

ORDINANCE #93-19  
GRANTING A SPECIAL USE

#9319

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

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

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

**PARCEL 1**

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

**PARCEL 2**

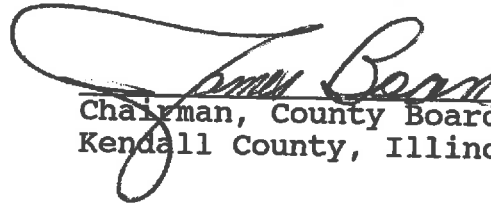
That part of the Northeast quarter of Section 8, Township 37 North, Range 7 East of the Third Principal Meridian being described as follows: Commencing at the Northwest corner of Aforesaid quarter section; thence South 00 degrees 07 minutes 06 seconds East 400.00 feet along the West line of the said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

minutes 06 seconds West 1930.00 feet along the West line of said quarter section to the point of beginning, all in the Township of Bristol, Kendall County, Illinois.

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

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

Passed this 19th day of October, 1993.

  
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Chairman, County Board of  
Kendall County, Illinois

TTEST:   
County Clerk

EXHIBIT A

Stipulations for SPECIAL USE ORDINANCE

For O. M. Scott, Co.

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

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

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

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

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

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

Cadmium	Dicamba	Ammonia
Copper	Medcoprop	Nitrate
lead	2.4 D	ortho-phosphorus
zinc	Diazinon	total phosphorus
magnesium	Dursban	dissolved oxygen
iron	Oftanol	boron
manganese	Sevin	biological oxygen
pH		
Chemical oxygen demand (COD)		
biological oxygen demand (BOD)		
Total solids		

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

following the commencement of operations for the parameters listed in Condition #6. See Attachment I for timetable of further surface water and soil sampling.

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

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

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

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

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

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

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

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

16. A host fee of \$.50 per ton for all yard waste material brought onto the site will be paid to Kendall County.

O. M. Scott - Special Use Stipulations

ATTACHMENT I

Sampling Timetable for  
Surface Water and Soil Sampling

1. Prior to Composting operations commencing to establish a baseline.
2. Six (6) months after windrow composting operations have commenced.
3. One (1) year after windrow composting operations have commenced.
4. Two (2) years after windrow composting operations have commenced.

EXHIBIT B - Ordinance #9319

RE: O. M. Scott, Company Special Use

Comments from Bristol Township Board

1. Galena Road should be re-considered for the entrance, recognizing the long term traffic flow that will be existing from the Scott's facility if they begin a bagging/processing function on-site.
2. All County bodies involved in the sighting of future compost facilities recognize the potential hazards of sighting more than one compost facility in a general area without adequate testing and evaluation of the initial facility. Therefore Bristol Township will not approve more than one compost facility within the Township.