

## KENDALL COUNTY ZONING AND PLATTING ADVISORY COMMITTEE

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

## AGENDA

July 2, 2024 - 9:00 a.m.

## CALL TO ORDER

<u>ROLL CALL:</u> County Board: Seth Wormley, PBZ Committee Chair; County Highway Department: Fran Klaas, County Engineer; WBK Engineering, LLC: Greg Chismark, Stormwater Consultant; County Health Department: Aaron Rybski, Director Environmental Health; Forest Preserve District: David Guritz, Director; SWCD: Alyse Olson, Resource Conservationist; Sheriff's Office: Commander Jason Langston; GIS: Meagan Briganti; PBZ: Brian Holdiman, Code Official; Matt Asselmeier, PBZ Director

## APPROVAL OF AGENDA (VV)

<u>APPROVAL OF MINUTES (VV)</u>: Approval of May 7, 2024, ZPAC Meeting Minutes (Pages 2-21)

## PETITIONS (ROLL CALL):

1.	Petition 24 – 07 – Jerry Styrczula on Behalf of A&D Properties, LLC (Pages 22-53)
Request:	Site Plan Approval
PINs:	05-09-300-015
Location:	7789 Route 47, Yorkville in Kendall Township
Purpose:	Petitioner Wants to Rezone the Property in Order to Operate a Trucking Sales Related
*	Business at the Property; Property is Zoned M-1
2.	Petition 24 – 17 – Kendall County Planning, Building and Zoning Committee (Page 54)

Request: Text Amendments to the Kendall County Zoning Ordinance Pertaining to Pipeline Depth

## REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD

- 1. Petition 24-04 YMCA Site Plan
- 2. Petition 24-05 Plat of Vacation in Whitetail Ridge (Oliver)
- 3. Petition 24-06 Map Amendment for 7789 Route 47
- 4. Petition 24-09 Major Amendment to a Special Use at 14719 O'Brien Road

## OLD BUSINESS/ NEW BUSINESS

1. None

CORRESPONDENCE

### PUBLIC COMMENT

## ADJOURNMENT (VV)- Next meeting on August 6, 2024

If special accommodations or arrangements are needed to attend this County meeting, please contact the Administration Office at 630-553-4171, a minimum of 24-hours prior to the meeting time.

#### ZONING, PLATTING & ADVISORY COMMITTEE (ZPAC) May 7, 2024 – Unapproved Meeting Minutes

PBZ Chairman Seth Wormley called the meeting to order at 9:00 a.m.

Present:

Matt Asselmeier – PBZ Department Meagan Briganti – GIS Department David Guritz – Forest Preserve (Arrived at 9:02 a.m.) Brian Holdiman – PBZ Department Fran Klaas – Highway Department Commander Jason Langston – Sheriff's Department Alyse Olson – Soil and Water Conservation District (Arrived at 9:02 a.m.) Aaron Rybski – Health Department Seth Wormley – PBZ Committee Chair

<u>Absent:</u> Greg Chismark – WBK Engineering, LLC

Audience:

Tim O'Brien, Pete Fleming, Michael Korst, Jim Filotto, Ryan Solum, Bruce Miller, Alex Schuster, and Gloria Foxman

#### AGENDA

Mr. Klaas made a motion, seconded by Mr. Rybski, to approve the agenda as presented.

With a voice vote of seven (7) ayes, the motion carried.

#### **MINUTES**

Mr. Klaas made a motion, seconded by Commander Langston, to approve the April 2, 2024, meeting minutes.

With a voice vote of seven (7) ayes, the motion carried.

Mr. Guritz and Ms. Olson arrived at this time (9:02 a.m.)

#### PETITIONS

#### Petition 24-09 Tim O'Brien on Behalf of Seward Township

Mr. Asselmeier summarized the request.

On August 18, 2009, the County Board approved Ordinance 2009-31, granting a special use permit for a governmental building and facility at 14719 O'Brien Road.

The Petitioner is proposing to amend the site plan approved in Ordinance 2009-31 by a constructing an approximately eight thousand four hundred (8,400) square foot pole-type maintenance/storage building to the west of the existing Seward Township building and installing an asphalt driveway connecting the existing parking lot to the new building. For reference, the existing building is approximately nine thousand six hundred (9,600) square feet in size and is used for maintenance, storage, and offices.

Though not shown on the site plan approved in 2009, Seward Township received a permit and installed a sign on the property in 2010. The sign is shown on the proposed site plan.

No other changes to the site were proposed.

The application materials, proposed site plan, and Ordinance 2009-31 were provided.

The property was approximately five (5) acres in size.

The existing land use was Public/Institutional.

The future land use was Commercial.

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O'Brien Road was a Township Road classified as a Local Road.

There were no trails planned in the area.

There are no floodplains or wetlands on the property.

The adjacent properties were used as Agricultural.

The adjacent properties were zoned A-1.

The Land Resource Management Plan calls for the area to be Commercial, Rural Estate Residential, and Rural Residential.

Properties within one half (1/2) of a mile were zoned A-1 and A-1 SU.

There is one (1) home located within one half (1/2) mile of the subject property.

The special use to the west is for a banquet facility and related uses.

EcoCat submitted on April 23, 2024.

A NRI application was submitted on April 30, 2024.

Seward Township was emailed information on April 30, 2024.

The Lisbon-Seward Fire Protection District was emailed information on April 30, 2024.

The proposed building will have to obtain applicable building permits.

As required in the special use permit from 2009, the subject property has fifteen (15) parking spaces, including one (1) handicapped parking space. Given that the proposed amendment will not increase public visitation at the property, the number of parking spaces should be adequate.

The Petitioner submitted an application for a stormwater permit.

In 2009, the Petitioner was granted a variance to the stormwater runoff storage facilities by Ordinance 2009-26, which was provided. An amendment to this variance, the installation of stormwater storage facilities, submittal of a fee-in-lieu payment, or some combination thereof will be required. A letter from WBK Engineering was provided.

The proposed Findings of Fact were as follows:

That the establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare. The expansion will improve the public health, safety, comfort, and general welfare because the new building will allow the township to do its work inside a new facility.

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 existing use has been in place since 2009. The adjacent land uses are agricultural and the construction of a maintenance building will not injury the use and enjoyment of neighboring land owners.

That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. This is true except for drainage. Drainage concerns can be addressed through a stormwater permit.

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 Zoning Board of Appeals. This is true.

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. Seward Township has used the subject property for public/institutional purposes since 2009. Accordingly, allowing the Township expand its facilities is consistent with a goal found on Page 9-20 of the Kendall County Land Resource Management Plan which calls for "mutually supportive, non-adversarial team of municipal, township, ... county, and other governments working toward the benefit of everyone in Kendall County."

Staff recommended approval of the requested amendments to the existing special use permit for a governmental building and facility, pending resolution of Kendall County Stormwater Ordinance issues subject to the following conditions and restrictions:

- 1. The site plan attached as Group Exhibit A of Ordinance 2009-31 is hereby amended to include the submitted site plan.
- 2. None of buildings or structures allowed by this major amendment to an existing special use permit shall be considered agricultural structures and must secure applicable permits.
- 3. The remaining conditions and restrictions contained in Ordinance 2009-31 shall remain valid and effective.
- 4. The use allowed by this major amendment to an existing special use permit shall follow all applicable federal, state, and local laws.
- 5. Failure to comply with one or more of the above conditions or restrictions could result in the amendment or revocation of the special use permit.
- 6. If one or more of the above conditions or restrictions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.
- 7. These major amendments to an existing special use permit shall be treated as covenants running with the land and are binding on the successors, heirs, and assigns as to the same special uses conducted on the property.

Mr. Holdiman made a motion, seconded by Mr. Guritz, to recommend approval of the proposal.

The votes were follows:

Ayes (9): Asselmeier, Briganti, Guritz, Holdiman, Klaas, Langston, Olson, Rybski, and Wormley

Nays (0): None

Abstain (0): None

Absent (1): Chismark

The motion passed.

The proposal goes to the Kendall County Regional Planning Commission on May 22, 2024.

#### Petition 24-10 Alex M. Schuster

Mr. Asselmeier summarized the request.

The Petitioner was seeking a special use permit for a landscaping business, including allowing outdoor storage of materials.

The application materials, plat of survey, current conditions plat, proposed site plan, proposed landscaping plan and pictures of the property and vicinity were provided.

The address of the property was 2142 Wooley Road.

The property was approximately three (3) acres in size.

The current land use was Improve Residential/Farmstead.

The County's Future Land Use Map called for the property to be Rural Estate Residential. The Village of Oswego's Future Land Use Map called for the property to be Large Lot Residential.

Wooley Road was a Minor Collector maintained by Oswego Township.

The Village of Oswego has a trail planned along Wooley Road.

There were no floodplains or wetlands on the property.

The adjacent properties were used as Agricultural and Farmstead.

The adjacent properties were zoned A-1.

The County's Future Land Use Map called for the area to be Rural Estate Residential and Commercial. The Village of Oswego's Future Land Use Map called for the area to be Large Lot Residential.

Properties within one half (1/2) of a mile were zoned A-1 in the County and B-3 in the Village of Oswego.

Approximately three (3) houses are located within a half mile (0.5) miles of the subject property.

EcoCAT Report was submitted on March 14, 2024.

The NRI application was submitted on April 29, 2024.

Petition information was sent to Oswego Township on May 1, 2024. Prior to formal application submittal, Oswego Township submitted an email requesting a thirty-three foot (33') deep right-of-way dedication from the center of Wooley Road. This email was provided.

Petition information was sent to the Village of Oswego on May 1, 2024.

Petition information was sent to the Oswego Fire Protection District on May 1, 2024. The Oswego Fire Protection District submitted an email stating no objections to the proposal.

Per Section 7:01.D.32 of the Kendall County Zoning Ordinance, landscaping businesses can be special uses on A-1 zoned property subject to the following conditions:

- 1. All vehicles, equipment and materials associated with a landscaping business shall be stored entirely within an enclosed structure, unless otherwise permitted under the terms of this Special Use Permit.
- 2. The business shall be located on, and have direct access to, a State, County or Collector Highway as identified in the County's LRMP, having an all-weather surface, designed to accommodate loads of at least 73,280 lbs, unless otherwise approved in writing by the agency having jurisdiction over said Highway. Such approvals shall establish limitations as to the number of employees and types of vehicles coming to and from the site that are engaged in the operation of the use (including delivery vehicles). These restrictions shall be included as controlling conditions of the Special Use.
- 3. No landscape waste generated off the property can be burned on this site.

If the County Board approves the outdoor storage of materials and variances, the above conditions have been met.

As noted in the project narrative, the Petitioners would like to operate ASE Illini-Scapes at the subject property.

They would use the site for storage of landscaping materials, equipment, offices, and related operations. Employees would visit the site to get materials. The site would not be open to customers.

The business would be open from 6:00 a.m. until 6:00 p.m. Monday through Friday during the growing season and everyday for twenty-four hours (24) during snow events in the winter. The business has a maximum of fifteen (15) employees, during the busy season, and two (2) employees year-round. Employees either report to the subject property or report directly to job sites.

The site plan shows one (1) approximately one thousand three hundred seventy (1,370) square foot material bin area and one (1) approximately three thousand five hundred (3,500) square foot hard goods storage area near the eastern property line. One (1) approximately five hundred (500) square foot material storage bin was shown near the southern property line. One (1) additional approximately three thousand three hundred (3,300) square foot equipment and storage area is shown

south of the existing accessory buildings. The Petitioner indicated that the piles of materials would not exceed ten feet (10') in height.

Equipment would be stored outdoors, when the business is closed.

The Petitioner intends to grow nursery stock in the future.

The subject property presently has one (1) approximately three thousand three hundred (3,300) square foot house, constructed in 1875, one (1) frame garage, two (2) metal frame accessory buildings, and one (1) outhouse onsite that is used as decoration and gardening shed.

The site plan shows two (2) future greenhouses, one (1) approximately one thousand one hund (1,100) square feet in size and one (1) approximately one thousand fifty (1,050) square feet in size.

Any structures related to the landscaping business, other than the greenhouses, would be required to obtain applicable building permits. However, at this time, no additional structures, besides the greenhouses, are proposed.

The well is located southwest of the house. The septic area is located east of the house, between the proposed employee parking area and the southern most greenhouse. The property is served by electricity and natural gas.

One (1) dumpster area is proposed east of the western most equipment and storage area. Given its location on the property and proposed perimeter screening around the property, the Petitioner did not propose any screening specifically for the dumpster area.

The property drains towards Wooley Road.

The site plan shows a drainage system along the east and northeast side of the property.

The Petitioners submitted an application for a stormwater management permit.

Per the site plan, the property has a gravel driveway. The Petitioner plans to install a turnaround area at the south end of the driveway.

According to the site plan, the Petitioner proposes a gravel parking lot with ten (10) parking spaces located north of the turnaround area. One (1) ADA accessible parking space is required. The Petitioner intends to use a vehicular rated permeable paver to meet this requirement.

In addition, the Petitioner proposes an approximately one thousand seven hundred fifty square foot (1,750) truck and trailer parking area south of the turnaround area. This lot would also be gravel.

No lighting was planned for the property.

No signage was proposed.

The property presently has a fence along the perimeter as shown in several of the pictures and the landscaping plan .

The landscaping plan shows six (6) existing maple trees, two (2) existing willow thirty-two (32) existing spruce trees, two (2) existing birch trees two (2) existing oak trees, and several existing evergreen trees.

The Petitioner proposes to add twenty-six (26) purple coneflowers, three (3) six foot (6') service berries, trellised English ivy, and five (5) six (6') Nigra arborvitae.

The Petitioner plans to install landscaping within one (1) year of the approval of special use permit.

No information was provided regarding noise control.

No information was provided regarding odor control.

If approved, this would be the twenty-first (21<sup>st</sup>) special use permit for a landscaping business in unincorporated Kendall County.

The proposed Findings of Fact were as follows:

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. Numerous landscaping businesses have been approved throughout unincorporated Kendall County, including one (1) at 655 Wooley Road. The proposed use is along Wooley Road, which is classified as a minor collector. Reasonable restrictions can be placed in the special use permit to ensure the health, safety, and general welfare of the area are protected.

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 makes 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 subject property is in a large A-1 Agricultural District. The use will not impede farms or residential uses on the adjoining properties. Reasonable restrictions may be placed on the special use permit to address hours of operation, noise, landscaping, and site layout to prevent neighboring property owners are not negatively impacted by the proposed use.

Adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. The proposal states that customers will not come to the property. Given the limited number of employees reporting to the property, adequate utilities, access roads, and ingress/egress exists. A stormwater permit and conditions in the special use permit can address concerns related to drainage.

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 Zoning Board of Appeals. This is true.

The special use is consistent with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. The proposal is also consistent with a goal and objective found on page 6-34 of the Land Resource Management Plan, "A strong base of agriculture, commercial and industrial uses that provide a broad range of job opportunities, a healthy tax base, and improved quality of services to County residents." "Encourage opportunities for locally owned business." In addition, the future land use map calls for this property to be Mixed Use Business. Similar types of uses were planned for the subject property and properties in the vicinity of the subject property.

Staff recommended approval of the requested special use permit subject to the following conditions and restrictions. To date, the Petitioner has not agreed to these conditions and restrictions:

- 1. The site shall be developed substantially in accordance with the submitted site plan and landscaping plan.
- 2. Within ninety (90) days of the approval of the special use permit, the owners of the subject property shall dedicate a strip of land thirty-three feet (33') in depth along the northern property line to Oswego Township. The Kendall County Planning, Building and Zoning Committee may grant an extension to this deadline.
- 3. Equipment and vehicles related to the business allowed by the special use permit may be stored outdoors at the subject property when the business is closed.
- 4. None of the vehicles or equipment parked or stored on the subject property related to the business allowed by the special use permit shall be considered agricultural vehicles or agricultural equipment.
- 5. All of the vehicles and equipment stored on the subject property related to the business allowed by the special use permit shall be maintained in good condition with no deflated tires and shall be licensed if required by law.
- 6. The owners of the businesses allowed by this special use permit shall diligently monitor the property for leaks from equipment and vehicles parked and stored and items stored on the subject property and shall promptly clean up the site if leaks occur.
- 7. Except for the purposes of loading and unloading, all landscape related materials shall be stored at the designated storage areas shown on the submitted site plan. The maximum height of the piles of landscaping related material

shall be ten feet (10') in height.

- 8. A maximum of fifteen (15) employees of the business allowed by this special use permit, including the owners of the business allowed by this special use permit, may report to this site for work.
- 9. No customers of the business allowed by the special use permit shall be invited onto the subject property for matters related to the business allowed by the special use permit.
- 10. The hours of operation of the business allowed by this special use permit shall be Monday through Friday from 6:00 a.m. until 6:00 p.m. and the business shall be open twenty-four (24) hours to address snow events. The owners of the business allowed by this special use permit may reduce these hours of operation.
- 11. Any structures constructed, installed, or used related to the business allowed by this special use permit on the property shall not be considered for agricultural purposes and must secure applicable building permits. This restriction does not apply to greenhouses.
- 12. No signs are shown on the site plan. The owner of the business allowed by the special use permit may request a sign in the future using the minor amendment process, provided that the proposed sign meets the requirements of the Kendall County Zoning Ordinance.
- 13. Only lighting related to security may be installed outdoors at the subject property.
- 14. Damaged or dead plantings described on the landscaping plan shall be replaced on a timeframe approved by the Kendall County Planning, Building and Zoning Department.
- 15. The vegetation described in the landscaping plan shall be installed within one (1) year of the approval of the special use permit. The Kendall County Planning, Building and Zoning Committee may grant an extension to the deadline to install the vegetation. Materials and vegetation stored in the greenhouses and material storage area shall not be subject to this requirement and shall not be considered part of the landscaping plan.
- 16. No landscape waste generated off the property can be burned on the subject property.
- 17. The noise regulations are as follows:

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 property line of the complainant.

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 property line of the complainant.

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.

Only homes permitted prior to the date of the issuance of the special use permit shall have standing to file noise complaints.

- 18. At least one (1) functioning fire extinguisher and one (1) first aid kit shall be on the subject property. Applicable signage stating the location of the fire extinguisher and first aid kit shall be placed on the subject property.
- 19. The owners of the business allowed by this special use permit acknowledge and agree to follow Kendall County's Right to Farm Clause.
- 20. The property owner and operator of the business allowed by this special use permit shall follow all applicable Federal, State, and Local laws related to the operation of this type of business, including, but not limited to, installed the applicable number of ADA required parking spaces.

- 21. Failure to comply with one or more of the above conditions or restrictions could result in the amendment or revocation of the special use permit.
- 22. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.
- 23. This special use permit shall be treated as a covenant running with the land and is binding on the successors, heirs, and assigns as to the same special use conducted on the property.

Mr. Rybski questioned the location of the septic system. He noted that greenhouses or parking could not be in the area of septic system. He requested that the septic system be assessed in terms of location and size.

Mr. Klaas recommended that right-of-way dedication be raised to forty feet (40').

To date, no comments were received from neighbors.

Mr. Klaas made a motion, seconded by Mr. Rybski, to recommend approval of the proposal with the additional recommendation that the size and location of the septic system be examined and that the right-of-way dedication be increased to forty feet (40').

The votes were follows:Ayes (9):Asselmeier, Briganti, Guritz, Holdiman, Klaas, Langston, Olson, Rybski, and WormleyNays (0):NoneAbstain (0):NoneAbsent (1):Chismark

The motion passed.

The proposal goes to the Kendall County Regional Planning Commission on May 22, 2024.

#### Petition 24-11 James W. Filotto on Behalf of Oakland Avenue Storage, LLC

Mr. Asselmeier summarized the request.

The Petitioner would like a map amendment rezoning approximately eleven more or less (11 +/-) acres located on south side of Route 52 between 276 and 514 Route 52 on the south side of Route 52 from A-1 Agricultural District to B-3 Highway Business District in order to operate a contractor's office at the property.

The Petitioner has also submitted an application for a conditional use permit for construction services business at the property (see Petition 24-12).

If the requested map amendment and conditional use permit are approved, the Petitioner will submit an application for site plan approval.

The application materials and zoning plat were provided.

The property was located between 276 and 514 Route 52.

The property was approximately eleven (11) acres in size.

The existing land use was Agricultural.

The County's Future Land Use Map calls for the property to be Commercial. The Village of Shorewood's Plan calls for the property to be Mixed Use.

Route 52 is a State maintained Arterial Road.

There is a trail planned along Route 52.

There are no floodplains or wetlands on the property.

The adjacent properties were used for Agricultural, Single-Family Residential, and a landscaping business.

The adjacent properties were zoned A-1 and A-1 SU.

Properties within one half (1/2) of a mile were zoned A-1, A-1 SU, B-2, B-3 SU, B-4 and Will County Zoning.

The A-1 special use permits to east are for a landscaping business and fertilizer plant.

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The A-1 special use permit to the west is for a landing strip.

The B-3 special use permit to the east is for indoor and outdoor storage.

The property to the north of the subject property is planned to be a school.

EcoCAT Report submitted and consultation was terminated.

The application for NRI was submitted on April 22, 2024.

Petition information was sent to Seward Township on April 30, 2024.

Petition information was sent to the Village of Shorewood on April 30, 2024.

Petition information was sent to the Minooka Fire Protection District on April 30, 2024.

The Petitioner would like to rezone the property to operate a construction services/contractor service at the subject property.

The site is currently farmed. Any future buildings would have to meet applicable building codes.

No utilities are onsite.

The property fronts Route 52. Access would have to be approved by IDOT.

Parking and driving aisles would be evaluated as part of the site plan review process.

Based on the proposed uses, no new odors are foreseen. The owners of the property would have to follow applicable odor control regulations based on potential other future B-3 allowable uses.

Lighting would need to be evaluated as part of site plan review.

Landscaping would need to be evaluated as part of site plan review.

Any signage would have to meet applicable regulations and secure permits.

The owners of the property would have to follow applicable noise control regulations based on future land uses. Noise control measures would need to be evaluated as part of site plan approval.

Stormwater control would be evaluated as part of site plan review.

The proposed Findings of Fact were as follows:

Existing uses of property within the general area of the property in question. The surrounding properties are used for agricultural purposes, single-family residential, and a landscaping business.

The Zoning classification of property within the general area of the property in question. The surrounding properties are zoned A-1 and A-1 with a special use permit for a landscaping business. Other properties in the vicinity possess business zoning classifications.

The suitability of the property in question for the uses permitted under the existing zoning classification. The Petitioners proposed use of the property, for the operation of a construction/contractor business, is not allowed in the A-1 Zoning District.

The trend of development, if any, in the general area of the property in question, including changes, if any, which may have taken place since the day the property in question was in its present zoning classification. The Zoning Board of Appeals shall not recommend the adoption of a proposed amendment unless it finds that the adoption of such an amendment is in the public interest and is not solely for the interest of the applicant. The Zoning Board of Appeals may recommend the adoption of an amendment changing the zoning classification of the property in question to any higher

classification than that requested by the applicant. For the purpose of this paragraph the R-1 District shall be considered the highest classification and the M-2 District shall be considered the lowest classification. The trend of development in the area is a mix of agricultural, commercial, and public/institutional. s

Consistency with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. The subject property is classified as Commercial on the Future Land Use Map and the B-3 Zoning District is consistent with this land classification.

Staff recommended approval of the proposed map amendment.

Mr. Rybski made a motion, seconded by Mr. Klaas, to recommend approval of map amendment.

Seward Township's proposed future land use map did not propose a re-classification for this property.

The votes were follows:Ayes (9):Asselmeier, Briganti, Guritz, Holdiman, Klaas, Langston, Olson, Rybski, and WormleyNays (0):NoneAbstain (0):NoneAbsent (1):Chismark

The motion passed.

The proposal goes to the Kendall County Regional Planning Commission on May 22, 2024.

# Petition 24-13 James C. Marshall on Behalf of TurningPointEnergy, LLC Through TPE IL KE240 (Tenant) and Frank J. Santoro (Owner)

Mr. Asselmeier summarized the request.

The Petitioner is seeking a special use permit for a commercial solar energy facility and a variance to Section 7:01.D.17.a of the Kendall County Zoning Ordinance to allow a commercial solar energy facility on land within one point five (1.5) miles of municipality without an annexation agreement.

The application materials were provided.

The property was located east of 2025 Simons Road.

The entire property was approximately seventy-three (73) acres in size. The fenced area was approximately thirty-eight (38) acres in size.

The existing land use is Agricultural.

The County's Future Land Use Map called for the property to be Rural Residential. The Village of Plainfield's Future Land Use Map called for the property to be Countryside Residential.

Simons Road is a Local Road maintained by Oswego Township.

The Village of Plainfield has a trail planned along Simons Road.

There are no floodplains on the property. There are two (2) farmed wetlands in the vicinity of the proposed use.

The adjacent land uses were Agricultural, Farmstead, Single-Family Residential, and Public/Institutional (Cemetery).

The County's Future Land Use Map called for the area to be Rural Residential and Suburban Residential. The Village of Plainfield's Future Land Use Map called for the area to be Low Density Residential, Medium Density Residential, and Countryside Residential.

Properties within one half (1/2) mile were zoned A-1, A-1 SU, R-1, and R-3 in the County and R-1 an R-1 PUD in the Village of Plainfield.

EcoCAT Report was submitted on September 27, 2023, and consultation was terminated, see Appendix F of the application.

The LESA Score for the property was 227 indicated a high level of protection. The NRI Report is included as Appendix E of the application.

Petition information was sent to Oswego Township on May 1, 2024. Prior to formal application submittal, Oswego Township submitted an email requesting a thirty-thirty foot (33') deep right-of-way dedication from the center of Simons Road and a road use agreement. The Petitioner already secured an access permit, see Appendix Y of the Application

Petition information was sent to the Village of Plainfield on May 1, 2024. Prior to formal application submittal, the Village of Plainfield submitted a letter stating they will pursue an annexation agreement after the County reviews the application, see Appendix X.

Petition information was sent to the Oswego Fire Protection District on May 1, 2024. The Oswego Fire Protection District submitted an email expressing no objections to the request.

Per Section 7:01.D.17 of the Kendall County Zoning Ordinance, commercial solar energy facilities businesses can be special uses on A-1 zoned property subject to the following conditions:

- a. All commercial solar energy facilities and test solar energy systems located within one point five (1.5) miles of a municipality shall either annex to the municipality or obtain an annexation agreement with the municipality requiring the municipality's regulations to flow through the property. Petitioner is requesting a variance. Pre-annexation likely within ninety (90) days of approval of the special use permit, see Appendix X of the Application.
- b. The setbacks for commercial solar energy facilities shall be measured from the nearest edge of any component of the facility as follows:

Occupied Community Buildings or Dwellings on Nonparticipating Properties-One hundred fifty feet (150') from the nearest point on the outside wall of the structure

Boundary Lines of Participating Properties-None

Boundary Lines of Nonparticipating Properties- Fifty feet (50') to the nearest point on the property line of the nonparticipating property

Public Road Rights-Of-Way-Fifty feet (50') from the nearest edge

The above setbacks do not exempt or excuse compliance with electric facility clearances approved or required by the National Electrical Code, the National Electrical Safety Code, Commerce Commission, Federal Energy Regulatory Commission, and their designees or successors. Per the site plan, see Appendix I, the commercial solar energy facility is greater than one hundred fifty feet (150') from the closest non-participating structure. The perimeter fence is setback fifty feet (50') from the adjoining property line and road, except where the farmed wetlands are located (in which cases the setbacks are larger). The panels are twenty feet (20') from the fences on the north, west, and east side of the property and thirty feet (30') from the fence to the south.

- c. A commercial solar energy facility's perimeter shall be enclosed by fencing having a height of at least six feet (6') and no more than twenty-five feet (25'). This is true. Per the site plan, see Appendix I, the fence seven feet (7') in height.
- d. No component of a solar panel as part of a commercial solar energy facility shall have a height of more than twenty feet (20') above ground when the solar energy facility's arrays are at full tilt. Petitioner indicated that this is correct, see Appendix B, Page 8.
- e. The above setback, fencing, and component height requirements may be waived subject to written consent of the owner of each affected nonparticipating property. This written consent shall be submitted at the time of application submittal. No such consent requested or needed.
- f. Sound limitations for components in commercial solar energy facilities shall follow the sound limitations established by the Illinois Pollution Control Board. Petitioner indicated that they will follow these limitations, see Appendix R regarding the noise study.
- g. The County shall not require standards for construction, decommissioning, or deconstruction of a commercial solar energy system or related financial assurances to be more restrictive than agricultural impact mitigation agreement set in State law. The amount of any decommissioning payment shall be limited to the cost identified in the

decommissioning or deconstruction plan, as required by the agricultural impact mitigation agreement, minus the salvage value of the project. A copy of the agricultural impact mitigation agreement shall be submitted with the application materials. The decommissioning plan is included as Attachment O. As noted on page 5 of Attachment O, the decommissioning bond is set at One Hundred Thirty-One Thousand, Seven Hundred Six-Nine Dollars and Twelve Cents (\$131,769.12). The payment of the bond is outlined in the Agricultural Impact Mitigation Agreement (AIMA) on page 11 of Appendix V.

- h. A vegetative screening shall be placed around the commercial solar energy facility. The landscaping plan was provided as Appendix J. An open area pollinator seed mix is purposed around the perimeter of the property. The performance standards and ground cover maintenance requirements were included in the landscaping plan.
- i. Commercial solar energy facility applicants shall provide the results and recommendations from consultations with the Illinois Department of Natural Resources obtained through the Ecological Compliance Assessment Tool (EcoCat) or a comparable successor tool. The commercial solar energy facility applicant shall adhere to the recommendations provided through this consultation. The EcoCat was submitted and consultation was terminated without any specific recommendations.
- j. Commercial solar energy facility applicants shall provide the results of the United States Fish and Wildlife Service's Information for Planning and Consulting environmental review or a comparable successor toll that is consistent with the U.S. Fish and Wildlife Service's Land-Based Wind Energy Guidelines and any applicable United States Fish and Wildlife Service solar wildlife guidelines that have been subject to public review. This was provided starting as Page 34 in Appendix L. The Indiana bat, tricolored bat, whooping crane, monarch butterfly, and eastern prairie fringed orchid were in the area. No impacts were anticipated.
- k. A facility owner shall demonstrate avoidance of protected lands as identified by the Illinois Department of Natural Resources and the Illinois Nature Preserve Commission or consider the recommendations of the Illinois Department of Natural Resources for setbacks from protected lands, including areas identified by the Illinois Nature Preserve Commission. This is true. The site is designed around the farmed wetlands.
- I. A facility owner shall provide evidence at the time of application submittal of consultation with the Illinois State Historic Preservation Office to assess potential impacts on State-registered historic sites under applicable State law. No potential impacts to State-registered historic sites exists, see Appendix M.
- m. A commercial solar energy facility owner shall plant, establish, and maintain for the life of the facility vegetative ground cover consistent with State law and the guidelines of the Illinois Department of Natural Resources' vegetative management plans. The vegetation management plan shall be required at the time of application submittal. The vegetation management plan is included as part of the landscaping, including timelines for planting and maintenance of the vegetation, see Appendix J.
- n. The facility owner shall enter into a road use agreement with the jurisdiction having control over the applicable roads. The road use agreement shall follow applicable law. The facility owner shall supply the Kendall County Planning, Building and Zoning Department with a copy of the road use agreement. This provision shall be waived if the jurisdiction having control over the applicable roads does not wish to enter into an agreement. As of the date of this memo, the road use agreement negotiations are ongoing. The transportation and access plan was provided as Appendix U.
- o. The facility owner shall repair or pay for the repair of all damage to the drainage system caused by the construction of the commercial solar energy system within a reasonable time after construction of the commercial solar energy facility is complete. The specific time shall be set in the special use permit. No information was provided regarding drain tile. A drain tile survey is required, per the AIMA.

No buildings are planned for the site. Any structures proposed for the site, including the solar arrays, shall obtain applicable permits.

The property is presently farmland. No wells, septic systems, or refuse collection points were identified.

The Petitioner submitted an application for a stormwater permit. Also, the Petitioner is designing the site per the Village of Plainfield's regulations.

The Petitioner provided groundwater studies, see Appendix S.

Per the site plan (Appendix I), the Petitioner's propose one (1) thirty foot (20') wide access road. Oswego Township has granted an access permit.

The Petitioner is agreeable to right-of-way dedication and the Petitioner submitted a transportation and access plan.

No parking is proposed.

No lighting was proposed.

Per Appendix B, Page 8, a warning sign will be placed at the facility entrance and along the perimeter fence. These signs shall include address of the subject property and a twenty-four (24) hour emergency contact phone number.

The Petitioner provided a glare study, see Appendix Q.

The Petitioner provided a property values study, Appendix T.

No odors were foreseen.

If approved, this would be the second special use permit for a commercial solar energy facility in unincorporated Kendall County.

The proposed Findings of Fact for the special use permit were as follows:

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 Project will generate clean, renewable electricity while producing no air, noise, or water pollution, or ground contamination. The landscape buffer and existing vegetation around the site will be provided and preserved to screen the project from the view of neighbors and roads. The Petitioner proposes to use pollinator-friendly ground cover underneath the Project and native plantings around the perimeter. These include clover and grass species that promote the establishment and long-term health of bee populations. The Petitioner submitted a landscaping plan outlining the types of vegetation that will be planted, the timing of planting, and a maintenance plan for the vegetation. The Petitioner provided a report regarding the proposed landscaping plan and water quality. In addition, the proposal will promote the general welfare of Kendall County by supplying new jobs, new tax revenue and will be a source of generation of sustainable, clean, pollution-free renewable electricity.

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 makes 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 proposal will not interfere with the use and enjoyment of nearby properties. The surrounding properties are zoned primarily A-1 and will not be prevented from continuing any existing use or from pursuing future uses. The proposal's operations would be quiet and would utilizing pollinator friendly seeding, native plants, and vegetative screening. The landscape buffer will reduce any visual impact on neighbors who live nearby. The Petitioner provided a property value study showing no impact to the values of property near these types of projects.

Adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. The proposal will have adequate utility interconnections designed in collaboration with ComEd. The proposal does not require water, sewer, or any other public utility facilities to operate. The Petitioner will also build all roads and entrances at the facility and will enter into an agreement with Oswego Township regarding road use. After initial construction traffic, landscape maintenance and maintenance to the Project components are anticipated to occur on an as-needed basis, consistent with the Landscaping Plan. Existing traffic patterns will not be impacted in the post-construction operations phase. A drain tile survey will be completed prior to construction and foundation design will work around or reroute any identified drain tiles to ensure proper drainage. The Project will also be designed in a manner that will not materially modify existing water drainage patterns around its facilities.

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 Zoning Board of Appeals. If the requested variance is granted, the proposal meets all applicable regulations.

The special use is consistent with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. The proposal is also consistent with a goal and objective found on page 3-34 of the Land Resource Management Plan, "Support the public and private use of sustainable energy systems (examples include wind, solar, and geo-thermal)."

The proposed Findings of Fact for the variance were as follows:

The particular physical surroundings, shape, or topographical condition of the specific property involved would result in a particular hardship or practical difficulty upon the owner if the strict letter of the regulations were carried out. The subject property is located within one point five (1.5) miles of the Village of Plainfield. The Village of Plainfield provided a letter stating they will enter into a pre-annexation agreement in the future.

The conditions upon which the requested variation is based would not be applicable, generally, to other property within the same zoning classification. Other A-1 zoned properties within one point five (1.5) miles of a municipality could request a similar variance, if the municipality refuses to annex or enter into a pre-annexation agreement.

The alleged difficulty or hardship has not been created by any person presently having an interest in the property. The difficulty was created because the Village of Plainfield did not wish to enter into a pre-annexation agreement or annex the property in a timely manner before application submittal.

The granting of the variation will not materially be detrimental to the public welfare or substantially injurious to other property or improvements in the neighborhood in which the property is located. Granting the variance would not be detrimental to the public or substantially injurious to other properties.

That the proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets or increase the danger of fire, or endanger the public safety or substantially diminish or impair property values within the neighborhood. The proposed variance would not impair light or air on adjacent property, cause congestion, increase the danger of fire, or negatively impact property values.

Staff recommended approval of the requested special use permit and variance subject to the following conditions and restrictions. To date, the Petitioner has not agreed to these conditions and restrictions:

- The site shall be developed substantially in accordance with the submitted site plan (Appendix I), landscaping plan, (Appendix J), operations and management plan (Appendix N), decommissioning plan, (Appendix O), road access plan (Appendix U), and Agricultural Impact Mitigation Agreement (Appendix V).
- 2. Within ninety (90) days of the approval of the special use permit, the owners of the subject property shall dedicate a strip of land thirty-three feet (33') in depth along the southern property line to Oswego Township. The Kendall County Planning, Building and Zoning Committee may grant an extension to this deadline.
- 3. Within ninety (90) days of the approval of the special use permit, the owner of the subject property shall enter into a pre-annexation agreement with the Village of Plainfield. The Kendall County Planning, Building and Zoning Committee may grant an extension to this deadline.
- 4. None of the vehicles or equipment parked or stored on the subject property allowed by the special use permit shall be considered agricultural vehicles or agricultural equipment.
- 5. All of the vehicles and equipment stored on the subject property allowed by the special use permit shall be maintained in good condition with no deflated tires and shall be licensed if required by law.
- 6. Any structures, included solar arrays, constructed, installed, or used allowed by this special use permit shall not be considered for agricultural purposes and must secure applicable building permits.
- 7. One (1) warning sign shall be placed at the facility entrance and one (1) warning sign shall be placed along the perimeter fence. These signs shall include, at minimum, the address of the subject property and a twenty-four (24) hour emergency contact phone number. Additional signage may be installed, if required by applicable law.

- 8. The operators of the use allowed by this special use permit acknowledge and agree to follow Kendall County's Right to Farm Clause.
- 9. The property owner and operator of the use allowed by this special use permit shall follow all applicable Federal, State, and Local laws related to the operation of this type of use.
- 10. Failure to comply with one or more of the above conditions or restrictions could result in the amendment or revocation of the special use permit.
- 11. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.
- 12. This special use permit and variance shall be treated as a covenant running with the land and is binding on the successors, heirs, and assigns as to the same special use conducted on the property.

Mr. Klaas requested clarification on Plainfield's position on the annexation. Mr. Asselmeier said Plainfield did not want to process the application and the Village wanted the County to review the Petition. The Petitioner provided a letter from Plainfield regarding annexation. This would be a Chatham annexation because Plainfield was not contiguous.

Mr. Asselmeier asked if the property owner was agreeable to the conditions. Gloria Foxman said the property owner was aware and agreeable to some of the conditions. She offered to get written confirmation of the property owner's agreement to the conditions.

Mr. Asselmeier asked possibly upgrading the solar panels over the life of the project. Ms. Foxman said removal of the solar panels were not likely.

Mr. Klaas recommended a forty foot (40') right-of-way dedication. Ms. Foxman agreed to this change.

Ms. Olson asked about inspections for cracked panels. Ms. Foxman said the solar field would be monitored remotely and regular inspections would occur.

Mr. Asselmeier noted that some neighbors were concerned about property values, drainage, and influx of energy. Ms. Foxman said a drain tile survey would occur and that information was necessary when designing the project.

Mr. Guritz noted that herbicides would not be used per the vegetation management plan. Ms. Foxman said they were trying to follow the pollinator scorecard. They would follow noxious weed laws. Someone would be hired to maintain the vegetation.

Mr. Klaas asked if rock or stone would be beneath the panels. Ms. Foxman said the area would be planted with low growth pollinator friendly plants under the solar panels.

Construction would start in 2025, assuming all approvals occurred.

Ms. Olson asked about the length of the construction process. Ms. Foxman responded twelve to eighteen (12-18) months, but that timeframe is not solid construction.

Mr. Guritz made a motion, seconded by Mr. Holdiman, to forward the proposal to the Regional Planning Commission with a change to the right-of-way dedication amount.

The votes were follows:

Ayes (9):Asselmeier, Briganti, Guritz, Holdiman, Klaas, Langston, Olson, Rybski, and WormleyNays (0):NoneAbstain (0):NoneAbsent (1):Chismark

The motion passed.

The proposal goes to the Kendall County Regional Planning Commission on May 22, 2024.

ZPAC Meeting Minutes 05.07.24

#### Petition 24-14 Tim O'Brien on Behalf of Seward Township

Mr. Asselmeier summarized the request.

In an effort to preserve the agricultural character of the Township and protect the Aux Sable Creek Watershed, Seward Township has proposed the attached new Future Land Use Map. The existing Future Land Use Map is also attached.

The proposed changes were as follows:

- 1. All of the land west Arbeiter and Hare Roads will be reclassified to Agricultural. The Commercial area at the intersection of Route 52 and Grove Road will be retained and the Commercial area at the intersection of Arbeiter Road and Route 52 will also be retained.
- 2. The Seward Township Building on O'Brien Road, the church on Van Dyke Road, and lands owned by the Kendall County Forest Preserve District and Conservation Foundation west of Arbeiter and Hare Roads will be classified as Public/Institutional.
- 3. The residentially planned areas east of Arbeiter and Hare Roads will be reclassified to Rural Estate Residential.
- 4. The floodplain of the Aux Sable Creek was added to the map.
- 5. Text contained in the Land Resource Management Plan in conflict the above changes will be amended.

The Seward Township Planning Commission approved this proposal at their meeting on February 5, 2024. The Seward Township Board approved this proposal at their meeting on March 12, 2024. Seward Township held a community forum on the proposal on April 18, 2024. The Kendall County Comprehensive Land Plan and Ordinance Committee also reviewed the proposal at their meetings in February and April 2024.

A composite future land use map of the County and the municipalities' comprehensive plans is attached.

This proposal was sent to Plattville, Minooka, Shorewood, and Joliet on April 30, 2024. This proposal was sent to the Bristol-Kendall, Lisbon-Seward, Minooka, Troy, and Joliet Fire Departments on April 30<sup>th</sup>.

Mr. Asselmeier noted that he would add a disclaimer to text of the Seward Township portion of the Land Resource Management Plan noting that if conflicts arise between the text and the Future Land Use Map, the Future Land Use Map would take precedence.

Mr. Guritz stated that he attended the public meeting in Seward Township and felt that it was well attended and most people in attendance were in favor of the proposal. The addition of the floodplain gives the map a different perspective.

Mr. Guritz made a motion, seconded by Mr. Rybski, to recommend approval of the request.

The votes were follows:Ayes (9):Asselmeier, Briganti, Guritz, Holdiman, Klaas, Langston, Olson, Rybski, and WormleyNays (0):NoneAbstain (0):NoneAbsent (1):Chismark

The motion passed.

The proposal goes to the Kendall County Regional Planning Commission on May 22, 2024.

### **REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD**

Mr. Asselmeier reported that Petition 23-35 were approved by the County Board.

#### **OLD BUSINESS/NEW BUSINESS**

None

#### CORRESPONDENCE

None

## PUBLIC COMMENT

None

### **ADJOURNMENT**

Mr. Guritz made a motion, seconded by Mr. Rybski, to adjourn.

With a voice vote of nine (9) ayes, the motion carried.

The ZPAC, at 9:54 a.m., adjourned.

Respectfully Submitted, Matthew H. Asselmeier, AICP, CFM Director

Enc.

## KENDALL COUNTY ZONING & PLATTING ADVISORY COMMITTEE MAY 7, 2024

## IF YOU WOULD LIKE TO BE CONTACTED ON FUTURE MEETINGS REGARDING THIS TOPIC, PLEASE PROVIDE YOUR ADDRESS OR EMAIL ADDRESS

NAME	ADDRESS (OPTIONAL)	EMAIL ADDRESS (OPTIONAL)	1
1. 1.1			Dit .
Aim Obren	_		
Pit Fleming			
Michael Korst			
Sim Filoto			
Ryan Solum			
BRICEMUER			
Alex Schuster			

## Matt Asselmeier

From:	Alec Keenum <akeenum@oswegofire.com></akeenum@oswegofire.com>
Sent:	Tuesday, May 7, 2024 6:00 AM
То:	Matt Asselmeier
Subject:	[External]RE: Kendall County Petition 24-10

CAUTION - This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Thanks Matt,

Normal stuff, Oswego FD does not have issue with the Special Use. Shal be noted that:

- Default is sprinkler & fire alarm protection for new construction
- In general Converting residence to business use, as long as its "office" type use and not mercantile, would not trigger addition of sprinkler nor fire alarm

Regards,

Capt. Alec J Keenum Fire Marshal Oswego Fire Protection District

From: Matt Asselmeier <masselmeier@kendallcountyil.gov>

Sent: Wednesday, May 1, 2024 9:34 AM To: Alec Keenum <akeenum@oswegofire.com>; Claude Ainsworth (cainsworth@oswegotownship.com) <cainsworth@oswegotownship.com>; Joe West (jwest@oswegotownship.com) <jwest@oswegotownship.com>; FireChief <firechief@oswegofire.com>; Ken Holmstrom <kholmstrom@oswegotownship.com>; Rod Zinner (rzenner@oswegoil.org) <rzenner@oswegoil.org>; ttouchette@oswegoil.org Subject: Kendall County Petition 24-10

To All:

The Kendall County ZPAC will meet on Tuesday, May 7<sup>th</sup>, at 9:00 a.m., in the County Boardroom, at 111 W. Fox Street, Yorkville, to consider the following Petition:

1.Petition 24 – 10 – Alex M. SchusterRequest:Special Use Permit for a Landscaping BusinessPIN:03-22-400-001Location:2142 Wooley Road, Oswego in Oswego TownshipPurpose:Petitioner Would Like to Operate a Landscaping Business; Property is Zoned A-1

Petition information is attached.

The Petitioner can be reached at <a href="mailto:alex@illini-scapes.com">alex@illini-scapes.com</a>.

If you have any questions, please let me know.

Thanks,

## **Matt Asselmeier**

From:	Alec Keenum <akeenum@oswegofire.com></akeenum@oswegofire.com>
Sent:	Tuesday, May 7, 2024 7:06 AM
То:	Matt Asselmeier
Subject:	[External]RE: Kendall County Petition 24-13

CAUTION - This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Thanks Matt,

Normal stuff, Oswego FD does not have issue with the Special Use. Shall be noted that:

Default is sprinkler & fire alarm protection for new construction of any buildings

Regards,

Capt. Alec J Keenum Fire Marshal Oswego Fire Protection District

From: Matt Asselmeier <masselmeier@kendallcountyil.gov>

## Sent: Wednesday, May 1, 2024 12:57 PM

To: Alec Keenum <akeenum@oswegofire.com>; Claude Ainsworth (cainsworth@oswegotownship.com) <cainsworth@oswegotownship.com>; Joe West (jwest@oswegotownship.com) <jwest@oswegotownship.com>; FireChief <firechief@oswegofire.com>; Ken Holmstrom <kholmstrom@oswegotownship.com>; Jake Melrose <jmelrose@goplainfield.com>; jproulx@goplainfield.com; Michelle Gibas <mgibas@goplainfield.com> Subject: Kendall County Petition 24-13

To All:

The Kendall County ZPAC will meet on Tuesday, May 7<sup>th</sup>, at 9:00 a.m., in the County Boardroom, at 111 W. Fox Street, Yorkville, to consider the following Petition:

1.	Petition 24 – 13 – James C. Marshall on Behalf of TurningPointEnergy, LLC Through TPE IL KE240
	(Tenant) and Frank J. Santoro (Owner)
Request:	Special Use Permit for a Commercial Solar Energy Facility and Variance to Section 7:01.D.17.a of the
·	Kendall County Zoning Ordinance to Allow a Commercial Solar Energy Facility on Land within One
	Point Five (1.5) Miles of Municipality without an Annexation Agreement
PIN:	03-24-400-011
Location:	East of 2025 Simons Road, Oswego in Oswego Township
Purpose:	Petitioner Would Like to Install a Commercial Solar Energy Facility; Property is Zoned A-1

## Petition information can be found here,

https://link.edgepilot.com/s/a050e014/hTaf91Apmk\_aTNW3neBF7w?u=https://www.kendallcountyil.gov/home/s howpublisheddocument/30231

The Petitioner's contact can be reached here, gfoxman@tpoint-e.com.



## DEPARTMENT OF PLANNING, BUILDING & ZONING 111 West Fox Street • Room 203 Yorkville, IL • 60560 (630) 553-4141 Fax (630) 553-4179

## Petition 24-07 Jerry Styrczula on Behalf of A&D Properties, LLC Site Plan Approval

#### INTRODUCTION

A&D Properties, LLC would like site plan approval in order to operate a trucking business for the sale and storage of semi-trailers, small trailers, semi-tractors, and similar uses at 7789 Route 47.

The County Board approved the rezoning of this property to M-1 in June 2024.

The application materials are included as Attachment 1. The proposed site plan is included as Attachment 2. The proposed landscaping plan is included as Attachment 3.

#### SITE INFORMATION

PETITIONERS: Jerry Styrczula on Behalf of A&D Properties, LLC

ADDRESS: 7789 Route 47, Yorkville

LOCATION: West Side of Route 47 Approximately 0.5 Miles North of Ament Road



TOWNSHIP: Kendall PARCEL #s: 05-09-300-015 LOT SIZE: 16.4 +/- Acres EXISTING LAND Vacant and Improved Commercial

ZPAC Memo - Prepared by Matt Asselmeier - June 26, 2024

USE:

#### ZONING: B-3 Highway Business District

LRMP:	Future Land Use	Mixed Use Business Yorkville's Plan calls for the property to be Estate/Conservation Residential
	Roads	Route 47 is a State maintained Arterial Road.
	Trails	There are no trails planned in this area.
	Floodplain/ Wetlands	There are no floodplains or wetlands on the property.

REQUESTED ACTION: Site Plan Approval

APPLICABLE Section 13:10 – Site Plan Review REGULATIONS:

#### SURROUNDING LAND USE

Location	Adjacent Land Use	Adjacent Zoning	Land Resource Management Plan	Zoning within ½ Mile
North	Improved Commercial, Agricultural, Single- Family Residential	R-2 and B-3 (Yorkville)	Suburban Neighborhoods and Estate/Conservation Residential (Yorkville)	A-1, A-1 SU, R-1, R-4, and B-3 (County)
				R-2, R-3, B-1, and B-3 (Yorkville)
South	Vacant Manufacturing	M-1	Mixed Use Business (County) Agricultural (Yorkville)	A-1 and M-1
East	Agricultural	R-2 and R-3 (Yorkville)	Estate/Conservation Residential (Yorkville)	R-2 and R-3 (Yorkville)
West	Agricultural	A-1	Rural Residential (Max 0.65 DU/Acre (County)	A-1
			Agricultural (Yorkville)	

The A-1 special use permit to the north is for a landscaping business.

## PHYSICAL DATA

#### ENDANGERED SPECIES REPORT

EcoCAT Report submitted and consultation was terminated (see Attachment 1, Pages 14-15).

#### ACTION SUMMARY

#### **KENDALL TOWNSHIP**

Petition information was sent to Kendall Township on June 26, 2024.

#### UNITED CITY OF YORKVILLE

Petition information was sent to the United City of Yorkville on June 26, 2024.

#### **BRISTOL-KENDALL FIRE PROTECTION DISTRICT**

Petition information was sent to the Bristol-Kendall Fire Protection District on June 26, 2024.

#### **DESIGN STANDARDS**

Pursuant to Section 13:10.D of the Kendall County Zoning Ordinance, the following shall be taken into account when reviewing Site Plans (Staff comments in bold):

Responsive to Site Conditions-Site plans should be based on an analysis of the site. Such site analysis shall examine characteristics such as site context; geology and soils; topography; climate and ecology; existing vegetation, structures and road network; visual features; and current use of the site. In addition to the standards listed below, petitioners must also follow the regulations outlined in this Zoning Ordinance. To the fullest extent possible, improvements shall be located to preserve the natural features of the site, to avoid areas of environmental sensitivity, and to minimize negative effects and alteration of natural features. Fragile areas such as wetlands and flood plains should be preserved as open space. Slopes in excess of 20 percent as measured over a 10-foot interval also should remain as open space, unless appropriate engineering measures concerning slope stability, erosion and safety are taken. The property has been zoned B-3 since 1975 and the main building has been on the property since approximately 1977. The property was rezoned to M-1 in 2024. The property was previously used for an agricultural implement sales business. The construction of the new building is an area that is already paved. There are no floodplains or wetlands on the property.

Traffic and Parking Layout-Site plans should minimize dangerous traffic movements and congestion, while achieving efficient traffic flow. An appropriate number of parking spaces shall be provided while maintaining County design standards. The number of curb cuts should be minimized and normally be located as far as possible from intersections. Connections shall be provided between parking areas to allow vehicles to travel among adjacent commercial or office uses. Cross-access easements or other recordable mechanisms must be employed. The site plan shows one (1) access from Route 47 and one (1) access from Conservation Drive. There will be a maximum of four (4) employees at the property. Based on the approximately fifteen thousand (15,000) square feet of buildings presently onsite and the requirement in Section 11:04 of one (1) parking space per six hundred (600) square feet of floor area plus one (1) parking space per employees, the property meets the parking requirements contained in the Zoning Ordinance without the construction of the new building. The site plan shows five (5) customer parking spaces, including two (2) handicapped accessible parking space, twenty-four (24) employee parking spaces, and fifty-eight (58) parking spaces for trailers.

Conflicts between pedestrians and vehicular movements should be minimized. When truck traffic will be present upon the site, the road size and configuration shall be adequate to provide for off-street parking and loading facilities for large vehicles. Barrier curb should be employed for all perimeters of and islands in paved parking lots, as well as for all service drives, loading dock areas, and the equivalent. Parking lots in industrial or commercial areas shall be paved with hot-mix asphalt or concrete surfacing. **No conflicts are foreseen**.

Site Layout-Improvements shall be laid out to avoid adversely affecting ground water and aquifer recharge; minimize cut and fill; avoid unnecessary impervious cover; prevent flooding and pollution; provide adequate access to lots and sites; and mitigate adverse effects of shadow, noise, odor, traffic, drainage and utilities on neighboring properties. The proposal should not impact, shadow, noise, odor, traffic, or utilities on neighboring properties. Drainage concerns can be addressed in the stormwater management permit. The proposed septic field is located south of the access drive and southern most future parking area.

Consistent with the Land Resource Management Plan-The proposed use and the design of the site should be consistent with the Land Resource Management Plan. **This is true.** 

ZPAC Memo – Prepared by Matt Asselmeier – June 26, 2024

Building Materials-The proposed site plan design shall provide a desirable environment for its occupants and visitors as well as its neighbors through aesthetic use of materials, textures and colors that will remain appealing and will retain a reasonably adequate level of maintenance. Buildings shall be in scale with the ultimate development planned for the area. Monotony of design shall be avoided. Variations in detail, form, and setting shall be used to provide visual interest. Variation shall be balanced by coherence of design elements. No rendering was provided.

Relationship to Surrounding Development-A site shall be developed in harmony with neighboring street pattern, setbacks and other design elements. **This is not an issue.** 

Open Space and Pedestrian Circulation-Improvements shall be designed to facilitate convenient and safe pedestrian and bicycle movement within and to the property. **This is not an issue.** 

Buffering-Measures shall be taken to protect adjacent properties from any undue disturbance caused by excessive noise, smoke, vapors, fumes, dusts, odors, glare or stormwater runoff. Incompatible, unsightly activities are to be screened and buffered from public view. The Petitioner proposes a seven foot (7') tall iron looking fence across the front (east) side of the property and an eight foot (8') tall solid fence along sides and rear of the property. The Petitioner also proposes a slide gate at the main entrance off of Route 47 and a gate off of Conservation Drive. The landscaping plan proposes four (4) Autumn Blaze Maples, four (4) Thornless Honeylocusts, eighteen (18) Neon Flash Spirea, eighteen (18) Chicagoland Green Boxwoods, Kentucky Bluegrass, and Wet Mesic Prairie Mix. The Petitioner also proposes to keep the existing trees within ten feet (10') of the southern and western property lines, except for dead trees brush. The area around the sign would also be landscaped. Section 11:02.F.8 of the Zoning Ordinance discussing the planting of hedges, installation of berms, and the planting of natural vegetation. This Section also gives the Regional Planning Commission the ability to reduce buffering requirements. The Petitioner would like to ask the Regional Planning Commission for a reduction in the buffering requirement.

*Emergency Vehicle Access-Every structure shall have sufficient access for emergency vehicles.* The Petitioner proposes to provide the Bristol-Kendall Fire Protection District and Sheriff's Department with the combination to the gate. Beyond that information, Staff would like comments from the Fire Protection District and Sheriff's Department on this matter.

Mechanical Equipment Screening-All heating, ventilation and air conditioning equipment shall be screened on sides where they abut residential districts. The HVAC system is along the northside of the building at ground level. The proposed fences should screen adjoining properties from the mechanical systems.

Lighting-The height and shielding of lighting fixtures shall provide proper lighting without hazard to motorists on adjacent roadways or nuisance to adjacent residents by extending onto adjacent property. Cut-off lighting should be used in most locations, with fixtures designed so that the bulb/light source is not visible from general side view. The Petitioner does not propose any additional exterior lighting other than the battery packs on the building for security purposes. The parking area for inventory would not be illuminated and the sign would not be illuminated. There would be an illuminated sign on the building.

Refuse Disposal and Recycling Storage Areas-All refuse disposal and recycling storage areas should be located in areas designed to provide adequate accessibility for service vehicles. Locations should be in areas where minimal exposure to public streets or residential districts will exist. Screening shall be required in areas which are adjacent to residential districts or are within public view. Such enclosures should not be located in landscape buffers. Refuse containers and compactor systems shall be placed on smooth surfaces of non-absorbent material such as concrete or machine-laid asphalt. A concrete pad shall be used for storing grease containers. Refuse disposal and recycling storage areas serving food establishments shall be located as far as possible from the building's doors and windows. The use of chain link fences with slats is prohibited. One (1) twelve foot by twenty-five foot (12X25') concrete dumpster area is shown west of the eastern most building. This area would be inside a wooden fence. The refuse area would be moved, if the new building was constructed.

#### RECOMMENDATION

Pending review by ZPAC and the Kendall County Regional Planning Commission, Staff recommends approval of the site plan subject to the following conditions:

- 1. The site shall be developed substantially in accordance with the attached site plan (Attachment 2) and landscaping plan (Attachment 3).
- 2. An eight foot (8') tall solid fence shall be added along the north, west, and south property lines in addition to the seven foot (7') tall iron looking fence depicted on the site plan (Attachment 2).
- 3. One (1) gate made of the same material and size of the eight foot (8') tall fence shall be placed along the entrance of the property at Conservation Drive.
- 4. The Kendall County Sheriff's Department and the Bristol-Kendall Fire Protection District shall be provided a passcode to at least one (1) of the gates.
- 5. The fencing and landscaping shall be installed by December 31, 2024. The Planning, Building and Zoning Department may grant an extension to this deadline.
- 6. Dead trees and scrub growth located within ten feet (10') of the southern and western property lines may be removed.
- 7. If additional lighting is proposed in the future, an amendment to the site plan will be required.
- 8. If the building addition shown on the site plan is constructed, an amendment to the site plan will be required.
- 9. The site shall be developed in accordance with all applicable federal, state, and local laws related to site development.

#### ATTACHMENTS

- 1. Application Materials
- 2. Site Plan
- 3. Landscaping Plan

Attachment 1, Page 1



**DEPARTMENT OF PLANNING, BUILDING & ZONING** 

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

Fax (630) 553-4179

## APPLICATION

PROJECT NAME A & D Properties, LLC

FILE #:\_\_\_\_\_

NAME OF APPLICANT (Including	First, Middle Initial, and Last Name)	
A & D Properties, LLC		
CURRENT LANDOWNER/NAME	5)	
A & D Properties, LLC		
SITE INFORMATION ACRES	SITE ADDRESS OR LOCATION	ASSESSOR'S ID NUMBER (PIN)
15.7288	7789 Route 47, Yorkville, IL 60560	05-09-300-015
EXISTING LAND USE	CURRENT ZONING	LAND CLASSIFICATION ON LRMP
Vacant	B-3	B-3
REQUESTED ACTION (Check All	That Apply):	
SPECIAL USE	MAP AMENDMENT (Rezone to)	VARIANCE
ADMINISTRATIVE VARIANCE	A-1 CONDITIONAL USE for:	SITE PLAN REVIEW
TEXT AMENDMENT	RPD (Concept; Preliminary; Final)	ADMINISTRATIVE APPEAL
PRELIMINARY PLAT	FINAL PLAT	OTHER PLAT (Vacation, Dedication, etc.)
AMENDMENT TO A SPECIAL	USE (Major; Minor)	
PRIMARY CONTACT	PRIMARY CONTACT MAILING ADDRESS	PRIMARY CONTACT EMAIL
Daniel J. Kramer		
PRIMARY CONTACT PHONE #	PRIMARY CONTACT FAX #	PRIMARY CONTACT OTHER #(Cell, etc.)
<sup>2</sup> ENGINEER CONTACT	ENGINEER MAILING ADDRESS	ENGINEER EMAIL
John Tebrugge		
ENGINEER PHONE #	ENGINEER FAX #	ENGINEER OTHER # (Cell, etc.)
COUNTY STAFF & BOARD	SIGNING THIS FORM, THAT THE PROPERT / COMMISSION MEMBERS THROUGHOUT T LISTED ABOVE WILL BE SUBJECT TO ALL C	HE PETITION PROCESS AND THAT
BEST OF MY KNOWLEDGE ABOVE SIGNATURES. THE	RMATION AND EXHIBITS SUBMITTED ARE AND THAT I AM TO FILE THIS APPLICATION APPLICANT ATTESTS THAT THEY ARE FINDALL COUNTY AS OF THE APPLICATION	N AND ACT ON BEHALF OF THE REE OF DEBT OR CURRENT ON
SIGNATURE OF APPLICA	NT	DATE 06 06 24
	FEE PAID:	
	CHECK #:	

<sup>1</sup>Primary Contact will receive all correspondence from County

<sup>2</sup>Engineering Contact will receive all correspondence from the County's Engineering Consultants

## LEGAL DESCRIPTION OF PARCEL 1:

That Part of the West Half of Section 9, Township 36 North, Range 7 East of the Third Principal Meridian, described as follows:

Commencing at the Southeast Corner of said Section 9; thence Westerly along the Southerly Line of said Section, 2672.0 feet to the tangent center line of Illinois State Route No. 47 extended from the South; thence South along said tangent center line, 869.22 feet; thence South 89°34'04" West, 615.0 feet; thence North 24°54'19" West, 1015.92 feet for the point of beginning; thence North 24°54'19" West, 456.95 feet; thence North 66°41'34" East, 1012.15 feet to the Westerly Right of Way Line of said State Route No. 47, being 40.0 feet normally distant Southwesterly from the center line of said Route; thence Southeasterly along said Westerly Right of Way Line, being on a curve to the right having a radius of 5420.43 feet, a distance of 91.87 feet; thence South 17°08'59" East along said right of way line, 0.80 feet; thence Southeasterly along said Westerly Right of Way Line, being on a curve to the right having a radius of 5344.41 feet, a distance of 343.71 feet to a line drawn North 65°13'06" East from the point of beginning; thence South 65°13'06" West, 942.72 feet to the point of beginning, in the Township of Kendall, in Kendall County, Illinois,

EXCEPT those Parts conveyed to the State of Illinois in the Deeds recorded June 29, 1990 as Document 1990-904189 and October 23, 1990 as Document 1990-906729.

## LEGAL DESCRIPTION OF PARCEL 2:

Lots 2 and 3 of Walz Subdivision, recorded December 17, 1990 as Document 907919, in the Township of Kendall, Kendall County, Illinois.

Attachment 1, Page 3

Toni port

## ALTA COMMITMENT FOR TITLE INSURANCE

Issued By:



1		

#### NOTICE

**IMPORTANT - READ CAREFULLY:** THIS COMMITMENT IS AN OFFER TO ISSUE ONE OR MORE TITLE INSURANCE POLICIES. ALL CLAIMS OR REMEDIES SOUGHT AGAINST THE COMPANY INVOLVING THE CONTENT OF THIS COMMITMENT OR THE POLICY MUST BE BASED SOLELY IN CONTRACT.

THIS COMMITMENT IS NOT AN ABSTRACT OF TITLE, REPORT OF THE CONDITION OF TITLE, LEGAL OPINION, OPINION OF TITLE, OR OTHER REPRESENTATION OF THE STATUS OF TITLE. THE PROCEDURES USED BY THE COMPANY TO DETERMINE INSURABILITY OF THE TITLE, INCLUDING ANY SEARCH AND EXAMINATION, ARE PROPRIETARY TO THE COMPANY, WERE PERFORMED SOLELY FOR THE BENEFIT OF THE COMPANY, AND CREATE NO EXTRACONTRACTUAL LIABILITY TO ANY PERSON, INCLUDING A PROPOSED INSURED.

THE COMPANY'S OBLIGATION UNDER THIS COMMITMENT IS TO ISSUE A POLICY TO A PROPOSED INSURED IDENTIFIED IN SCHEDULE A IN ACCORDANCE WITH THE TERMS AND PROVISIONS OF THIS COMMITMENT. THE COMPANY HAS NO LIABILITY OR OBLIGATION INVOLVING THE CONTENT OF THIS COMMITMENT TO ANY OTHER PERSON.

#### COMMITMENT TO ISSUE POLICY

Subject to the Notice; Schedule B, Part I-Requirements; Schedule B, Part II-Exceptions; and the Commitment Conditions, Chicago Title Insurance Company, a Florida corporation (the "Company"), commits to issue the Policy according to the terms and provisions of this Commitment. This Commitment is effective as of the Commitment Date shown in Schedule A for each Policy described in Schedule A, only when the Company has entered in Schedule A both the specified dollar amount as the Proposed Policy Amount and the name of the Proposed Insured.

If all of the Schedule B, Part I-Requirements have not been met within one hundred eighty (180) days after the Commitment Date, this Commitment terminates and the Company's liability and obligation end.

#### **Chicago Title Insurance Company**



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Printed: 09.23.20 @ 11:57 AM

#### CHICAGO TITLE INSURANCE COMPANY

Transaction Identification Data for reference only:

**ORIGINATING OFFICE:** Chicago Title Insurance Company 10 South LaSalle Street, Suite 3100 Chicago, IL 60603 Main Phone: (312)223-4627 Email: chicagocommercial@ctt.com FOR SETTLEMENT INQUIRIES, CONTACT: Chicago Title and Trust Company 10 South LaSalle Street, Suite 3100 Chicago, IL 60603

Main Phone: (312)223-4627 Main Fax: (312)223-3018

Order Number:

Property Ref.: 7789 Route 47, Yorkville, IL 60560

## SCHEDULE A

- 1. Commitment Date: September 11, 2020
- 2. Policy to be issued:
  - (a) ALTA Owner's Policy 2006 Proposed Insured: A&D Properties, LLC Proposed Policy Amount: \$750,000.00
  - (b) ALTA Loan Policy 2006 Lender with a contractual obligation under a loan agreement with the Proposed Proposed Insured: Insured for an Owner's Policy Proposed Policy Amount: \$520,000.00
- The estate or interest in the Land described or referred to in this Commitment is:

Fee Simple

4. The Title is, at the Commitment Date, vested in:

West Suburban Bank, as Trustee under a Trust Agreement dated October 28, 2002 and known as Trust Number 13250

The Land is described as follows:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

END OF SCHEDULE A

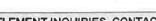
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Page 2





COMMITMENT NO.

Attachment 1, Page 5

### EXHIBIT "A"

#### Legal Description

THAT PAR T OF THE WEST HALF OF SECTION 9, TOWNSHIP 36 NOR TH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 9: THENCE WESTERLY ALONG THE SOUTHERLY LINE OF SAID SECTION, 2672.0 FEET TO THE TANGENT CENTER LINE OF ILLINOIS STATE ROUTE NO. 47 EXTENDED FROM THE SOUTH; THENCE SOUTH ALONG SAID TANGENT CENTER LINE 869.22 FEET; THENCE SOUTH 89° 34' 04" WEST 615.0 FEET; THENCE NORTH 24° 54' 19" WEST 1015.92 FEET FOR THE POINT OF BEGINNING;

THENCE NORTH 24° 54' 19" WEST 456.95 FEET; THENCE NORTH 66° 41' 34" EAST 1012.15 FEET TO THE WESTERLY RIGHT OF WAY LINE, OF SAID STATE ROUTE NO. 47, BEING 40.0 FEET NORMALLY DISTANT SOUTHWESTERLY FROM THE CENTER LINE OF SAID ROUTE; THENCE SOUTHEASTERLY ALONG SAID WESTERLY RIGHT OF WAY LINE, BEING ON A CURVE TO THE RIGHT HAVING A RADIUS OF 5420.43 FEET, A DISTANCE OF 91.87 FEET; THENCE SOUTH 17° 08' 59" EAST ALONG SAID RIGHT OF WAY LINE 0.80 FEET; THENCE SOUTHEASTERLY ALONG SAID WESTERLY RIGHT OF WAY LINE, BEING ON A CURVE TO THE RIGHT HAVING A RADIUS OF 5,344.41 FEET A DISTANCE OF 343.71 FEET TOA LINE DRAWN NORTH 65° 13' 06" EAST FROM THE POINT OF BEGINNING; THENCE SOUTH 65° 13' 06" WEST 942.72 FEET TO THE POINT OF BEGINNING: IN THE TOWNSHIP OF KENDALL; IN KENDALL COUNTY ILLINOIS.

EXCEPT THOSE PARTS CONVEYED TO THE STATE OF ILLINOIS IN THE DEEDS RECORDED JUNE 29, 1990 AS DOCUMENT 1990-904189 AND OCTOBER 23, 1990 AS DOCUMENT 1990-906729.

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#### CHICAGO TITLE INSURANCE COMPANY

COMMITMENT NO.

MERICA

## SCHEDULE B, PART I REQUIREMENTS

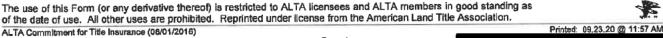
All of the following Requirements must be met:

- The Proposed Insured must notify the Company in writing of the name of any party not referred to in this Commitment who will obtain an interest in the Land or who will make a loan on the Land. The Company may then make additional Requirements or Exceptions.
- Pay the agreed amount for the estate or interest to be insured.
- 3. Pay the premiums, fees, and charges for the Policy to the Company.
- Documents satisfactory to the Company that convey the Title or create the Mortgage to be insured, or both, must be properly authorized, executed, delivered, and recorded in the Public Records.
- 5. Notice: Please be aware that due to the conflict between federal and state laws concerning the cultivation, distribution, manufacture or sale of marijuana, the Company is not able to close or insure any transaction involving Land that is associated with these activities.
- 6. Be advised that the "good funds" of the title insurance act (215 ILCS 155/26) became effective 1-1-2010. This act places limitations upon the settlement agent's ability to accept certain types of deposits into escrow. Please contact your local Chicago Title office regarding the application of this new law to your transaction.
- 7. Effective June 1, 2009, pursuant to Public Act 95-988, satisfactory evidence of identification must be presented for the notarization of any and all documents notarized by an Illinois notary public. Satisfactory identification documents are documents that are valid at the time of the notarial act; are issued by a state or federal government agency; bear the photographic image of the individual's face; and bear the individual's signature.
- 8. The Proposed Policy Amount(s) must be increased to the full value of the estate or interest being insured, and any additional premium must be paid at that time. An Owner's Policy should reflect the purchase price or full value of the Land. A Loan Policy should reflect the loan amount or value of the property as collateral. Proposed Policy Amount(s) will be revised and premiums charged consistent therewith when the final amounts are approved.

END OF SCHEDULE B, PART I

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#### CHICAGO TITLE INSURANCE COMPANY

#### COMMITMENT NO.

#### SCHEDULE B, PART II EXCEPTIONS

THIS COMMITMENT DOES NOT REPUBLISH ANY COVENANT, CONDITION, RESTRICTION, OR LIMITATION CONTAINED IN ANY DOCUMENT REFERRED TO IN THIS COMMITMENT TO THE EXTENT THAT THE SPECIFIC COVENANT, CONDITION, RESTRICTION, OR LIMITATION VIOLATES STATE OR FEDERAL LAW BASED ON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, GENDER IDENTITY, HANDICAP, FAMILIAL STATUS, OR NATIONAL ORIGIN.

The Policy will not insure against loss or damage resulting from the terms and provisions of any lease or easement identified in Schedule A, and will include the following Exceptions unless cleared to the satisfaction of the Company:

#### General Exceptions

- 1. Rights or claims of parties in possession not shown by Public Records.
- Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the title that would be disclosed by an accurate and complete land survey of the Land.
- 3. Easements, or claims of easements, not shown by the Public Records.
- Any lien, or right to a lien, for services, labor or material heretofore or hereafter furnished, Imposed by law and not shown by the Public Records.
- 5. Taxes or special assessments which are not shown as existing liens by the Public Records.
- 6. We should be furnished a properly executed ALTA statement and, unless the land insured is a condominium unit, a survey if available. Matters disclosed by the above documentation will be shown specifically
- Any defect, lien, encumbrance, adverse claim, or other matter that appears for the first time in the Public Records or is created, attaches, or is disclosed between the Commitment Date and the date on which all of the Schedule B, Part I—Requirements are met.
- C 8. Note for additional information: the County Recorder requires that any documents presented for recording contain the following information:
  - A. The name and address of the party who prepared the document;
  - B. The name and address of the party to whom the document should be mailed after recording;
  - C. All permanent real estate tax index numbers of any property legally described in the document;
  - D. The address of any property legally described in the document;

E. All deeds should contain the address of the grantee and should also note the name and address of the party to whom the tax bills should be sent.

F. Any deeds conveying unsubdivided land, or, portions of subdivided and, may need to be accompanied by a properly executed "plat act affidavit."

In addition, please note that the certain municipalities located in the County have enacted transfer tax ordinances. To record a conveyance of land located in these municipalities, the requirements of the transfer tax ordinances must be met. A conveyance of property in these cities may need to have the

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## COMMITMENT NO

#### SCHEDULE B, PART II EXCEPTIONS (continued)

appropriate transfer tax stamps affixed before it can be recorded.

This exception will not appear on the policy when issued.

Е 9. Taxes for the year 2020.

Taxes for the year 2020 are not yet due or payable.

Taxes for the year 2019, amounting to \$7,448.66 are marked paid of record.

Permanent Index Number: 05-09-300-015.

(Affects Land and other property)

- F Please be advised that our search did not disclose any open mortgages of record. If you should have 10. knowledge of any outstanding obligation, please contact the Title Department immediately for further review prior to closing.
- Existing unrecorded leases and all rights thereunder of the lessees and of any person or party claiming by, в 11. through or under the lessees.
- The Company should be furnished a statement that there is no property manager employed to manage А 12. the Land, or, in the alternative, a final lien waiver from any such property manager.
- Due to office closures in place or that might occur, we should be provided with our standard form of D 13. indemnity (GAP Indemnity) for defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the Public Records or attaching subsequent to the Commitment Date but prior to the date of recording of the instruments under which the Proposed Insured acquires the estate or interest or mortgage covered by this commitment. Note: Due to office closures related to covid-19 we may be temporarily unable to record documents in the normal course of business.
- The Land described in Schedule A either is unsubdivided property or constitutes part of a subdivided lot. G 14. As a result, a Plat Act Affidavit should accompany any conveyance to be recorded. In the alternative, compliance should be had with the provisions of the Plat Act (765 ILCS 205/1 et seq.)
- Terms, powers, provisions, and limitations of the Trust under which title to the Land is held. H. 15.
- The Company will require the following documents for review prior to the issuance of any title insurance L 16. predicated upon a conveyance or encumbrance from the entity named below.

Limited Liability Company: A&D Properties, LLC

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#### SCHEDULE B, PART II EXCEPTIONS (continued)

a. A copy of its operating agreement, if any, and any and all amendments, supplements and/or modifications thereto, certified by the appropriate manager or member.

b. If a domestic Limited Liability Company, a copy of its Articles of Organization and all amendment thereto with the appropriate filing stamps.

c. If the Limited Liability Company is member-managed a full and complete current list of members certified by the appropriate manager or member.

d. A current dated certificate of good standing from the proper governmental authority of the state in which the entity was created

e. If less than all members, or managers, as appropriate, will be executing the closing documents, furnish evidence of the authority of those signing.

The Company reserves the right to add additional items or make further requirements after review of the requested documentation.

- N 17. Easement(s) for the purpose(s) and rights incidental thereto, as granted in a document, granted to Commonwealth Edison and Illinois Bell Telephone Company, recorded on January 9, 1990 as Document No. 1990-90210, affects the Land therein described.
- J 18. Easement(s) for the purpose(s) and rights incidental thereto, as granted in a document, granted to Northern Illinois Gas company, an Illinois corporation doing business as Nicor Gas, for purpose a perpetual, non-exclusive easement and right of way for purpose of laying, maintaining, operating, renewing, replacing, and removing gas mains and any necessary gas facilities appurtenant thereto, in, upon, under, along and across the described property, recorded on June 29, 2004 as Document No. 2004-18007, affects a 15 foot wide strip of land.

(Affects the Land and other property)

- K 19. Terms and provisions of the Subordination of Surace Rights for Public Road Purposes granted by Ameritech to the State of Illinois recorded October 13, 2004 subordinating the interest of a Right of Way recorded December 15, 1950 in Book 107, Page 594 in the recorders office.
- L 20. Note for information (Endorsement Requests):

All endorsement requests should be made prior to closing to allow ample time for the company to examine required Documentation.

Note: before any endorsements can be approved, we should be informed as to the land use and as to what type of structure is on the land.

(This note will be waived for policy)

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COMMITMENT NO

#### SCHEDULE B, PART II EXCEPTIONS (continued)

#### M 21. Informational Note:

To schedule any closings in the Chicago Commercial Center, please call (312)223-2707.

END OF SCHEDULE B, PART II

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#### CHICAGO TITLE INSURANCE COMPANY

#### COMMITMENT NO.

#### COMMITMENT CONDITIONS

#### 1. DEFINITIONS

- (a) "Knowledge" or "Known": Actual or Imputed knowledge, but not constructive notice imparted by the Public Records.
- (b) "Land": The land described in Schedule A and affixed improvements that by law constitute real property. The term "Land" does not include any property beyond the lines of the area described in Schedule A, nor any right, title, interest, estate, or easement in abutting streets, roads, avenues, alleys, lanes, ways, or waterways, but this does not modify or limit the extent that a right of access to and from the Land is to be insured by the Policy.
- (c) "Mortgage": A mortgage, deed of trust, or other security instrument, including one evidenced by electronic means authorized by law.
- (d) "Policy": Each contract of title insurance, in a form adopted by the American Land Title Association, issued or to be issued by the Company pursuant to this Commitment.
- (e) "Proposed Insured": Each person Identified in Schedule A as the Proposed Insured of each Policy to be issued pursuant to this Commitment.
- (f) "Proposed Policy Amount": Each dollar amount specified in Schedule A as the Proposed Policy Amount of each Policy to be issued pursuant to this Commitment.
- (g) "Public Records": Records established under state statutes at the Commitment Date for the purpose of imparting constructive notice of matters relating to real property to purchasers for value and without Knowledge.
- (h) "Title": The estate or interest described in Schedule A.
- If all of the Schedule B, Part I-Requirements have not been met within the time period specified in the Commitment to Issue Policy, this Commitment terminates and the Company's liability and obligation end.
- 3. The Company's liability and obligation is limited by and this Commitment is not valid without:
- (a) the Notice;
  - (b) the Commitment to Issue Policy;
  - (c) the Commitment Conditions;
  - (d) Schedule A;
  - (e) Schedule B, Part I-Requirements;
  - (f) Schedule B, Part II-Exceptions; and
  - (g) a counter-signature by the Company or its issuing agent that may be in electronic form.

#### 4. COMPANY'S RIGHT TO AMEND

The Company may amend this Commitment at any time. If the Company amends this Commitment to add a defect, lien, encumbrance, adverse claim, or other matter recorded in the Public Records prior to the Commitment Date, any liability of the Company is limited by Commitment Condition 5. The Company shall not be liable for any other amendment to this Commitment.

#### 5. LIMITATIONS OF LIABILITY

- (a) The Company's liability under Commitment Condition 4 is limited to the Proposed Insured's actual expense incurred in the interval between the Company's delivery to the Proposed Insured of the Commitment and the delivery of the amended Commitment, resulting from the Proposed Insured's good faith reliance to:
  - (i) comply with the Schedule B, Part I-Requirements;
  - (ii) eliminate, with the Company's written consent, any Schedule B, Part II-Exceptions; or
  - (iii) acquire the Title or create the Mortgage covered by this Commitment.
- (b) The Company shall not be liable under Commitment Condition 5(a) if the Proposed Insured requested the amendment or had Knowledge of the matter and did not notify the Company about it in writing.
- (c) The Company will only have liability under Commitment Condition 4 if the Proposed Insured would not have incurred the expense had the Commitment included the added matter when the Commitment was first delivered to the Proposed Insured.
- (d) The Company's liability shall not exceed the lesser of the Proposed Insured's actual expense Incurred in good faith and described in Commitment Conditions 5(a)(i) through 5(a)(ii) or the Proposed Policy Amount.
- (e) The Company shall not be liable for the content of the Transaction Identification Data, if any.
- (f) In no event shall the Company be obligated to issue the Policy referred to in this Commitment unless all of the Schedule B, Part I-Requirements have been met to the satisfaction of the Company.
- (g) In any event, the Company's liability is limited by the terms and provisions of the Policy.

#### 6. LIABILITY OF THE COMPANY MUST BE BASED ON THIS COMMITMENT

- (a) Only a Proposed Insured identified in Schedule A, and no other person, may make a claim under this Commitment.
- (b) Any claim must be based in contract and must be restricted solely to the terms and provisions of this Commitment.

This page is only a part of a 2016 ALTA® Commitment for Title Insurance issued by Chicago Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I-Requirements; Schedule B, Part II-Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.

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Page 9

#### CHICAGO TITLE INSURANCE COMPANY

COMMITMENT NO.

#### (continued)

- (c) Until the Policy is issued, this Commitment, as last revised, is the exclusive and entire agreement between the parties with respect to the subject matter of this Commitment and supersedes all prior commitment negotiations, representations, and proposals of any kind, whether written or oral, express or implied, relating to the subject matter of this Commitment.
- (d) The deletion or modification of any Schedule B, Part II-Exception does not constitute an agreement or obligation to provide coverage beyond the terms and provisions of this Commitment or the Policy.
- (e) Any amendment or endorsement to this Commitment must be in writing and authenticated by a person authorized by the Company.
- (f) When the Policy is issued, all liability and obligation under this Commitment will end and the Company's only liability will be under the Policy.
- 7. IF THIS COMMITMENT HAS BEEN ISSUED BY AN ISSUING AGENT
  - The issuing agent is the Company's agent only for the limited purpose of issuing title insurance commitments and policies. The issuing agent is not the Company's agent for the purpose of providing closing or settlement services.

#### 8. PRO-FORMA POLICY

The Company may provide, at the request of a Proposed Insured, a pro-forma policy illustrating the coverage that the Company may provide. A pro-forma policy neither reflects the status of Title at the time that the pro-forma policy is delivered to a Proposed Insured, nor is it a commitment to insure.

#### 9. ARBITRATION

The Policy contains an arbitration clause. All arbitrable matters when the Proposed Policy Amount is Two Million And No/100 Dollars (\$2,000,000.00) or less shall be arbitrated at the option of either the Company or the Proposed Insured as the exclusive remedy of the parties. A Proposed Insured may review a copy of the arbitration rules at <u>http://www.alta.org/arbitration</u>.

#### END OF CONDITIONS

#### **1031 EXCHANGE SERVICES**

If your transaction involves a tax deferred exchange, we offer this service through our 1031 division, IPX1031. As the nation's largest 1031 company, IPX1031 offers guidance and expertise. Security for Exchange funds includes segregated bank accounts and a 100 million dollar Fidelity Bond. Fidelity National Title Group also provides a 50 million dollar Performance Guaranty for each Exchange. For additional information, or to set-up an Exchange, please call Scott Nathanson at (312)223-2178 or Anna Barsky at (312)223-2169.

This page is only a part of a 2016 ALTA® Commitment for Title Insurance issued by Chicago Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I-Requirements; Schedule B, Part II-Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.

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Page 10

### KENDALL COUNTY DISCLOSURE OF BENEFICIARIES FORM

1.	Applicant At D
	Address
	Cit Sta
2.	Nature of Benefit Sought Re- Zoning
3.	Nature of Applicant: (Please check one) Natural Person Corporation Land Trust/Trustee Trust/Trustee Partnership Joint Venture Licubility Company
4.	If applicant is an entity other than described in Section 3, briefly state the nature and characteristics of the applicant:
5.	If your answer to Section 3 you have checked letter b, o, d, e, or f, identify by name and address each person or entity who is a 5% shareholder in case of a corporation, a beneficiary in the case of a trust or land trust, a joint venture in the case of a joint venture, or who otherwise has proprietary interest, interest in profits and losses or right to control such entity: NAME ADDRESS INTEREST $50\%$ KEISTINK STYRCZU $50\%$
6.	Name, address, and canacity of person making this disclosure on behalf of the applicant:
read the both sa	VERIFICATION this disclosure on behalf of the applicant, that I am duly authorized to make the disclosure, that I have the above and foregoing Disclosure of Beneficiaries, and that the statements contained therein are true in abstance and fact.
Subsci	nibed and sworn to before me this 19th day of March, A.D. 2024
(seal)	"OFFICIAL SEAL" COLLEEN THANSON NOTARY PUBLIC, STATE OF ILLINOIS COMMISSION NO. 979188 MY COMMISSION EXPIRES 10/8/2027

۰,

Attachment 1, Page 14





IDNR Project Number: 2411116 Date: 02/27/2024

Project: 7789 IL Route 47 Site Plan Address: 7789 IL Route 47, Yorkville

A&D Properties

Jerry Styrczula

Description: Construct a storage area for truck trailer parking and sales with gravel storage lot and detention pond.

#### **Natural Resource Review Results**

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

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

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

Location

Applicant:

Contact:

Address:

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

County: Kendall

Township, Range, Section: 36N, 7E, 9

IL Department of Natural Resources Contact Adam Rawe 217-785-5500 Division of Ecosystems & Environment



Government Jurisdiction IL Environmental Protection Agency Division of Water Pollution Control PO Box 19276 Springfield, Illinois 62794

#### Disclaimer

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

#### IDNR Project Number: 2411116

#### Terms of Use

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

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

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

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

#### Security

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

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

#### Privacy

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

PLAT OF SURVEY AND TOPOGRAPHY OF LOTS 2 AND 3 WALZ SUBDIVISION PART OF THE WEST HALF OF SECTION 9, T36N-R7E, 3rd PM KENDALL TOWNSHIP KENDALL COUNTY

5 745.4

+ 741.40

738.55

+ 737.22

+ 736.47

+ 735.39

1

+ 740.36

+ 738.52

+ 737.13

+ 737.56

+ 736.60

+ 736.18

+ 741.58

739.08

40'x40' Temporary Turnaround Easement to be automatically vacated when the public road is extended by dedication.

LEGAL DESCRIPTION OF PARCEL 1:

That Part of the West Half of Section 9, Township 36 North, Range 7 East of the Third Principal Meridian, described as follows: Commencing at the Southeast Corner of said Section 9; thence Westerly along the Southerly Line of said Section, 2672.0 feet to the tangent center line of Illinois State Route No. 47 extended from the South; thence South along said tangent center line, 869.22 feet; thence South 89'34'04" West, 615.0 feet; thence North 24'54'19" West, 1015.92 feet for the point of beginning; thence North 24°54'19" West, 456.95 feet; thence North 66°41'34" East, 1012.15 feet to the Westerly Right of Way Line of said State Route No. 47, being 40.0 feet normally distant Southwesterly from the center line of said Route; thence Southeasterly along said Westerly Right of Way Line, being on a curve to the right having a radius of 5420.43 feet, a distance of 91.87 feet; thence South 17'08'59" East along said right of way line, 0.80 feet; thence Southeasterly along said Westerly Right of Way Line, being on a curve to the right having a radius of 5344.41 feet, a distance of 343.71 feet to a line drawn North 65'13'06" East from the point of beginning; thence South 65'13'06" West, 942.72 feet to the point of beginning, in the Township of Kendall, in Kendall County, Illinois, EXCEPT those Parts conveyed to the State of Illinois in the Deeds recorded June 29, 1990 as Document 1990-904189 and October 23, 1990 as Document 1990-906729.

LEGAL DESCRIPTION OF PARCEL 2:

Lots 2 and 3 of Walz Subdivision, recorded December 17, 1990 as Document 907919, in the Township of Kendall, Kendall County, Illinois.

State of Illinois SS

County of Kendall

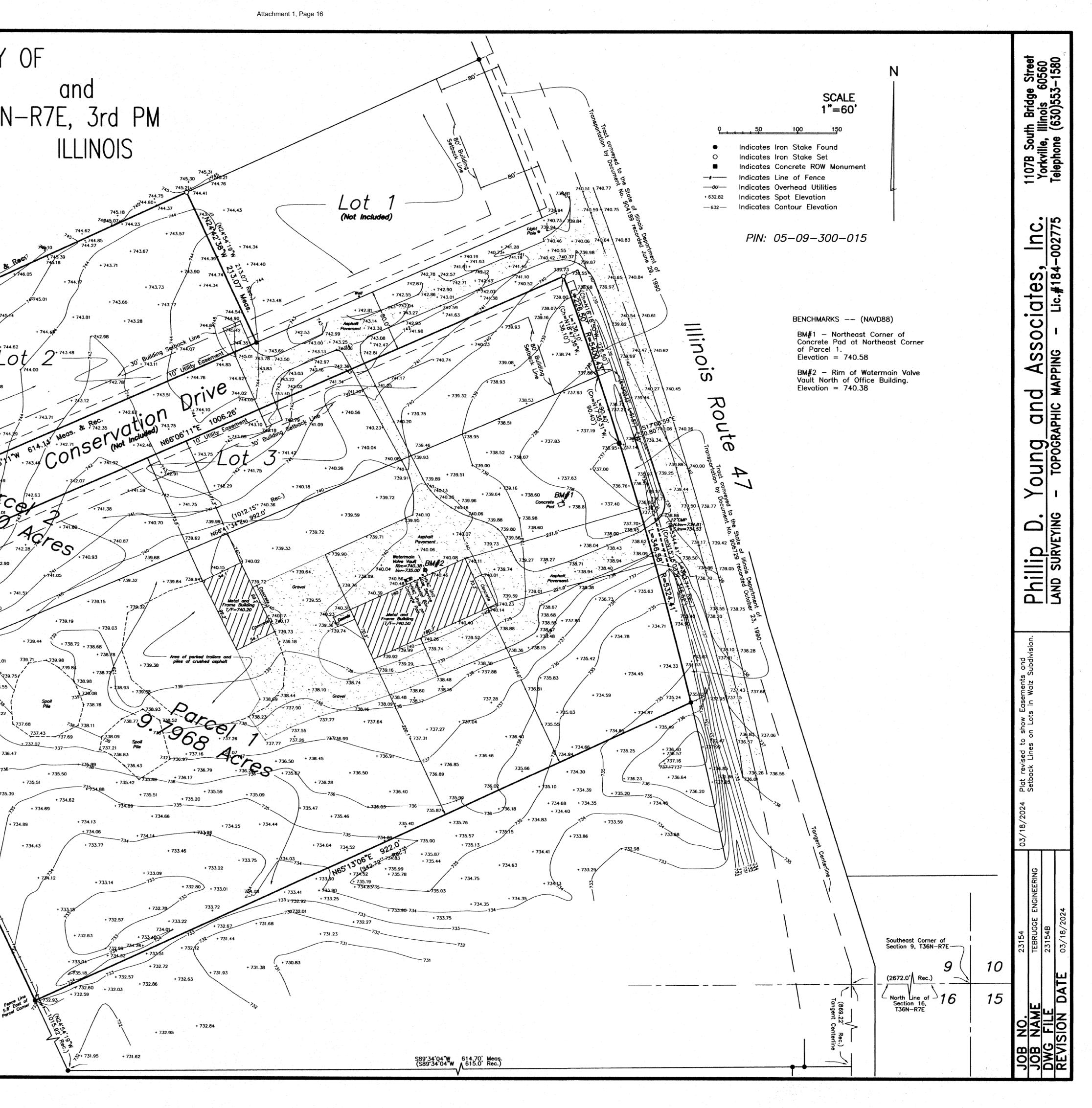
I, Andrew R. Young, an Illinois Professional Land Surveyor and an officer of Phillip D. Young and Associates, Inc., state that I have surveyed and located the visible improvements upon the above described tract as shown by the plat hereon drawn which is a representation of said survey. Field work was completed December 15, 2023. This professional service conforms to the current Illinois minimum standard for a boundary survey.

Dated December 21, 2023 at Yorkville, Illinois

Illinois Professional Land Surveyor No. (

80 (Expires 11/30/24)

ILLINOIS



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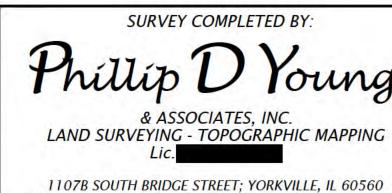
	L	EG	END
		PRO	PERTY BOUNDARY
60	0	EXIS	STING CONTOUR LINE
Stul	— вти ——	EXIS	STING STORM SEWER
	SAU	EXIS	STING SANITARY SEWER LINE
— yy		EXIS	STING WATERMAIN
UE UE		EXIS	STING UNDERGROUND ELECTRIC
		EXIS	STING OVERHEAD ELECTRIC
GAS GA	S —— GAS ——	EXIS	STING GAS SERVICE
— T — T	— T —	EXIS	STING TELEPHONE
	3	PRO	POSED CONTOUR LINE
•		PRO	POSED WATERMAIN
STM	— stm ———	PRO	POSED STORM SEWER
SAN	san		POSED SANITARY SEWER LINE
GREASE	GREASE		POSED GREASE SERVICE LINE
	(T	PRO	POSED VENT LINE
F F	_, _		STING FENCELINE
SF	\$F		POSED SILT FENCE
			STING SPOT SHOT
	86.00		
хо	86.00		OPOSED SPOT GRADE
WATER:	EXIST	PROP	B-BOX
W/HER.	A		
	Ø		HYDRANT VALVE
			VALVE VAULT
STORM:			INLET-CURB
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	$\nabla$	▼	FLARED END SECTION
SANITARY:	۲	0	CLEANOUT
	$\bigcirc$	$\bigcirc$	MANHOLE
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			ASPHALT
x			CONCRETE
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	OPERTY PIN		- GUY WIRE LOC.
🗷 CHI	SELED MARK		
	3 & TACK L BORING		C LIGHT POLE
	ERLAND RELIE	F	
			E ELECTRIC VAULT

NO.	DATE	NOTES	
1	4.22.24	KENDALL COUNTY REVIEW LETTER 3.26.24	
2	6.24.24	KENDALL COUNTY PLANNING CHANGES	
3	6.26.24	KENDALL COUNTY PLANNING CHANGES	
11 2 8			
1.00			



Contractor and or sub-contractors shall verify locations of all underground utilities prior to digging. Contact J.U.L.I.E. (Joint Utility Locating for Excavators) at 1-800-892-0123 or dial 811.

UTILITY STATEMENT THE UTILITIES SHOWN HAVE BEEN LOCATED FROM VISIBLE FIELD VIDENCE AND EXISTING DRAWINGS, MAPS AND RECORDS SUPPLIED T SURVEYOR. THE SURVEYOR MAKES NO GUARANTEES THAT THE UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED, ALTHOUGH THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM AVAILABLE INFORMATION. THE SURVEYOR HAS PHYSICALLY LOCATED VISIBLE STRUCTURES; HOWEVER, HE HAS NOT PHYSICALLY LOCATED THE UNDERGROUND LINES. TOPOGRAPHY STATEMENT EXISTING TOPOGRAPHY SHOWN REPRESENTS SITE CONDITIONS AS PREPARED BY TEBRUGGE ENGINEERING. CONTRACTOR SHALL FIELD CHECK EXISTING HORIZONTAL AND VERTICAL SITE FEATURES AND CONDITIONS PRIOR TO CONSTRUCTION AND NOTIFY ENGINEER OF ANY DISCREPANCIES PRIOR TO STARTING CONSTRUCTION.



PIN: 05-09-300-015

# ENGINEERING PLANS FOR

7789 IL ROUTE 47 SITE PLAN

# SECTION 9, TOWNSHIP 36 NORTH, RANGE 7 EAST 7789 US ROUTE 47 YORKVILLE, IL 60560 **KENDALL COUNTY JUNE**, 2024

# **INDEX TO SHEETS**

- COVER SHEET
- EXISTING CONDITIONS & DEMOLITION PLAN
- STORMWATER POLLUTION & PREVENTION PLAN
- 4. STORMWATER POLLUTION & PREVENTION PLAN 2
- CIVIL SITE PLANS 5
- 6. CIVIL SITE PLAN NORTH
- 7. CIVIL SITE PLAN SOUTH
- 8. GENERAL NOTES & DETAILS
- 9. GENERAL NOTES & DETAILS II

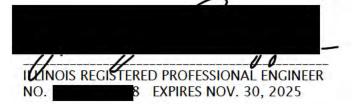
PROJECT LOCATION

**PROFESSIONAL ENGINEER'S CERTIFICATION** STATE OF ILLINOIS, COUNTY OF KENDALL

I JOHN J. TEBRUGGE, A LICENSED PROFESSIONAL ENGINEER OF ILLINOIS, HEREBY CERTIFY THAT THESE PLANS HAVE BEEN PREPARED UNDER MY PERSONAL DIRECTION BASED ON AVAILABLE DOCUMENTS AND FIELD MEASUREMENTS FOR THE EXCLUSIVE USE OF THE CLIENT NOTED HEREON.

GIVEN UNDER MY HAND & SEAL THIS 24<sup>TH</sup> DAY OF JUNE, 2024.

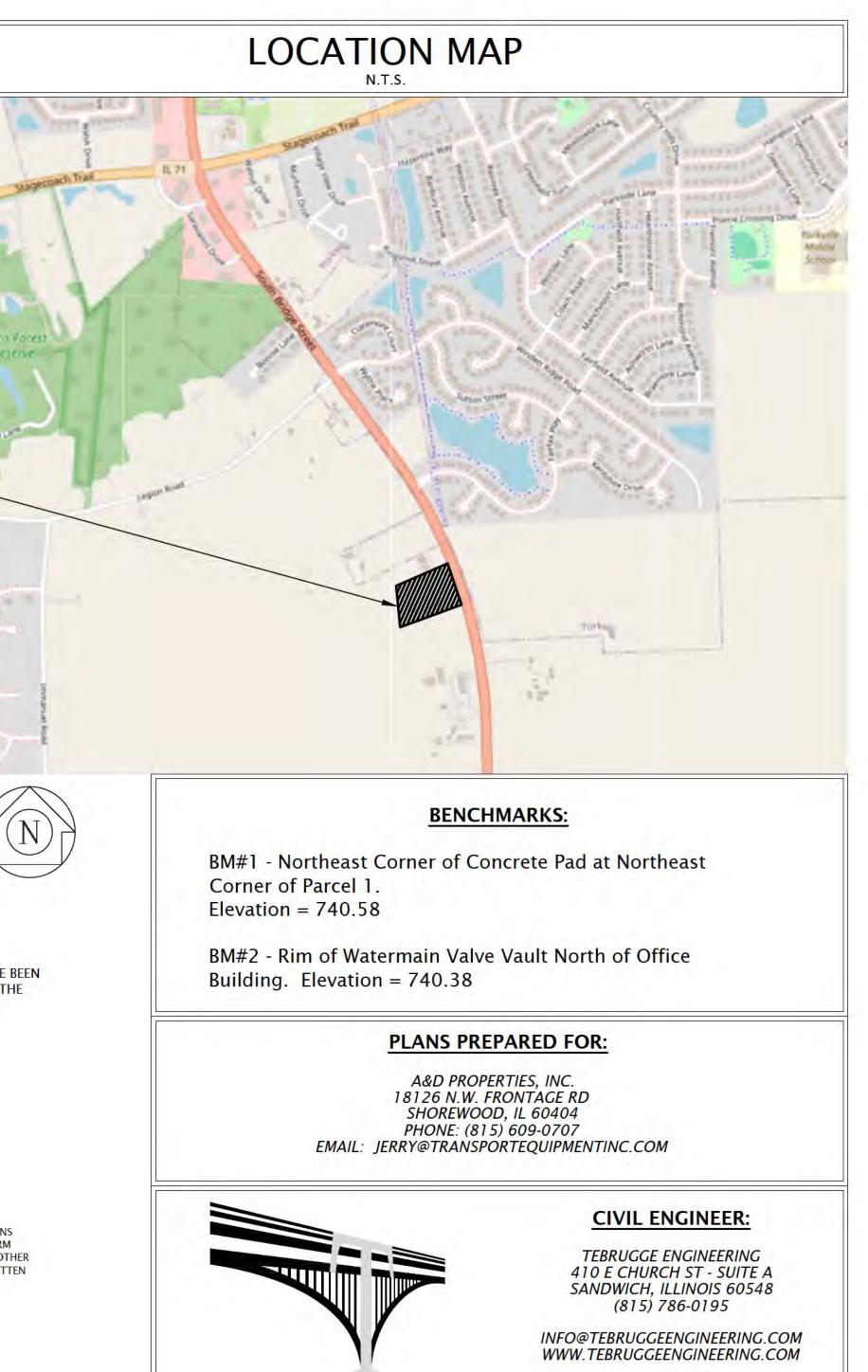


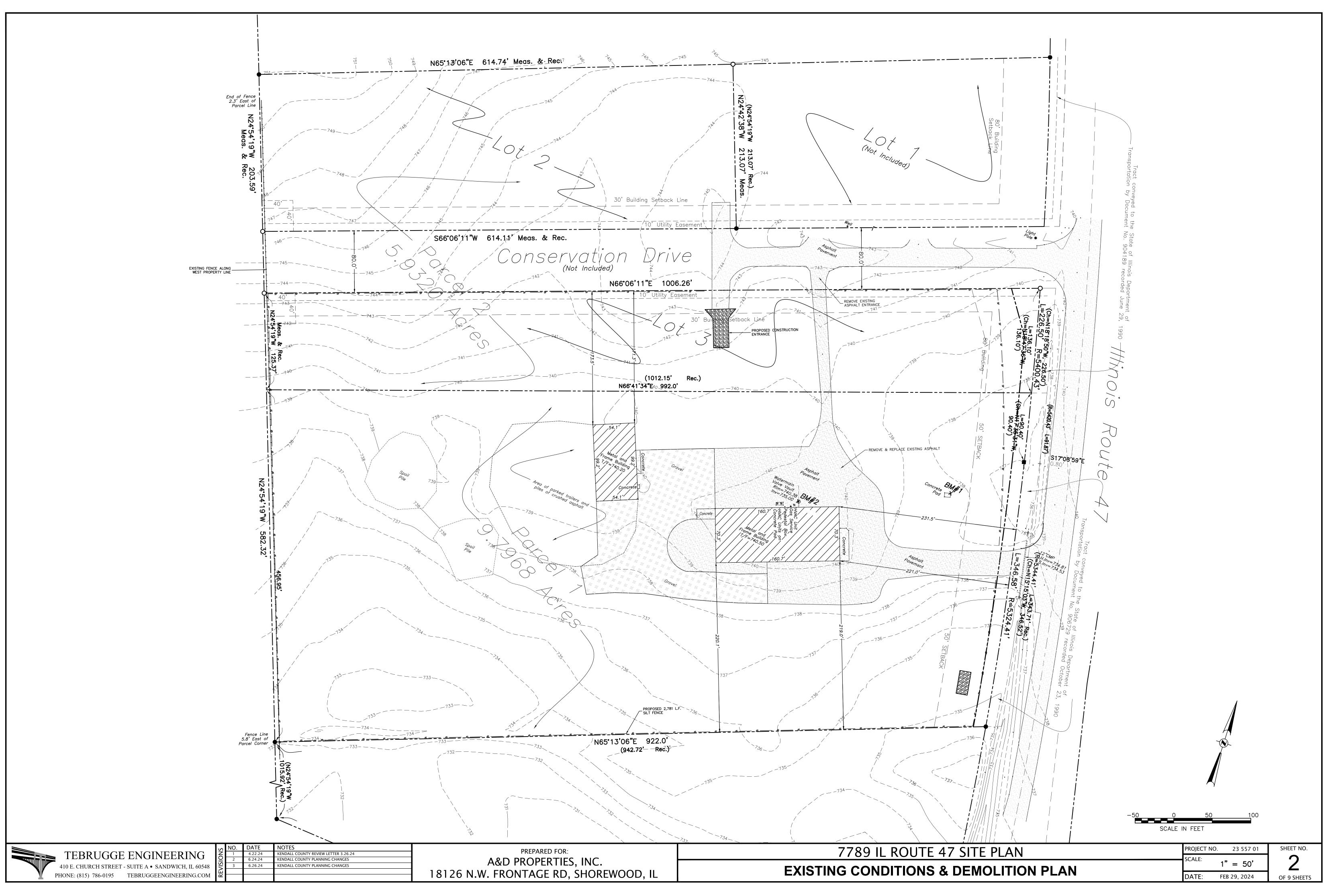


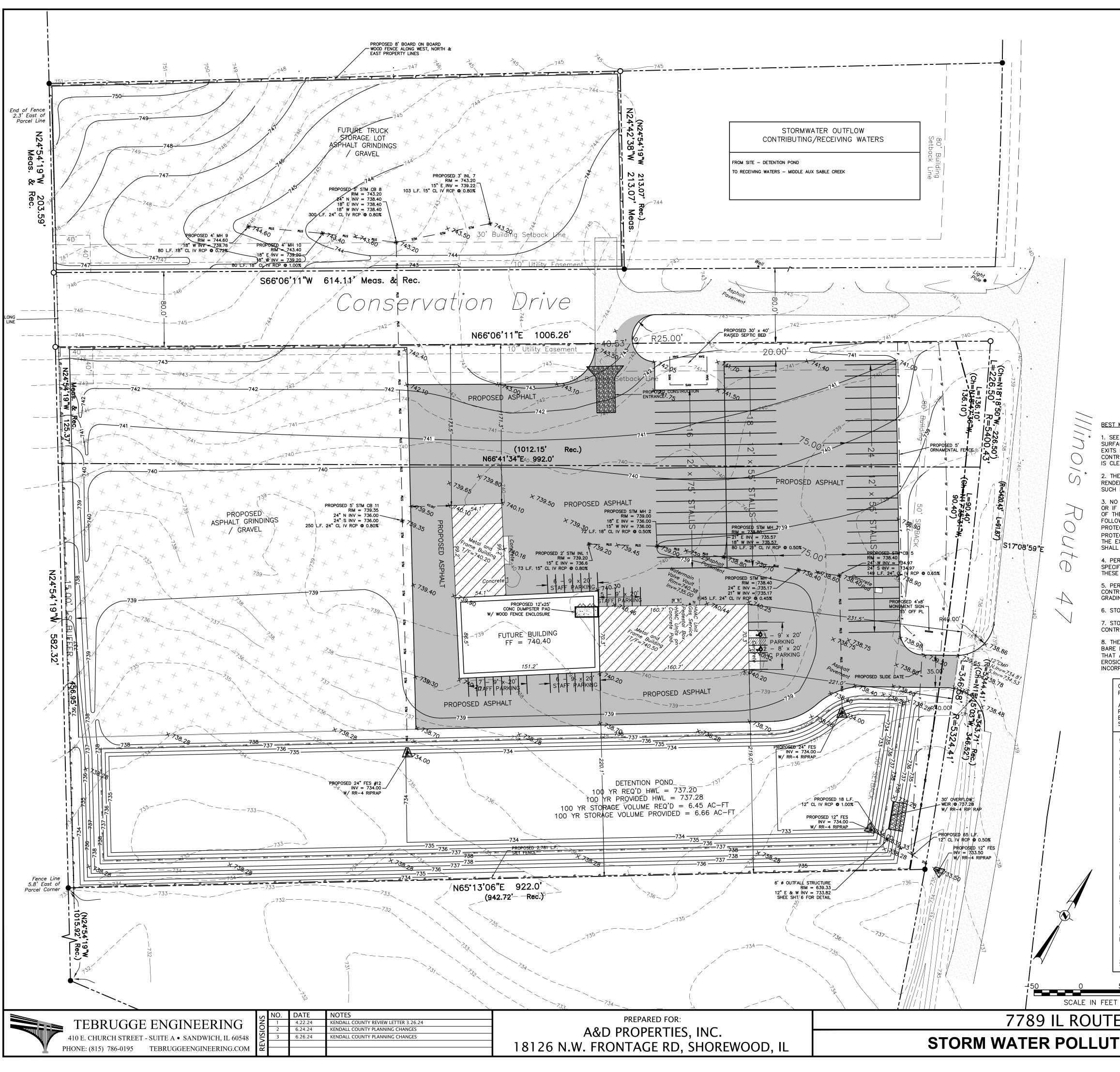
COPYRIGHT © 2024 BY TEBRUGGE ENGINEERING ALL RIGHTS RESERVED. NO PART OF THESE CIVIL ENGINEERING PLANS MAY BE REPRODUCED. DISTRIBUTED. OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, INCLUDING PHOTOCOPYING, RECORDING, OR OTHER ELECTRONIC OR MECHANICAL METHODS, WITHOUT THE PRIOR WRITTEN PERMISSION OF TEBRUGGE ENGINEERING.

Young PHONE 630 553 1580 EMAIL PHILYOUNG@COMCAST NET









TYPICAL	SOIL	PROTECTION	CHART
	JUL		

							-					-
Stabailization Type	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
Permanent Seeding			Α	A	Α	A*	A*	A	A			
Dormant Seeding	В	В	В								В	В
Temporary Seeding			С	С	С	C*	D*	D	D			
Sodding			E**									
Mulching	F	F	F	F	F	F	F	F	F	F	F	F

A — Kentucky Bluegrass — 90 lbs/acre mixed with perennial ryegrass - 30 lbs/acre

B — Kentucky Bluegrass — 135 lbs/acre mixed with perennial ryegrass - 45 lbs/acre

\* Watering needed in June and July

C — Spring Oats — 100 lbs/acre

\*\* Water for 2-3 weeks after sodding

D — Wheat or Cereal Rye — 150 lbs/acre

E – Sod

F — Straw Mulch — 2 tons/acre

SOIL EROSION / SEDIMENT CONTROL OPERATION TIME SCHEDULE NOTE: GENERAL CONTRACTOR TO COMPLETE TABLE WITH THEIR SPECIFIC PROJECT SCHEDULE RIAPRIMAY JUN JUL AUG SEP OCT NOV DECI JAN FEB MARIAPRIMAY JUN JUL CONSTRUCTION SEQUENCE TEMPORARY CONSTRUCTION EXITS

TEMPORARY CONTROL MEASURES										
SEDIMENT CONTROL BASINS										
STRIP & STOCKPILE TOPSOIL										
ROUGH GRADE										
STORM FACILITIES										
SITE CONSTRUCTION										
PERMANENT CONTROL STRUCTURES										
FOUNDATION / BUILDING CONSTRUCTION										
FINISH GRADING										
LANDSCAPING / SEED / FINAL STABILIZATION										

1) CONTRACTOR SHALL UPDATE THE TABLE BY SHADING OR DATING THE APPLICABLE ACTIVITIES AS PROJECT PROGRESSES.

2) TIME SCHEDULE MUST COINCIDE WITH SEQUENCE OF CONSTRUCTION.

## BEST MANAGEMENT PRACTICE NOTES

1. SEE STABILIZED CONSTRUCTION ENTRANCE DETAIL. THE CONSTRUCTION EXIT SHALL BE A MINIMUM OF 14' IN WIDTH AND 50' IN LENGTH FROM EXISTING PAVED SURFACE. ALL CONSTRUCTION TRAFFIC MUST UTILIZE CONSTRUCTION EXIT PER DETAIL TO ACCESS THE PUBLIC ROAD. DURING CONSTRUCTION, THE CONSTRUCTION EXITS MAY BE SHIFTED AT THE CONTRACTOR'S DISCRETION TO FACILITATE GRADING OPERATION. EXIT MUST TERMINATE AT EXISTING PAVED SURFACE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ENSURING THAT THE RUNOFF FROM THE CONSTRUCTION EXIT IS DIRECTED BACK TOWARD THE SITE OR THAT THE RUNOFF IS CLEAR OF SEDIMENT.

2. THE CONTRACTOR MAY PERMANENTLY REMOVE ANY PORTION OF THE PERIMETER SILT FENCE AFTER ESTABLISHMENT OF FINAL GRADE AND/OR FINAL STABILIZATION RENDERS THE RESPECTIVE PORTION OF THE PERIMETER SILT FENCE UP STREAM OF A DISTURBANCE AND/OR INEFFECTIVE AS A BEST MANAGEMENT PRACTICE. ANY SUCH REMOVAL SHALL BE NOTED ON THE SWPPP SITE MAPS ALONG WITH UPSTREAM STABILIZATION AND GRADING CONDITIONS.

3. NO STRUCTURE SHALL BE ALLOWED TO BE PROTECTED WITH ANY MEASURE OTHER THAN THOSE DETAILED IN THIS SWPPP SITE MAP FOR MORE THAN 48 HOURS OR IF RAIN IS IMMINENT. STRUCTURES THAT WILL NOT RECEIVE A CASTING WITHIN 48 HOURS OF INSTALLATION SHALL RECEIVE IP6 PROTECTION. UPON INSTALLATION OF THE GRATE, IP3 OR IP5 PROTECTION SHALL BE INSTALLED RESPECTIVE TO THE TYPE OF GRATE. STRUCTURES WITH CLOSED LIDS WILL NOT REQUIRE PROTECTION FOLLOWING INSTALLATION OF THE LID. THE CONTRACTOR SHALL NOTE THE TIME STRUCTURE INSTALLATION (AND PROTECTION INSTALLATION, INCLUDING TYPES OF PROTECTION) ARE EMPLOYED. WHENEVER PIPE INSTALLATION IS HALTED FOR MORE THAN 24 HOURS OR WHEN RAIN IS IMMINENT, THE OPEN END SHALL BE PROTECTED WITH A TEMPORARY BULK HEAD. A 🖥 SHEET OF PLYWOOD THAT EXTENDS 6" BEYOND THE OUTSIDE DIAMETER OF THE PIPE SHALL BE PLACED AGAINST THE EXPOSED PIPE END. GRAVEL SHALL BE PLACED AGAINST THE PLYWOOD IN SUFFICIENT QUANTITY SO AS TO ENSURE THE TIGHTEST POSSIBLE SEAL. THE TRENCH SHALL BE DE-WATERED PRIOR TO REMOVING THE BULKHEAD.

4. PERMANENT EROSION CONTROL FABRIC (NORTH AMERICAN GREEN SC150) SHALL BE APPLIED TO ALL SLOPES 4:1 OR GREATER. FOLLOW MANUFACTURER SPECIFICATIONS FOR INSTALLATION. THE CONTRACTOR SHALL NOTE ALL AREAS WHERE FABRIC HAS BEEN INSTALLED RELATIVE TO AS-BUILT GRADES AND FURNISH THESE BOUNDARIES TO THE CIVIL ENGINEER UPON REQUEST.

5. PERMANENT SEEDING SHOULD BE PLANTED AS SOON AS IT IS PRACTICAL TO ENSURE PROPER GERMINATION PRIOR TO TERMINATION OF PERMIT COVERAGE. THE CONTRACTOR SHALL PLANT PERMANENT SEEDING AS SPECIFIED ON THE LANDSCAPING PLAN AS SOON AS FINAL GRADES ARE ESTABLISHED AS SPECIFIED ON THE GRADING PLAN. SEE SITE LANDSCAPING PLAN FOR EXACT GROUND COVER TYPE AND LOCATION.

6. STOCKPILE SHOULD BE LOCATED IN AREAS THAT DO NOT HAVE HIGH POTENTIAL FOR CONTRIBUTING SEDIMENTS TO STORMWATER FACILITIES.

7. STOCKPILES OF SOIL AND OTHER BUILDING MATERIALS TO REMAIN IN PLACE MORE THAN THREE (3) DAYS SHALL BE FURNISHED WITH EROSION AND SEDIMENT CONTROL MEASURES. STOCK PILES NOT ACTIVELY WORKED AND TO REMAIN IN PLACE FOR 14 DAYS OR MORE SHALL RECEIVE TEMPORARY SEEDING.

8. THE CONDITION OF THE CONSTRUCTION SITE FOR WINTER SHUTDOWN SHALL BE ADDRESSED EARLY IN THE FALL GROWING SEASON SO THAT SLOPES AND OTHER BARE EARTH AREAS MAY BE STABILIZED WITH TEMPORARY AND/OR PERMANENT VEGETATIVE COVER FOR PROPER EROSION AND SEDIMENT CONTROL. ALL OPEN AREAS THAT ARE TO REMAIN IDLE THROUGHOUT THE WINTER SHALL RECEIVE TEMPORARY EROSION CONTROL MEASURES INCLUDING TEMPORARY SEEDING, MULCHING AND/OR EROSION CONTROL BLANKET PRIOR TO THE END OF THE FALL GROWING SEASON. THE AREAS TO BE WORKED BEYOND THE END OF THE GROWING SEASON MUST INCORPORATE SOIL STABILIZATION MEASURES THAT DO NOT RELY ON VEGETATIVE COVER SUCH AS EROSION CONTROL BLANKET AND HEAVY MULCHING.

GENERAL CONTRACTOR / OWNER SHALL COORDINATE WHICH CONTRACTORS WILL BE PROVIDING SWPPP SERVICES AND HAVE THEM SIGN THE CONTRACTOR'S CERTIFICATION ALL CONTRACTORS AND SUBCONTRACTORS IDENTIFIED IN A STORM WATER POLLUTION PREVENTION PLAN SHALL SIGN A COPY OF THE FOLLOWING CERTIFICATION STATEMENT BEFORE CONDUCTING ANY PROFESSIONAL SERVICES AT THE SITE IDENTIFIED IN THE STORM WATER POLLUTION PREVENTION PLAN CONTRACTOR'S CERTIFICATION "I CERTIFY UNDER PENALTY OF LAW THAT I UNDERSTAND THE TERMS AND CONDITIONS OF THE GENERAL NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT (ILR10) THAT AUTHORIZES THE STORM WATER DISCHARGES ASSOCIATED WITH INDUSTRIAL ACTIVITY FROM THE CONSTRUCTION SITE IDENTIFIED AS PART OF THE CERTIFICATION.	PROPOSED GRADE INFORMATION THAT IS PROVIDED ON THE SWPPP SITE MAP IS FOR THE PURPOSE OF INDICATING FINAL DRAINAGE PATTERNS ONLY. SEE GRADING PLAN FOR FINAL GRADING DETAILS. THE CONTRACTOR SHALL MAINTAIN ALL EXISTING ROADWAYS, SIDEWALKS, DRIVES, ETC., TO BE FREE AND CLEAR OF ANY CONSTRUCTION DEBRIS AND/OR EXCAVATED AND HAULED MATERIAL TO ENSURE EASY AND SAFE PEDESTRIAN AND VEHICULAR TRAFFIC TO AND FROM ADJACENT SITES. ILLINOIS URBAN MANUAL PROTECTIONS: IP-1. BLOCK AND ROCK SOCK INLET PROTECTION FOR SUMP OR ON-GRADE INLETS IP-2. CURB (ROCK) SOCKS UPSTREAM OF INLET PROTECTION, ON-GRADE INLETS IP-3. ROCK SOCK INLET PROTECTION FOR SUMP/AREA INLET IP-4. SILT FENCE INLET PROTECTION FOR SUMP/AREA INLET
CONTRACTOR NAME & TITLE: ADDRESS: PHONE #:	IP-5. OVER-EXCAVATION INLET PROTECTION IP-6. STRAW BALE INLET PROTECTION FOR SUMP/AREA INLET CIP-1. CULVERT INLET PROTECTION
	ACREAGE SUMMARY
SIGNATURE DATE	NOTICE OF INTENT (NOI)
CONTRACTOR NAME & TITLE: ADDRESS: PHONE #:	A&D PROPERTIES, INC. 18126 N.W. FRONTAGE RD SHOREWOOD, IL 60404 PHONE: (815) 609-0707 EMAIL: JERRY@TRANSPORTEQUIPMENTINC.COM
SIGNATURE DATE	
CONTRACTOR NAME & TITLE: ADDRESS:	TOTAL SITE AREA 12.56 AC $\pm$ TOTAL DISTURBED AREA 10.62 AC $\pm$
PHONE #:	PROPOSED IMPERVIOUS AREA 8.00 AC±
SIGNATURE DATE	LANDSCAPED AREA 4.56 AC±
50 100	PROPOSED CN 82

- 47 SITE PLAN	PROJECT NO.	23 557 01	SHEET NO.
	SCALE:	1" = 50'	3
	DATE:	FEB 29, 2024	OF 9 SHEETS

#### 1. GENERAL NOTES & DESCRIPTIONS

The Storm Water Pollution Prevention Plan (SWPPP) includes, but is not limited to the Erosion and Demolition Plan included in the Engineering Plans with the Detail Sheet, the Notice of Intent, Permit Authorization, General Permit, Notice of Termination. All records of inspection and activities which are created during the course of the project, and other documents as may be included by reference to this SWPPP. Changes, modifications, revisions, additions, or deletions shall become part of this SWPPP as they occur.

 All Contractors and sub-contractors that are responsible for implementing and measure of the SWPPP must be identified and must certify this SWPPP by signing the SWPPP certification in accordance with Part VI.G (Signatory Requirements) of the ILR10 Permit.

All signed certifications must be kept with the SWPPP documents and be available for inspection. The Contractor and all sub-contractors involved with construction activity that disturbs site soil or who implement

pollutant control measure identified in the Storm Water Pollution Prevention Plan must comply with the following requirements of the National Pollutant Discharge Elimination System (NPDES) General Permit, the NPDES Permit No. ILR10 for the State of Illinois and any local governing agency having jurisdiction concerning erosion and sediment

#### A. GENERAL PERMIT INFORMATION

All construction sites that will result in the disturbance of one acre or more must be permitted under the Illinois General NPDES Permit. The Notice of Intent (NOI) has been submitted at the address below. The NOI is for the onsite and offsite improvements . The NPDES Permit will be issued 30 days after the postmark date of the submittal of the NOI and initial yearly fee.

Permit Information: The Owner has mailed the Owner-signed NOI form and the initial yearly fee of \$500 to the address listed below. The Contractor will be responsible for submitting each subsequent \$500 yearly fee, if applicable. A copy of the signed NOI form will be supplied to the Contractor.

Unless notified by the Illinois Environmental Protection Agency (IEPA) to the contrary, construction activities may begin in accordance with this SWPPP and the ILR10 in 30 days following the post mark date of the NOI.

Transfer Information: If a portion of the property is sold, that new Owner may obtain their own general permit by submitting a separate NOI. The original NOI may then be modified by re-submitting the NOI with update acreage and checking the box "change of information". Also include documentation explaining that a lot has been sold, the acreage difference and the date of sale. There is no fee involved with modifying the NOI.

There are no requirements for a pre-construction meeting from any of the reviewing agencies.

#### Agency Information: Illinois Environmental Protection Agency Division of Water Pollution Control 1021 North Grand Avenue East

Springfield, Illinois 62794-9276

Kendall County Planning, Building & Zoning 111 West Fox Street Yorkville, Illinois 60560 Phone: (630) 553-4141

Phone: (217) 782-0610 B. PUBLIC POSTING

3. Construction Site Notice.

The following documents will be supplied to the contractor and must be posted on the Entrance Sign in a prominent place for public viewing until termination of permit coverage has been obtained by filing the Notice of Termination (NOT).

1. Notice of Intent signed in accordance with ILR10. 2. Permit Authorization from the Illinois Environmental Agency (IEPA).

The location of the SWPPP must be clearly visible.

#### C. RETENTION OF RECORDS

D. CONTRACTOR/SUB-CONTRACTOR LIST

A complete copy of the SWPPP, including copies of all inspection reports, plan revisions, etc., must be retained at the project site at all times during the duration of the project (until NOT is filed) and kept in the permanent project records of the Contractor for at least three years following submittal of the Notice of Termination (NOT).

The Contractor must provide names and addresses of all sub-cntractors working on this project who will be involved with the major construction activities that disturb site soil. This information must be kept with the SWPPP. E. CONTRACTOR/SUB-CONTRACTOR CERTIFICATION FORM

The Contractor and all sub-contractors involved with ground disturbing or installation and maintenance of any Best Management Practice (BMP) on site must sign a copy of the Contractor Certification that will be supplied to the Contractor. This information must be kept with the SWPPP.

#### F. INSPECTIONS

At least once every seven calendar days and with 24 hours of a 0.5 in rainfall event, inspections by documented Contractor Compliance Officer must be made to determine the effectiveness of the SWPPP. If the State or Local agencies have a required inspection form, the both forms must be completed. The SWPPP, including the best management practices implemented on the jobsite, shall be modified as needed to reduce or prevent pollutants from discharging from the site.

An example BMP Inspection Form will be supplied to the Contractor.

A delegation of authority letter authorizing the Contractor Compliance Officer to sign the inspection forms will also be supplied to the Contractor.

The Inspector must be a person familiar with the site, the nature of major construction activities, and qualified to evaluate both overall system performance and individual component performance. The inspector must either be someone empowered to implement modifications to this SWPPP and the pollutant control devices, if needed, in order to increase effectiveness to an acceptable level, or someone with the authority to cause such things to happen. Additionally, the inspector shall be properly authorized in accordance with the applicable General Permit to conduct the certified site storm water inspections

#### See Section VII on this sheet for further reporting requirements.

G. SWPPP UPDATES & AMENDMENTS This SWPPP must be updated each time there are significant modifications to the pollution prevention system or a change of Contractors working on the project that disturb site soils. The SWPPP must be amended as necessary during the course of construction in order to keep it current with the pollutant control measures utilized on the site. Amending the SWPPP does not mean that it has to be reprinted. It is acceptable to add addenda, sketches, new sections, and/or revised drawinas. The site map showing the locations of all storm water controls must be posted on the site and updated to reflect the progress of construction and changes to the SWPPP. Any control measure that has a hydrologic design component must be updated or amended by the Engineer. Substitution of sediment control BMPs beyond those specified in the SWPPP is considered a hydrologic design component.

#### H. DISCHARGE OF PETROLEUM PRODUCTS OR HAZARDOUS SUBSTANCES

Discharge of Petroleum products or other hazardous substances into storm water or the storm water (storm sewer) system is subject to reporting and clean up requirements. See section V.B.8 of this SWPPP for State and local information on reporting spills. Refer to the General Permit for additional information. I. NOTICE OF TERMINATION

Once the site reaches final stabilization as defined in the General Permit, with all permanent erosion and sedimentation controls installed and all temporary erosion and sedimentation controls removed, the Contractor and Owner's representative must complete a final inspection. Upon approval by the Owner's representative, the Owner and Contractor, as applicable, must complete and submit a NOT.

## J. CONTRACTORS RESPONSIBILITY

This SWPPP intends to control water-bourne and liquid pollutant discharges by some combination of interception sedimentation, filtration, and containment. The Contractor and sub-contractors implementing this SWPPP must remain alert to the need to periodically refine and update the SWPPP in order to accomplish the intended goals. The Contractor is ultimately responsible for all site conditions and permit compliance. K. LOG OF CONSTRUCTION ACTIVITY

A record of dates when major ground-disturbing activities occur, when construction activities temporarily o permanently cease on a portion of the site, and when stabilization measures are initiated or completed must be maintained until the NOT is filed. A log for keeping such records is included. Controls must be in place down gradient of any ground—disturbing activities prior to the commencement of construction and noted on the Site Map and Record of Stabilization and Construction Activity Dates.

#### 2. INTRODUCTION

This SWPPP includes the elements necessary to comply with the natural baseline general permit for construction activities administered by the US Environmental Protection Agency (EPA) under the National Pollutant Discharge Elimination System (NPDES) program, the NPDES Permit No. ILR10 for the State of Illinois, and all Local governing agency requirements. This SWPPP must be implemented at the start of construction.

Construction phase pollutant sources anticipated at the site are disturbed (bare) soil, vehicle fuels and lubricants, chemicals associated with building construction, and building materials. Without adequate control there is a potential for each type of pollutant to be transported by storm water. Project construction will consist primarily of site grading, utility service connections, and site paving to facilitate

#### A. PURPOSE

A major goal of pollution prevention efforts during project construction is to control soil and pollutants that originate on the site and prevent them from flowing to surface waters. The purpose of this SWPPP is to provide guidelines for achieving that goal. A successful pollution prevention program also relies upon careful inspection and adjustments during the construction process in order to enhance its effectiveness.

This SWPPP must be implemented before construction begins on the site. It primarily addresses the impact of storm rainfall and runoff on areas of the ground surface disturbed during the construction process. In addition, there are recommendations for controlling other sources of pollution that could accompany the major construction activities. The SWPPP will terminate when disturbed areas are stabilized, permanent erosion and sedimentation controls are installed, temporary erosion and sedimentation controls are removed, construction activities covered herein have ceased, and a completed Notice of Termination (NOT) is transmitted to the governing agency.

#### 3. PROJECT DESCRIPTION

Described below are the major construction activities that are subject of this SWPPP. Also included in the sequence are BMP installation activities that must take place prior to construction activities. NOTE: Down slope protective measures must always be in place before soil is disturbed. Activities are presented in the order (sequence) they are

All activities and time frames (beginning and ending dates) shall be noted on the Site Map. The sequence of construction is as follows:

Upon implementation and installation of the following areas: trailers, parking, lay down, porta-poty, wheel wash, concrete washout, mason's area, fuel and material storage containers, solid waste containers, etc., Immediately denote them on the Site Maps and note any changes in location as they occur throughout the construction process. Typical Stage of Construction, items shall be added or deleted as needed for each individual project.

- 1. Install stabilized construction entrance and SWPPP Entrance Sign. 2. Install silt fence(s) on the site (clear only those areas necessary to install silt fence).
- 5. Install inlet protection on existing inlets. Prepare temporary parking and storage area.
- 5. Install and stabilize hydraulic control structures (dikes, swales, check dams, etc.). 6. Begin grading the site.
- . Start construction of building pad and structures.
- . Temporarily seed, throughout construction, denuded areas that will be inactive for 14 days or more. . Install utilities, underdrains, storm sewers, curbs and gutters. ). Install inlet protection at all storm sewer structures as each inlet structure is installed. 10. Permanently stabilize areas to be vegetated as they are brought to final grade. . Prepare site for paving. 2. Pave site.
- 3. Install appropriate inlet protection devises for paved areas as work progresses . Complete grading and installation or permanent stabilization over all areas including outlots. 5. Call Engineer after the site appears to be fully stabilized for inspection. 16. Remove all temporary erosion and sediment control devices after approval of the Engineer and stabilize any areas disturbed by the removal of the BMP.

#### NOTE: The Contractor may complete construction-related activities concurrently only if all preceding BMPs have been completely installed.

The actual schedule for implementing pollutant control measures will be determined by project construction progress and recorded by the Contractor on the Soil Erosion/Sediment Control Operation Time Schedule on the Erosion and Sediment Control Plans. Down slope protective measures must always be in place before soil is disturbed.

#### 4. SITE DESCRIPTION

1. Site description Site construction activities consist of construction of detention pond, asphalt truck storage lot, asphalt grindings/gravel storage lot with finish grading and landscaping.

- 2. Total area of site = 12.56 acres Total disturbed area on site = 10.62 acres
- 3. Estimated site runoff coefficient after construction activities are complete: CN=82.
- 4. Site map included indicating existing & proposed slopes across site is included in SWPPP 5. Site drainage is received by Middle Aux Sable Creek located South of the development.
- 5. STORM WATER POLLUTION PREVENTION MEASURES AND CONTROLS
- A variety of storm water pollutant controls are recommended for this project. Some controls are intended for function temporarily and will be used as needed for pollutant control during the construction period. These include emporary sediment barriers and permanent storm retention ponds (which can also function as temporary sediment basins). Permanent stabilization will be accomplished in all disturbed areas by covering the soil with pavement, building foundation, vegetation, or other forms of soil stabilization.

### A. EROSION AND SEDIMENT CONTROLS

1. Soil Stabilization The purpose of soil stabilization is to prevent soil from eroding and leaving the site. In the natural condition soil is stabilized by native vegetation. The primary technique to be used at this project for stabilizing site soils will be to provide a protective cover of grass, pavement, or building structure.

a) Temporary Seeding or Stabilization - All denuded areas that will be inactive for 14 days or more, must be stabilized temporarily with the use of fast-germinating annual grass/grain varieties, straw/hay mulch, wood cellulose fibers, tackifiers, netting or blankets.

b) Permanent Seeding or Sodding — All areas at final grade must be seeded or sodded within 14 days after completion of work in any area. The entire site must have permanent vegetative cover established in all areas not covered by hardscape at the completion of all soil disturbing activities on site. Except for small level spots, seeded areas should generally be protected with mulch or a rolled erosion control product. All areas to be sealed will have topsoil and other soil amendments as specified on the Landscape Plan. 2. Structural Controls

a) Silt Fence - Silt fence is a synthetic permeable woven or non-woven geotextile fabric incorporating metal support stakes at intervals sufficient to support the fence (5-feet maximum distance between posts), water, and sediment retained by the fence. The fence is designed to retain sediment-laden storm water and allow settlement of suspended soils before the storm water flows through the fabric and discharges off—site. Silt fence shall be located on the contour to capture overland, low-velocity sheet flows. The Contractor may utilize triangular silt dike and/or non-wire backed silt fence as intermediate BMPs. Install silt fence at a fairly level grade along the contour with the ends curved uphill to provide sufficient upstream storage volume for the anticipated runoff. Drainage areas shall not exceed  $\frac{1}{2}$  acre per 100 feet of silt fence for slopes less than 2 percent.

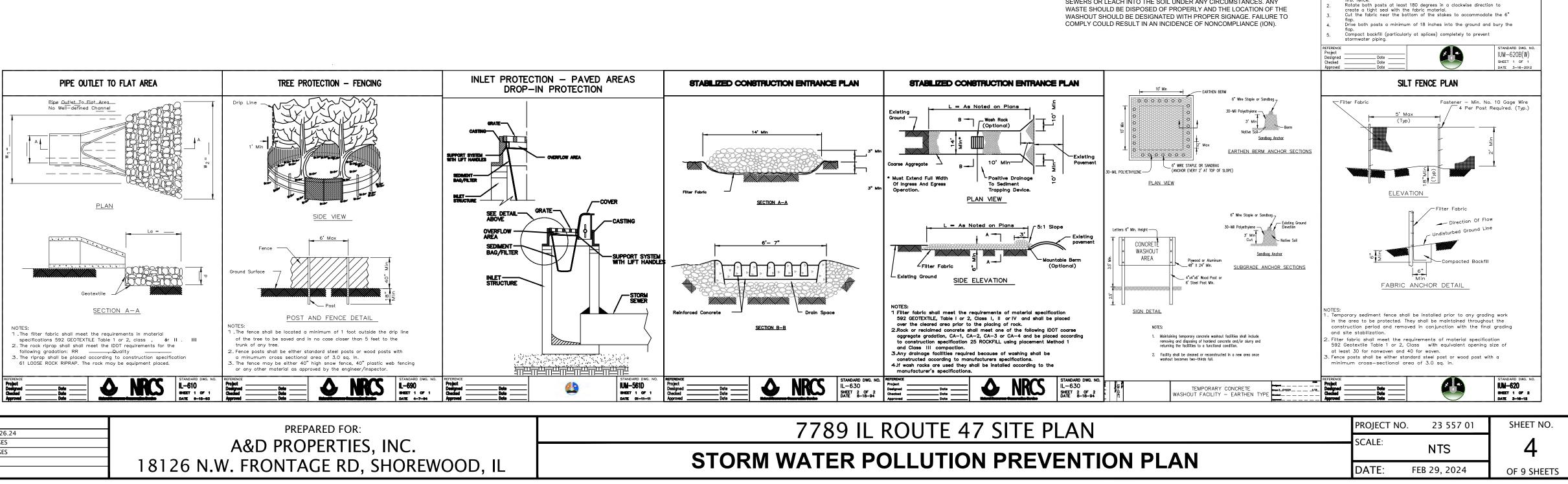
b) Construction Exit - All access points from the pubic street into the construction site shall include c onstruction exit composed of course stone to the dimensions shown on the Existing Conditions and Demolition Plan. he rough texture of the stone helps to remove clumps of soil adhering to the construction vehicles tires through the action of vibration and jarring over the rough surface and the friction of the stone matrix against soils attached to vehicle tires.

In addition to the stone at the construction exit, it may be necessary to install devices such as pipes (cattle guard) to increase the vibration and jarring. It may also be necessary to install a wheel wash system. If this is done, a sediment trap control must be installed to treat the wash water before it discharges from the site. All site access must be confined to the Construction Exit(s). Barricade, sufficient to prevent use, any

ocations other than Construction Exit(s) where vehicles or equipment may access the site.

c) Storm Sewer Inlet Protection — Curb and grated inlets are protected from the intrusion of sediment through a variety of measures as shown on the details included in the Construction drawings. The primary mechanism is to place controls in the path of flow sufficient to slow the sediment—laden water to allow settlemen of suspended soils before discharging into the storm sewer. It is possible that as construction progresses from storm sewer installation through paving that the inlet protection devices should change. All inlet protection devices create ponding of storm water. This should be taken into consideration when deciding on which device or devices should be used.

d) Inspection and any necessary cleaning of the underground storm system shall be included as part of this



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 PHONE: (815) 786-0195	TEBRUGGEENGINEERING.COM	Я				101

Final site stabilization is achieved when perennial vegetative cover provides permanent stabilization with a density greater than 70 percent over the entire area to be stabilized by vegetative cover. This is exclusive of areas paved, rocked, or having a building on them. B. OTHER POLLUTANT CONTROLS

This section includes the controls of pollutants other than sediment and additional requirements of the General Permit. 2. The Contractor shall designate areas on the Site Map for equipment cleaning, maintenance, and repair. The 1. Dust Contro Construction traffic must enter and exit the site at the stabilized construction exit. Water trucks or other dust control agents will be used as needed during construction to reduce dust generated on the site. Dust control must be

provided by the Contractor to a degree that is in compliance with applicable Local and State dust control regulations. 2. Solid Waste Disposal

No solid materials, including building materials, are allowed to be discharged from the site with storm water. All solid waste, including disposable materials incidental to the major construction activities, must be collected and placed in containers. The containers will be emptied as necessary by a contract trash disposal service and hauled away from the site. Covers for the containers will be provided as necessary to meet State and Local requirements. The location of solid waste receptacles shall be shown on the Site Maps.

necessary in order to ensure that they do not discharge from the site. As an example, special care must be exercised during equipment fueling and servicing operations. If a spill occurs, it must be contained and disposed of so that it will t flow from the site or enter groundwater, even if this requires removal, treatment, and disposal of soil. In this regard, potentially polluting substances should be handled in a manner consistent with the impact they represent. 3. Sanitary Facilities

All personnel involved with construction activities must comply with State and Local sanitary or septic regulations. Temporary sanitary facilities will be provided at the site throughout the construction phase. They must be utilized by all boundaries construction personnel and will be serviced by a commercial operator. The location of sanitary facilities shall be shown has ended.

4. Non-Storm Water Discharge Non-storm water components of site discharges are not permitted under ILR10 except as follows: discharges from fire fighting activities; fire hydrant flushings; water used to wash vehicles where detergents are not used; waters used to control dust; potable water sources including uncontaminated waterline flushings; irrigation drainage; routine external building washdown which does not use detergents; pavement washdowns where spills or leaks of toxic or hazardous materials have not occurred (unless all spilled material has been removed) and where detergents are not used; air conditioning condensate; springs, uncontaminated ground water; and foundation or footing drains where flows are not contaminated with process materials such as solvents.

5. Concrete Waste from Concrete Ready-Mix Trucks Discharge of excess or waste concrete and/or wash water from concrete trucks will be allowed on the construction site, but only in specifically designated diked areas prepared to prevent contact between the concrete and/or wash water and storm water that will be discharged from the site. Alternatively, waste concrete can be placed into forms to make rip rap or other useful concrete products. The cured residue from the concrete washout diked areas shall be disposed in accordance with applicable State and Federal regulations. The jobsite superintendent is responsible for assuring that these procedures are followed. The location of concrete washout areas shall be shown on the Site Maps.

6. Mason's Area Contractor shall identify mason's area on the site and indicate location on the Site Map. To the extent practical, all masonry tools, material, including sand and sacked cement or mortar materials, and equipment shall be located within the area identified. Runoff control, such as berms or diversion ditches, silt fence, straw wattles, or other means of containment shall be provided to prevent the migration of storm water pollutants in runoff from the mason's area. Receptacles for debris and trash disposal shall also be provided.

7. Fuel Tanks Temporary on-site fuel tanks for construction vehicles shall meet all State and Federal regulations. Tanks shall have approved spill containment with the capacity required by the applicable regulations. The tanks shall be in sound condition free of rust or other damage which might compromise containment. Fuel storage areas will meet all EPA, OSHA and other regulatory requirements for signage, fire extinguisher, etc. Hoses, valves, fittings, caps, filler nozzles and associated hardware shall be maintained in proper working condition at all times. The location of fuel tanks shall b shown on the Site Maps

A Spill Prevention, Control and Countermeasure (SPCC) Plan must be developed if aboveground oil storage capacity at the construction site exceeds 1,320-gallons. Containers with storage capacity of 55-gallons or less are not included when calculating site storage capacity. The Contractor shall work with the Civil Engineering Consultant to develop and mplement a SPCC Plan in accordance with the Oil Pollution Prevention regulation at Title 40 of the Code of Federal Regulations, Part 112, (40 CFR 112).

8. Hazardous Material Management and Spill Reporting Plan Any hazardous or potentially hazardous material that is bought onto the construction site will be handled properly in order to reduce the potential for storm water pollution. All materials used on this construction site will be proper stored, handled, dispensed and disposed of following all applicable label directions. Material Safety Data Sheets (MSDS) information will be kept on site for any and all applicable materials.

In the event of an accidental spill, immediate action will be undertaken by the Contractor to contain and remove the spilled material. All hazardous materials will be disposed of by the Contractor in the manner specified by Federal, State and Local reaulations and by the manufacturer of such products. As soon as possible, the spill will be reported to the appropriate agencies. As required under the provisions of the Clean Water Act, any spill or discharge entering waters of the United States will be properly reported. The Contractor will prepare a written record of any spill of petroleum products or hazardous materials in excess of reportable quantities and will provide notice to Owner within 24-hours of the occurrence of the spill.

Any spills of petroleum products or hazardous materials in excess of Reportable Quantities as defined by EPA shall be immediately reported to the EPA National Response Center (1-800-424-8802). In addition, 35 III. Adm. Code 750.410 requires notification of IEMA (1-800-782-7860). Reportable chemical spill quantities are those listed for hazardous substances under Superfund, or as extremely hazardous substances under the Superfund Reauthorization and Amendments Act of 1986 (SARA), the emergency planning statute which also establishes threshold planning quantities (29 III, Admin, Code 430.30). Oil spills are reportable if they must be reported under the Federal Water Pollution Control Act. This generally includes spills that are in excess of 25 gallons and or "may be harmful to the public health or welfare" (40 CFR 110). Harmful discharges include those that (1) violate applicable water quality standards, or (2) leave a film on the water or adioining shorelands or cause a sludge or emulsion to be deposited beneath the water's surface or on adjoining shorelands. The reportable quality for hazardous materials can be found in 40 CFR 302 or by contacting the IEMA (1-800-785-9888).

In order to minimize the potential for a spill of petroleum product or hazardous materials to come in contact with storm water, the following steps will be implemented:

a) All materials with hazardous properties (such as pesticides, petroleum products, fertilizers, detergents, onstruction chemicals, acids, paints, paint solvents, additives for soil stabilization, concrete, curing compounds and additives, etc.) will be stored in a secure location, under cover, when not in use.

b) The minimum practical quantity of all such materials will be kept on the job site and scheduled for delivery as close to tome of use as practical.

c)A spill control and containment kit (containing for example, absorbent material such as kitty litter or sawdust, acid neutralizing agent, brooms, dust pans, mops, rags, gloves, goggles, plastic and metal trash containers, etc.) will be provided at the storage site.

d) All of the products in a container will be used before the container is disposed of. All such containers will be triple rinsed, with water prior to disposal. The rinse water used in these containers will be disposed of in a manner in compliance with State and Federal regulations and will not be allowed to mix with storm water discharges.

e) All products will be stored in and used from the original container with the original product label f) All products will be used in strict compliance with instructions on the product label.

a) The disposal of excess or used products will be in strict compliance with instructions on the product label

9. Long Term Pollutant Controls Storm water pollutant control measures installed during construction, that will also provide storm water nanagement benefits after construction, include turf areas in sufficient quantity so as to provide a site impervious ratio (ISR) or 0.76.

C. CONSTRUCTION PHASE "BEST MANAGEMENT PRACTICES" (BMPs) During the construction phase, the Contractor shall implement the following measures:

1. Materials resulting from the clearing and grubbing or excavation operations shall be stockpiled up slope from adequate sedimentation controls. Materials removed to an off-site location shall be protected with appropriate controls and property permitted.

Contractor and sub-contractors shall utilize such designated areas. Cleaning, maintenance, and repair areas shall be protected by a temporary perimeter berm, shall not occur within 150 feet of any waterway, water body or wetland, and in areas located as far as practical from storm water inlets.

3. Use of detergents for large scale washing is prohibited (i.e. vehicles, buildings, pavement, surfaces, etc.). 4. Chemicals, paints, solvents, fertilizers, and other toxic materials must be stored in waterproof containers. Except during application, the containers, the contents must be kept in trucks or within storage facilities. Runoff containing such material must be collected, removed from the site, treated, and disposed of at an approved solid waste and chemical disposal facility.

D. OFF-SITE FACILITIES IN THE OPERATIONAL CONTROL OF THE CONTRACTOR Whenever dirt, rock, or other materials are imported to the construction site or exported for placement in areas off Substances that have the potential for polluting surface and/or groundwater must be controlled by whatever means of the primary construction site, the Contractor is responsible for determining that all storm water permitting and pollution control requirements are met for each site which receives such materials or from which site materials are taken. Prior to the disturbance of any such site, Contractor will confirm that the operators of the site they are importing to or exporting from have properly obtained all required permits, and will comply with all laws, regulations and permit conditions applicable to such sites.

> At a minimum, each off-site area that provides or receives material or is disturbed by project activities must implement erosion and sediment control measures consisting of perimeter controls on all down slope and side slope boundaries and must also provide for both temporary stabilization and for permanent re-vegetation after all disturbances

In addition to this SWPPP, construction activities associated with this project must comply with any guidelines set forth by Local regulatory agencies. The Contractor shall maintain documents evidencing such compliance in this SWPPP

5. INSPECTIONS AND SYSTEM MAINTENANCE

Between the time this SWPPP is implemented and final Notice of Termination has been submitted, all disturbed areas and pollutant controls must be inspected weekly and within 24 hours of the end of a storm event 0.5 inches or equivalent snowfall. The purpose of site inspections is to assess performance of pollutant controls. The inspections will be conducted by the Contractor's Site Superintendent. Based on these inspections, the Contractor will decide whether it is necessary to modify this SWPPP, add or relocate controls, or revise or implement additional Best Management Practices in order to prevent pollutants from leaving the site via storm water runoff. The Contractor has the duty to cause pollutant control measures to be repaired, modified, supplemented, or take additional steps as necessary in order to achieve effective pollutant control.

Examples of specific items to evaluate during site inspections are listed below. This list is not intended to be comprehensive. During each inspection, the inspector must evaluate overall pollutant control system performance as well as particular details of individual system components. Additional factors should be considered as appropriate to the circumstances.

A. CONSTRUCTION EXIT AND TRACK OUT Locations where vehicles enter and exit the site must be inspected for evidence of off-site sediment tracking. A stabilized construction exit shall be constructed where vehicles enter and exit. Exits shall be maintained or supplemented with additional rock as necessary to prevent the release of sediment from vehicles leaving the site. Any sediment deposited on the roadway shall be swept as necessary throughout the day or at the end of everyday and disposed of in an appropriate manner. Sediment shall NOT be washed into storm sewer systems.

B. SEDIMENT CONTROL DEVICES

sediment barriers must be constructed as needed C. MATERIAL STORAGE AREAS Inspections shall evaluate disturbed areas and areas used for storing materials that are exposed to rainfall for evidence of, or the potential for, pollutants entering the drainage system or discharging from the site. If necessary, the materials must be covered or original covers must be repaired or supplemented. Also, protective berms must be constructed, if needed, in order to contain runoff from material storage areas. All State and Local regulations pertaining to material storage areas will be adhered to.

D. VEGETATION

Grassed areas shall be inspected to confirm that a healthy stand of grass is maintained. The site has achieved final tabilization once all areas are covered with building foundation or pavement, or have a stand of grass with a minimum of 70 percent density or greater over the entire vegetated area in accordance with the General Permit requirements. The vegetative density must be maintained to be considered stabilized. Area must be watered, fertilized, and -seeded as needed to achieve this requirement.

DISCHARGE POINTS All discharge points must be inspected to determine whether erosion and sediment control measures are effective in preventing discharge of sediment from the site or impacts to receiving waters.

The Inspection Report Form must identify all deficiencies, any corrections, whether they are identified during the current inspection or have occurred since the previous inspection, and any additional comments. Based on inspection results, any modification necessary to increase effectiveness of this SWPPP to an acceptable level must be made immediately but no longer than within 48 hours of inspection. The inspections reports must be complete and additional information should be included if needed to fully describe a situation. An important aspect of the inspection report is the description of additional measures that need to be taken to enhance plan effectiveness. The inspection report must identify whether the site was in compliance with the SWPPP at the time of inspection and specifically identify all incidents of non-compliance.

The Inspection Report Form must summarize the scope of the inspection, name(s) and qualifications of personnel making the inspection, the date(s) of the inspection, major observations relating to the implementation of this SWPPP, and actions taken in accordance with section 4.b shall be made and retained as part of the plan for at least six years after the date of the inspection. The report shall be signed in accordance with Part VI.G of the General Permit.

If any violation of the provisions of this plan is identified during the conduct of the construction work covered by this lan, the Contractor's Compliance Officer shall complete and file an "Incidence of Noncompliance" (ION) report for the identified violation. The Contractor's Compliance Officer shall us forms provided by the IEPA and shall include specific information on the cause of noncompliance, actions which were taken to prevent any further causes of noncompliance, and a statement detailing any environmental impact which may have resulted in noncompliance. All reports of noncompliance shall be signed by a responsible authority in accordance with part VI.G of the General Permit. The report of noncompliance shall be mailed to the following address:

Illinois Environmental Protection Agency Division of Water Pollution Control Attn: Compliance Assurance Section 1021 North Grand East P.O. Box 19276 Springfield, IL 62794-9276

Ultimately, it is the responsibility of the General Contractor to assure the adequacy of site pollutant discharge controls Actual physical site conditions or Contractor practices could make it necessary to install more structural controls than are shown on the plans. For example, Localized concentrations of runoff could make it necessary to install additional sediment barriers. Assessing the need for additional controls and implementing them or adjusting existing controls will be a continuing aspect of this SWPPP until the site achieves final stabilization. Any modifications, additions or deletions of sediment control devices must be approved by the Engineer through written communications.



Sediment barriers, traps and basins must be inspected and they must be cleaned out at such time as their original capacity has been reduced by 50 percent. All material excavated from behind sediment barriers or in traps and basins shall be incorporated into on—site soils or spread out on an upland portion of the site and stabilized. Additional

> CONCRETE WASH-OUT NOTE: CONCRETE WASHOUT SHOULD BE CONTAINED AT ALL TIMES. WASHOUT MATERIAL SHOULD NOT BE ALLOWED TO ENTER WATER BODIES, STORM SEWERS OR LEACH INTO THE SOIL UNDER ANY CIRCUMSTANCES. ANY WASTE SHOULD BE DISPOSED OF PROPERLY AND THE LOCATION OF THE WASHOUT SHOULD BE DESIGNATED WITH PROPER SIGNAGE, FAILURE TO

BY SIDE USING A 4" OVERLAP WITH UPSLOPE

TRENCH 6" WIDE BY 6" DE

4" Min Stople

Parallel Overlaps

DETAIL 3

<u>Single Joint</u>

DETAIL 2

Staples shall be placed in a diamond pattern at 2 per s.y. for stiched blankets. Non-stiched shall use 4 staples per s.y. of material. This equates to 200 staples with stiched blanket and 400 staples with non-stiched blanket per 100 s.y. of material.

Staple or push pin lengths shall be selected based on soil type and conditions. (minimum staple length is 6")

EROSION CONTROL

BLANKET INSTALLATION DETAILS

3. Erosion control material shall be placed in contact with the soil over a prepared seedbed.

SILT FENCE - SPLICING TWO FENCES

ATTACHING TWO SILT FENCES

e the end post of the second fence inside the end post of the

-++

<u>PUSH PIN DETAIL</u>

OVERLAP END OF UPSLOP

BLANKET 4" OVER DOWNSLOPE BLANKET AND SECURE WITH STAPLES

STAPLE DETAIL

4. All anchor slots shall be stapled at approximately 12" intervals.

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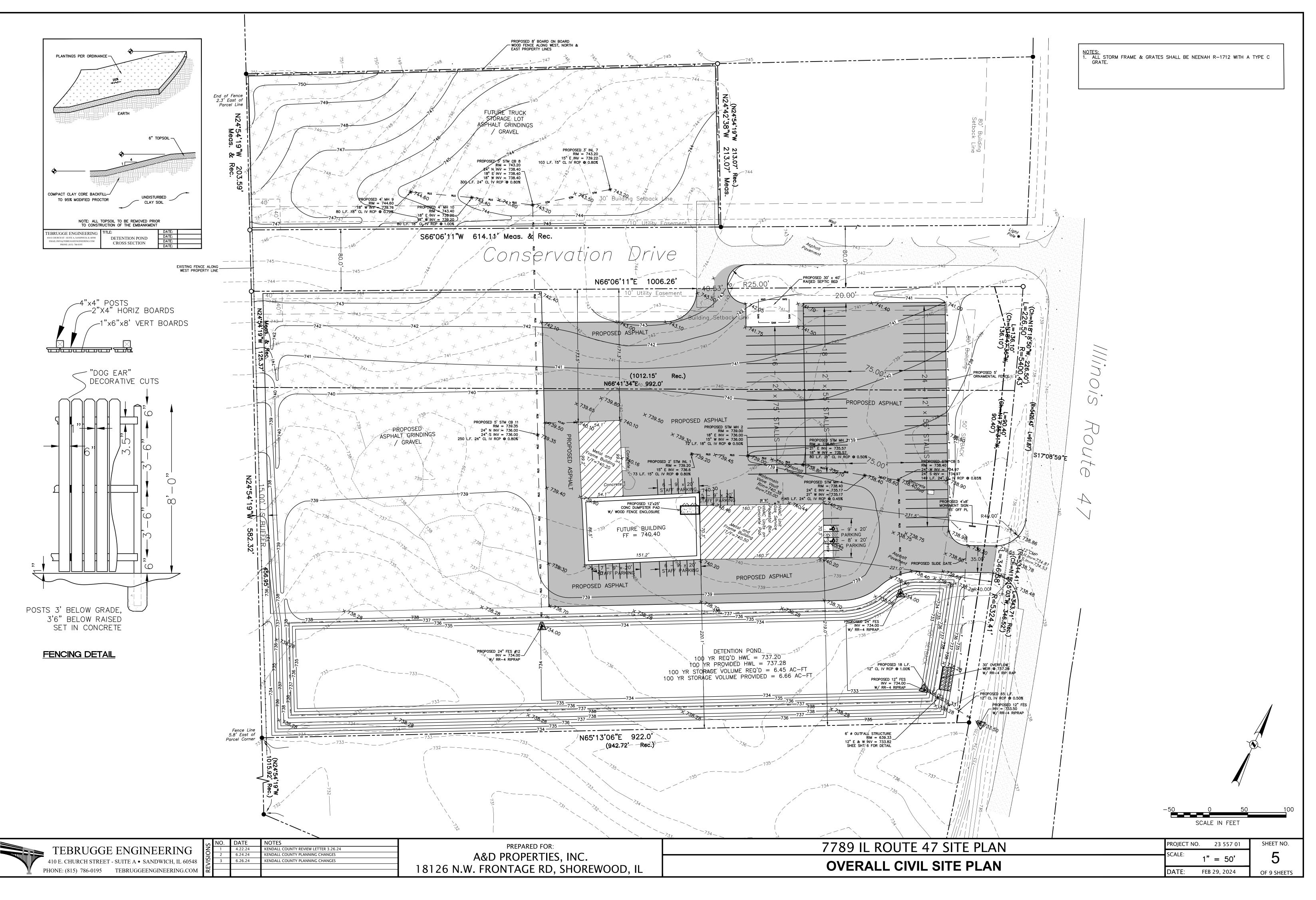
Step 1 -----

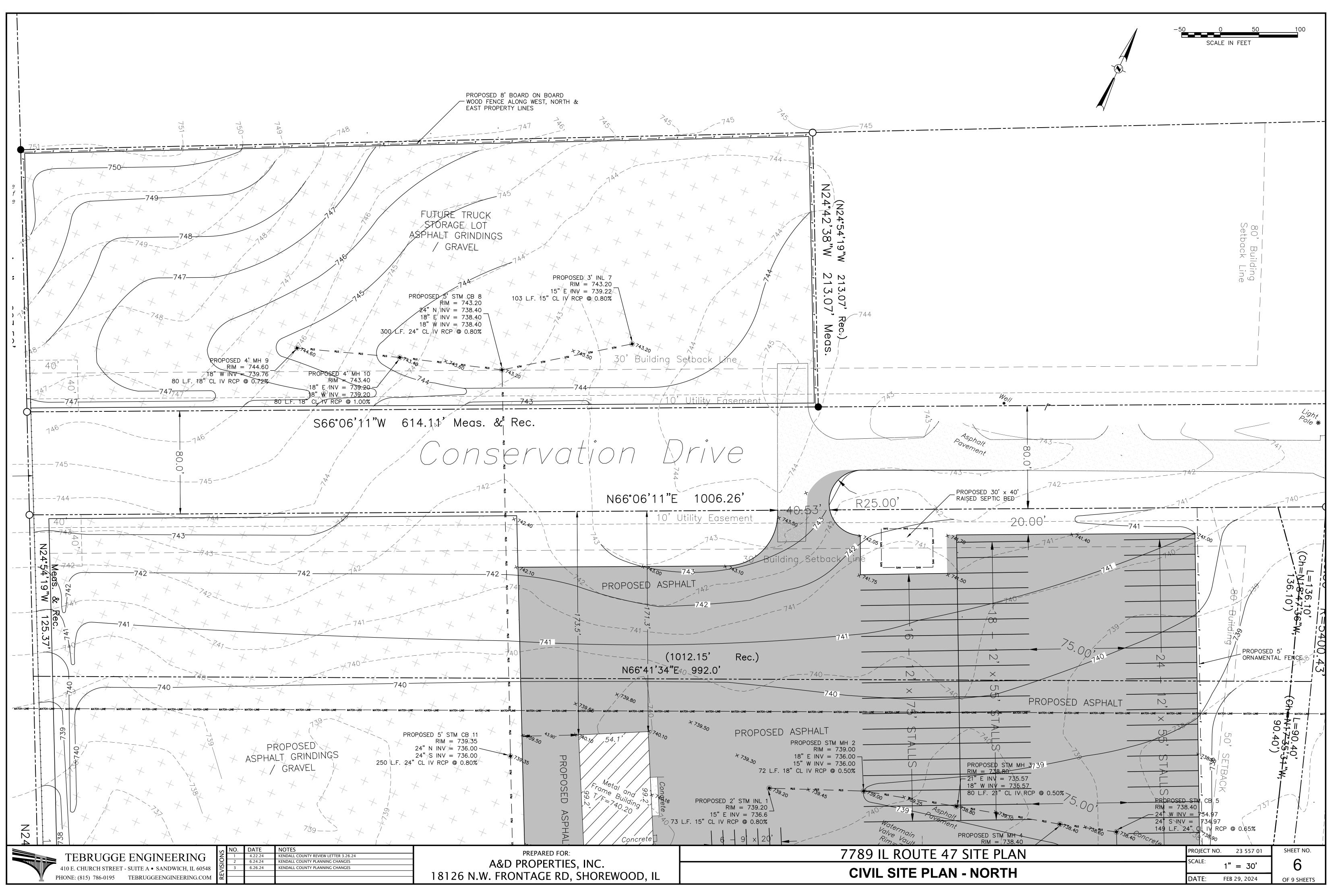
Step 3

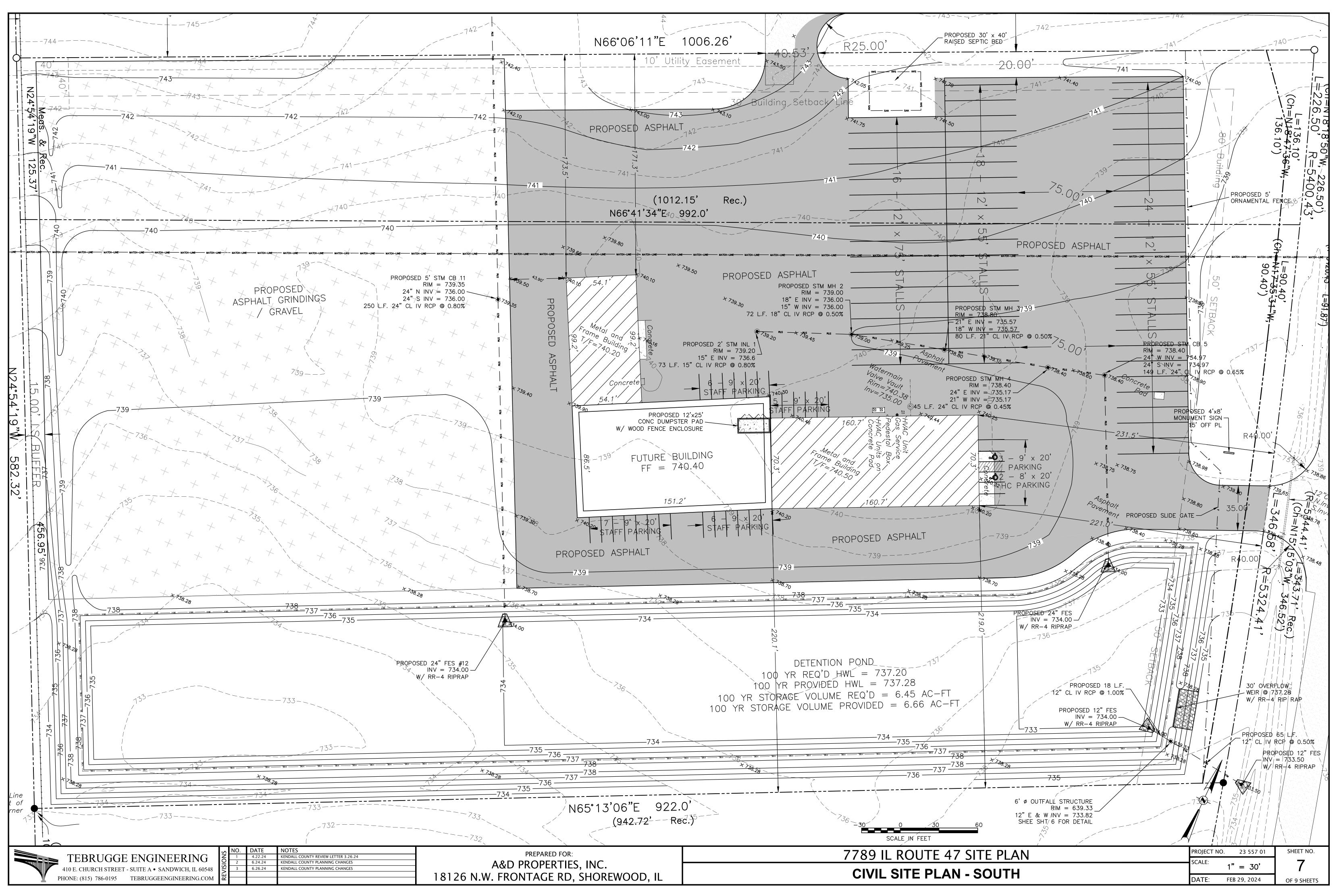
12" Tamp Soil Firmly

DETAIL 1

NOTES:







#### GENERAL CONDITIONS

1. ALL EARTHWORK. ROADWAY WORK. DRAINAGE WORK OR STORM SEWER WORK SHALL BE PERFORMED UTILIZING MATERIALS AND METHODS IN STRICT ACCORDANCE WITH THE ILLINOIS DEPARTMENT OF TRANSPORTATION "STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION" LATEST EDITION, AS WELL AS THE STANDARD DETAIL SHEETS ATTACHED TO THESE PLANS. ALL MUNICIPAL, COUNTY, STATE AND FEDERAL REQUIREMENTS AND STANDARDS SHALL BE STRICTLY ADHERED TO IN WORK PERFORMED UNDER THIS CONTRACT.

2. ALL SANITARY SEWER AND WATER MAIN WORK SHALL BE PERFORMED USING METHODS AND MATERIALS IN STRICT ACCORDANCE WITH THE LATEST EDITION OF "STANDARD SPECIFICATIONS FOR WATER AND SEWER MAIN CONSTRUCTION IN ILLINOIS", LATEST EDITION, AS WELL AS THE STANDARD DETAIL SHEETS ATTACHED TO THESE PLANS. ALL MUNICIPAL, COUNTY, STATE AND FEDERAL REQUIREMENTS AND STANDARDS SHALL BE STRICTLY ADHERED TO IN WORK PERFORMED UNDER THIS CONTRACT.

3. ANY SPECIFICATIONS WHICH ARE SUPPLIED ALONG WITH THE PLANS SHALL TAKE PRECEDENCE IN THE CASE OF A CONFLICT WITH THE STANDARD SPECIFICATIONS NOTED IN ITEMS NO. 1 AND 2 ABOVE. THE ABOVE STANDARD SPECIFICATIONS & THE CONSTRUCTION PLANS ARE TO BE CONSIDERED AS PART OF THE CONTRACT DOCUMENTS. INCIDENTAL ITEMS OR ACCESSORIES NECESSARY TO COMPLETE THIS WORK MAY NOT BE SPECIFICALLY NOTED BUT ARE TO BE CONSIDERED A PART OF THE CONTRACT.

4. PRIOR TO COMMENCEMENT OF CONSTRUCTION, THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND CONDITIONS AFFECTING THEIR WORK WITH THE ACTUAL CONDITIONS AT THE JOB SITE. IF THERE ARE ANY DISCREPANCIES FROM WHAT IS SHOWN ON THE CONSTRUCTION PLANS, HE MUST IMMEDIATELY REPORT SAME TO THE ENGINEER BEFORE DOING ANY WORK, OTHERWISE THE CONTRACTOR WILL BE CONSIDERED TO HAVE PROCEEDED AT HIS OWN RISK AND EXPENSE. IN THE EVENT OF ANY DOUBT OR QUESTION ARISING WITH RESPECT TO THE TRUE MEANING OF THE CONSTRUCTION PLANS OR SPECIFICATIONS, THE DECISION OF THE ENGINEER SHALL BE FINAL AND CONCLUSIVE.

5. ALL WORK PERFORMED UNDER THIS CONTRACT SHALL BE GUARANTEED AGAINST ALL DEFECTS IN MATERIALS AND WORKMANSHIP OF WHATEVER NATURE BY THE CONTRACTOR AND HIS SURETY FOR A PERIOD OF 12 MONTHS FROM THE DATE OF FINAL ACCEPTANCE OF THE WORK BY THE GOVERNING MUNICIPALITY, OTHER APPLICABLE GOVERNMENTAL AGENCIES, AND THE OWNER.

6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL REQUIRED PERMITS FOR CONSTRUCTION ALONG OR ACROSS EXISTING STREETS OR HIGHWAYS. HE SHALL MAKE ARRANGEMENTS FOR THE PROPER BRACING, SHORING AND OTHER REQUIRED PROTECTION OF ALL ROADWAYS BEFORE CONSTRUCTION BEGINS, ALONG WITH ADEQUATE TRAFFIC CONTROL MEASURES. HE SHALL BE RESPONSIBLE FOR ANY DAMAGE TO THE STREETS OR ROADWAYS AND ASSOCIATED STRUCTURES AND SHALL MAKE REPAIRS AS NECESSARY TO THE SATISFACTION OF THE ENGINEER, AT NO ADDITIONAL COST TO THE OWNER.

7. THE UTILITY LOCATIONS, AND THE DEPTHS SHOWN ON THESE PLANS ARE APPROXIMATE ONLY, AND SHALL BE VERIFIED BY THE CONTRACTOR WITH ALL AFFECTED UTILITY COMPANIES PRIOR TO INITIATING CONSTRUCTION OPERATIONS. THE ENGINEER AND OWNER ASSUME NO RESPONSIBILITY FOR THE ADEQUACY, SUFFICIENCY OR EXACTNESS OF THESE UTILITY REPRESENTATIONS.

8. PRIOR TO STARTING CONSTRUCTION THE CONTRACTOR SHALL CONTACT THE OFFICE OF J.U.L.I.E. AT 1-800-892-0123 FOR EXACT FIELD LOCATION OF ALL UNDERGROUND UTILITIES IN THE PROXIMITY OF, AND ON, THE PROJECT SITE: IF THERE ARE ANY UTILITIES WHICH ARE NOT MEMBERS OF THE J.U.L.I.E. SYSTEM, THE CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR DETERMINING THIS AND MAKE ARRANGEMENTS TO HAVE THESE UTILITIES FIELD LOCATED.

9. EASEMENTS FOR THE EXISTING UTILITIES, BOTH PUBLIC AND PRIVATE, AND UTILITIES WITHIN PUBLIC RIGHTS-OF-WAY ARE SHOWN ON THE PLANS ACCORDING TO AVAILABLE RECORDS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR DETERMINING THE EXACT LOCATION IN THE FIELD OF THESE UTILITY LINES AND THEIR PROTECTION FROM DAMAGE DUE TO CONSTRUCTION OPERATIONS. IF EXISTING UTILITY LINES OF ANY NATURE ARE ENCOUNTERED WHICH CONFLICT IN LOCATION WITH NEW CONSTRUCTION, THE CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR RELOCATING THESE FACILITIES AT HIS EXPENSE TO ACCOMMODATE THE NEW CONSTRUCTION.

10. ALL FIELD TILE ENCOUNTERED DURING CONSTRUCTION OPERATIONS SHALL BE CONNECTED TO THE PROPOSED STORM SEWER OR EXTENDED TO OUTLET INTO A PROPOSED DRAINAGE WAY. IF THIS CANNOT BE ACCOMPLISHED, THEN IT SHALL BE REPAIRED WITH NEW PIPE OF SIMILAR SIZE AND MATERIAL TO THE ORIGINAL LINE AND PUT IN ACCEPTABLE OPERATIONAL CONDITION. A RECORD OF THE LOCATION OF ALL FIELD TILE FOR ONSITE DRAIN PIPE ENCOUNTERED SHALL BE KEPT BY THE CONTRACTOR AND TURNED OVER TO THE ENGINEER UPON COMPLETION OF THE PROJECT. THE COST OF THIS WORK SHALL BE CONSIDERED AS INCIDENTAL TO THE CONTRACT AND NO ADDITIONAL COMPENSATION WILL BE ALLOWED.

11. IT SHALL BE THE RESPONSIBILITY OF EACH RESPECTIVE CONTRACTOR TO REMOVE FROM THIS SITE ANY AND ALL MATERIALS AND DEBRIS WHICH RESULT FROM HIS CONSTRUCTION OPERATIONS AT NO ADDITIONAL EXPENSE TO THE OWNER.

12. THE ENGINEER AND OWNER ARE NOT RESPONSIBLE FOR THE CONSTRUCTION MEANS, METHODS, TECHNIQUES, SEQUENCES OR PROCEDURES, TIME OF PERFORMANCE, PROGRAMS OF FOR ANY SAFETY PRECAUTIONS USED BY THE CONTRACTOR. THE CONTRACTOR IS SOLELY RESPONSIBLE FOR EXECUTION OF HIS WORK IN ACCORDANCE WITH THE CONTRACT DOCUMENTS AND SPECIFICATIONS.

13. THE CONTRACTOR SHALL COMPLY WITH ALL STATE AND FEDERAL SAFETY REGULATIONS AS OUTLINED IN THE LATEST REVISIONS OF THE FEDERAL CONSTRUCTION SAFETY STANDARDS (SERIES 1926) AND WITH APPLICABLE PROVISIONS AND REGULATIONS OF THE OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION (OSHA) STANDARDS OF THE WILLIAMS STELGER OCCUPATIONAL HEALTH STATE SAFETY ACT OF 1970(REVISED). THE CONTRACTOR, ENGINEERS, AND OWNER SHALL EACH BE RESPONSIBLE FOR HIS OWN RESPECTIVE AGENTS AND EMPLOYEES.

14. THE CONTRACTOR SHALL INDEMNIFY THE OWNER. THE ENGINEER, AND ALL GOVERNING AUTHORITIES, THEIR AGENTS SUCCESSORS AND ASSIGNS FROM ANY AND ALL LIABILITY WITH RESPECT TO THE CONSTRUCTION, INSTALLATION AND TESTING OF THE WORK REQUIRED ON THIS PROJECT. IT SHALL BE THE SOLE RESPONSIBILITY OF THE CONTRACTOR TO PERFORM THE WORK OF THIS CONTRACT IN A MANNER WHICH STRICTLY COMPLIES WITH ANY AND ALL PERTINENT LOCAL, STATE OR NATIONAL CONSTRUCTION AND SAFETY CODES; THE ENGINEER, OWNER, AND GOVERNING AUTHORITIES ARE NOT RESPONSIBLE FOR ENSURING COMPLIANCE BY THE CONTRACTOR WITH SAID CODES AND ASSUME NO LIABILITY FOR ACCIDENTS, INJURIES, OR DEATHS, OR CLAIMS RELATING THERETO WHICH MAY RESULT FROM LACK OF ADHERENCE TO SAID CODES.

#### UNDERGROUND UTILITIES

1. ALL UTILITY TRENCHES BENEATH PROPOSED OR EXISTING UTILITIES, PROPOSED OR EXISTING PAVEMENT, DRIVEWAYS, SIDEWALKS AND FOR A DISTANCE OF TWO FEET ON EITHER SIDE OF SAME, AND/OR WHEREVER ELSE SHOWN ON THE CONSTRUCTION PLANS SHALL BE BACKFILLED WITH SELECT GRANULAR BACKFILL (CA-7) AND THOROUGHLY COMPACTED IN ACCORDANCE WITH THE EARTHWORK SPECIFICATIONS.

2. UNLESS OTHERWISE INDICATED ON THE PLANS, STORM SEWER PIPE SHALL BE REINFORCED CONCRETE CULVERT PIPE OF THE CLASS AS INDICATED ON THE PLANS, AND CONFORMING TO ASTM C-76. JOINTS SHALL TYPICALLY BE A "TROWEL APPLIED" BITUMINOUS MASTIC COMPOUND IN ACCORDANCE WITH ASTM C-76 (OR C-14 AS MAY BE APPLICABLE OR RUBBER "O"-RING GASKET JOINTS CONFORMING TO ASTM C-443). LOCATIONS WHERE THE STORM SEWER CROSSES WATERMAINS AN "O"-RING JOINT IN ACCORDANCE WITH ASTM C-361 SHALL BE USED.

3. STORM SEWER MANHOLES SHALL BE PRECAST STRUCTURES, WITH THE DIAMETER DEPENDENT ON THE PIPE SIZE AND WITH APPROPRIATE FRAME AND LIDS (SEE CONSTRUCTION STANDARDS). LIDS SHALL BE IMPRINTED "STORM SEWER". ALL FLARED END SECTIONS SHALL HAVE A FRAME & GRATE INSTALLED.

4. THESE FRAME AND GRATES FOR STORM STRUCTURES SHALL BE USED UNLESS OTHERWISE INDICATED ON THE PLAN SET. USE NEENAH R-1712 OPEN LID (OR EQUAL) IN PAVEMENT AREAS, USE NEENAH R-1772-B OPEN OR CLOSED LID (OR EQUAL) IN GRASS AREAS, USE NEENAH R-3015 (OR EQUAL) FOR B6.12 CURB AREAS, AND NEENAH R-3509 (OR EQUAL) FOR DEPRESSED CURB AREAS.

5. STRUCTURES FOR SANITARY AND STORM SEWERS AND VALVE VAULTS FOR WATER SHALL BE IN ACCORDANCE WITH THESE IMPROVEMENT PLANS AND THE APPLICABLE STANDARD SPECIFICATIONS. WHERE GRANULAR TRENCH BACKFILL IS REQUIRED AROUND THESE STRUCTURES THE COST SHALL BE CONSIDERED AS INCIDENTAL AND SHALL BE INCLUDED IN THE CONTRACT UNIT PRICE FOR THE STRUCTURE.

6. ALL STORM SEWERS AND WATERMAINS SHALL HAVE COMPACTED CA-7 GRANULAR BEDDING, A MINIMUM OF 4" BELOW THE BOTTOM OF THE PIPE FOR THE FULL LENGTH. BEDDING SHALL EXTEND TO THE SPRING LINE OF THE PIPE. COST FOR THE BEDDING SHALL BE INCLUDED WITH THE UNIT PRICE BID FOR THE PIPE.

7. THE UNDERGROUND CONTRACTOR SHALL BE RESPONSIBLE FOR DEWATERING ANY EXCAVATION FOR THE INSTALLATION OF THE SEWER OR WATER SYSTEMS. ANY DEWATERING ENCOUNTERED SHALL BE INCIDENTAL TO THE RESPECTIVE UNDERGROUND UTILITY.

8. ALL STRUCTURES SHALL HAVE A MAXIMUM OF 8" OF ADJUSTING RINGS, UNLESS OTHERWISE NOTED.

9. ALL TOP FRAMES FOR STORM AND VALVE VAULT COVERS AND B-BOXES ARE TO BE ADJUSTED TO MEET FINAL FINISH GRADE UPON COMPLETION OF FINISHED GRADING AND FINAL INSPECTIONS. THIS ADJUSTMENT IS TO BE MADE BY THE UNDERGROUND CONTRACTOR AND THE COST IS TO BE INCIDENTAL. THE UNDERGROUND CONTRACTOR SHALL INSURE THAT ALL ROAD AND PAVEMENT INLETS OR STRUCTURES ARE AT FINISHED GRADE. ANY ADJUSTMENTS NECESSITATED BY THE CURB OR PAVING CONTRACTOR TO ACHIEVE FINAL RIM GRADE, RESULTING IN AN EXTRA FOR SAID ADJUSTMENTS, WILL BE CHARGED TO THE UNDERGROUND CONTRACTOR.

10. ALL FLOOR DRAINS AND FLOOR DRAIN SUMP PUMPS SHALL DISCHARGE INTO THE SANITARY SEWER. 11. ALL DOWNSPOUTS, FOOTING DRAINS AND SUBSURFACE STORM WATERS SHALL DISCHARGE INTO THE STORM SEWER OR ONTO THE GROUND AND BE DIRECTED TOWARDS A STORM SEWER STRUCTURE.

12. ANY ANTICIPATED COST OF SHEETING SHALL BE REFLECTED IN THE CONTRACT AMOUNTS. NO ADDITIONAL COST WILL BE ALLOWED FOR SHEETING OR BRACING.

13. THE CONTRACTOR SHALL INSTALL A 2"x4"x8' POST ADJACENT TO THE TERMINUS OF THE SANITARY SERVICE WATERMAIN SERVICE, SANITARY MANHOLES, STORM STRUCTURES, AND WATER VAULTS. THE POST SHALL EXTEND A MINIMUM OF 4 FT. ABOVE THE GROUND. SAID POST SHALL BE PAINTED AS FOLLOWS: SANITARY-GREEN, WATER-BLUE, AND STORM-RED.

14. IT SHALL BE THE RESPONSIBILITY OF THE UNDERGROUND CONTRACTOR TO REMOVE FROM THE SITE ANY AND ALL MATERIALS AND DEBRIS WHICH RESULT FROM HIS CONSTRUCTION OPERATIONS AT NO ADDITIONAL EXPENSE TO THE OWNER.

EARTHWORK

1. ALL EARTHWORK OPERATIONS SHALL BE IN ACCORDANCE WITH SECTION 200 OF THE I.D.O.T. SPECIFICATIONS. 2. THE CONTRACTOR SHALL PROTECT ALL PROPERTY PINS AND SURVEY MONUMENTS AND SHALL RESTORE ANY WHICH ARE DISTURBED BY HIS OPERATIONS AT NO ADDITIONAL COST TO THE CONTRACT.

3. IT IS THE CONTRACTOR'S RESPONSIBILITY TO DETERMINE ALL MATERIAL QUANTITIES AND APPRISE HIMSELF OF ALL SITE CONDITIONS. THE CONTRACT PRICE SUBMITTED BY THE CONTRACTOR SHALL BE CONSIDERED AS LUMP SUM FOR THE COMPLETE PROJECT. NO CLAIMS FOR EXTRA WORK WILL BE RECOGNIZED UNLESS ORDERED IN WRITING BY THE OWNER.

4. PRIOR TO ONSET OF MASS GRADING OPERATIONS THE EARTHWORK CONTRACTOR SHALL FAMILIARIZE HIMSELF WITH THE SOIL EROSION CONTROL SPECIFICATIONS. THE INITIAL ESTABLISHMENT OF EROSION CONTROL PROCEDURES AND THE PLACEMENT OF SILT FENCING, ETC. TO PROTECT ADJACENT PROPERTY SHALL OCCUR BEFORE MASS GRADING BEGINS, AND IN ACCORDANCE WITH THE SOIL EROSION CONTROL CONSTRUCTION SCHEDULE

5. THE GRADING OPERATIONS ARE TO BE CLOSELY SUPERVISED AND INSPECTED, PARTICULARLY DURING THE REMOVAL OF UNSUITABLE MATERIAL AND THE CONSTRUCTION OF EMBANKMENTS OR BUILDING PADS, BY THE SOUS ENGINEER OR HIS REPRESENTATIVE ALL TESTING INSPECTION AND SUPERVISION OF SOIL QUALITY UNSUITABLE REMOVAL AND ITS REPLACEMENT AND OTHER SOILS RELATED OPERATIONS SHALL BE ENTIRELY THE RESPONSIBILITY OF THE SOILS ENGINEER

6. THE GRADING AND CONSTRUCTION OF THE SITE IMPROVEMENTS SHALL NOT CAUSE PONDING OF STORM WATER. ALL AREAS ADJACENT TO THESE IMPROVEMENTS SHALL BE GRADED TO ALLOW POSITIVE DRAINAGE. 7. THE PROPOSED GRADING ELEVATIONS SHOWN ON THE PLANS ARE FINISH GRADE. A MINIMUM OF SIX INCHES

(6") OF TOPSOIL IS TO BE PLACED BEFORE FINISH GRADE ELEVATIONS ARE ACHIEVED. 8. THE SELECTED STRUCTURAL FILL MATERIAL SHALL BE PLACED IN LEVEL UNIFORM LAYERS SO THAT THE COMPACTED THICKNESS IS APPROXIMATELY SIX INCHES (6"); IF COMPACTION EQUIPMENT DEMONSTRATES THE

ABILITY TO COMPACT A GREATER THICKNESS, THEN A GREATER THICKNESS MAY BE SPECIFIED. EACH LAYER SHALL BE THOROUGHLY MIXED DURING SPREADING TO INSURE UNIFORMITY.

9. EMBANKMENT MATERIAL WITHIN ROADWAY, PARKING LOT, AND OTHER STRUCTURAL CLAY FILL AREAS SHALL BE COMPACTED TO A MINIMUM OF NINETY-FIVE PERCENT (95%) OF MAXIMUM DENSITY IN ACCORDANCE WITH ASTM SPECIFICATION D-1557 (MODIFIED PROCTOR METHOD), OR TO SUCH OTHER DENSITY AS MAY BE DETERMINED APPROPRIATE BY THE SOILS ENGINEER. EMBANKMENT MATERIAL FOR BUILDING PADS SHALL BE COMPACTED TO A MINIMUM OF NINETY-FIVE (95%) OF MAXIMUM DENSITY IN ACCORDANCE WITH ASTM DESIGNATION D-1557 (MODIFIED PROCTOR METHOD) OR TO SUCH OTHER DENSITY AS MAY BE DETERMINED APPROPRIATE BY THE SOIL ENGINEER.

10. EMBANKMENT MATERIAL (RANDOM FILL) WITHIN NON-STRUCTURAL FILL AREAS SHALL BE COMPACTED TO A MINIMUM OF NINETY PERCENT (90%) OF MAXIMUM DENSITY IN ACCORDANCE WITH ASTM SPECIFICATION D-157 (MODIFIED PROCTOR METHOD).

11. THE SUB GRADE FOR PROPOSED STREET AND PAVEMENT AREAS SHALL BE PROOF-ROLLED BY THE CONTRACTOR AND ANY UNSTABLE AREAS ENCOUNTERED SHALL BE REMOVED AND REPLACED AS DIRECTED BY THE SOILS ENGINEER.

12. SOIL BORING REPORTS, IF AVAILABLE, ARE SOLELY FOR THE INFORMATION AND GUIDANCE OF THE CONTRACTORS. THE OWNER AND ENGINEER MAKE NO REPRESENTATION OR WARRANTY REGARDING THE INFORMATION CONTAINED IN THE BORING LOGS. THE CONTRACTOR SHALL MAKE HIS OWN INVESTIGATIONS AND SHALL PLAN HIS WORK ACCORDINGLY. ARRANGEMENTS TO ENTER THE PROPERTY DURING THE BIDDING PHASE MAY BE MADE UPON REQUEST OF THE OWNER. THERE WILL BE NO ADDITIONAL PAYMENT FOR EXPENSES INCURRED BY THE CONTRACTOR RESULTING FROM ADVERSE SOIL OR GROUND WATER CONDITIONS.

13. IT SHALL BE THE RESPONSIBILITY OF THE EXCAVATION CONTRACTOR TO REMOVE FROM THE SITE ANY AND ALL MATERIALS AND DEBRIS WHICH RESULT FROM HIS CONSTRUCTION OPERATIONS AT NO ADDITIONAL EXPENSE TO THE OWNER.

PAVING & WALKS

1. WORK UNDER THIS SECTION SHALL INCLUDE FINAL SUBGRADE SHAPING AND PREPARATION: FORMING, JOINTING, PLACEMENT OF ROADWAY AND PAVEMENT BASE COURSE MATERIALS AND SUBSEQUENT BINDER AND/OR SURFACE COURSES; PLACEMENT, FINISHING AND CURING OF CONCRETE; FINAL CLEAN-UP; AND ALL RELATED WORK.

2. ALL PAVING AND SIDEWALK WORK SHALL BE DONE IN ACCORDANCE WITH THE STANDARD SPECIFICATIONS (I.D.O.T.) AND PER LOCAL REGULATIONS.

3. SUBGRADE FOR PROPOSED PAVEMENT SHALL BE FINISHED BY THE EXCAVATION CONTRACTOR TO WITHIN 0.1 FOOT, PLUS OR MINUS, OF THE PLAN ELEVATION. THE PAVING CONTRACTOR SHALL SATISFY HIMSELF THAT THE SUBGRADE HAS BEEN PROPERLY PREPARED AND THAT THE FINISH TOP SUBGRADE ELEVATION HAS BEEN GRADED WITHIN TOLERANCES ALLOWED IN THESE SPECIFICATIONS. UNLESS THE PAVING CONTRACTOR ADVISES THE OWNER AND ENGINEER IN WRITING PRIOR TO FINE GRADING FOR BASE COURSE CONSTRUCTION, IT IS UNDERSTOOD THAT HE HAS APPROVED AND ACCEPTS THE RESPONSIBILITY FOR THE SUBGRADE. PRIOR TO PLACEMENT OF PAVEMENT BASE MATERIALS, THE PAVING CONTRACTOR SHALL FINE GRADE THE SUBGRADE SO AS TO INSURE THE PROPER THICKNESS OF PAVEMENT COURSES. NO CLAIMS FOR EXCESS BASE MATERIALS DUE TO IMPROPER SUBGRADE PREPARATION WILL BE HONORED.

4. THE PROPOSED PAVEMENT SHALL CONSIST OF THE SUB-BASE COURSE, BITUMINOUS AGGREGATE BASE COURSE, BITUMINOUS BINDER COURSE, AND BITUMINOUS SURFACE COURSE, OF THE THICKNESS AND MATERIALS AS SPECIFIED ON THE CONSTRUCTION PLANS, PRIME COAT SHALL BE APPLIED TO THE SUB-BASE COURSE AT A RATE OF 0.5 GALLONS PER SQUARE YARD. UNLESS SHOWN AS A BID ITEM, PRIME COAT SHALL BE CONSIDERED AS INCIDENTAL TO THE COST OF THE CONTRACT. ALL PAVEMENT SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE "I.D.O.T. STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION," CURRENT EDITION.

5. AFTER THE INSTALLATION OF THE BASE COURSE, ALL TRAFFIC SHALL BE KEPT OFF THE BASE UNTIL THE BINDER COURSE IS LAID. AFTER INSTALLATION OF THE BINDER COURSE AND UPON INSPECTION AND APPROVAL BY GOVERNING AUTHORITY, THE PAVEMENT SHALL BE CLEANED, PRIMED AND THE SURFACE COURSE LAID. ALL DAMAGED AREAS IN THE BINDER. BASE OR CURB AND GUTTER SHALL BE REPAIRED TO THE SATISFACTION OF THE OWNER PRIOR TO LAYING THE SURFACE COURSE. THE PAVING CONTRACTOR SHALL PROVIDE WHATEVER EQUIPMENT AND MANPOWER IS NECESSARY, INCLUDING THE USE OF POWER BROOMS TO PREPARE THE PAVEMENT FOR APPLICATION OF THE SURFACE COURSE. EQUIPMENT AND MANPOWER TO CLEAN PAVEMENT SHALL BE CONSIDERED INCIDENTAL TO THE COST OF THE CONTRACT. PRIME COAT ON THE BINDER COARSE SHALL BE CONSIDERED AS INCIDENTAL TO THE COST OF THE CONTRACT AND SHALL BE APPLIED TO THE BINDER AT A RATE OF 0.5 GALLONS PER SQUARE YARD.

6. CURING AND PROTECTION OF ALL EXPOSED CONCRETE SURFACES SHALL BE IN ACCORDANCE WITH THE STANDARD SPECIFICATIONS.

7. SIDEWALKS SHALL BE OF THE THICKNESS AND DIMENSIONS AS SHOWN IN THE CONSTRUCTION PLANS. ALL SIDEWALK CONCRETE SHALL DEVELOP A MINIMUM OF 3,500-PSI COMPRESSIVE STRENGTH AT 28 DAYS. CONTRACTION JOINTS SHALL BE SET AT 5' CENTERS, AND 3/4" PRE-MOLDED FIBER EXPANSION JOINTS SET AT 50' CENTERS AND WHERE THE SIDEWALK MEETS THE CURB, A BUILDING, OR ANOTHER SIDEWALK, OR AT THE END OF EACH POUR. ALL SIDEWALKS CONSTRUCTED OVER UTILITY TRENCHES SHALL BE REINFORCED WITH THREE NO. 5 REINFORCING BARS (10' MINIMUM LENGTH). ALL SIDEWALKS CROSSING DRIVEWAYS SHALL BE A MINIMUM OF 6" THICK AND REINFORCED WITH 6X6 #6 WELDED WIRE MESH. ALL SIDEWALKS SHALL BE BROOM FINISHED. IF A MANHOLE FRAME FALLS WITHIN THE LIMITS OF A SIDEWALK, A BOX-OUT SECTION SHALL BE PLACED AROUND THE MANHOLE FRAME WITH A 3/4" EXPANSION JOINT.

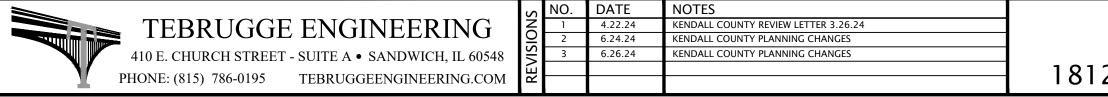
8. BACKFILLING ALONG PAVEMENT SHALL BE THE RESPONSIBILITY OF THE EARTHWORK CONTRACTOR. 9. IT SHALL BE THE RESPONSIBILITY OF THE PAVING CONTRACTOR TO REMOVE FROM THE SITE ANY AND ALL MATERIAL AND DEBRIS, WHICH RESULTS FROM HIS CONSTRUCTION OPERATIONS AT NO ADDITIONAL EXPENSE TO THE OWNER.

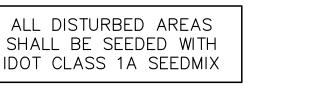
10. TESTING OF THE SUB-BASE, BASE COURSE, BINDER COURSE, SURFACE COURSE AND CONCRETE WORK SHALL BE REQUIRED IN ACCORDANCE WITH THE "I.D.O.T. STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION" CURRENT EDITION, AND IN ACCORDANCE WITH THE SPECIFIC REQUIREMENTS OF THE GOVERNING MUNICIPALITY. A QUALIFIED TESTING FIRM SHALL BE EMPLOYED BY THE OWNER TO PERFORM THE REQUIRED

11. PAINTED PAVEMENT MARKINGS AND SYMBOLS SHALL BE INSTALLED IN ACCORDANCE WITH SECTION 1095 OF IDOT STANDARD SPECIFICATIONS, OR THE TYPE AND COLOR AS NOTED ON THE CONSTRUCTION PLANS.

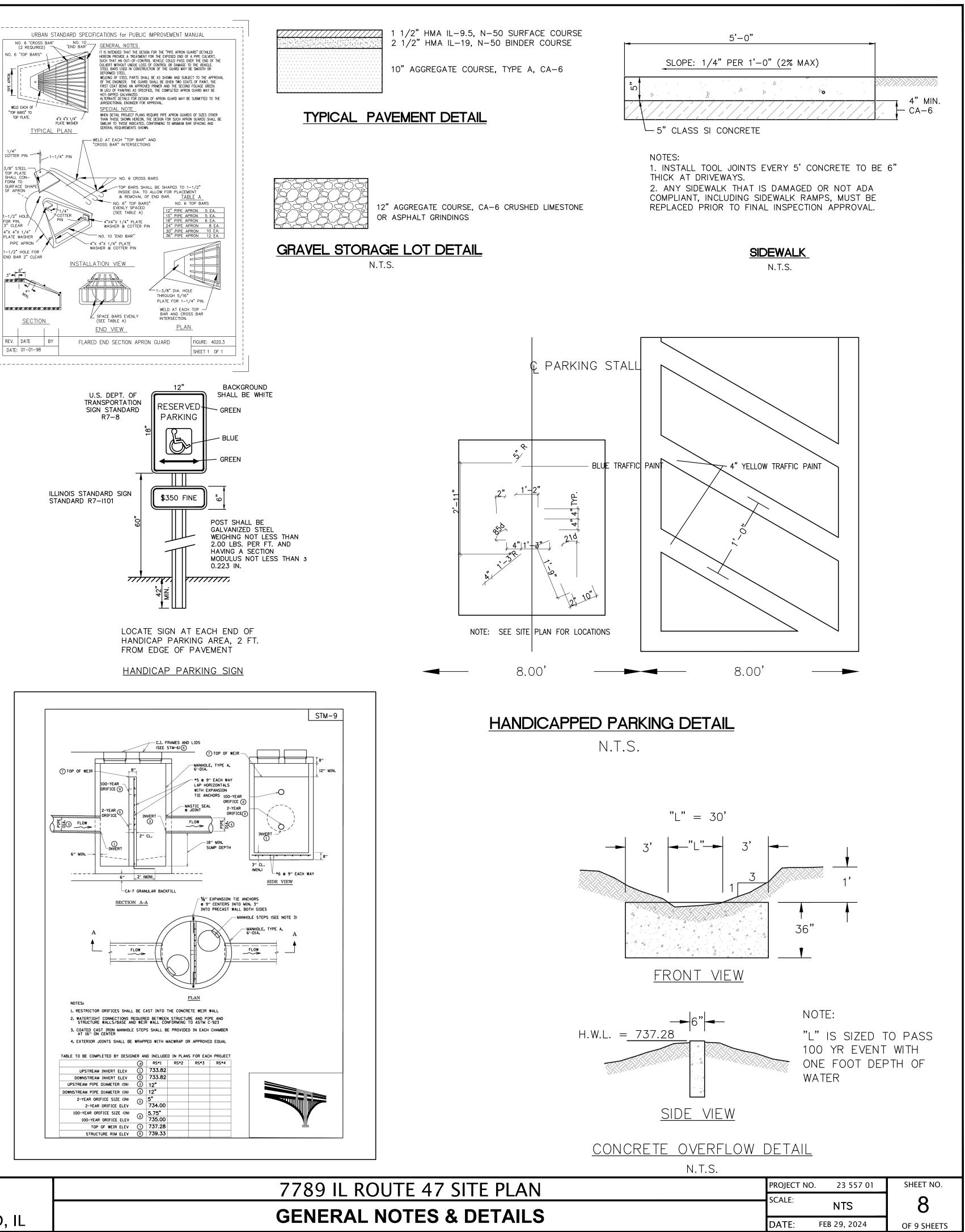
12. PAINTED PAVEMENT MARKINGS AND SYMBOLS SHALL BE INSTALLED ONLY WHEN THE AMBIENT AIR TEMPERATURE IS 40 DEGREES FAHRENHEIT AND THE FORECAST CALL FOR RISING TEMPERATURES. 13. ALL EXISTING CURB AND PAVEMENT SHALL BE PROTECT DURING CONSTRUCTION. ANY DAMAGE TO THE CURB OR PAVEMENT WILL BE REPAIRED OR REPLACED AT NO ADDITIONAL COST TO THE OWNER.

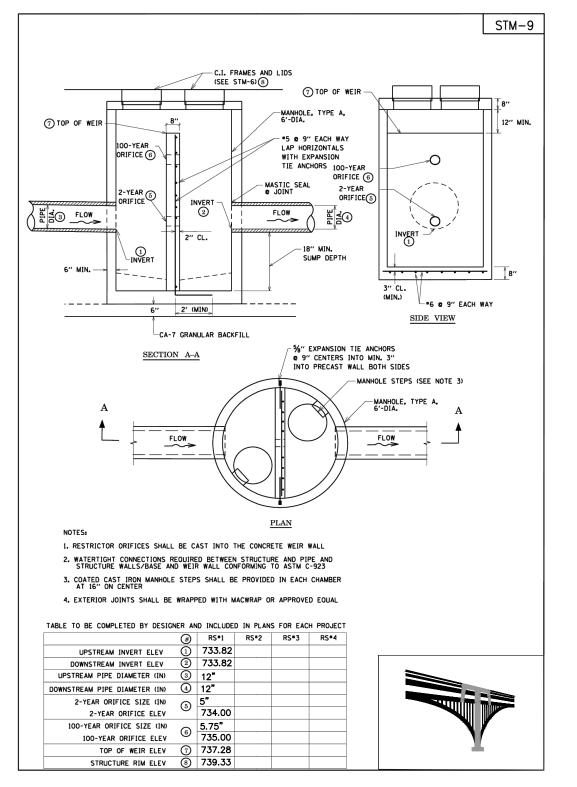
14. ANY SIDEWALK THAT IS DAMAGED OR NOT ADA COMPLIANT, INCLUDING SIDEWALK RAMPS, MUST BE REPLACED PRIOR TO FINAL INSPECTION APPROVAL.

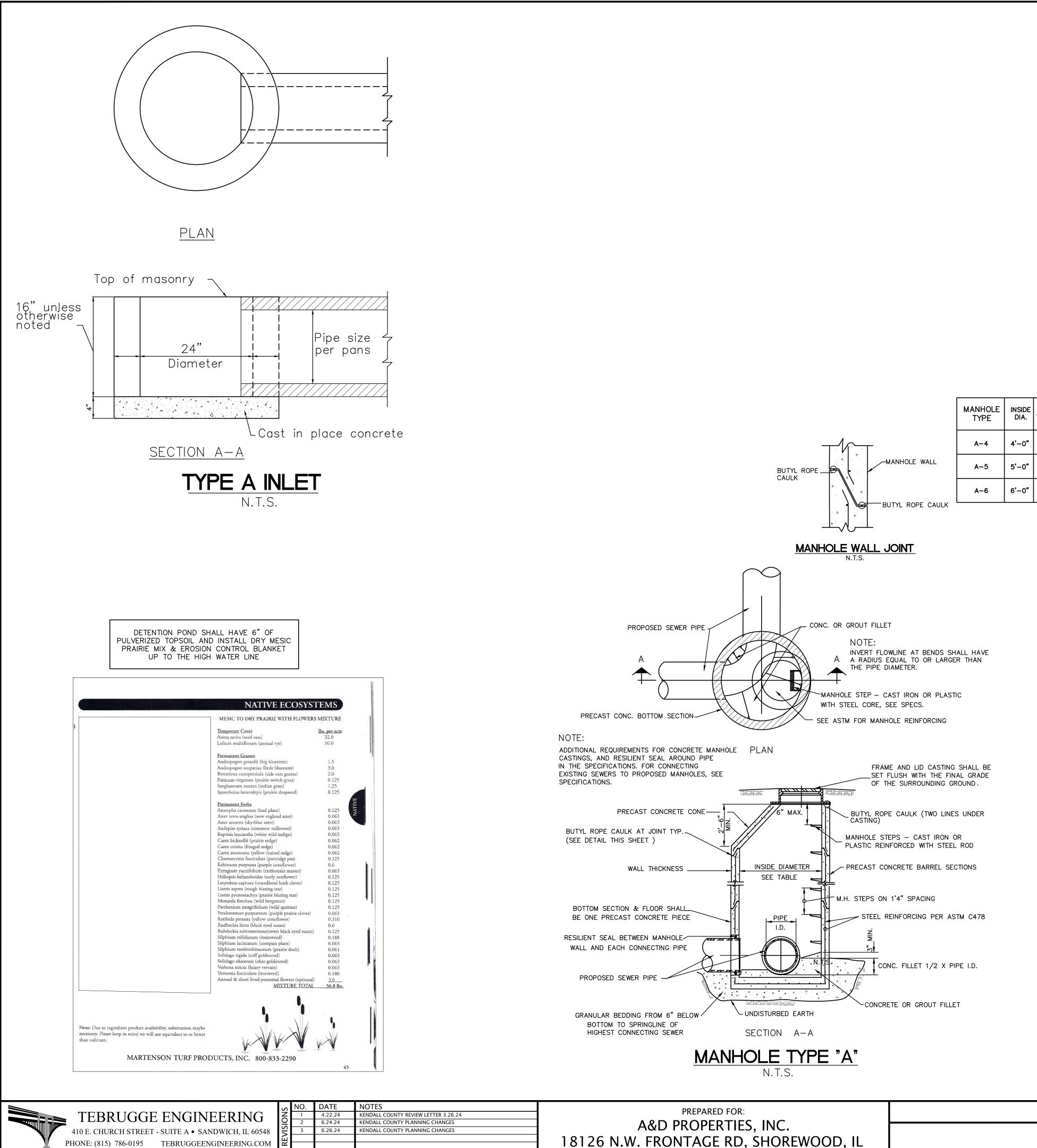




PREPARED FOR:
A&D PROPERTIES, INC.
26 N.W. FRONTAGE RD, SHOREWOOD,

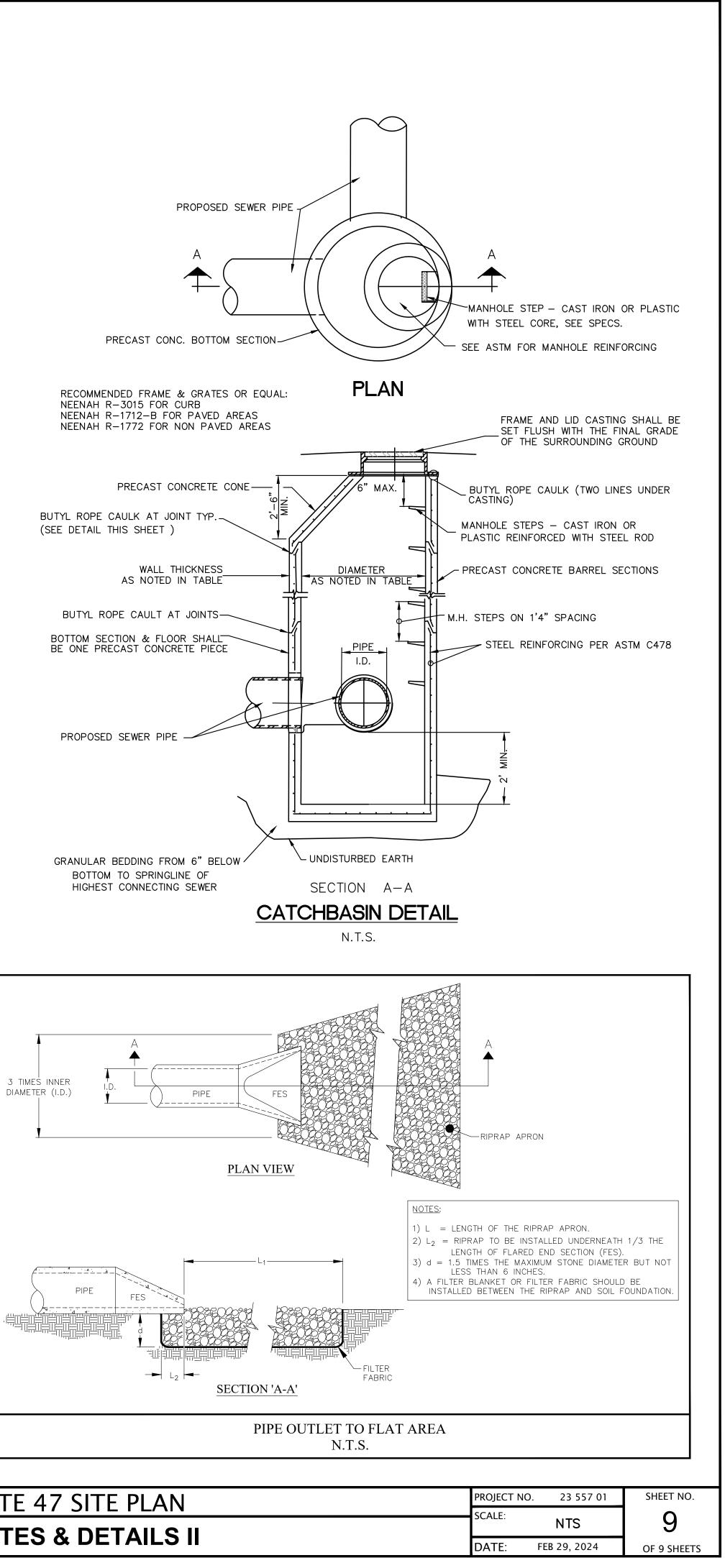


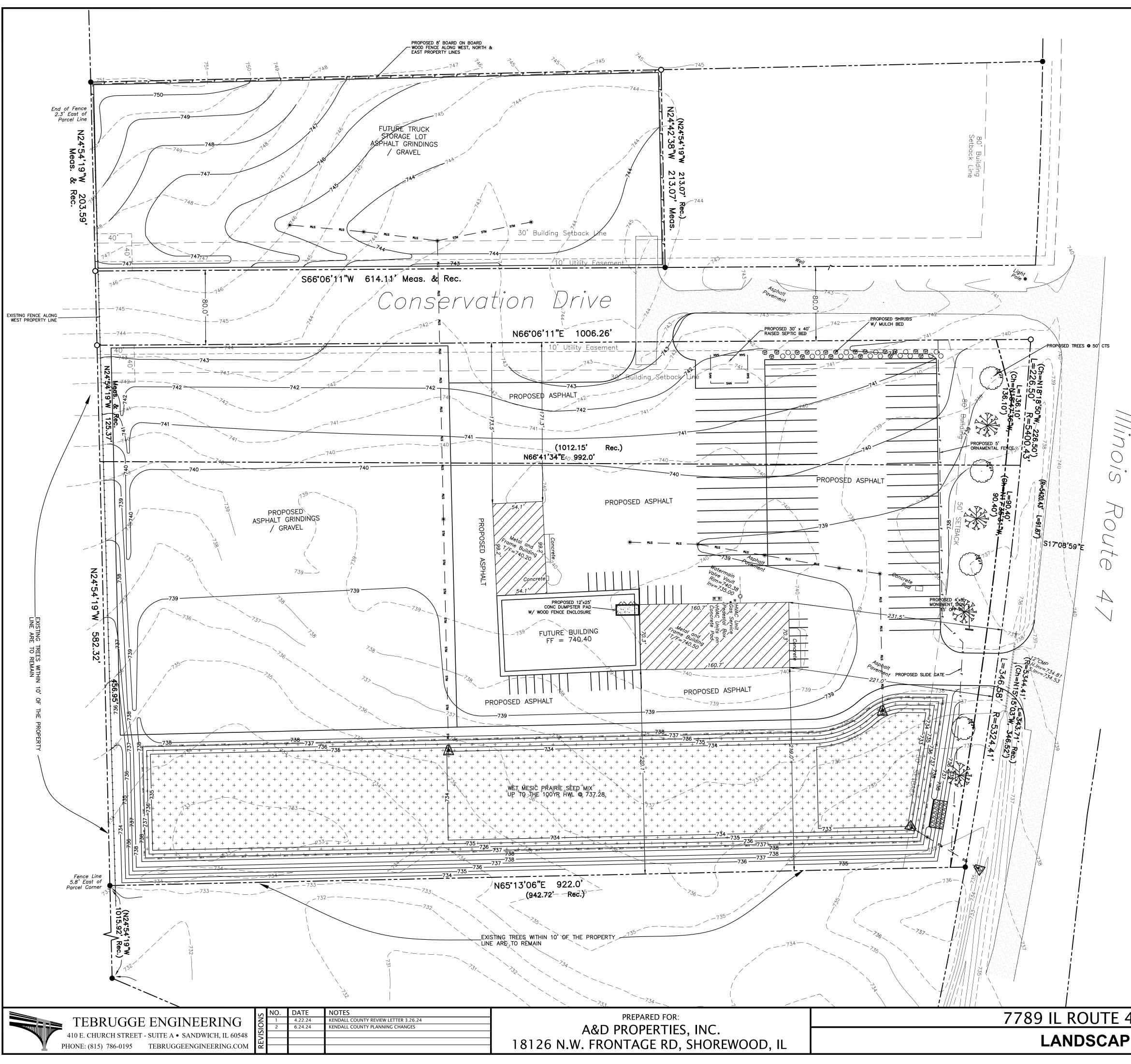




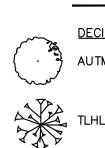
N.T.S.	
	7789 IL ROUTE
A&D PROPERTIES, INC. 126 N.W. FRONTAGE RD, SHOREWOOD, IL	GENERAL NOTE

MANHOLE TYPE	INSIDE DIA.	MIN. WALL THICKNESS
A-4	<b>4'</b> -0"	5"
A-5	5'-0"	6"
A-6	6'-0"	7"





## PROPOSED LANDSCAPING MATERIAL



	CODE:	DESCRIPTION:		UNIT OF MEASURE	QTY
	DECIDUOUS	TREES			
ł	AUTM	AUTUMN BLAZE MAPLE	ACER FREEMANII	2 1/2"	4
	TLHL	THORNLESS HONEYLOCUST	GLEDITSIA TRIACANTHOS	2 1/2"	4
	<u>SHRUBS</u>				

န်ဖို့၌ SPIREA	NEON FLASH SPIREA	"JAPONICA"	24"	18
🔘 вох	CHICAGOLAND GREEN BOXWOOD	BUXUS X 'GLENCOE'	24"	18

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<u>URF</u>	

KENTUCKY BLUE GRASS -

ALL DISTURBED AREA THAT ARE NOT MULCHED OR IN THE POND SHALL BE SEEDED

WET MESIC PRAIRIE MIX – DETENTION POND UP TO THE 100 YR HWL @ 737.28 ~2.44 AC

-50	0 SCALE IN	50 FEET	100

F 47 SITF PLAN	PROJECT NO	. 23 557 01	SHEET NO.
	SCALE:	. 11 –	1
APE PLAN		1" = 50'	
	DATE:	FEB 29, 2024	OF 2 SHEETS

## LANDSCAPE NOTES

PART 1 - GENERAL 1.01 DESCRIPTION

- PROVIDE TURF, TREES, SHRUBS, AND GROUNDCOVER AS SHOWN AND SPECIFIED. THE WORK INCLUDES: 1. SOIL PREPARATION
- 2. FERTILIZATION
- 3. SEEDING 4. TREES, SHRUBS, AND GROUNDCOVERS
- 5. MULCH AND PLANT ACCESSORIES 6. MAINTENANCE AND GUARANTEE
- 7. CLEANING UP WORK AREAS
- 1.02 QUALITY ASSURANCE
- COMPLY WITH APPLICABLE LOCAL REGULATIONS.
- B. SOD: COMPLY WITH AMERICAN SOD PRODUCERS ASSOCIATION (ASPA) CLASSES OF SOD MATERIAL . PLANT NAMES INDICATED COMPLY WITH "STANDARD PLANT NAMES" AS ADOPTED BY THE LATEST EDITION OF THE AMERICAN JOINT COMMITTEE OF HORTICULTURAL NOMENCLATURE. NAMES OF VARIETIES NOT LISTED CONFORM GENERALLY WITH NAMES ACCEPTED BY
- THE NURSERY TRADE. PROVIDE STOCK TRUE TO BOTANICAL NAME AND LEGALLY TAGGED.
- COMPLY WITH SIZING AND GRADING STANDARDS OF THE LATEST EDITION OF "AMERICAN STANDARD FOR NURSERY STOCK". A PLANT SHALL BE DIMENSIONED AS IT STANDS IN ITS NATURAL POSITION
- ALL PLANTS SHALL BE NURSERY GROWN UNDER CLIMATIC CONDITIONS SIMILAR TO THOSE IN THE LOCALITY OF THE PROJECT FOR A MINIMUM OF 2 YEARS.

1.03 SUBMITTALS

- . SEED: SUBMIT SEED VENDOR'S CERTIFICATION FOR REQUIRED GRASS SEED MIXTURE, INDICATING PERCENTAGE BY WEIGHT, AND PERCENTAGES OF PURITY, GERMINATION, AND WEED SEED FOR EACH GRASS SPECIES.
- . SOD: SUBMIT SOD GROWER'S CERTIFICATION OF GRASS SPECIES. IDENTIFY SOURCE. MULCH
- D. STRAW BLANKET
- 1.04 DELIVERY, STORAGE, AND HANDLING
- SEED: DELIVER SEED AND FERTILIZE MATERIALS IN ORIGINAL UNOPENED CONTAINERS, SHOWING WEIGHT, ANALYSIS, AND NAME OF MANUFACTURER. STORE IN MANNER TO PREVENT WETTING AND DETERIORATION.
- SOD: DELIVER AND INSTALL SOD CUT WITHIN 48-HOUR PERIOD. DELIVER FERTILIZER MATERIALS IN ORIGINAL, UNOPENED, AND UNDAMAGED CONTAINERS SHOWING WEIGHT, ANALYSIS, AND NAME OF
- MANUFACTURER. STORE IN MANNER TO PREVENT WETTING AND DETERIORATION. TAKE ALL PRECAUTIONS CUSTOMARY IN GOOD TRADE PRACTICE IN PREPARING PLANTS FOR MOVING. WORKMANSHIP THAT FALLS TO MEET THE HIGHEST STANDARDS WILL BE REJECTED. DIG, PACK, TRANSPORT, AND HANDLE PLANTS WITH CARE TO ENSURE PROTECTION AGAINST INJURY. INSPECTION CERTIFICATES REQUIRED BY LAW SHALL ACCOMPANY EACH SHIPMENT INVOICE OR ORDER TO STOCK AND ON ARRIVAL; THE CERTIFICATE SHALL BE FILLED WITH THE LANDSCAPE ARCHITECT. PROTECT ALL PLANTS FROM DYING OUT. IF PLANTS CANNOT BE PLANTED IMMEDIATELY UPON DELIVERY, PROPERLY PROTECT THEM WITH SOIL, OR MULCH. WATER HEELED-IN PLANTINGS REGULARLY COVER PLANTS TRANSPORTED ON OPEN VEHICLES WITH A PROTECTIVE COVERING TO PREVENT WINDBURN, WHEN IN LEAF.

1.05 PROJECT CONDITIONS

- CONFIRM THAT THE QUALITY AND DEPTH OF TOPSOIL IS SATISFACTORY PRIOR TO BEGINNING FINE GRADING. FINE GRADING MUST BE APPROVED BY OWNER PRIOR TO START OF SEEDING OR SODDING.
- PERFORM GRASSING WORK ONLY AFTER PLANTING AND OTHER WORK AFFECTING GROUND SURFACE HAS BEEN COMPLETED. INSTALL SEED UNDER FAVORABLE WEATHER CONDITIONS UNLESS APPROVED BY THE OWNER'S REPRESENTATIVE. THE GENERALLY ACCEPTED TIMES FOR SEEDING ARE:
- SPRING APRIL 1ST TO MAY 31ST FALL - AUGUST 15TH TO SEPTEMBER 30TH

1.06 GUARANTEE

- GUARANTEE ALL WORK FOR ONE YEAR FOLLOWING THE DATE OF INSTALLATION.
- B. AT THE END OF THE GUARANTEE PERIOD, RESEED AND RESOD AREAS WITH SPECIFIED MATERIALS, WHICH FAIL TO PROVIDE A UNIFORM STAND OF GRASS.
- REPLACE, IN ACCORDANCE WITH THE DRAWINGS AND SPECIFICATIONS, ALL PLANTS THAT ARE DEAD OR, AS DETERMINED BY THE LANDSCAPE ARCHITECT, ARE IN AN UNHEALTHY OR UNSIGHTLY CONDITION. GURANTEE SHALL NOT INCLUDE DAMAGE OR LOSS OF TREES, PLANTS, GROUNDCOVERS, OR TURF CAUSED BY FIRES, FLOODS, FREEZING RAINS, LIGHTNING STORMS, OR WINDS OVER 75 MILES PER HOUR, WINTER KILL CAUSED BY EXTREME COLD AND SEVERE WINTER CONDITIONS NOT TYPICAL OF PLANTING AREA; OR ACT OF VANDALISM.

PART 2 - PRODUCTS

2.01 MATERIALS

- A. SEED/SOD FERTILIZER: 1. GRANULAR, 10-10-10. ALL PURPOSE AT A RATE OF 1LBS N-P-K PER 1,000 S.F.
- B. PLANT FERTILIZER 1. PROVIDE A GRANULAR COMMERCIAL FERTILIZER WITH AN ANALYSIS OF 10-10-10.
- C. SEED: 1. LAWN SEED: FRESH, CLEAN SEED FROM MOST RECENTLY HARVESTED CROP WHICH COMPLIES WITH ALL LOCAL, STATE, AND FEDERAL SEED AND WEED LAWS IS FREE FROM POA ANNUAL, BENT GRASS AND NOXIOUS WEEDS. 2. BLEND: PERCENT BY WEIGHT:
- FIELD OF DREAMS RESEEDER MIX, (AS AVAILABLE FROM NATURAL SEED, DOWNERS GROVE, IL)
- 2 NAMED KENTUCKY BLUE GRASSES 50%
- 2 NAMED TURF TYPE PERENNIAL GRASSES 50%
- 3. BOTTOM OF STORM WATER MANAGEMENT BASINS TO BE OVER SEEDED WITH RED TOP SEED AT A RATE OF 50 LBS PER ACRE. PLANTS: PROVIDE PLANTS TYPICAL OF THEIR SPECIES OR VARIETY WITH NORMAL, DENSELY DEVELOPED BRANCHES AND VIGOROUS. FIBROUS ROOT SYSTEMS, PROVIDE ONLY SOUND, HEALTHY, PLANTS FREE FROM DEFECTS, SUN SCALD INJURIES, FROST CRACKS, ABRASIONS OF THE BARK, PLANT DISEASE, INSECT EGGS, BORERS, AND ALL FORMS OF INFESTATION. ALL PLANTS SHALL HAVE A FULL
- DEVELOPMENT FORM. 1. DIG BALLED AND BURLAPPED PLANTS WITH FIRM, NATURAL BALLS OR EARTH. PROVIDE BALL SIZES COMPLYING WITH THE LATEST EDITION OF THE "AMERICAN STANDARD FOR NURSERY STOCK".
- 2. PROVIDE SHADE AND EVERGREEN TREE SPECIES WITH A SINGLE MAIN TRUNK UNLESS OTHERWISE SPECIFIED OR ACCEPTED.
- PROVIDE PLANTS MATCHED IN FORM WHEN ARRANGED IN GROUPS. PROVIDE EVERGREEN TREES BRANCHED TO THE GROUND UNLESS OTHERWISE SPECIFIED OR ACCEPTED.
- 5. PROVIDE SHRUBS AND SMALL PLANTS MEETING THE REQUIREMENTS FOR SPREAD AND HEIGHT INDICATED IN THE PLANT LIST. 5.a. THE MEASUREMENTS FOR HEIGHT SHALL BE TAKEN FROM THE GROUND LEVEL TO THE AVERAGE HEIGHT OF THE TOP OF THE PLANT AND NOT THE LONGEST BRANCH.

PART 3 - EXECUTION

3.01 INSPECTION

- A. EXAMINE FINISH SURFACE GRADES, TOPSOIL QUALITY, DEPTH, AND CONDITIONS OF INSTALLATIONS.
- 3.02 PREPARATION
- A. LOOSEN TOPSOIL OF LAWN AREAS TO MINIMUM DEPTH OF 2". REMOVE STONES OVER 1" IN ANY DIMENSION AND STICKS, ROOTS,
- RUBBISH, AND EXTRANEOUS MATTER. B. GRADE LAWN AREAS TO SMOOTH. FREE DRAINING AND EVEN SURFACE WITH A LOOSE, UNIFORMLY FINE TEXTURE. MECHANICALLY OR MANUALLY RAKE; REMOVE RIDGES AND FILL DEPRESSIONS AS REQUIRED TO DRAIN. RESTORE PREPARED AREAS TO SPECIFIED CONDICTION IF ERODED, SETTLED, OR OTHERWISE DISTURBED AFTER FINE GRADING AND
- PRIOR TO SEEDING OR SODDING. D. TIME OF PLANTING:
- 1. EVERGREEN MATERIAL; PLANT EVERGREEN MATERIALS BETWEEN SEPTEMBER 2ND AND NOVEMBER 1ST OR IN SPRING BEFORE NEW GROWTH BEGINS 2. DECIDUOUS MATERIAL; PLANT DECIDUOUS MATERIALS IN A DORMANT CONDITION OR PRE-DIG AND HEAL UNTIL SITE IS READY.
- LOCATE PLANTS AS INDICATED AND APPROVED IN THE FIELD BY THE LANDSCAPE ARCHITECT. ROTOTILL ALL GROUNDCOVER BEDS.
- G. PROVIDE SHRUB PITS AT LEAST 8" GREATER THAN THE DIAMETER OF THE ROOT SYSTEM AND 12" GREATER FOR TREES.

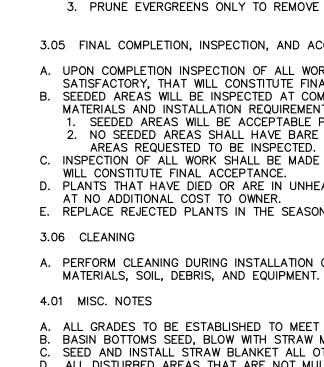
3.03 SEED INSTALLATION

- A. TURF AREAS;
- SEED IMMEDIATELY AFTER PREPARATION OF BED. PERFORM SEEDING OPERATIONS WHEN THE SOIL IS DRY AND WHEN WINDS DO NOT EXCEED 20 MILES PER HOUR VELOCITY. . SOW SEED AT 300 LBS. PER ACRE.
- 3.a. CONVENTIONAL SEEDING:
- 3.a.1. APPLY SEED WITH A ROTARY OR DROP TYPE DISTRIBUTOR. SEED EVENLY. 3.a.2. AFTER SEEDING, RAKE SOIL SURFACE LIGHTLY TO INCORPORATE SEED.
- 4. WITHIN 24 HOURS, PLACE STRAW BLANKET OVER ALL SEEDED AREAS. PLACE BLANKET PERPENDICULAR TO CONTOUR LINES AND FASTEN IN PLACE PER MANUFACTURES RECOMMENDATIONS.

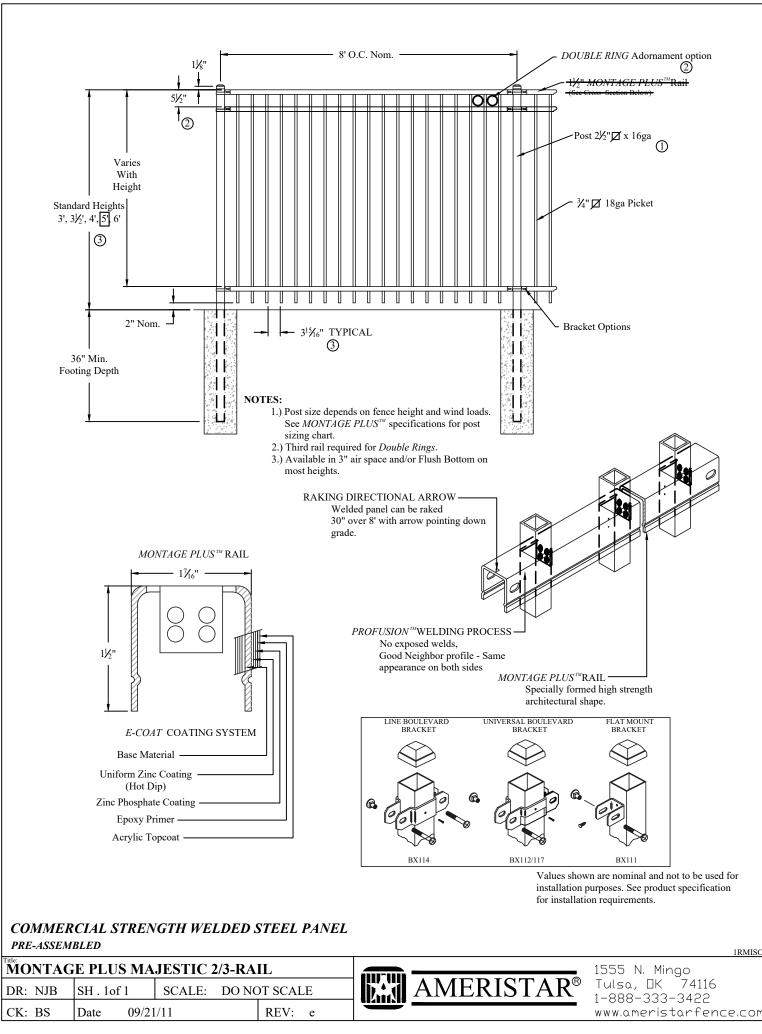
3.04 PLANT INSTALLATION

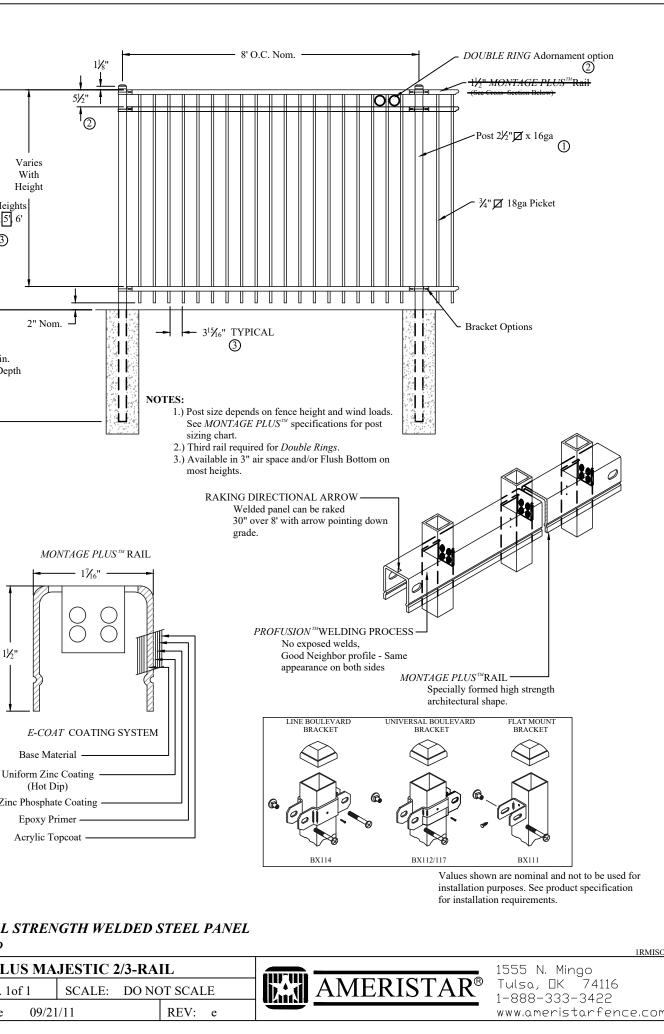
- A. TREES AND SHRUBS SET PLANT MATERIAL IN THE PLANTING PIT TO PROPER GRADE AND ALIGNMENT. DO NOT FILL AROUND TRUNKS OR STEMS.
- AFTER BALLED OR BURLAPPED PLANTS ARE SET, FILL ALL VOIDS. . MIX APPROVED COMMERCIAL FERTILIZER AT 10 LBS. PER CUBIC YARD OF BACKFILL.
- . GROUNDCOVERS:
- . WHERE GROUNDCOVERS ARE SPECIFIED ON THE PLANS, ROTOTILL ENTIRE PLANT BED TO 6" DEPTH USING AMENDED TOPSOIL. INCORPORATE COMMERCIAL 10-10-10 FERTILIZER INTO PREPARED SOIL MIXTURE AT AN APPROPRIATE RATE OF 1 LB. PER SQUARE YARD. MULCHING:
- 1. MULCH TREE AND SHRUB PLANTING PITS AND SHRUB BEDS WITH REQUIRED MULCHING MATERIAL 3" DEEP IMMEDIATELY AFTER PLANTING. THOROUGHLY WATER MULCHED AREAS. AFTER WATERING, RAKE MULCH TO PROVIDE A UNIFORM FINISHED SURFACE.
- WRAPPING: . INSPECT TREES FOR INJURY TO TRUNKS, EVIDENCE OF INSECT INFESTATIONS, AND IMPROPER PRUNING BEFORE WRAPPING. 2. WRAP TRUNKS OF ALL TREES SPIRALLY FROM BOTTOM TO TOP WITH SPECIFIED TREE WRAP AND SECURE IN PLACE. WRAPPING IS AT THE DISCRETION OF THE CONTRACTOR.





E. PRUNING





PRE-ASSEMBLED

1. PRUNE BRANCHES OF DECIDUOUS STOCK, AFTER PLANTING, TO PRESERVE THE NATURAL CHARACTER APPROPRIATE TO THE PARTICULAR PLANT REQUIREMENTS. IN GENERAL, REMOVE APPROXIMATELY 1/4 OF THE LEAF BEARING BUDS. REMOVE OR CUT BACK BROKEN, DAMAGED, AND UNSYMMETRICAL GROWTH OF NEW WOOD. 2. MULTIPLE LEADER PLANTS: PRESERVE THE LEADER WHICH WILL BEST PROMOTE THE SYMMETRY OF THE PLANT. CUT BRANCHES FLUSH WITH THE TRUNK OR MAIN BRANCH, AT DIAMETER OF THE SUPPORTING BRANCH. MAKE CUT ON AN ANGLE. 3. PRUNE EVERGREENS ONLY TO REMOVE BROKEN OR DAMAGED BRANCHES.

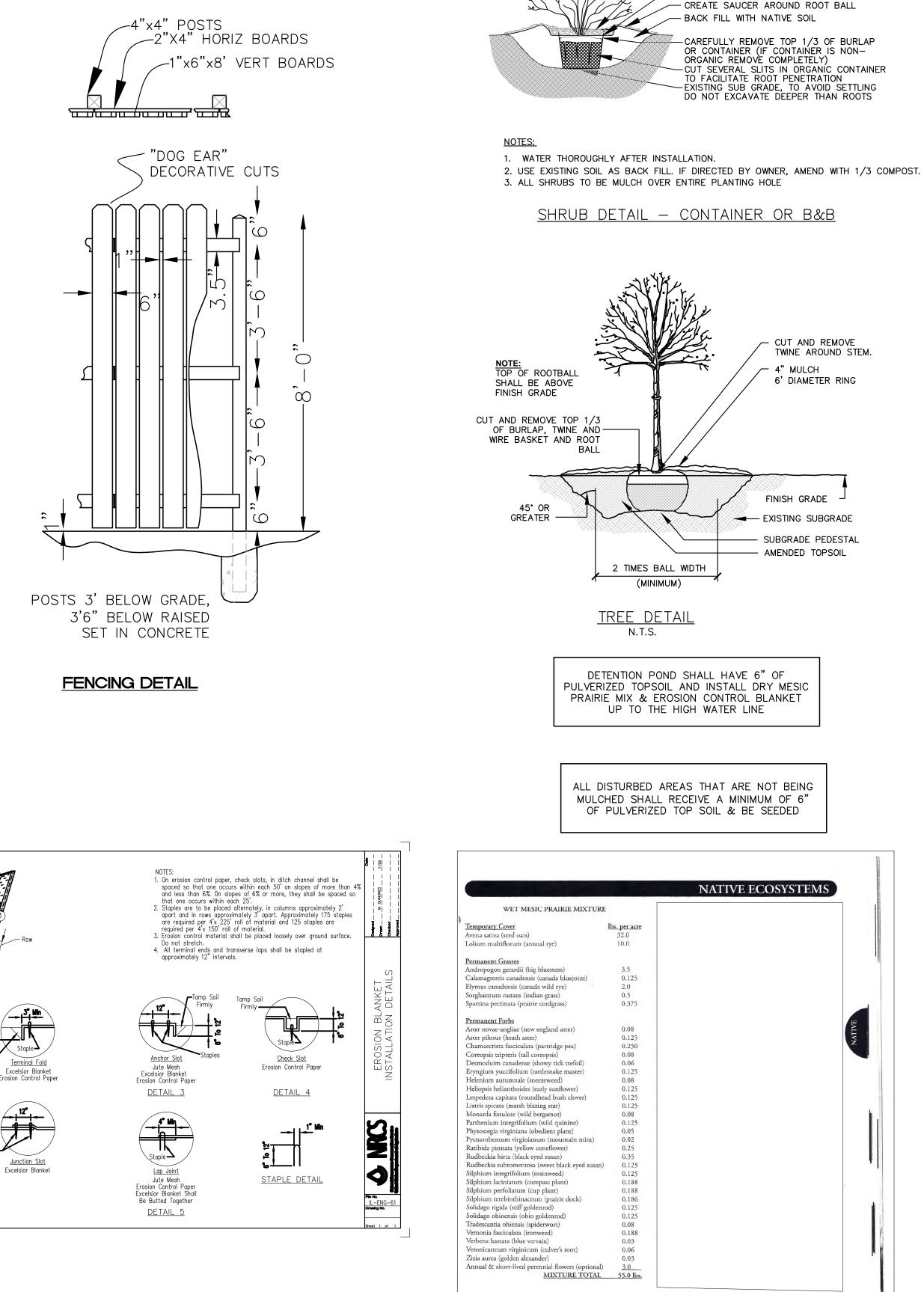
## 3.05 FINAL COMPLETION, INSPECTION, AND ACCEPTANCE

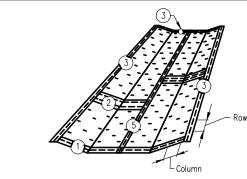
A. UPON COMPLETION INSPECTION OF ALL WORK WILL BE MADE BY THE OWNER OR HIS REPRESENTATIVE. AT THAT TIME IF ALL WORK IS SATISFACTORY, THAT WILL CONSTITUTE FINAL ACCEPTANCE. B. SEEDED AREAS WILL BE INSPECTED AT COMPLETION OF THE INSTALLATION AND ACCEPTED SUBJECT TO COMPLIANCE WITH SPECIFIED MATERIALS AND INSTALLATION REQUIREMENTS. SEEDED AREAS WILL BE ACCEPTABLE PROVIDED ALL REQUIREMENTS, HAVE BEEN COMPLIED WITH. NO SEEDED AREAS SHALL HAVE BARE SPOTS OR UNACCEPTABLE COVER TOTALING MORE THAN 2% OF THE INDIVIDUAL AREAS, IN AREAS REQUESTED TO BE INSPECTED. C. INSPECTION OF ALL WORK SHALL BE MADE UPON REQUEST OF CONTRACTOR. AT THAT TIME, IF ALL WORK IS SATISFACTORY, THAT D. PLANTS THAT HAVE DIED OR ARE IN UNHEALTHY OR BADLY IMPAIRED CONDITION UPON INSPECTION SHALL BE TREATED OR REPLACED E. REPLACE REJECTED PLANTS IN THE SEASON THAT IS MOST FAVORABLE FOR RESETTING KINDS OF PLANTS REQUIRED.

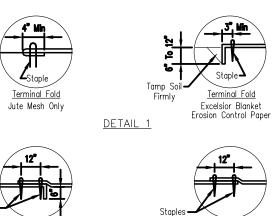
A. PERFORM CLEANING DURING INSTALLATION OF THE WORK AND UPON COMPLETION OF THE WORK. REMOVE FROM SITES ALL EXCESS

#### A. ALL GRADES TO BE ESTABLISHED TO MEET ENGINEERING DRAWINGS BY OTHERS. . BASIN BOTTOMS SEED, BLOW WITH STRAW MULCH AND CRIMP STRAW IN PLACE, AS NOTED ON PLANS SEED AND INSTALL STRAW BLANKET ALL OTHER TURF AREAS.

D. ALL DISTURBED AREAS THAT ARE NOT MULCHED SHALL BE SEEDED





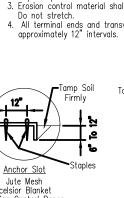


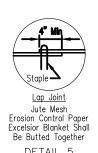
<u>DETAIL 2</u>

Junction Slot

Jute Mesh

Erosion Control Paper





		MARTENSON TURF PRODUCTS, INC. 800-833-2290 43	
PREPARED FOR:	7789 IL ROUTE 47 SITE PLAN	PROJECT NO. 23 557 01	SHEET NO.
A&D PROPERTIES, INC. 126 N.W. FRONTAGE RD, SHOREWOOD, IL	LANDSCAPE DETAILS	SCALE: NTS DATE: FEB 29, 2024	OF 2 SHEETS



Note: Due to ingredient product availability, substitution maybe necessary. Please keep in mind we will use equivalent to or better

than cultivars.

- CLEANLY PRUNE ONLY DAMAGED, DISEASED

- FINISHED GRADE AROUND PLANT TO BE THE

SAME AS ORIGINAL GRADE OF PLANT IN POT

— MULCH OVER ENTIRE PLANTING HOLE 4" THICK

AND/OR WEAK BRANCHES



## DEPARTMENT OF PLANNING, BUILDING & ZONING 111 West Fox Street • Room 204 Yorkville, IL • 60560 (630) 553-4141 Fax (630) 553-4179 MEMORANDUM

To:ZPACFrom:Matthew H. Asselmeier, AICP, CFM, DirectorDate:June 11, 2024Re:Petition 24-17 Proposed Amendments Related to Pipeline Depth

In 2001, through Ordinance 2001-33, Kendall County established pipeline regulations in the Zoning Ordinance.

In May 2024, TC Energy's ANR Pipeline announced a pipeline project in Kendall County. Concerns were raised regarding the proposed depth of the pipelines.

At their meeting on June 10, 2024, the Kendall County Planning, Building and Zoning Committee voted to initiate an amendment to the pipeline depth requirements contained in Section 6:07 of the Kendall County Zoning Ordinance. The proposed changes are as follows:

#### A. Pipeline Depth

1. Except for above ground piping facilities, such as mainline block valves, tap valves, meter stations, etc., the pipeline will be buried with:

a. A minimum of five (5) feet of top cover where it crosses cropland.

b. A minimum of five (5) feet of top cover where it crosses pastureland or other agricultural land comprised of soils that are classified by the USDA as being prime soils.

c. A minimum of three (3) five (5) feet of top cover where it crosses pastureland and other agricultural land not comprised of prime soils.

d. A minimum of three (3) five (5) feet of top cover where it crosses wooded/brushy land or other sensitive areas.

e. Substantially the same top cover as an existing parallel pipeline, but not less than three (3) five (5) feet, where the route parallels an existing pipeline within a 100-foot perpendicular offset.

2. Notwithstanding the foregoing, in those areas where rock is in its natural formation and/or a continuous stratum of gravel exceeding 200 feet in length are encountered, the minimum cover will be **30 sixty (60)** inches.

If you have any questions regarding this memo, please let me know.

MHA