

ORDINANCE NUMBER 2008 - 17

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

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

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

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

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

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

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

NOW, THEREFORE, BE IT ORDAINED, that the Kendall County Board hereby repeals Kendall

County Ordinance #2000-18 in its entirety prior to its scheduled termination date of September 1, 2009 and replaced in its entirety by this ordinance.

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

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

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

IN WITNESS OF, this ordinance has been enacted on May 20, 2008.

State of Illinois
County of Kendall

Zoning Petition
08-12

Attest:



John A. Church
Kendall County Board Chairman



Renetta Mickelson
Kendall County Clerk



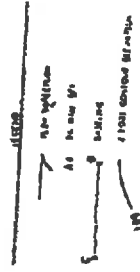
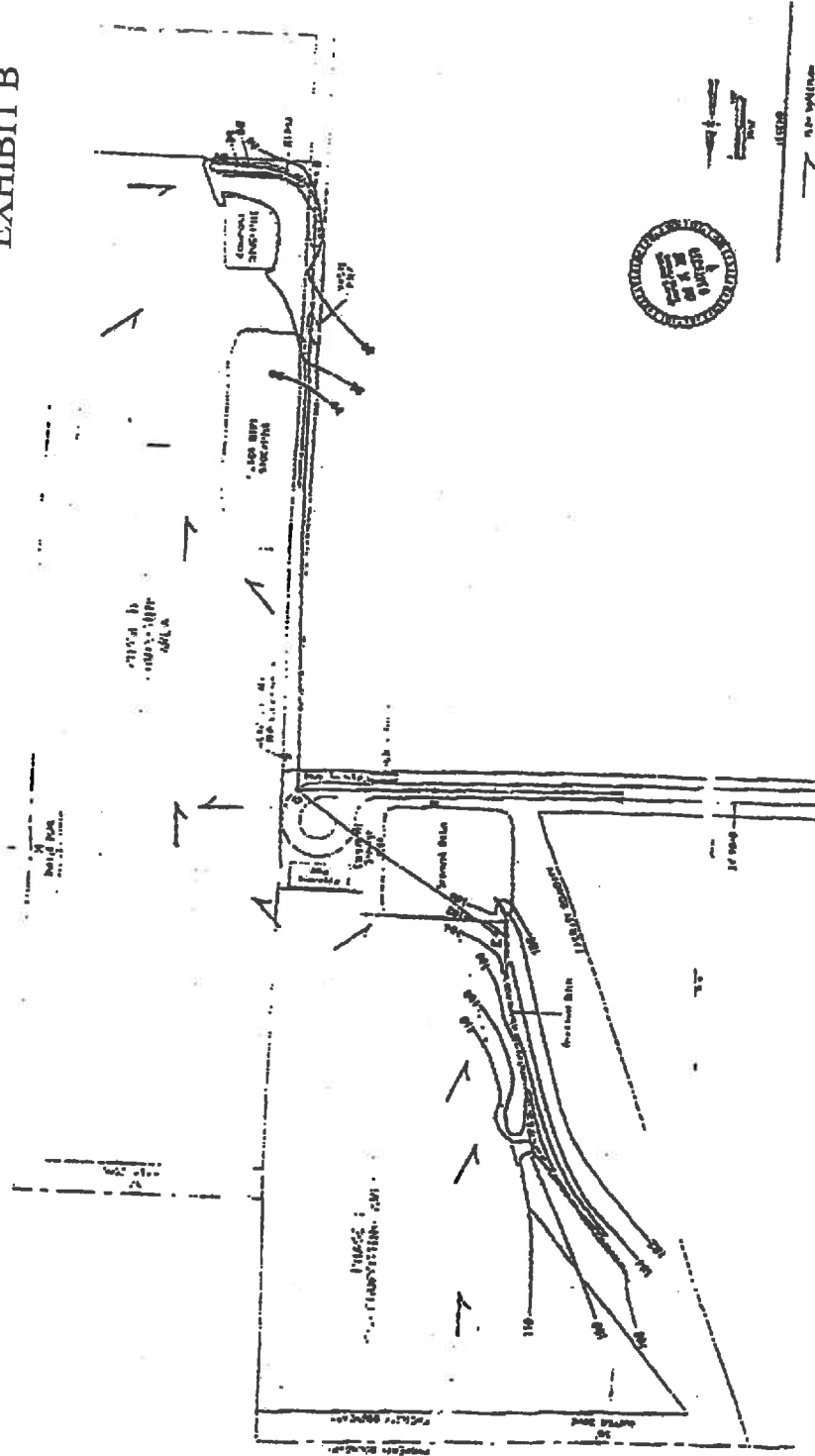
290 SOUTH MAIN PLACE • CAROL STREAM, ILLINOIS 60188-2476 • PHONE (630) 871-0108 • FAX (630) 588-1107

EXHIBIT A

LEGAL DESCRIPTION OF 39.8747 ACRE TRACT:

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

EXHIBIT B



ALL DIMENSIONS ARE IN FEET AND INCHES.
 ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
 ALL DIMENSIONS ARE TO BE VERIFIED BY THE CONTRACTOR.
 THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS.
 THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY UTILITIES INFORMATION.

O.H. SCOTT & SON CO. GENERAL COUNTY COMPOST FACILITY		WESTERN	
NO.	DATE	BY	APP. BY
1	9/27/77	JHS	JHS
2	9/27/77	JHS	JHS
3	9/27/77	JHS	JHS
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SITE GRADING AND DRAINAGE P

EXHIBIT C

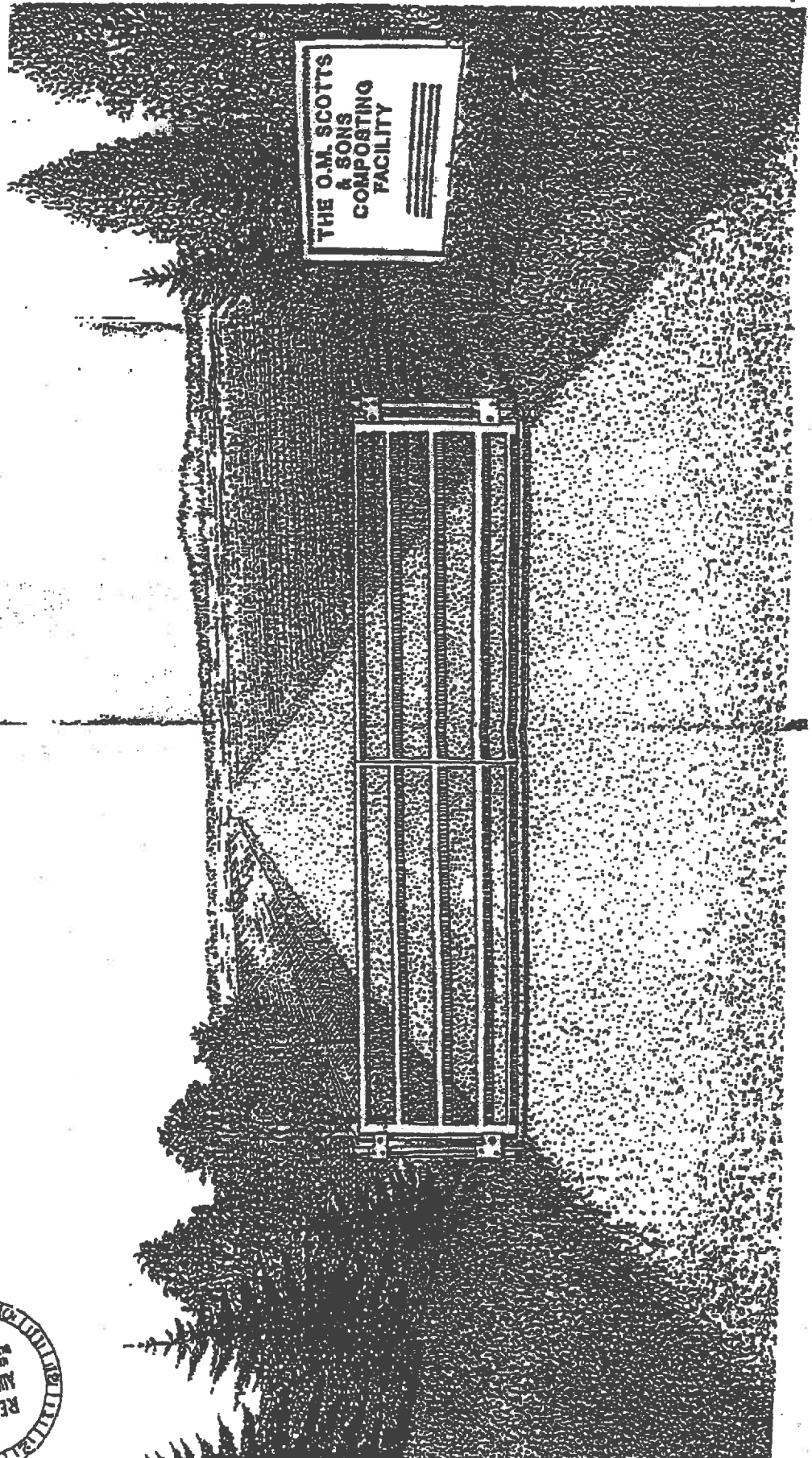
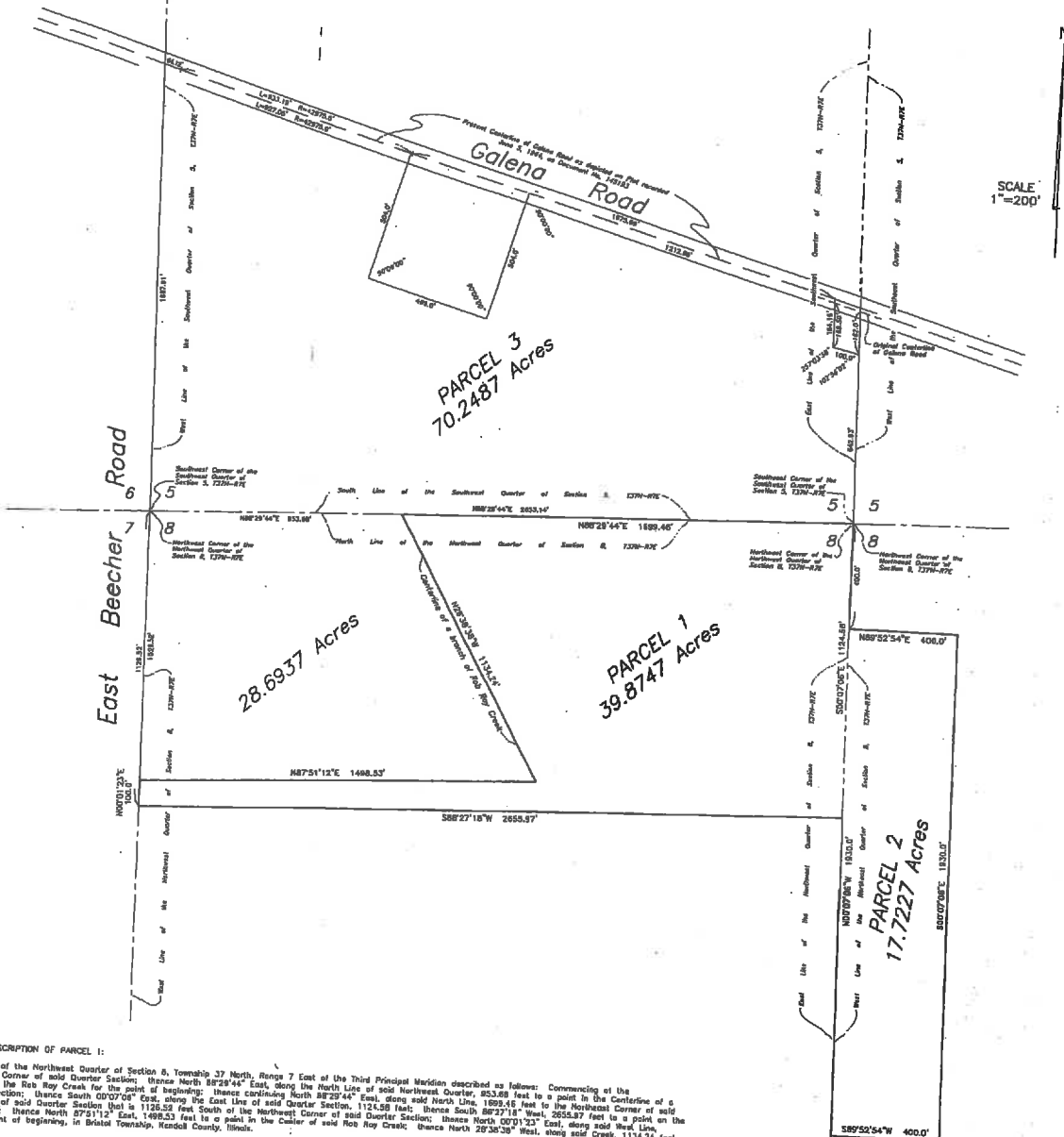


EXHIBIT D

HOST FEE SCHEDULE

Date Beginning	Fee Per Ton of Landscape Waste Received
April 18, 2000	\$0.60
September 1, 2003	\$0.65
September 1, 2006	\$0.70

PLAT OF PART OF THE SOUTHWEST QUARTER OF SECTION 5, T37N-R7E and PART OF THE NORTH HALF OF SECTION 8, T37N-R7E, 3rd PM BRISTOL TOWNSHIP KENDALL COUNTY ILLINOIS



LEGAL DESCRIPTION OF PARCEL 1:

That part of the Northwest Quarter of Section 8, Township 37 North, Range 7 East of the Third Principal Meridian described as follows: Commencing at the Northwest Corner of said Quarter Section; thence North 89°28'44" East, along the North Line of said Northwest Quarter, 853.09 feet to a point in the Centerline of a Branch of the Rob Roy Creek for the point of beginning; thence curving North 89°28'44" East, along said North Line, 1089.61 feet to the Northwest Corner of said Quarter Section; thence South 00°07'06" East, along the East Line of said Quarter Section, 1123.59 feet to the Northeast Corner of said West Line of said Quarter Section that is 1123.59 feet South of the Northwest Corner of said Quarter Section; thence South 89°27'18" West, 2655.87 feet to a point on the West Line of said Quarter Section that is 1123.59 feet to a point in the Center of said Rob Roy Creek; thence North 29°38'38" East, along said West Line, 100.0 feet; thence North 87°11'12" East, 1498.53 feet to a point in the Center of said Rob Roy Creek; thence North 29°38'38" East, along said West Line, 1134.29 feet to the point of beginning, in Bristol Township, Kendall County, Illinois.

LEGAL DESCRIPTION OF PARCEL 2:

That part of the Northwest Quarter of Section 8, Township 37 North, Range 7 East of the Third Principal Meridian described as follows: Commencing at the Northwest Corner of said Quarter Section; thence North 89°28'44" East, 400.0 feet along the West Line of said Northwest Quarter, 400.0 feet to a point which is 1820 feet South of the Northeast Corner of said Quarter Section; thence North 89°28'44" East, 400.0 feet to a point in the Centerline of the Present Centerline of Galena Road as depicted on a Plat recorded June 5, 1964, as Document No. 145193; thence Westerly, along said West Line, 184.16 feet to the Present Centerline of Galena Road; thence North 89°28'44" East, 184.16 feet to a point in the Centerline of the Present Centerline of Galena Road; thence North 89°28'44" East, 400.0 feet to a point in the Centerline of the Present Centerline of Galena Road; thence North 89°28'44" East, 400.0 feet to a point in the Centerline of the Present Centerline of Galena Road; thence North 89°28'44" East, 400.0 feet to a point in the Centerline of the Present Centerline of Galena Road; thence North 89°28'44" East, 400.0 feet to a point in the Centerline of the Present Centerline of Galena Road; thence North 89°28'44" East, 400.0 feet to the point of beginning, in Bristol Township, Kendall County, Illinois.

LEGAL DESCRIPTION OF PARCEL 3:

That part of the Southwest Quarter of Section 5, Township 37 North, Range 7 East of the Third Principal Meridian described as follows: Beginning at the Southwest Corner of said Southwest Quarter; thence North 89°28'44" East, along the East Line of said Southwest Quarter, 842.83 feet to a point which is 1820 feet South of the Northeast Corner of said Quarter Section; thence North 89°28'44" East, 400.0 feet to a point in the Centerline of the Present Centerline of Galena Road as depicted on a Plat recorded June 5, 1964, as Document No. 145193; thence Westerly, along said East Line, 184.16 feet to the Present Centerline of Galena Road; thence North 89°28'44" East, 184.16 feet to a point in the Centerline of the Present Centerline of Galena Road; thence North 89°28'44" East, 400.0 feet to a point in the Centerline of the Present Centerline of Galena Road; thence North 89°28'44" East, 400.0 feet to a point in the Centerline of the Present Centerline of Galena Road; thence North 89°28'44" East, 400.0 feet to a point in the Centerline of the Present Centerline of Galena Road; thence North 89°28'44" East, 400.0 feet to a point in the Centerline of the Present Centerline of Galena Road; thence North 89°28'44" East, 400.0 feet to the point of beginning, in Bristol Township, Kendall County, Illinois.

State of Illinois }
County of Kendall } SS

I, Phillip D. Young, an Illinois Professional Land Surveyor and an officer of Phillip D. Young and Associates, Inc., do hereby certify that I have prepared this plat from the legal descriptions shown herein.

Dated January 25, 2009 at Yorkville, Illinois

[Signature]

Phillip D. Young
Illinois Professional Land Surveyor No. 2578 (Expires 11/30/08)

JOB NO.	08084
JOB NAME	GREEN ORGANICS
DWG FILE	08084
REVISION DATE	

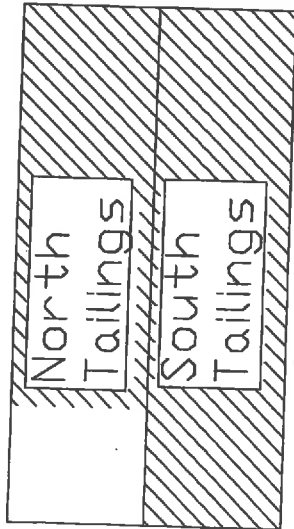
Phillip D. Young and Associates, Inc.
LAND SURVEYING - TOPOGRAPHIC MAPPING - Lic.#184-002775
11078 South Bridge Street
Yorkville, Illinois 60560
Telephone (630)553-1580

Existing
Tailings Pile

EXHIBIT F

Phase 1

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



Phase 2

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

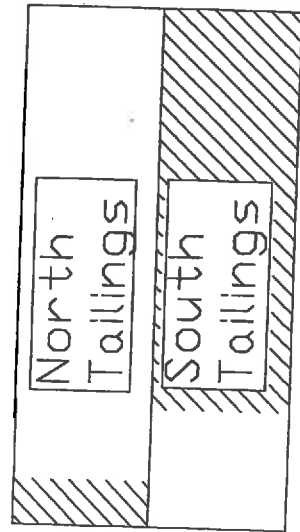
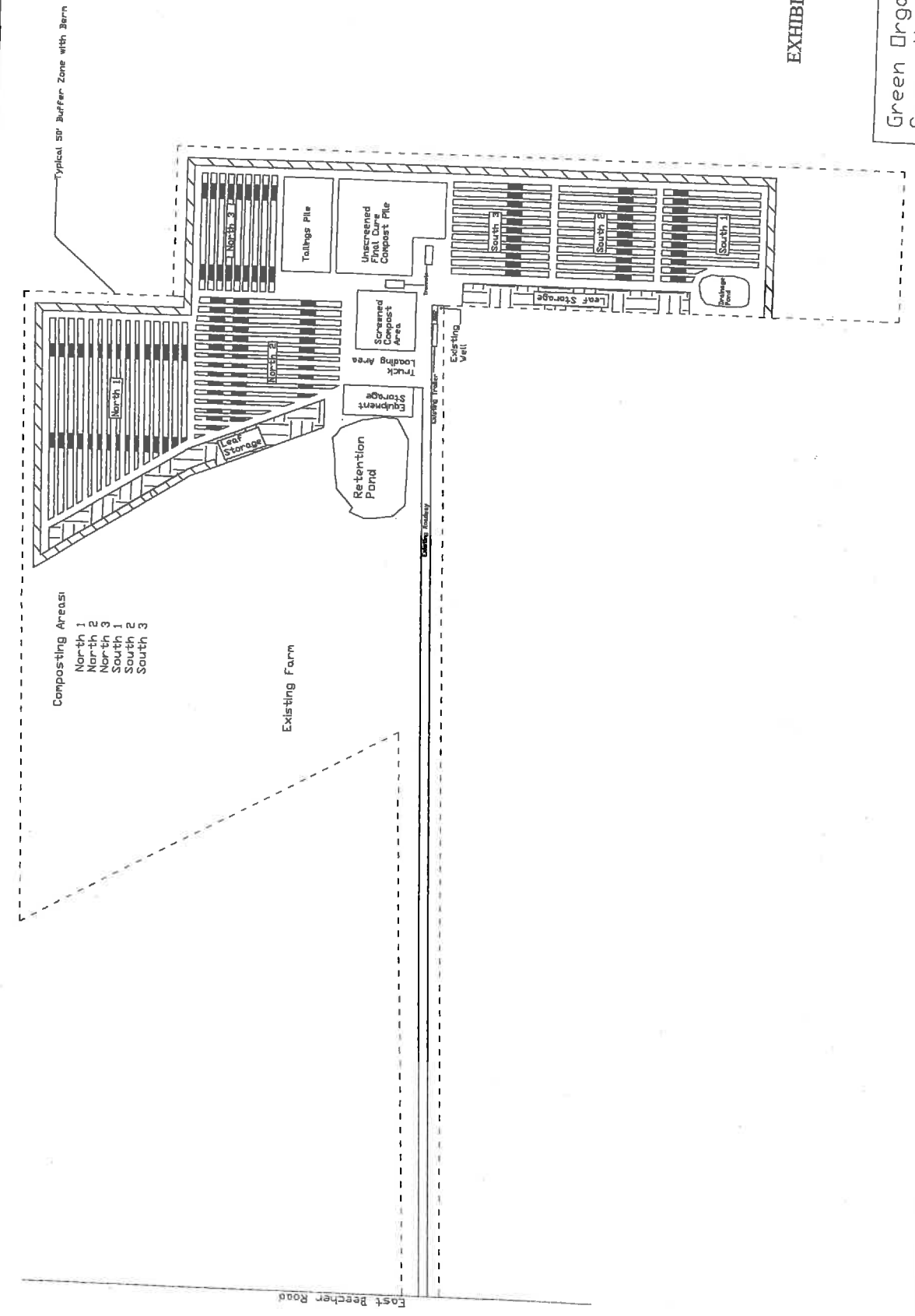


EXHIBIT G



Composting Areas:
North 1
North 2
North 3
South 1
South 2
South 3

Existing Farm

Typical 50' Buffer Zone with 3'ern

East Beecher Road

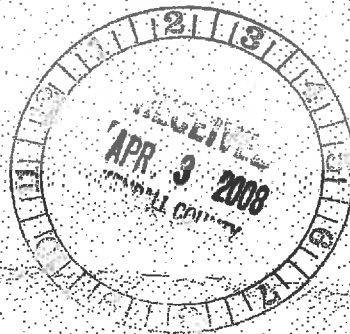
**ANALYTICAL CHEMISTRY &
ENVIRONMENTAL SERVICES, INC.**

2010 S. 20th Street, Plainfield, IL 60551
290 Main Avenue, Carol Stream, IL 60188

TELEPHONE: (615) 744-6048 FAX: (615) 744-6357

March 11, 2008

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



Dear Mr. Mazza:

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

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

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

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

Regards,



Terese M. Laciak
President

EXHIBIT H

TML/cab

cc: Steven B. Curatti, Director of Environmental Health, Kendall County

