmanship at an IL Concealed Carry Class.
Class I: Draw Technique - Elementar Skills Clinic

Date and Time: 3:00 PM - 4:00 PM CPT
Sat, March 25, 2017

For more information call us at 402-465-3259 or
round count. Please bring all legal arms.

Instructor and scenarios will include different carrying modes and
higher, and company. Deterministic will include different draw.

Our Elementar Skills Clinic is designed to develop specific
aspect of marksmanship to help elevate your overall shooting.
The following is a list of our classes for 2017:

Click here for il concealed carry course info

To register and the class you would like to register for on our schedule below:

How to register for a course at CCG

---

Click to contact us

Every time you would like to register for a course, please call 630-450-3753 for more information.

Special pricing is available for veterans, law enforcement, first responders and groups of 6 or more.

Click to contact us

Download our app for information on course dates, times and locations.

---

The following is a list of our classes for 2017:

Foil card is not required to take the IL class.

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

---

Click to contact us

Every time you would like to register for a course, please call 630-450-3753 for more information.

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Click to contact us

Download our app for information on course dates, times and locations.
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**CCP Elementar Skills Clinics: Pistol Course Schedule**

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**CGD Hand-to-Hand Combat Course Schedule**

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<tr>
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**CGD Shotgun Fundamentals Course Schedule**

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<td></td>
</tr>
</tbody>
</table>
3/26/ 2017 Incident

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

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

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

Greg Peterson
Kendall County Special Use #16-14

Robert Alan Delaney – applicant
Dirt Road Range – project name

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

- 5 sets of Petition to Deny A-1 Special Use #16-14 – includes 41 signatures of individuals who live, work or hold an ownership in property near the proposed range
- Map of opposition neighbors - landowners in red, homes white X’s

- CMA completed by John Greene Realtor dated July 27, 2016 which outlines a loss of property value. It states “a gun range would have an overall negative impact to your property.” further that “the value of your property could potentially be reduced by as much as 30%...In your case, that could be as much as $135,900.”
John Greene Realtor has been a premier real estate brokerage since 1976 with divisions in residential, commercial and land. They have been named Best Real Estate company by Naperville Magazine 7 years in a row, listed by Chicago Tribune Top Workplaces and are 2015 & 2016 Inc. 5000 list of fastest growing private companies in America.

- Realtor.com graphic that shows a shooting range listed as land uses that drag down home values, it is listed alongside power plants, cemeteries and strip clubs.

- Graphic showing the property tax gains & losses resulting from an outdoor gun range from results at a Greene County Virginia range.

- Applicant has not provided a regional traffic impact study to show the effect of a Commercial enterprise in an Agricultural area.

- Applicant has NO road frontage to his project

- Applicant has NO owned access road built to a specification that supports Fire Apparatus (75,000#) or turning radius for such equipment, merely an easement on a residential driveway.

- Applicant has provided no lead remediation plan

- Applicant has not provided a hydrological study to determine the movement of groundwater and how lead contamination may impact private wells in the area with contamination.

- The outdoor gun range will have a negative impact on livestock in this Agricultural area. Noise impacts the handling of livestock as they have sensitive hearing. Loud noise disturbs cattle, horses and other animals which may initiate a fearful response at any given time. Allowing this Special Use will limit my rights as a farm owner to raise livestock.
<table>
<thead>
<tr>
<th>Date</th>
<th>Comment</th>
<th>Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>7/24/16</td>
<td></td>
<td>16488 Pioneer Rd, Elk Grove, CA 95624. Home Owner: I. V. Richter</td>
</tr>
<tr>
<td>7/26/16</td>
<td></td>
<td>21859 Sunchase Ct, Elk Grove, CA 95624. Home Owner: M. Richter</td>
</tr>
<tr>
<td>7/28/16</td>
<td></td>
<td></td>
</tr>
<tr>
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<td>8/9/16</td>
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</tr>
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<td>8/10/16</td>
<td></td>
<td></td>
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<tr>
<td>8/11/16</td>
<td></td>
<td></td>
</tr>
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</table>

**Petition to Deny A-1 Special Use**

We, the undersigned, are concerned citizens who urge our elected officials to deny the petition #16-14 for an A-1 Special Use Permit due to the proximity of this commercial enterprise in a residential/neighborhood. We also recognize the potential loss of property value, loss of quality of life, safety, environmental hazards, increased traffic and increased noise. We the property owners and residents located near the proposed shooting range are opposing to this petition #16-14 based on the following:

- **Petition summary and background:**
  - 16488 Pioneer Rd, Elk Grove, CA 95624. Home Owner: I. V. Richter
  - 21859 Sunchase Ct, Elk Grove, CA 95624. Home Owner: M. Richter

**Action Petitioned For:**

We, the undersigned, are concerned citizens who urge our elected officials to deny the petition #16-14 for an A-1 Special Use Permit due to the proximity of this commercial enterprise in a residential/neighborhood. We also recognize the potential loss of property value, loss of quality of life, safety, environmental hazards, increased traffic and increased noise. We the property owners and residents located near the proposed shooting range are opposing to this petition #16-14 based on the following:

- **Petition summary and background:**
  - 16488 Pioneer Rd, Elk Grove, CA 95624. Home Owner: I. V. Richter
  - 21859 Sunchase Ct, Elk Grove, CA 95624. Home Owner: M. Richter
Special Use #16-14 Kendall County Illinois

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

Print circulator(s) name: Joseph J. Phillips

Address 6718 Willow Rd. Minooka IL 60447

Signed

Date 8/17/2016
<table>
<thead>
<tr>
<th>Date</th>
<th>Comment</th>
<th>Address</th>
<th>Signature</th>
<th>Printed name</th>
</tr>
</thead>
<tbody>
<tr>
<td>8/13/16</td>
<td>Opposed</td>
<td>495 Main St. Boulder Colorado 80304</td>
<td>Joyce Erben</td>
<td></td>
</tr>
<tr>
<td>8/13/16</td>
<td>Opposed</td>
<td>916 Biscayne Street Boulder Colorado 80304</td>
<td>Rick Mcenn</td>
<td></td>
</tr>
<tr>
<td>7/30/16</td>
<td>Landmark Property, Landmark CTPC</td>
<td>3513 E.sanibel Ln. Boulder Colorado 80304</td>
<td>Terry E. Kraft</td>
<td></td>
</tr>
<tr>
<td>12/11/15</td>
<td>Front yard access</td>
<td>1522 Pinetree Rd. Boulder Colorado 80304</td>
<td>Patrick Teryl</td>
<td></td>
</tr>
<tr>
<td>2/24/15</td>
<td>Deny Continuously</td>
<td>7217 Main St. Boulder Colorado 80304</td>
<td>Laila Wurke</td>
<td></td>
</tr>
<tr>
<td>11/15/14</td>
<td>Deny Re: Special Use</td>
<td>101 4th Re Pl. Boulder Colorado 80304</td>
<td>James A. Kline</td>
<td></td>
</tr>
</tbody>
</table>

**Petition to Deny A-1 Special Use**

**Copy**

---

We, the undersigned, are concerned citizens who urge our readers to join us in opposing the A-1 Special- Use due to the proximity of this commercial enterprise in a residential neighborhood.

We, the property owners and residents located near the proposed Shooting Range, are opposing to this petition.

**Petition Summary**

- Location: 11652 S Church Rd, Colorado 80304
- Request: Deny A-1 Special Use
- Concerns:
  - Safety
  - Environmental
  - Traffic
  - Noise

**Supporting Documents**

- Letter from James A. Kline
- Letter from Terry E. Kraft
PETITION SHEET # JP4

Special Use #16-14 Kendall County Illinois

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

Print circulator(s) name:  
Joseph J. Phillips

Address  
6718 White Willow Rd. Moneka IL 60447

Signed  

Date 8/17/2016
Petition to Deny A-1 Special-Use

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

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

<table>
<thead>
<tr>
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<th>Signature</th>
<th>Address</th>
<th>Comment</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>ROY F. WAKE</td>
<td></td>
<td>6232 W. White Willow Rd, Minooka, IL 60447</td>
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<td>7/29/16</td>
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<tr>
<td>KATHY WAKE</td>
<td></td>
<td>6232 W. White Willow Rd, Minooka, IL 60447</td>
<td></td>
<td>7/29/16</td>
</tr>
<tr>
<td>KENDAL WAKE</td>
<td></td>
<td>6232 White Willow Rd, Minooka, IL 60447</td>
<td></td>
<td>7/29/16</td>
</tr>
<tr>
<td>Seth Wake</td>
<td></td>
<td>6319 White Willows Rd, Minooka, IL 60447</td>
<td></td>
<td>8-6-16</td>
</tr>
<tr>
<td>Peter Backlin</td>
<td></td>
<td></td>
<td></td>
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</tr>
</tbody>
</table>
PETITION SHEET # JP3

Special Use #16-14 Kendall County Illinois

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

Print circulator's name: Joseph J. Phillips

Address
6718 Whitewillow Road, Minooka IL 60447

Signed

Date 8/17/2016
Petition to Deny A-1 Special-Use

We, the Property Owners and Residents located near the proposed Shooting Range Petition #16-14 based on the Loss of Property Value, Loss of Quality of Life Due to Noise Hazards, Increased Traffic and Increased Noise due to the proximity of the new Shooting Range to our Residential/Ag neighborhood.

We, the undersigned, are concerned citizens who urge our leaders to act on Petition #16-14 for an A-1 Special-Use for an Outdoor Shooting Range located at 5681 Whitewillow Road, Lisbon Twp. (PIN 08-25-300-008-009)

<table>
<thead>
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<th>Signature</th>
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<tbody>
<tr>
<td>TIM WALLACE</td>
<td></td>
<td>5681 Whitewillow Road</td>
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<tr>
<td>JUDY RICKEN</td>
<td></td>
<td>5681 Whitewillow Road</td>
<td></td>
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<tr>
<td>JULIO MORA</td>
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<td>5681 Whitewillow Road</td>
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<tr>
<td>JOE PANTALEO</td>
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<td></td>
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<tr>
<td>TONY CONTOS</td>
<td></td>
<td>5681 Whitewillow Road</td>
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<tr>
<td>SAUL CASTRO</td>
<td></td>
<td>5681 Whitewillow Road</td>
<td></td>
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<tr>
<td>SAUL CASTRO Jr.</td>
<td></td>
<td>5681 Whitewillow Road</td>
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<tr>
<td>VICTOR LOPEZ</td>
<td></td>
<td>5681 Whitewillow Road</td>
<td></td>
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<tr>
<td>ADRIAN RODA</td>
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<td>5681 Whitewillow Road</td>
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<tr>
<td>VINCENZO HERNANDEZ</td>
<td></td>
<td>5681 Whitewillow Road</td>
<td></td>
</tr>
<tr>
<td>Patty Richards</td>
<td></td>
<td>5681 Whitewillow Road</td>
<td></td>
</tr>
<tr>
<td>Michael Pelletier</td>
<td></td>
<td>5681 Whitewillow Road</td>
<td></td>
</tr>
<tr>
<td>Nick Shaw</td>
<td></td>
<td>5681 Whitewillow Road</td>
<td></td>
</tr>
</tbody>
</table>
PETITION SHEET # JP2

Special Use #16-14 Kendall County Illinois

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

Print circulator(s) name:  
Joseph J. Phillips

Address  
671B Whitewater Road, Minooka IL 60447

Signed  

Date  8/17/16
<table>
<thead>
<tr>
<th>Date</th>
<th>Comment</th>
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<th>Printed name</th>
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<tbody>
<tr>
<td>7/25/10</td>
<td>Use for an Outdoor Shooting Range located at 16502 Bchurch Rd, Church Rd, Lisbon, 1B</td>
<td>1614 Broad Rd</td>
<td></td>
<td></td>
</tr>
<tr>
<td>7/25/10</td>
<td>Professional concern</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>7/25/10</td>
<td></td>
<td></td>
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<td></td>
</tr>
</tbody>
</table>

**Petition to Deny A-1 Special-Use**

We, the undersigned, are concerned citizens who urge our leaders to act now to deny the petition #16-14 for an A-1 Special-Use for the proposed Shooting Range at 1614 Broad Rd.

**Background:**
We the property owners and residents located near the proposed Shooting Range are opposing the petition #16-14.
PETITION SHEET # JPL

Special Use #16-14 Kendall County Illinois

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

Print circulator(s) name:

Joseph Phillips

Address

6718 Whitewillow Road, Mnooka IL 60447

Signed

Date 8/17/2016
July 27, 2016

Joe,

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

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

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

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

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

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

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

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

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

Sincerely,

Joel Kirstein
Senior Vice President
John Greene Commercial
815.545.6309
joelkirstein@johngreenecommercial.com
MARKET ANALYSIS SUMMARY

SELLER
6718 White Willow Rd, Minooka, IL
2700sf Home, 5 acre property

ADDRESS

Limiting Factors
- sides to Route 47
- 
- 
- 
- 

Favorable Factors
- Fully Remodeled Ranch Home
- 3 Full Baths
- Separate Shed & Barn
- Gorgeouse Kitchen
- Great Size Bedrooms
- Full Basement

Total sq. ft of Subject

INDICATED VALUE

Sales Person's Independent Approach

FAIR MARKET VALUE:
(Approximate Selling price)

Recommended List Price

$ 475,000

Prepared by:
Brett McIntyre

Market Data Approach

$ 460,000

$ 453,000

$ 443,000

Partnership Price

Date:
July 26, 2016

johngreenerealtor.com
<table>
<thead>
<tr>
<th>MLS #</th>
<th>Status</th>
<th>Address</th>
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<tr>
<td>1</td>
<td>S</td>
<td>16595 Ashley Road</td>
<td>$305,000</td>
</tr>
<tr>
<td>2</td>
<td>S</td>
<td>26001 West Canal Road</td>
<td>$350,000</td>
</tr>
<tr>
<td>3</td>
<td>S</td>
<td>532 Bell Road</td>
<td>$364,000</td>
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<td>4</td>
<td>S</td>
<td>14550 Brisbin Road</td>
<td>$380,000</td>
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<tr>
<td>5</td>
<td>S</td>
<td>15130 Jughandle Road</td>
<td>$399,000</td>
</tr>
<tr>
<td>6</td>
<td>S</td>
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<tr>
<td>7</td>
<td>S</td>
<td>3055 Route 52 South</td>
<td>$410,000</td>
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<tr>
<td>8</td>
<td>A</td>
<td>2530 US Highway 52 Highway</td>
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<tr>
<td>9</td>
<td>A</td>
<td>16801 Ridge Road</td>
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Status: S = Closed, A = Active
## Summary of Comparable Properties

### Sold Listings

<table>
<thead>
<tr>
<th>Address</th>
<th>Beds</th>
<th>Baths</th>
<th>Yr/Bit</th>
<th>SqFt</th>
<th>List Price</th>
<th>Sold Price</th>
<th>Sold Date</th>
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<tbody>
<tr>
<td>16595 Ashley Road</td>
<td>4</td>
<td>3/1</td>
<td></td>
<td>2,924</td>
<td>$325,000</td>
<td>$305,000</td>
<td>6/6/16</td>
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<tr>
<td>26001 West Canal Road</td>
<td>3</td>
<td>2/2</td>
<td>1991</td>
<td>3,196</td>
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<td>3/1</td>
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<td>14550 Brisbin Road</td>
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<td>2/1</td>
<td>2005</td>
<td>2,400</td>
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<td>$380,000</td>
<td>11/16/15</td>
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<tr>
<td>15130 Jughandle Road</td>
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<td>3/0</td>
<td>1970</td>
<td>3,000</td>
<td>$410,000</td>
<td>$399,000</td>
<td>7/13/16</td>
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<tr>
<td>15875 Ridge Road</td>
<td>4</td>
<td>4/2</td>
<td>1974</td>
<td>3,327</td>
<td>$479,500</td>
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<td>2/1</td>
<td>1970</td>
<td>3,200</td>
<td>$435,000</td>
<td>$410,000</td>
<td>6/1/16</td>
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</table>

### Averages

- **Beds**: 3.2
- **Baths**: 2.8
- **Yr/Bit**: 1976
- **SqFt**: 2,942
- **List Price**: $399,900
- **Sold Price**: $373,286

### Active Listings

<table>
<thead>
<tr>
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<th>Baths</th>
<th>Yr/Bit</th>
<th>SqFt</th>
<th>List Price</th>
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<tbody>
<tr>
<td>2530 US Highway 52 Highway</td>
<td>3</td>
<td>2/2</td>
<td>1970</td>
<td>2,500</td>
<td>$325,000</td>
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<tr>
<td>16801 Ridge Road</td>
<td>5</td>
<td>5/0</td>
<td></td>
<td>5,000</td>
<td>$400,000</td>
</tr>
</tbody>
</table>

### Averages

- **Beds**: 3.75
- **Baths**: 4.4
- **List Price**: $325,000
- **Sold Price**: $362,500
Comparative Property Statistics

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

Active Listings
- Number of listings: 2
- Lowest price: $325,000
- Average price: $362,500
- Highest price: $400,000
- Avg price per sqft: $105
- Avg DOM: 401
Property Details

16595 Ashley Road, Minooka

$305,000

MLS#: 08934983
Status: Closed

Beds: 4
Baths: 3/1

Sq Ft: 2,924
Year Built:

Sold Date: 6/6/16
DOM: 330

Features

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

Remarks

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

Information is deemed reliable but not guaranteed.
Property Details

26001 West Canal Road, Minooka

$350,000

Listing information

<table>
<thead>
<tr>
<th>MLS#</th>
<th>Beds</th>
<th>Sq Ft</th>
<th>Year Built</th>
<th>Sold Date</th>
<th>DOM</th>
</tr>
</thead>
<tbody>
<tr>
<td>08990890</td>
<td>3</td>
<td>3,196</td>
<td>1991</td>
<td>9/30/15</td>
<td>1500</td>
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</tbody>
</table>

Status: Closed

Baths: 2/2

Features

Waterfront: No  Heat/Fuel: Propane, Forced Air, 2+ Sep Heating Systems  Sewer: Septic-Mechanical

Well-Private  Garage: Garage Door Opener(s), Transmitter(s), Heated, 7 Foot or more high garage door  Exterior: Patio, Porch, Brick Paver Patio, Grill-Outdoors, Outdoor Fireplace  Interior: Hardwood Floors, Heated Floors, 1st Floor Laundry  Lot: Wooded  Basement: Full  Appliances: Oven-Double, Dishwasher, Refrigerator, Washer, Dryer  Area Amenities: Park/Playground, Pool, Tennis Courts, Street Paved  Number of Rooms: 9  Tax Amount: 6976.16  Number of Fireplaces: 2  Parking Type: Off Street

Remarks

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

$364,000

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

**Features**
- Waterfront: No
- Heat/Fuel: Gas, Forced Air
- Sewer: Septic-Private
- Exterior: Deck, Porch
- Interior: Vaulted/Cathedral Ceilings, Hardwood Floors, 1st Floor Laundry
- Lot: Horses Allowed
- Basement: Full
- Appliances: Oven/Range, Microwave, Dishwasher, Refrigerator
- Number of Rooms: 9
- Tax Amount: 5963.20
- Number of Fireplaces: 1
- Parking Included in Price: Yes
- Garage Spaces: 3
- Additional Rooms: Loft, Recreation Room
- Assessments: 0
- Assessments Frequency: Not Applicable
- SP/OLP Ratio: 0.98
- Lotsize: 5
- Acres: 5

**Remarks**
Peaceful country living on 5 acres! Beautiful 3 bdr, 3.1 bath home w/ loft and 3 car garage conveniently located with easy access to I-80. This home features a large eat-in kitchen open to spacious family rm w/ wood burning fireplace, formal living room w/ cathedral ceiling and dining rm, 1st floor laundry, 3 generously sized bedrooms and loft which could be easily converted to bdr 4. Large master suite w/ cathedral ceiling, walk-in closet and private bath w/ whirlpool and separate shower, huge rec room wired for home theater in finished basement. Freshly painted, new carpeting on 2nd floor. New furnace 2015, central air 2016, hot-water heater 2012, roof 2011. Must see this rare find!
14550 Brisbin Road, Minooka

Listing information

<table>
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<tr>
<th>MLS#</th>
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<tr>
<td>Status:</td>
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<td>DOM: 23</td>
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Features

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

Remarks

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

15130 Jughandle Road, Minooka

$399,000

<table>
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<tr>
<th>MLS#: 09163558</th>
<th>Beds: 4</th>
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<tbody>
<tr>
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**Features**


**Remarks**

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

15875 Ridge Road, Minooka

$405,000

<table>
<thead>
<tr>
<th>MLS#</th>
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<th>Sq Ft</th>
<th>Year Built</th>
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<th>DOM</th>
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<tr>
<td>09011899</td>
<td>4</td>
<td>3,327</td>
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Features

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

Remarks

18+ acre property plus Lake House! This custom ranch home offers a peaceful private Lake for boating, fishing, hunting, camping, swimming and family fun. The hillside location offers a large finished walkout basement to the boat dock. The modern floor plan offers 4 bedrooms on the main level as well as an office den. The large great room with the wall of windows gives serene views of your private lake! This year round home is now offered for sale for the first time. Quality Bedford stone construction. Easy I-80 access, in the country but close to shopping, and 'in town' activities. This lake retreat can now be yours today!
GORGEOUS MEDITERRANEAN WALK OUT RANCH ON 5+ ACRES BACKING TO AUX SABLE CREEK. THIS MAGNIFICENT HOME HAS 4 BR, 1 INDOOR GRILL, CHEF KITCHEN WITH PANORAMIC VIEWS, SEE-THROUGH FIREPLACE WITH VAULTED/CATHEDRAL CEILINGS, WET BAR, SKYLIGHTS AND IN-LAW ARRANGEMENT. NEW WINDOWS THROUGHOUT THE HOME AS WELL - A MUST SEE!
2530 US Highway 52 Highway, Minooka

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

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

**Remarks**
Here's your chance to own an all brick 3000 square foot ranch on 3.55 acres! This one needs updating, but what potential! Structurally perfect and offers a full basement-half is finished. 3 bedrooms on the mail level plus living room, family room, dining room & eat in kitchen. The home offers a large laundry/mud room right off the oversized 2 car garage. All room sizes are massive! Full wall stone fireplace in family room & full wall brick fireplace next to wet bar in basement. Home set way back off Rt. 52 at Jughandle Road with plenty of space for outbuilding on W. side of lot. Circular drive provides for ample parking. Taxes are estimated due to subdivision of original pin number. exact taxes will be determined soon.
16801 Ridge Road, Minooka

$400,000

**Listing information**

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

**Features**

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

**Remarks**

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

Information is deemed reliable but not guaranteed.

Source: MRED
<table>
<thead>
<tr>
<th>Address</th>
<th>List Price</th>
<th>Sold Price</th>
<th>Difference</th>
<th>DOM</th>
<th>$ per Sqft</th>
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<td>$325,000</td>
<td>$305,000</td>
<td>-6.15%</td>
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<td>$104</td>
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<tr>
<td>26001 West Canal Road</td>
<td>$369,900</td>
<td>$350,000</td>
<td>-5.38%</td>
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<tr>
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<tr>
<td>15130 Jughandle Road</td>
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<td>$399,000</td>
<td>-2.68%</td>
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<td>$133</td>
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<td>$122</td>
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<tr>
<td>3055 Route 52 South</td>
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<td>Sold Averages</td>
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<td>$373,286</td>
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### Online Valuation Analysis

#### Sold Listings

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<td>16595 Ashley Road</td>
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<tr>
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<td>$374,335</td>
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**Sold Averages**

| Sold Averages | $373,286 | $361,264 | -2.47% |

#### Active Listings

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<th>Difference</th>
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<td>$335,292</td>
<td>3.17%</td>
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<td>16801 Ridge Road</td>
<td>$400,000</td>
<td>$407,412</td>
<td>1.85%</td>
</tr>
</tbody>
</table>

---

Source: MRED

---

Brett McIntyre | john greene, Realtor | 1311 S. Route 59 | Mobile: 630-253-3629 | www.brettmcintyre.com | brettmcintyre@johngreenerealtor.com
Things That Drag Down the Value of Your Home

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

- Hospital: 3.2%
- Shooting range: 3.7%
- Power plant: 5.3%
- Funeral home: 6.5%
- Cemetery: 12.3%
- Homeless shelter: 12.7%
- High renter concentration: 13.8%
- Strip club: 14.7%
- Bad school: 22.2%

realtor.com graphic
A Losing Proposition

Greene County Annual Revenue

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

Property tax revenue losses

Homes within 1/2 mile
- $39,717
30% losses

Homes within 1 mile
- $82,495
15% losses

Homes in surrounding area
- $500,000
5% losses

Data is based on assessed values from Greene County GIS and real estate professionals estimates of property value losses when an open gun range is built near homes. Current property tax rate of 59% was used in calculations. Annual revenue from the gun range is based on the actual proposal.
Know Your Rifle or Handgun's Range

Metallic cartridges are very powerful. Some bullets can travel almost five miles! Be sure you identify your target and what lies beyond it before you squeeze the trigger. The charts below show just how far bullets from different cartridges can travel.
On 03/25/17 at approximately 1249 hours, I, Deputy Ratkovich KE54 responded to 6718 Whitewillow Road, Minooka in reference a other public complaint report.

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

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

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

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

DATE: March 29, 2017

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

I. List of Approved Records

The categories of records for which we approved your request are as follows:

Report #2017-0986

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

Very truly yours,

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

Detail

Print Date/Time: 03/27/2017 11:42
Login ID: dfarrer
Case Number: 2017-00000988

Case Details:

Case Number: 2017-00000988
Location: 6718 WHITEWILLOW RD
         IL
Reporting Officer ID: DR012990
                      RATKOVICH
Status: 1 - OPEN

Incident Type: 9059 - OTHER PUBLIC COMPLAINTS
Occurred From: 03/25/2017 12:45
Occurred Thru: 03/25/2017 12:45
Reported Date: 03/25/2017 12:45 Saturday
Status Date: 03/27/2017

Offenses

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<th>Crime Code</th>
<th>Statute</th>
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Subjects

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<th>Name</th>
<th>Address</th>
<th>Phone</th>
<th>Race</th>
<th>Sex</th>
<th>DOB/Age</th>
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<td>PHILLIPS, JOSEPH JOHN</td>
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<td></td>
<td>WHITE</td>
<td>MALE</td>
<td>46</td>
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<tr>
<td>WITNESS</td>
<td>2</td>
<td>KALAD, JOHN</td>
<td>MINOOKA, IL 60447</td>
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<td>WHITE</td>
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<td>37</td>
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<td>DELANEY, ROBERT ALAN</td>
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<td>WITNESS</td>
<td>5</td>
<td>RYNIEC, DAVID PAUL</td>
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<tr>
<td>1-COMPLAINT</td>
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<td>5ft 11 in</td>
<td>BLUE</td>
<td>DVL #</td>
<td>MALE</td>
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<td>1-WITNESS</td>
<td>RYNIEC, DAVID PAUL</td>
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<td>BROWN</td>
<td>DVL #</td>
<td>MALE</td>
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<td>5ft 4 in</td>
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<td>3-WITNESS</td>
<td>KALAD, JOHN</td>
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<td>BROWN</td>
<td>DVL #</td>
<td>MALE</td>
<td>215.0 lbs</td>
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Kendall County Sheriff's Office
Detail

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<th>Make</th>
<th>Model</th>
<th>Description</th>
<th>Tag No.</th>
<th>Item No.</th>
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**Vehicles**

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<th>No. Role</th>
<th>Vehicle Type</th>
<th>Year</th>
<th>Make</th>
<th>Model</th>
<th>Color</th>
<th>License Plate</th>
<th>State</th>
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</thead>
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KENDALL COUNTY SHERIFF'S OFFICE
ORI Number:
IL0470000

KCSO
COPY
TO: JOE PHILLIPS
Works at Contego Defense Group
Worked at USS Mitscher
Went to Bolingbrook High School
Lives in Springfield, Illinois
Married to Lucinda Ambrosini-Ryniec
From Bolingbrook, Illinois
John Kalad

Owner and Photographer at John Kalad Photography

Lives in Lisle, Illinois

Married to April Kalad

Witness 2 on site 3/25/17

Providing photography for Contigo Website
50% Off Gun-Range Outing with Training

Minooka • 2.8 mi

Limited Time Remaining!
Up to 50% Off

Training and range time with six different firearms

NOT AVAILABLE

Discount: 50%  
Total Price: $99  
DEAL ENDED