# KENDALL COUNTY
# REGIONAL PLANNING COMMISSION

110 West Madison Street • Court Room • Yorkville, IL • 60560

# AGENDA

**Wednesday, December 10, 2025 – 7:00 p.m.**

CALL TO ORDER

ROLL CALL: Cathy Anzelc, Eric Bernacki (Vice-Chairman), Tom Casey, Dave Hamman, Keith Landovitz (Chairman), Karin McCarthy-Lange (Secretary), Ruben Rodriguez, Bob Stewart, Claire Wilson, and Seth Wormley

APPROVAL OF AGENDA

APPROVAL OF MINUTES Approval of Minutes from November 6, 2025, Meeting (Pages 3-29)

PETITIONS

1. **Petition 25 – 18 – Ansar Gafur on Behalf of JAS Powered by Greenvolt, LLC (Tenant) and Thomas F. Richards, Junior (Owner) (Pages 30-237)**

Request: Special Use Permit for a Commercial Solar Energy Facility, Variance to Section 36-282(17)(a) of the Kendall County Code to Allow a Commercial Solar Energy Facility on Land within One Point Five (1.5) Miles of Municipality without an Annexation Agreement, and Revocation of Special Use Permits Previously Granted
PINs: 07-07-100-005 and 07-07-100-022
Location: Property Between 17448 and 17676 Route 71, Newark, in Big Grove Township
Purpose: Petitioner Wants To Operate a Commercial Solar Energy Facility; Property is Zoned A-1 and A-1 SU

2. **Petition 25 – 21 – Kathryn A. Vorbau and Eric H. Gray (Pages 238-321)**

Request: Major Amendment to Special Use Permit for a Banquet Facility Granted by Ordinance 2014-02 by Changing the Site Plan, Facility Capacity, and Business Operations Plan and a Variance to Section 36-971 (e) of the Kendall County Code by Allowing an Accessory Structure to be a Maximum 28 Feet, 8 Inches in Height
PIN: 03-35-377-003
Location: 1542 Plainfield Road, Oswego, in Oswego and Na-Au-Say Townships
Purpose: Petitioner Wants To Amend the Existing Special Use Permit for a Banquet Facility and Construct an Accessory Structure Taller than the Maximum Height Allowed in the County Code; Property is Zoned R-3 SU

3. **Petition 25 – 22 – Todd E. Fryatt on Behalf of East Schoolhouse Road Community Energy Initiative LLC (Tenant) and John H. Smits on Behalf of the Jerrald J. Smits ET AL Trust (Owner) (Pages 322-698)**

Request: Special Use Permit for a Commercial Solar Energy Facility and Variance to Section 36-282 (17)(a) of the Kendall County Code Allowing a Commercial Solar Energy Facility on Property Within 1.5 Miles of Municipality Without an Annexation Agreement
PIN: 06-09-400-004
Location: East of 3485 Route 126, Oswego, in Na-Au-Say Township
Purpose: Petitioner Wants To Install a Commercial Solar Energy Facility; Property is Zoned A-1

4. **Petition 25 – 23 – Robert Velazquez on Behalf of Always Faithful Properties, LLC (Pages 699-717)**

Request: Map Amendment Rezoning the Subject Property from A-1 Agricultural District with a Special Use Permit to B-3 Highway Business District
PIN: 05-28-400-007
Location: 9475 Caton Farm Road, Yorkville, in Kendall Township
Purpose: Petitioner Wants to Rezone the Property to Operate a Construction Sales and Service Business

5. **Petition 25 – 25 – Brian Kubinski and Sherry Ailsworth (Pages 718-746)**

Request: Special Use Permit for a Kennel and a Variance to Section 36-282 (31) of the Kendall County Code by Allowing a Kennel Up To 100 Feet from Property Planned to Residential on the County's Future Land Use Map
PIN: 08-02-100-003
Location: 12076 Ashley Road, Newark, Lisbon Township
Purpose: Petitioners Wants To Operate a Kennel on the Property; Property is Zoned A-1

CITIZENS TO BE HEARD/PUBLIC COMMENT

NEW BUSINESS:
1. Review of Invitation List for February 2026 Annual Meeting (Pages 747-748)

OLD BUSINESS:
None

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD
None

OTHER BUSINESS/ANNOUNCEMENTS

ADJOURNMENT Next Regular Meeting January 28, 2026

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.

**KENDALL COUNTY**
**REGIONAL PLANNING COMMISSION**

***Kendall County Historic Court House***
***Court Room***
***110 W. Madison Street, Yorkville, Illinois***

**Unapproved - Meeting Minutes of November 6, 2025 - 7:00 p.m.**

Chairman Keith Landovitz called the meeting to order at 7:00 p.m.

## ROLL CALL

Members Present: Eric Bernacki (Arrived at 7:02 p,m.), Tom Casey, Dave Hamman, Keith Landovitz, Karin McCarthy-Lange, Ruben Rodriguez, Claire Wilson, and Seth Wormley
Members Absent: Bob Stewart
Staff Present: Matthew H. Asselmeier, Director
Others Present: Nick Wills, Amber Wills, Matt Clementi, Elizabeth Corrigan, Richard Fitzgibbon, Chris Ormiston, Gayle Hoddy, Josh Haggard, Maria DiClementi, Brian Redmond, Genny Haggard, Sarah Hughes, Ryan Hughes, John Hughes, Nicole Mayer, Mary Marquez, Buddika Gajapala, Vichitra Hitihamiarachchi, Kanishka Liyanage

## APPROVAL OF AGENDA

Member Hamman made a motion, seconded by Member Wormley, to approve the agenda. With a voice vote of seven (7) ayes, the motion carried.

Member Bernacki arrived at this time (7:02 p.m.)

## APPROVAL OF MINUTES

Member Wormley made a motion, seconded by Member Hamman, to approve the minutes of the October 22, 2025, meeting with a correction to the name of County Line Road on page 7 of the minutes and correcting that Mr. Asselmeier provided the letter from Seward Township Highway Commissioner Scott Cryder on page 7 of the minutes. With a voice vote of eight (8) ayes, the motion carried.

## PETITIONS

### Petition 25-18 Ansar Gafur on Behalf of JAS Powered by Greenvolt, LLC (Tenant) and Thomas F. Richards, Junior (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 36-282(17)a of the Kendall County Code to allow a commercial solar energy facility on land within one point five (1.5) miles of municipality without an annexation agreement. The southern portion of subject property also has a special use permit from 1974, probably for gravel mining. The Petitioner is voluntarily requesting the revocation of this special use permit.

JAS Powered by Greenvolt, LLC would lease the property from Thomas F. Richards, Junior.

The application materials, NRI Report, stormwater permit application, wetland delineation report, site plan, including the landscaping plan, decommissioning plan, Agricultural Impact Mitigation Agreement and a picture of the property were provided.

The property is located between 17448 and 17676 Route 71, Newark.

The lot size is approximately fifty-one (51) acres and the fenced area is approximately twenty point six acres.

The existing land use Agricultural.

The property is zoned A-1 and A-1 SU for Mining.

The Future Land Use Map for the County calls for this area to be Agricultural. The Future Land Use Map for the Village of Newark calls for this area to be Agricultural.

Route 71 is an Arterial maintained by IDOT. Route 71 is identified as a Scenic Route in the County's Land Resource Management Plan. Lisbon Center Road is a Local Road maintained by Big Grove Township.

No trails are planned in this area.

There is a wetland on the property; a wetland delineation report was provided. There are no floodplains on the property.

The adjacent land uses are Agricultural and Single-Family Residential.

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

Both the County's Plan and the Village of Newark's Plan call for this area to be Agricultural.

Properties with one half (1/2) mile of this property are zoned A-1, A-1 SU, and A-1 BP in the County, A-1 and Commercial and Manufacturing inside the Village of Newark, and A-1 in LaSalle County.

The A-1 special use permit to the southwest is probably for mining.

Approximately twenty-two (22) existing houses are within one half (1/2) mile of the subject property.

EcoCAT Report was submitted on June 3, 2025, and consultation was terminated.

The LESA Score was 201 indicating a medium level of protection. The NRI Report was provide

Petition information was sent to Big Grove Township on October 1, 2025. No comments received.

Petition information was sent to the Village of Newark on October 1, 2025. Prior to formal application submittal, the Village of Newark submitted an email stating they did not want to annex the property and they were not opposed to the project. This email was provided.

Petition information was sent to the Newark Fire Protection District on October 1, 2025. No comments received.

Petition information was sent to former ZPAC members on October 1, 2025. The Highway Department and Health Department responded and neither Department had any objections. The emails were provided.

The Kendall County Regional Planning Commission reviewed this proposal at their meeting on October 22, 2025. The Kendall County Regional Planning Commission voted to continue the proposal to a special meeting on November 6, 2025, at 7:00 p.m., by a vote of eight (8) in favor and zero (0) in opposition with one (1) member absent. The minutes were provided.

The Kendall County Zoning Board of Appeals initiated a public hearing on this proposal on October 27, 2025. The consensus of the four (4) Members present was to continue the hearing to November 12, 2025, at 6:00 p.m. The minutes of the hearing were provided.

Per § 36-282(17) of the Kendall County Code, 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.

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, the project is greater than one hundred fifty feet (150') from the nearest occupied non-participating dwelling. The perimeter fence is setback greater than fifty feet (50') from the adjoining property lines and nearest right-of-way.

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, the fence is proposed to be eight feet (8') in height and will be wire mesh. The fence will be three inches (3") off of the ground. One (1) twenty foot (20') wide gate is also on the site plan.

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. This is true. The maximum height will be approximately thirteen feet (13') off of the ground. The Petitioner does not want a restriction setting the maximum height at this level.

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. The acoustic noise rating is 73 dBA at one (1) meter and 67dBA at three (3) meters.

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 was provided and is outlined in the AIMA, which was also provided. The estimated cost of decommissioning is Three Hundred Fifty-Eight Thousand, Nine Hundred Forty-Four Dollars ($358,944). This money will be provided to the County in the form of a bond as outlined in the AIMA.

h. A vegetative screening shall be placed around the commercial solar energy facility. The landscaping plan was included with the site plan. The plan calls for one hundred four (104) Alleghany Viburnum, one hundred twenty (121) Red-Twig Doorwood, one hundred seventeen (117) Northern Spice Bush, and one hundred seventeen (117) Tannenbaum Mugo Pine. The Viburnum, Doorwood, and Pine will be ten feet (10') in height at maturity; the Bush will be eight feet (8') in height at the time of maturity. The Petitioner also proposes a landscape seed mix of low profile native grasses.

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. Six (6) threatened or endangered species were in the area, but 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.

l. 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 exist.

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, including timelines for planting and maintenance of the vegetation was provided.

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. The Illinois Department of Transportation did not want to enter into a road use agreement. An email outlining this position was provided.

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. The Petitioner does not believe there is any drain tile on the property and, if drain tile exists, they would not impact the project layout.

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 applied for a stormwater management permit.

Per the site plan, the Petitioner proposes one (1) twenty foot (20') wide gravel access road from Route 71 along the west and southwest portions of the property.

There is one (1) twenty (20') wide vehicular access gate. The site plan references other, personnel gates, but does not show where those would be located.

Knox box information will be provided to the County.

No permeant parking was proposed. There will be a twenty thousand (20,000) square foot staging area during construction located northwest of the fenced area.

No lighting was proposed.

There is one sign shown on the site plan near Route 71 and a second sign is shown on the vehicular access gate stating emergency contact information.

No glare information

No property value studies were provided.

No odors were foreseen.

The acoustic noise rating is 73 dBA at one (1) meter and 67dBA at three (3) meters.

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

The Petitioner has agreed to enter into a community benefits agreement. In that agreement, the Petitioner agreed to pay the County approximately Three Thousand Dollars ($3,000) per megawatt annually with five percent (5%) increases every five (5) years. The Petitioners for the proposals on Ament Road and Corneils Road agreed to the same agreement, which was provided.

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 project will be screened from adjoining properties. The Petitioner submitted a vegetative management plan outlining the types of vegetation that will be planted, the timing of planting, and a maintenance plan for the vegetation.

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 primarily zoned 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 minimal traffic will occur after installation is completed. The solar panels are setback from Route 71 and Lisbon Center Road and neighboring houses to avoid negative visual impacts.

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 Ameren. The proposal does not require water, sewer, or any other public utility facilities to operate. The Petitioner will also build the road and entrance at the facility and will obtain approval from IDOT for access from Route 71. After initial construction traffic, landscape maintenance and maintenance to the project components are anticipated to occur on an as-needed basis, consistent with the vegetative management plan. Existing traffic patterns will not be impacted in the post-construction operations phase.

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 3-4 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 Newark. The Village of Newark submitted an email stating they did not want to annex the property or enter into a pre-annexation agreement.

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 Newark did not wish to enter into a pre-annexation agreement or annex the property.

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's recommendation is neutral because of lack of clarity in State law regarding using the LaSalle and Sinclar Factors in evaluating applications of special use permits for commercial solar facilities. Assuming that conditions can be imposed on the special use permit, the proposed conditions and restrictions are as follows; to date the Petitioner has not agreed to these conditions:

1. The site shall be developed substantially in accordance with the submitted site plan and vegetative management plan, decommissioning plan, and Agricultural Impact Mitigation Agreement.
2. A variance to section 36-282(17)(a) of the Kendall County Code is hereby granted allowing a commercial solar energy facility within one point five (1.5) miles of a municipality without an annexation or pre-annexation agreement.
3. Any special use permits previously granted on the subject property are hereby revoked in their entirety.
4. The developer and/or owner of the subject property allowed by this special use permit shall enter into a community benefits agreement with Kendall County.
5. 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.
6. 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.

7. 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.

8. Warning signs shall be placed in the locations shown on the site plan. 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.

9. KenCom and other applicable public safety agencies shall be supplied the access code to the Knox Box/security gate.

10. Damaged drain tile will be repaired on a timeframe approved by the Kendall County Planning, Building and Zoning Department.

11. The operators of the use allowed by this special use permit acknowledge and agree to follow Kendall County's Right to Farm Clause.

12. 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.

13. 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.

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

15. 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.

Member Wilson asked about the proposed use of the funds from the community benefit agreement. Mr. Asselmeier said those funds would offset the loss from not developing the property into something other than a solar farm and it would be the County Board's discretion on how those funds were spent. Member Wilson suggested that some of the funds be reserved to pay for the County to review the decommissioning costs as allowed by the AIMA and pay for decommissioning costs, if the operator was no longer in existence. The Planning, Building and Zoning Committee drafted the community benefit agreement. A professional engineer would review the decommissioning costs in ten (10) years as allowed by the AIMA.

Member Bernacki requested the setbacks as shown on the site plan. The setback is one hundred fifty feet (150').

Elizabeth Corrigan, Project Manager for the Proposal, discussed the submittal process, the creation of the proposal, and the details of the proposal.

Member Wilson asked if the Petitioner's representatives had any experience with decommissioning a solar project. Matt Clementi, Civil Engineer, responded no. He noted that no wind or battery components were part of this proposal. He explained how the decommissioning plan was created and how the bond was calculated. The owner of the facility is responsible for decommissioning.

Mr. Clementi said the height of the panels would not be five feet, ten inches (5' 10"). That is the height of the axel. At maximum tilt, the panels would be approximately thirteen feet (13') off of the ground.

Member Bernacki asked about moving the solar panels further south on the property. Mr. Clementi responded that the location was determined by the property owner. Ms. Corrigan noted the industrial activity on the southern end of the property.

The owner of the property was not present.

Chairman Landovitz asked about possibly accessing the property from a different road instead of Route 71. Ms. Corrigan said that the property owner determined the location of the panels and access point.

Chairman Landovitz explained the legal framework for reviewing commercial solar special use permits. He noted that Public Act 102-1123 preempted most of the County's authority with regards to review. He asked speakers for conditions that could be incorporated in the special use permit.

Richard Fitzgibbon discussed drainage in the area. He was concerned that the solar panels would increase the flow of water onto his property. He discussed the location of culvert under Route 71. He noted the poor state of the drain tile in the area, which were installed in the 1950s. He asked about the ground cover. His property was not considered floodplain. Mr. Clementi said the majority of the site drains to the west. A native prairie grass would be planted below the solar panels and the runoff would be less than if the property was in active farming.

Mr. Clementi said the majority of traffic would occur during construction. After construction, traffic would be minimal; only maintenance people would visit the site.

Member Bernacki asked if a drain tile study occurred. Ms. Corrigan said the drain tile study should be completed within the next two (2) weeks. The results will not impact the placement of the solar panels.

Josh Haggard did not oppose renewal energy projects when properly sited. He noted the proximity of the proposal to Cushing Field. He noted the lack of a glare study and lack of a property value study. He expressed concerns regarding the proximity of the proposal to nearby homes. He

requested a local property value study. He said that the developer, JAS Powered by Greenvolt, was not a local company. He noted the County Staff's neutral recommendation. He expressed concerns regarding drainage. He noted the unsightly appearance of the solar project on Newark Road. He said the Petitioner did not engage with neighbors prior to the meeting. He requested an FAA compliant glare study, an independent Kendall County centered property value study, a legally enforceable maintenance and vegetative management plan with clearly defined schedules, responsible parties, and monetary performance guarantees, a robust decommissioning surety, and local accountability with a local contact. He questioned if the Fire District was equipped and trained to handle fires at the property. He questioned what the Village of Newark gained from this proposal.

Maria DiClementi agreed with Mr. Haggard. She had concerns about fire suppression.

Brian Redmond said he attended the Village of Newark meeting and said the Village was not in favor of the project.

Genny Haggard agreed with Mr. Haggard.

Member Bernacki asked if other counties required conditions related to glare and airports. Mr. Asselmeier said there are regulations when the airport is federally designated. A glare study could be requested.

Sarah Hughes agreed with Mr. Haggard. Member Bernacki asked about flooding issues on her property. She deferred the answer to her father.

Brian Hughes agreed with Mr. Haggard. He requested a larger setback from the property line. The development is fifty foot (50') from the property line. State law established the setbacks.

John Hughes agreed with Mr. Haggard and favored a larger setback.

A resident asked how the County would guarantee compliance with the vegetative management plan. Mr. Asselmeier responded that the vegetative management plan would be a condition of the special use permit and, under normal circumstances, if a party violated the terms of a special use permit, that party could be fined and/or the special use permit could be revoked. The resident filed a complaint against the solar farm on Newark Road for unsightly vegetation.

Member Hamman noted that he owned property in the vicinity. He discussed the project on Newark Road; he questioned the location on the property for the solar project on Newark Road. He also favored moving the solar panels in the subject case further south and east on the property to address concerns of the neighbors.

Amber Wills said that she was planning to build a home in the area. She asked about the timeline for the planting of the vegetation. Mr. Asselmeier said the installation timeline was outlined in the vegetative management plan. Discussion occurred regarding penalties and enforcement. If the

property owner wanted to expand the solar field, an amendment to the special use permit would be required. She noted that the solar panels would be taller than the vegetation proposed.

A resident asked what would happen to that portion of the field that was not included in the solar project. The area outside the project area could be farmed. Mr. Clementi said that any part of the site that is not actively farmed would be planted in prairie grass. The operator was leasing the entire property.

Discussion occurred regarding providing a property value study. The Petitioners were open to providing a property value study.

Member Wilson asked if the typical flight path for Cushing Field passed over the proposed solar field. She also asked if the Petitioner was willing to get a glare study. She also questioned why nobody from Cushing Field was in attendance, if glare was a problem. Parties within seven hundred fifty feet (750') were sent notices. Member Hamman said the runways run parallel to Route 71.

Member Wormley favored requesting that the site plan be adjusted to move the solar panels away from the homes. He also favored a glare study.

Discussion occurred regarding a Kendall County centered property value study. Mr. Asselmeier said there were three (3) approved solar projects, but the one (1) on Newark Road was the only project that had been constructed. The number of transactions for a study would be limited. State law does not allow for property value guarantees as a condition of special use permits.

Chairman Landovitz noted that the Petitioner was open to submitting a glare study. He suggested moving the solar panels away from residences. He also requested the creation of registered agent and designed contact on file with the County and the owners of the record of adjacent properties. He asked if the Petitioners would like to continue the review in order to have an opportunity to revise the site plan.

The Petitioners were agreeable to the existing proposed conditions. The Petitioners were agreeable to reviewing the site plan in relation to setbacks.

The proposed changes and items for submittal were as follows:

1. Amending the site plan showing the solar field moved further south and east on the property away from the neighboring houses.
2. Submitting a glare study.
3. Requiring the operator's contact information be on file with the County and with the owners of record of adjoining properties.

Discussion occurred regarding planting the native vegetation outside of the solar panel area on the property.

Ms. Corrigan asked about the requested setbacks. Member Wormley favored a five hundred foot (500') setback on the north from the residences, moving the solar panels further to the east, and closer to ravine to the south. It was noted that the County was not requiring larger setbacks, but was requesting larger setbacks.

Member Wormley suggested the Petitioners to work with the neighbors.

Ms. Corrigan requested that the proposal be continued to the December 10, 2025, meeting in order to be given an opportunity to talk to the property owner.

Member Wilson asked about drain tile installation. Mr. Clementi said that no plans exist to change the drainage pattern. More absorption of water would occur if the property was converted to prairie grasses instead of farming.

Member Wilson made a motion, seconded by Member Hamman, to continue review of the subject Petition at the Petitioners' request to the December 10, 2025, Kendall County Regional Planning Commission meeting.

The votes were as follows:

| | |
|---|---|
| Ayes (8): | Bernacki, Casey, Hamman, Landovitz, McCarthy-Lange, Rodriguez, Wilson, and Wormley |
| Nays (0): | None |
| Absent (1): | Stewart |
| Abstain (0): | None |

The motion carried.

The proposal goes to the Kendall County Zoning Board of Appeals on November 12, 2025, with a request for continuance and back to the Kendall County Regional Planning Commission on December 10, 2025.

**Petition 25-19 Koswatte Sumanawansa on Behalf of Chicago Buddhist Vihara**

Mr. Asselmeier summarized the request.

The Petitioner would like to install a healing meditation garden at the subject property. The garden would consist of a central stupa that is twenty-five feet (25') tall and twelve feet (12') in diameter, walking paths, small group gathering spaces, and native plantings.

The Buddhist Temple is located immediately to the east of the subject property.

The subject property has been zoned B-2 since 1976.

The application materials, plat of survey, site plan, and pictures of the subject property were provided.

The property is located west of 5313 Route 34, Oswego.

The property is approximately one point five (1.5) acres in size.

The existing land use is Vacant Commercial.

The property is zoned B-2 General Commercial District.

The County's Plan calls for the property to be Suburban Residential (Max 1 DU/Acre). The Village of Oswego's Plan calls for the property to be Downtown.

The adjacent land uses are Single-Family Residential, Commercial, and Institutional (Buddhist Temple).

The adjacent properties are zoned R-3, R-3 SU, and B-2 SU.

The County's Plan calls for this area to be Suburban Residential. The Village of Oswego's Plan calls for the area to be Residential and Downtown.

The properties within one half mile (1/2) are zoned A-1, A-1 SU, R-3, R-3 SU, B-1, B-3, B-3 SU in the unincorporated area and R-2, R-3, R-4, and B-2 inside the Village of Oswego.

The R-3 special use to the east is for a church sign. The B-2 special use is for the dwelling unit for a watchman and outside storage. The B-3 special use to south is for outside storage. The A-1 special use to west is for a riding stable, including an apartment.

EcoCAT Report not required because the property was not zoned A-1.

The LESA Score was 146 indicating a low level of protection. The NRI was provided.

Petition information was emailed to Oswego Township on October 1, 2025. The Oswego Township Planning Commission met on October 22, 2025, and recommended not to file an objection by a vote of two (2) in favor and one (1) in opposition. The Oswego Township Board did not meet on the proposal. The information from Oswego Township was provided.

Petition information was emailed to the Village of Oswego on October 1, 2025. No comments received.

Petition information was emailed to the Oswego Fire Protection District on October 1, 2025. On October 6, 2025, the Oswego Fire Protection District submitted an email saying they had no comments or concerns. This email was provided.

Petition information was sent to former ZPAC members on October 1, 2025. Neither the Highway Department nor the Health Department had any comments on this proposal. The related emails were provided.

The Kendall County Regional Planning Commission reviewed this proposal at their meeting on October 22, 2025. The Kendall County Regional Planning Commission voted to continue the proposal to a special meeting on November 6, 2025, at 7:00 p.m., by a vote of eight (8) in favor and zero (0) in opposition with one (1) member absent. The minutes were provided.

The Kendall County Zoning Board of Appeals initiated a public hearing on this proposal on October 27, 2025. The consensus of the four (4) Members present was to continue the hearing to November 12, 2025, at 6:00 p.m. The minutes of the hearing were provided.

The Kendall County Code contains the following requirements of places of worship:

a. The height for the towers and steeples shall not exceed seventy-five feet (75') and not more than forty-five feet (45') for the main structure.

b. Other related uses, such as schools, child day care services, kindergartens, meeting facilities shall be permitted to the extent that the activity is otherwise permitted, and shall be subject to all applicable regulations, including parking.

The proposal meets the above regulations.

According the submitted information, there will be one (1) central stupa contained in a walled area. The walled area around the stupa is approximately one thousand nine hundred fifty (1,950) square feet. There will also be walking areas, meditation areas, and seatings areas.

Activities will occur during the daytime, primarily on weekends.

A building permit will be required for any structures constructed on the property.

No utilities are onsite; they are available at the Buddhist temple east of the subject property.

There is no parking spaces onsite. There are forty-eight (48) parking spaces at the Buddhist temple east of the subject property.

No direct road access is planned for the subject property from Route 34.

According to the submitted materials, no stormwater permit is required.

Solar-powered lighting will illuminate the paths and four (4) solar powered pole lights will be installed at the stupa area.

No information regarding signage was provided.

No information was provided regarding security.

No fencing is planned for the site.

No large trees are proposed, but the existing mature vegetation at the north and south ends of the site will
be preserved.

Additional landscaping will feature perennial plants and small shrubs.

No information was provided regarding noise control.

No information was provided regarding refuse. This likely can be accommodated at the Buddhist temple east of the subject property.

If approved, this would be the fifteenth ($15^{th}$) special use permit for a place of worship in unincorporated Kendall County.

The proposed findings of fact are 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. Provided the site is developed in accordance with the submitted site plan, this should not be an issue.

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. Provided the use operates as proposed, no injury should occur to other property and property values should not be negatively impacted.

That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. The subject property will utilize ingress/egress and utilities from the neighboring property to the east. Provided the site is developed according to the proposed site plan, drainage should not be an issue.

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; no variances are needed.

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. This use is consistent with the other uses in 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 with these conditions:

1. The site shall be developed substantially in accordance with the site plan.
2. Failure to comply with the above condition or restriction could result in the amendment or revocation of the special use permit.
3. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.
4. This special use permits shall be treated as covenants running with the land and is binding on the successors, heirs, and assigns as to the same special uses conducted on the property.

Buddika Gajapala explained the project.

Member Bernacki asked why the sand meditation area was proposed closer to Route 34 instead of near the back of the property. Mr. Gajapala responded that the back of the property had mature vegetation.

Member Wilson thank the Petitioners for their patience.

Nicole Mayer lives northeast of the subject property, north of the existing temple. She noted the lack of vegetation separating the properties. She expressed concerns regarding a lack privacy the proposed use would create. The proposed use would be open to the public and the public would be able to look into her backyard. She said the Petitioners have never notified her of events at the temple. She said that she contacted law enforcement regarding noise at temple events. She felt the proposal will increase noise. She felt the proposal will increase traffic; the temple already has events that cause parking issues. She said the proposed use will invite unknown visitors into the residential neighborhood. She did not favor unrestricted public access near homes. She felt the proposal would negatively impact property values. She presented a petition signed by neighbors against the proposal. She requested the installation of a minimum ten foot (10') privacy fence or wall, the installation of a dense vegetative buffer along the entire property line, a restriction of public use hours to daytime only, and no general public access to the garden without clear County approval, supervision, and restriction to the garden.

Chairman Landovitz suggested that the neighbors and the Petitioner discuss issues outside of the meeting.

Vichitra Hitihamiarachchi is a member of the Chicago Buddhist Vihara and an architect involved with the design of this project. She noted that Ms. Mayer's property was north of the existing

temple, not the subject property. There is a chain link fence on Ms. Mayer's property that separated the two (2) properties. She noted the vegetation at the north end of the subject property. She was open to taking the matter of installing additional vegetation to her board to address the neighbor's concerns. Mr. Asselmeier noted that the location for the proposed vegetation additions were not on the subject property.

Mr. Gajapala noted that his own house was next to a forest preserve and understood Ms. Mayer's concerns.

Ms. Mayer said that she wanted her privacy and did not want a house next to a public park. She previously requested that the Chicago Buddhist Vihara email her to discuss matters and she has not received a response. She did not favor a wooden fence because the location of the Buddhist's fire pit.

Member McCarthy-Lange asked about the fence placement. Ms. Mayer said the fence was on her property.

Member McCarthy-Lange asked how long Ms. Mayer had lived in her home. Ms. Mayer has lived in her home eight (8) years. The church was built in 1986.

Mary Marquez presented a plat of survey of her property and noted that the common property line did not have any vegetation. She has dogs that do not like strangers. She expressed concerns about parked cars along the property line and onto her property. She expressed concerns about people going to the garden at night. The temple might have two hundred (200) people onsite.

Member McCarthy-Lange asked how long Ms. Marquez has lived at her home. The response was almost six (6) years. Ms. Marquez would like a fence installed at the property line for safety reasons. She did not want to live next to a park.

Discussion occurred regarding splitting the cost of constructing a fence. The neighbors were opposed to splitting the cost. The requested fence would not be placed on the property that is subject to the proposed special use permit; the Buddhist Vihara would need to discuss the fence.

Chairman Landovitz asked for the zoning background of this area, including buffer between the business and residential uses. Mr. Asselmeier said the subject property has been zoned business since 1976 and the neighboring houses were zoned residential since 1956. He noted that buffering would be required if this was a business proposal and there would be no public meetings. Member Hamman discussed the uses in the area.

Member Wilson asked if the property would be open to the public. The garden would be open to the public. There would be a sign-up sheet for people to use the garden.

Chairman Landovitz asked if the Petitioners planned to have festivals on the subject property and how the Petitioners manage capacity at their existing property.

Discussion occurred regarding the noise ordinance.

There were no regulations regarding a maximum capacity of the number of people on the property.

The Petitioners were agreeable to the proposed conditions in the special use permit.

Member Bernacki made a motion, seconded by Member McCarthy-Lange, to recommend approval of the special use permit with the conditions proposed by Staff.

Member Bernacki noted the property was zoned B-2 since 1976 and he could think of other uses that would generate more traffic, noise, and decrease property values. He noted the mature trees and buffers on the site.

Chairman Landovitz stated that he was in favor of the proposal. He agreed with Member Bernacki. He noted that the problem occurred because of the way the area was zoned previously. Considering the existing zoning of the area, the proposed site plan, and the main issues arising from the neighboring property and not the subject property, he did not see a reason to deny the request.

The votes were as follows:

| | |
|---|---|
| Ayes (8): | Bernacki, Casey, Hamman, Landovitz, McCarthy-Lange, Rodriguez, Wilson, and Wormley |
| Nays (0): | None |
| Absent (1): | Stewart |
| Abstain (0): | None |

The motion carried.

The proposal goes to the Kendall County Zoning Board of Appeals on November 12, 2025.

**CITIZENS TO BE HEARD/PUBLIC COMMENT**

None

**NEW BUSINESS**

**Recommendation on Fiscal Year 2025-2026 Meeting Calendar**

Member McCarthy-Lange made a motion, seconded by Member Wilson to approve the meeting calendar.

With a voice vote of eight (8) ayes, the motion carried.

**OLD BUSINESS**

**Update on Comprehensive Plan Update Project**

Mr. Asselmeier presented the slides from Mike Hoffman of Teska Associates regarding the update. He noted the draft transportation and land use plans and the next step in the process is to have a

combined meeting of the Comprehensive Land Plan and Ordinance Committee and Regional Planning Commission on December 10, 2025.

Chairman Landovitz announced there would be a joint meeting of the Comprehensive Land Plan and Ordinance Committee and Regional Planning Commission on December 10, 2025, at 6:00 p.m.

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

Mr. Asselmeier reported that Petitions 25-04 and 25-09 were approved by the County Board while Petition 25-10 was denied at the County Board.

**OTHER BUSINESS/ANNOUNCEMENTS**

Mr. Asselmeier announced that Petition 25-18, an amendment to the special use permit at 1542 Plainfield Road, and a special use permit for a commercial solar farm near the northwest corner of Route 126 and Schlapp Roads would be on the December agenda. There might also be a rezoning request at the northeast corner of Route 47 and Caton Farm Road.

Member Casey asked if there would be some recognition of Bill Ashton. Chairman Landovitz suggested doing something at the Annual Meeting.

Discussion occurred regarding recognizing Larry Nelson. This has been on hold pending resolution of issues with Larry's family.

Member Wormley thanked the Commission Members for their service.

**ADJOURNMENT**

Member McCarthy-Lange made a motion, seconded by Member Hamman, to adjourn. With a voice vote of eight (8) ayes, the motion carried.

The Kendall County Regional Planning Commission meeting adjourned at 10:03 p.m.

Respectfully submitted by,
Matthew H. Asselmeier, AICP, CFM, Director

Encs.: Jason Haggard's Comments
Petition to Oppose Petition 25-19
Marquez Plat of Survey

**KENDALL COUNTY**
**REGIONAL PLANNING COMMISSION**
**NOVEMBER 6, 2025**

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) |
|---|---|---|
| NICK & AMBER WILLS WILLS | [redacted] | |
| MATT CLEMENT / STANTEC | | |
| Elizabeth Corrigan | | [redacted] |
| Richard Fitzgibbon | [redacted] | Chris Ormiston [redacted] Gayle Hoddy |
| Josh Haggard | | |
| Maria DeClement | [redacted] | |
| Brian Redmond | [redacted] | |
| Ginny Haggard | [redacted] | |
| Sarah Hughes | | |
| Ryan Hughes | | Sarah Hughes |

Brian Mayer
Mary Marquez

## Joshua L. Haggard — Resident, Highway 71, Newark, IL

## Petition 25-18: JAS Powered by Greenvolt / Blue Sage Project LLC

**Evidence Highlights**

1. County staff confirms critical analyses are missing.

    - The Kendall County Planning memo (RPC Memo — Petition 25-18, Oct. 15, 2025) explicitly notes: "No glare information." and "No property value studies were provided." These are statements in the County's official staff report.

2. Project proximity to homes and an active flight school.

    - The County memo shows approximately 22 homes within ½ mile of the site and indicates the fenced solar area will be ~20.6 acres within a 51.3-acre parcel. The proposed array comes as close as ~200 feet to nearby residences.

3. FAA/aviation safety risk not evaluated.

    - A professional glare hazard analysis FAA compatible, (e.g., ForgeSolar) is standard for projects near airports. The petition contains no glare study despite the site being less than one mile from Cushing Field — an active flight school and recreational airport.

4. No local property-value evidence provided.

    - The County memo explicitly states, "No property value studies were provided." Independent published research shows measurable reductions in home values near large solar farms, making the absence of a local study an omission of consequence.

5. Developer / corporate context — who is the applicant?

    - The applicant identifies publicly as JAS Power — "Powered by Greenvolt" (a U.S. development brand tied to Greenvolt, an international renewables company recently scaling into the U.S. market). Greenvolt states it entered the U.S. market via acquisitions and partnerships in 2022–2023.

6. County staff's recommendation is neutral due to legal/factual uncertainty.

    - The RPC memo documents staff's neutral stance (legal ambiguity / missing studies) — a clear signal that major outstanding questions remain.

**II. Immediate, binding commitments we should demand before any**

**Committee/Board approval:**

Please require the applicant to provide the following, in writing and subject to enforceable conditions or deferral of action:

1. FAA-compliant Glare Hazard Analysis (ForgeSolar or equivalent) — submitted to the County and FAA, publicly posted, and resulting mitigation measures accepted in writing before any vote.

2.Independent Kendall County property-value impact study covering properties within at least ½ mile — funded by the applicant, conducted by a mutually acceptable appraiser, and subject to public review before any vote.

3. Legally enforceable maintenance & vegetation plan — including: annual County inspections, a defined maintenance schedule, clear responsible party, and monetary performance guarantees tied to failure to maintain (not just decommissioning).

4. Robust decommissioning surety — a bond or escrow that is U.S.-jurisdictional, indexed to inflation, and payable to Kendall County if the owner/operator fails to perform.

5. Local accountability & contact — provide a U.S. registered agent, local project manager contact, and a commitment to a local dispute/inspection process (not just an out-of-state address).

**II. Questions to direct to the applicant now:**

1. Will you commit in writing, now, to fund and deliver an FAA-compliant glare study and accept binding remedies if glare is identified?

2. Will you fund an independent, Kendall County–specific property value study for homes within ½ mile and agree to postpone approval until the County and public can review it?

3. Who will be legally responsible (entity and U.S. jurisdiction) for annual maintenance, vegetative replacement, and enforcement actions — and will you agree to an escrow/performance bond for ongoing maintenance?

4. Provide documented proof of the decommissioning bond: issuer, bond number, beneficiary, and the instrument to be recorded against the property.

5. Has JAS/Greenvolt built projects with homes and airports nearby? Provide three local references, inspection logs, or corrective actions taken at those sites.

# Petition to Oppose Petition #25-19 – Chicago Buddhist Vihara

**Subject:** Special Use Permit for a Place of Worship at 5313 US Highway 34, Oswego, IL

We, the undersigned residents of Oswego and Kendall County, respectfully object to the approval of the Chicago Buddhist Vihara's special use permit request for the property located west of 5313 Route 34. Our concerns include: - Loss of privacy for neighboring homeowners, especially those whose yards and homes directly border the proposed site. - Safety risks for families and children due to increased public access and traffic. - Incompatibility of a public-access facility within a residential neighborhood. - Lack of sufficient buffers, fencing, or visual screening between residential properties and the proposed meditation garden. We ask the Kendall County Regional Planning Commission and Zoning Board of Appeals to deny the special use permit or impose strict protective conditions to preserve the privacy, safety, and peaceful enjoyment of nearby homes.

**Submitted by:**
[redacted]
[redacted]3

| Name (Printed) | Signature | Address | Date |
|---|---|---|---|
| G. MENDEZ | [redacted] | [redacted] | 10-7-25 |
| Mary Margaret | | | 10-7-25 |
| Connie Smith | | | 10-7-25 |
| Vincent Mayer | | | 10-7-25 |
| Ismael Orozco | | | 10-7-25 |
| Jeff Sittler | | | 10-8-25 |
| Darlene Smith | | | 10-8-25 |
| Ariana Reynolds | | | 10-8-25 |
| MICHAEL REYNOLDS | | | 10-8-25 |
| Shawna Bauer | | | 10/8/25 |

# Petition to Oppose Petition #25-19 – Chicago Buddhist Vihara

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**Submitted by:**
[redacted]

| Name (Printed) | [redacted] | | Date |
|---|---|---|---|
| MARY ELLERSON | | | 10-7-2025 |
| PATRICK McKENTINE | | | 10-9-2025 |
| Donna MAKOWS | | | 10-9-25 |
| Scott MAKOWSK | | | 10-9-25 |
| Faith Weiffenbach | | | 10-9-25 |
| Sandra J Somocal | | | 10-19-25 |
| | | | |
| | | | |
| | | | |
| | | | |

# PLAT OF SURVEY

PARCEL ONE: LOT 56 OF THE HIGHLANDS, IN THE TOWNSHIP OF OSWEGO. KENDALL COUNTY, ILLINOIS.

PARCEL TWO: THAT PART OF LOT 40 OF OWNER'S SECOND SUBDIVISION OF PART OF SECTION 18, TOWNSHIP 37 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF LOT 10 OF SAID OWNER'S SECOND SUBDIVISION; THENCE NORTHWESTERLY ALONG A LINE WHICH IF EXTENDED WOULD INTERSECT THE SOUTHWEST CORNER OF LOT 56 OF THE HIGHLANDS, 104.55 FEET FOR THE POINT OF BEGINNING; THENCE NORTHWESTERLY ALONG SAID LINE 104.55 FEET TO THE SOUTHWEST CORNER OF SAID LOT 56; THENCE SOUTHEASTERLY ALONG THE SOUTHERLY LINE OF SAID LOT 56, 150 FEET TO THE SOUTHEAST CORNER OF SAID LOT 56; THENCE SLY ALONG THE EASTERLY LINE EXTENDED SOUTHERLY OF SAID LOT 56, 86.55 FEET TO A LINE DRAWN FROM THE POINT OF BEGINNING TO A POINT ON THE EASTERLY LINE EXTENDED NORTHERLY OF SAID LOT 10 WHICH IS 84.15 FEET NORTHERLY OF THE NORTHEAST CORNER OF SAID LOT 10; THENCE NORTHWESTERLY ALONG SAID LINE 115.6 FEET TO THE POINT OF BEGINNING, IN THE TOWNSHIP OF OSWEGO, KENDALL COUNTY, ILLINOIS.

N
W E
S
SCALE: 1"=30'
1" = 30'

OSAGE COURT — ASPHALT ROAD

BLACKTOP DRIVE

RECORD=N 79°18'0" W
87°33'24"
150.00
33.0

CONCRETE DRIVEWAY
62.69
68.18
67.27

ONE STORY BRICK & FRAME RESIDENCE HSE. NO. 67
CONCRETE
22.26 30.05 9.17 8.26 4.99 3.17 25.97
17.23 8.33 12.85 8.17 14.27 7.67 36.01
27.72
27.71
43.79
43.81

Nicole Mayer

57

200.00

Fence 0.53 wly

CHAIN LINK FENCE

Our LOT 56 Property

200.00
RECORD=S 8°41'0" W

55

0.00
=150.42

Shed 1.30 ely
12.35
SHED
12.79
Fence 0.38 nly 0.42 wly
Shed 0.85 sly 0.23 ely

DEED=150
Meas.= 149.79

36.20

Open area

Buddhist Vihara

DEED=104.55
Meas.= 109.27

PARCEL TWO

OWNER'S SECOND ADDITION

POINT OF BEGINNING (PARCEL TWO)

Garage 7.42 ely
GARAGE
Garage 8.01 ely

Meas.= 87.88
DEED=86.55

Found Cut Off Post 1.09 nly 0.24 wly

Meas.= 114.53
DEED=115.6

52.15

104.55

84.15

ORDERED BY: GILBERT MARQUEZ

STATE OF ILLINOIS } S. S.
COUNTY OF KENDALL }

THIS IS TO CERTIFY THAT I, AN ILLINOIS LAND SURVEYOR, HAVE SURVEYED THE PROPERTY DESCRIBED ABOVE AND THAT THE ANNEXED PLAT IS A CORRECT REPRESENTATION OF SAID SURVEY. THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.
GIVEN UNDER MY HAND AND SEAL AT OSWEGO, ILLINOIS, THIS 31ST DAY OF OCTOBER A. D., 2025.

[redacted]
ILLINOIS LAND SURVEYOR NO. [redacted]
(LICENSE SUBJECT TO RENEWAL AND EXPIRES 11/30/2026)

WILLIAM MATTHEW WINGSTEDT
REGISTERED
LAND SURVEYOR
LICENSE NO. [redacted]
OSWEGO, IL
PROFESSIONAL
STATE OF ILLINOIS

FIELD WORK COMPLETED, BUILDINGS AND OTHER IMPROVEMENTS LOCATED AS SHOWN ON THE 31ST OF OCTOBER, A. D., 2025.

ORDER NO. 25 J 056 FILE NO. 250970

REFER TO DEED OR GUARANTEE POLICY FOR RESTRICTIONS NOT SHOWN ON SURVEY.
ALL DIMENSIONS ARE SHOWN IN FEET AND DECIMALS THEREOF.
LINE DIRECTIONS AND BEARINGS, WHERE SHOWN, ARE BASED ON AN *ASSUMED* DATUM LINE.
PLEASE COMPARE ALL POINTS BEFORE BUILDING AND REPORT ANY APPARENT DISCREPANCIES

67 OSAGE.DWG
● = found iron stake
○ = set iron stake


WILLIAM M. WINGSTEDT
ILLINOIS PROFESSIONAL LAND SURVEYOR
329 WHITE PINES CT., OSWEGO, ILLINOIS 60543
PHONE: (630) 554-8209 FAX (630) 551-1207
Email: Wwing@aol.com

**DEPARTMENT OF PLANNING, BUILDING & ZONING**
807 West John Street • Yorkville, IL • 60560
(630) 553-4141 Fax (630) 553-4179

# Petition 25-18
# Ansar Gafur on Behalf of JAS Powered by Greenvolt, LLC (Tenant) and Thomas F. Richards, Junior (Owner) A-1 Special Use Permit for Commercial Solar Energy Facility, a Variance to Allow the Facility on Land Within 1.5 Miles of a Municipality Without an Annexation Agreement, and Revocation of a Special Use Permit

**UPDATE FROM NOVEMBER REGIONAL PLANNING COMMISSION MEETING**
At their hearing on November 12, 2025, the Zoning Board of Appeals voted to continue this Petition to December 10, 2025. The minutes of the hearing are included as Attachment 17.

On November 25, 2025, the Petitioner's representatives submitted a revised site plan (Attachment 5A). The solar panels were shifted further south. Noise information was added to the site plan. The site plan identifies approximately forty-eight (48) acres planted in a native grass mix and approximately two point five (2.5) acres planted in a swale seed mix. The number of plantings was also updated.

The Petitioner's representative submitted a cover email (Attachment 18) stating they did not want to move the site further south because of concerns related to the existing riverine area. They also reduced the number of poles from eight (8) to six (6) and moved the poles the poles twenty feet (20') closer to the road. The Petitioner was also agreeable to providing contact information to the County and owners of record of adjoining properties prior to the start of construction. They also provided an email from Lawrence Gehrig at Cushing Field saying that glare will not be an issue.

**INTRODUCTION**
The Petitioner is seeking a special use permit for a commercial solar energy facility and a variance to Section 36-282(17)a of the Kendall County Code to allow a commercial solar energy facility on land within one point five (1.5) miles of municipality without an annexation agreement. The southern portion of subject property also has a special use permit from 1974, probably for gravel mining. The Petitioner is voluntarily requesting the revocation of this special use permit.

JAS Powered by Greenvolt, LLC would lease the property from Thomas F. Richards, Junior.

The application materials are included as Attachment 1. The NRI Report is included as Attachment 2. The stormwater permit application is included as Attachment 3. The wetland delineation report is included as Attachment 4. The original site plan, including the landscaping plan, is included as Attachment 5. The decommissioning plan is included as Attachment 6. The Agricultural Impact Mitigation Agreement is included as Attachment 7. A picture of the property is included as Attachment 12.

**SITE INFORMATION**

| | |
|---|---|
| PETITIONER: | Ansar Gafur on Behalf of JAS Powered by Greenvolt, LLC and Thomas F. Richards, Junior (Owner) |
| ADDRESS: | Between 17448 and 17676 Route 71, Newark |
| LOCATION: | Approximately 0.10 Miles Northeast of Sheridan Road on the East Side of Route 71 |




TOWNSHIP: Big Grove

PARCELs : 07-07-100-022 and 07-07-100-005

LOT SIZE: 51.3 +/- Acres (Total Parcel), 20.6 +/- Acres (Fenced Area)

EXISTING LAND USE: Agricultural

ZONING: A-1 and A-1 SU for Mining

LRMP:

| | |
|---|---|
| Future Land Use | Agricultural (County)<br>Agricultural (Newark) |
| Roads | Route 71 is an Arterial maintained by IDOT. Route 71 is identified as a Scenic Route in the County's LRMP. Lisbon Center Road is a Local Road maintained by Big Grove Township |
| Trails | No trails are planned in this area. |
| Floodplain/ Wetlands | There is a wetland on the property; a wetland delineation report was provided as Attachment 4. There are no floodplains on the property. |

REQUESTED ACTIONS: Special Use Permit for a Commercial Solar Energy System

Variance to Allow a Commercial Solar Energy System on Land with One Point Five (1.5) Miles of a Municipality without an Annexation Agreement

Voluntary Revocation of an Existing Special Use Permit

APPLICABLE REGULATIONS: §36-282(17) – A-1 Special Uses

§36-39 – Variance Procedures

Chapter 36, Article II, Division 3, Subdivision I – Special Use Procedures

**SURROUNDING LAND USE**

| Location | Adjacent Land Use | Adjacent Zoning | Land Resource Management Plan | Zoning within ½ Mile |
|---|---|---|---|---|
| North | Single-Family Residential | A-1 | Agricultural (County)<br>Agricultural (Newark) | A-1 (County)<br>A-1 (Newark) |
| South | Agricultural | A-1 and A-1 SU | Agricultural (County)<br>Agricultural (Newark) | A-1 and A-1 SU (County) |
| East | Agricultural and Single-Family Residential | A-1 | Agricultural (County)<br>Agricultural (Newark) | A-1 (County)<br>A-1 and Commercial Manufacturing (Newark) |
| West | Agricultural and Single-Family Residential | A-1 and A-1 SU | Agricultural (County)<br>Agricultural (Newark) | A-1, A-1 SU, and A-1 BP (County)<br>A-1 (LaSalle County) |

The A-1 special use permit to the southwest is probably for mining.

Approximately twenty-two (22) existing houses are within one half (1/2) mile of the subject property.

**PHYSICAL DATA**

**ENDANGERED SPECIES REPORT**

EcoCAT Report was submitted on June 3, 2025, and consultation was terminated, see Attachment 1, Page 22.

**NATURAL RESOURCES INVENTORY**

The LESA Score was 201 indicating a medium level of protection. The NRI Report is included as Attachment 2.

**ACTION SUMMARY**

**BIG GROVE TOWNSHIP**

Original Petition information was sent to Big Grove Township on October 1, 2025. The amended site plan was sent to Big Grove Township on November 26, 2025.

**VILLAGE OF NEWARK**

Petition information was sent to the Village of Newark on October 1, 2025.

Prior to formal application submittal, the Village of Newark submitted an email stating they did not want to annex the property and they were not opposed to the project. This email is included as Attachment 1, Page 4.

The amended site plan was sent to the Village of Newark on November 26, 2025.

**NEWARK FIRE PROTECTION DISTRICT**

Petition information was sent to the Newark Fire Protection District on October 1, 2025. The amended site plan was sent to the Newark Fire Protection District on November 26, 2025.

**ZPAC**

Original Petition information was sent to former ZPAC members on October 1, 2025. The Highway Department and Health Department responded and neither Department had any objections. The

emails are included as Attachments 13 and 14.

**RPC**
The Kendall County Regional Planning Commission reviewed this proposal at their meeting on October 22, 2025. The Kendall County Regional Planning Commission voted to continue the proposal to a special meeting on November 6, 2025, at 7:00 p.m., by a vote of eight (8) in favor and zero (0) in opposition with one (1) member absent. The minutes are included as Attachment 15, Pages 5-7.

The Kendall County Regional Planning Commission continued their review of this proposal at their meeting on November 6, 2025. Discussion occurred regarding the uses for the funds given to the County per the community benefit agreement; Member Wilson suggested that some of the funds be reserved to pay for the County to review the decommissioning costs as allowed by the AIMA and pay for decommissioning costs, if the operator was no longer in existence. The Petitioner did not have experience implementing a decommissioning plan. The maximum height was clarified to thirteen feet (13') at maximum tilt. Discussion occurred regarding using a different road for access. Discussion occurred regarding drainage in the area, a field tile survey, and the condition of the existing field tile. Josh Haggard requested a glare study, particularly in relation to the impact on Cushing Field. Mr. Haggard also requested a Kendall County centered property value study, a legally enforceable maintenance and vegetative management plan with clearly defined schedules, responsible parties, and monetary performance guarantees, a robust decommissioning surety, and local accountability with a local contact. Mr. Haggard questioned if the Fire District was equipped and trained to handle fires at the property and he questioned what the Village of Newark gained from this proposal. Five (5) additional speakers stated they agreed with Mr. Haggard. Discussion larger setbacks from the homes and the use of the balance of the property. Discussion occurred regarding the timeline to install the vegetation. The Petitioners were agreeable to the existing proposed conditions. The Petitioners were agreeable to the following:

1. Amending the site plan showing the solar field moved further south and east on the property away from the neighboring houses.
2. Submitting a glare study.
3. Requiring the operator's contact information be on file with the County and with the owners of record of adjoining properties.

The Kendall County Regional Planning Commission voted to continue the proposal to their December 10, 2025, meeting at the Petitioners' request by a vote of eight (8) in favor and zero (0) in opposition with one (1) member absent. The minutes of the meeting are included as Attachment 16.

**ZBA**
The Kendall County Zoning Board of Appeals initiated a public hearing on this proposal on October 27, 2025. The consensus of the four (4) Members present was to continue the hearing to November 12, 2025, at 6:00 p.m. The minutes of the hearing are included as Attachment 15, Pages 1-4.

At their hearing on November 12, 2025, the Zoning Board of Appeals voted to continue this Petition to December 10, 2025. The minutes of the hearing are included as Attachment 17.

**GENERAL INFORMATION**
Per § 36-282(17) of the Kendall County Code, commercial solar energy facilities businesses can be special uses on A-1 zoned property subject to the following conditions (Staff Comments in Bold):

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.**

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 Attachment 5A, Page 3, the project is greater than one hundred fifty feet (150') from the nearest occupied non-participating dwelling. The perimeter fence is setback greater than fifty feet (50') from the adjoining property lines and nearest right-of-way.**

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 Attachment 5A, Page 4, the fence is proposed to be eight feet (8') in height and will be wire mesh. The fence will be three inches (3") off of the ground. One (1) twenty foot (20') wide gate is also on the site plan.**

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. **This is true. The maximum height will be approximately thirteen feet (13') off of the ground. The Petitioner does not want a restriction setting the maximum height at this level.**

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. **Noise radii are including on the site plan, see Attachment 5A, Page 3.**

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 6 and is outlined in the AIMA provided as Attachment 7. As noted on Page 13 of Attachment 6, the estimated cost of decommissioning is Three Hundred Fifty-Eight Thousand, Nine Hundred Forty-Four Dollars ($358,944). This money will be provided to the County in the form of a bond as outlined in the AIMA on Pages 11 and 12 of Attachment 7.**

h. A vegetative screening shall be placed around the commercial solar energy facility. **The original landscaping plan was included on Pages 7 and 8 of the amended site plan (Attachment 5A). The plan calls for one hundred twelve (112) Alleghany Viburnum, one hundred twenty-six (126) Red-Twig Doorwood, one hundred forty-four (144) Northern Spice Bush, and one hundred sixty-two (162) Tannenbaum Mugo Pine. The Viburnum, Doorwood, and Pine will be ten feet (10') in height at maturity; the Bush will be eight feet (8') in height at the time of maturity. The amended site plan (Attachment 5A) identifies approximately forty-eight (48) acres planted in a native grass mix and approximately two point five (2.5) acres planted in a swale seed mix.**

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 as Attachment 8. Six (6) threatened or endangered species were in the area, but 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.**

l. 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 exist, see Attachment 9.**

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, including timelines for planting and maintenance of the vegetation was provided, see Attachment 5.**

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. **The Illinois Department of Transportation did not want to enter into a road use agreement. An email outlining this position is included as Attachment 11.**

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. **The Petitioner does not believe there is any drain tile on the property and, if drain tile exists, they would not impact the project layout.**

**BUILDINGS AND BUILDING CODES**
No buildings are planned for the site. Any structures proposed for the site, including the solar arrays, shall obtain applicable permits.

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

**STORMWATER**
The Petitioner applied for a stormwater management permit.

The amended site plan was sent to WBK Engineering on November 26, 2025.

**ACCESS**
Per the amended site plan (Attachment 5A), the Petitioner proposes one (1) twenty foot (20') wide gravel access road from Route 71 along the west and southwest portions of the property.

There is one (1) twenty (20') wide vehicular access gate. The site plan references other, personnel gates, but

does not show where those would be located.

Knox box information will be provided to the County.

**PARKING AND INTERNAL TRAFFIC CIRCULATION**
No permeant parking was proposed. There will be a twenty thousand (20,000) square foot staging area during construction located northwest of the fenced area.

**LIGHTING**
No lighting was proposed.

**SIGNAGE**
There is one sign shown on the site plan (Attachment 5) near Route 71 and a second sign is shown on the vehicular access gate stating emergency contact information.

**GLARE**
The Petitioner's provided an email from Cushing Field saying glare will not be an issue at the airport (Attachment 18).

**IMPACT ON PROPERTY VALUES**
No property value studies were provided.

**ODORS**
No odors were foreseen.

**NOISE**
Noise radii were included on the amended site plan (Attachment 5A, Page 3).

**RELATION TO OTHER SPECIAL USES**
If approved, this would be the fourth special use permit for a commercial solar energy facility in unincorporated Kendall County.

The Petitioner has agreed to enter into a community benefits agreement. In that agreement, the Petitioner agreed to pay the County approximately Three Thousand Dollars ($3,000) per megawatt annually with five percent (5%) increases every five (5) years. The Petitioners for the proposals on Ament Road and Corneils Road agreed to the same agreement, which is included as Attachment 10.

**FINDINGS OF FACT-SPECIAL USE PERMIT**
§ 36-119 of the Kendall County Code outlines findings that the Zoning Board of Appeals must make in order to recommend in favor of the applicant on special use permit applications. They are listed below in *italics.*

*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 project will be screened from adjoining properties. The Petitioner submitted a vegetative management plan outlining the types of vegetation that will be planted, the timing of planting, and a maintenance plan for the vegetation.**

*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 primarily zoned 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 minimal traffic will occur after installation is completed. The solar panels are setback from Route**

**71 and Lisbon Center Road and neighboring houses to avoid negative visual impacts.**

*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 Ameren. The proposal does not require water, sewer, or any other public utility facilities to operate. The Petitioner will also build the road and entrance at the facility and will obtain approval from IDOT for access from Route 71. After initial construction traffic, landscape maintenance and maintenance to the project components are anticipated to occur on an as-needed basis, consistent with the vegetative management plan. Existing traffic patterns will not be impacted in the post-construction operations phase.**

*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 3-4 of the Land Resource Management Plan**, **"Support the public and private use of sustainable energy systems (examples include wind, solar, and geo-thermal)."**

**FINDINGS OF FACT-VARIANCE**
§36-39 of the Kendall County Code outlines findings that the Zoning Board of Appeals must make in order to grant variations. They are listed below in *italics.* Staff has provided findings in **bold** below based on the recommendation:

*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 Newark. The Village of Newark submitted an email stating they did not want to annex the property or enter into a pre-annexation agreement.**

*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 Newark did not wish to enter into a pre-annexation agreement or annex the property.**

*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.**

**RECOMMENDATION**
Staff's recommendation is neutral because of lack of clarity in State law regarding using the LaSalle and Sinclar Factors in evaluating applications of special use permits for commercial solar facilities. Assuming that conditions can be imposed on the special use permit, the proposed conditions and restrictions are as follows:

1. The site shall be developed substantially in accordance with the submitted site plan and vegetative management plan (Attachment 5A), decommissioning plan (Attachment 6), and Agricultural Impact

Mitigation Agreement (Attachment 7).

2. A variance to section 36-282(17)(a) of the Kendall County Code is hereby granted allowing a commercial solar energy facility within one point five (1.5) miles of a municipality without an annexation or pre-annexation agreement.
3. Any special use permits previously granted on the subject property are hereby revoked in their entirety.
4. The developer and/or owner of the subject property allowed by this special use permit shall enter into a community benefits agreement with Kendall County.
5. 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.
6. 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.
7. 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.
8. Warning signs shall be placed in the locations shown on the site plan (Attachment 5). 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.
9. KenCom and other applicable public safety agencies shall be supplied the access code to the Knox Box/security gate.
10. Damaged drain tile will be repaired on a timeframe approved by the Kendall County Planning, Building and Zoning Department.
11. The operators of the use allowed by this special use permit shall supply the immediate property owners and KenCom with a contact phone number that can be called in case of emergencies prior to the issuance of any building permits. In the event that the phone number of the operator of the use allowed by this special use permit changes, the operators of the use allowed by the special use permit shall supply the immediate property owners and KenCom with an updated phone number within thirty (30) days of change of phone number. In the event that an adjoining property owner changes their phone number or adjoining property owner changes, the operators of the use allowed by this special use permit shall supply the property owner the contact phone number within thirty (30) days of written request for the phone number (**Added after November RPC Meeting**).
12. The operators of the use allowed by this special use permit acknowledge and agree to follow Kendall County's Right to Farm Clause.
13. 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.
14. 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.
15. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.
16. 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.

**ATTACHMENTS**

1. Application Materials
2. NRI Report
3. Stormwater Permit Application
4. Wetland Delineation Report

5. Site Plan and Vegetative Management Plan
5A Site Plan Submitted November 25, 2025
6. Decommissioning Information
7. Agricultural Impact Mitigation Agreement
8. United States Fish and Wildlife Consultation Information
9. State Historic Preservation Office Letter
10. Community Benefits Agreement
11. September 29, 2025, Email from the Illinois Department of Transportation
12. Looking North from Lisbon Center Road
13. October 1, 2025, Klaas Email
14. October 7, 2025, Rybski Email
15. October RPC and ZBA Minutes on the Proposal
16. November 6, 2025, Kendall County Regional Planning Commission Minutes (This Petition Only)
17. November 12, 2025, Kendall County Zoning Board of Appeals Minutes (This Petition Only)
18. November 21, 2025, Email from Elizbeth Corrigan Including Glare Information from Cushing Field

**DEPARTMENT OF PLANNING, BUILDING & ZONING**
807 West John Street • Yorkville, IL • 60560
(630) 553-4141 Fax (630) 553-4179

# APPLICATION

**PROJECT NAME** Blue Sage Project LLC **FILE #:**_____

**NAME OF APPLICANT (Including First, Middle Initial, and Last Name)**
Ansar Gafur, Head of Business Development, JAS Powered by Greenvolt, LLC

**CURRENT LANDOWNER/NAME(s)**
Thomas F JR Richards

| SITE INFORMATION ACRES | SITE ADDRESS OR LOCATION | ASSESSOR'S ID NUMBER (PIN) |
|---|---|---|
| 51.32 | 41°31'37.3"N 88°35'33.9"W | 07-07-100-022<br>07-07-100-005 |

| EXISTING LAND USE | CURRENT ZONING | LAND CLASSIFICATION ON LRMP |
|---|---|---|
| Agriculture | A1 Agricultural | Agriculture |

**REQUESTED ACTION** (Check All That Apply):

_X_ SPECIAL USE
___ MAP AMENDMENT (Rezone to ____)
___ VARIANCE
____ ADMINISTRATIVE VARIANCE
___ A-1 CONDITIONAL USE for:_____
___ SITE PLAN REVIEW
___ TEXT AMENDMENT
___ PRELIMINARY PLAT
___ RPD (___Concept; ___ Preliminary; ___ Final)
___ FINAL PLAT
___ ADMINISTRATIVE APPEAL
___ OTHER PLAT (Vacation, Dedication, etc.)
___ AMENDMENT TO A SPECIAL USE (____Major;_____ Minor)

| [1]PRIMARY CONTACT | PRIMARY CONTACT MAILING ADDRESS | PRIMARY CONTACT EMAIL |
|---|---|---|
| Elizabeth Corrigan | [redacted] | [redacted] |

| PRIMARY CONTACT PHONE # | PRIMARY CONTACT FAX # | PRIMARY CONTACT OTHER #(Cell, etc.) |
|---|---|---|
| [redacted] | | |

| [2]ENGINEER CONTACT | ENGINEER MAILING ADDRESS | ENGINEER EMAIL |
|---|---|---|
| John Tucker | [redacted] | [redacted] |

| ENGINEER PHONE # | ENGINEER FAX # | ENGINEER OTHER # (Cell, etc.) |
|---|---|---|
| [redacted] | | |

I UNDERSTAND THAT BY SIGNING THIS FORM, THAT THE PROPERTY IN QUESTION MAY BE VISITED BY COUNTY STAFF & BOARD/ COMMISSION MEMBERS THROUGHOUT THE PETITION PROCESS AND THAT THE PRIMARY CONTACT LISTED ABOVE WILL BE SUBJECT TO ALL CORRESPONDANCE ISSUED BY THE COUNTY.

I CERTIFY THAT THE INFORMATION AND EXHIBITS SUBMITTED ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND THAT I AM TO FILE THIS APPLICATION AND ACT ON BEHALF OF THE ABOVE SIGNATURES. **THE APPLICANT ATTESTS THAT THEY ARE FREE OF DEBT OR CURRENT ON ALL DEBTS OWED TO KENDALL COUNTY AS OF THE DATE OF THE APPLICATION.**

**SIGNATURE OF APPLICANT** [redacted] **DATE** August 14, 2025

FEE PAID:$_____
CHECK #:_____

[1]*Primary Contact will receive all correspondence from County*
[2]*Engineering Contact will receive all correspondence from the County's Engineering Consultants*



Date Stamp Here If Checklist Is Complete

**DEPARTMENT OF PLANNING, BUILDING & ZONING**
807 West John Street • Yorkville, IL • 60560
(630) 553-4141 Fax (630) 553-4179

# APPLICATION

**PROJECT NAME** Blue Sage Project LLC **FILE #:**_____

**NAME OF APPLICANT (Including First, Middle Initial, and Last Name)**
Ansar Garfur

**CURRENT LANDOWNER/NAME(s)**
Thomas F JR Richards

| **SITE INFORMATION** ACRES | SITE ADDRESS OR LOCATION | ASSESSOR'S ID NUMBER (PIN) |
|---|---|---|
| 51.32 | 41°31'37.3"N 88°35'33.9"W | 07-07-100-022/07-07-100-00 5 |

| EXISTING LAND USE | CURRENT ZONING | LAND CLASSIFICATION ON LRMP |
|---|---|---|
| Agricultural | A1 Agricultural | |

**REQUESTED ACTION** (Check All That Apply):

_____SPECIAL USE ___ MAP AMENDMENT (Rezone to ____) X 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)

| [1]PRIMARY CONTACT | PRIMARY CONTACT MAILING ADDRESS | PRIMARY CONTACT EMAIL |
|---|---|---|
| Elizabeth Corrigan | [redacted] | |

| PRIMARY CONTACT PHONE # | PRIMARY CONTACT FAX # | PRIMARY CONTACT OTHER #(Cell, etc.) |
|---|---|---|
| [redacted] | | |

| [2]ENGINEER CONTACT | ENGINEER MAILING ADDRESS | ENGINEER EMAIL |
|---|---|---|
| John Tucker | [redacted] | |

| ENGINEER PHONE # | ENGINEER FAX # | ENGINEER OTHER # (Cell, etc.) |
|---|---|---|
| [redacted] | | |

I UNDERSTAND THAT BY SIGNING THIS FORM, THAT THE PROPERTY IN QUESTION MAY BE VISITED BY COUNTY STAFF & BOARD/ COMMISSION MEMBERS THROUGHOUT THE PETITION PROCESS AND THAT THE PRIMARY CONTACT LISTED ABOVE WILL BE SUBJECT TO ALL CORRESPONDANCE ISSUED BY THE COUNTY.

I CERTIFY THAT THE INFORMATION AND EXHIBITS SUBMITTED ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND THAT I AM TO FILE THIS APPLICATION AND ACT ON BEHALF OF THE ABOVE SIGNATURES. **THE APPLICANT ATTESTS THAT THEY ARE FREE OF DEBT OR CURRENT ON ALL DEBTS OWED TO KENDALL COUNTY AS OF THE APPLICATION DATE.**

**SIGNATURE OF APPLICANT** [redacted] **DATE** Sept 09, 2025

FEE PAID:$_____
CHECK #:_____

[1]*Primary Contact will receive all correspondence from County*
[2]*Engineering Contact will receive all correspondence from the County's Engineering Consultants*

Last Revised:
**02.04.25**

Date Stamp Here If Checklist Is Complete

**Matt Asselmeier**

**From:** Dave Patterson <[redacted]
**Sent:** Thursday, July 31, 2025 2:27 PM
**To:** Ansar Gafur; Stuart Smith
**Subject:** Fw: Letter of Support

See below

David Patterson | Head of Originations
**JAS Power, LLC**
Email: dave@jaspowerllc.com
Cell: (365) 324-4744

This email and any attachments are for the sole use of the intended recipients and may be privileged or confidential. Any distribution, printing or other use by anyone else is prohibited. If you are not an intended recipient, please contact the sender immediately, and permanently delete this email and attachments.

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**From:** Tom Richards <[redacted]
**Sent:** Thursday, July 31, 2025 1:53:43 PM
**To:** Dave Patterson <[redacted]
**Subject:** Letter of Support

Dear JAS Power LLC,

I am writing to confirm my full support for the solar development project proposed on my land. I am enthusiastic about moving forward with this initiative and am confident in the positive impact it will have on our community as a whole.
This project represents an important step toward sustainable energy and economic growth, and I look forward to seeing the benefits it will bring to local residents and future generations.
Please let me know if any further documentation or communication is required on my part.

Sincerely, Tom Richards

Thomas F Richards Jr.
[redacted]

## Matt Asselmeier

**From:** Cliff Fox <admin@newark-il.us>
**Sent:** Monday, June 16, 2025 12:11 PM
**To:** Tucker, John
**Cc:** Matt Asselmeier
**Subject:** [External]RE: Village of Newark Property Annexation

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.

Hello John,

Our Board met Wednesday, the 11th.

I notified the County; Newark is not opposed to the project. This makes a difference to the steps the County takes in process.

The Village is not interested in annexing the site or entering a pre annexation agreement.

The County has an email record of this, sent last week.

Let me know if you need anything further.

Best regards,

Cliff Fox

Village Administrator
PH 815-695-5671
Cell 708-308-8202

Stantec Consulting Services Inc.
12308 North Corporate Parkway, Suite 600
Mequon WI 53092-3386

August 11, 2025

To Whom it May Concern,

Blue Sage Project LLC is submitting for a Special Use Permit at 17746 State Hwy 71, in the village of Newark, IL. We are requesting a revocation of the Special Use Permit at this property from 1974.

Best regards,

**Stantec Consulting Services Inc.**

Project: Blue Sage Project LLC

Parcel Number: 07-07-100-022

Legal Description: PT NW ¼ SEC 7-35-6, COM PT ON N/LN NW ¼, 116.82 E OF NW COR NW ¼, SW 194.18, SE 85, SE 660.24, SW 280.31 FOR POB, SW 1773.59, SE 1381.70, NE 2640.80, NW 658.76, SW 7.35, SE 182.70, SW 609.88, SE 134, SW 428.53 TO POB (EXC COM N/LN NW ¼, 116.32 E OF NW COR NW ¼, SW 194.18, SE 85, SE 660.24, SW 280.31 TO POB, SW 1773.59, SE 885.93, NE 602.63, NW 109.96, NW 310.53, NW 681, NW 100, NE 595.11, SW 162 TO POB)

Parcel Number: 07-07-100-005
Legal description: LT 2 HELGEVOLD'S SUBD. SEC. 7-35-6

# ALTA COMMITMENT FOR TITLE INSURANCE

## Issued by OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY

## 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, Old Republic National 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 Amount of Insurance and the name of the Proposed Insured.

If all of the Schedule B, Part I—Requirements have not been met within six months after the Commitment Date, this Commitment terminates and the Company's liability and obligation end.

Issued through the Office of

**Old Republic National Title Insurance Company**
**2 Hudson Place**
**5th Floor**
**Hoboken, NJ 07030**
**Phone: 201-610-9455**

[redacted]

Authorized Officer or Agent

**OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY**
*A Stock Company*
*1408 North Westshore Blvd., Suite 900, Tampa, Florida 33607*
*(612) 371-1111* *www.oldrepublictitle.com*

By [redacted] President

Attest [redacted] Secretary

# COMMITMENT CONDITIONS

1. DEFINITIONS
    a. "Discriminatory Covenant": Any covenant, condition, restriction, or limitation that is unenforceable under applicable law because it illegally discriminates against a class of individuals based on personal characteristics such as race, color, religion, sex, sexual orientation, gender identity, familial status, disability, national origin, or other legally protected class.
    b. "Knowledge" or "Known": Actual knowledge or actual notice, but not constructive notice imparted by the Public Records.
    c. "Land": The land described in Item 5 of Schedule A and improvements located on that land that by State law constitute real property. The term "Land" does not include any property beyond that described in Schedule A, nor any right, title, interest, estate, or easement in any abutting street, road, avenue, alley, lane, right-of-way, body of water, or waterway, but does not modify or limit the extent that a right of access to and from the Land is to be insured by the Policy.
    d. "Mortgage": A mortgage, deed of trust, trust deed, security deed, or other real property security instrument, including one evidenced by electronic means authorized by law.
    e. "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.
    f. "Proposed Amount of Insurance": Each dollar amount specified in Schedule A as the Proposed Amount of Insurance of each Policy to be issued pursuant to this Commitment.
    g. "Proposed Insured": Each person identified in Schedule A as the Proposed Insured of each Policy to be issued pursuant to this Commitment.
    h. "Public Records": The recording or filing system established under State statutes in effect at the Commitment Date under which a document must be recorded or filed to impart constructive notice of matters relating to the Title to a purchaser for value without Knowledge. The term "Public Records" does not include any other recording or filing system, including any pertaining to environmental remediation or protection, planning, permitting, zoning, licensing, building, health, public safety, or national security matters.
    i. "State": The state or commonwealth of the United States within whose exterior boundaries the Land is located. The term "State" also includes the District of Columbia, the Commonwealth of Puerto Rico, the U.S. Virgin Islands, and Guam.
    j. "Title": The estate or interest in the Land identified in Item 3 of Schedule A.

2. 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; and
    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 is not 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 is not 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 is only liable 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 does not exceed the lesser of the Proposed Insured's actual expense incurred in good faith and described in Commitment Condition 5.a. or the Proposed Amount of Insurance.
    e. The Company is not liable for the content of the Transaction Identification Data, if any.
    f. The Company is not 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. The Company's liability is further limited by the terms and provisions of the Policy to be issued to the Proposed Insured.

6. LIABILITY OF THE COMPANY MUST BE BASED ON THIS COMMITMENT; CHOICE OF LAW AND CHOICE OF FORUM
    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 under the State law of the State where the Land is located and is restricted to the terms and provisions of this Commitment. Any litigation or other proceeding brought by the Proposed Insured against the Company must be filed only in a State or federal court having jurisdiction.
    c. 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 IS 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 closing, settlement, escrow, or any other purpose.

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. CLAIMS PROCEDURES
    This Commitment incorporates by reference all Conditions for making a claim in the Policy to be issued to the Proposed Insured. Commitment Condition 9 does not modify the limitations of liability in Commitment Conditions 5 and 6.

10. CLASS ACTION

ALL CLAIMS AND DISPUTES ARISING OUT OF OR RELATING TO THIS COMMITMENT, INCLUDING ANY SERVICE OR OTHER MATTER IN CONNECTION WITH ISSUING THIS COMMITMENT, ANY BREACH OF A COMMITMENT PROVISION, OR ANY OTHER CLAIM OR DISPUTE ARISING OUT OF OR RELATING TO THE TRANSACTION GIVING RISE TO THIS COMMITMENT, MUST BE BROUGHT IN AN INDIVIDUAL CAPACITY. NO PARTY MAY SERVE AS PLAINTIFF, CLASS MEMBER, OR PARTICIPANT IN ANY CLASS OR REPRESENTATIVE PROCEEDING. ANY POLICY ISSUED PURSUANT TO THIS COMMITMENT WILL CONTAIN A CLASS ACTION CONDITION.

11. ARBITRATION

The Policy contains an arbitration clause. All arbitrable matters when the Proposed Amount of Insurance is $2,000,000 or less may be arbitrated at the election 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 http://www.alta.org/arbitration.

**DIRECT ALL INQUIRIES TO:**
**Old Republic National Title Insurance Company**
**2 Hudson Place, 5th Floor, Hoboken, NJ 07030**
**Phone: 201-610-9455**
**Title Officer Email: scohen1@oldrepublictitle.com**
**Title Processor Email: phennessycuevas@oldrepublictitle.com**

Issuing Office File No.: [redacted]
Revision No.: **V2**
Customer Reference:

## SCHEDULE A

1. Commitment Date: April 22, 2025

2. Policies to be issued:

   a. ALTA OWNER'S POLICY (07/01/2021) Proposed Amount of Insurance: **To Be Determined**
   Proposed Insured: **To Be Determined**

   b. ALTA LOAN POLICY (07/01/2021) Proposed Amount of Insurance: **To Be Determined**
   Proposed Insured: **To Be Determined**

3. The estate or interest in the Land at the Commitment Date is: **Leasehold**

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

   Source of Title as to Parcel A:
   **Thomas R. Richards, Jr**., **a married person** by Trustees Quitclaim Deed from Peoples National Bank of Kewanee and Thomas F. Richards, Jr., not individually, but as successor co-trustees of the Thomas F. Richards, Sr. Trust dated December 1, 2017, as a successor co-trustees of the Shirley J. Richards Trust dated December 1, 2017, dated May 14, 2024, and recorded May 14, 2024, as Document No. 202400005286, in the Official Records of Kendall County, Illinois

   Prior Deed to Thomas R. Richards, Sr. or his successor in trust, as trustee of the Thomas F. Richards, Sr. Trust dated December 1, 2017, and Shirley J. Richards, or her successor in trust, as Trustee of the Shirley J. Richards Trust dated December 1, 2017, each as to an undivided one-half (1/2) interest as tenants in common, by Warranty Deed in Trust from Thomas R. Richards, Sr., and Shirley J. Richards, husband and wife, dated December 1, 2017, and recorded December 15, 2017, as Document No. 201700019754, in the Official Records of Kendall County, Illinois

   Source of Title as to Parcel B:
   **Douglas L. Brucker and Tracy L. Brucker, husband and wife, as joint tenant**, by Warranty Deed from Cassco Links, LLC, an Illinois Limited liability company, dated April 12, 2017, and recorded April 12, 2017, as Document No. 266315, in the Official Records of Ford County, Illinois

   Source of Title as to Parcel C:
   **Susan D. Eugenides as Trustee of the Susan D. Eugenides Trust u/t/a 02/8/13** by Quit Claim Deed from Mark Eugenides, married to Susan D. Eugenides, dated January 6, 2023, and recorded January 12, 2023, as Document No. R2023002023, in the Official Records of Will County, Illinois.

   Prior Deed to Mark Eugenides by Warranty Deed from Glen Charles Manny and Marie Beemsterboer Manny, husband and wife, to Mark Eugenides, dated November 5, 2005, and recorded December 9, 2005, as Document No. R2005215907, in the Office Records of Will County, Illinois.

5. The Land referred to in this Commitment is situated in the Counties of Montgomery, Kendall, LaSalle and Ford, State of Illinois, and described in the Legal Description attached hereto as Schedule A - Legal Description.

**Transaction Identification Data, for which the Company assumes no liability as set forth in Commitment Condition 5.e.:**

**Parcel A:**
Property Address: Hughes Road, Newark, IL 60541
Part of Parcel Numbers: 07-07-100-022 and 07-07-100-005

**Parcel B:**
Property Address: State Route 47, Gibson City, IL 60936
Part of Parcel Number: 09-08-35-400-009

**Parcel C:**
Property Address: 128th Avenue, Manhattan, IL 60442
Part of Parcel Number: 13-19-14-100-005-0000

# SCHEDULE B - PART I
# REQUIREMENTS

All of the following Requirements must be met:

1. 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.

2. 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.

4. 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. Closing Affidavit, in form acceptable to the Company, must be executed at closing.

6. Pay all taxes, sewer, water and other charges, and assessments, levied and assessed against the subject premises, which are due and payable. General and special taxes and assessments as follows:

   Tax Searches

7. The Company must be informed, prior to closing, of any alterations, repairs or new construction in progress, recently completed or contemplated, at which time additional requirements may become necessary.

8. If survey coverage is desired, an acceptable ALTA survey certified to Old Republic National Title Insurance Company must be provided.

9. The identity of the Proposed Insured(s) must be disclosed to the Company prior to closing. For each policy to be issued as identified in Schedule A, Item 2; the Company shall not be liable under this Commitment until it received a designation for a Proposed Insured(s), acceptable to the Company. As provided in Commitment Condition 4, the Company may amend this Commitment to add, among other things, additional exceptions or requirements after the designation of the Proposed Insured(s).

10. Proof must be furnished that the persons executing the closing instruments are the same persons named as grantees in the deed cited in the source of title.

11. Proof of payment, satisfaction, discharge, reconveyance or other disposition of the following items:

    A. Mortgage made between Tom F. Richards, (a/k/a Thomas Richards, a/k/a Thomas F. Richards, Jr.,), a married person, as Mortgagee and Compeer Financial, a federally chartered corporation, as Mortgagor, Securing the principal amount of $132,500.00, dated June 11, 2024, and recorded June 11, 2024, as Document No. 202400006552, in the Official Records of Kendall County, Illinois. (**Affects Parcel A)**

    B. Mortgage made between Douglas L. Brucker and Tracy L. Brucker, as spouses, as Mortgagor, and Flanagan State Bank, organized and existing under the laws of Illinois, as Lender, Securing the principal amount of $409,000.00, dated February 20, 2019, and recorded March 4, 2019, as Document No. 270543, in the Official Records of Ford County, Illinois. **(Affects Parcel B)**

    C. Mortgage made between Douglas L. Brucker and Tracy L. Brucker, as spouses, as Mortgagor, and Flanagan State Bank, organized and existing under the laws of Illinois, as Lender, Securing the principal amount of $111,000.00, dated February 20, 2019, and recorded March 4, 2019, as Document No. 270544, in the Official Records of Ford County, Illinois. **(Affects Parcel B)**

12. As of effective date of this Commitment, there are no open mortgage of record in the Office of the County Clerk/Register as to Susan D. Eugenides as Trustee for the Susan D. Eugenides Trust u/t/a 02/08/13. Seller's Affidavit of Title must specifically attest that affiant has not made by mortgages that have not yet been recorded or that currently encumber the Land. **(As to Parcel C)**

13. Company requires copy of the Lease, to be insured hereunder, be presented to the Company for review prior to closing. Company reserves the right to add additional requirements and exceptions to this Commitment in connection therewith. **(As to all Parcels)**

14. Company must be furnished either (a) an affidavit from the owner indicating that there is no property manager employed; or (b) a final lien waiver from the property manager acting on behalf of the owner.

15. Deed recording requirements must be complied with, inter alia:

    A. Grantee's address must be listed.
    B. Metes and bounds legal description require a Plat Act affidavit.
    C. Deeds must show the name and address of the preparer.
    D. Deeds must show where the instrument is to be returned to upon recordation.
    E. Taxpayer name and address for tax bills must be listed.
    F. All deeds require either a completed Illinois PTAX-203 form or a signed and dated exemption statement.
    G. Local municipal transfer tax stamps must be obtained prior to submission for recording at the Register of Deeds.

16. Company reserved the right to add additional requirements and exceptions to this Commitment as may be warranted by further disclosure of the details of this transaction.

17. If a Mortgage is contemplated in this transaction, please contact the Company immediately. Additional requirements and exceptions to this Commitment will be added as warranted.

18. All underwriting requirements for requested endorsements must be satisfied in accordance with the Company's instruction for issuance of any such endorsements.

19. A copy of the instrument creating the Susan D. Eugenides Trust u/t/a 02/08/13, or a certification of trust must be submitted to this Company for review. Company reserves the right to add additional requirements or exceptions to this Commitment in connection therewith.

    In the event a copy of the Trust Agreement is presented to the Company in lieu of the certification of trust, Company requires proof that the Trust Agreement is still in full force and effect and has not been amended. Company reserves the right to add additional requirements or exceptions to this Commitment in connection therewith. **(As to Parcel C)**

# SCHEDULE B - PART II
# EXCEPTIONS

**Some historical land records contain Discriminatory Covenants that are illegal and unenforceable by law. This Commitment and the Policy treat any Discriminatory Covenants in a document referenced in Schedule B as if each Discriminatory Covenant is redacted, repudiated, removed, and not republished or recirculated. Only the remaining provisions of the document will be excepted from coverage.**

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

1. 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.

2. Rights or claims of parties in possession not shown by the public records.

3. Encroachments, overlaps, boundary line disputes, and any other matters which would be disclosed by an accurate survey and inspection of the premises.

4. Easements or claims of easements not shown by the public records.

5. 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.

6. Taxes, special assessments, and additional assessments for taxes in connection with new construction not shown as existing liens by the public records.

7. General and special taxes and assessments for the tax year 2025, and subsequent years, a lien not yet due and payable.

8. Any acreage or square footage indicated in the legal description, and/or the address shown on Schedule A, is solely for the purpose of identifying said tract of land and shall not be construed as insuring the quantity of land, and/or the address as set forth in the description of the property.

9. Rights of tenants, as tenants only under unrecorded leases, if any.

10. Rights of way for drainage tiles, ditches, feeders and laterals, if any.

**THE FOLLOWING EXCEPTIONS 11-14 AFFECT PARCEL A:**

11. Terms, conditions, easement and rights of way, as evidenced by Grant of Right of Way made between Otto Miller and Illinois Power and Light Corporation, dated August 24, 1936, recorded October 19, 1936 in Book 89, Page 136, affected by Correction of Description made between Manley B. Thorson and Dorothy V. Thorson, husband and wife, and Clayton Helgenvold and Nellie K. Helgenvold, husband and wife, and Illinois Power Company, successor to Illinois Power and Light Corporation dated June 10,1964, and recorded September 1, 1964, as Instrument No. 146043 in Book 137, Page 576, in the Official Records of Kendall County, Illinois.

12. Terms, conditions, easement and rights of way, as evidenced by Easement in Public Highway made by Clayton Helgevold, widower, as Grantor, in favor of County of Kendell, State of Illinois, as Grantee, dated May 4, 1983, and recorded May 1, 1984, as Document No. 84-1962, in the Official Records of Kendall County, Illinois.

13. Subject to slope, drainage and grading rights as well as the right of the State of Illinois to limit access to and from the Land in and to Illinois State Highway Route No. 71 (a/k/a Gleng Peerson Memorial Highway), which it abuts.

14. Terms and conditions of Lease dated _____ as memorialized by a Memorandum of Leases by and between _____, landlord, and _____, tenant, dated _____ and recorded _____ as Instrument No. _____, in the Official Records of Kendall County, Illinois.

**THE FOLLOWING EXCEPTIONS 15-16 AFFECT PARCEL B:**

15. Rights, public and private, in and to golf course located on subject Land.

16. Terms and conditions of Lease dated _____ as memorialized by a Memorandum of Leases by and between _____, landlord, and _____, tenant, dated _____ and recorded _____ as Instrument No. _____, in the Official Records of Ford County, Illinois.

**THE FOLLOWING EXCEPTIONS 17-18 AFFECT PARCEL C:**

17. Subject to slope, drainage and grading rights as well as the right of the State of Illinois to limit access to and from the Land in and to Illinois State Highway Route No. 52, which it abuts.

18. Terms and conditions of Lease dated _____ as memorialized by a Memorandum of Leases by and between _____, landlord, and _____, tenant, dated _____ and recorded _____ as Instrument No. _____, in the Official Records of Will County, Illinois.

**THE FOLLOWING EXCEPTIONS AFFECTS ALL PARCEL:**

19. Rights of others in and to solar panels and all related equipment located on the land, including but not limited to, rights to access same over the Land(s).

# NOTICE - TAX SEARCH

**The Tax Searches attached herein covers only the Land as described, and no search is made against any part of the street on which said Land abuts.**

Some items shown hereon may have been paid but payment not yet officially posted. Receipted bills should be produced on closing. Policy does not insure against items not a lien up to the date of the Policy, nor for installments for assessments due after date of this Policy. Policy does not insure against pending assessments.

If the Land is benefited by a Real Estate Tax Abatement personal to an exempt owner, additional taxes may accrue or may have accrued due to a change in ownership or possession. Any restored taxes from the date of transfer of title or possession from the exempt owner, must be fixed and paid prior to closing of title.

Policy will except water and sewer rent not entered and/or water and sewer rent entered subsequent to date of last reading.

NOTE: If meter entries herein indicated average or minimum readings, an actual reading should be obtained prior to closing of title or Policy will except any possible charge that an actual reading may disclose.

NOTE: Amounts set forth in this Commitment may be exclusive of interest, costs and/or penalties.

# SCHEDULE A - LEGAL DESCRIPTION

**Parcel A :**

The Land referred to is situated in the Township of Big Grove, County of Kendall, State of Illinois, and is further described as follows:

Company requires that applicant produce a metes and bounds description of the premises to be insured drawn by a licensed surveyor in accordance with a current ALTA/NSPS Land Title Survey. Upon receipt and approval by the Company, the metes and bounds description will be added to Schedule A-Legal Description. The proposed transaction must not close until Company has approved the legal description and incorporated same into this Commitment. Company reserves the right to additional requirements and exceptions to the Commitment in connection therewith.

**Parcel B :**

The Land referred to is situated in the Township of Drummer, County of Ford, State of Illinois, and is further described as follows:

Company requires that applicant produce a metes and bounds description of the premises to be insured drawn by a licensed surveyor in accordance with a current ALTA/NSPS Land Title Survey. Upon receipt and approval by the Company, the metes and bounds description will be added to Schedule A-Legal Description. The proposed transaction must not close until Company has approved the legal description and incorporated same into this Commitment. Company reserves the right to additional requirements and exceptions to the Commitment in connection therewith.

**Parcel C :**

The Land referred to is situated in the Township of Wilton, County of Will, State of Illinois, and is further described as follows:

Company requires that applicant produce a metes and bounds description of the premises to be insured drawn by a licensed surveyor in accordance with a current ALTA/NSPS Land Title Survey. Upon receipt and approval by the Company, the metes and bounds description will be added to Schedule A-Legal Description. The proposed transaction must not close until Company has approved the legal description and incorporated same into this Commitment. Company reserves the right to additional requirements and exceptions to the Commitment in connection therewith.

**For Information Only:**

**Parcel A:**
Property Address: Hughes Road, Newark, IL 60541
Part of Parcel Numbers: 07-07-100-022 and 07-07-100-005

**Parcel B:**
Property Address: State Route 47, Gibson City, IL 60936
Part of Parcel Number: 09-08-35-400-009

**Parcel C:**
Property Address: 128th Avenue, Manhattan, IL 60442
Part of Parcel Number: 13-19-14-100-005-0000

Updated 1/1/2024

OLD REPUBLIC TITLE

| FACTS | WHAT DOES OLD REPUBLIC TITLE DO WITH YOUR PERSONAL INFORMATION? |
|---|---|
| **Why?** | Financial companies choose how they share your personal information. Federal law gives consumers the right to limit some but not all sharing. Federal law also requires us to tell you how we collect, share, and protect your personal information. Please read this notice carefully to understand what we do. |
| **What?** | The types of personal information we collect and share depend on the product or service you have with us. This information can include:<br>• Social Security number and employment information<br>• Mortgage rates and payments and account balances<br>• Checking account information and wire transfer instructions<br>When you are *no longer* our customer, we continue to share your information as described in this notice. |
| **How?** | All financial companies need to share customers' personal information to run their everyday business. In the section below, we list the reasons financial companies can share their customers' personal information; the reasons Old Republic Title chooses to share; and whether you can limit this sharing. |

| Reasons we can share your personal information | Does Old Republic Title share? | Can you limit this sharing? |
|---|---|---|
| **For our everyday business purposes —** such as to process your transactions, maintain your account(s), or respond to court orders and legal investigations, or report to credit bureaus | **Yes** | **No** |
| **For our marketing purposes —** to offer our products and services to you | **No** | **We don't share** |
| **For joint marketing with other financial companies** | **No** | **We don't share** |
| **For our affiliates' everyday business purposes —** information about your transactions and experiences | **Yes** | **No** |
| **For our affiliates' everyday business purposes —** information about your creditworthiness | **No** | **We don't share** |
| **For our affiliates to market to you** | **No** | **We don't share** |
| **For non-affiliates to market to you** | **No** | **We don't share** |

| | |
|---|---|
| | **Go to www.oldrepublictitle.com (*Contact Us*)** |

Page 2

| Who we are | |
|---|---|
| **Who is providing this notice?** | Companies with an Old Republic Title name and other affiliates. Please see below for a list of affiliates. |

| What we do | |
|---|---|
| **How does Old Republic Title protect my personal information?** | To protect your personal information from unauthorized access and use, we use security measures that comply with federal law. These measures include computer safeguards and secured files and buildings. For more information, visit https://www.oldrepublictitle.com/privacy-policy |
| **How does Old Republic Title collect my personal information?** | We collect your personal information, for example, when you:<br>• Give us your contact information or show your driver's license<br>• Show your government-issued ID or provide your mortgage information<br>• Make a wire transfer<br>We also collect your personal information from others, such as credit bureaus, affiliates, or other companies. |
| **Why can't I limit all sharing?** | Federal law gives you the right to limit only:<br>• Sharing for affiliates' everyday business purposes - information about your creditworthiness<br>• Affiliates from using your information to market to you<br>• Sharing for non-affiliates to market to you<br>State laws and individual companies may give you additional rights to limit sharing. See the State Privacy Rights section location at https://www.oldrepublictitle.com/privacy-policy for your rights under state law. |

| Definitions | |
|---|---|
| **Affiliates** | Companies related by common ownership or control. They can be financial and nonfinancial companies.<br>• *Our affiliates include companies with an Old Republic Title name, and financial companies such as Attorneys' Title Fund Services, LLC, Lex Terrae National Title Services, Inc., and Mississippi Valley Title Services Company* |
| **Non-affiliates** | Companies not related by common ownership or control. They can be financial and non-financial companies.<br>• *Old Republic Title does not share with non-affiliates so they can market to you* |
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|---|---|---|---|---|
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| Republic Abstract & Settlement, LLC | Sentry Abstract Company | Surety Title Agency, Inc. | Trident Land Transfer Company, LLC | |

EcoCAT
Ecological Compliance Assessment Tool

*Applicant:* JAS Associates, Ltd.
*Contact:* Brittany Schweiger
*Address:* [redacted]

*IDNR Project Number:* 2513863
*Date:* 06/03/2025

*Project:* JAS Blue Sage Project LLC
*Address:* 17676 IL-71, Newark

*Description:* Proposed solar project on approximately 42 acres within Kendall County, Illinois.

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

*County:* Kendall

*Township, Range, Section:*
35N, 6E, 7



**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
Post Office 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.

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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.

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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.

To Whom it May Concern,

On behalf of Blue Sage Project LLC, we are requesting approval for a Special Use Permit to allow for development of a 4.75 MW community scale solar facility in the City of Newark, IL. This facility will sit on approximately 50 acres of agricultural land in Kendall County.

**JAS, Powered by GreenVolt**

JAS Power – in partnership with Greenvolt Power and Green Tower – unites the expertise of a global powerhouse with local knowledge by combining JAS's project origination and development skills with Greenvolt's decades of international experience in the renewable energy sector.

As a result, our team is delighted to offer landowners the opportunity to generate additional sources of long-lasting, reliable, predictable income. JAS – Powered by Greenvolt, LLC will provide a variety of technologies including solar photovoltaics and battery energy storage systems. Our goal is to collaborate with farmers to develop projects that may allow producers to continue agricultural operations while creating solid evergreen revenue streams.

**Project Team – Ansar Gafur**

Mr. Gafur focuses on project siting, permitting, interconnection and procurement. Over the last 20 years, he has developed more than 1,300 MW of solar and wind generation capacity across Canada and the U.S. and concluded several billion dollars of M&A transactions. Mr. Gafur was co-founder of AIM PowerGen Corporation, now part of Engie North America, and took AIM PowerGen from startup to multi-billion dollar power producer. Mr. Gafur was an early proponent of renewable energy and has been a driver of the industry's rapid growth, accounting for several billion dollars of renewable energy transactions and a broad network of partners across the independent power industry's regulatory, manufacturing, construction, financial and legal fields.

**Project Details**

Our proposed solar farm, Blue Sage Project LLC, offers lasting economic, social, and environmental benefits to the community. We are committed to creating local employment opportunities across a range of skill levels, generating dozens of direct jobs during construction, supporting permanent roles once operational, and stimulating indirect job growth through local suppliers and small businesses. By providing a clean, renewable energy source, the project enhances grid reliability and supports broader sustainability and environmental goals. We also prioritize community investment through open communication, environmental stewardship, and responsible resource use. Designed with long-term value in mind, the project will increase property tax revenues to support schools and public infrastructure, attract future investment and innovation, and leave a legacy of sustainability and economic vitality.

This 5 MW solar facility will require dozens of workers during construction, electricians, project managers, and engineers, creating both specialized and local job opportunities. Construction is estimated to take approximately four months, with standard operating hours from 8:00 AM to 5:00 PM. Once operational, the site will be staffed by 2 to 4 employees. Environmental impacts were carefully evaluated during site selection and design, followed by an on-site survey to ensure all concerns were addressed. Temporary traffic disruptions may occur during construction and equipment delivery, but all activities will comply with county and provincial regulations to minimize community impact. The facility will connect to adjacent distribution lines for efficient utility interconnection. Noise will be controlled by limiting construction to permitted hours and ensuring equipment operates within allowable levels. Stormwater management is integrated into the design phase, in full compliance with county regulations to prevent runoff and protect water quality. To further reduce community impact, visual screening measures such as berms or vegetation will be incorporated, and the site will be operated and maintained during regular business hours.

Kendall County Code outlines certain criteria that the Zoning Board Administration (ZBA) makes their decision on. We addressed each of those criteria below:

1. 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 has been designed with public welfare as a priority. All construction and operational activities will comply with county and provincial safety standards. Noise levels will remain within permissible limits, and construction will occur only during approved hours. Environmental impacts have been thoroughly assessed, ensuring no harm to local ecosystems or community health.

2. 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 ensure 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 project will not negatively affect the use or enjoyment of nearby properties. Visual impacts will be mitigated through thoughtful design, including the installation of berms or vegetation buffers. The facility will use materials and landscaping that harmonize with the surrounding area, preserving neighborhood character and property values.

3. Adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided.
   The site is well-served by existing infrastructure, including access roads, utilities, and drainage systems. Points of ingress and egress have been planned to minimize traffic disruption, and all construction-related traffic will follow county and state guidelines to reduce community impact.

4. 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.
   The proposed special use conforms to all applicable zoning regulations for the district. Any necessary modifications will be pursued through the appropriate channels, with full transparency and cooperation with the Zoning Board of Appeals and County Board.

5. 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 project aligns with the goals of the Land Resource Management Plan and other adopted county and municipal policies. It supports sustainable development, environmental stewardship, and responsible land use, contributing positively to the long-term vision for Kendall County.

**Stantec Consulting Services Inc.**
12308 North Corporate Parkway, Suite 600
Mequon WI 53092-3386

August 11, 2025

To Whom it May Concern,

As part of the Special Use Application for Blue Sage Project LLC, certain pieces of data pertaining to the site were requested. The project parcel is 51.32 acres, and has the following:

- Zero required parking stalls
- Zero proposed parking stalls
- Zero required handicap parking stalls
- Zero proposed handicap parking stalls

Best regards,

**Stantec Consulting Services Inc.**


nextracker
NX Horizon™




NX Horizon™ is the world's most chosen solar tracker system for utility-scale power plants, deployed and contracted on over 75 gigawatts of solar power plants globally as of March 2023. NX Horizon's unrivaled combination of integrated hardware and software has become the gold standard for the utility-scale solar industry, thanks to its robust design, ease of installation, field-proven weather durability, and LCOE-optimized performance.

## Pioneering independent-row technology

NX Horizon's patented independent row, self-powered tracking system provides reliable performance across the widest possible range of site conditions. Simple, robust hardware, including self-aligning module rails and vibration-proof fasteners, enables rapid installation and long life without maintenance. Mechanically balanced rows minimize tracking power requirements and pair with a time-proven, rugged drive & control system for maximum durability and uptime. NX Horizon's decentralized architecture with intelligent communications supports maximum layout adaptability, flexible construction and commissioning sequencing, advanced tracker functionality, and over-the-air updates.



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## Proven resilience

NX Horizon is designed to withstand extreme weather events, proven season after season across hundreds of systems around the world. Through Nextracker's in-house project-engineering services, NX Horizon is configured and optimized to suit the unique combination of severe weather hazards and climate for each project site. Based on the industry's most comprehensive wind analysis and field testing, NX Horizon is hardened against wind-related failures by robust structural design, an optimized damping system, and advanced stowing functionality. Furthermore, the combination of balanced, independent self-powered rows with integrated UPS, 60° stowing angle, and available smart software enables rapid hail-stow protection to maximize panel survivability, even in the event of a grid outage. NX Horizon is inherently tolerant of flooding with drive and control components 4-5' above grade and available flood stowing functions to protect panels.

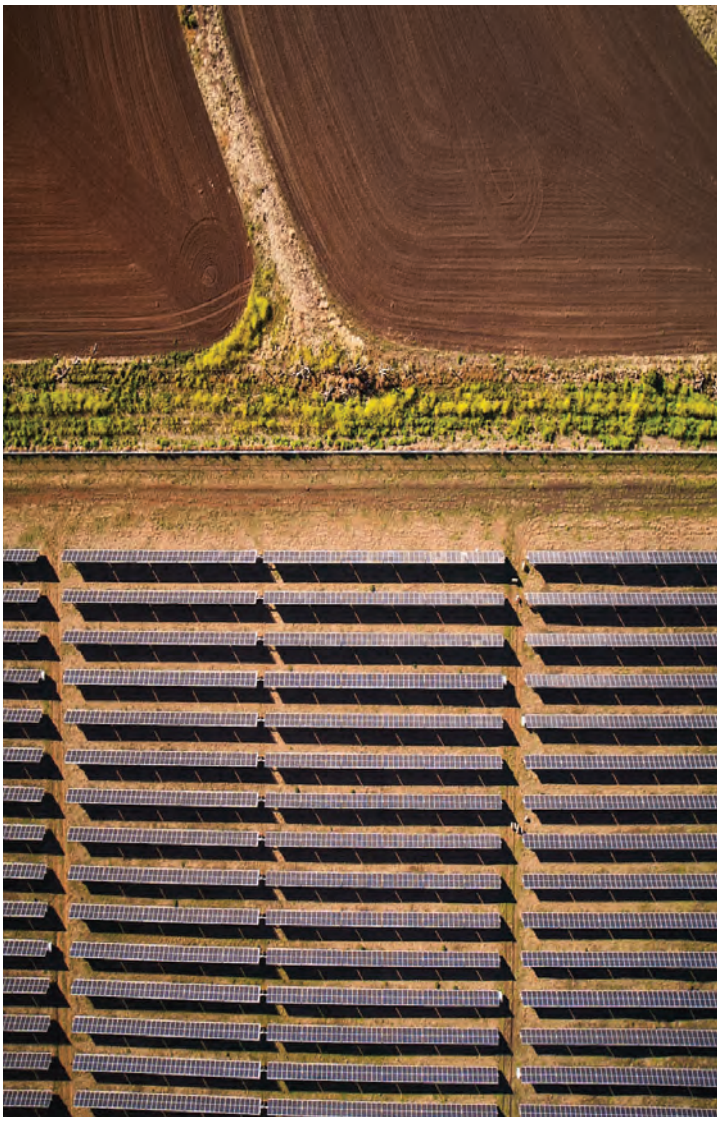
## Features and Benefits

**7 years** in a row
Global Market Share Leader

**75** GW
Delivered on 6 Continents

**Best-in Class**
Software Ecosystem and Global Services

**Up to 6%** more energy
Using TrueCapture™ Smart Control System



## Optimized for the lowest LCOE

Compared with conventional tracking systems, NX Horizon delivers Levelized Cost of Energy (LCOE) reductions of up to 7% by maximizing energy generation and solving for the lowest possible project CAPEX and OPEX. With pre-assembled components, no drive linkages, no AC wiring, self-aligning rails, and available XTR terrain following upgrades, NX Horizon is fundamentally faster to install, requiring less construction labor, less grading, and less total project capital cost. Projects using NX Horizon enjoy open-row access for maximum vegetation management and panel cleaning efficiency. Compared with linked row systems, NX Horizon cuts mowing costs by up to 55% and cleaning costs by up to 73%, reducing total project operations costs.

Lastly, but crucially for project returns, NX Horizon boosts project energy generation and revenue with its unique bifacial-optimized design as standard, and available IE-validated, 38GW proven TrueCapture Smart Control System with diffuse mode and row to row optimization functions.



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## GENERAL AND MECHANICAL

| | |
|---|---|
| Architecture | Horizontal single-axis, independent row, independently balanced |
| Configuration | 1x module in portrait |
| Tracking range of motion | Options for ±60° or ±50° |
| Row Size | Configurable per module type, string length and site layout |
| Array Height | Rotation axis elevation, 1.3 to 1.8 m / 4'3" to 5'10" |
| Drive type | High accuracy slew gear |
| Modules supported | All utility-scale crystalline and thin-film modules |
| Bifacial optimization | High-rise mounting rails, bearing & driveline gaps, round torque tube |
| Structural connections | Engineered fastening system, vibration-proof |
| Materials | Galvanized steel; other coatings available |
| Foundations | Complete range of foundation solutions available |
| Slope | Up to 15% N-S and 15% E-W |
| Ground coverage ratio (GCR) | No specific limit<br>Typical range 25-45% |
| Operating temperature range | SELF POWERED: -30°C to 55°C (-22°F to 131°F)<br>AC POWERED: -40°C to 55°C (-40°F to 131°F) |
| Wind speed | Configurable up to 240 kph (150 mph) 10m, 3-second gust |
| Wind protection | Intelligent wind stowing with symmetric damping system |

## ELECTRONICS AND CONTROLS

| | |
|---|---|
| Solar tracking method | Astronomical algorithm with backtracking standard. TrueCapture™ upgrades available for enhanced energy yield |
| Tracker controller | Self-Powered Controller (SPC) with integrated inclinometer and UPS |
| Motor | Brushless DC |
| Power supply | SELF POWERED: Standalone smart solar power<br>AC POWERED: Customer-provided 120-277 VAC circuit |
| Communications | Network control units (NCUs) at inverter pads/skids, self-powered weather stations, centralized data hub, encrypted Zigbee wireless mesh communications |
| Defensive stowing functions | Wind, hail, hurricane, snow, flood, loss of grid power |
| Operator interface | NX Navigator advanced HMI available, with SCADA integration |

## SERVICE, WARRANTY, AND STANDARDS

| | |
|---|---|
| Tracker engineering & PE stamped design package | Standard |
| Foundation engineering & PE stamped design package | Available |
| Onsite construction support & commissioning service | Available |
| Warranty | 10-year structural, 5-year drive and controls standard; extended warranty available |
| Certifications | UL 2703, UL 3703, IEC 62817, CSA |
| Codes and standards | UL 3703 / UL 2703 / IEC 62817 / CSA |





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Please fill out the following findings of fact to the best of your capabilities. § 36-39 of the Kendall County Code outlines findings that the Zoning Board of Appeals shall take into consideration the extent to which the following conditions have been established by the evidence:

*That 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 1.5 mile from the City of Newark. Strict enforcement of the regulations would require the property to be annexed by Newark. Changes to the property jurisdiction would create limitations for the subject property at the end of the power production system life and therefore potentially limiting the use of the property for future agricultural or industry purposes.

*That the conditions upon which the requested variation is based would not be applicable, generally, to other property within the same zoning classification.*

The subject property is located within 1.5 miles from the City of Newark. Properties of the same zoning classification and located in other areas would not be subject to the conditions of the variance as Newark may decide on a case by case basis to pursue annexation.

*That the alleged difficulty or hardship has not been created by any person presently having an interest in the property.*

The request for variance is due to location proximity. Compliance with annexation requirements were discussed with the City and were not desired to be retained. If annexation were required it may create a hardship for future property owners and the adjacent City.

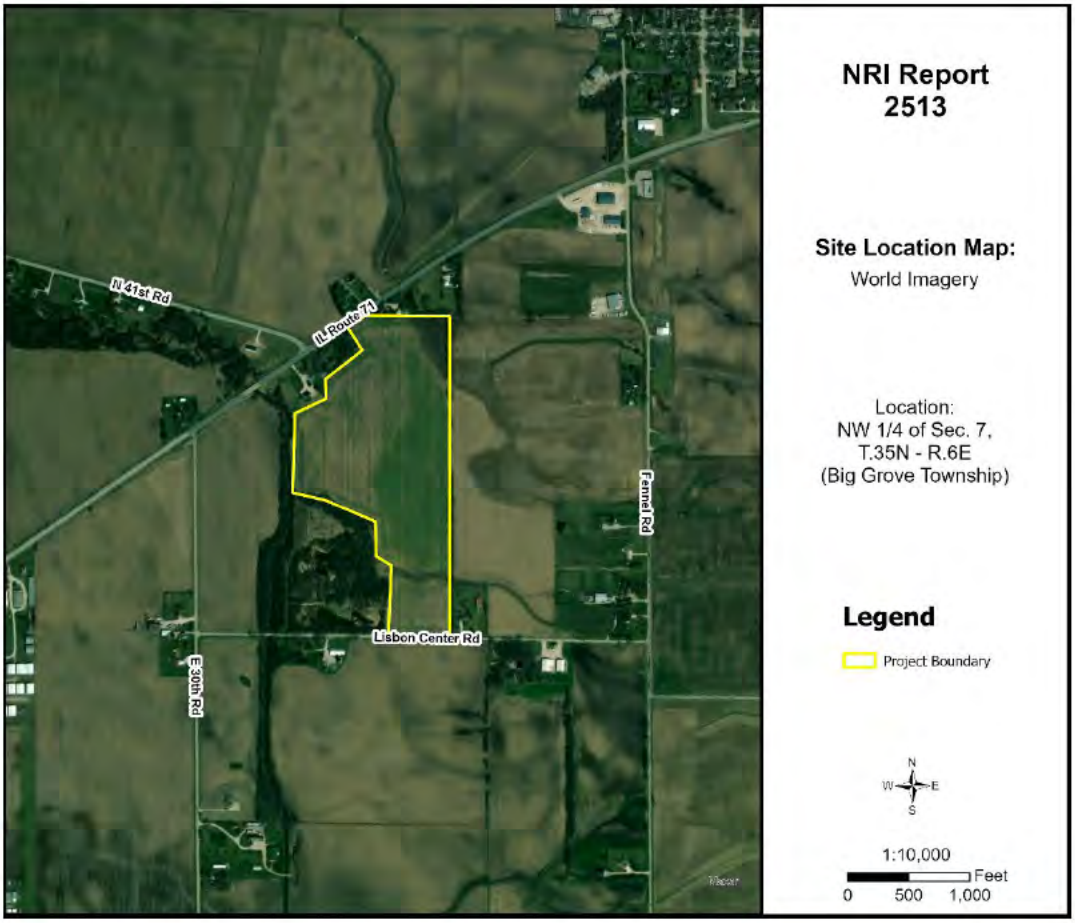
*That the granting of the variation will not materially be detrimental to the public welfare or substantially injurious to other property or improvements in the neighborhood in which the property is located.*

The proposed solar facility will be enclosed by fencing and vegetative screening, as required by Illinois law. It will not generate excessive noise or traffic and will operate safely. Studies show that solar farms do not negatively impact neighboring property values and may even enhance community resilience and sustainability. The project will comply with all environmental and safety standards, including those from the Illinois Department of Natural Resources and the U.S. Fish and Wildlife Service. Providing the variance will not affect public welfare.

*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.*

Solar arrays for this site are between 4'3" and 5'10" and do not obstruct light or air flow. The facility will not substantially increase the congestion in public streets and will not generate traffic beyond occasional maintenance visits. The site will not pose fire risks due to strict electrical and structural safety standards. The installation will be designed to avoid glare and will include storm water management features to prevent runoff and erosion. This project will not diminish property values; in fact, solar projects often contribute positively to local tax bases and environmental goals.

# NATURAL RESOURCES INFORMATION (NRI) REPORT: #2513




Sept. 2025

Petitioner: Blue Sage Solar, LLC
Contact: Jonathan Sheetz (Stantec)

Prepared By:

Kendall County Soil & Water Conservation District

7775A Route 47
Yorkville, Illinois 60560
Phone: (630) 553-5821 x3
www.kendallswcd.org

# KENDALL COUNTY SOIL AND WATER CONSERVATION DISTRICT NATURAL RESOURCES INFORMATION (NRI) REPORT

| | |
|---|---|
| Natural Resources Information Report Number | 2513 |
| | |
| Date District Board Reviews Application | September 2025 |
| | |
| Applicant's Name | Blue Sage Solar, LLC |
| | |
| Size of Parcel | (+/-) 51.32 acres |
| | |
| Current Zoning & Use | A-1 Agricultural District; Agricultural land |
| | |
| Proposed Zoning & Use | A-1 Agricultural Special Use; Commercial Solar Energy Facility |
| | |
| Parcel Index Number(s) | 07-07-100-005 & 07-07-100-022 |
| | |
| Contact Person | Jonathan Sheetz (Stantec) |

| **Copies of this report or notification of the proposed land-use change was provided to:** | **Yes** | **No** |
|---|---|---|
| The Applicant | X | |
| The Applicant's Legal Representation | | X |
| The Local/Township Planning Commission | X | |
| The Village/City/**County** Planning and Zoning Department or Appropriate Agency | X | |
| The Kendall County Soil and Water Conservation District Files | X | |

Report Prepared By: *Alyse Olson* Position: *Resource Conservationist*

# *PURPOSE AND INTENT*

The purpose of this report is to provide officials of the local governing body and other decision-makers with natural resource information. This information may be useful when undertaking land use decisions concerning variations, amendments or relief of local zoning ordinances, proposed subdivision of vacant or agricultural lands and the subsequent development of these lands. This report is a requirement under Section 22.02a of the Illinois Soil and Water Conservation Districts Act.

The intent of this report is to present the most current natural resource information available in a readily understandable manner. It contains a description of the present site conditions, the present resources, and the potential impacts that the proposed change may have on the site and its resources. The natural resource information was gathered from standardized data, on-site investigations and information furnished by the petitioner. This report must be read in its entirety so that the relationship between the natural resource factors and the proposed land use change can be fully understood.

Due to the limitations of scale encountered with the various resource maps, the property boundaries depicted in the various exhibits in this report provide a generalized representation of the property location and may not precisely reflect the legal description of the PIQ (Parcel in Question).

This report, when used properly, will provide the basis for proper land use change decisions and development while protecting the natural resource base of the county. It should not be used in place of detailed environmental and/or engineering studies that are warranted under most circumstances, but in conjunction with those studies.

The conclusions of this report in no way indicate that a certain land use is not possible, but it should alert the reader to possible problems that may occur if the capabilities of the land are ignored. Any questions on the technical data supplied in this report or if anyone feels that they would like to see more additional specific information to make the report more effective, please contact:

**Kendall County Soil and Water Conservation District**
**7775A Route 47, Yorkville, IL 60560**
**Phone: (630) 553-5821 ext. 3**
**E-mail: Alyse.Olson@il.nacdnet.net**

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# EXECUTIVE SUMMARY

| | |
|---|---|
| Natural Resources Information Report Number | 2513 |
| | |
| Petitioner | Blue Sage Solar, LLC |
| | |
| Contact Person | Jonathan Sheetz (Stantec) |
| | |
| County or Municipality the Petition is Filed With | Kendall County |
| | |
| Location of Parcel | Northwest ¼ of Section 7, Township 35 North, Range 6 East (Big Grove Township) of the 3rd Principal Meridian |
| | |
| Project or Subdivision Name | Blue Sage Solar Facility |
| | |
| Existing Zoning & Land Use | A-1 Agricultural District; Agricultural land |
| | |
| Proposed Zoning & Land Use | A-1 Agricultural Special Use; Commercial Solar Energy Facility |
| | |
| Proposed Water Source | Not applicable |
| | |
| Proposed Type of Sewage Disposal System | Not applicable |
| | |
| Proposed Type of Storm Water Management | Undetermined |
| | |
| Size of Site | (+/-) 51.32 acres |
| | |
| Land Evaluation Site Assessment (LESA) Score | 201 (Land Evaluation: 89; Site Assessment: 112) |

## NATURAL RESOURCE CONSIDERATIONS

### SOIL INFORMATION

Based on information from the United States Department of Agriculture-Natural Resources Conservation Service (USDA-NRCS) 2008 Kendall County Soil Survey, this project area contains the soil types shown in Figure 1 and Table 1. Please note this does not replace the need for or results of onsite soil testing. If completed, please refer to onsite soil test results for planning/engineering purposes.

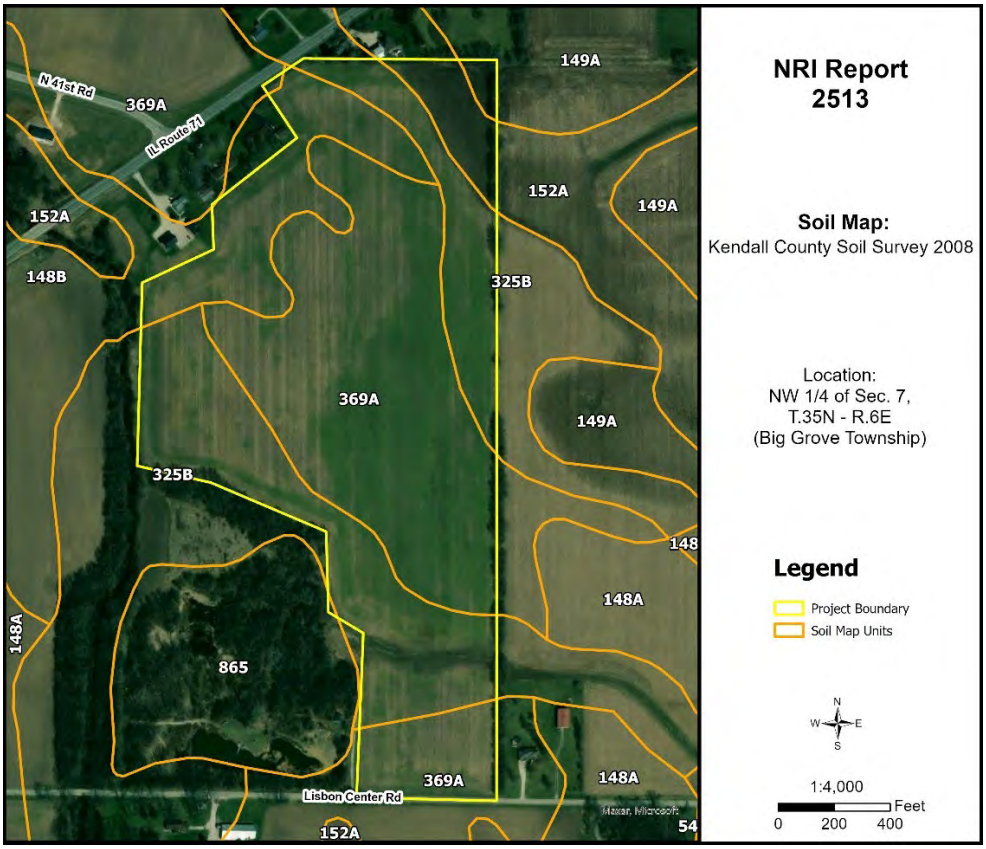



**Figure 1:** Soil Map

**Table 1:** Soils Information

| Soil Type | Soil Name | Drainage Class | Hydrologic Group | Hydric Designation | Farmland Designation | Acres | % Area |
|---|---|---|---|---|---|---|---|
| 148B | Proctor silt loam, 2-5% slopes | Well Drained | B | Non-Hydric | Prime Farmland | 6.8 | 13.2% |
| 149A | Brenton silt loam, 0-2% slopes | Somewhat Poorly Drained | B/D | Non-Hydric w/ Hydric Inclusions | Prime Farmland | 0.3 | 0.7% |
| 152A | Drummer silty clay loam, 0-2% slopes | Poorly Drained | B/D | Hydric | Prime Farmland if Drained | 2.0 | 3.9% |
| 325B | Dresden silt loam, 2-4% slopes | Well Drained | B | Non-Hydric w/ Hydric Inclusions | Prime Farmland | 16.8 | 32.7% |
| 369A | Waupecan silt loam, 0-2% slopes | Well Drained | B | Non-Hydric w/ Hydric Inclusions | Prime Farmland | 25.4 | 49.5% |

**Hydrologic Soil Groups** – Soils have been classified into four (A, B, C, D) hydrologic groups based on runoff characteristics due to rainfall. If a soil is assigned to a dual hydrologic group (A/D, B/D or C/D), the first letter is for drained areas and the second letter is for undrained areas.

- **Hydrologic group A:** Soils have a high infiltration rate (low runoff potential) when thoroughly wet. These consist mainly of deep, well drained to excessively drained sands or gravelly sands. These soils have a high rate of water transmission.
- **Hydrologic group B:** Soils have a moderate infiltration rate when thoroughly wet, consist chiefly of moderately deep to deep, moderately well drained to well drained soils that have a moderately fine to moderately coarse texture. These soils have a moderate rate of water transmission.
- **Hydrologic group C:** Soils having a slow infiltration rate when thoroughly wet. These consist chiefly of soils having a layer that impedes the downward movement of water or soils of moderately fine texture or fine texture. These soils have a slow rate of water transmission.
- **Hydrologic group D:** Soils having a very slow infiltration rate (high runoff potential) when thoroughly wet. These consist chiefly of clays that have a high shrink-swell potential, soils that have a high water table, have a claypan or clay layer at or near the surface, and soils that are shallow over nearly impervious material. These soils have a very slow rate of water transmission.

**Hydric Soils** – A hydric soil is one that formed under conditions of saturation, flooding, or ponding long enough during the growing season to develop anaerobic conditions in the upper part of the soil profile that supports the growth or regeneration of hydrophytic vegetation. Soils with hydric inclusions have map units dominantly made up of non-hydric soils that may have inclusions of hydric soils in the lower positions on the landscape. Of the soils found onsite, one is classified as hydric soil (152A Drummer silty clay loam), one is classified as non-hydric soil (148B Proctor silt loam), and three are classified as non-hydric soil with hydric inclusions likely (149A Brenton silt loam, 325B Dresden silt loam, and 369A Waupecan silt loam).

**Prime Farmland** – Prime farmland is land that has the best combination of physical and chemical characteristics for agricultural production. Prime farmland soils are an important resource to Kendall County and some of the most productive soils in the United States occur locally. Of the soils found onsite, four are designated as prime farmland (148B Proctor silt loam, 149A Brenton silt loam, 325B Dresden silt loam, and 369A Waupecan silt loam) and one is designated as prime farmland if drained (152A Drummer silty clay loam).

**Soil Limitations** – The USDA-NRCS Web Soil Survey rates the limitations of soils for dwellings, small commercial buildings, solar arrays, shallow excavations, lawns/landscaping, local roads and streets, etc. Soils have different properties which influence the development of building sites. The USDA-NRCS classifies soils as Not Limited, Somewhat Limited, and Very Limited. Soils that are Not Limited indicates that the soil has properties that are favorable for the specified use. They will perform well and will have low maintenance. Soils that are Somewhat Limited are moderately favorable, and their limitations can be overcome through special planning, design, or installation. Soils that are Very Limited have features that are unfavorable for the specified use, and their limitations cannot easily be overcome.

**Table 2:** Soil Limitations

| Soil Type | Solar Arrays | Shallow Excavations | Lawns/ Landscaping | Unpaved Roads / Streets |
|---|---|---|---|---|
| 148B | Very Limited | Somewhat Limited | Somewhat Limited | Very Limited |
| 149A | Very Limited | Very Limited | Somewhat Limited | Very Limited |
| 152A | Very Limited | Very Limited | Very Limited | Very Limited |
| 325B | Somewhat Limited | Somewhat Limited | Somewhat Limited | Somewhat Limited |
| 369A | Very Limited | Somewhat Limited | Somewhat Limited | Very Limited |

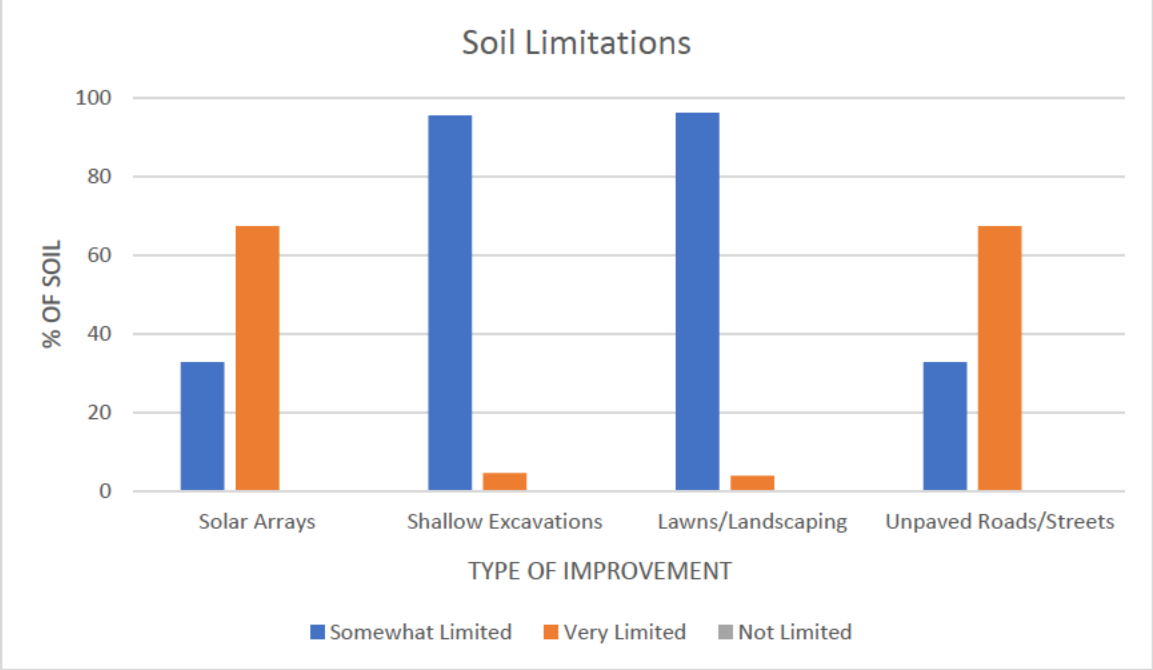



**Figure 2:** Soil Limitations Chart

**KENDALL COUNTY LAND EVALUATION AND SITE ASSESSMENT (LESA)**

Decision-makers in Kendall County use the Land Evaluation and Site Assessment (LESA) system to determine the suitability of a land use change and/or a zoning request as it relates to agricultural land. The LESA system was developed by the United States Department of Agriculture-Natural Resources Conservation Service (USDA-NRCS) and takes into consideration local conditions such as physical characteristics of the land, compatibility of surrounding land-uses, and urban growth factors. The LESA system is a two-step procedure that includes:

- **Land Evaluation (LE)**: The soils of a given area are rated and placed in groups ranging from the best to worst suited for a stated agriculture use, cropland, or forestland. The best group is assigned a value of 100 and all other groups are assigned lower values. The Land Evaluation is based on data from the Kendall County Soil Survey. The Kendall County Soil and Water Conservation District is responsible for this portion of the LESA system.
    - The Land Evaluation score for this site is **89 out of 100**, indicating that the soils are **well suited** for agricultural uses.
- **Site Assessment (SA)**: The site is numerically evaluated according to important factors that

contribute to the quality of the site. Each factor selected is assigned values in accordance with the local needs and objectives. The Site Assessment value is based on a 200-point scale and accounts for 2/3 of the total score. The Kendall County LESA Committee is responsible for this portion of the LESA system.

- The Site Assessment score for this site is **112 out of 200**.

The **LESA Score for this site is 201 out of a possible 300, which indicates a medium level of protection** for the proposed project site. Selecting the project site with the lowest total points will generally protect the best farmland located in the most viable areas and maintain and promote the agricultural industry in Kendall County.

**WETLANDS**

The U.S. Fish & Wildlife Service's National Wetlands Inventory map indicates the presence of wetland(s)/waters on or near the proposed project site. To determine if a wetland is present, a wetland delineation specialist, who is recognized by the U.S. Army Corps of Engineers, should determine the exact boundaries and value of the wetlands. A Wetland Delineation Report dated July 16, 2025, was prepared by Stantec. The results of their field investigation of approximately 41.84 acres indicate that there were no wetlands or waterways identified within the study area. Please see the wetland delineation report for more information.

**FLOODPLAIN**

The Federal Emergency Management Agency's (FEMA) Flood Insurance Rate Map (FIRM) for Kendall County, Community Panel No. 17093C0088G & 17093C0089G (effective date February 4, 2009) was reviewed to determine the presence of floodplain and floodway areas within the project site. According to the map, the site does not appear to contain an area of regulated floodplain.

**SEDIMENT AND EROSION CONTROL**

Development on this site should include an erosion and sediment control plan in accordance with local, state, and federal regulations. Soil erosion on construction sites is a resource concern as suspended sediment from areas undergoing development is a primary nonpoint source of water pollution. Please consult the *Illinois Urban Manual* (https://illinoisurbanmanual.org/) for appropriate best management practices.

**STORMWATER POLLUTION**

A National Pollutant Discharge Elimination System (NPDES) permit (Permit No. ILR10) from the Illinois Environmental Protection Agency (IEPA) is required for stormwater discharges from construction sites that will disturb 1 or more acres of land. Conditions of the NPDES ILR10 permit require the development and implementation of a Stormwater Pollution Prevention Plan (SWPPP) to reduce stormwater pollutants on the construction site before they can cause environmental issues.

**ECOLOGICAL CONSIDERATIONS**

Developers of solar project sites are encouraged to plant native groundcover. Native shrubs, grasses, and wildflowers offer benefits such as improved erosion control, pesticide avoidance, stormwater infiltration, wildlife habitat, and reduced overall maintenance. Naturalized areas, once established, are more drought tolerant, require little to no fertilization, and only need to be mowed once or twice a year. Native fruiting

and flowering plants also provide a food source and habitat for native pollinators which offer the ecological service of pollinating our agricultural crops.

The district recognizes two potential sources of water pollution from solar farms including cracked panels and oil leaks or spills from transformers. Cracked panels can leach toxic materials if many broken panels are exposed to precipitation over a long period of time. To prevent this issue, solar farm operators should regularly inspect cracked panels. Cracked or broken panels must be immediately stored under protective cover and should be periodically transported offsite for recycling or proper offsite storage.

Electrical transformers are used to increase output voltage from solar farms to the electrical grid. These transformers contain oil, which can leak or spill resulting in environmental damage. To reduce environmental damage, biodegradable oil can be used in the transformers. Larger transformers typically use mineral-based oil unless biodegradable oil is specifically requested. Leaks and spills of biodegradable oil must still be prevented, but the risk for groundwater contamination would be reduced and clean-up efforts simplified in the event of a release. Secondary containment systems such as trays, membranes, or vaults can also be used in the event of a leak or spill. Containment systems must be designed to manage stormwater so adequate containment volume is maintained. This would be the responsibility of the solar developer.

## LAND USE FINDINGS:

The Kendall County Soil and Water Conservation District (SWCD) Board has reviewed the proposed site plans for petitioner Blue Sage Solar, LLC. The petitioner is requesting an A-1 Agricultural Special Use Permit from Kendall County on two parcels (Parcel Index Numbers 07-07-100-005 & 07-07-100-022), totaling approximately 51.32 acres. The petitioner plans to construct a Commercial Solar Energy Facility within Section 7 of Big Grove Township (T.35N – R.6E) in Kendall County, IL. Based on the information provided by the petitioner and a review of natural resource related data available to the Kendall County SWCD, the SWCD Board presents the following information.

The Kendall County SWCD has always had the opinion that prime farmland soil should be preserved whenever feasible due to their highly productive qualities for growing agriculturally important crops in our community. Of the soils found onsite, 100% are designated as prime farmland or prime farmland if drained.

A land evaluation (LE), which is a part of the Land Evaluation and Site Assessment (LESA), was conducted on this parcel. The soil on this parcel scored 89 out of a possible 100 points indicating that the soils are well suited for agricultural uses. The total LESA score for this site is 201 out of a possible 300, which indicates a medium level of protection for the proposed project site. Selecting the project site with the lowest total points will generally protect the best farmland located in the most viable areas and maintain and promote the agricultural industry in Kendall County.

Soils found on the project site are rated for specific uses and can have potential limitations for development. Soil types with severe limitations do not preclude the ability to develop the site for the proposed use, but it is important to note that the limitation may require soil reclamation, special design/engineering, or maintenance to obtain suitable soil conditions to support development with significant limitations. This report indicates that for soils located on the parcel, 67% are considered very limited for supporting solar arrays and unpaved roads/streets, 5% are considered very limited for supporting shallow excavations, and 4% are considered very limited for supporting lawns/landscaping. The remaining soils are considered somewhat limited for these types of developments/uses. This information is based on the soil in an undisturbed state.

This site is within the Lower Fox River watershed and the Roods Creek sub watershed (HUC 12 – 071200070604). The sub watershed comprises approximately 18,203 acres covering parts of Newark, Millington, and Sheridan.

This development should include a soil erosion and sediment control plan to be implemented during construction. It is critical to have vegetative cover during and after construction to protect the soil from erosion. Sediment may become a primary non-point source of pollution; eroded soils during the construction phase can create unsafe conditions on roadways, degrade water quality and destroy aquatic ecosystems lower in the watershed.

The Kendall County SWCD strongly recommends the use of native ground cover, specifically plant varieties beneficial to pollinator species, be used to vegetate the site. Native vegetation benefits soil health, creates habitat, provides resilience to drought and prolonged wet conditions, and reduces maintenance needs after successful establishment.

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

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

[redacted]

SWCD Board Representative

SEPT 8, 2025

Date

# PARCEL LOCATION

Northwest quarter of Section 7, Township 35 North, Range 6 East (Big Grove Township). This site is approximately 51.32 acres and is located southeast of Illinois Route 71, north of Lisbon Center Road, and west of Fennel Road near Newark, IL.

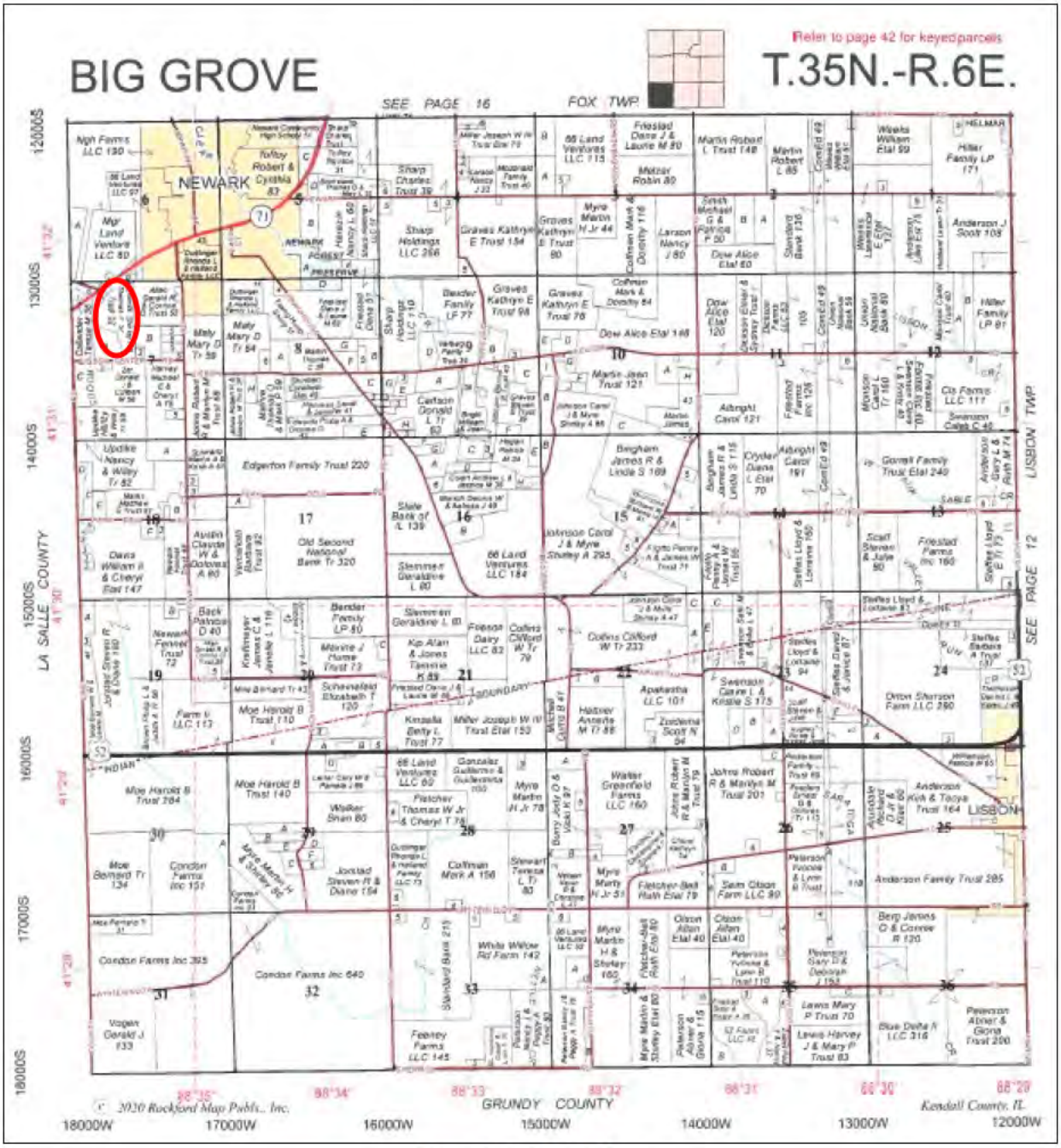



**Figure 3:** 2021 Plat Map

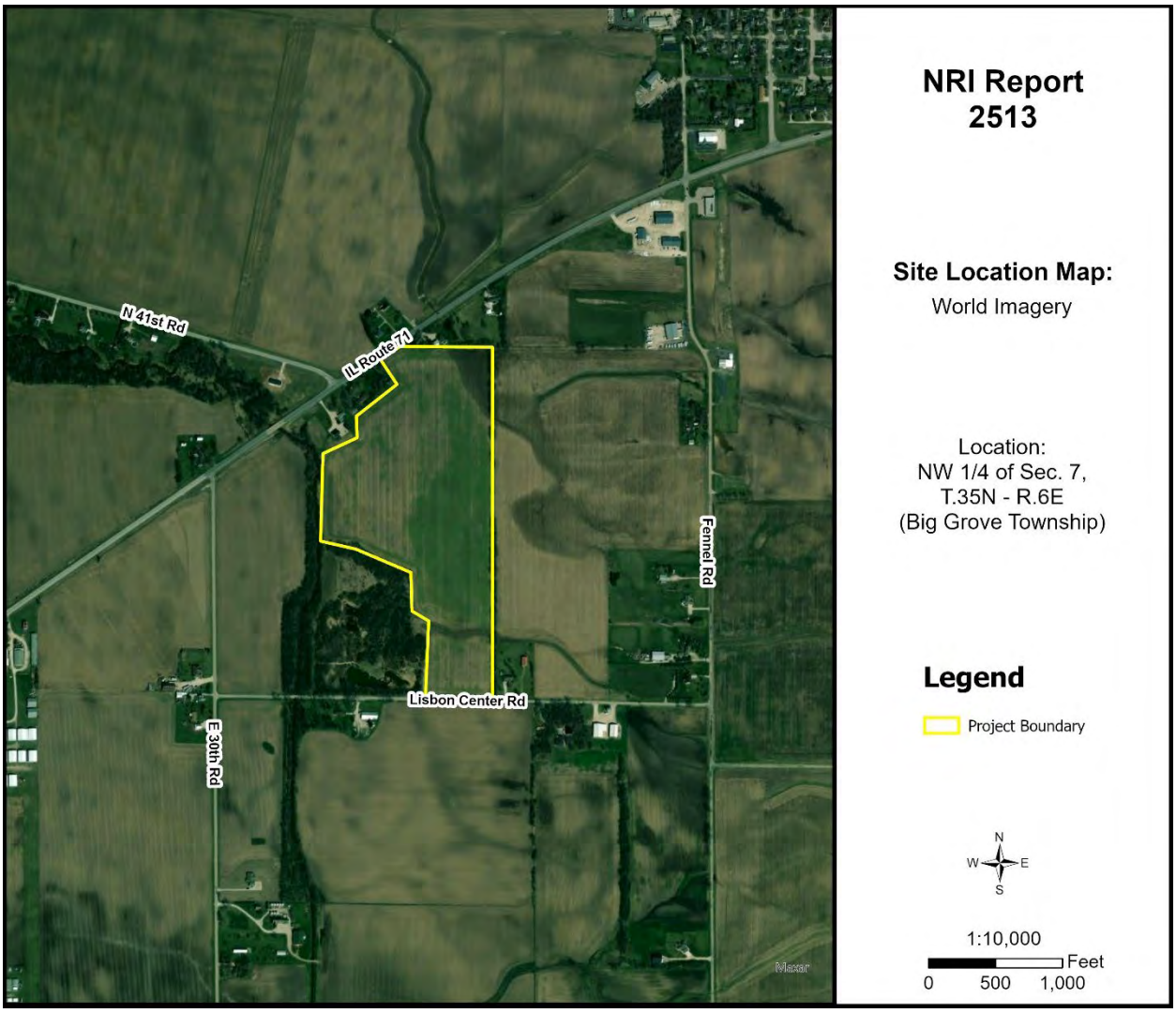



**Figure 4:** Aerial Map with NRI Project Boundary

# *ARCHAEOLOGIC/CULTURAL RESOURCES INFORMATION*

Simply stated, cultural resources are all the past activities and accomplishments of people. They include the following: buildings; objects made or used by people; locations; and less tangible resources, such as stories, dance forms, and holiday traditions.

The Soil and Water Conservation District most often encounters cultural resources as historical properties. These may be prehistoric or historical sites, buildings, structures, features, or objects. The most common type of historical property that the Soil and Water Conservation District may encounter is non-structural archaeological sites. These sites often extend below the soil surface and must be protected against disruption by development or other earth moving activity if possible. Cultural resources are *non-renewable* because there is no way to "grow" a site to replace a disrupted site.

Landowners with historical properties on their land have ownership of that historical property. However, the State of Illinois owns all the following: human remains, grave markers, burial mounds, and artifacts associated with graves and human remains.

Non-grave artifacts from archaeological sites and historical buildings are the property of the landowner. The landowner may choose to disturb a historical property but may not receive federal or state assistance to do so. If an earth moving activity disturbs human remains, the landowner must contact the county coroner within 48 hours.

**The Illinois State Historic Preservation Office has not been notified of the proposed land use change by the Kendall County SWCD. There may be historic features in the area. The applicant may need to contact them according to current Illinois law.**

# ECOLOGICALLY SENSITIVE AREAS

**WHAT IS BIOLOGICAL DIVERSITY AND WHY SHOULD IT BE CONSERVED?[1]**

Biological diversity, or biodiversity, is the range of life on our planet. A more thorough definition is presented by botanist Peter H. Raven: "At the simplest level, biodiversity is the sum total of all the plants, animals, fungi and microorganisms in the world, or in a particular area; all of their individual variation; and all of the interactions between them. It is the set of living organisms that make up the fabric of the planet Earth and allow it to function as it does, by capturing energy from the sun and using it to drive all of life's processes; by forming communities of organisms that have, through the several billion years of life's history on Earth, altered the nature of the atmosphere, the soil and the water of our Planet; and by making possible the sustainability of our planet through their life activities now" (Raven 1994).

It is not known how many species occur on our planet. Presently, about 1.4 million species have been named. It has been estimated that there are perhaps 9 million more that have not been identified. What is known is that they are vanishing at an unprecedented rate. Reliable estimates show extinction occurring at a rate several orders of magnitude above "background" in some ecological systems (Wilson 1992, Hoose 1981).

The reasons for protecting biological diversity are complex, but they fall into four major categories. First, loss of diversity generally weakens entire natural systems. Healthy ecosystems tend to have many natural checks and balances. Every species plays a role in maintaining this system. When simplified by the loss of diversity, the system becomes more susceptible to natural and artificial perturbations. The chances of a system-wide collapse increase. In parts of the midwestern United States, for example, it was only the remnant areas of natural prairies that kept soil intact during the dust bowl years of the 1930s (Roush 1982).

Simplified ecosystems are almost always expensive to maintain. For example, when synthetic chemicals are relied upon to control pests, the target species are not the only ones affected. Their predators are almost always killed or driven away, exasperating the pest problem. In the meantime, people are unintentionally breeding pesticide-resistant pests. A process has begun where people become perpetual guardians of the affected area, which requires the expenditure of financial resources and human ingenuity to keep the system going.

A second reason for protecting biological diversity is that it represents one of our greatest untapped resources. Great benefits can be reaped from a single species. About 20 species provide 90% of the world's food. Of these 20, just three, wheat, maize, and rice-supply over one half of that food. American wheat farmers need new varieties every five to 15 years to compete with pests and diseases. Wild strains of wheat are critical genetic reservoirs for these new varieties.

Further, every species is a potential source of human medicine. In 1980, a published report identified the market value of prescription drugs from higher plants at over $3 billion. Organic alkaloids, a class of

chemical compounds used in medicines, are found in an estimated 20% of plant species. Yet only 2% of plant species have been screened for these compounds (Hoose 1981).

The third reason for protecting diversity is that humans benefit from natural areas and depend on healthy ecosystems. The natural world supplies our air, our water, our food and supports human economic activity. Further, humans are creatures that evolved in a diverse natural environment between forest and grasslands. People need to be reassured that such places remain. When people speak of "going to the country," they generally mean more than getting out of town. For reasons of their own sanity and wellbeing, they need a holistic, organic experience. Prolonged exposure to urban monotony produces neuroses, for which cultural and natural diversity cure.

Historically, the lack of attention to biological diversity, and the ecological processes it supports, has resulted in economic hardships for segments of the basin's human population.

The final reason for protecting biological diversity is that species and natural systems are intrinsically valuable. The above reasons have focused on the benefits of the natural world to humans. All things possess intrinsic value simply because they exist.

**BIOLOGICAL RESOURCES CONCERNING THE SUBJECT PARCEL**

As part of the Natural Resources Information Report, staff reviews office maps to determine if any nature preserves or ecologically sensitive areas are in the general vicinity of the parcel in question. If there is a nature preserve in the area, then that resource will be identified as part of the report. The SWCD recommends that every effort be made to protect that resource. Such efforts should include, but are not limited to erosion control, sediment control, stormwater management, and groundwater monitoring.

**Office maps indicate that there are no nature preserves in the vicinity of the parcel in question (PIQ). Roods Creek, a mapped riverine waterway, flows along the west side of the PIQ and is considered an ecologically sensitive area.**

[1]Taken from *The Conservation of Biological Diversity in the Great Lakes Ecosystem: Issues and Opportunities*, prepared by the Nature Conservancy Great Lakes Program 79W. Monroe Street, Suite 1309, Chicago, IL 60603, January 1994.

# SOILS INFORMATION

**IMPORTANCE OF SOILS INFORMATION**

Soils information comes from the Natural Resources Conservation Service Soil Maps and Descriptions for Kendall County. This information is important to all parties involved in determining the suitability of the proposed land use change.

Each soil polygon is given a number, which represents its soil type. The letter found after the soil type number indicates the soils slope class.

Each soil map unit has limitations for a variety of land uses such as septic systems, buildings with basements, and buildings without basements. It is important to remember that soils do not function independently of each other. The behavior of a soil depends upon the physical properties of adjacent soil types, the presence of artificial drainage, soil compaction, and its position in the local landscape.

The limitation categories (not limited, somewhat limited, or very limited) indicate the potential for difficulty in using that soil unit for the proposed activity and, thus, the degree of need for thorough soil borings and engineering studies. A limitation does not necessarily mean that the proposed activity cannot be done on that soil type. It does mean that the reasons for the limitation need to be thoroughly understood and dealt with to complete the proposed activity successfully. Very limited indicates that the proposed activity will be more difficult and costly to do on that soil type than on a soil type with a somewhat limited or not limited rating.

Soil survey interpretations are predictions of soil behavior for specified land uses and specified management practices. They are based on the soil properties that directly influence the specified use of the soil. Soil survey interpretations allow users of soil surveys to plan reasonable alternatives for the use and management of soils.

Soil interpretations do not eliminate the need for on-site study and testing of specific sites for the design and construction for specific uses. They can be used as a guide for planning more detailed investigations and for avoiding undesirable sites for an intended use. The scale of the maps and the range of error limit the use of the soil delineation.

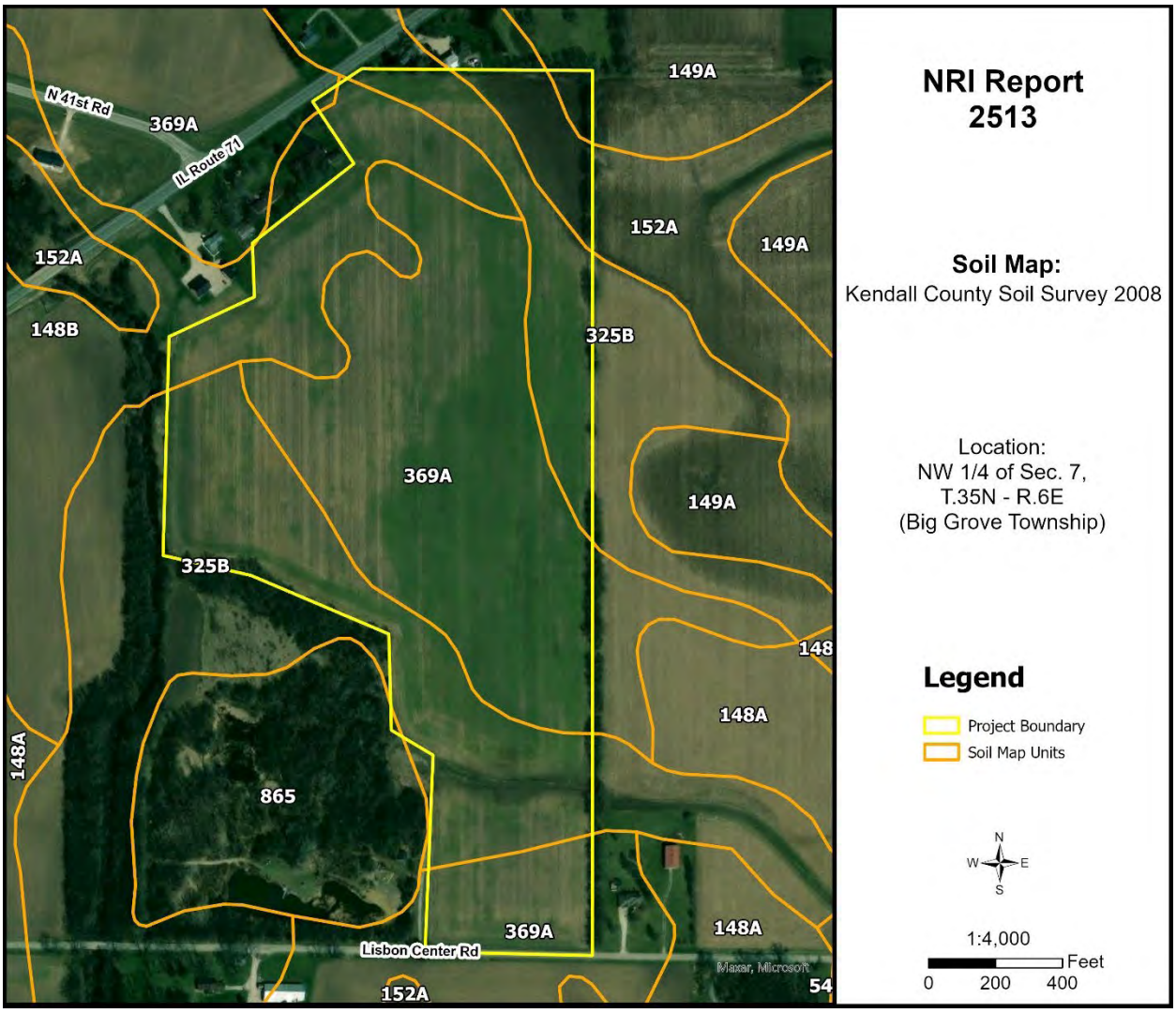



**Figure 5**: Soil Map

**Table 3**: Soil Map Unit Descriptions

| Soil Type | Soil Name | Acres | Percent |
|---|---|---|---|
| 148B | Proctor silt loam, 2-5% slopes | 6.8 | 13.2% |
| 149A | Brenton silt loam, 0-2% slopes | 0.3 | 0.7% |
| 152A | Drummer silty clay loam, 0-2% slopes | 2.0 | 3.9% |
| 325B | Dresden silt loam, 2-4% slopes | 16.8 | 32.7% |
| 369A | Waupecan silt loam, 0-2% slopes | 25.4 | 49.5% |

**Source**: National Cooperative Soil Survey – USDA-NRCS

# *SOILS INTERPRETATIONS EXPLANATION*

**GENERAL – NONAGRICULTURAL**

These interpretative ratings help engineers, planners, and others to understand how soil properties influence behavior when used for nonagricultural uses such as building site development or construction materials. This report gives ratings for proposed uses in terms of limitations and restrictive features. The tables list only the most restrictive features.

Other features may need treatment to overcome soil limitations for a specific purpose. Ratings come from the soil's "natural" state, that is, no unusual modification occurs other than that which is considered normal practice for the rated use. Even though soils may have limitations, an engineer may alter soil features or adjust building plans for a structure to compensate for most degrees of limitations. Most of these practices, however, are costly. The final decision in selecting a site for a particular use generally involves weighing the costs for site preparation and maintenance. Soil properties influence development of building sites, including the selection of the site, the design of the structure, construction, performance after construction, and maintenance. Soil limitation ratings of not limited, somewhat limited, and very limited are given for the types of proposed improvements that are listed or inferred by the petitioner as entered on the report application and/or zoning petition. The most common types of building limitation that this report gives limitations ratings for is septic systems. It is understood that engineering practices can overcome most limitations for buildings with and without basements, and small commercial buildings. Limitation ratings for these types of buildings are not commonly provided. Organic soils, when present on the parcel, are referenced in the hydric soils section of the report. This type of soil is considered unsuitable for all types of construction.

**LIMIATIONS RATINGS**

- **Not Limited:** This soil has favorable properties for the use. The degree of limitation is minor. The people involved can expect good performance and low maintenance.
- **Somewhat Limited**: This soil has moderately favorable properties for the use. Special planning, design, or maintenance can overcome this degree of limitation. During some part of the year, the expected performance is less desirable than for soils rated slight.
- **Very Limited**: This soil has one or more properties that are unfavorable for the rated use. These may include the following: steep slopes, bedrock near the surface, flooding, high shrink-swell potential, a seasonal high water table, or low strength. This degree of limitation generally requires major soil reclamation, special design, or intensive maintenance, which in most situations is difficult and costly.

# BUILDING LIMITATIONS

**BUILDING ON POORLY SUITED OR UNSUITABLE SOILS**

Building on poorly suited or unsuitable soils can present problems to future property owners such as cracked foundations, wet basements, lowered structural integrity and high maintenance costs associated with these problems. The staff of the Kendall County SWCD strongly urges scrutiny by the plat reviewers when granting parcels with these soils exclusively.

**Solar Arrays, Soil-Penetrating Anchor Systems** – Ground-based solar arrays are sets of photovoltaic panels that are not situated on a building or pole. These installations consist of a racking system that holds the panel in the desired orientation and the foundation structures that hold the racking system to the ground. Two basic methods are used to hold the systems to the ground, based on site conditions and cost. One method employs driven piles, screw augers, or concrete piers that penetrate the soil to provide a stable foundation.

**Shallow Excavations** – Trenches or holes dug to a maximum depth of 5 or 6 feet for utility lines, open ditches, or other purposes. Ratings are based on soil properties that influence the ease of digging and the resistance to sloughing.

**Lawns and Landscaping** – Require soils on which turf and ornamental trees and shrubs can be established and maintained (irrigation is not considered in the ratings). The ratings are based on the soil properties that affect plant growth and trafficability after vegetation is established.

**Roads and Streets** – They have an all-weather surface and carry automobile and light truck traffic all year. They have a subgrade of cut or fill soil material, a base of gravel, crushed rock or soil material stabilized by lime or cement; and a surface of flexible material (asphalt), rigid material (concrete) or gravel with a binder. The ratings are based on the soil properties that affect the ease of excavation and grading and the traffic-supporting capacity.

**Table 4:** Building Limitations

| Soil Type | Solar Arrays | Shallow Excavations | Lawns & Landscaping | Roads & Streets (Paved & Unpaved) | Acres | % |
|---|---|---|---|---|---|---|
| 148B | **Very Limited:**<br>Frost action<br>Steel corrosion<br>Low strength<br>Hillslope position<br>Slope shape across | **Somewhat Limited:**<br>Dusty<br>Unstable excavation walls | **Somewhat Limited:**<br>Dusty | **Very Limited:**<br>Frost action<br>Low strength Dusty<br>Shrink-swell | 6.8 | 13.2% |
| 149A | **Very Limited:**<br>Frost action<br>Steel corrosion<br>Depth to saturated zone<br>Low strength<br>Hillslope position<br>Ponding | **Very Limited:**<br>Depth to saturated zone<br>Dusty<br>Unstable excavation walls<br>Ponding | **Somewhat Limited:**<br>Depth to saturated zone<br>Dusty | **Very Limited:**<br>Frost action<br>Low strength<br>Depth to saturated zone<br>Shrink-swell<br>Dusty<br>Ponding | 0.3 | 0.7% |
| 152A | **Very Limited**:<br>Ponding<br>Depth to saturated zone<br>Frost action<br>Low strength<br>Steel corrosion<br>Shrink-swell | **Very Limited**:<br>Ponding<br>Depth to saturated zone<br>Dusty<br>Unstable excavation walls<br>Too clayey | **Very Limited**:<br>Ponding<br>Depth to saturated zone<br>Dusty | **Very Limited:**<br>Ponding<br>Depth to saturated zone<br>Frost action<br>Low strength<br>Shrink-swell | 2.0 | 3.9% |
| 325B | **Somewhat Limited:**<br>Steel corrosion, Frost action,<br>Hillslope position,<br>Slope shape across,<br>Shrink-swell | **Somewhat Limited:**<br>Dusty<br>Unstable excavation walls | **Somewhat Limited:**<br>Dusty | **Somewhat Limited:**<br>Frost action<br>Shrink-swell<br>Dusty | 16.8 | 32.7% |
| 369A | **Very Limited**:<br>Frost action, Steel corrosion,<br>Low strength, Hillslope position,<br>Shrink-swell, Ponding,<br>Depth to saturated zone | **Somewhat Limited**:<br>Dusty<br>Unstable excavation walls | **Somewhat Limited**:<br>Dusty | **Very Limited:**<br>Frost action, Low strength,<br>Shrink-swell, Dusty,<br>Ponding, Depth to saturated zone | 25.4 | 49.5% |
| **% Very Limited** | **67.2%** | **4.6%** | **3.9%** | **67.2%** | | |

**Figure 6A:** Map of Building Limitations - Solar Arrays & Road / Streets

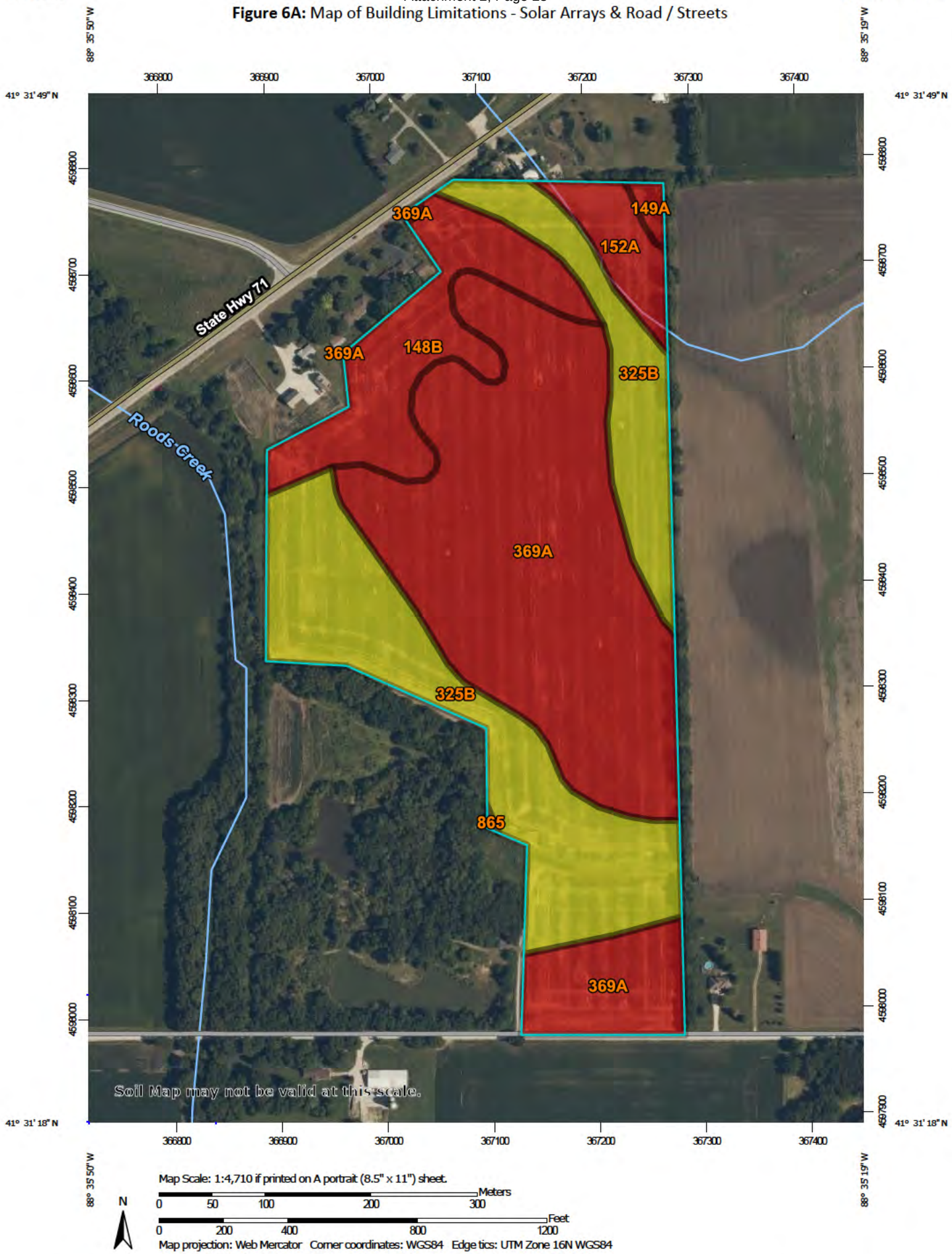


**Figure 6B:** Map of Building Limitations - Shallow Excavations

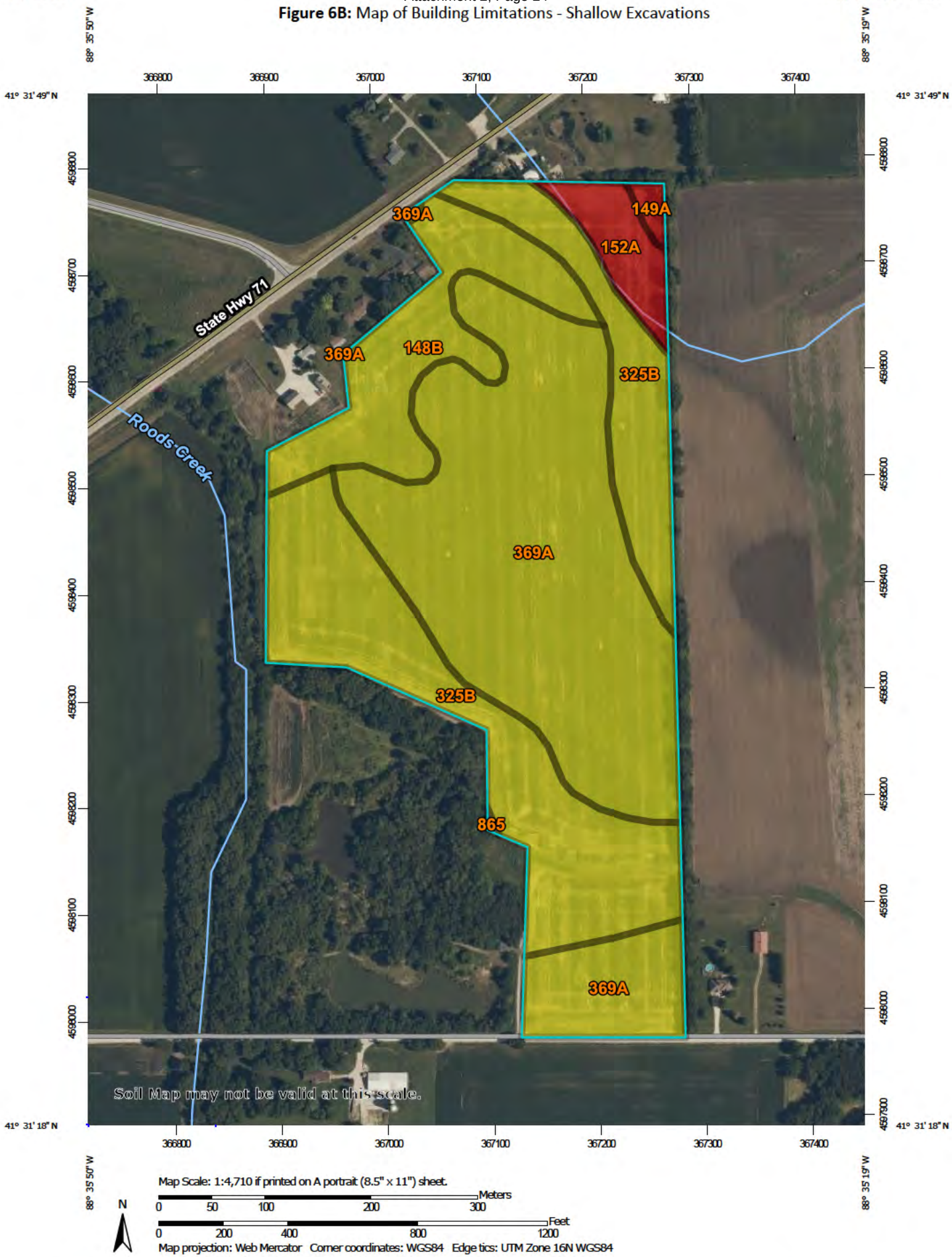
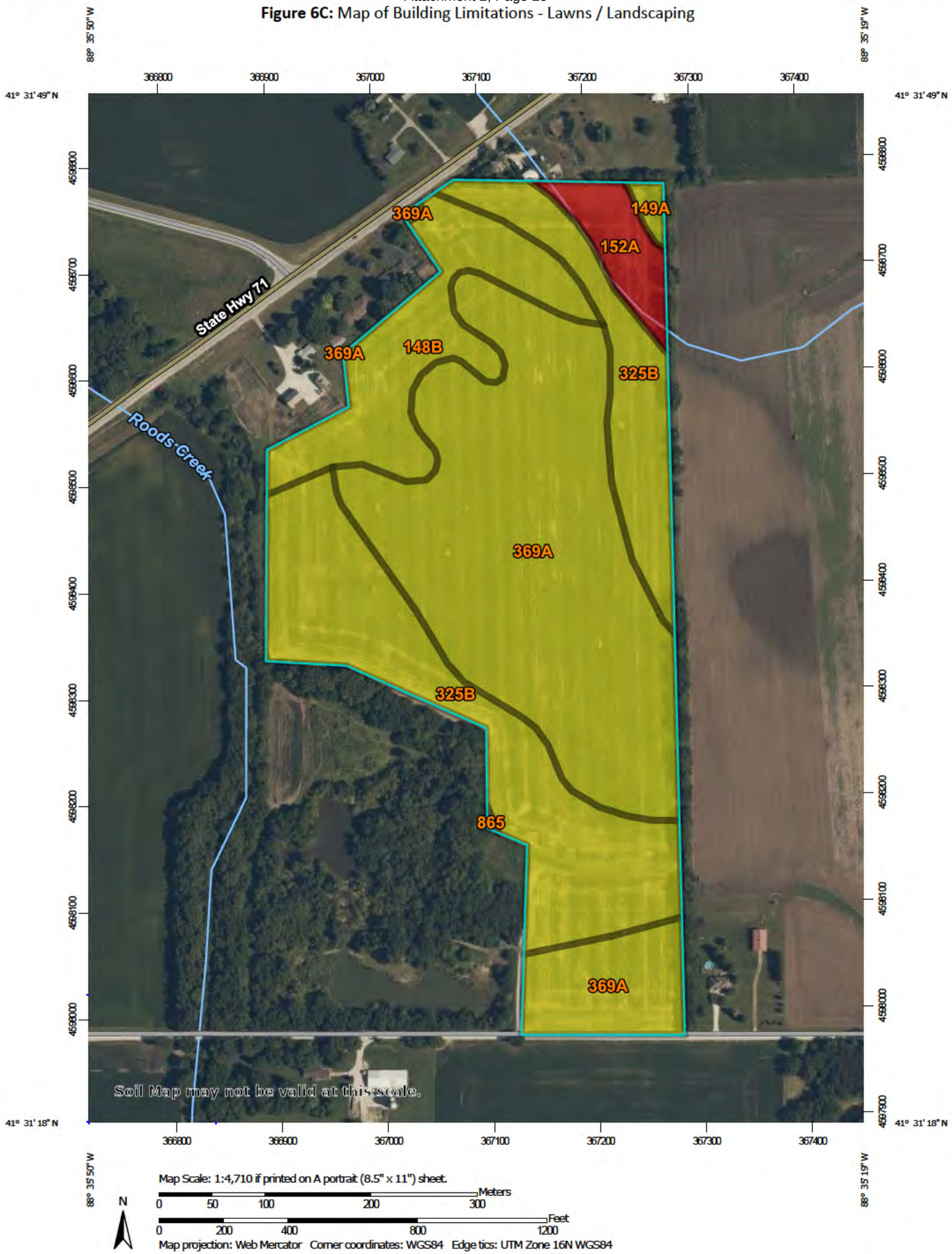


**Figure 6C:** Map of Building Limitations - Lawns / Landscaping



# SOIL WATER FEATURES

Table 5, below, gives estimates of various soil water features that should be taken into consideration when reviewing engineering for a land use project.

**HYDROLOGIC SOIL GROUPS (HSGs)** – The groups are based on estimates of runoff potential. Soils are assigned to one of four groups according to the rate of water infiltration when the soils are not protected by vegetation, are thoroughly wet, and receive precipitation from long-duration storms.

- **Group A:** Soils having a high infiltration rate (low runoff potential) when thoroughly wet. These consist mainly of deep, well drained to excessively drained sands or gravelly sands. These soils have a high rate of water transmission.
- **Group B:** Soils having a moderate infiltration rate when thoroughly wet. These consist chiefly of moderately deep or deep, moderately well drained, or well drained soils that have moderately fine texture to moderately coarse texture. These soils have a moderate rate of water transmission.
- **Group C:** Soils having a slow infiltration rate when thoroughly wet. These consist chiefly of soils having a layer that impedes the downward movement of water or soils of moderately fine texture or fine texture. These soils have a slow rate of water transmission.
- **Group D:** Soils having a very slow infiltration rate (high runoff potential) when thoroughly wet. These consist chiefly of clays that have a high shrink-swell potential, soils that have a high water table, soils that have a claypan or clay layer at or near the surface, and soils that are shallow over nearly impervious material. These soils have a very slow rate of water transmission.

**Note:** If a soil is assigned to a dual hydrologic group (A/D, B/D or C/D) the first letter is for drained areas and the second is for undrained areas.

**SURFACE RUNOFF** – Surface runoff refers to the loss of water from an area by flow over the land surface. Surface runoff classes are based upon slope, climate and vegetative cover and indicates relative runoff for very specific conditions (it is assumed that the surface of the soil is bare and that the retention of surface water resulting from irregularities in the ground surface is minimal). The classes are negligible, very low, low, medium, high, and very high.

**MONTHS** – The portion of the year in which a water table, ponding, and/or flooding is most likely to be a concern.

**WATER TABLE** – Water table refers to a saturated zone in the soil and the data indicates, by month, depth to the top (upper limit) and base (lower limit) of the saturated zone in most years. These estimates are based upon observations of the water table at selected sites and on evidence of a saturated zone (grayish colors or mottles (redoximorphic features)) in the soil. Note: A saturated zone that lasts for less than a month is not considered a water table.

**PONDING** – Ponding refers to standing water in a closed depression, and the data indicates surface water depth, duration, and frequency of ponding.

- **Duration:** Expressed as *very brief* if less than 2 days, *brief* if 2 to 7 days, *long* if 7 to 30 days and *very long* if more than 30 days.
- **Frequency:** Expressed as: *none* meaning ponding is not possible; *rare* means unlikely but possible under unusual weather conditions (chance of ponding is 0-5% in any year); *occasional* means that it occurs, on the average, once or less in 2 years (chance of ponding is 5 to 50% in any year); and *frequent* means that it occurs, on the average, more than once in 2 years (chance of ponding is more than 50% in any year).

**FLOODING** – The temporary inundation of an area caused by overflowing streams, by runoff from adjacent slopes, or by tides. Water standing for short periods after rainfall or snowmelt is not considered flooding, and water standing in swamps and marshes is considered ponding rather than flooding.

- **Duration:** Expressed as: *extremely brief* if 0.1 hour to 4 hours; *very brief* if 4 hours to 2 days; *brief* if 2 to 7 days; *long* if 7 to 30 days; and *very long* if more than 30 days.
- **Frequency:** Expressed as: *none* means flooding is not probable; *very rare* means that it is very unlikely but possible under extremely unusual weather conditions (chance of flooding is less than 1% in any year); *rare* means that it is unlikely but possible under unusual weather conditions (chance of flooding is 1 to 5% in any year); *occasional* means that it occurs infrequently under normal weather conditions (chance of flooding is 5 to 50% in any year but is less than 50% in all months in any year); and *very frequent* means that it is likely to occur very often under normal weather conditions (chance of flooding is more than 50% in all months of any year).

**Note:** The information is based on evidence in the soil profile. In addition, consideration is also given to local information about the extent and levels of flooding and the relation of each soil on the landscape to historic floods. Information on the extent of flooding based on soil data is less specific than that provided by detailed engineering surveys that delineate flood-prone areas at specific flood frequency levels.

**Table 5:** Water Features

| Soil Type | Hydrologic Group | Surface Runoff | Water Table | Ponding | Flooding |
|---|---|---|---|---|---|
| 148B | B | Low | January – December<br>**Upper Limit:** --<br>**Lower Limit:** -- | January – December<br>**Frequency**: None | January – December<br>**Frequency**: None |
| 149A | B/D | Low | January – May<br>**Upper Limit:** 1.0’-2.0’<br>**Lower Limit:** 6.0’ | January – December<br>**Frequency**: None | January – December<br>**Frequency**: None |
| 152A | B/D | Negligible | January – May<br>**Upper Limit:** 0.0’-1.0’<br>**Lower Limit:** 6.0’ | January – May<br>**Surface Water Depth**: 0.0’-0.5’<br>**Duration**: Brief (2-7 days)<br>**Frequency**: Frequent | January – December<br>**Frequency**: None |
| 325B | B | Low | January – December<br>**Upper Limit:** --<br>**Lower Limit:** -- | January – December<br>**Frequency**: None | January – December<br>**Frequency**: None |
| 369A | B | Low | January – December<br>**Upper Limit:** --<br>**Lower Limit:** -- | January – December<br>**Frequency**: None | January – December<br>**Frequency**: None |

# SOIL EROSION AND SEDIMENT CONTROL

Erosion is the wearing away of the soil by water, wind, and other forces. Soil erosion threatens the Nation's soil productivity and contributes the most pollutants in our waterways. Water causes about two thirds of erosion on agricultural land. Four properties, mainly, determine a soil's erodibility: texture, slope, structure, and organic matter content.

**Slope** has the most influence on soil erosion potential when the site is under construction. Erosivity and runoff increase as slope grade increases. The runoff then exerts more force on the particles, breaking their bonds more readily and carrying them farther before deposition. The longer water flows along a slope before reaching a major waterway, the greater the potential for erosion.

Soil erosion during and after this proposed construction can be a primary non-point source of water pollution. Eroded soil during the construction phase can create unsafe conditions on roadways, decrease the storage capacity of lakes, clog streams and drainage channels, cause deterioration of aquatic habitats, and increase water treatment costs. Soil erosion also increases the risk of flooding by choking culverts, ditches, and storm sewers and by reducing the capacity of natural and man-made detention facilities.

The general principles of erosion and sedimentation control measures include:

- Reducing/diverting flow from exposed areas, storing flows, or limiting runoff from exposed areas
- Staging construction to keep disturbed areas to a minimum
- Establishing or maintaining temporary or permanent groundcover
- Retaining sediment on site
- Properly installing, inspecting, and maintaining control measures

Erosion control practices are useful controls only if they are properly located, installed, inspected, and maintained. Soil erosion and sedimentation control plans, including maintenance responsibilities, should be clearly communicated to all contractors working on the site.

The SWCD recommends an erosion and sediment control plan for all building sites, especially if there is a wetland or stream nearby. Additionally, a National Pollutant Discharge Elimination System (NPDES) permit (Permit No. ILR10) from the Illinois Environmental Protection Agency (IEPA) is required for stormwater discharges from construction sites that will disturb 1 or more acres of land. Conditions of the NPDES ILR10 permit require the development and implementation of a Stormwater Pollution Prevention Plan (SWPPP) to reduce stormwater pollutants on the construction site before they can cause environmental issues.

**Table 6:** Soil Erosion Potential

| Soil Type | Slope | Rating | Acreage | Percent of Project Area |
|---|---|---|---|---|
| 148B | 2-5% | Slight | 6.8 | 13.2% |
| 149A | 0-2% | Slight | 0.3 | 0.7% |
| 152A | 0-2% | Slight | 2.0 | 3.9% |
| 325B | 2-4% | Slight | 16.8 | 32.7% |
| 369A | 0-2% | Slight | 25.4 | 49.5% |

# PRIME FARMLAND SOILS

Prime farmland soils are an important resource to Kendall County. Some of the most productive soils in the United States occur locally. Each soil map unit in the United States is assigned a prime or non-prime rating. Prime agricultural land does not need to be in the production of food & fiber.

Section 310 of the NRCS general manual states that urban or built-up land on prime farmland soils is not prime farmland. The percentages of soil map units on the parcel reflect the determination that urban or built-up land on prime farmland soils is not prime farmland.

**Table 7:** Prime Farmland Soils

| Soil Type | Prime Designation | Acreage | Percent |
|---|---|---|---|
| 148B | Prime Farmland | 6.8 | 13.2% |
| 149A | Prime Farmland | 0.3 | 0.7% |
| 152A | Prime Farmland if Drained | 2.0 | 3.9% |
| 325B | Prime Farmland | 16.8 | 32.7% |
| 369A | Prime Farmland | 25.4 | 49.5% |
| **% Prime Farmland** | **100%** | | |

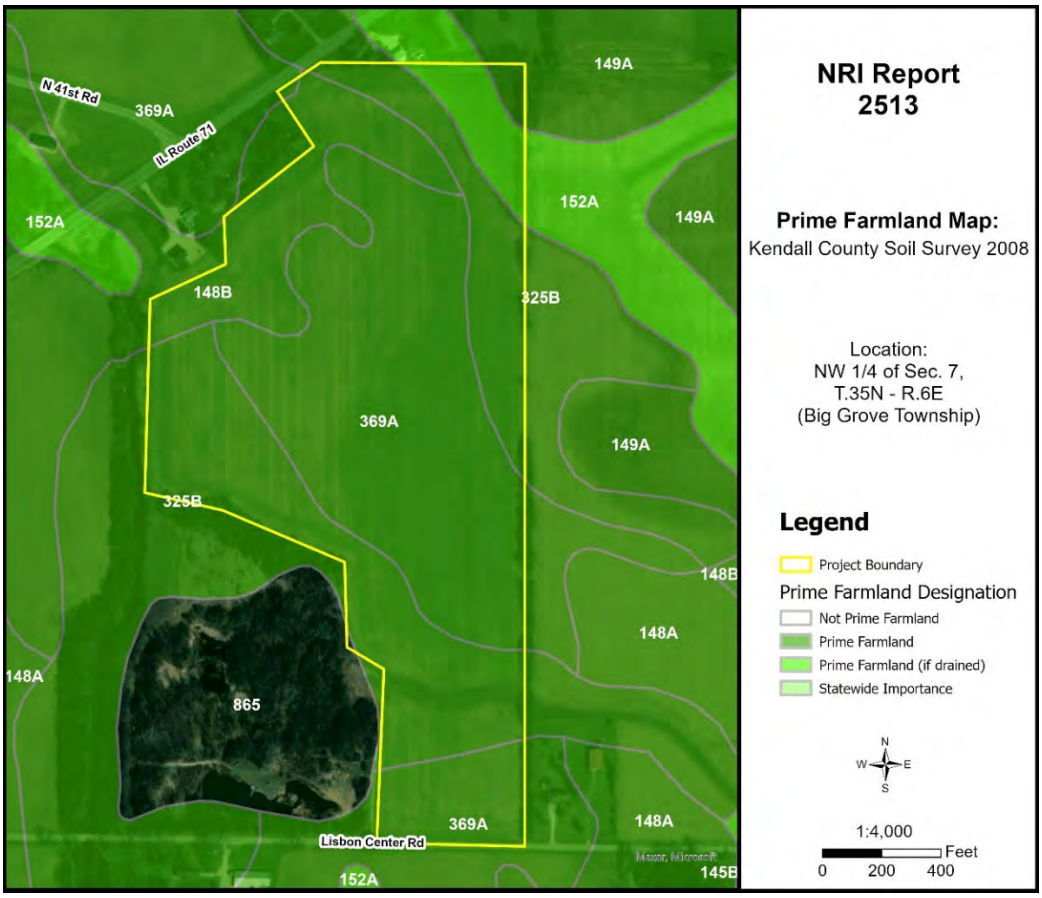



**Figure 7**: Prime Farmland Soils

# *LAND EVALUATION AND SITE ASSESSMENT (LESA)*

Decision-makers in Kendall County use the Land Evaluation and Site Assessment (LESA) system to determine the suitability of a land use change and/or a zoning request as it relates to agricultural land. The LESA system was developed by the United States Department of Agriculture-Natural Resources Conservation Service (USDA-NRCS) and takes into consideration local conditions such as physical characteristics of the land, compatibility of surrounding land-uses, and urban growth factors. The LESA system is a two-step procedure that includes:

**LAND EVALUATION (LE)**

The soils of a given area are rated and placed in groups ranging from the best to worst suited for a stated agriculture use, cropland, or forestland. The best group is assigned a value of 100, and all other groups are assigned lower values. The Land Evaluation is based on data from the Kendall County Soil Survey. The LE score is calculated by multiplying the relative value of each soil type by the number of acres of that soil. The sum of the products is then divided by the total number of acres; the answer is the Land Evaluation score on this site. The Kendall County Soil and Water Conservation District is responsible for this portion of the LESA system.

**SITE ASSESSMENT (SA)**

The site is numerically evaluated according to important factors that contribute to the quality of the site. Each factor selected is assigned values in accordance with the local needs and objectives. The value group is a predetermined value based upon prime farmland designation. The Kendall County LESA Committee is responsible for this portion of the LESA system.

**Please Note:** A land evaluation (LE) score will be compiled for every project parcel. However, when a parcel is located within municipal planning boundaries, a site assessment (SA) score is not compiled as the scoring factors are not applicable. As a result, only the LE score is available, and a full LESA score is unavailable for the parcel.

**Table 8A:** Land Evaluation Computation

| Soil Type | Value Group | Relative Value | Acres* | Product (Relative Value x Acres) |
|---|---|---|---|---|
| 148B | 2 | 94 | 6.8 | 639.2 |
| 149A | 1 | 100 | 0.3 | 30.0 |
| 152A | 1 | 100 | 2.0 | 200.0 |
| 325B | 4 | 79 | 16.8 | 1,327.2 |
| 369A | 2 | 94 | 25.4 | 2,387.6 |
| | | | **51.3** | **4,584.0** |
| **LE Calculation** | | | (Product of relative value / Total Acres)<br>4,584.0 / 51.3 = 89.4 | |
| **LE Score** | | | **LE = 89** | |

The Land Evaluation score for this site is 89, indicating that the soils on this site are designated as land that is well suited for agricultural uses considering the Land Evaluation score is at or above 80.

**Table 8B:** Site Assessment Computation

| **A.** | **Agricultural Land Uses** | **Points** |
|---|---|---|
| | 1. Percentage of area in agricultural uses within 1.5 miles of site. (20-10-5-0) | 20 |
| | 2. Current land use adjacent to site. (30-20-15-10-0) | 30 |
| | 3. Percentage of site in agricultural production in any of the last 5 years. (20-15-10-5-0) | 20 |
| | 4. Size of site. (30-15-10-0) | 15 |
| **B.** | **Compatibility / Impact on Uses** | |
| | 1. Distance from city or village limits. (20-10-0) | 0 |
| | 2. Consistency of proposed use with County Land Resource Management Concept Plan and/or municipal comprehensive land use plan. (20-10-0) | 0 |
| | 3. Compatibility of agricultural and non-agricultural uses. (15-7-0) | 0 |
| **C.** | **Existence of Infrastructure** | |
| | 1. Availability of public sewage system. (10-8-6-0) | 8 |
| | 2. Availability of public water system. (10-8-6-0) | 10 |
| | 3. Transportation systems. (15-7-0) | 7 |
| | 4. Distance from fire protection service. (10-8-6-2-0) | 2 |
| | **Site Assessment Score:** | **112** |

**Land Evaluation Value:** 89 + **Site Assessment Value:** 112 = **LESA Score: 201**

**Table 9:** LESA Score Summary

| LESA SCORE | LEVEL OF PROTECTION |
|---|---|
| 0-200 | Low |
| 201-225 | Medium |
| 226-250 | High |
| 251-300 | Very High |

**The LESA Score for this site is 201 which indicates a medium level of protection for the proposed project site.** Selecting the project site with the lowest total points will generally protect the best farmland located in the most viable areas and maintain and promote the agricultural industry in Kendall County.

# LAND USE PLANS

Many counties, municipalities, villages, and townships have developed land-use plans. These plans are intended to reflect the existing and future land-use needs of a given community. Please contact Kendall County for information regarding their comprehensive land use plan and map.

# DRAINAGE, RUNOFF, AND FLOOD INFORMATION

U.S.G.S Topographic maps give information on elevations, which are important mostly to determine slopes, drainage directions, and watershed information.

Elevations determine the area of impact of floods of record. Slope information determines steepness and erosion potential. Drainage directions determine where water leaves the PIQ, possibly impacting surrounding natural resources.

Watershed information is given for changing land use to a subdivision type of development on parcels greater than 10 acres.

**WHAT IS A WATERSHED?**
Simply stated, a watershed is the area of land that contributes water to a certain point. The watershed boundary is important because the area of land in the watershed can now be calculated using an irregular shape area calculator such as a dot counter or planimeter.

Using regional storm event information, and site-specific soils and land use information, the peak stormwater flow through the point marked "○" for a specified storm event can be calculated. This value is called a "Q" value (for the given storm event) and is measured in cubic feet per second (CFS).

When construction occurs, the Q value naturally increases because of the increase in impermeable surfaces. This process decreases the ability of soils to accept and temporarily hold water. Therefore, more water runs off and increases the Q value.

Theoretically, if each development, no matter how large or small, maintains their preconstruction Q value after construction by the installation of stormwater management systems, the streams and wetlands and lakes will not suffer damage from excessive urban stormwater.

For this reason, the Kendall County SWCD recommends that the developer for intense uses, such as a subdivision, calculate the preconstruction Q value for the exit point(s). A stormwater management system

should be designed, installed, and maintained to limit the postconstruction Q value to be at or below the preconstruction value.

**IMPORTANCE OF FLOOD INFORMATION**

A floodplain is defined as land adjoining a watercourse (riverine) or an inland depression (non-riverine) that is subject to periodic inundation by high water. Floodplains are important areas demanding protection since they have water storage and conveyance functions which affect upstream and downstream flows, water quality and quantity, and suitability of the land for human activity. Since floodplains play distinct and vital roles in the hydrologic cycle, development that interferes with their hydrologic and biologic functions should be carefully considered.

Flooding is both dangerous to people and destructive to their properties. The following maps, when combined with wetland and topographic information, can help developers and future homeowners to "sidestep" potential flooding or ponding problems.

Flood Insurance Rate Maps (FIRMs), produced by the Federal Emergency Management Agency (FEMA), define flood elevation adjacent to tributaries and major bodies of water and superimpose that onto a simplified USGS topographic map. The scale of the FIRM maps is generally dependent on the size and density of parcels in that area. This is to correctly determine the parcel location and floodplain location. The FIRM map has three (3) zones. Zone A includes the 100-year flood (1% annual chance flood), Zone B or Zone X (shaded) is the 100 to 500-year flood (between limits of the 1% and the 0.2% annual chance flood), and Zone C or Zone X (unshaded) is outside the floodplain (outside the 0.2% annual chance flood).

The Hydrologic Atlas (H.A.) Series of the Flood of Record Map is also used for the topographic information. This map is different from the FIRM map mainly because it will show isolated or pocketed flooded areas. Kendall County uses both these maps in conjunction with each other for flooded area determinations. The Flood of Record maps show the areas of flood for various years. Both maps stress that the recurrence of flooding is merely statistical. A 100-year flood may occur twice in one year, or twice in one week, for that matter.

It should be noted that greater floods than those shown on the two maps are possible. The flood boundaries indicated provide a historic record only until the map publication date. Additionally, these flood boundaries are a function of the watershed conditions existing when the maps were produced. Cumulative changes in runoff characteristics caused by urbanization can result in an increase in flood height of future flood episodes.

Floodplains play a vital role in reducing the flood damage potential associated with an urbanizing area and, when left in an undisturbed state, also provide valuable wildlife habitat benefits. If it is the petitioner's intent to conduct floodplain filling or modification activities, the petitioner, and the Unit of Government responsible need to consider the potentially adverse effects this type of action could have on adjacent properties. The change or loss of natural floodplain storage often increases the frequency and severity of flooding on adjacent property.

If the available maps indicate the presence of a floodplain on the PIQ, the petitioner should contact the IDNR-OWR and FEMA to delineate a floodplain elevation for the parcel. If a portion of the property is indeed floodplain, applicable state, county, and local regulations will need to be reflected in the site plans.

Another indication of flooding potential can be found in the soils information. Hydric soils indicate the presence of drainage ways, areas subject to ponding, or a naturally occurring high water table. These need to be considered along with the floodplain information when developing the site plan and the stormwater management plan. Development on hydric soils can contribute to the loss of water storage within the soil and the potential for increased flooding in the area.

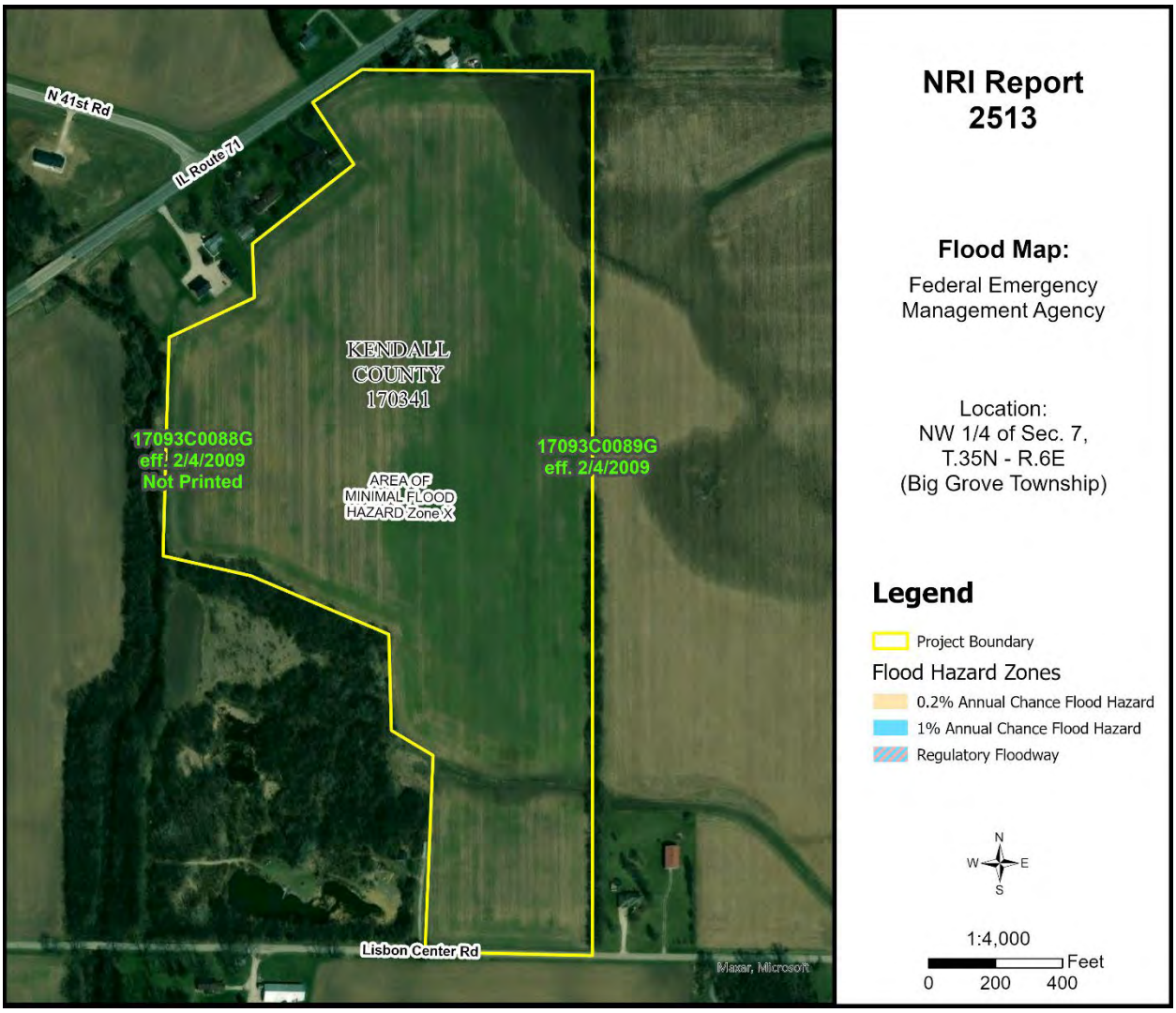



**Figure 8:** Flood Map

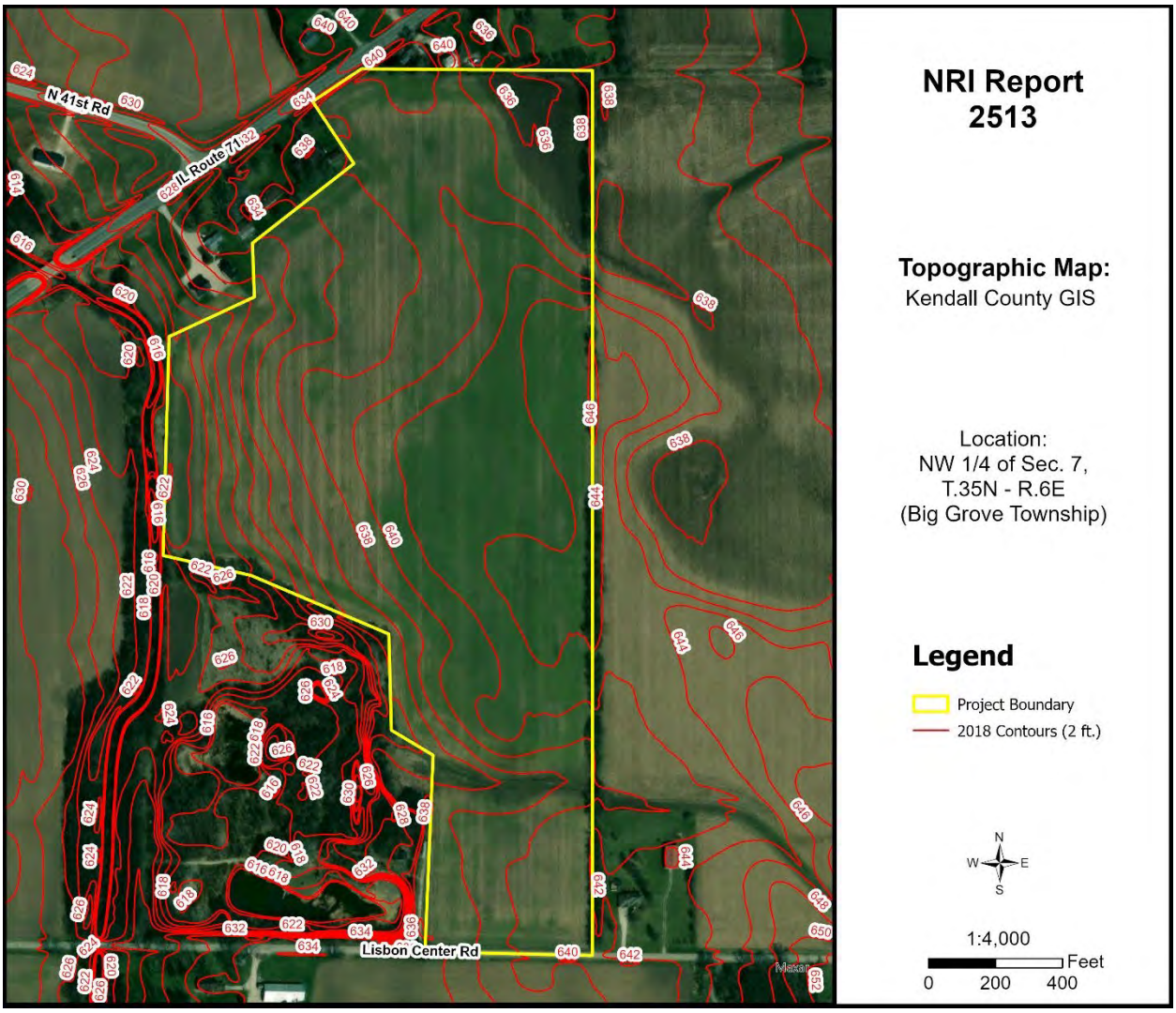



**Figure 9:** Topographic Map

**This parcel contains slopes of 0% to 5% with an elevation range of approximately 622'-646' above sea level. The highest point is near the east boundary of the site, and the lowest point is near the west boundary. According to the FEMA Flood Map (Figure 8), the parcel appears to be mapped as Zone X (unshaded), an area of minimal flood hazard determined to be outside of the 0.2% annual chance floodplain. A portion of the site contains a FEMA panel that is labeled as "Not Printed." According to the FEMA website, "FEMA typically uses the non-printed panel designation when the area is entirely located within a single flood zone." (FEMA Flood Map Service Center: FAQs, n.d.)**

# WATERSHED PLANS

## WATERSHED AND SUB WATERSHED INFORMATION

A watershed is the area of land that drains into a specific point including a stream, lake, or other body of water. High points on the Earth's surface, such as hills and ridges define watersheds. When rain falls in the watershed, it flows across the ground towards a stream or lake. Rainwater carries pollutants such as oils, pesticides, and soil.

Everyone lives in a watershed. Their actions can impact natural resources and people living downstream. Residents can minimize this impact by being aware of their environment and the implications of their activities, implementing practices recommended in watershed plans, and educating others about their watershed.

The following are recommendations to developers for protection of this watershed: Preserve open space; maintain wetlands as part of development; use natural water management; prevent soil from leaving a construction site; protect subsurface drainage; use native vegetation; retain natural features; mix housing styles and types; decrease impervious surfaces; reduce area disturbed by mass grading; shrink lot size and create more open space; maintain historical and cultural resources; treat water where it falls; preserve views; and establish and link trails.

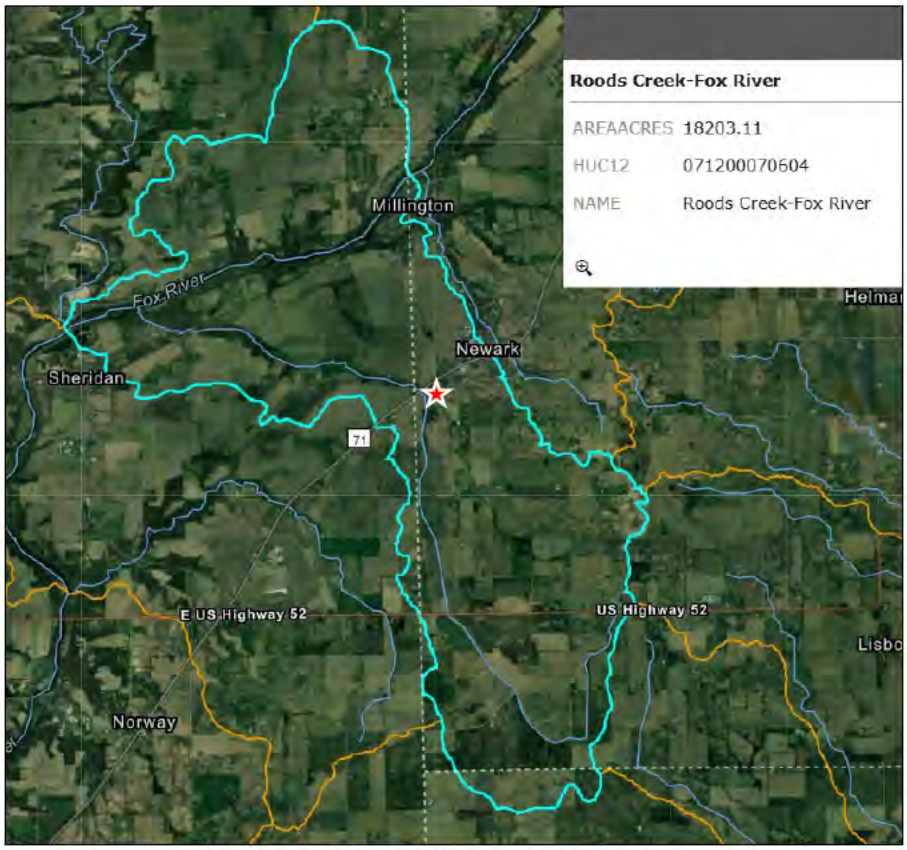



**Figure 10**: Sub Watershed Map

**This parcel is located within the Lower Fox River watershed and the Roods Creek sub watershed (HUC 12 – 071200070604). The sub watershed comprises approximately 18,203 acres covering parts of Newark, Millington, and Sheridan.**

# WETLAND INFORMATION

**IMPORTANCE OF WETLAND INFORMATION**

Wetlands function in many ways to provide numerous benefits to society. They control flooding by offering a slow release of excess water downstream or through the soil. They cleanse water by filtering out sediment and some pollutants and can function as rechargers of our valuable groundwater. They also are essential breeding, rearing, and feeding grounds for many species of wildlife.

These benefits are particularly valuable in urbanizing areas as development activity typically adversely affects water quality, increases the volume of stormwater runoff, and increases the demand for groundwater. In an area where many individual homes rely on shallow groundwater wells for domestic water supplies, activities that threaten potential groundwater recharge areas are contrary to the public good. The conversion of wetlands, with their sediment trapping and nutrient absorbing vegetation, to biologically barren stormwater detention ponds can cause additional degradation of water quality in downstream or adjacent areas.

It has been estimated that over 95% of the wetlands that were historically present in Illinois have been destroyed while only recently has the true environmental significance of wetlands been fully recognized. America is losing 100,000 acres of wetland a year and has saved 5 million acres total (since 1934). One acre of wetland can filter 7.3 million gallons of water a year. These are reasons why our wetlands are high quality and important.

This section contains the National Wetlands Inventory, which is the most comprehensive inventory to date. The National Wetlands Inventory is reproduced from an aerial photo at a scale of 1” equals 660 feet. The NRCS developed these maps in cooperation with U.S. EPA (Environmental Protection Agency,) and the U.S. Fish and Wildlife Service, using the National Food Security Act Manual, 3rd Edition. The main purpose of these maps is to determine wetland areas on agricultural fields and areas that may be wetlands but are in a non-agriculture setting.

The National Wetlands Inventory in no way gives an exact delineation of the wetlands, but merely an outline, or the determination that there is a wetland within the outline. For the final, most accurate wetland **determination** of a specific wetland, a wetland ***delineation*** must be certified by NRCS staff using the National Food Security Act Manual (on agricultural land.) On urban land, a certified wetland delineator must perform the delineation using the ACOE 1987 Manual. *See the glossary section for the definitions of “delineation” and “determination.”*

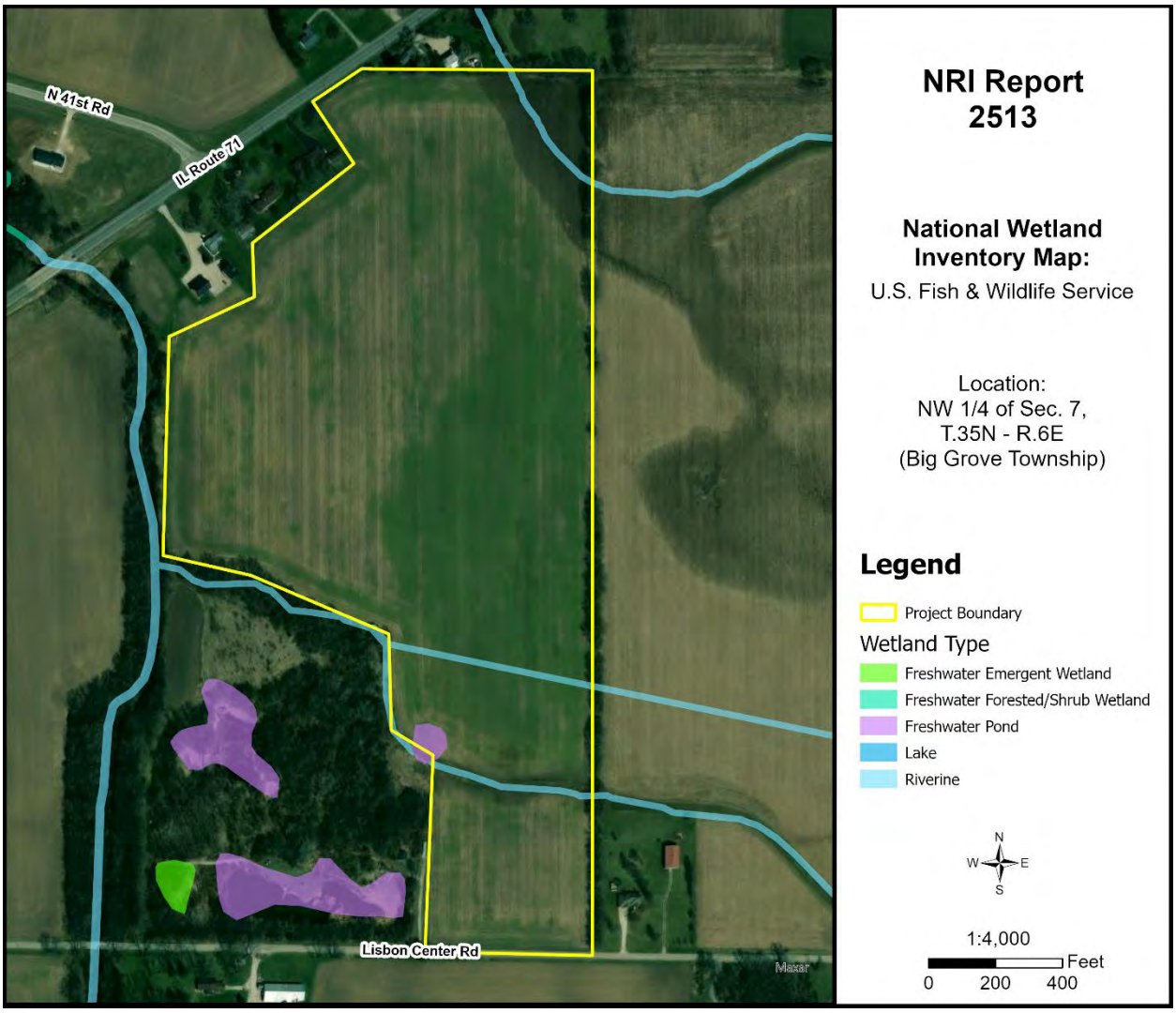



**Figure 11:** Wetland Map

**Office maps indicate that mapped wetlands/waters are present on the parcel in question (PIQ). Roods Creek, a riverine waterway, flows along the west edge of the PIQ. To determine the presence of wetlands, a wetland delineation specialist, who is recognized by the U.S. Army Corps of Engineers, should determine the exact boundaries and value of the wetlands. A Wetland Delineation Report dated July 16, 2025, was prepared by Stantec. The results of their field investigation of approximately 41.84 acres indicate that there were no wetlands or waterways identified within the study area. Please see the wetland delineation report for more information.**

# HYDRIC SOILS

Soils information gives another indication of flooding potential. The soils map on the following page indicates the soil(s) on the parcel that the Natural Resources Conservation Service indicates as hydric. Hydric soils, by definition, have seasonal high water at or near the soil surface and/or have potential flooding or ponding problems. All hydric soils range from poorly suited to unsuitable for building. One group of the hydric soils are the organic soils, which formed from dead organic material. Organic soils are unsuitable for building because of not only the high water table but also their subsidence problems.

It is important to add the possibility of hydric inclusions in a soil type. An inclusion is a soil polygon that is too small to appear on these maps. While relatively insignificant for agricultural use, hydric soil inclusions become more important to more intense uses such as a residential subdivision.

While considering hydric soils and hydric inclusions, it is noteworthy to mention that subsurface agriculture drainage tile occurs in almost all poorly drained and somewhat poorly drained soils. Drainage tile expedites drainage and facilitates farming. It is imperative that these drainage tiles remain undisturbed. A damaged subsurface drainage tile may return original hydrologic conditions to all the areas that drained through the tile (ranging from less than one acre to many square miles.)

For an intense land use, the Kendall County SWCD recommends the following: a topographical survey with 1 foot contour intervals to accurately define the flood area on the parcel, an intensive soil survey to define most accurately the locations of the hydric soils and inclusions, and a drainage tile survey on the area to locate the tiles that must be preserved to maintain subsurface drainage.

**Table 10:** Hydric Soils

| Soil Types | Drainage Class | Hydric Designation | Hydric Inclusions Likely | Hydric Rating % | Acreage | Percent |
|---|---|---|---|---|---|---|
| 148B | Well Drained | Non-Hydric | No | 0% | 6.8 | 13.2% |
| 149A | Somewhat Poorly Drained | Non-Hydric | Yes | 3% | 0.3 | 0.7% |
| 152A | Poorly Drained | Hydric | N/A | 100% | 2.0 | 3.9% |
| 325B | Well Drained | Non-Hydric | Yes | 3% | 16.8 | 32.7% |
| 369A | Well Drained | Non-Hydric | Yes | 3% | 25.4 | 49.5% |

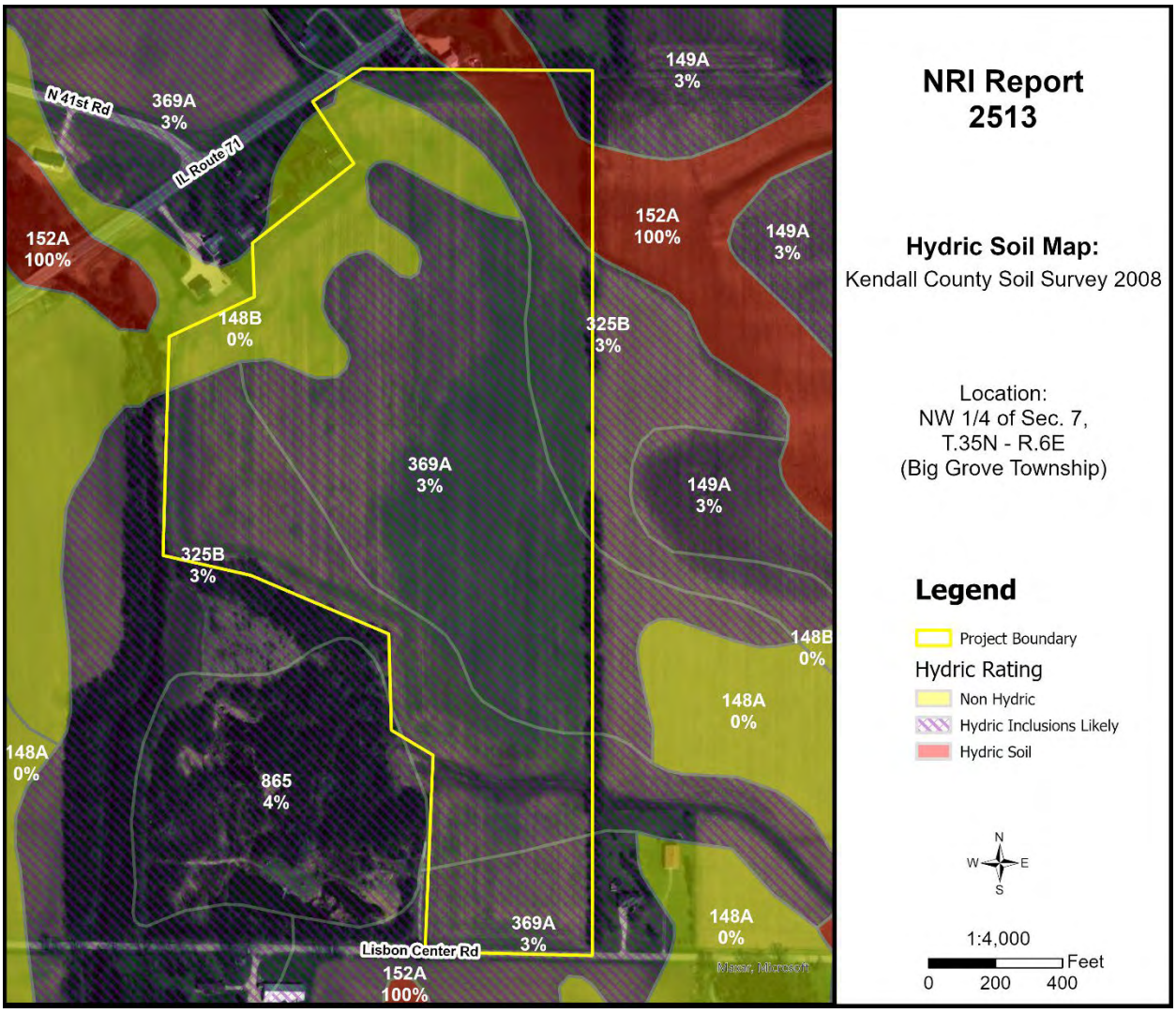



**Figure 12:** Hydric Soil Map

# *WETLAND AND FLOODPLAIN REGULATIONS*

PLEASE READ THE FOLLOWING IF YOU ARE PLANNING TO DO ANY WORK NEAR A STREAM (THIS INCLUDES SMALL UNNAMED STREAMS), LAKE, WETLAND OR FLOODWAY.

The laws of the United States and the State of Illinois assign certain agencies specific and different regulatory roles to protect the waters within the State's boundaries. These roles, when considered together, include protection of navigation channels and harbors, protection against floodway encroachments, maintenance and enhancement of water quality, protection of fish and wildlife habitat and recreational resources, and, in general, the protection of total public interest. Unregulated use of the waters within the State of Illinois could permanently destroy or alter the character of these valuable resources and adversely impact the public. Therefore, please contact the proper regulatory authorities when planning any work associated with Illinois waters so that proper consideration and approval can be obtained.

**WHO MUST APPLY?**

Anyone proposing to dredge, fill, rip rap, or otherwise alter the banks or beds of, or construct, operate, or maintain any dock, pier, wharf, sluice, dam, piling, wall, fence, utility, floodplain or floodway subject to State or Federal regulatory jurisdiction should apply for agency approvals.

**REGULATORY AGENCIES**

- **Wetland or U.S. Waters**: U.S. Army Corps of Engineers, Chicago District, 231 South LaSalle Street, Suite 1500, Chicago, IL 60604. Phone: (312) 846-5530
- **Floodplains**: Illinois Department of Natural Resources - Office of Water Resources, One Natural Resources Way, Springfield, IL 62702-1270. Phone: (217) 782-6302
- **Water Quality/Erosion Control**: Illinois Environmental Protection Agency, 1021 North Grand Avenue East, P.O. Box 19276, Springfield, IL 62794-9276. Phone: (217) 782-3397

**COORDINATION**

We recommend early coordination with the regulatory agencies BEFORE finalizing work plans. This allows the agencies to recommend measures to mitigate or compensate for adverse impacts. Also, the agency can make possible environmental enhancement provisions early in the project planning stages. This could reduce time required to process necessary approvals.

**CAUTION: Contact with the United States Army Corps of Engineers is strongly advised before commencement of any work in or near a Waters of the United States. This could save considerable time and expense. Persons responsible for willful and direct violation of Section 10 of the River and Harbors Appropriation Act of 1899 or Section 404 of the Clean Water Act are subject to fines ranging up to $16,000 per day of violation, with a maximum cap of $187,500 in any single enforcement action, as well as criminal enforcement.**

# GLOSSARY

**AGRICULTURAL PROTECTION AREAS (AG AREAS)** - Allowed by P.A. 81-1173. An AG AREA consists of a minimum of 350 acres of farmland, as contiguous and compact as possible. Petitioned by landowners, AG AREAS protect for a period of ten years initially, then reviewed every eight years thereafter. AG AREA establishment exempts landowners from local nuisance ordinances directed at farming operations, and designated land cannot receive special tax assessments on public improvements that do not benefit the land, e.g. water and sewer lines.

**AGRICULTURE** - The growing, harvesting and storing of crops including legumes, hay, grain, fruit and truck or vegetable including dairying, poultry, swine, sheep, beef cattle, pony and horse production, fur farms, and fish and wildlife farms; farm buildings used for growing, harvesting and preparing crop products for market, or for use on the farm; roadside stands, farm buildings for storing and protecting farm machinery and equipment from the elements, for housing livestock or poultry and for preparing livestock or poultry products for market; farm dwellings occupied by farm owners, operators, tenants or seasonal or year around hired farm workers.

**BEDROCK** - Indicates depth at which bedrock occurs. Also lists hardness as rippable or hard.

**FLOODING** - Indicates frequency, duration, and period during year when floods are likely to occur.

**HIGH WATER TABLE** - A seasonal high water table is a zone of saturation at the highest average depth during the wettest part of the year. May be apparent, perched, or artesian kinds of water tables.

- **Water table, Apparent**: A thick zone of free water in the soil. An apparent water table is indicated by the level at which water stands in an uncased borehole after adequate time is allowed for adjustment in the surrounding soil.
- **Water table, Artesian**: A water table under hydrostatic head, generally beneath an impermeable layer. When this layer is penetrated, the water level rises in an uncased borehole.
- **Water table, Perched**: A water table standing above an unsaturated zone. In places an upper, or perched, water table is separated from a lower one by a dry zone.

**DELINEATION** - For Wetlands: A series of pink or orange flags placed on the ground by a certified professional that outlines the wetland boundary on a parcel.

**DETERMINATION** - A polygon drawn on a map using map information that gives an outline of a wetland.

**HYDRIC SOIL** - This type of soil is saturated, flooded, or ponded long enough during the growing season to develop anaerobic conditions in the upper part (USDA Natural Resources Conservation Service 1987).

**INTENSIVE SOIL MAPPING** - Mapping done on a smaller more intensive scale than a modern soil survey to determine soil properties of a specific site, e.g. mapping for septic suitability.

**LAND EVALUATION AND SITE ASSESSMENT (L.E.S.A.)** - LESA is a systematic approach for evaluating a parcel of land and to determine a numerical value for the parcel for farmland preservation purposes.

**MODERN SOIL SURVEY** - A soil survey is a field investigation of the soils of a specific area, supported by information from other sources. The kinds of soil in the survey area are identified and their extent shown on a map, and an accompanying report describes, defines, classifies, and interprets the soils. Interpretations predict the behavior of the soils under different used and the soils' response to management. Predictions are made for areas of soil at specific places. Soils information collected in a soil survey is useful in developing land-use plans and alternatives involving soil management systems and in evaluating and predicting the effects of land use.

**PERMEABILITY** - Values listed estimate the range (in rate and time) it takes for downward movement of water in the major soil layers when saturated but allowed to drain freely. The estimates are based on soil texture, soil structure, available data on permeability and infiltration tests, and observation of water movement through soils or other geologic materials.

**PIQ** - Parcel in question

**POTENTIAL FROST ACTION** - Damage that may occur to structures and roads due to ice lens formation causing upward and lateral soil movement. Based primarily on soil texture and wetness.

**PRIME FARMLAND** - Prime farmland soils are lands that are best suited to food, feed, forage, fiber and oilseed crops. It may be cropland, pasture, woodland, or other land, but it is not urban and built up land or water areas. It either is used for food or fiber or is available for those uses. The soil qualities, growing season, and moisture supply are those needed for a well-managed soil economically to produce a sustained high yield of crops. Prime farmland produces in highest yields with minimum inputs of energy and economic resources and farming the land results in the least damage to the environment. Prime farmland has an adequate and dependable supply of moisture from precipitation or irrigation. The temperature and growing season are favorable. The level of acidity or alkalinity is acceptable. Prime farmland has few or no rocks and is permeable to water and air. It is not excessively erodible or saturated with water for long periods and is not frequently flooded during the growing season. The slope ranges mainly from 0 to 5 percent (USDA Natural Resources Conservation Service).

**SEASONAL** - When used in reference to wetlands indicates that the area is flooded only during a portion of the year.

**SHRINK-SWELL POTENTIAL** - Indicates volume changes to be expected for the specific soil material with changes in moisture content.

**SOIL MAPPING UNIT** - A map unit is a collection of soil areas of miscellaneous areas delineated in mapping. A map unit is generally an aggregate of the delineations of many different bodies of a kind of soil or miscellaneous area but may consist of only one delineated body. Taxonomic class names and accompanying phase terms are used to name soil map units. They are described in terms of ranges of soil properties within the limits defined for taxa and in terms of ranges of taxadjuncts and inclusions.

**SOIL SERIES** - A group of soils, formed from a particular type of parent material, having horizons that, except for texture of the A or surface horizon, are similar in all profile characteristics and in arrangement in the soil profile. Among these characteristics are color, texture, structure, reaction, consistence, and mineralogical and chemical composition.

**SUBSIDENCE** - Applies mainly to organic soils after drainage. Soil material subsides due to shrinkage and oxidation.

**TOPSOIL** - That portion of the soil profile where higher concentrations of organic material, fertility, bacterial activity and plant growth take place. Depths of topsoil vary between soil types.

**WATERSHED** - An area of land that drains to an associated water resource such as a wetland, river or lake. Depending on the size and topography, watersheds can contain numerous tributaries, such as streams and ditches, and ponding areas such as detention structures, natural ponds and wetlands.

**WETLAND** - An area that has a predominance of hydric soils and that is inundated or saturated by surface or groundwater at a frequency and duration sufficient enough to support, and under normal circumstances does support, a prevalence of hydrophytic vegetation typically adapted for life in saturated soil conditions.

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# STORMWATER MANAGEMENT PERMIT

PERMIT APPLICATION #_____

Conformance with all Federal, State, and County Regulations is required. Applicants are encouraged to read the Stormwater Management Division of the Kendall County Code and consider a pre-application meeting with Department staff prior to submittal. See attached highlights of regulations.

Property: Name Blue Sage Project LLC

Owner Address Hughes Road, Newark IL - 41°31'37.3"N 88°35'33.9"W

Phone [redacted]5

Agent: Name Ansar Gafur

Address [redacted]

Phone [redacted]

Site: Address or Location Hughes Road, Newark IL - 41°31'37.3"N 88°35'33.9"W

Tax Parcel # 07-07-100-022

Zoning/Land Use/Acres A1 (Agricultural)/Agriculture/51.32

Proposed Development:
4.75 MW AC Solar Energy Facility, located at 41°31'37.3"N 88°35'33.9"W

Attachments: Plat X Construction Plans X

Soils_____ Landscaping_____

Grading_____ Phasing_____

Other_____

Fees

$ 50.00 Processing Fee ($50.00)

$ 2500 Engineering Review Deposit ($2,500.00 *or* 2% of estimated cost of the proposed improvements, whichever is greater. A $3,500.00 Construction Inspection Services Fee and General Consultation Fee Might Be Required as the Project Progresses)

TOTAL $ 2550 One check is acceptable made out to the Kendall County Treasurer

Staff will contact Applicant regarding schedule and reviews.

I hereby certify that the information on this application, on the documents attached, and on other submittals made during the review process is true and correct; that I am authorized to file this application; and that I agree to conform to all requirements set forth by the County and all conditions of the Kendall County Code related to stormwater management. I understand that by signing this form, that the property in question may be visited by County Staff and County Engineers throughout the permit and construction process. I also understand that I am responsible for all costs associated with this application. The applicant attests that they are free of debt or current on all debts owed to Kendall County as of the application date.

Owner's Signature (Including Middle Initial) [redacted] Date August, 14, 2025

Agent's Signature (Including Middle Initial)_____ Date_____

Kendall County Planning, Building, & Zoning Department
807 West John Street
Yorkville, Illinois 60560
Phone: (630) 553-4139, Fax (630) 553-4179
www.kendallcountyil.gov

**DEPARTMENT OF PLANNING, BUILDING & ZONING**
807 West John Street • Yorkville, IL • 60560
(630) 553-4141 Fax (630) 553-4179

# ENGINEERING CONSULTANT FEES

I, Ansar Gafur (Applicant Name) understand that Kendall County uses the services of a consultant for engineering reviews and inspections and that I will be responsible for payment of services on Blue Sage Project LLC (Project Name) project. I authorize the consulting services to proceed.

---

☒ IF THIS IS ***NOT*** PART OF A BUILDING PERMIT APPLICATION, PLEASE CHECK THE BOX AND COMPLETE THIS SECTION:

I hereby submit a deposit of 2550 ($ Amount) payable to the **Kendall County Treasurer** to be used by Kendall County to reimburse consultant for charges invoiced for work done in the review, approval and inspection of the proposed improvements.

I understand that if the deposit is depleted that I may be required to replenish the deposit to have work proceed.

I further understand that Kendall County will not issue a Building Permit or a Certificate of Occupancy as the case may be until I provide payment or proof of payment for the engineering services.

Signature of Applicant [redacted] Date: August, 14, 2025

**STORMWATER MANAGEMENT REVIEW – ENGINEERING**

Kendall County requires the engineering review of "development" to determine compliance with County regulations including the following portions of the Kendall County Code:

- Countywide Stormwater Ordinance (Includes Soil Erosion Control & Floodplain Protection)
- Subdivision Control Ordinance
- Zoning Ordinance

These portions of the Kendall County Code can be viewed online at https://library.municode.com/il/kendall_county/codes/code_of_ordinances or purchased at the Planning, Building, and Zoning Office. For further information, please contact PBZ Staff.

Development is broadly defined as any activity that has potential for adverse effect on adjacent properties due to changes in stormwater runoff. A permit may be needed for some activities that do not require a land use, subdivision or zoning petition. Please check with the County Planning Building & Zoning Office (630-553-4139) prior to any significant grading or filling on your property.

The consulting firm of WBK Engineering assists the County with the review of engineering plans submitted by developers. WBK is a multi-disciplinary, full-service civil and environmental engineering and consulting firm. Their Project Manager assigned to Kendall County is:

Greg Chismark, P.E.
WBK Engineering
116 West Main Street, Suite 201
St. Charles, IL 60174
Phone: 630-443-7755
Email: GChismark@bodwegroup.com

WBK charges fees for their review and consultation services. The applicant/developer will be expected to open an escrow account with Kendall County at the time of application. WBK's fees are in addition to the application fee charged by the County. Fees vary by project considering each project has different potential impacts and each development plan is different. If there is any question on fees, please contact the County Planning, Building, and Zoning Office (630-553-4139).

**HIGHLIGHTS OF STORMWATER MANAGEMENT REGULATIONS**

**AUTHORITY:** The County has statutory authority to regulate stormwater management and governing the location, width, course, and release rate of all stormwater runoff channels, streams and basins in the County.
**OBJECTIVES:** To protect upstream and downstream land owners from adverse impact of development activities. These impacts relate to stormwater quantity (flooding), soil erosion control, and floodplain and wetland protection.
**EXEMPTIONS & LIMITATIONS:** Most farming activities outside the floodplain and wetlands are exempt from the regulation. A farming activity that results in a total of more than 43,560 square feet of impervious surfaces (old & new) will require a permit. Many projects, such as ponds, berms, shore stabilization where more than 43,500 square feet of ground is disturbed or three feet of fill is placed, require a Stormwater Management Permit. Some exceptions include driveways, some swimming pools, utilities, and public roadway projects.
**PROCEDURES:** The owner should do their best to read and understand the requirements of the regulations prior to contacting the County and preparing an application. If the project involves impacts to floodplain or wetlands, it may be necessary to seek guidance from a design professional. We encourage early communication to help determine permit requirements. A pre-application meeting is encouraged. In order for the meeting to be as productive as possible, we recommend you bring a draft application, the engineering consultants fee deposit form, along with **two** copies of a concept grading plans that includes at a minimum, a location map, the extent of disturbance and a description of the change in ground elevation proposed. We recommend the applicant utilize the County GIS data in preparing initial project concepts. County Staff and WBK will determine if additional data is needed and whether other agency permits/consultation is required.

DEPARTMENT OF PLANNING, BUILDING & ZONING
807 West John Street
Yorkville, IL 60560
Phone (630) 553-4139 Fax (630) 553-4179

# STORMWATER MANAGEMENT PERMIT

| IF YOUR PROJECT... | THEN YOU NEED A STORMWATER MANAGEMENT PERMIT |
|---|---|
| ☐ | Any development or a substantial improvement located in the regulatory floodplain or wetland or there is a regulatory floodplain or wetland within the property boundary. |
| ☐ | Any land disturbing activity to be performed in a water course or water body or crossing a water course or waterbody. |
| ☐ | Any fill that will exceed three (3) feet in vertical height at its highest point measured from the natural ground surface. |
| ☐ | Any land disturbing activity requiring a site runoff storage facility (stormwater detention). |
| ☐ | Any development that disturbs more than 43,500 square feet of ground cover, <u>unless</u> the development solely involves one or more of the following:<br>a. Installation, renovation, or replacement of a septic system, potable water service line, or other utility to serve an existing structure<br>b. Maintenance, repair, or at grade replacement of: Existing lawn, Garden or cultivated areas or Residential Driveway<br>c. Maintenance of an existing stormwater facility, not requiring other state or federal permits or approvals<br>d. Excavation below final grade for tanks, vaults, tunnels, swimming pools, cellars, or for basements and/or footings of a single-family residence and appurtenant structures on a site that is part of an engineered and final platted subdivision or for which a building permit has been issued by the permitting authority, unless the site would otherwise require a Stormwater Management Permit<br>e. Public roadway or bridge projects; consisting of improvement to an existing public roadway or public bridge sponsored by a public roadway agency and contracted as a public bid project |

The following activities shall be EXEMPT and shall not require a stormwater management permit:

| | |
|---|---|
| • | Tilling of soil for fire protection purposes |
| • | Engaging in the following only if in connection with a farming or other agricultural or conservation enterprise, purpose, or use and only if there is no placement of fill within a floodplain:<br>a. Construction of sod waterways<br>b. Construction of terraces<br>c. Construction of surface water diversions (but not across watershed boundaries)<br>d. Construction of grade stabilization berms or systems<br>e. Tilling of the soil<br>f. The implementation of conservation measures included in a farm conservation plan approved by the Kendall County Soil and Water Conservation District |
| • | Agricultural use of land and development on un-platted residentially zoned property larger than three acres provided the total impervious area is less than or equal to 43,560 square feet and no structure(s) or any substantial improvement to a building is within a floodplain |

ALL DEVELOPMENT SHALL SECURE ALL FEDERAL, STATE, REGIONAL AND LOCAL APPROVALS, INCLUDING, WITHOUT LIMITATION, AN IDNR-OWR FLOODWAY/FLOODPLAIN CONSTRUCTION PERMIT, A USACOE PERMIT AND AN IDNR-OWR DAM SAFETY PERMIT IF REQUIRED, MEETING ALL FEDERAL, STATE, REGIONAL AND LOCAL APPROVALS PRIOR TO THE ISSUANCE OF A STORMWATER MANAGEMENT PERMIT FOR PROPOSED WORK AND AREAS OF A SITE REQUIRING SUCH OTHER APPROVALS.

Table 16-174 Required Submittals (Refer to Sections Listed for Specific Material)

| | Section Number/ Description | | | | | | |
|---|---|---|---|---|---|---|---|
| | 16-174(c) | 16-174(d) | 16-174(e) | 16-174(f) | 16-174(g) | 16-174(h) | 16-174(i) |
| | Application & Project Overview Plan | Erosion Control Plan Set Submittal | Engineering Plan Set Submittal | Stormwater Submittal | Floodplain Submittal | Performance Security | Maintenance Schedule & Funding |
| All Development Requiring a Permit | X | X | | | | | X |
| All Development Requiring Detention/Retention | X | X | X | X | | X | X |
| All Development Requiring a Permit > 20 acres | X | X | X | X | | X | X |
| All Developments on Sites with Floodplains | X | X | X | | X | X | X |
| All Applications Requesting Variances | X | X | X | X | If on site | X | X |

Stantec

# Wetland Delineation Report

Blue Sage Project LLC
Big Grove Township
Kendall County, Illinois
Stantec Project #: 190300383

July 16, 2025

Prepared for:

JAS – Powered by Greenvolt LLC
[redacted]

Prepared by:

Stantec Consulting Services Inc.
1 Carlson Parkway North, Suite 100
Plymouth, MN 55447
Phone: (763) 479-4200

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# 1.0 INTRODUCTION

Stantec Consulting Services Inc. (Stantec) performed a wetland delineation of the Blue Sage Project LLC (the "Study Area") on behalf of JAS – Powered by Greenvolt LLC (JAS Solar). The wetland delineation was completed by Mason Steele and Mackenzie Groth of Stantec on June 2, 2025.

The Study Area is approximately 41.84 acres in and located in Township 35 North, Range 6 East, Section 7, in Big Grove Township, Kendall County, Illinois. Specifically, the Study Area is located in southwestern Kendall County approximately a half mile southwest of Newark, Illinois (Appendix A, Figure 1). The purpose and objective of the wetland delineation was to identify the extent and spatial arrangement of wetlands, as well as to identify potentially jurisdictional waterways, within the Study Area.

Wetland and waterways may be subject to federal regulation under the jurisdiction of the U.S. Army Corps of Engineers (USACE), state regulation under the jurisdiction of the Illinois Department of Natural Resources (IDNR), and local regulation under jurisdiction of the county, town, city, or village. Stantec recommends this report be submitted to local authorities, the IDNR, and USACE for concurrence on absence of wetlands in the Study Area.

# 2.0 METHODS

## 2.1 WETLANDS

Wetland delineations were based on the criteria and methods outlined in the *Corps of Engineers Wetlands Delineation Manual,* Technical Report Y-87-1 (1987) and subsequent guidance documents, and applicable Regional Supplements to the *Corps of Engineers Wetland Delineation Manual*.

The wetland delineation involved the use of available resources to assist in the assessment such as U.S. Geological Survey (USGS) topographic maps, U.S. Department of Agriculture Natural Resources Conservation Service (NRCS) soil survey, U.S. Fish and Wildlife Service (USFWS) National Wetlands Inventory (NWI) mapping, and aerial photography.

On-site wetland delineations were made using the three criteria (vegetation, soil, and hydrology) and technical approach defined in the USACE 1987 Manual and Midwest Regional Supplement (USACE 2010). According to procedures described in the 1987 Manual and Midwest Regional Supplement, areas that under normal circumstances reflect a predominance of hydrophytic vegetation, hydric soils, and wetland hydrology (e.g., inundated or saturated soils) are considered wetlands.

As recent weather patterns influence the visibility and presence of some wetland hydrology indicators, the antecedent precipitation in the three months leading up to the field investigation was reviewed. The current year's precipitation data were compared to the most recent long-term (30-year) precipitation averages and standard deviation to determine if precipitation was normal, wet, or dry for the area using the Antecedent Precipitation Tool (APT) developed by the USACE.

The wetland boundary and sampling points were identified and surveyed with an iPad equipped with ESRI Field Maps and a Global Navigation Satellite System (GNSS) capable of sub-meter accuracy and mapped using Geographical Information System (GIS) software.

## 2.2 WATERWAYS

If observed, waterways, waterbodies, culverts, and/or other connections to off-site wetland or aquatic features that may be under federal or state authority were surveyed with GNSS and mapped using GIS software. Waterways were defined as having a distinct bed and bank and an identifiable Ordinary High Water Mark (OHWM).

## 2.3 SITE DESCRIPTION

The Study Area is located south of State Highway 71 and east of Roods Creek and is primarily comprised of agricultural cropland with a woodland fringe around the field edges. The Study Area is largely flat with an elevation of approximately 639 feet above mean sea level (AMSL).

The NWI map identifies two riverine wetlands in the Study Area, one crossing the northeast corner of the Study Area and the other crossing through the southwestern corner (Appendix A, Figure 3). The soil within northwestern corner of the Study Area is mapped by the NRCS as hydric (Appendix A, Figure 2).

Soils present within the Study Area and their hydric status are summarized in Table 1.

**Table 1. Summary of Soils Identified within the Study Area**

| Soil Symbol | Soil Unit Name | Drainage Class | Hydric Status | Acreage Within Study Area |
|---|---|---|---|---|
| 369A | Waupecan silt loam, 0 to 2 percent slopes | Well drained | Predominantly Non-Hydric | 20.00 |
| 325B | Dresden silt loam, 2 to 4 percent slopes | Well drained | Predominantly Non-Hydric | 12.03 |
| 148B | Proctor silt loam, 2 to 5 percent slopes | Well drained | Non-Hydric | 7.30 |
| 152A | Drummer silty clay loam, 0 to 2 percent slopes | Poorly drained | Hydric | 2.08 |
| 149A | Brenton silt loam, 0 to 2 percent slopes | Somewhat poorly drained | Predominantly Non-Hydric | 0.43 |

## 2.4 CLIMATIC CONDITIONS

Precipitation was analyzed using the USACE APT which compares the current year's precipitation data to the most recent long-term (30-year) precipitation averages and standard deviation to determine if precipitation prior to field efforts was normal, wet, or dry. A total of 9.73 inches of precipitation occurred in the three-month period prior to the field investigation. When compared to long-term precipitation data for the three months prior to the field investigation, precipitation conditions are considered normal (Appendix B).

# 3.0 RESULTS

## 3.1 WETLANDS

No wetlands were identified within the Study Area. Wetland determination data forms were completed for two sample points corresponding with the NWI wetland in the southwestern portion of the Study Area (UPL01) and the NWI wetland and the hydric soil unit in the northeastern portion (UPL02) of the Study Area (Appendix C) and are described in greater detail in Section 3.2 below. The locations of the sample points are shown in Appendix A, Figure 4. Photographs of the sample point locations and adjacent lands are included in Appendix D.

## 3.2 UPLANDS

Upland within the Study Area consisted of active agricultural fields under standard corn (*Zea mays*) and soybean (*Glycine max*) crop rotation, and some woodland fringe along the field edges. At the time of the field surveys, agricultural lands within the Study Area contained young soybeans and occasional sparse natural vegetation in some areas. Natural vegetation mainly occurred in wooded field edges. Dominant plant species identified within the vegetated Study Area uplands included black cherry (*Prunus serotina*, FACU), hackberry (*Celtis occidentalis*, FAC), American elm (*Ulmus americana*, FACW), Amur honeysuckle (*Lonicera maackii*, UPL), smooth brome (*Bromus inermis*, FACU), wood gray sedge (*Carex grisea*, FAC), and prickly gooseberry (*Ribes cynosbati*, FAC). Sample points in upland generally lacked hydric soil and wetland hydrology indicators, supporting the non-wetland determination.

In general, upland areas were determined to be non-wetland based on the lack of wetland hydrology, hydric soils, hydrophytic vegetation, and a location in areas higher in the landscape that lacked suitable geomorphic position for wetland conditions to exist.

## 3.3 WATERWAYS

No waterways were identified within the Study Area.

## 3.4 OTHER ENVIRONMENTAL CONSIDERATIONS

This report is limited to the identification of state and/or federally regulated wetlands and waterways within the Study Area. However, there may be other regulated features within the Study Area, including, but not limited to, historical or archeological features, endangered or threatened species, navigable waters, shoreland zones, and/or floodplains, etc. Federal, state, and local units of government and regional planning organizations may have regulatory authority to control or restrict land uses within or in close proximity to these features.

# 4.0 CONCLUSION

Stantec performed a wetland delineation of the Blue Sage Project LLC on behalf of JAS Solar. The Study Area was approximately 41.84 acres and located in Township 35 North, Range 6 East, Section 7, in Big Grove Township, Kendall County, Illinois. The purpose and objective of the wetland delineation was to identify wetlands and potentially jurisdictional waterways within the Study Area.

No wetlands or waterways were identified within the Study Area. Uplands within the Study Area consisted of agricultural cropland planted in soybeans and adjacent woodlands along the field edges.

Wetlands and waterways identified within or adjacent to a proposed Project may be subject to federal regulation under the jurisdiction of USACE, state regulation under the jurisdiction of the IDNR, and local regulation under jurisdiction of the county, town, city, or village. Stantec recommends delineation reports be submitted to local authorities, the IDNR, and USACE for concurrence on absence of wetlands in the Study Area.

Prior to beginning work at this site or disturbing or altering wetlands, waterways, or adjacent lands in any way, Stantec recommends that the owner obtain the necessary permits or other agency regulatory review and concurrence with regard to the proposed work to comply with applicable regulations.

The information provided by Stantec regarding wetland boundaries is a scientific-based analysis of the wetland and upland conditions present within the Study Area at the time of the fieldwork. The delineation was performed by experienced and qualified professionals using standard practices and sound professional judgment. The ultimate decision on wetland boundaries rests with the USACE and, in some cases, the IDNR or a local unit of government. As a result, there may be adjustments to boundaries based upon review by a regulatory agency. An agency determination can vary from time to time depending on various factors including, but not limited to recent precipitation patterns and the season of the year. In addition, the physical characteristics of the Study Area can change over time, depending on the weather, vegetation patterns, drainage activities on adjacent parcels, or other events. Any of these factors can change the nature and extent of wetlands within the Study Area.

# 5.0 REFERENCES

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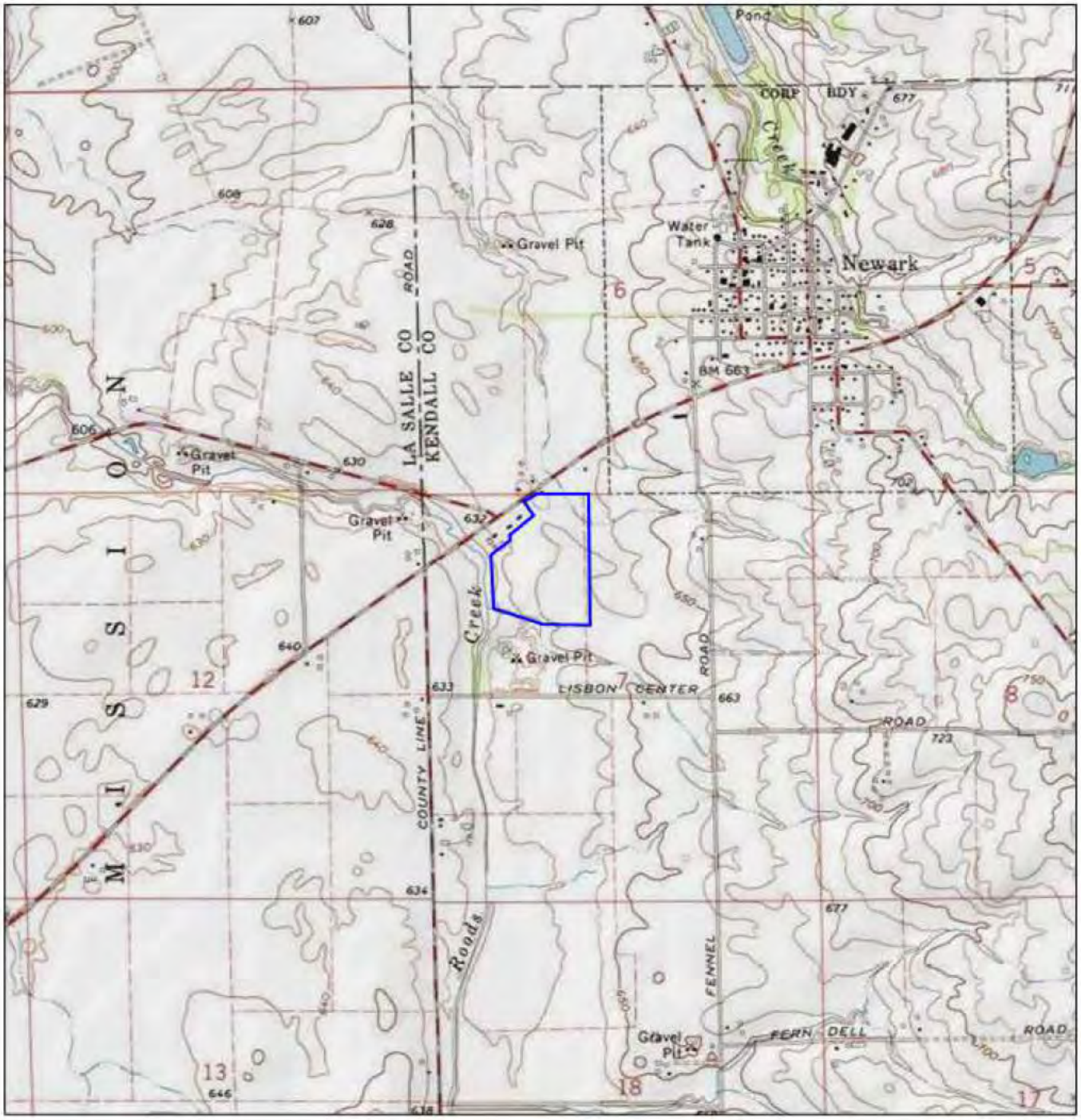
# Appendix A FIGURES

Figure 1. Project Location and Topography

Figure 2. NRCS Soil Survey Data – Hydric Ratings

Figure 3. National Wetlands Inventory

Figure 4. Field Collected Data







Legend

Project Boundary

0 1,000 2,000 Feet

(At original document size of 8.5x11)
1:24,000

N

Stantec

Project Location:
T35N, R6E, S7
T. of Big Grove, Kendall Co., IL

Prepared by MEK on 2025-06-23
TR by JDS on 2025-06-24
IR by BB on 2025-06-25

Client/Project
192300383
JAS - Powered by Greenvolt LLC
JAS - Blue Sage Project LLC
Wetland Delineation

Figure No.
1

Title
**Project Location and Topography**

Page 1 of 1

**Notes**
1. Coordinate System: NAD 1983 StatePlane Illinois East FIPS 1201 Feet
2. Data Sources: Stantec, JAS, Esri, USCB, USGS
3. Background: USGS 7.5' Topographic Quadrangles

Disclaimer: This document has been prepared based on information provided by others as cited in the Notes section. Stantec has not verified the accuracy and/or completeness of this information and shall not be responsible for any errors or omissions which may be incorporated herein as a result. Stantec assumes no responsibility for data supplied in electronic format, and the recipient accepts full responsibility for verifying the accuracy and completeness of the data.

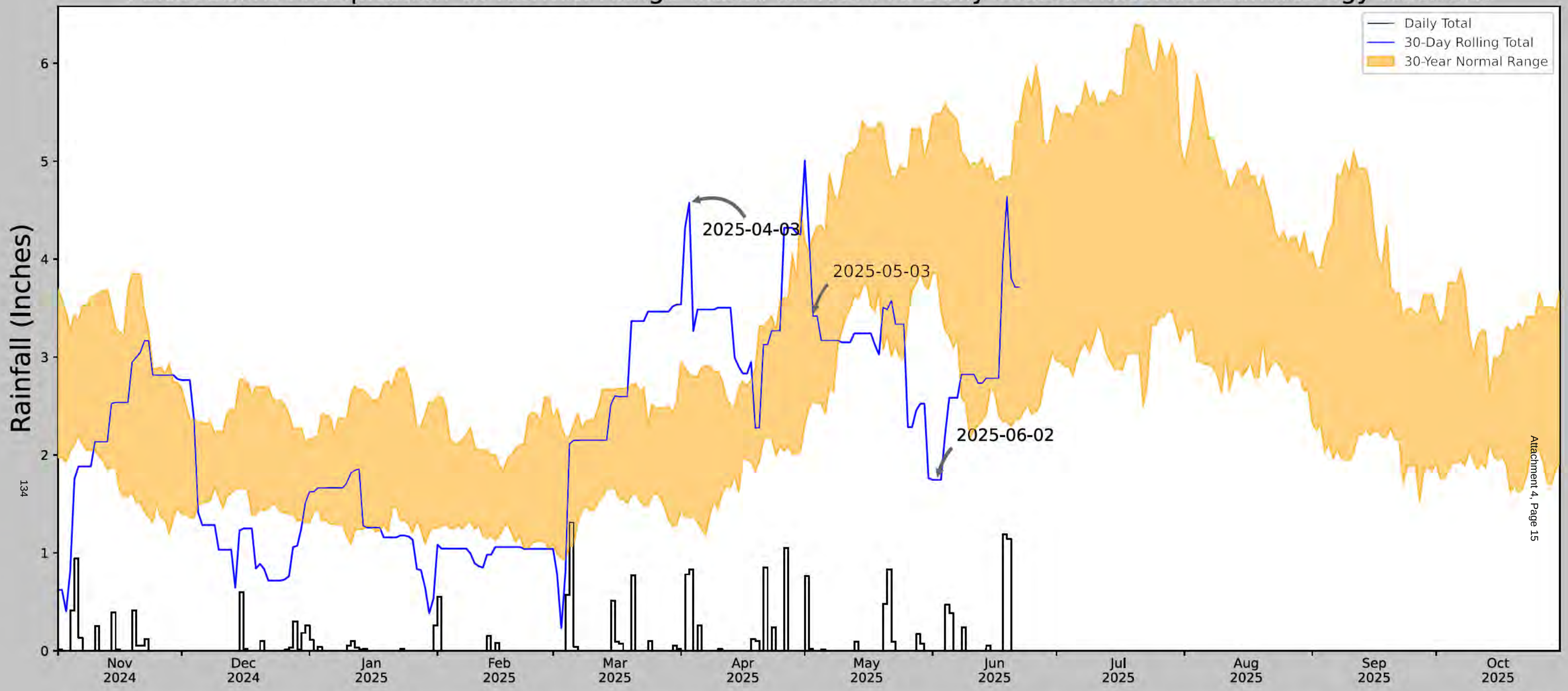
Project LLC

Project LLC

Project LLC

# Appendix B PRECIPITATION ANALYSIS

# Antecedent Precipitation vs Normal Range based on NOAA's Daily Global Historical Climatology Network




| | |
|---|---|
| Coordinates | 41.527283, -88.592857 |
| Observation Date | 2025-06-02 |
| Elevation (ft) | 638.724 |
| Drought Index (PDSI) | Moderate drought (2025-05) |
| WebWIMP $H_2O$ Balance | Dry Season |

| 30 Days Ending | 30$^{th}$ %ile (in) | 70$^{th}$ %ile (in) | Observed (in) | Wetness Condition | Condition Value | Month Weight | Product |
|---|---|---|---|---|---|---|---|
| 2025-06-02 | 3.844095 | 5.47874 | 1.744095 | Dry | 1 | 3 | 3 |
| 2025-05-03 | 2.547244 | 4.230709 | 3.417323 | Normal | 2 | 2 | 4 |
| 2025-04-03 | 1.362992 | 2.819685 | 4.574803 | Wet | 3 | 1 | 3 |
| Result | | | | | | | Normal Conditions - 10 |

Figure and tables made by the
**Antecedent Precipitation Tool**
Version 1.0

Written by Jason Deters
U.S. Army Corps of Engineers

| Weather Station Name | Coordinates | Elevation (ft) | Distance (mi) | Elevation Δ | Weighted Δ | Days Normal | Days Antecedent |
|---|---|---|---|---|---|---|---|
| MORRIS 1NW | 41.3714, -88.4333 | 523.95 | 13.575 | 114.774 | 7.667 | 10344 | 90 |
| GEBHARD WOODS SP | 41.35, -88.4333 | 504.921 | 1.479 | 19.029 | 0.694 | 769 | 0 |
| MORRIS 2.5 SSE | 41.3369, -88.4045 | 525.919 | 2.813 | 1.969 | 1.271 | 1 | 0 |
| MORRIS 6.4 ESE | 41.3315, -88.3141 | 540.026 | 6.769 | 16.076 | 3.155 | 1 | 0 |
| CHANNAHON DRESDEN ISL DAM | 41.3978, -88.2819 | 504.921 | 8.058 | 19.029 | 3.779 | 238 | 0 |



Attachment 4, Page 15

# Appendix C WETLAND DETERMINATION DATA FORMS

# WETLAND DETERMINATION DATA FORM – Midwest Region

Project/Site: JAS - Blue Sage Project LLC | City/County: Kendall County | Sampling Date: 06/02/2025

Applicant/Owner: JAS - Powered by Greenvolt LLC | State: IL | Sampling Point: UPL01

Investigator(s): MS MG | Section, Township, Range: S07, T035N, R006E

Landform (hillside, terrace, etc.): Depression | Local relief (concave, convex, none): Concave | Slope %: 0-1

Subregion (LRR or MLRA): LRR M, MLRA | Lat: 41.525438 | Long: -88.594629 | Datum: WGS84

Soil Map Unit Name: Dresden silt loam, 2 to 4 percent slopes | NWI classification: R4SBC

Are climatic / hydrologic conditions on the site typical for this time of year? Yes X No ____ (If no, explain in Remarks.)

Are Vegetation ____, Soil ____, or Hydrology ____ significantly disturbed? Are "Normal Circumstances" present? Yes X No ____

Are Vegetation ____, Soil ____, or Hydrology ____ naturally problematic? (If needed, explain any answers in Remarks.)

## SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

| | | | |
|---|---|---|---|
| Hydrophytic Vegetation Present? | Yes X | No ____ | **Is the Sampled Area within a Wetland?** Yes ____ No X |
| Hydric Soil Present? | Yes ____ | No X | |
| Wetland Hydrology Present? | Yes X | No ____ | |

Remarks: (Explain alternative procedures here or in a separate report.)
Mild drought conditions. Point taken in upland forest, no waterway present.

## VEGETATION – Use scientific names of plants.

| Tree Stratum (Plot size: 30 ft) | Absolute % Cover | Dominant Species | Indicator Status |
|---|---|---|---|
| 1. *Celtis occidentalis* | 50 | Yes | FAC |
| 2. *Ulmus americana* | 50 | Yes | FACW |
| 3. *Prunus serotina* | 30 | Yes | FACU |
| 4. | | | |
| 5. | | | |
| | 130 | = Total Cover | |

| Sapling/Shrub Stratum (Plot size: 15 ft) | | | |
|---|---|---|---|
| 1. *Ulmus americana* | 30 | Yes | FACW |
| 2. *Lonicera maackii* | 30 | Yes | UPL |
| 3. | | | |
| 4. | | | |
| 5. | | | |
| | 60 | = Total Cover | |

| Herb Stratum (Plot size: 5 ft) | | | |
|---|---|---|---|
| 1. *Carex grisea* | 50 | Yes | FAC |
| 2. *Ribes cynosbati* | 15 | No | FAC |
| 3. *Laportea canadensis* | 10 | No | FACW |
| 4. | | | |
| 5. | | | |
| 6. | | | |
| 7. | | | |
| 8. | | | |
| 9. | | | |
| 10. | | | |
| | 75 | = Total Cover | |

| Woody Vine Stratum (Plot size: 30 ft) | | | |
|---|---|---|---|
| 1. | | | |
| 2. | | | |
| | 0 | = Total Cover | |

**Dominance Test worksheet:**

Number of Dominant Species That Are OBL, FACW, or FAC: 4 (A)

Total Number of Dominant Species Across All Strata: 6 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 67 (A/B)

**Prevalence Index worksheet:**

| Total % Cover of: | | Multiply by: | |
|---|---|---|---|
| OBL species | 0 | x 1 = | 0 |
| FACW species | 90 | x 2 = | 180 |
| FAC species | 115 | x 3 = | 345 |
| FACU species | 30 | x 4 = | 120 |
| UPL species | 30 | x 5 = | 150 |
| Column Totals: | 265 (A) | | 795 (B) |
| Prevalence Index = B/A = | | | 3 |

**Hydrophytic Vegetation Indicators:**

- ____ 1 - Rapid Test for Hydrophytic Vegetation
- X 2 - Dominance Test is >50%
- X 3 - Prevalence Index is ≤3.0[1]
- ____ 4 - Morphological Adaptations[1] (Provide supporting data in Remarks or on a separate sheet)
- ____ Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

**Hydrophytic Vegetation Present?** Yes X No ____

Remarks: (Include photo numbers here or on a separate sheet.)

## SOIL

Sampling Point: UPL01

**Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)**

| Depth | Matrix | | Redox Features | | | | | |
|---|---|---|---|---|---|---|---|---|
| (inches) | Color (moist) | % | Color (moist) | % | Type[1] | Loc[2] | Texture | Remarks |
| 0-20 | 10YR 3/2 | 100 | | | | | Sandy Loam | |
| 20-30 | 10YR 3/2 | 100 | | | | | Silt Loam | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, MS=Masked Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

**Hydric Soil Indicators:**

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5)
- ___ 2 cm Muck (A10)
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Sandy Mucky Mineral (S1)
- ___ 5 cm Mucky Peat or Peat (S3)
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Dark Surface (S7)
- ___ Loamy Mucky Mineral (F1)
- ___ Loamy Gleyed Matrix (F2)
- ___ Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)

**Indicators for Problematic Hydric Soils[3]:**

- ___ Coast Prairie Redox (A16)
- ___ Iron-Manganese Masses (F12)
- ___ Red Parent Material (F21)
- ___ Very Shallow Dark Surface (F22)
- ___ Other (Explain in Remarks)

**Restrictive Layer (if observed):**

Type: _____

Depth (inches): _____

**Hydric Soil Present?** Yes ___ No X

Remarks:

## HYDROLOGY

**Wetland Hydrology Indicators:**

Primary Indicators (minimum of one is required; check all that apply)

- ___ Surface Water (A1)
- ___ High Water Table (A2)
- ___ Saturation (A3)
- ___ Water Marks (B1)
- ___ Sediment Deposits (B2)
- ___ Drift Deposits (B3)
- ___ Algal Mat or Crust (B4)
- ___ Iron Deposits (B5)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Sparsely Vegetated Concave Surface (B8)
- ___ Water-Stained Leaves (B9)
- ___ Aquatic Fauna (B13)
- ___ True Aquatic Plants (B14)
- ___ Hydrogen Sulfide Odor (C1)
- ___ Oxidized Rhizospheres on Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Recent Iron Reduction in Tilled Soils (C6)
- ___ Thin Muck Surface (C7)
- ___ Gauge or Well Data (D9)
- ___ Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

- ___ Surface Soil Cracks (B6)
- ___ Drainage Patterns (B10)
- ___ Dry-Season Water Table (C2)
- ___ Crayfish Burrows (C8)
- ___ Saturation Visible on Aerial Imagery (C9)
- ___ Stunted or Stressed Plants (D1)
- X Geomorphic Position (D2)
- X FAC-Neutral Test (D5)

**Field Observations:**

| | | | |
|---|---|---|---|
| Surface Water Present | Yes ___ | No X | Depth (inches): _____ |
| Water Table Present | Yes ___ | No X | Depth (inches): _____ |
| Saturation Present (includes capillary fringe) | Yes ___ | No X | Depth (inches): _____ |

**Wetland Hydrology Present?** Yes X No ___

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

# WETLAND DETERMINATION DATA FORM – Midwest Region

Project/Site: JAS - Blue Sage Project LLC | City/County: Kendall County | Sampling Date: 06/02/2025

Applicant/Owner: JAS - Powered by Greenvolt LLC | State: IL | Sampling Point: UPL02

Investigator(s): MS MG | Section, Township, Range: S07, T035N, R006E

Landform (hillside, terrace, etc.): Toeslope | Local relief (concave, convex, none): Concave | Slope %: 1-5

Subregion (LRR or MLRA): LRR M, MLRA | Lat: 41.528744 | Long: -88.590948 | Datum: WGS84

Soil Map Unit Name: Drummer silty clay loam, 0 to 2 percent slopes | NWI classification: R4SBC

Are climatic / hydrologic conditions on the site typical for this time of year? Yes X No ____ (If no, explain in Remarks.)

Are Vegetation ____, Soil ____, or Hydrology ____ significantly disturbed? Are "Normal Circumstances" present? Yes X No ____

Are Vegetation ____, Soil ____, or Hydrology ____ naturally problematic? (If needed, explain any answers in Remarks.)

## SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

| | | | |
|---|---|---|---|
| Hydrophytic Vegetation Present? | Yes ____ | No X | **Is the Sampled Area within a Wetland?** Yes ____ No X |
| Hydric Soil Present? | Yes ____ | No X | |
| Wetland Hydrology Present? | Yes ____ | No X | |

Remarks: (Explain alternative procedures here or in a separate report.)
Mild drought. Point taken in ag field recently planted with soybeans. No waterway present.

## VEGETATION – Use scientific names of plants.

| Tree Stratum (Plot size: 30 ft) | Absolute % Cover | Dominant Species | Indicator Status |
|---|---|---|---|
| 1. *Celtis occidentalis* | 20 | Yes | FAC |
| 2. | | | |
| 3. | | | |
| 4. | | | |
| 5. | | | |
| | 20 = Total Cover | | |
| **Sapling/Shrub Stratum (Plot size: 15 ft)** | | | |
| 1. *Lonicera maackii* | 10 | Yes | UPL |
| 2. | | | |
| 3. | | | |
| 4. | | | |
| 5. | | | |
| | 10 = Total Cover | | |
| **Herb Stratum (Plot size: 5 ft)** | | | |
| 1. | | | |
| 2. | | | |
| 3. | | | |
| 4. | | | |
| 5. | | | |
| 6. | | | |
| 7. | | | |
| 8. | | | |
| 9. | | | |
| 10. | | | |
| | 0 = Total Cover | | |
| **Woody Vine Stratum (Plot size: 30 ft)** | | | |
| 1. | | | |
| 2. | | | |
| | 0 = Total Cover | | |

**Dominance Test worksheet:**

Number of Dominant Species That Are OBL, FACW, or FAC: 1 (A)

Total Number of Dominant Species Across All Strata: 2 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 50 (A/B)

**Prevalence Index worksheet:**

| Total % Cover of: | | Multiply by: | |
|---|---|---|---|
| OBL species | 0 | x 1 = | 0 |
| FACW species | 0 | x 2 = | 0 |
| FAC species | 20 | x 3 = | 60 |
| FACU species | 0 | x 4 = | 0 |
| UPL species | 10 | x 5 = | 50 |
| Column Totals: | 30 (A) | | 110 (B) |
| Prevalence Index = B/A = | | | 3.67 |

**Hydrophytic Vegetation Indicators:**

- - 1 - Rapid Test for Hydrophytic Vegetation
- - 2 - Dominance Test is >50%
- - 3 - Prevalence Index is ≤3.0[1]
- ____ 4 - Morphological Adaptations[1] (Provide supporting data in Remarks or on a separate sheet)
- ____ Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

**Hydrophytic Vegetation Present?** Yes ____ No X

Remarks: (Include photo numbers here or on a separate sheet.)

## SOIL

Sampling Point: UPL02

**Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)**

| Depth | Matrix | | Redox Features | | | | | |
|---|---|---|---|---|---|---|---|---|
| (inches) | Color (moist) | % | Color (moist) | % | Type[1] | Loc[2] | Texture | Remarks |
| 0-16 | 10YR 3/1 | 100 | | | | | Silt Loam | |
| 16-24 | 10YR 4/3 | 100 | | | | | Silt Loam | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, MS=Masked Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

**Hydric Soil Indicators:**

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5)
- ___ 2 cm Muck (A10)
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Sandy Mucky Mineral (S1)
- ___ 5 cm Mucky Peat or Peat (S3)
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Dark Surface (S7)
- ___ Loamy Mucky Mineral (F1)
- ___ Loamy Gleyed Matrix (F2)
- ___ Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)

**Indicators for Problematic Hydric Soils[3]:**

- ___ Coast Prairie Redox (A16)
- ___ Iron-Manganese Masses (F12)
- ___ Red Parent Material (F21)
- ___ Very Shallow Dark Surface (F22)
- ___ Other (Explain in Remarks)

**Restrictive Layer (if observed):**

Type: _____

Depth (inches): _____

**Hydric Soil Present?** Yes ___ No X

Remarks:

## HYDROLOGY

**Wetland Hydrology Indicators:**

Primary Indicators (minimum of one is required; check all that apply)

- ___ Surface Water (A1)
- ___ High Water Table (A2)
- ___ Saturation (A3)
- ___ Water Marks (B1)
- ___ Sediment Deposits (B2)
- ___ Drift Deposits (B3)
- ___ Algal Mat or Crust (B4)
- ___ Iron Deposits (B5)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Sparsely Vegetated Concave Surface (B8)
- ___ Water-Stained Leaves (B9)
- ___ Aquatic Fauna (B13)
- ___ True Aquatic Plants (B14)
- ___ Hydrogen Sulfide Odor (C1)
- ___ Oxidized Rhizospheres on Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Recent Iron Reduction in Tilled Soils (C6)
- ___ Thin Muck Surface (C7)
- ___ Gauge or Well Data (D9)
- ___ Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

- ___ Surface Soil Cracks (B6)
- ___ Drainage Patterns (B10)
- ___ Dry-Season Water Table (C2)
- ___ Crayfish Burrows (C8)
- ___ Saturation Visible on Aerial Imagery (C9)
- ___ Stunted or Stressed Plants (D1)
- ___ Geomorphic Position (D2)
- ___ FAC-Neutral Test (D5)

**Field Observations:**

| | | | |
|---|---|---|---|
| Surface Water Present | Yes ___ | No X | Depth (inches): _____ |
| Water Table Present | Yes ___ | No X | Depth (inches): _____ |
| Saturation Present (includes capillary fringe) | Yes ___ | No X | Depth (inches): _____ |

**Wetland Hydrology Present?** Yes ___ No X

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

# Appendix D SITE PHOTOGRAPHS




**Photo 1.** Sample Point UPL01, view north




**Photo 2.** Sample Point UPL01, view west




**Photo 3.** Sample Point UPL01, view east




**Photo 4.** Sample Point UPL02, view north




**Photo 5.** Sample Point UPL02, view south




**Photo 6.** Sample Point UPL02, view west

THE CONTRACTOR SHALL VERIFY AND BE RESPONSIBLE FOR ALL DIMENSIONS. DO NOT SCALE THE DRAWING. ANY ERRORS OR OMISSIONS SHALL BE REPORTED TO STANTEC BEFORE PROCEEDING WITH THE WORK. THESE DRAWINGS ARE THE PROPERTY OF STANTEC. REPRODUCTION OR USE FOR ANY PURPOSE OTHER THAN THAT AUTHORIZED BY STANTEC IS FORBIDDEN.

# SPECIAL USE PERMIT PLANS
## FOR
# BLUE SAGE PROJECT LLC
## KENDALL COUNTY, ILLINOIS

**SHEET INDEX**



| SHEET NO | SHEET TITLE |
|---|---|
| C0.01 | COVER SHEET |
| C1.00 | EXISTING CONDITIONS |
| C2.00 | SITE PLAN |
| C8.01 | CIVIL DETAILS |
| C8.02 | CIVIL DETAILS |



**APPLICANTS**

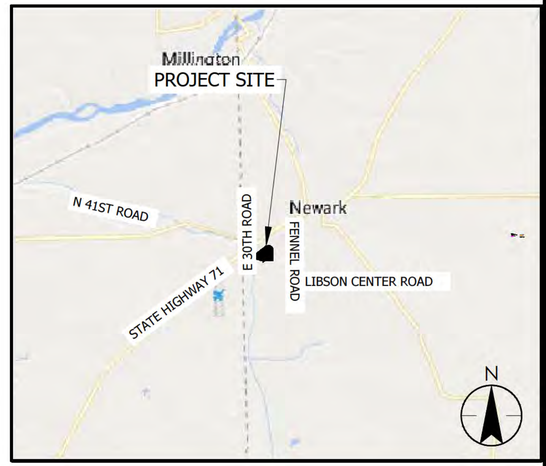
| | |
|---|---|
| **PROJECT OWNER:** | JAS POWERED BY GREENBOLT, LLC |
| ☐ Primary Contact | ANSAR GAFUR<br>[redacted] |
| **CIVIL ENGINEER:** | STANTEC CONSULTING SERVICES INC. |
| ☐ Primary Contact | JOHN TUCKER, PE<br>[redacted] |

**SITE INFORMATION**

| | |
|---|---|
| ***PARCEL ZONING*** | |
| A1 AGRICULTURE | |
| ***PROJECT DESCRIPTION*** | |
| PROJECT LOCATION | |
| PARCEL PIN | 07-07-100-022 |
| PROJECT PARCEL | 51.32 ACRES |
| FENCED ACREAGE | 20.6 ACRES |
| AC CAPACITY AT POI | TBD |
| DC CAPACITY | TBD |
| MODULE MODULE | TBD |
| MOUNTING SYSTEM | TBD |
| INVERTER MODULES | TBD |




LOCATION MAP
NOT TO SCALE




VICINITY MAP
NOT TO SCALE




STATE OF ILLINOIS
NOT TO SCALE

The locations of existing utility installations as shown on this plan are approximate. There may be other underground utility installations within the project area that are not shown.

Stantec assumes no responsibility for damages, liability or costs resulting from changes or alterations made to this plan without written consent of Stantec.

These drawings have been prepared based on information provided by others. Stantec has not verified the accuracy and/or completeness of this information and shall not be responsible for any errors or omissions which may be incorporated herein as a result.

Stantec
224 S. Michigan Avenue, Suite 1400
Chicago, IL 60604
www.stantec.com

PRELIMINARY
NOT FOR CONSTRUCTION

COVER SHEET

BLUE SAGE PROJECT LLC
JAS POWERED BY GREENVOLT, LLC
KENDALL COUNTY,IL

| DATE OF ISSUANCE |
|---|
| August 29, 2025 |

| NO | REVISION | DATE |
|---|---|---|
| | | |

| | |
|---|---|
| SURVEY | |
| DRAWN | AMA |
| DESIGNED | AMA |
| CHECKED | JJM |
| APPROVED | JMT |
| PROJ. NO. | 190300383 |

SHEET NUMBER
C0.01

Plot Date: 09/24/2025 - 11:04pm
Drawing name: C:\Users\ansar.gafur\ACCDocs\Stantec\190300383\Shared_projects\190300383-pdss01\shared_projects\190300383\5_DESIGN\cad\4_PLANSHEETS\C000-Title_Sheet.dwg
Xrefs Bound: C_SITE

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EXISTING BUILDING (TYP)

PID: 07-06-300-005
OWNER: RICHARD J
LINDA FITZGIBBON

EXISTING BUILDING (TYP)

N54°25'32"E 7.25

S35°34'37"E 182.69

N54°25'02"E 200.35

S35°47'03"W 194.39

N35°34'37"W 182.69

PID: 07-07-100-004
OWNER: NORMAN B
IVA JEAN TOFTOY

N NORTH 41ST ROAD

40' R.O.W.

60' R.O.W.

S51°03'52"W 199.99

PID: 07-07-100-003
OWNER: JOSHUA L
GENNY L HAGGARD

VACANT LOT
PID: 07-07-100-05
OWNER: THOMAS F JR RICHARDS
AREA: 37,709.92 SQ. FT.
0.87 ACRES

EXISTING BUILDING (TYP)

PID: 07-07-100-019
OWNER: RYAN HUGHES
SARAH HUGHES
JOHN DEBRA

EXISTING BUILDING (TYP)

ILLINOIS ROUTE 71

N13°09'21"W 134.00

EXISTING BUILDING (TYP)

EXISTING UTILITY POLE (TYP)

VACANT LOT
PID: 07-07-100-022
AREA: 2,234,145.92 SQ. FT.
51.89 ACRES
OWNER THOMAS F JR RICHARDS

PID: 07-07-200-013
OWNER: GERALD R ALLEN TRUST &
CORRINE O ALLEN TRUST

PID: 07-07-100-020
OWNER: JOSE J CASILLIAS & IVAN
J CASILLAS

N11°14'02"W 96.71

N79°50'34"W 109.95

PID: 07-07-200-025
OWNER: GERALD R &
CORINNIE O ALLEN

PID: 07-07-100-009
OWNER: JOSE J CASILLIAS &
IVAN J CASILLIAS

PID: 07-07-100-013
OWNER: JAMES LISA SNYDER

BUILDING

07-07-100-021
OWNER: JOSE J CASILLIAS
& IVAN J CASILLIAS

BUILDING

50' R.O.W.

LISBON CENTER ROAD

PID: 07-07-300-006
OWNER: DALE W MORSCH REV LIV TR

624 626 636 638 639 640 641 642 643 644 622

LEGEND
*EXISTING*

- PROJECT BOUNDARY
- PROPERTY LINE
- ROW
- SECTION QUARTER LINE
- WETLAND
- DRAINAGE ARROW
- EXISTING UTILITY POLE
- EXISTING CONTOUR MAJOR
- EXISTING CONTOUR MINOR
- EXISTING TREE LINE (TRACED VIA AERIAL)
- STRUCTURE
- EXISTING RIVERINE

N

0 150' 300'

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NOT FOR CONSTRUCTION

EXISTING CONDITIONS

BLUE SAGE PROJECT LLC
JAS POWERED BY GREENVOLT, LLC
KENDALL COUNTY, IL

| DATE OF ISSUANCE |
|---|
| August 29, 2025 |

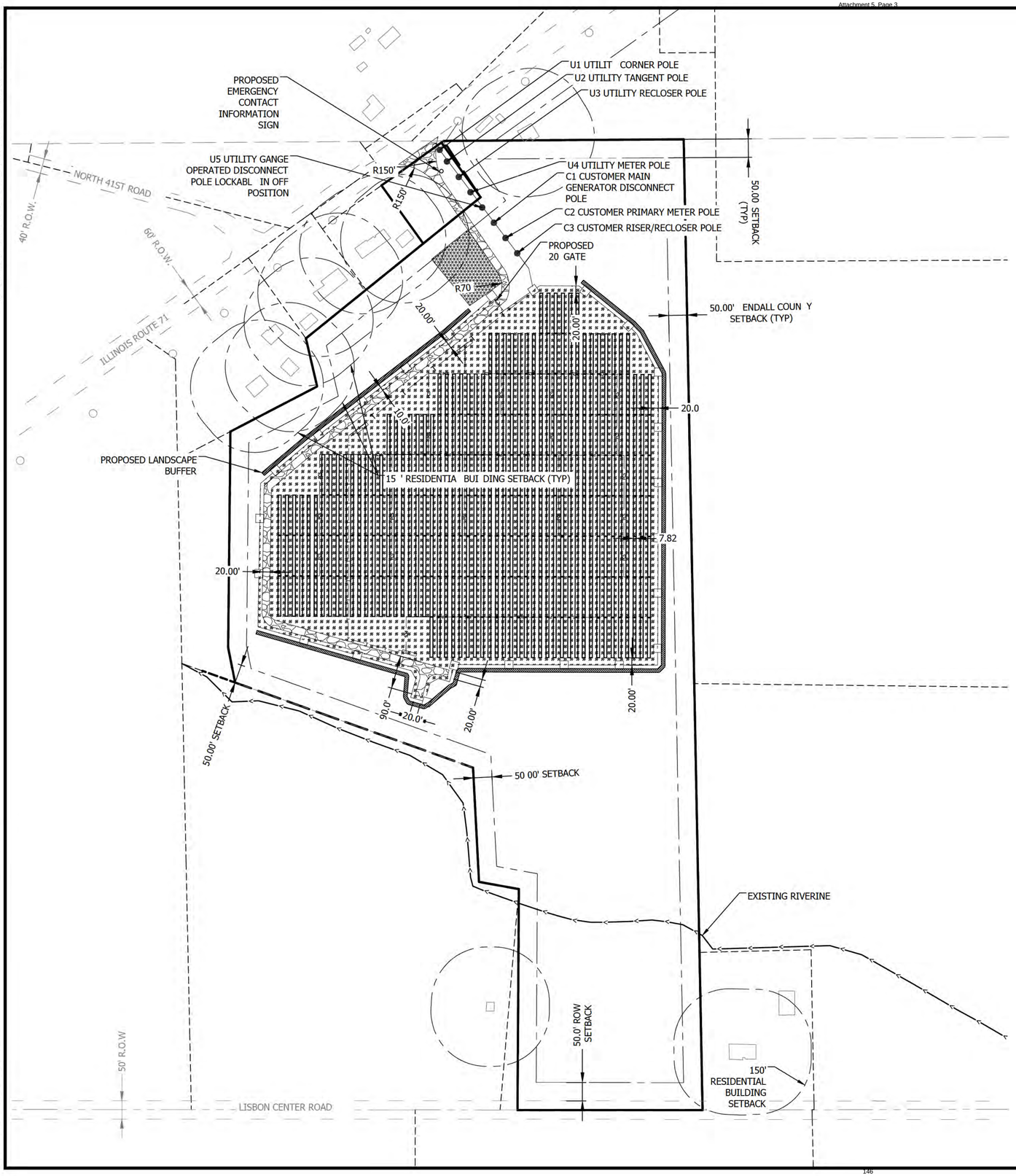
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|---|---|---|

| | |
|---|---|
| SURVEY | |
| DRAWN | AMA |
| DESIGNED | AMA |
| CHECKED | JJM |
| APPROVED | JMT |
| PROJ. NO. | 190300383 |

SHEET NUMBER
C1.00

Plot Date: 09/24/2025 - 11:05pm
Drawing name: \\ut1d501-cpfs01\shared_projects\190300383\5_DESIGN\a_CAD\4_PLANSHEETS\C010-Existing_Conditions.dwg
User: Brandon.Cook

THE CONTRACTOR SHALL VERIFY AND BE RESPONSIBLE FOR ALL DIMENSIONS. DO NOT SCALE THE DRAWING. ANY ERRORS OR OMISSIONS SHALL BE REPORTED TO STANTEC WITHOUT DELAY. THE COPYRIGHT TO ALL DESIGNS AND DRAWINGS ARE THE PROPERTY OF STANTEC. REPRODUCTION OR USE FOR ANY PURPOSE OTHER THAN THAT AUTHORIZED BY STANTEC IS FORBIDDEN.




LEGEND

*SETBACKS*

- 50' NON-PARTICIPATING NEIGHBOR/RIGHT-OF-WAY
- 150' STRUCTURE NON-PARTICIPATING NEIGHBOR

*PROPOSED*

- PERIMETER FENCE
- GRAVEL ACCESS ROAD
- T — MV CABLE
- PCS — LV CABLE
- INVERTER AND EQUIPMENT PAD
- PVCASE TRACKERS
- TEMPORARY LAYDOWN YARD 20,000 SF
- LANDSCAPE BUFFER
- LANDSCAPE SEED MIX

| SETBACKS | | |
|---|---|---|
| DESCRIPTION | REQUIRED | ACHIEVED |
| RIGHT-OF-WAY | 100' | |
| FROM CENTERLINE OF ROAD | 150' | |
| INTERIOR SIDE YARDS | 25' | |
| REAR YARDS | 60' | |
| ADJACENT PROPERTIES | 60' | |

N

0 150' 300'

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PRELIMINARY
NOT FOR CONSTRUCTION

SITE PLAN

BLUE SAGE PROJECT LLC
JAS POWERED BY GREENVOLT, LLC
KENDALL COUNTY,IL

| DATE OF ISSUANCE |
|---|
| August 29, 2025 |

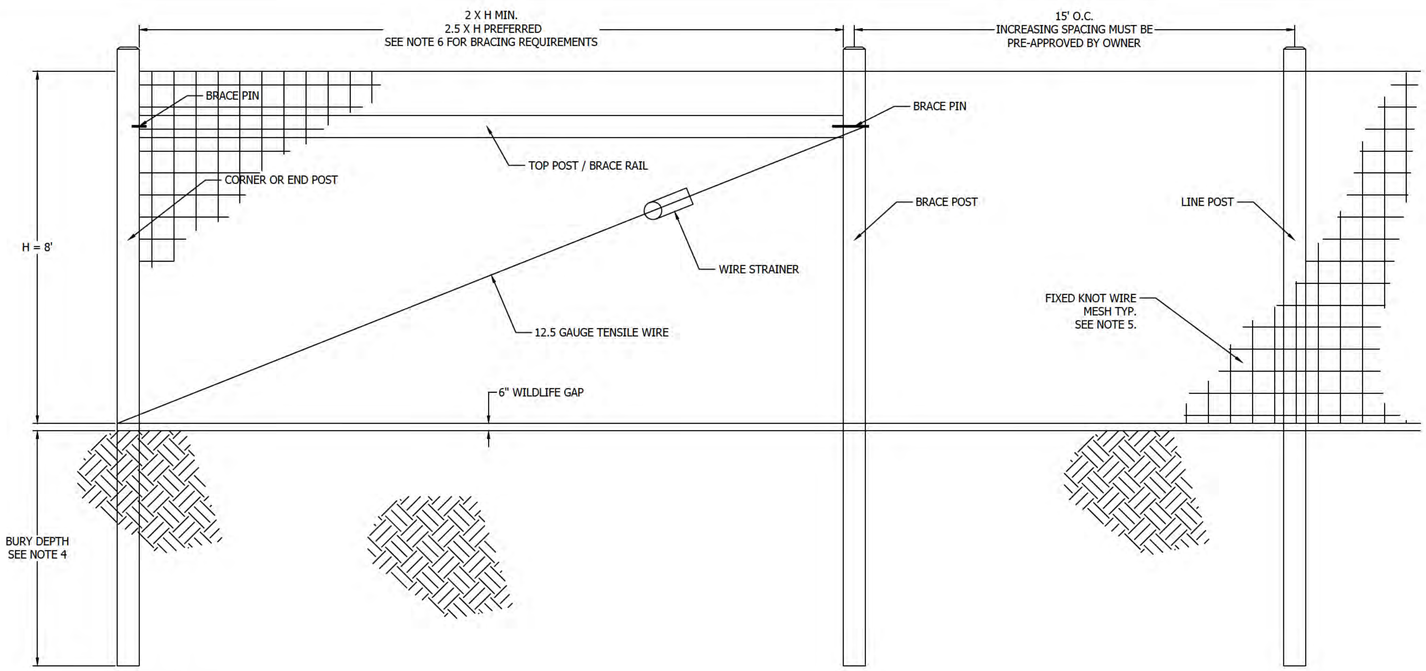
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|---|---|---|
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| | |
|---|---|
| SURVEY | |
| DRAWN | AMA |
| DESIGNED | AMA |
| CHECKED | JJM |
| APPROVED | JMT |
| PROJ. NO. | 190300383 |

SHEET NUMBER
C2.00

Plot Date: 09/24/2025 - 11:04pm
Drawing name: \\us0501-pdsd01\shared_projects\190300383\5_DESIGN\o_CAD\4_PLANSHEETS\C100-Site_Plan.dwg
Xrefs: BORDER, C-ESITE, C-PSITE, C-PARRAY

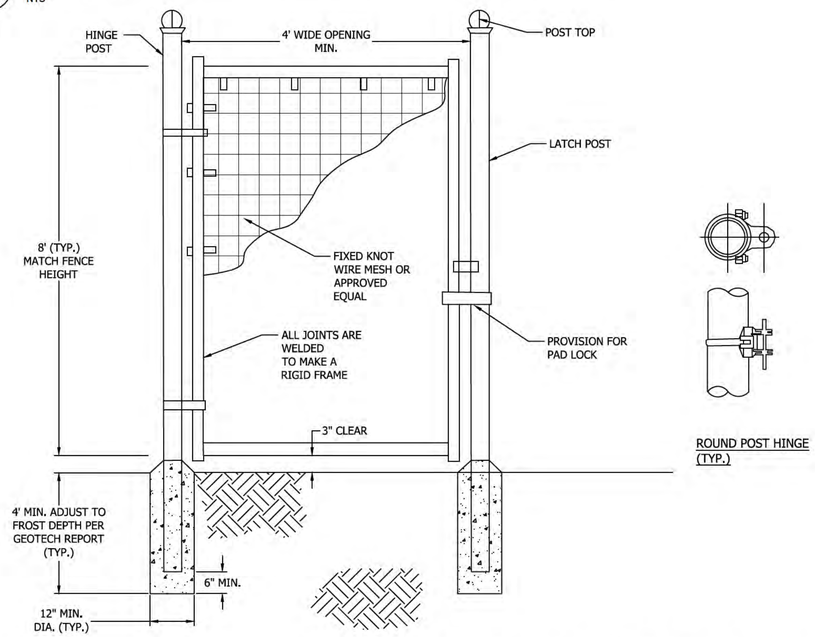
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NOTES
1. INSTALL ALL FENCING COMPONENTS PER MANUFACTURER'S SPECIFICATIONS.
2. ALL FENCING AND HARDWARE SHALL BE GALVANIZED, UNLESS OTHERWISE NOTED.
3. ALL SQUARE POSTS TO BE MIN. 5"X5" NOMINAL SIZE OR ROUND POST WITH MIN. 5" OR 6" DIAMETER PRESSURE TREATED WOOD OR APPROVED EQUAL. POSTS SHALL HAVE A CHAMFERED TOP.
4. ALL LINE POST TO BE SET TO A MIN. DEPTH OF 4' BELOW GRADE, ALL CORNER, END OR GATE POSTS SHALL BE SET TO A MIN. DEPTH OF 6' BELOW GRADE, UNLESS OTHERWISE NOTED.
5. FIXED KNOT WIRE MESH TO BE BEKAERT SOLIDLOCK® PRO, 12.5 GAUGE, CLASS 3 GALVANIZED, 6" VERTICAL SPACING OR APPROVED EQUAL.
6. BRACING IS REQUIRED AT ALL CORNER, END, AND GATE POSTS. DOUBLE BRACING (TWO BRACE ASSEMBLIES IN A ROW) SHOULD BE USED FOR STRAIGHT RUNS OF FENCE THAT EXCEED 1,000 LF. AN ADDITIONAL BRACE ASSEMBLY SHOULD BE INSTALLED MID SPAN FOR STRAIGHT RUNS OF FENCE THAT EXCEED 1,320 LF. ADDITIONAL BRACING MAY BE STILL BE REQUIRED OVER UNEVEN TERRAIN, CONTRACTOR SHALL INSTALL ADDITIONAL BRACING AS NEEDED IF DEFLECTION IS NOTICED DURING TENSIONING.

1 / C8.01 FIXED KNOT FARM FENCE

NTS



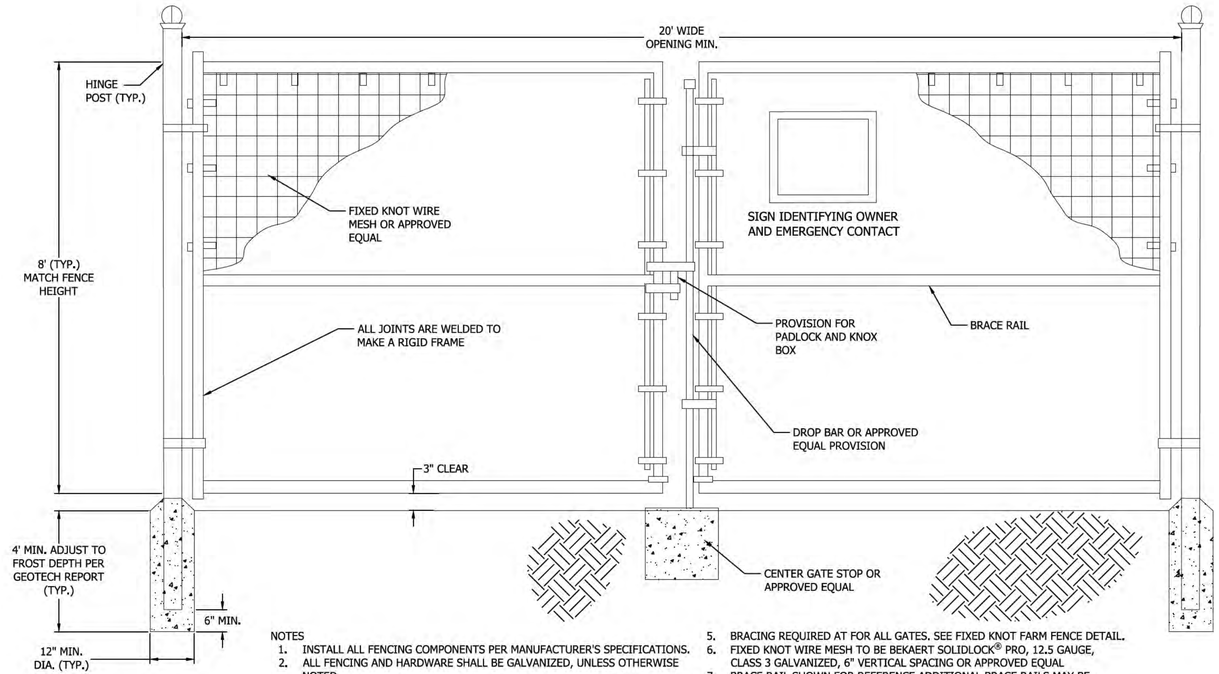



ROUND POST HINGE
(TYP.)

NOTES
1. INSTALL ALL FENCING COMPONENTS PER MANUFACTURER'S SPECIFICATIONS.
2. ALL FENCING AND HARDWARE SHALL BE GALVANIZED, UNLESS OTHERWISE NOTED.
3. HINGE POSTS MAY BE TIMBER. TIMBER HINGE POSTS DO NOT NEED TO BE SET IN CONCRETE. UTILIZE HINGE THRU BOLTS TO CONNECT TO TIMBER HINGE POSTS OR LAG SCREWS, PER MANUFACTURER'S RECOMMENDATIONS.
4. IF CONTRACTOR UTILIZES METAL HINGE POST, POSTS SHALL BE SET IN CONCRETE AS SHOWN ON DETAIL.
5. BRACING REQUIRED AT FOR ALL GATES. SEE FIXED KNOT FARM FENCE DETAIL.
6. FIXED KNOT WIRE MESH TO BE BEKAERT SOLIDLOCK® PRO, 12.5 GAUGE, CLASS 3 GALVANIZED, 6" VERTICAL SPACING OR APPROVED EQUAL
7. BRACE RAILS AND/ OR TRUSS RODS ARE NOT SHOWN, MAY BE REQUIRED PER MANUFACTURER'S RECOMMENDATIONS

2 / C8.01 FIXED KNOT FARM FENCE PERSONNEL GATE

NTS




NOTES
1. INSTALL ALL FENCING COMPONENTS PER MANUFACTURER'S SPECIFICATIONS.
2. ALL FENCING AND HARDWARE SHALL BE GALVANIZED, UNLESS OTHERWISE NOTED.
3. HINGE POSTS MAY BE TIMBER. TIMBER HINGE POSTS DO NOT NEED TO BE SET IN CONCRETE. UTILIZE HINGE THRU BOLTS TO CONNECT TO TIMBER HINGE POSTS OR LAG SCREWS, PER MANUFACTURER'S RECOMMENDATIONS.
4. IF CONTRACTOR UTILIZES METAL HINGE POST, POSTS SHALL BE SET IN CONCRETE AS SHOWN ON DETAIL.
5. BRACING REQUIRED AT FOR ALL GATES. SEE FIXED KNOT FARM FENCE DETAIL.
6. FIXED KNOT WIRE MESH TO BE BEKAERT SOLIDLOCK® PRO, 12.5 GAUGE, CLASS 3 GALVANIZED, 6" VERTICAL SPACING OR APPROVED EQUAL.
7. BRACE RAIL SHOWN FOR REFERENCE ADDITIONAL BRACE RAILS MAY BE REQUIRED (NOT SHOWN) OR TRUSS RODS MAY BE REQUIRED PER MANUFACTURER'S RECOMMENDATIONS

3 / C8.01 20' WIDE FIXED KNOT FARM FENCE DOUBLE SWING GATE

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224 S. Michigan Avenue, Suite 1400
Chicago, IL 60604
www.stantec.com

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NOT FOR CONSTRUCTION

CONSTRUCTION DETAILS

BLUE SAGE PROJECT LLC
JAS POWERED BY GREENVOLT, LLC
KENDALL COUNTY,IL

| DATE OF ISSUANCE |
|---|
| August 29, 2025 |

| NO | REVISION | DATE |
|---|---|---|
| | | |

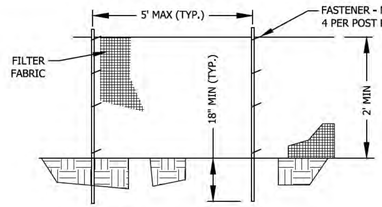
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|---|---|
| SURVEY | |
| DRAWN | AMA |
| DESIGNED | AMA |
| CHECKED | JJM |
| APPROVED | JMT |
| PROJ. NO. | 190300383 |

SHEET NUMBER
C8.01

Plot Date: 09/24/2025 - 11:07pm
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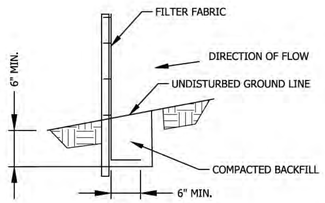
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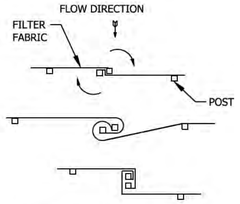



ELEVATION

NOTES:
1. FILTER FABRIC SHALL MEET THE REQUIREMENTS OF MATERIAL SPECIFICATION 592 GEOTEXTILE TABLE 1, CLASSES I-IV; THE USER MANUAL SHALL SELECT THE GEOTEXTILE FABRIC THAT BEST SUITS THE DESIGN AND SITE CONDITIONS.
2. FENCE POSTS SHALL BE EITHER STANDARD STEEL POST OR WOOD POST WITH A MINIMUM CROSS-SECTIONAL AREA OF 3.0 SQUARE INCHES.




FABRIC ANCHOR DETAIL

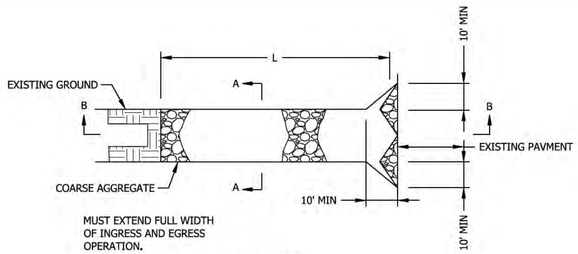



ATTACHING TWO SILT FENCES

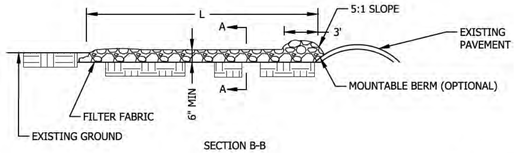
NOTES:
1. PLACE THE END POST OF THE SECOND FENCE INSIDE THE END POST OF THE FIRST FENCE.
2. ROTATE BOTH POSTS 180 DEGREES IN A CLOCKWISE DIRECTION TO CREATE A TIGHT SEAL WITH THE FABRIC MATERIAL.
3. CUT THE FABRIC NEAR THE BOTTOM OF THE STAKES TO ACCOMMODATE THE 6" FLAP.
4. DRIVE BOTH POSTS A MINIMUM OF 18 INCHES INTO THE GROUND AND BURY THE FLAP.
5. COMPACT BACKFILL (PARTICULARLY AT THE SPLICES) COMPLETELY TO PREVENT STORMWATER PIPING.

1 C8.02 PERIMETER EROSION CONTROL

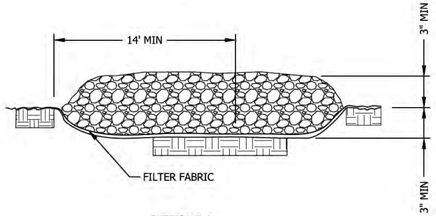
NTS




SECTION B-B



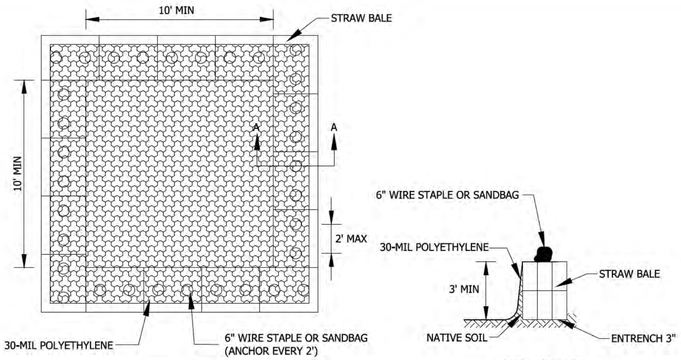

SECTION B-B




SECTION A-A

2 C8.02 STABILIZED CONSTRUCTION ENTRANCE

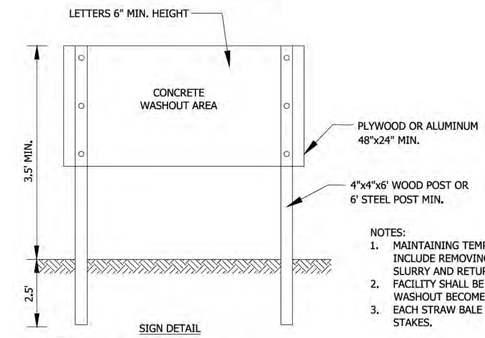
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PLAN VIEW

LINER ANCHOR

STRAW BALE ANCHOR SECTION A-A

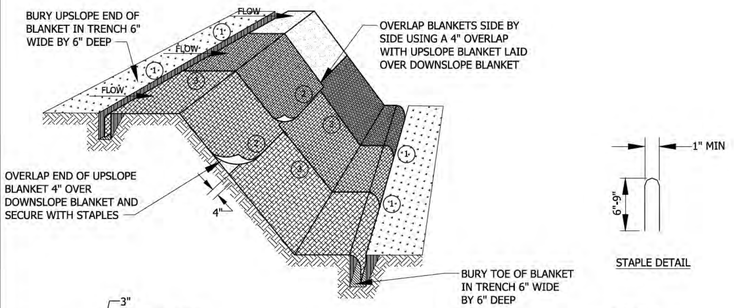



SIGN DETAIL

NOTES:
1. MAINTAINING TEMPORARY CONCRETE WASHOUT FACILITIES SHALL INCLUDE REMOVING AND DISPOSING OF HARDEND CONCRETE AND/OR SLURRY AND RETURNING THE FACILIITIES TO A FUNCTIONAL CONDITION.
2. FACILITY SHALL BE CLEANED OR RECONSTRUCTED IN A NEW AREA ONCE WASHOUT BECOMES TWO-THIRDS FULL.
3. EACH STRAW BALE IS TO BE STAKED IN PLACE USING (2) 2"X2"X4' WOODEN STAKES.

3 C8.02 CONCRETE WASHOUT

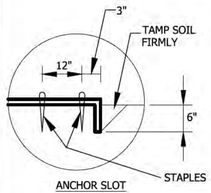
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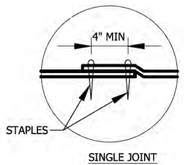


STAPLE DETAIL



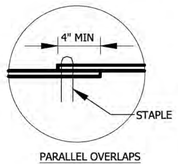

ANCHOR SLOT

DETAIL 1



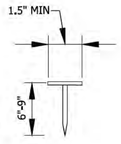

SINGLE JOINT

DETAIL 2




PARALLEL OVERLAPS

DETAIL 3

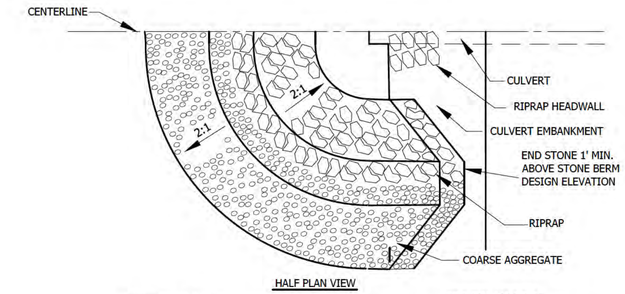



PUSH PIN DETAIL

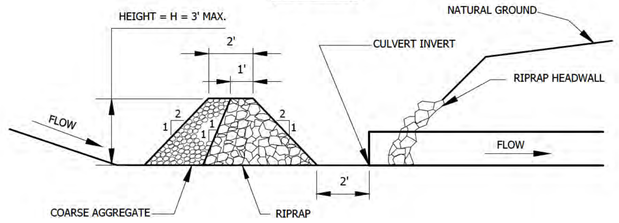
NOTES:
1. STAPLES SHALL BE PLACED IN A DIAMOND PATTERN AT 2 PER S.Y. FOR STITCHED BLANKETS. NON-STITCHED SHALL USE 4 STAPLES PER S.Y. OF MATERIAL. THIS EQUATES TO 200 STAPLES WITH STITCHED BLANKET AND 400 STAPLES WITH NON-STITCHED BLANKET PER 100 S.Y. OF MATERIAL.
2. STAPLE OR PUSH PIN LENGTHS SHALL BE SELECTED BASED ON SOIL TYPE AND CONDITIONS. (MINIMUM STAPLE LENGTH IS 6")
3. EROSION CONTROL MATERIAL SHALL BE PLACED IN CONTACT WITH THE SOIL OVER A PREPARED SEEDBED.
4. ALL ANCHOR SLOTS SHALL BE STAPLED AT APPROXIMATELY 12" INTERVALS.
5. EROSION CONTROL BLANKET MATERIAL SHALL BE NYLON/PLASTIC-FREE.

4 C8.02 TYPICAL NYLON-FREE EROSION CONTROL BLANKET

NTS




HALF PLAN VIEW



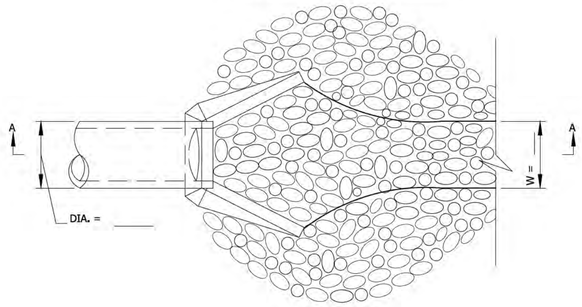

CENTERLINE CROSS SECTION

NOTES:
1. SEDIMENT SHALL BE REMOVED WHEN THE SEDIMENT HAS ACCUMULATED TO ONE-HALF THE HEIGHT OF THE STONE BERM.
2. COARSE AGGREGATE SHALL MEET ONE OF THE FOLLOWING IDOT COARSE AGGREGATE GRADATIONS, CA-1, CA-2, CA-3 OR CA-4.
3. RIPRAP SHALL MEET IDOT GRADATION RR-3 OR RR-4. ANY PERMANENT RIPRAP, SUCH AS FOR THE CULVERT HEADWALL, SHALL MEET IDOT QUALITY DESIGNATION A.
4. COARSE AGGREGATE AND RIPRAP SHALL BE PLACED ACCORDING TO CONSTRUCTION SPECIFICATION 25 ROCKFILL USING PLACEMENT METHOD 1 AND CLASS III COMPACTION.
5. THE MAXIMUM DRAINAGE AREA TO THE CULVERT BEING PROTECTED IS 3 ACRES.
6. SEE PLANS FOR H DIMENSION.
7. TIE THE STONE BERM INTO THE CULVERT EMBANKMENT A MINIMUM OF 1 FOOT ABOVE THE DESIGN ELEVATION OF THE STONE BERM.

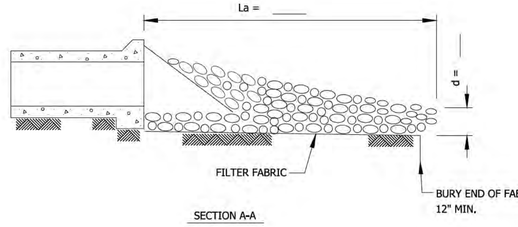
5 C8.02 CULVERT PROTECTION

NTS

PIPE OUTLET TO WELL-DEFINED CHANNEL




PLAN




SECTION A-A

NOTES:
1. THE FILTER FABRIC SHALL MEET THE REQUIREMENTS IN MATERIAL SPECIFICATION 592 GEOTEXTILE TABLE 1 OR 2, CLASS, OR I, II, III.
2. THE ROCK RIPRAP SHALL MEET THE IDOT REQUIREMENTS FOR THE FOLLOWING GRADATION.
3. THE RIPRAP SHALL BE PLACED ACCORDING TO CONSTRUCTION SPECIFICATION 61 LOOSE ROCK RIPRAP. THE ROCK MAY BE EQUIPMENT PLACED.

6 C8.02 RIPRAP ON FILTER FABRIC

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224 S. Michigan Avenue, Suite 1400
Chicago, IL 60604
www.stantec.com

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NOT FOR CONSTRUCTION

# CONSTRUCTION DETAILS

BLUE SAGE PROJECT LLC
JAS POWERED BY GREENVOLT, LLC
KENDALL COUNTY, IL

| DATE OF ISSUANCE |
|---|
| August 29, 2025 |

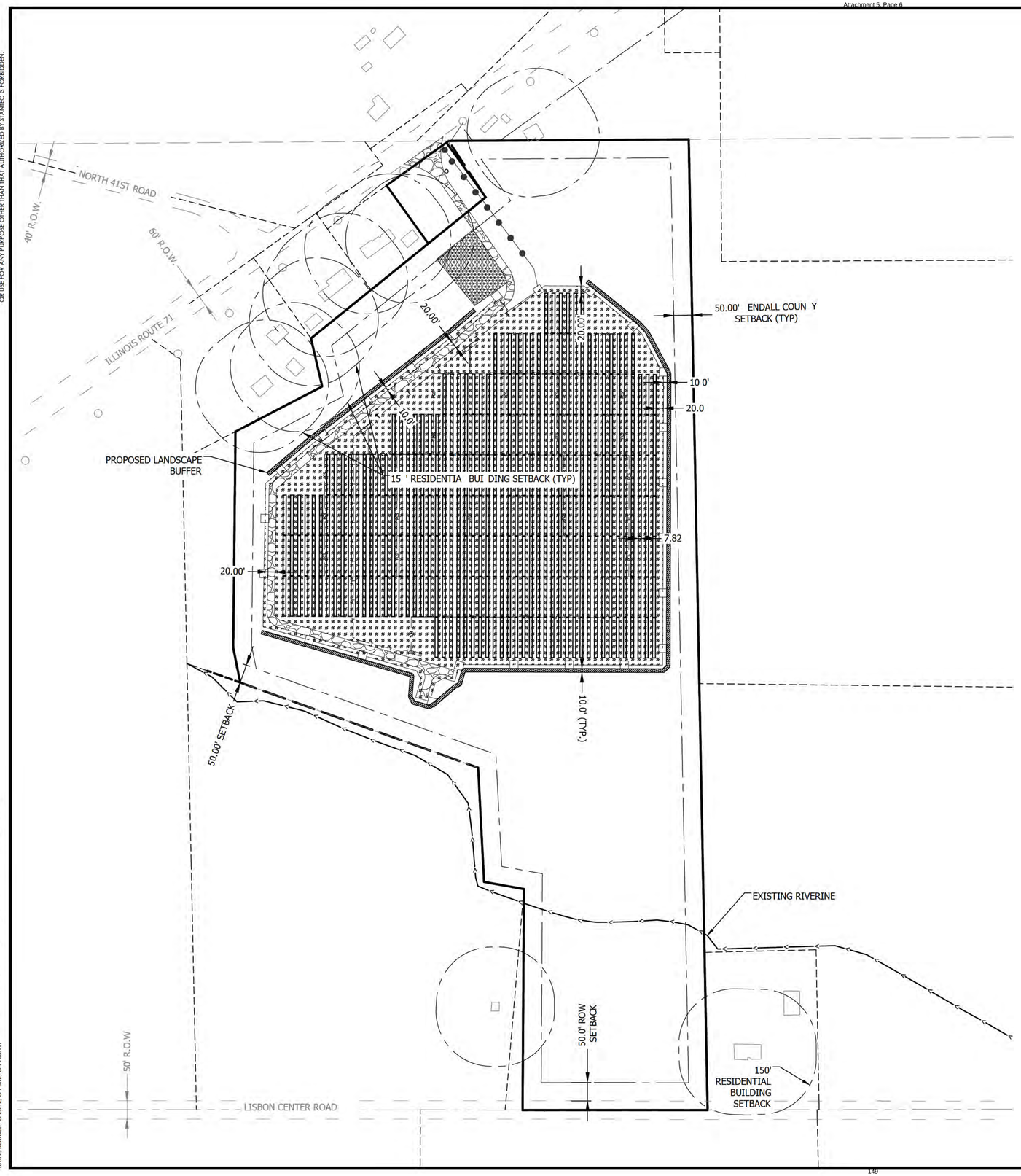
| NO | REVISION | DATE |
|---|---|---|

| | |
|---|---|
| SURVEY | |
| DRAWN | AMA |
| DESIGNED | AMA |
| CHECKED | JJM |
| APPROVED | JMT |
| PROJ. NO. | 190300383 |

SHEET NUMBER
C8.02

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Xrefs: BORDER

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LEGEND

*SETBACKS*

- 50' NON-PARTICIPATING NEIGHBOR/RIGHT-OF-WAY
- 150' STRUCTURE NON-PARTICIPATING NEIGHBOR

*PROPOSED*

- PERIMETER FENCE
- GRAVEL ACCESS ROAD
- T — MV CABLE
- PCS — LV CABLE
- INVERTER AND EQUIPMENT PAD
- PVCASE TRACKERS
- TEMPORARY LAYDOWN YARD 20,000 SF
- LANDSCAPE BUFFER
- LANDSCAPE SEED MIX
  19.78 ACRES, IL DOT CLASS 4A LOW PROFILE NATIVE GRASS MIX

N

0 150' 300'

Stantec

PRELIMINARY
NOT FOR CONSTRUCTION

# LANDSCAPE PLAN

BLUE SAGE PROJECT LLC
JAS POWERED BY GREENVOLT, LLC
KENDALL COUNTY,IL

| DATE OF ISSUANCE |
|---|
| August 29, 2025 |

| NO | REVISION | DATE |
|---|---|---|
| | | |

| | |
|---|---|
| SURVEY | |
| DRAWN | AMA |
| DESIGNED | AMA |
| CHECKED | JJM |
| APPROVED | JMT |
| PROJ. NO. | 190300383 |

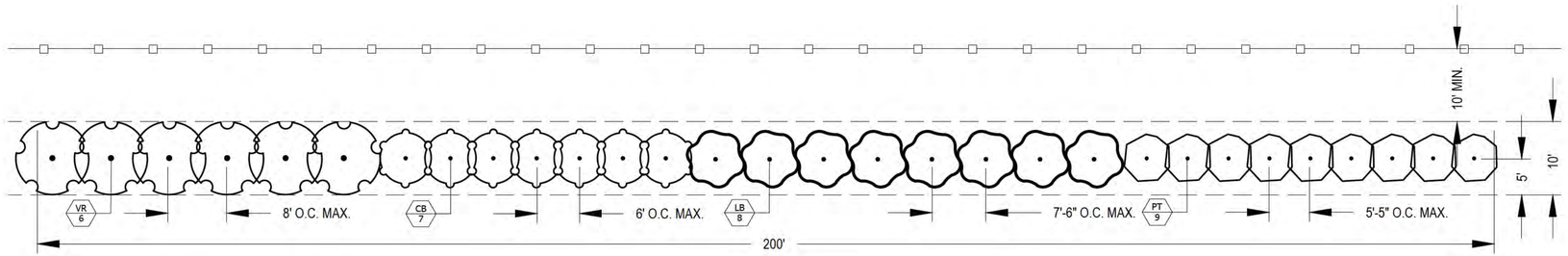
SHEET NUMBER
L1.00

Plot Date: 09/24/2025 - 11:08pm
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Xrefs: BORDER, C-ESITE, C-PSITE, C-PARRAY

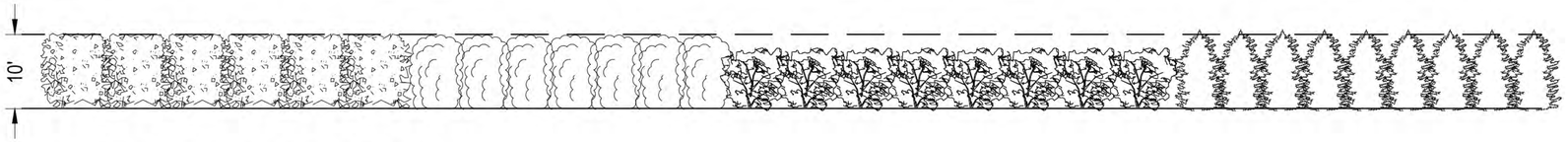
THE CONTRACTOR SHALL VERIFY AND BE RESPONSIBLE FOR ALL DIMENSIONS. DO NOT SCALE THE DRAWING. ANY ERRORS OR OMISSIONS SHALL BE REPORTED TO STANTEC WITHOUT DELAY. THE COPYRIGHTS TO ALL DESIGNS AND DRAWINGS ARE THE PROPERTY OF STANTEC. REPRODUCTION OR USE FOR ANY PURPOSE OTHER THAN THAT AUTHORIZED BY STANTEC IS FORBIDDEN.

| PLANT SCHEDULE: LANDSCAPE BUFFER (3086LF) | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| QTY | SYMBOL | BOTANICAL NAME | COMMON NAME | ZONE | APPROXIMATE MATURE HEIGHT | APPROXIMATE MATURE SPREAD | AVG. ANNUAL GROWTH | SPECIFICATION | NOTES |
| *PLANTS (459)* | | | | | | | | | |
| 104 | VR | VIBURNUM X RHYTIDOPHYLLOIDES 'ALLEGHANY' | ALLEGHANY VIBURNUM | 4 TO 8 | 10' | 10' | 12"-24" | MIN. 6' HEIGHT - CONTAINER | •SPACE PLANTS AS SHOWN IN TYPICAL LAYOUT. |
| 121 | CB | CORNUS BAILEYI | RED-TWIG DOGWOOD | 3 TO 8 | 10' | 8' | 12"-24" | MIN. 6' HEIGHT - CONTAINER | |
| 117 | LB | LINDERA BENZOIN | NORTHERN SPICE BUSH | 5 TO 8 | 8' | 8' | 12"-24" | MIN. 6' HEIGHT - CONTAINER | |
| 117 | PT | PINUS MUGO 'TANNENBAUM' | TANNENBAUM MUGO PINE | 3 TO 7 | 10' | 6' | 12"-24" | MIN. 6' HEIGHT - CONTAINER OR B&B | |

1 L1.01 LANDSCAPE BUFFER PLANT SCHEDULE
NTS




2 L1.01 LANDSCAPE BUFFER: PLAN VIEW OF TYPICAL 200' SEGMENT
SCALE: 1"=10'




3 L1.01 LANDSCAPE BUFFER: SECTION VIEW OF TYPICAL 200' SEGMENT
SCALE: 1"=10'

Stantec

PRELIMINARY
NOT FOR CONSTRUCTION

LANDSCAPE DETAILS

BLUE SAGE PROJECT LLC
JAS POWERED BY GREENVOLT, LLC
KENDALL COUNTY,IL

| DATE OF ISSUANCE |
|---|
| August 29, 2025 |

| NO | REVISION | DATE |
|---|---|---|
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| | |
|---|---|
| SURVEY | |
| DRAWN | AMA |
| DESIGNED | AMA |
| CHECKED | JJM |
| APPROVED | JMT |
| PROJ. NO. | 190300383 |

SHEET NUMBER
L1.01

Plot Date: 09/25/2025 - 9:24am
Drawing name: \\us0301-pdfs01\shared_projects\190300383\5_DESIGN\a_CAD\4_PLANSHEETS\L100-Landscape_Plan.dwg
Xrefs: BORDER, C-ESITE, C-PSITE, C-PARRAY

THE CONTRACTOR SHALL VERIFY AND BE RESPONSIBLE FOR ALL DIMENSIONS. DO NOT SCALE THE DRAWING. ANY ERRORS OR OMISSIONS SHALL BE REPORTED TO STANTEC WITHOUT DELAY. THE CONTRACTOR SHALL NOT USE THESE DRAWINGS FOR CONSTRUCTION PURPOSES UNTIL THEY ARE SIGNED AND SEALED BY THE ARCHITECT/ENGINEER. RELEASE, REPRODUCTION OR USE FOR ANY PURPOSE OTHER THAN THAT AUTHORIZED BY STANTEC IS FORBIDDEN.

PLANTING SEQUENCE

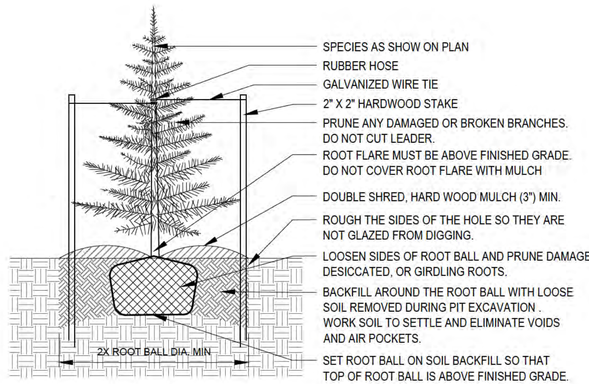
1. DIG THE PLANTING HOLE A MINIMUM OF 2x WIDTH OF ROOTBALL FOR AT LEAST THE FIRST 12 INCHES OF DEPTH. BELOW 12 INCHES, DIG HOLE WIDE ENOUGH TO PERMIT ADJUSTING. DO NOT DIG THE HOLE DEEPER THAN ROOT BALL DEPTH.
2. HOLES FOR INDIVIDUAL PLANTINGS SHALL BE EXCAVATED TO PRODUCE VERTICAL SIDES AND FLAT BOTTOMS. ALL PLANTING HOLES SHALL HAVE ROUGHED, SCARIFIED SIDES AND BOTTOMS.
3. LIFT AND SET THE TREE BY ROOT BALL ONLY. DO NOT LIFT USING THE TREE TRUNK AND DO NOT USE TREE TRUNK AS A LEVER.
4. SET THE TOP OF THE ROOT BALL LEVEL WITH THE SOIL SURFACE OR SLIGHTLY HIGHER.
5. BACKFILL WITH EXISTING SOIL THAT HAS BEEN WELL-TILLED OR BROKEN UP.
6. PRUNING SHALL BE LIMITED TO DEAD, DISEASED, OR BROKEN LIMBS ONLY AND SHALL BE IN ACCORDANCE WITH ANSI A300 SPECIFICATIONS.
7. REMOVE ANY TRUNK WRAP REMAINING AT TIME OF PLANTING. NO WRAPS SHALL BE PLACED ON TRUNK.
8. APPLY GRANULAR MYCORRHIZALINOCULANT SOIL ENHANCER AT EACH PLANT PER MANUFACTURER RECOMMENDATIONS.
9. THE CONTRACTOR SHALL RESTORE AREAS DISTURBED BY THE INSTALLATION OF SHRUBS AND TREES.

VEGETATIVE SCREENING NOTES: SHRUB AND TREE INSTALLATION

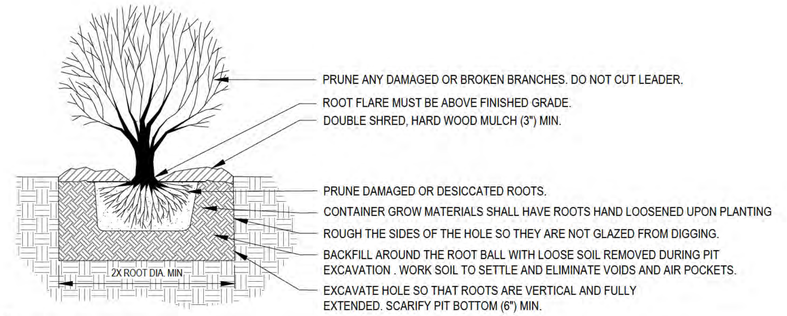
1. THE CONTRACTOR SHALL BE RESPONSIBLE FOR LAYOUT OF ALL WORK COVERED UNDER THESE PLANS.
2. ALL PLANT MATERIAL, UNLESS OTHERWISE SPECIFIED, SHALL BE UNIFORMLY BRANCHED AND HAVE A VIGOROUS ROOT SYSTEM. PLANT MATERIAL SHALL BE HEALTHY, VIGOROUS, AND FREE FROM DEFECTS, DECAY, DISEASES, INSECT PEST EGGS, AND ALL FORMS OF INFESTATION. ALL PLANT MATERIAL SHALL BE FRESH, FREE FROM TRANSPLANT SHOCK OR VISIBLE WILT. PLANTS DEEMED UNHEALTHY SHALL BE REJECTED.
3. ALL PLANT MATERIAL SHALL MEET THE MINIMUM SPECIFICATIONS AND STANDARDS DESCRIBED IN THE CURRENT ISSUE OF "THE AMERICAN STANDARD FOR NURSERY STOCK," PUBLISHED BY THE AMERICAN ASSOCIATION OF NURSERYMEN, 1250 I STREET, N.W., SUITE 500, WASHINGTON, D.C. 20005.
4. ALL CONTAINER STOCK SHALL HAVE BEEN PROPAGATED IN A CONTAINER LONG ENOUGH FOR THE ROOT SYSTEM TO HAVE DEVELOPED SUFFICIENTLY TO HOLD ITS SOIL. CONTAINER STOCK WITH POORLY DEVELOPED ROOT SYSTEMS SHALL NOT BE ACCEPTED.
5. PLANTS SHALL BE PREPARED FOR SHIPMENT IN A MANNER THAT SHALL NOT CAUSE DAMAGE TO THE BARK, BUDS, BRANCHES, STEMS, OR OVERALL SHAPE OF THE STOCK. CONTAINER GROWN PLANTS SHALL BE TRANSPORTED IN THE CONTAINERS IN WHICH THEY HAVE BEEN GROWN.
6. CONTRACTOR IS RESPONSIBLE FOR ANY NECESSARY FIELD PREPARATIONS WHERE PLANTINGS WILL OCCUR.
7. PLANTS NOT INSTALLED ON THE DAY OF ARRIVAL AT THE SITE SHALL BE STORED AND PROTECTED BY THE CONTRACTOR. OUTSIDE STORAGE AREAS SHALL BE SHADED AND PROTECTED FROM THE WIND AND SUN. PLANTS STORED ON SITE SHALL BE PROTECTED FROM ANY DRYING AT ALL TIMES BY COVERING THE BALLS OR ROOTS WITH MOIST SAWDUST, WET BURLAP, WOOD CHIPS, SHREDDED BARK, PEAT MOSS, OR OTHER SIMILAR MULCHING MATERIAL, OR OTHER METHODS APPROVED BY OWNER.
8. PLANT SUBSTITUTIONS MAY BE MADE BASED ON AVAILABILITY BUT MUST BE OF SIMILAR SIZE AND LANDSCAPE (SCREENING) VALUE. ALL SUBSTITUTIONS MUST BE APPROVED BY THE OWNER OR OWNER'S REPRESENTATIVE.
9. THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS IN THE FIELD.
10. NO PLANTING SHALL OCCUR WHEN THE SOIL IS FROZEN.

PROJECT ACCEPTANCE, MAINTENANCE, AND WARRANTY

1. PLANTED AREAS WILL BE INSPECTED AT COMPLETION OF INSTALLATION AND ACCEPTED (INITIAL ACCEPTANCE) WITH SPECIFIED MATERIALS AND INSTALLATION REQUIREMENTS. FOLLOWING INITIAL ACCEPTANCE OF THE COMPLETE INSTALLATION OF ALL PLANT MATERIAL, THE WARRANTY PERIOD WILL BEGIN.
2. CONTRACTOR IS RESPONSIBLE FOR ANY SOIL DAMAGE CREATED BY VEHICLES OR INSTALLATION PROCEDURES THAT ALTER EXISTING GRADES. THIS INCLUDES SOIL RUTS OR DEPRESSIONS. CONTRACTOR SHALL RESTORE AREAS DISTURBED.
3. CONTRACTOR SHALL MAINTAIN INSTALLED SHRUBS AND TREES WITHIN THE PROJECT LIMITS UNTIL FINAL ACCEPTANCE OF THE PROJECT BY THE OWNER. FINAL ACCEPTANCE SHALL BE AT THE END OF THE WARRANTY PERIOD. MAINTENANCE SHALL INCLUDE PRUNING, CULTIVATING, WEEDING, WATERING, AND METHODS NECESSARY TO MAINTAIN PLANTS FREE OF INSECT, DISEASE, OR OTHER HERBIVORY DAMAGE UNTIL ACCEPTANCE. MAINTENANCE PERIOD SHALL BE ASSUMED TO CONTINUE THROUGH THE DURATION OF THE WARRANTY PERIOD.
4. WARRANT PLANT MATERIAL TO REMAIN ALIVE AND BE IN HEALTHY, VIGOROUS CONDITION FOR A PERIOD OF ONE (1) YEAR AFTER INITIAL ACCEPTANCE. IF PLANTING TAKES PLACE OVER MULTIPLE PLANTING WINDOWS, THIS WARRANTY WILL REMAIN IN AFFECT ON ALL PLANT MATERIAL BASED ON THE WARRANTY PERIOD OF THE MOST RECENTLY INSTALLED PLANT MATERIAL.
5. REMOVE AND IMMEDIATELY REPLACE ALL PLANTS, AS DETERMINED BY THE OWNER'S REPRESENTATIVE, TO BE UNSATISFACTORY DURING THE INITIAL PLANTING INSTALLATION.
6. REPLACE AT ONCE, IN ACCORDANCE WITH THE DRAWINGS AND SPECIFICATIONS, ALL PLANTS THAT ARE DEAD OR, AS DETERMINED BY THE OWNER'S REPRESENTATIVE, OR ARE IN SEVERELY UNHEALTHY CONDITION WITHIN THE WARRANTY PERIOD. REPLACEMENTS TO BE INSTALLED AT NEXT BEST PLANTING SEASON.
7. TREE STAKING SHOULD BE REMOVED AFTER ONE COMPLETE GROWING SEASON. IF STAKING IS REQUIRED ON REPLACED WARRANTED MATERIAL AT THE TIME OF WARRANTY PLANTING, THESE STAKES SHALL BE REMOVED AFTER ONE COMPLETE GROWING SEASON FOLLOWING INSTALLATION.
8. CONTRACTOR IS RESPONSIBLE FOR PROVIDING HERBIVORY PROTECTION DURING THE MAINTENANCE AND WARRANTY PERIOD. REPLACEMENT OF PLANTS DUE TO DAMAGE FROM HERBIVORY WILL BE AT THE CONTRACTOR'S EXPENSE.
9. UPON FINAL ACCEPTANCE, THE OWNER WILL ASSUME PLANT MAINTENANCE.




1 / L1.02 EVERGREEN TREE PLANTING
NTS




2 / L1.02 SHRUB PLANTING
NTS

Stantec

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NOT FOR CONSTRUCTION

LANDSCAPE DETAILS

BLUE SAGE PROJECT LLC
JAS POWERED BY GREENVOLT, LLC
KENDALL COUNTY,IL

| DATE OF ISSUANCE |
|---|
| August 29, 2025 |

| NO | REVISION | DATE |
|---|---|---|
| | | |

| | |
|---|---|
| SURVEY | |
| DRAWN | AMA |
| DESIGNED | AMA |
| CHECKED | JJM |
| APPROVED | JMT |
| PROJ. NO. | 190300383 |

SHEET NUMBER
L1.02

Plot Date: 09/24/2025 - 11:09pm
Drawing name: \\us050-ppfs01\shared_projects\190300383\5.DESIGN\5_CAD\4_PLANSHEETS\L1.00-landscape_Plan.dwg
Xrefs: BORDER, C-SITE, C-SITE, C-P-ARRAY

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# SPECIAL USE PERMIT PLANS
## FOR
# BLUE SAGE PROJECT LLC
## KENDALL COUNTY, ILLINOIS

Sheet List Table

| Sheet Number | Sheet Title |
|---|---|
| C0.01 | COVER SHEET |
| C0.10 | EXISTING CONDITIONS |
| C1.00 | SITE PLAN |
| C8.00 | CIVIL DETAILS |
| C8.01 | CIVIL DETAILS |
| C9.00 | LANDSCAPE PLAN |
| C9.01 | LANDSCAPE DETAILS |
| C9.02 | LANDSCAPE DETAILS |

**APPLICANTS**

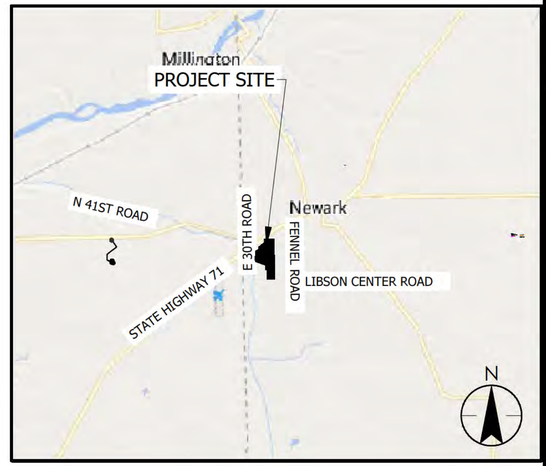
| | |
|---|---|
| **PROJECT OWNER:** | JAS POWERED BY GREENBOLT, LLC |
| ☐ Primary Contact | ANSAR GAFUR<br>[redacted] |
| **CIVIL ENGINEER:** | STANTEC CONSULTING SERVICES INC. |
| ☐ Primary Contact | JOHN TUCKER, PE<br>[redacted] |

**SITE INFORMATION**

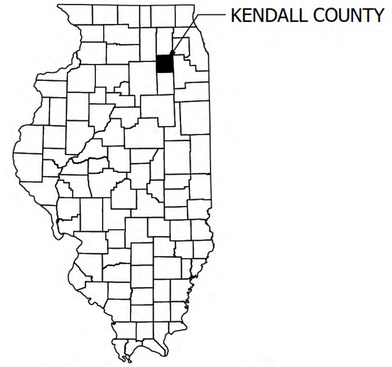
| | |
|---|---|
| ***PARCEL ZONING*** | |
| A1 AGRICULTURE | |
| ***PROJECT DESCRIPTION*** | |
| PROJECT LOCATION | |
| PARCEL PIN | 07-07-100-022 |
| PROJECT PARCEL | 51.32 ACRES |
| FENCED ACREAGE | 20.6 ACRES |
| AC CAPACITY AT POI | TBD |
| DC CAPACITY | TBD |
| MODULE MODULE | TBD |
| MOUNTING SYSTEM | TBD |
| INVERTER MODULES | TBD |




LOCATION MAP
NOT TO SCALE




VICINITY MAP
NOT TO SCALE




STATE OF ILLINOIS
NOT TO SCALE

The locations of existing utility installations as shown on this plan are approximate. There may be other underground utility installations within the project area that are not shown.

Stantec assumes no responsibility for damages, liability or costs resulting from changes or alterations made to this plan without written consent of Stantec.

These drawings have been prepared based on information provided by others. Stantec has not verified the accuracy and/or completeness of this information and shall not be responsible for any errors or omissions which may be incorporated herein as a result.

Stantec
224 S. Michigan Avenue, Suite 1400
Chicago, IL 60604
www.stantec.com

PRELIMINARY
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COVER SHEET

BLUE SAGE PROJECT LLC
JAS POWERED BY GREENVOLT, LLC
KENDALL COUNTY,IL

| DATE OF ISSUANCE |
|---|
| August 29, 2025 |

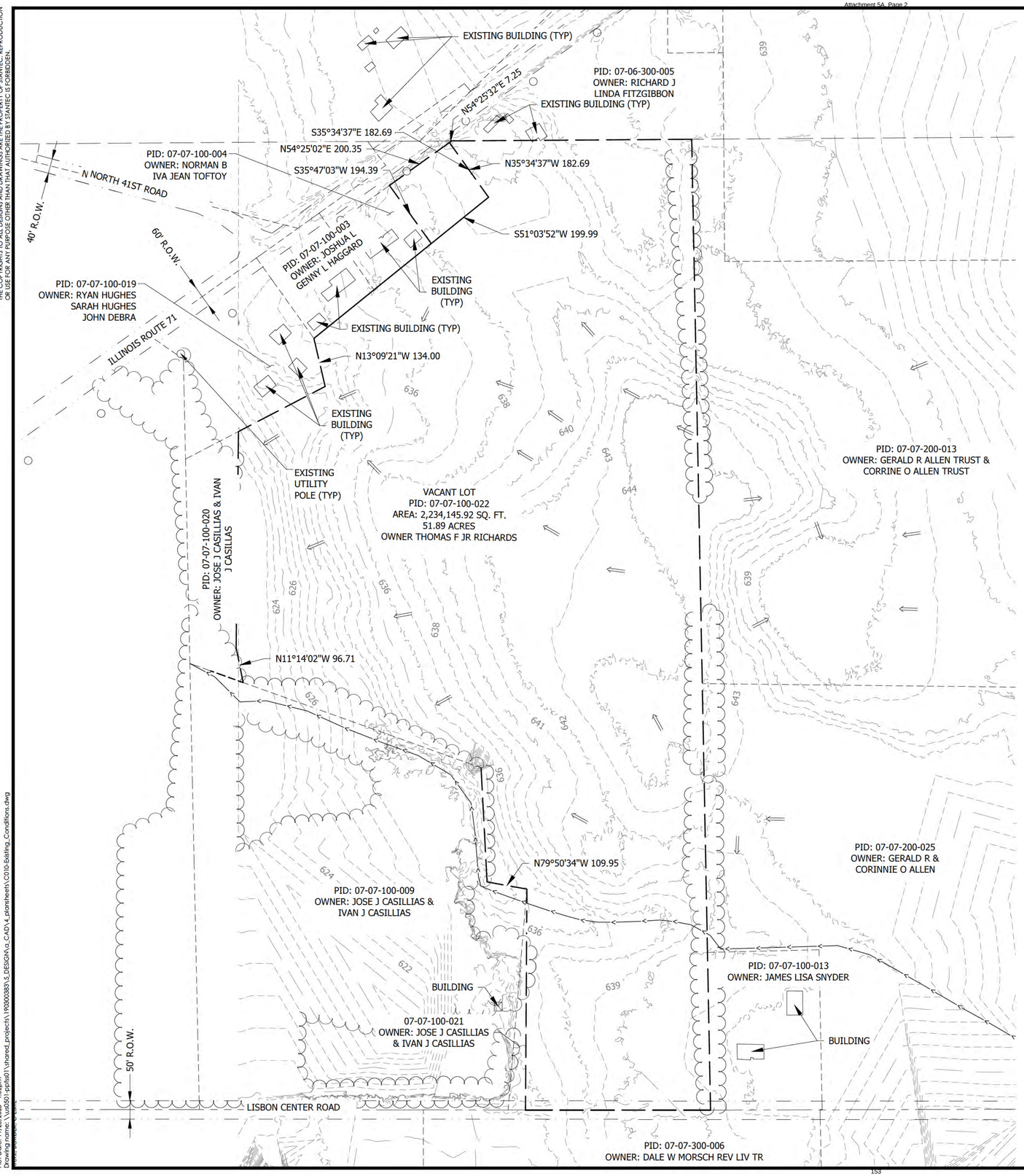
| NO | REVISION | DATE |
|---|---|---|
| | | |

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|---|---|
| SURVEY | |
| DRAWN | AMA |
| DESIGNED | AMA |
| CHECKED | JJM |
| APPROVED | JMT |
| PROJ. NO. | 190300383 |

SHEET NUMBER
C0.01

Plot Date: 11/25/2025 - 12:59pm
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Xrefs: Borders, Cxrfs

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LEGEND
*EXISTING*

- PROJECT BOUNDARY
- PROPERTY LINE
- ROW
- SECTION QUARTER LINE
- WETLAND
- DRAINAGE ARROW
- EXISTING UTILITY POLE
- EXISTING CONTOUR MAJOR
- EXISTING CONTOUR MINOR
- EXISTING TREE LINE (TRACED VIA AERIAL)
- STRUCTURE (TRACED VIA AERIAL)
- EXISTING RIVERINE

EXISTING CONDITIONS NOTES:

1. SURVEY DATA IS BASED ON GIS DATA FROM KENDALL COUNTY AND HAS NOT BEEN VERIFIED IN THE FIELD.
2. ALL SURFACE DATA IS BASED ON DATA FROM ILLINOIS GEOSPATIAL DATA CLEARINGHOUSE.
3. WETLAND INFORMATION IS BASED ON DATA FROM NATIONAL WETLAND INVENTORY (NWI).

N

0 150' 300'

Stantec

PRELIMINARY
NOT FOR CONSTRUCTION

# EXISTING CONDITIONS

BLUE SAGE PROJECT LLC
JAS POWERED BY GREENVOLT, LLC
KENDALL COUNTY,IL

| DATE OF ISSUANCE |
|---|
| August 29, 2025 |

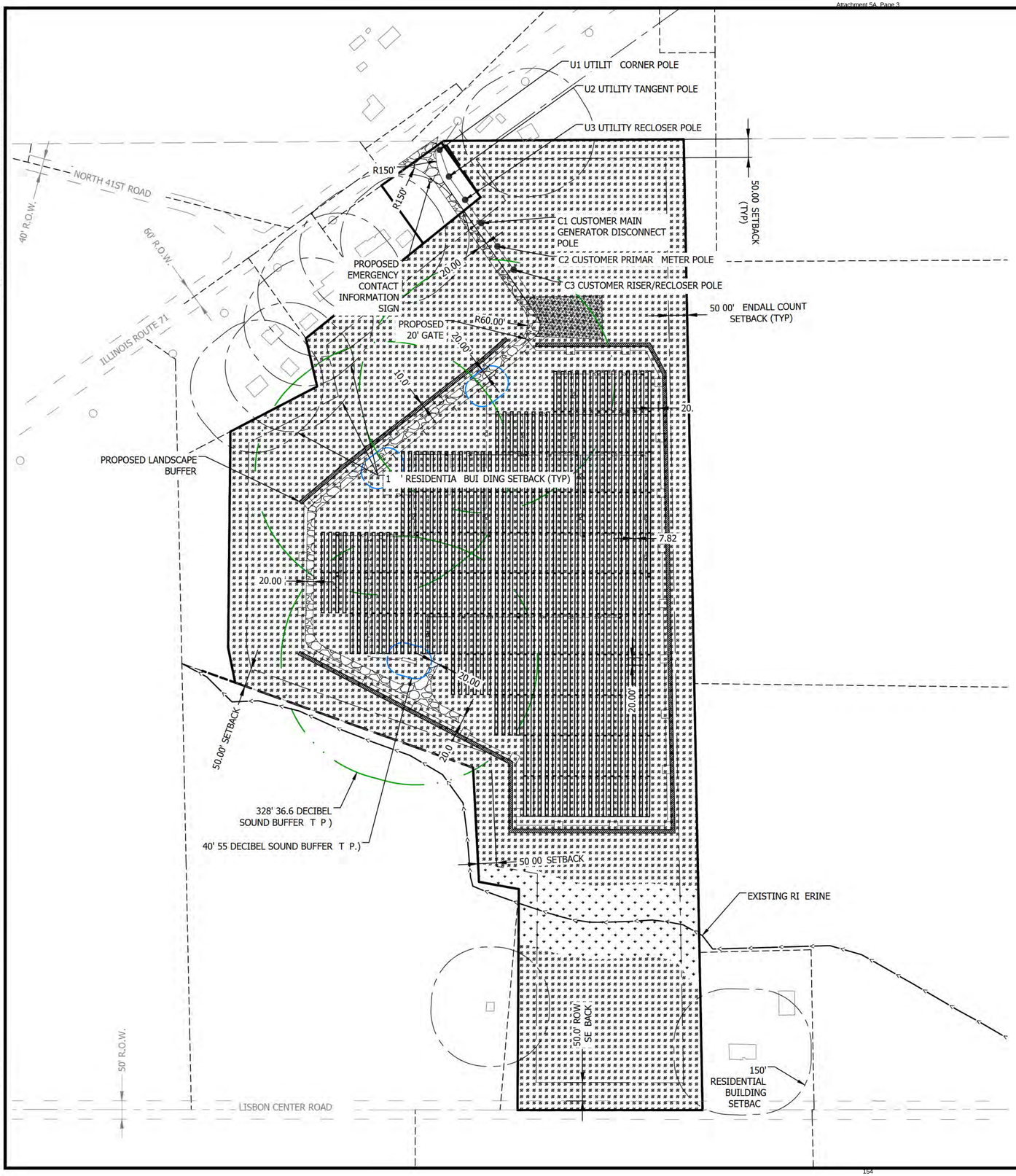
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|---|---|---|
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| | |
|---|---|
| SURVEY | |
| DRAWN | AMA |
| DESIGNED | AMA |
| CHECKED | JJM |
| APPROVED | JMT |
| PROJ. NO. | 190300383 |

SHEET NUMBER
C1.00

Plot Date: 11/25/2025 - 1:07pm
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Xrefs Bound: C:\Users

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LEGEND

*SETBACKS*

- 50' NON-PARTICIPATING NEIGHBOR/RIGHT-OF-WAY
- 150' STRUCTURE NON-PARTICIPATING NEIGHBOR
- 100m (328') 36.6 DECIBEL SOUND BUFFER
- 12m (40') 55 DECIBEL SOUND BUFFER (KENDALL COUNTY EVENING SOUND LIMIT)

*PROPOSED*

- PERIMETER FENCE
- GRAVEL ACCESS ROAD
- T — MV CABLE
- PCS — LV CABLE
- INVERTER AND EQUIPMENT PAD
- PVCASE TRACKERS
- TEMPORARY LAYDOWN YARD 20,000 SF
- LANDSCAPE BUFFER
- 47.97 ACRES, IL DOT CLASS 4A LOW PROFILE NATIVE GRASS MIX
- 2.47 ACRES, STANTEC SWALE SEED MIX OR EQUAL AVAILABLE AT: 574-586-2412

| SETBACKS | | |
|---|---|---|
| DESCRIPTION | REQUIRED | ACHIEVED |
| RIGHT-OF-WAY | 100' | |
| FROM CENTERLINE OF ROAD | 150' | |
| INTERIOR SIDE YARDS | 25' | |
| REAR YARDS | 60' | |
| ADJACENT PROPERTIES | 60' | |

N

0 150' 300'

Stantec

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SITE PLAN

BLUE SAGE PROJECT LLC
JAS POWERED BY GREENVOLT, LLC
KENDALL COUNTY,IL

| DATE OF ISSUANCE |
|---|
| August 29, 2025 |

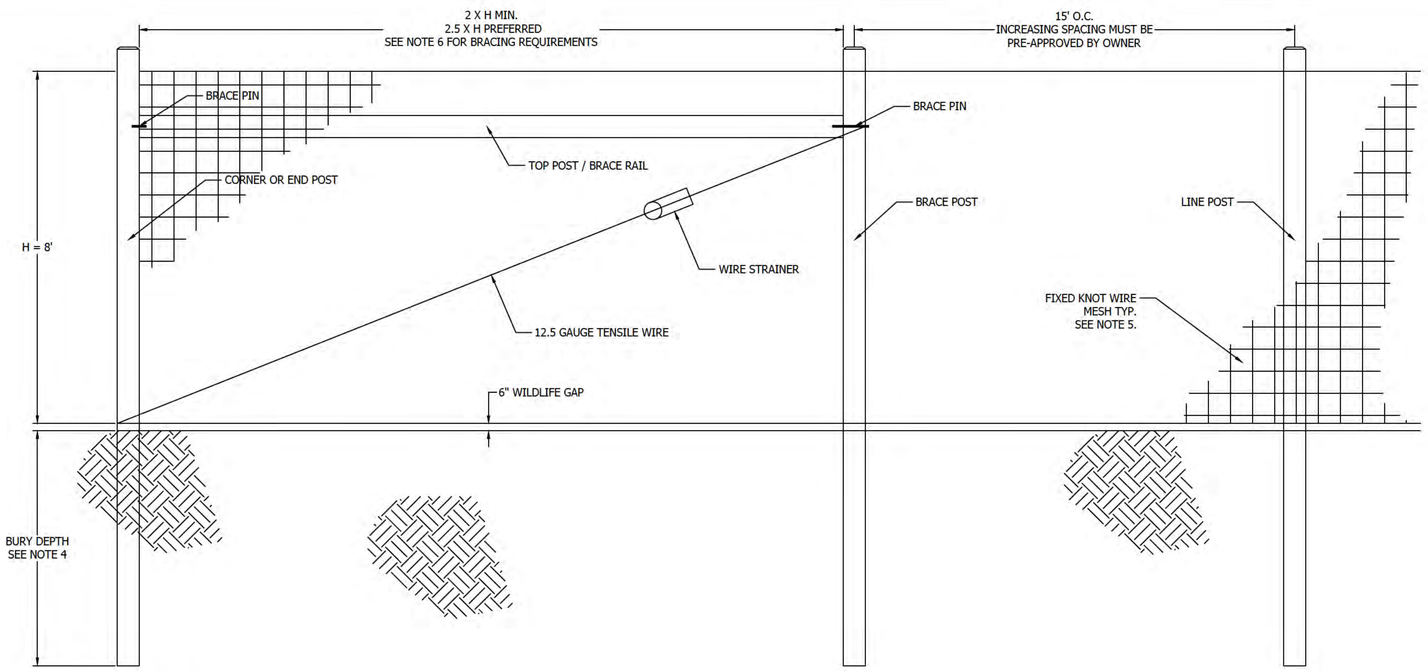
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|---|---|
| SURVEY | |
| DRAWN | AMA |
| DESIGNED | AMA |
| CHECKED | JJM |
| APPROVED | JMT |
| PROJ. NO. | 190300383 |

SHEET NUMBER
C2.00

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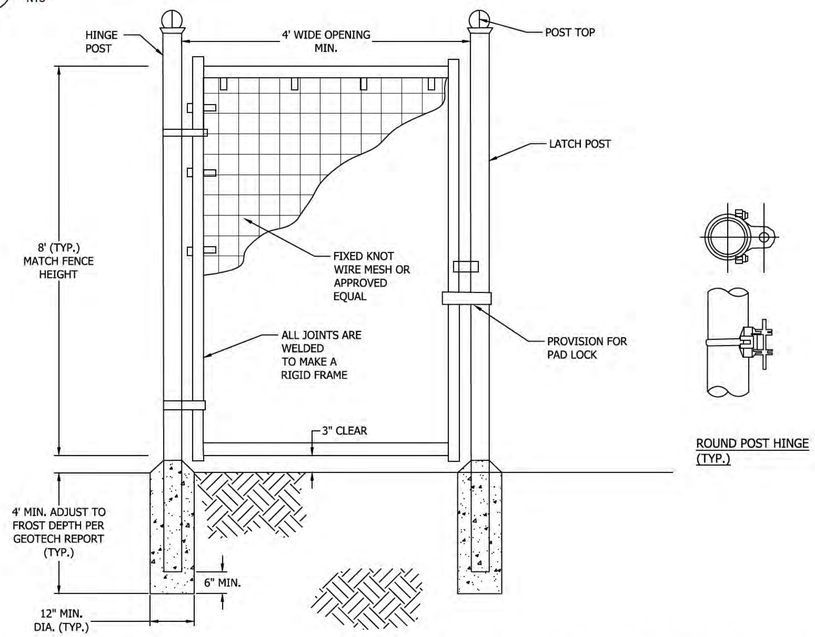
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NOTES
1. INSTALL ALL FENCING COMPONENTS PER MANUFACTURER'S SPECIFICATIONS.
2. ALL FENCING AND HARDWARE SHALL BE GALVANIZED, UNLESS OTHERWISE NOTED.
3. ALL SQUARE POSTS TO BE MIN. 5"X5" NOMINAL SIZE OR ROUND POST WITH MIN. 5" OR 6" DIAMETER PRESSURE TREATED WOOD OR APPROVED EQUAL. POSTS SHALL HAVE A CHAMFERED TOP.
4. ALL LINE POST TO BE SET TO A MIN. DEPTH OF 4' BELOW GRADE, ALL CORNER, END OR GATE POSTS SHALL BE SET TO A MIN. DEPTH OF 6' BELOW GRADE, UNLESS OTHERWISE NOTED.
5. FIXED KNOT WIRE MESH TO BE BEKAERT SOLIDLOCK® PRO, 12.5 GAUGE, CLASS 3 GALVANIZED, 6" VERTICAL SPACING OR APPROVED EQUAL.
6. BRACING IS REQUIRED AT ALL CORNER, END, AND GATE POSTS. DOUBLE BRACING (TWO BRACE ASSEMBLIES IN A ROW) SHOULD BE USED FOR STRAIGHT RUNS OF FENCE THAT EXCEED 1,000 LF. AN ADDITIONAL BRACE ASSEMBLY SHOULD BE INSTALLED MID SPAN FOR STRAIGHT RUNS OF FENCE THAT EXCEED 1,320 LF. ADDITIONAL BRACING MAY BE STILL BE REQUIRED OVER UNEVEN TERRAIN, CONTRACTOR SHALL INSTALL ADDITIONAL BRACING AS NEEDED IF DEFLECTION IS NOTICED DURING TENSIONING.

1 / C8.01 FIXED KNOT FARM FENCE

NTS



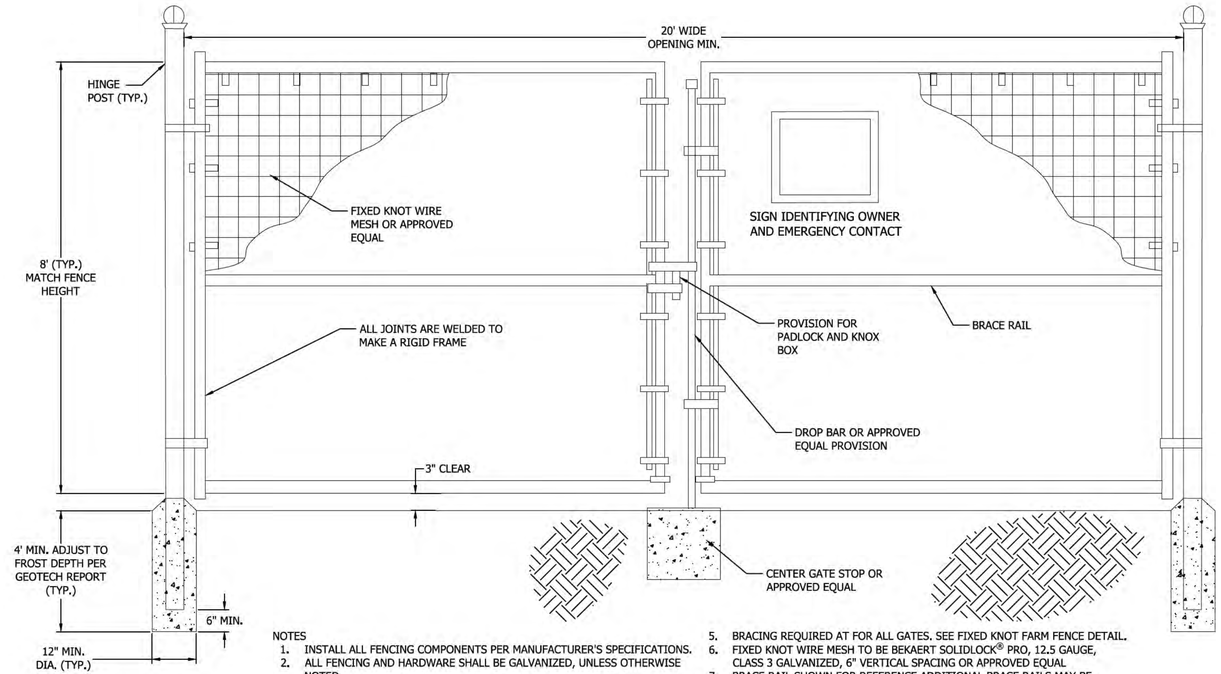



ROUND POST HINGE
(TYP.)

NOTES
1. INSTALL ALL FENCING COMPONENTS PER MANUFACTURER'S SPECIFICATIONS.
2. ALL FENCING AND HARDWARE SHALL BE GALVANIZED, UNLESS OTHERWISE NOTED.
3. HINGE POSTS MAY BE TIMBER. TIMBER HINGE POSTS DO NOT NEED TO BE SET IN CONCRETE. UTILIZE HINGE THRU BOLTS TO CONNECT TO TIMBER HINGE POSTS OR LAG SCREWS, PER MANUFACTURER'S RECOMMENDATIONS.
4. IF CONTRACTOR UTILIZES METAL HINGE POST, POSTS SHALL BE SET IN CONCRETE AS SHOWN ON DETAIL.
5. BRACING REQUIRED AT FOR ALL GATES. SEE FIXED KNOT FARM FENCE DETAIL.
6. FIXED KNOT WIRE MESH TO BE BEKAERT SOLIDLOCK® PRO, 12.5 GAUGE, CLASS 3 GALVANIZED, 6" VERTICAL SPACING OR APPROVED EQUAL
7. BRACE RAILS AND/ OR TRUSS RODS ARE NOT SHOWN, MAY BE REQUIRED PER MANUFACTURER'S RECOMMENDATIONS

2 / C8.01 FIXED KNOT FARM FENCE PERSONNEL GATE

NTS




NOTES
1. INSTALL ALL FENCING COMPONENTS PER MANUFACTURER'S SPECIFICATIONS.
2. ALL FENCING AND HARDWARE SHALL BE GALVANIZED, UNLESS OTHERWISE NOTED.
3. HINGE POSTS MAY BE TIMBER. TIMBER HINGE POSTS DO NOT NEED TO BE SET IN CONCRETE. UTILIZE HINGE THRU BOLTS TO CONNECT TO TIMBER HINGE POSTS OR LAG SCREWS, PER MANUFACTURER'S RECOMMENDATIONS.
4. IF CONTRACTOR UTILIZES METAL HINGE POST, POSTS SHALL BE SET IN CONCRETE AS SHOWN ON DETAIL.
5. BRACING REQUIRED AT FOR ALL GATES. SEE FIXED KNOT FARM FENCE DETAIL.
6. FIXED KNOT WIRE MESH TO BE BEKAERT SOLIDLOCK® PRO, 12.5 GAUGE, CLASS 3 GALVANIZED, 6" VERTICAL SPACING OR APPROVED EQUAL.
7. BRACE RAIL SHOWN FOR REFERENCE ADDITIONAL BRACE RAILS MAY BE REQUIRED (NOT SHOWN) OR TRUSS RODS MAY BE REQUIRED PER MANUFACTURER'S RECOMMENDATIONS

3 / C8.01 20' WIDE FIXED KNOT FARM FENCE DOUBLE SWING GATE

NTS

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224 S. Michigan Avenue, Suite 1400
Chicago, IL 60604
www.stantec.com

PRELIMINARY
NOT FOR CONSTRUCTION

CONSTRUCTION DETAILS

BLUE SAGE PROJECT LLC
JAS POWERED BY GREENVOLT, LLC
KENDALL COUNTY,IL

| DATE OF ISSUANCE |
|---|
| August 29, 2025 |

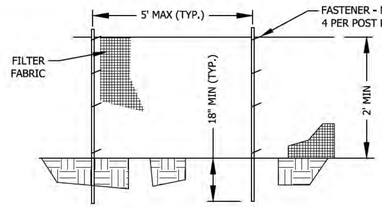
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| SURVEY | |
| DRAWN | AMA |
| DESIGNED | AMA |
| CHECKED | JJM |
| APPROVED | JMT |
| PROJ. NO. | 190300383 |

SHEET NUMBER
C8.01

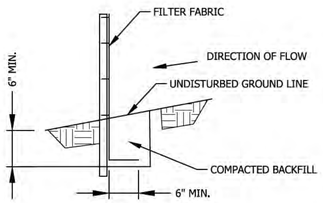
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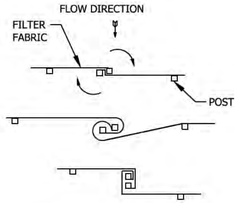



NOTES:
1. FILTER FABRIC SHALL MEET THE REQUIREMENTS OF MATERIAL SPECIFICATION 592 GEOTEXTILE TABLE 1, CLASSES I-IV; THE USER MANUAL SHALL SELECT THE GEOTEXTILE FABRIC THAT BEST SUITS THE DESIGN AND SITE CONDITIONS.
2. FENCE POSTS SHALL BE EITHER STANDARD STEEL POST OR WOOD POST WITH A MINIMUM CROSS-SECTIONAL AREA OF 3.0 SQUARE INCHES.

ELEVATION




FABRIC ANCHOR DETAIL

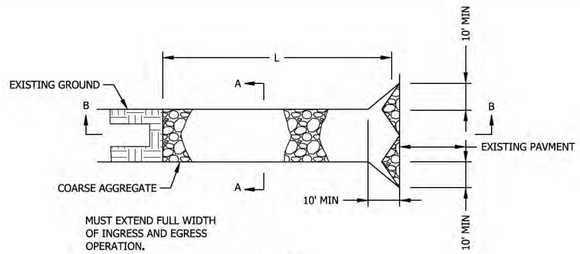



ATTACHING TWO SILT FENCES

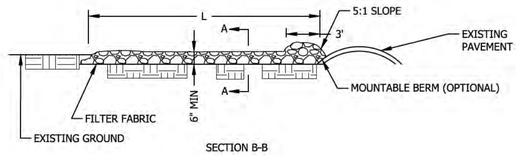
NOTES:
1. PLACE THE END POST OF THE SECOND FENCE INSIDE THE END POST OF THE FIRST FENCE.
2. ROTATE BOTH POSTS 180 DEGREES IN A CLOCKWISE DIRECTION TO CREATE A TIGHT SEAL WITH THE FABRIC MATERIAL.
3. CUT THE FABRIC NEAR THE BOTTOM OF THE STAKES TO ACCOMMODATE THE 6" FLAP.
4. DRIVE BOTH POSTS A MINIMUM OF 18 INCHES INTO THE GROUND AND BURY THE FLAP.
5. COMPACT BACKFILL (PARTICULARLY AT THE SPLICES) COMPLETELY TO PREVENT STORMWATER PIPING.

1 C8.02 PERIMETER EROSION CONTROL

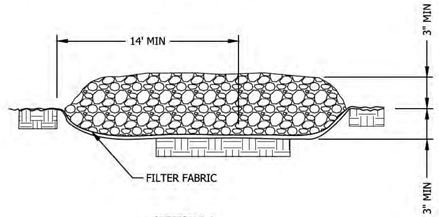
NTS




SECTION B-B



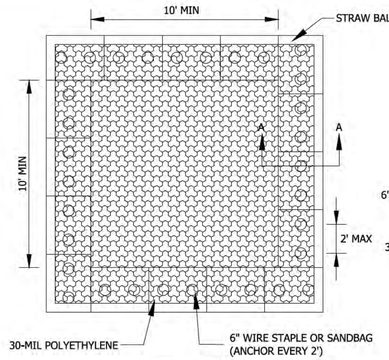

SECTION B-B



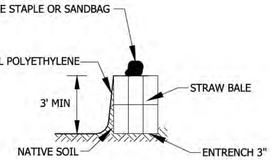

SECTION A-A

2 C8.02 STABILIZED CONSTRUCTION ENTRANCE

NTS

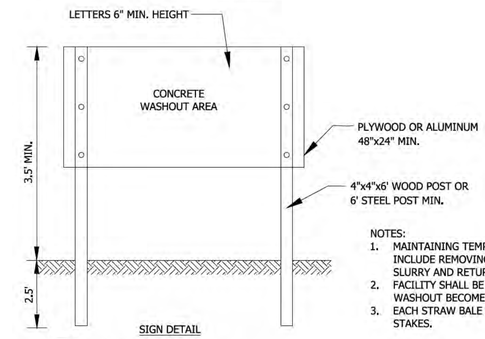



PLAN VIEW




LINER ANCHOR

STRAW BALE ANCHOR SECTION A-A

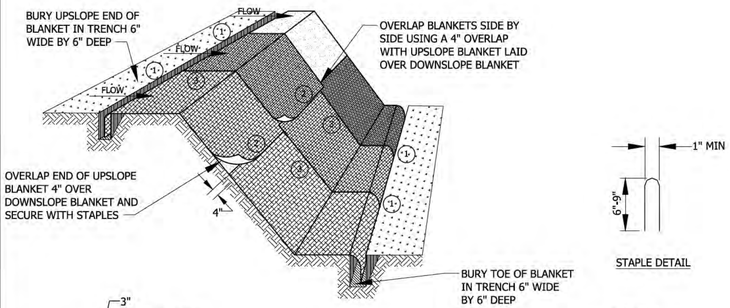



SIGN DETAIL

NOTES:
1. MAINTAINING TEMPORARY CONCRETE WASHOUT FACILITIES SHALL INCLUDE REMOVING AND DISPOSING OF HARDEND CONCRETE AND/OR SLURRY AND RETURNING THE FACILIITIES TO A FUNCTIONAL CONDITION.
2. FACILITY SHALL BE CLEANED OR RECONSTRUCTED IN A NEW AREA ONCE WASHOUT BECOMES TWO-THIRDS FULL.
3. EACH STRAW BALE IS TO BE STAKED IN PLACE USING (2) 2"X2"X4' WOODEN STAKES.

3 C8.02 CONCRETE WASHOUT

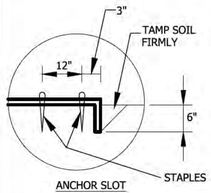
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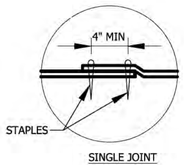


STAPLE DETAIL



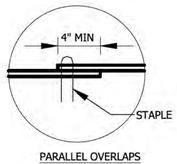

ANCHOR SLOT

DETAIL 1



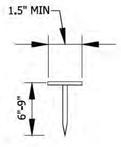

SINGLE JOINT

DETAIL 2




PARALLEL OVERLAPS

DETAIL 3

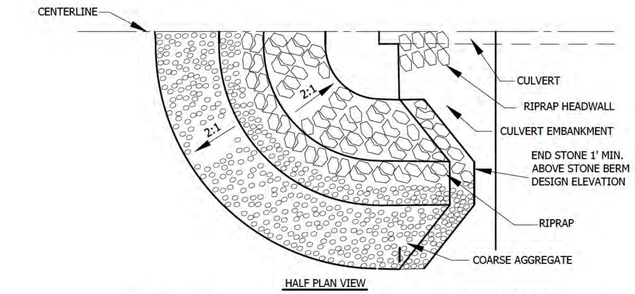



PUSH PIN DETAIL

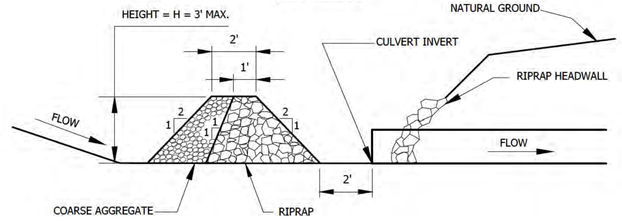
NOTES:
1. STAPLES SHALL BE PLACED IN A DIAMOND PATTERN AT 2 PER S.Y. FOR STITCHED BLANKETS. NON-STITCHED SHALL USE 4 STAPLES PER S.Y. OF MATERIAL. THIS EQUATES TO 200 STAPLES WITH STITCHED BLANKET AND 400 STAPLES WITH NON-STITCHED BLANKET PER 100 S.Y. OF MATERIAL.
2. STAPLE OR PUSH PIN LENGTHS SHALL BE SELECTED BASED ON SOIL TYPE AND CONDITIONS. (MINIMUM STAPLE LENGTH IS 6")
3. EROSION CONTROL MATERIAL SHALL BE PLACED IN CONTACT WITH THE SOIL OVER A PREPARED SEEDBED.
4. ALL ANCHOR SLOTS SHALL BE STAPLED AT APPROXIMATELY 12" INTERVALS.
5. EROSION CONTROL BLANKET MATERIAL SHALL BE NYLON/PLASTIC-FREE.

4 C8.02 TYPICAL NYLON-FREE EROSION CONTROL BLANKET

NTS




HALF PLAN VIEW



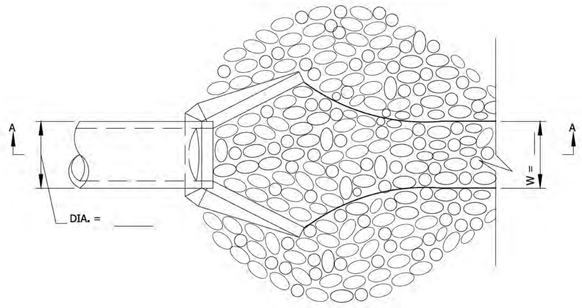

CENTERLINE CROSS SECTION

NOTES:
1. SEDIMENT SHALL BE REMOVED WHEN THE SEDIMENT HAS ACCUMULATED TO ONE-HALF THE HEIGHT OF THE STONE BERM.
2. COARSE AGGREGATE SHALL MEET ONE OF THE FOLLOWING IDOT COARSE AGGREGATE GRADATIONS, CA-1, CA-2, CA-3 OR CA-4.
3. RIPRAP SHALL MEET IDOT GRADATION RR-3 OR RR-4. ANY PERMANENT RIPRAP, SUCH AS FOR THE CULVERT HEADWALL, SHALL MEET IDOT QUALITY DESIGNATION A.
4. COARSE AGGREGATE AND RIPRAP SHALL BE PLACED ACCORDING TO CONSTRUCTION SPECIFICATION 25 ROCKFILL USING PLACEMENT METHOD 1 AND CLASS III COMPACTION.
5. THE MAXIMUM DRAINAGE AREA TO THE CULVERT BEING PROTECTED IS 3 ACRES.
6. SEE PLANS FOR H DIMENSION.
7. TIE THE STONE BERM INTO THE CULVERT EMBANKMENT A MINIMUM OF 1 FOOT ABOVE THE DESIGN ELEVATION OF THE STONE BERM.

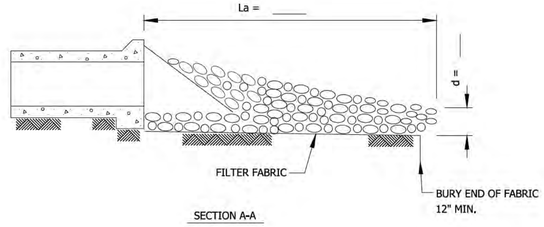
5 C8.02 CULVERT PROTECTION

NTS

PIPE OUTLET TO WELL-DEFINED CHANNEL




PLAN




SECTION A-A

NOTES:
1. THE FILTER FABRIC SHALL MEET THE REQUIREMENTS IN MATERIAL SPECIFICATION 592 GEOTEXTILE TABLE 1 OR 2, CLASS, OR I, II, III.
2. THE ROCK RIPRAP SHALL MEET THE IDOT REQUIREMENTS FOR THE FOLLOWING GRADATION.
3. THE RIPRAP SHALL BE PLACED ACCORDING TO CONSTRUCTION SPECIFICATION 61 LOOSE ROCK RIPRAP. THE ROCK MAY BE EQUIPMENT PLACED.

6 C8.02 RIPRAP ON FILTER FABRIC

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224 S. Michigan Avenue, Suite 1400
Chicago, IL 60604
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# CONSTRUCTION DETAILS

BLUE SAGE PROJECT LLC
JAS POWERED BY GREENVOLT, LLC
KENDALL COUNTY, IL

DATE OF ISSUANCE
August 29, 2025

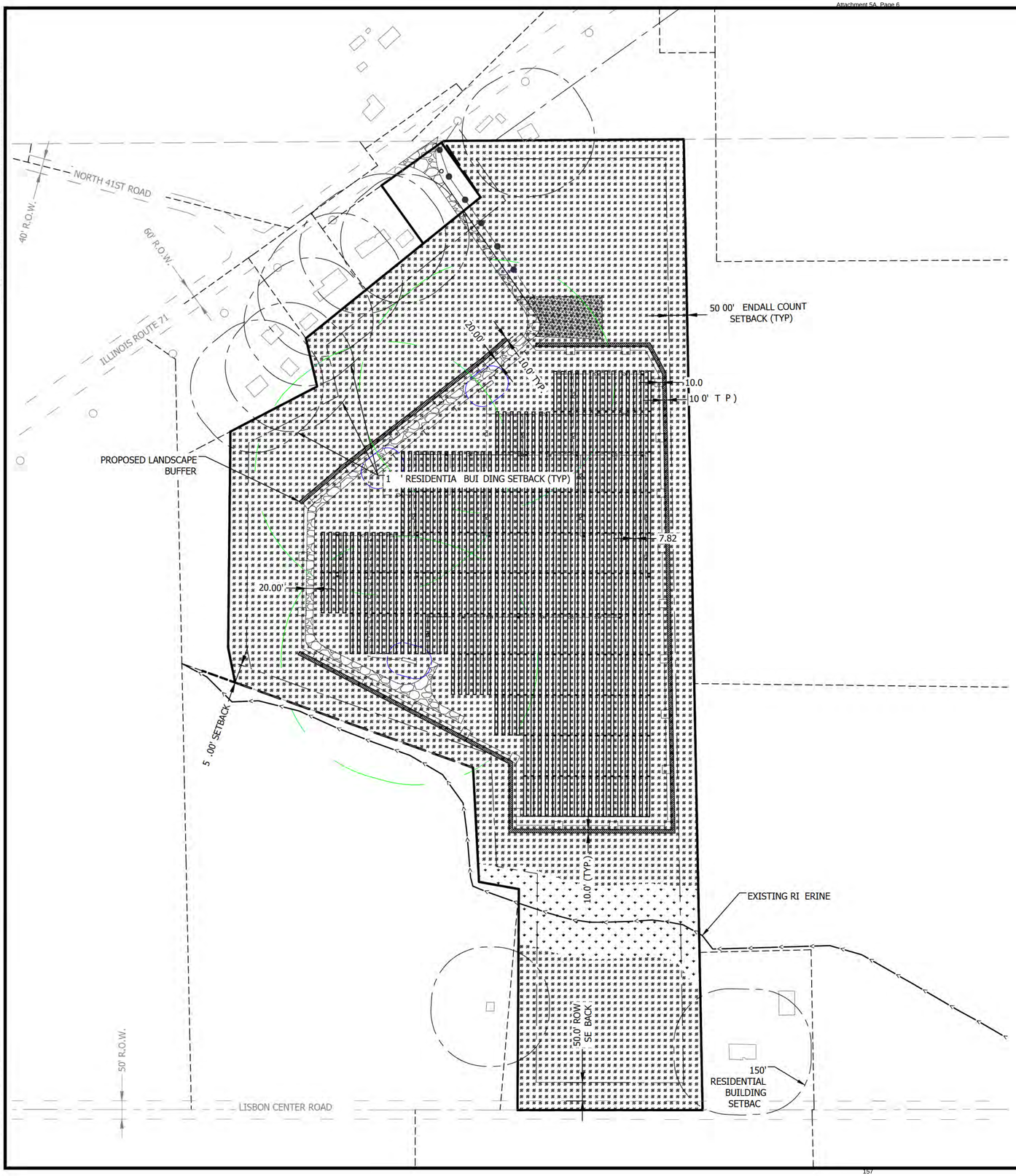
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| SURVEY | |
| DRAWN | AMA |
| DESIGNED | AMA |
| CHECKED | JJM |
| APPROVED | JMT |
| PROJ. NO. | 190300383 |

SHEET NUMBER
C8.01

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Xrefs: BORDER

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LEGEND

*SETBACKS*

- 50' NON-PARTICIPATING NEIGHBOR/RIGHT-OF-WAY
- 150' STRUCTURE NON-PARTICIPATING NEIGHBOR
- 100m (328') 36.6 DECIBEL SOUND BUFFER
- 12m (40') 55 DECIBEL SOUND BUFFER (KENDALL COUNTY EVENING SOUND LIMIT)

*PROPOSED*

- PERIMETER FENCE
- GRAVEL ACCESS ROAD
- T — MV CABLE
- PCS — LV CABLE
- INVERTER AND EQUIPMENT PAD
- PVCASE TRACKERS
- TEMPORARY LAYDOWN YARD 20,000 SF
- LANDSCAPE BUFFER
- 47.97 ACRES, IL DOT CLASS 4A LOW PROFILE NATIVE GRASS MIX
- 2.47 ACRES, STANTEC SWALE SEED MIX OR EQUAL AVAILABLE AT: 574-586-2412

N

0 150' 300'

Stantec

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# LANDSCAPE PLAN

BLUE SAGE PROJECT LLC
JAS POWERED BY GREENVOLT, LLC
KENDALL COUNTY,IL

| DATE OF ISSUANCE |
|---|
| August 29, 2025 |

| NO | REVISION | DATE |
|---|---|---|
| | | |

| | |
|---|---|
| SURVEY | |
| DRAWN | AMA |
| DESIGNED | AMA |
| CHECKED | JJM |
| APPROVED | JMT |
| PROJ. NO. | 190300383 |

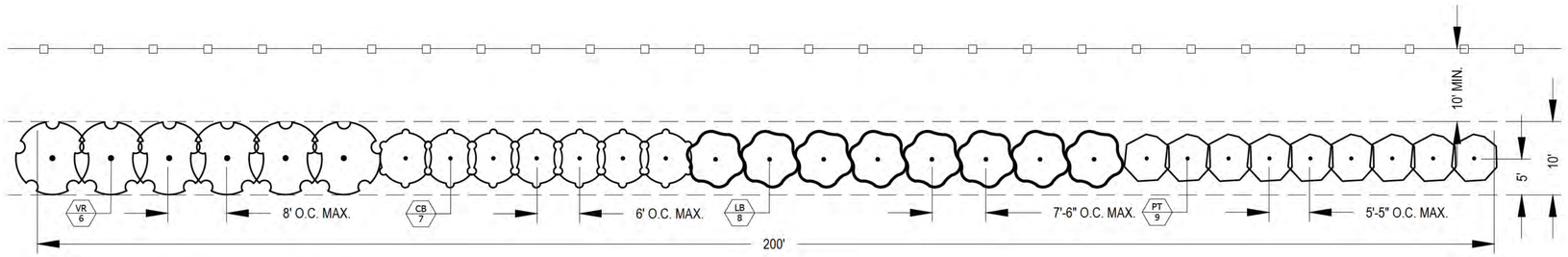
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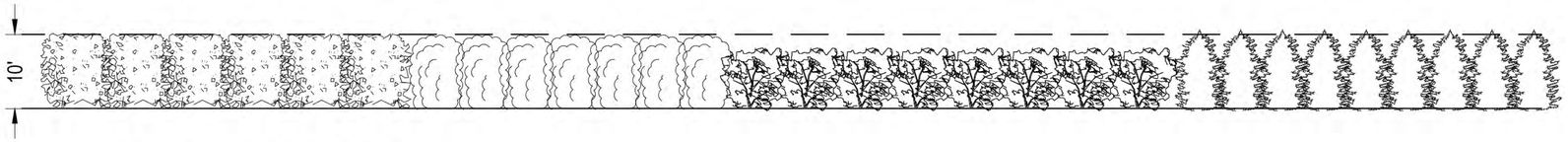
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| PLANT SCHEDULE: LANDSCAPE BUFFER (3,627 LF) | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| QTY | SYMBOL | BOTANICAL NAME | COMMON NAME | ZONE | APPROXIMATE MATURE HEIGHT | APPROXIMATE MATURE SPREAD | AVG. ANNUAL GROWTH | SPECIFICATION | NOTES |
| *PLANTS (544)* | | | | | | | | | |
| 112 | VR | VIBURNUM X RHYTIDOPHYLLOIDES 'ALLEGHANY' | ALLEGHANY VIBURNUM | 4 TO 8 | 10' | 10' | 12"-24" | MIN. 6' HEIGHT - CONTAINER | •SPACE PLANTS AS SHOWN IN TYPICAL LAYOUT. |
| 126 | CB | CORNUS BAILEYI | RED-TWIG DOGWOOD | 3 TO 8 | 10' | 8' | 12"-24" | MIN. 6' HEIGHT - CONTAINER | |
| 144 | LB | LINDERA BENZOIN | NORTHERN SPICE BUSH | 5 TO 8 | 8' | 8' | 12"-24" | MIN. 6' HEIGHT - CONTAINER | |
| 162 | PT | PINUS MUGO 'TANNENBAUM' | TANNENBAUM MUGO PINE | 3 TO 7 | 10' | 6' | 12"-24" | MIN. 6' HEIGHT - CONTAINER OR B&B | |

1 L1.01 LANDSCAPE BUFFER PLANT SCHEDULE
NTS




2 L1.01 LANDSCAPE BUFFER: PLAN VIEW OF TYPICAL 200' SEGMENT
SCALE: 1"=10'




3 L1.01 LANDSCAPE BUFFER: SECTION VIEW OF TYPICAL 200' SEGMENT
SCALE: 1"=10'

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LANDSCAPE DETAILS

BLUE SAGE PROJECT LLC
JAS POWERED BY GREENVOLT, LLC
KENDALL COUNTY,IL

| DATE OF ISSUANCE |
|---|
| August 29, 2025 |

| NO | REVISION | DATE |
|---|---|---|
| | | |

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|---|---|
| SURVEY | |
| DRAWN | AMA |
| DESIGNED | AMA |
| CHECKED | JJM |
| APPROVED | JMT |
| PROJ. NO. | 190300383 |

SHEET NUMBER
C9.01

Plot Date: 11/25/2025 - 1:07pm
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Xrefs: BORDER, C-ESITE, C-PSITE, C-PARRAY

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PLANTING SEQUENCE

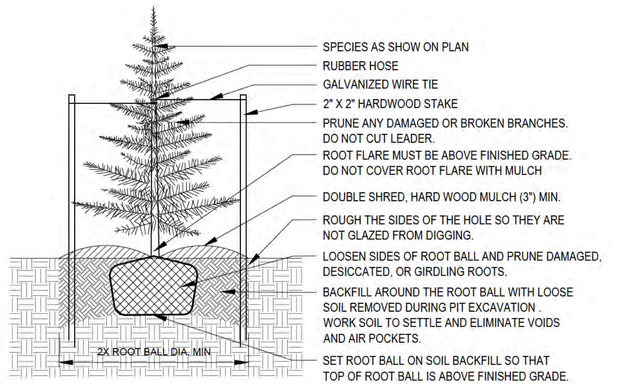
1. DIG THE PLANTING HOLE A MINIMUM OF 2x WIDTH OF ROOTBALL FOR AT LEAST THE FIRST 12 INCHES OF DEPTH. BELOW 12 INCHES, DIG HOLE WIDE ENOUGH TO PERMIT ADJUSTING. DO NOT DIG THE HOLE DEEPER THAN ROOT BALL DEPTH.
2. HOLES FOR INDIVIDUAL PLANTINGS SHALL BE EXCAVATED TO PRODUCE VERTICAL SIDES AND FLAT BOTTOMS. ALL PLANTING HOLES SHALL HAVE ROUGHED, SCARIFIED SIDES AND BOTTOMS.
3. LIFT AND SET THE TREE BY ROOT BALL ONLY. DO NOT LIFT USING THE TREE TRUNK AND DO NOT USE TREE TRUNK AS A LEVER.
4. SET THE TOP OF THE ROOT BALL LEVEL WITH THE SOIL SURFACE OR SLIGHTLY HIGHER.
5. BACKFILL WITH EXISTING SOIL THAT HAS BEEN WELL-TILLED OR BROKEN UP.
6. PRUNING SHALL BE LIMITED TO DEAD, DISEASED, OR BROKEN LIMBS ONLY AND SHALL BE IN ACCORDANCE WITH ANSI A300 SPECIFICATIONS.
7. REMOVE ANY TRUNK WRAP REMAINING AT TIME OF PLANTING. NO WRAPS SHALL BE PLACED ON TRUNK.
8. APPLY GRANULAR MYCORRHIZALINOCULANT SOIL ENHANCER AT EACH PLANT PER MANUFACTURER RECOMMENDATIONS.
9. THE CONTRACTOR SHALL RESTORE AREAS DISTURBED BY THE INSTALLATION OF SHRUBS AND TREES.

VEGETATIVE SCREENING NOTES: SHRUB AND TREE INSTALLATION

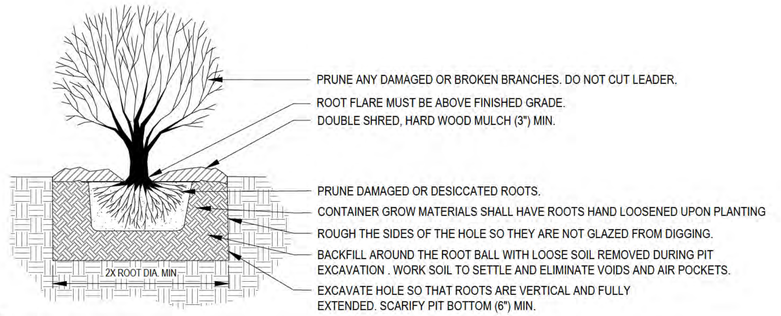
1. THE CONTRACTOR SHALL BE RESPONSIBLE FOR LAYOUT OF ALL WORK COVERED UNDER THESE PLANS.
2. ALL PLANT MATERIAL, UNLESS OTHERWISE SPECIFIED, SHALL BE UNIFORMLY BRANCHED AND HAVE A VIGOROUS ROOT SYSTEM. PLANT MATERIAL SHALL BE HEALTHY, VIGOROUS, AND FREE FROM DEFECTS, DECAY, DISEASES, INSECT PEST EGGS, AND ALL FORMS OF INFESTATION. ALL PLANT MATERIAL SHALL BE FRESH, FREE FROM TRANSPLANT SHOCK OR VISIBLE WILT. PLANTS DEEMED UNHEALTHY SHALL BE REJECTED.
3. ALL PLANT MATERIAL SHALL MEET THE MINIMUM SPECIFICATIONS AND STANDARDS DESCRIBED IN THE CURRENT ISSUE OF "THE AMERICAN STANDARD FOR NURSERY STOCK," PUBLISHED BY THE AMERICAN ASSOCIATION OF NURSERYMEN, 1250 I STREET, N.W., SUITE 500, WASHINGTON, D.C. 20005.
4. ALL CONTAINER STOCK SHALL HAVE BEEN PROPAGATED IN A CONTAINER LONG ENOUGH FOR THE ROOT SYSTEM TO HAVE DEVELOPED SUFFICIENTLY TO HOLD ITS SOIL. CONTAINER STOCK WITH POORLY DEVELOPED ROOT SYSTEMS SHALL NOT BE ACCEPTED.
5. PLANTS SHALL BE PREPARED FOR SHIPMENT IN A MANNER THAT SHALL NOT CAUSE DAMAGE TO THE BARK, BUDS, BRANCHES, STEMS, OR OVERALL SHAPE OF THE STOCK. CONTAINER GROWN PLANTS SHALL BE TRANSPORTED IN THE CONTAINERS IN WHICH THEY HAVE BEEN GROWN.
6. CONTRACTOR IS RESPONSIBLE FOR ANY NECESSARY FIELD PREPARATIONS WHERE PLANTINGS WILL OCCUR.
7. PLANTS NOT INSTALLED ON THE DAY OF ARRIVAL AT THE SITE SHALL BE STORED AND PROTECTED BY THE CONTRACTOR. OUTSIDE STORAGE AREAS SHALL BE SHADED AND PROTECTED FROM THE WIND AND SUN. PLANTS STORED ON SITE SHALL BE PROTECTED FROM ANY DRYING AT ALL TIMES BY COVERING THE BALLS OR ROOTS WITH MOIST SAWDUST, WET BURLAP, WOOD CHIPS, SHREDDED BARK, PEAT MOSS, OR OTHER SIMILAR MULCHING MATERIAL, OR OTHER METHODS APPROVED BY OWNER.
8. PLANT SUBSTITUTIONS MAY BE MADE BASED ON AVAILABILITY BUT MUST BE OF SIMILAR SIZE AND LANDSCAPE (SCREENING) VALUE. ALL SUBSTITUTIONS MUST BE APPROVED BY THE OWNER OR OWNER'S REPRESENTATIVE.
9. THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS IN THE FIELD.
10. NO PLANTING SHALL OCCUR WHEN THE SOIL IS FROZEN.

PROJECT ACCEPTANCE, MAINTENANCE, AND WARRANTY

1. PLANTED AREAS WILL BE INSPECTED AT COMPLETION OF INSTALLATION AND ACCEPTED (INITIAL ACCEPTANCE) WITH SPECIFIED MATERIALS AND INSTALLATION REQUIREMENTS. FOLLOWING INITIAL ACCEPTANCE OF THE COMPLETE INSTALLATION OF ALL PLANT MATERIAL, THE WARRANTY PERIOD WILL BEGIN.
2. CONTRACTOR IS RESPONSIBLE FOR ANY SOIL DAMAGE CREATED BY VEHICLES OR INSTALLATION PROCEDURES THAT ALTER EXISTING GRADES. THIS INCLUDES SOIL RUTS OR DEPRESSIONS. CONTRACTOR SHALL RESTORE AREAS DISTURBED.
3. CONTRACTOR SHALL MAINTAIN INSTALLED SHRUBS AND TREES WITHIN THE PROJECT LIMITS UNTIL FINAL ACCEPTANCE OF THE PROJECT BY THE OWNER. FINAL ACCEPTANCE SHALL BE AT THE END OF THE WARRANTY PERIOD. MAINTENANCE SHALL INCLUDE PRUNING, CULTIVATING, WEEDING, WATERING, AND METHODS NECESSARY TO MAINTAIN PLANTS FREE OF INSECT, DISEASE, OR OTHER HERBIVORY DAMAGE UNTIL ACCEPTANCE. MAINTENANCE PERIOD SHALL BE ASSUMED TO CONTINUE THROUGH THE DURATION OF THE WARRANTY PERIOD.
4. WARRANT PLANT MATERIAL TO REMAIN ALIVE AND BE IN HEALTHY, VIGOROUS CONDITION FOR A PERIOD OF ONE (1) YEAR AFTER INITIAL ACCEPTANCE. IF PLANTING TAKES PLACE OVER MULTIPLE PLANTING WINDOWS, THIS WARRANTY WILL REMAIN IN AFFECT ON ALL PLANT MATERIAL BASED ON THE WARRANTY PERIOD OF THE MOST RECENTLY INSTALLED PLANT MATERIAL.
5. REMOVE AND IMMEDIATELY REPLACE ALL PLANTS, AS DETERMINED BY THE OWNER'S REPRESENTATIVE, TO BE UNSATISFACTORY DURING THE INITIAL PLANTING INSTALLATION.
6. REPLACE AT ONCE, IN ACCORDANCE WITH THE DRAWINGS AND SPECIFICATIONS, ALL PLANTS THAT ARE DEAD OR, AS DETERMINED BY THE OWNER'S REPRESENTATIVE, OR ARE IN SEVERELY UNHEALTHY CONDITION WITHIN THE WARRANTY PERIOD. REPLACEMENTS TO BE INSTALLED AT NEXT BEST PLANTING SEASON.
7. TREE STAKING SHOULD BE REMOVED AFTER ONE COMPLETE GROWING SEASON. IF STAKING IS REQUIRED ON REPLACED WARRANTED MATERIAL AT THE TIME OF WARRANTY PLANTING, THESE STAKES SHALL BE REMOVED AFTER ONE COMPLETE GROWING SEASON FOLLOWING INSTALLATION.
8. CONTRACTOR IS RESPONSIBLE FOR PROVIDING HERBIVORY PROTECTION DURING THE MAINTENANCE AND WARRANTY PERIOD. REPLACEMENT OF PLANTS DUE TO DAMAGE FROM HERBIVORY WILL BE AT THE CONTRACTOR'S EXPENSE.
9. UPON FINAL ACCEPTANCE, THE OWNER WILL ASSUME PLANT MAINTENANCE.




1 / C9.02 EVERGREEN TREE PLANTING
NTS




2 / C9.02 SHRUB PLANTING
NTS

Stantec

PRELIMINARY
NOT FOR CONSTRUCTION

LANDSCAPE DETAILS

BLUE SAGE PROJECT LLC
JAS POWERED BY GREENVOLT, LLC
KENDALL COUNTY, IL

| DATE OF ISSUANCE |
|---|
| August 29, 2025 |

| NO | REVISION | DATE |
|---|---|---|
| | | |

| | |
|---|---|
| SURVEY | |
| DRAWN | AMA |
| DESIGNED | AMA |
| CHECKED | JJM |
| APPROVED | JMT |
| PROJ. NO. | 190300383 |

SHEET NUMBER
C9.02

Plot Date: 11/25/2025 - 1:07pm
Drawing name: \\us050-ppfs01\shared_projects\190300383\5.DESIGN\a_CAD\4_plansheet\C900-Landscape_Plan.dwg
Xrefs: BORDER, C-SITE, C-SITE, C-P-ARRAY

# Decommissioning Plan
# Blue Sage Solar Project
# Kendall County, Illinois

Prepared for:
Blue Sage Solar, LLC
[redacted]

Prepared by:
Stantec Consulting Services Inc.
1165 Scheuring Road
De Pere, Wisconsin 54115

Project No: 190300383
August 27, 2025

This document entitled Decommissioning Plan – Blue Sage Solar Project, Kendall County, Illinois, was prepared by Stantec Consulting Services Inc. (Stantec) for the use of Blue Sage Solar, LLC (the Client), and the applicable regulatory agencies. The material in this document reflects Stantec's professional judgment in light of the scope, schedule and other limitations stated in the document and in the contract between Stantec and the Client. The opinions in this document are based on conditions and information existing at the time this document was published and do not take into account any subsequent changes. In preparing the document, Stantec did not verify information supplied to it by others.

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# 1.0 INTRODUCTION

Blue Sage Solar, LLC (Blue Sage) is proposing to construct the Blue Sage Solar Project (the Project) in Kendall County, Illinois. The proposed Project is located southwest of the Village of Newark, Illinois. The Project boundary encompasses approximately 51.3 acres with approximately 20.6 acres of land within perimeter fencing. The maximum nameplate generating capacity of the Project will be up to 4.75 megawatts (MW) alternating current (AC) at the point-of-interconnect (POI). Construction of the Project is planned to begin in July 2027 with a Commercial Operation Date (COD) projected in September 2027.

This Decommissioning Plan (Plan) has been prepared in accordance with:

- Requirement for a "Deconstruction Plan" from the Standard Agricultural Impact Mitigation Agreement (AIMA) between Blue Sage Solar, LLC and the Illinois Department of Agriculture (IDOA), currently under negotiations. A copy of the updated AIMA will be provided to Kendall County upon execution.
- The Kendall County Code Ordinance No. 24-32, Sec. 36-282 (17) Commercial Solar Energy Facility – "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 AIMA set in State law. A copy of the AIMA shall be submitted with the application materials."
- Requirements of the landowner lease agreements (landowner agreements supersede AIMA, where allowed).

This Plan is applicable to the decommissioning/deconstruction and restoration phases of the Project. Blue Sage will be the responsible party for decommissioning the Project. A summary of the components to be removed is provided in Section 1.1. A summary of estimated costs associated with decommissioning is included in Section 4.0.

## 1.1 SOLAR FARM COMPONENTS

Major components of the Project covered under this Plan include (also see Figure 1):

- Solar modules and tracking system
- Foundations and steel piles
- Transformers and string inverters
- Underground electrical cabling
- Site access and internal roads
- Perimeter fencing
- Overhead and underground gen-tie line and associated poles
- Switchgear equipment

## 1.2 TRIGGERING EVENTS AND EXPECTED LIFETIME OF PROJECT

The following events could trigger the need for decommissioning:

- Section 17.B of the AIMA states, "The Facility Owner shall, at its expense, complete Deconstruction of a Facility within twelve (12) months after the end of the useful life of the Facility." The AIMA provides that "a Commercial Solar Energy Facility shall be presumed to have reached the end of its useful life if the Commercial Solar Energy Facility Owner fails, for a period of six (6) consecutive months, to pay the Landowner amounts owed in accordance with an Underlying Agreement."

- Section 17.F of the AIMA also states, "Upon Abandonment, the County may take all appropriate actions for Deconstruction including drawing upon the Financial Assurance." Abandonment is defined in the AIMA as "when Deconstruction has not been completed within 12 months after the Commercial Solar Energy Facility reaches the end of its useful life."

The expected lifetime of the Project is approximately 25 years. Depending on market conditions and Project viability, the solar arrays may be retrofitted with updated components (e.g., modules, tracking system, etc.) to extend the life of the Project. In the event the modules are not retrofitted, or at the end of the Project's useful life, the modules and associated components will be decommissioned, and the site will be restored in accordance with this Plan, or an updated decommissioning plan agreed to by the Project and the applicable regulatory bodies at the time of decommissioning.

Components of the solar facility that have resale value may be sold in the wholesale market. Components with no wholesale value will be salvaged and sold as scrap for recycling or disposed of at an approved offsite licensed solid waste disposal facility (landfill). Decommissioning activities will include removal of the arrays and associated components as listed in Section 1.1 and described in Section 2.

## 1.3 DECOMMISSIONING SEQUENCE

In accordance with the AIMA, solar facility decommissioning will occur within twelve months after the end of the facility's useful life. The general sequence of decommissioning and removal is described below; however, overlap of activities is expected.

- Install temporary fencing and erosion control best management practices (BMPs) to protect sensitive resources and control erosion during the decommissioning activities.
- Reinforce access roads, if needed, and prepare site for component removal.
- De-energize solar arrays.
- Dismantle and remove modules and above ground wiring
- Remove tracking equipment.
- Remove string inverters, transformers and switchgear equipment, along with support piers, piles and concrete pads.
- Remove electrical cables above and below the ground surface to a depth of five feet.
- Remove overhead and underground electrical lines from the equipment pad to the connection with the Utility owned power poles.
- Remove access and internal roads and grade site, as needed

- De-compact subsoils (if required), restore and revegetate disturbed land as specified with the AIMA, landowner lease agreements, or permit conditions.
- If drain tile damage occurs during project operation or decommissioning, repair the drain tile system
- Remove temporary BMPs.

# 2.0 PROJECT COMPONENTS AND DECOMMISSIONING ACTIVITIES

Project components and decommissioning activities are further described within this section.

## 2.1 OVERVIEW OF SOLAR FACILITY SYSTEM

Blue Sage anticipates utilizing 8,150 solar modules, with an approximate total nameplate generating capacity of up to 5.70 MW direct current (DC) converting to approximately 4.75 $MW_{[AC]}$. The Project generating facilities will be placed within approximately 20.6 acres of land bounded by perimeter fencing as shown on Figure 1. The Project area is situated on predominantly agricultural land. Statistics and estimates provided in this Plan are based on a Canadian Solar 700-watt bifacial module.

Collection cabling will be installed below the surface at a depth of approximately four feet (48 inches). All collection cabling, foundations and steel piles will be removed to a minimum depth of five (5) feet during Project decommissioning. Access roads may be left in place if requested and/or agreed to by the landowner; however, for purposes of this assessment, all access roads are assumed to be removed and the land restored to pre-construction conditions. Public roads damaged or modified during the decommissioning and reclamation process will be repaired upon completion of the decommissioning phase.

Estimated quantities of materials to be removed and salvaged or disposed of are included in this section. Many of the materials described have salvage value; although, there are some components that will likely have none at the time of decommissioning. All materials will be salvaged or recycled to the extent possible. All other waste materials will be disposed of in accordance with state and federal law in an approved licensed solid waste facility.

Solar panels will have value in a resale market, decreasing over the life of the Project. For purposes of this report, salvage values only, not resale, were considered as this is the more conservative estimate strategy.

Table 1 presents a summary of the major Project components included in this Plan.

**Table 1 Major Components of Solar Project to be Decommissioned**

| Component | Quantity | Unit of Measure |
|---|---|---|
| Solar Modules | 8,150 | Each |
| Tracking System (75-module equivalent tracker) | 109 | Tracker |
| Steel Piles/Trackers | 1,308 | Each |
| String Inverters | 19 | Each |
| Transformers | 3 | Each |

| Component | Quantity | Unit of Measure |
|---|---|---|
| Concrete Equipment Pads | 3 | Each |
| Electrical Cables (below ground cabling) | 103,529 | Linear Feet (estimated) |
| Perimeter Fencing | 3,849 | Linear Feet |
| Access Roads (approximate) | 2,422 | Linear Feet |
| Overhead Electrical Line to Utility Owned Connection | 1 | Lump Sum |
| Underground Tie-in Line to Utility Owned Connection | 1,408 | Linear Feet |
| Switchgear | 1 | Each |

## 2.2 SOLAR MODULES

Statistics and estimates provided in this Plan are based on the Canadian Solar CS7N-700TB-AG (700-watt) bifacial panel or similar for the Project. Each module assembly (with frame) has a total weight of approximately 83.3 pounds. The modules will be approximately 93.9 inches by 51.3 inches in size and are mainly comprised of non-metallic materials such as silicon or mono-crystalline glass, plastic, and epoxies, with an aluminum frame.

At the time of decommissioning, module components in working condition may be refurbished and sold in a secondary market yielding greater revenue than selling as salvage material. The estimates in this report have been calculated using a conservative approach, considering revenue from salvage only, rather than resale of the modules.

## 2.3 TRACKING SYSTEM AND SUPPORT

The solar modules will be mounted on a one-in-portrait single axis tracking system. Each full-sized tracker is approximately 327 feet in length and will support approximately 75 solar modules. Smaller trackers will be employed at the edges of the layout, to efficiently utilize available space. The tracking system is mainly comprised of galvanized and stainless steel; piles that support the system are assumed to be comprised of structural steel.

The solar arrays will be deactivated from the surrounding electrical system and made safe for disassembly. Liquid wastes, including oils and hydraulic fluids will be removed and properly disposed of or recycled according to regulations current at the time of decommissioning. Electronic components, and internal electrical wiring will be removed and salvaged. The steel piles will be removed to a minimum depth of five (5) feet.

The supports, tracking system, and posts contain salvageable materials which can be sold to provide revenue to offset the decommissioning costs.

## 2.4 STRING INVERTERS TRANSFORMERS AND SWITCHGEAR

String inverters will be located within the array and will sit on racks. The transformers and switchgear will be located on concrete equipment pads. The string inverters, transformers, and switchgear will be deactivated, disassembled, and removed. Depending on condition, the equipment may be sold for

refurbishment and re-use. If not re-used, they will be salvaged or disposed of at an approved solid waste management facility. Oils and lubricants will be collected and recycled or disposed of at a licensed facility. Concrete pads will be crushed and removed from the site.

## 2.5 ELECTRICAL CABLING

This plan assumes collection and communications cabling will be removed and salvaged if buried at no more than five (5) feet below grade. No recovery value has been assumed for the collection cabling, although it is likely to have salvage value at the time of removal.

## 2.6 PROJECT ELECTRICAL CABLES TO THE UTILITY TIE-IN

A dedicated above ground generation tie-in line, anticipated to be approximately 209 feet in length with three (3) power poles will connect the Project switchgear equipment to the utility owned connection. The connection to the utility-owned power line will also include 1,408 feet of underground electrical line. Unless an alternate use for the Project electrical lines are determined, the facilities will be removed, and the land restored to pre-construction condition to the extent practicable.

## 2.7 PERIMETER FENCING, SITE ACCESS AND INTERNAL ROADS

Blue Sage will include a minimum six-foot-high chain link fence surrounding the perimeter of the array site. The quantity of fence will be approximately 3,849 feet (0.73-mile) in length. Near the end of the decommissioning process, all fence, poles and foundations will be completely removed from the site.

An access road will provide direct access to the solar facility. The internal access drives will be composed of gravel approximately 20 feet wide and total approximately 2,422 linear feet (0.46 miles) in length. The access road will be comprised of six-inch-thick gravel layer over geotextile fabric. To be conservative, the decommissioning estimate assumes that all access and internal roads will be completely removed. The estimated quantity of these materials is provided in Table 2.

**Table 2 Typical Access Road Construction Materials**

| Item | Quantity | Unit |
|---|---|---|
| Gravel or granular fill; six-inch thick | 897 | Cubic Yards |
| Geotextile fabric | 5,382 | Square Yards |

Decommissioning activities include the removal and stockpiling of aggregate materials onsite for salvage preparation. Underlying non-woven geotextile fabric will also be removed during the decommissioning process. Fabric that is easily separated from the aggregate during excavation will be disposed of in an approved solid waste disposal facility. Fabric that remains with the aggregate will be sorted out at the processing site and properly disposed of Following removal of aggregate and non-woven geotextile fabric, the access road areas will be graded, de-compacted with deep ripper or chisel plow (ripped to 18 inches), backfilled with native subsoil and topsoil, as needed, and land restored as near as practicable to preconstruction conditions.

# 3.0 LAND USE AND ENVIRONMENT

## 3.1 SOILS AND AGRICULTURAL LAND

Areas of the Project that were previously utilized for agricultural purposes will be restored, as close as reasonably practical, to their preconstruction condition in accordance with the AIMA and landowner lease agreements. Restored areas will be revegetated in consultation with the current landowner and in compliance with regulations in place at the time of decommissioning. Land disturbed by Project facilities will be restored in such a way that will allow for a reasonably similar land use that existed prior to Project construction.

## 3.2 RESTORATION AND REVEGETATION

Areas of the Project that have been excavated and backfilled will be graded as previously described to restore land as required within landowner lease agreements. Soils compacted during decommissioning activities will be de-compacted, as necessary, to restore the land as close as reasonably practical to pre-construction depth and contour. If present, drain tiles that have been damaged will be restored to pre-construction condition, as described condition 6.D of the AIMA. Topsoil will be placed on disturbed areas and seeded with appropriate vegetation or in coordination with landowners within agricultural land.

## 3.3 SURFACE WATER DRAINAGE AND CONTROL

Blue Sage site area is located on agricultural land and the terrain is relatively flat. The Project facilities have been sited to avoid wetlands, waterways, and drainage ditches to the extent practicable. The existing Project site conditions and proposed BMPs to protect surface water features will be detailed in a Project Stormwater Pollution Prevention Plan (SWPPP) prior to the commencement of deconstruction activities.

Surface water conditions at the Project site will be reassessed prior to the decommissioning phase. Blue Sage Solar, LLC will obtain the required water quality permits from the Illinois Department of Natural Resources (IDNR) and the U.S. Army Corp of Engineers (USACE), if needed, before decommissioning of the Project. Construction stormwater permits will also be obtained and a SWPPP prepared describing the protection needed to reflect conditions present at the time of decommissioning. BMPs may include improved construction entrances, temporary seeding, permanent seeding, mulching (in non-agricultural areas), erosion control matting, silt fence, filter berms, and filter socks.

## 3.4 MAJOR EQUIPMENT REQUIRED FOR DECOMMISSIONING

Equipment required for the decommissioning activities is similar to what is needed to construct the solar facility and may include, but is not limited to: small cranes, low ground pressure (LGP) tracked excavators, backhoes, LGP tracked bulldozers and dump trucks, front-end loaders, deep rippers, water trucks, disc plows and tractors to restore subgrade conditions, and ancillary equipment. Standard dump trucks may be required to transport material removed from the site to disposal facilities.

# 4.0 DECOMMISSIONING COST ESTIMATE SUMMARY

Expenses associated with decommissioning the Project will be dependent on labor costs at the time of decommissioning. For the purposes of this report approximate 2025 market values were used to estimate labor expenses. Fluctuation and inflation of the labor costs were not factored into the estimates.

The value of the individual components of the solar facility will vary with time. In general, the highest component value would be expected at the time of construction with declining value over the life of the Project. Over most of the life of the Project, components such as the solar panels could be sold in the wholesale market for reuse or refurbishment. As efficiency and power production of the panels decrease due to aging and/or weathering, the resale value will decline accordingly. Secondary markets for used solar components include other utility scale solar facilities with similar designs that may require replacement equipment due to damage or normal wear over time; or other buyers (e.g., developers, consumers) that are willing to accept a slightly lower power output in return for a significantly lower price point when compared to new equipment.

## 4.1 DECOMMISSIONING EXPENSES

Project decommissioning and deconstruction of facilities will incur costs associated with disposal of components not sold for salvage, including materials which will be disposed of at a licensed facility, as required. Decommissioning costs also include backfilling, grading, and restoration of the proposed Project site as described in Sections 2 and 3. Table 3 summarizes the estimated costs for activities associated with the major components of the Project.

**Table 3 Estimated Decommissioning Expenses**

| Activity | Unit | Quantity | Cost per Unit | Total |
|---|---|---|---|---|
| Overhead and management (includes estimated permitting required) | Lump Sum | 1 | $39,900 | $39,900 |
| Solar modules; disassembly and removal | Each | 8,150 | $5.95 | $48,493 |
| Tracking system disassembly and removal | Each | 109 | $850 | $92,650 |
| Steel pile/trackers | Each | 1,308 | $17.50 | $22,890 |
| String inverter removal | Each | 19 | $420 | $7,980 |
| Underground collection cables | Linear Feet | 103,529 | $1.20 | $124,235 |
| Transformers | Each | 3 | $1,200 | $3,600 |
| Concrete equipment pads | Each | 3 | $3,744 | $11,232 |
| Perimeter fence removal | Linear Feet | 3,849 | $6.60 | $25,403 |
| Access road excavation and removal | Lump Sum | 1 | $21,600 | $21,600 |
| Topsoil replacement and rehabilitation of site including access roads | Lump Sum | 1 | $31,850 | $31,850 |
| Above ground generation tie-in electrical line removal | Lump Sum | 1 | $6,000 | $6,000 |
| Underground generation tie-in electrical line removal | Linear Feet | 1,408 | $1.20 | $1,690 |
| Switchgear removal | Lump Sum | 1 | $1,575 | $1,575 |
| **Total Estimated Decommissioning Cost** | | | | **$439,098** |

## 4.2 DECOMMISSIONING REVENUES

Revenue from decommissioning the Project will be realized through the sale of the solar facility components and construction materials. As previously described, the value of the decommissioned components will be higher in the early stages of the Project and decline over time. Resale of components such as solar panels is expected to be greater than salvage (i.e., scrap) value for most of the life of the Project.

Modules and other solar plant components can be sold within a secondary market for re-use. A current sampling of reused solar panels indicates a wide range of pricing depending on age and condition ($0.10 to $0.30 per watt). Future pricing of solar panels is difficult to predict at this time, due to the relatively young age of the market, changes to solar panel technology, and the ever-increasing product demand. A conservative estimation of the value of solar panels at $0.10 per watt would yield approximately $570,000. Increased costs of removal, for resale versus salvage, would be expected in order to preserve the integrity of the panels; however, the net revenue would be substantially higher than the estimated salvage value.

The resale value of components, such as trackers, may decline more quickly; however, the salvage value of the steel that makes up a large portion of the tracker is expected to stay at or above the value used in this report. The market value of steel and other materials fluctuates daily and has varied widely over the past five years. Salvage value estimates were based on an approximate five-year-average price of steel

and copper derived from sources including on-line recycling companies and United States Geological Survey (USGS) commodity summaries. The price used to value the steel used in this report is $273 per metric ton; aluminum at $0.40 per pound; silicon at $0.40 per pound and glass at $0.05 per pound.

The main component of the tracking system and piles is assumed to be salvageable steel. Solar panels are estimated to contain approximately 75 percent glass, 8 percent aluminum and 5 percent silicon. A 50 percent recovery rate was assumed for aluminum and all panel components, due to the processing required to separate the panel components. Alternative and more efficient methods of recycling solar panels are anticipated before this Project is decommissioned, given the large number of solar facilities that are currently being developed. Table 4 summarizes the potential salvage value for the solar array components and construction materials.

**Table 4 Estimated Decommissioning Revenues**

| Item | Unit of Measurement | Quantity per Unit | Salvage Price per Unit | Total Salvage Price per Item | Number of Items | Total |
|---|---|---|---|---|---|---|
| Panels - Silicon | Pounds per Panel | 2.1 | $0.40 | $0.840 | 8,150 | $6,846 |
| Panels - Aluminum | Pounds per Panel | 3.3 | $0.40 | $1.320 | 8,150 | $10,758 |
| Panels - Glass | Pounds per Panel | 31.3 | $0.05 | $1.565 | 8,150 | $12,755 |
| Tracking System and Posts | Metric tons per $MW_{DC}$ | 32.0 | $273 | $8,736 | 6 | $49,795 |
| **Total Potential Revenue*** | | | | | | **$80,154** |

*Revenue based on salvage value only. Revenue from used panels at $0.10 per watt could raise $570,000 as resale versus the estimated salvage revenue.

## 4.3 DECOMMISSIONING COST SUMMARY

Table 5 provides a summary of the net estimated cost to decommission the Project, using the information detailed in Sections 4.1 and 4.2. The Net Decommissioning Cost is based on 2025 prices, with no market fluctuations or inflation considered.

**Table 5 Net Decommissioning Cost Summary**

| Item | (Cost)/Revenue |
|---|---|
| Decommissioning Expenses | ($439,098) |
| Potential Revenue – salvage value of module components and recoverable materials | $80,154 |
| **Net Decommissioning Cost** | **($358,944)** |

## 4.4 FINANCIAL ASSURANCE

Per Kendall County Code, Blue Sage has indicated they will provide financial assurance as required by the AIMA, minus the salvage value of the project. Blue Sage Solar, LLC is providing this Plan prior to issuance of the County building permit. Blue Sage Solar, LLC understands that the County may require the Plan to be updated on or before the end of the tenth year of commercial operation, and every five years thereafter.

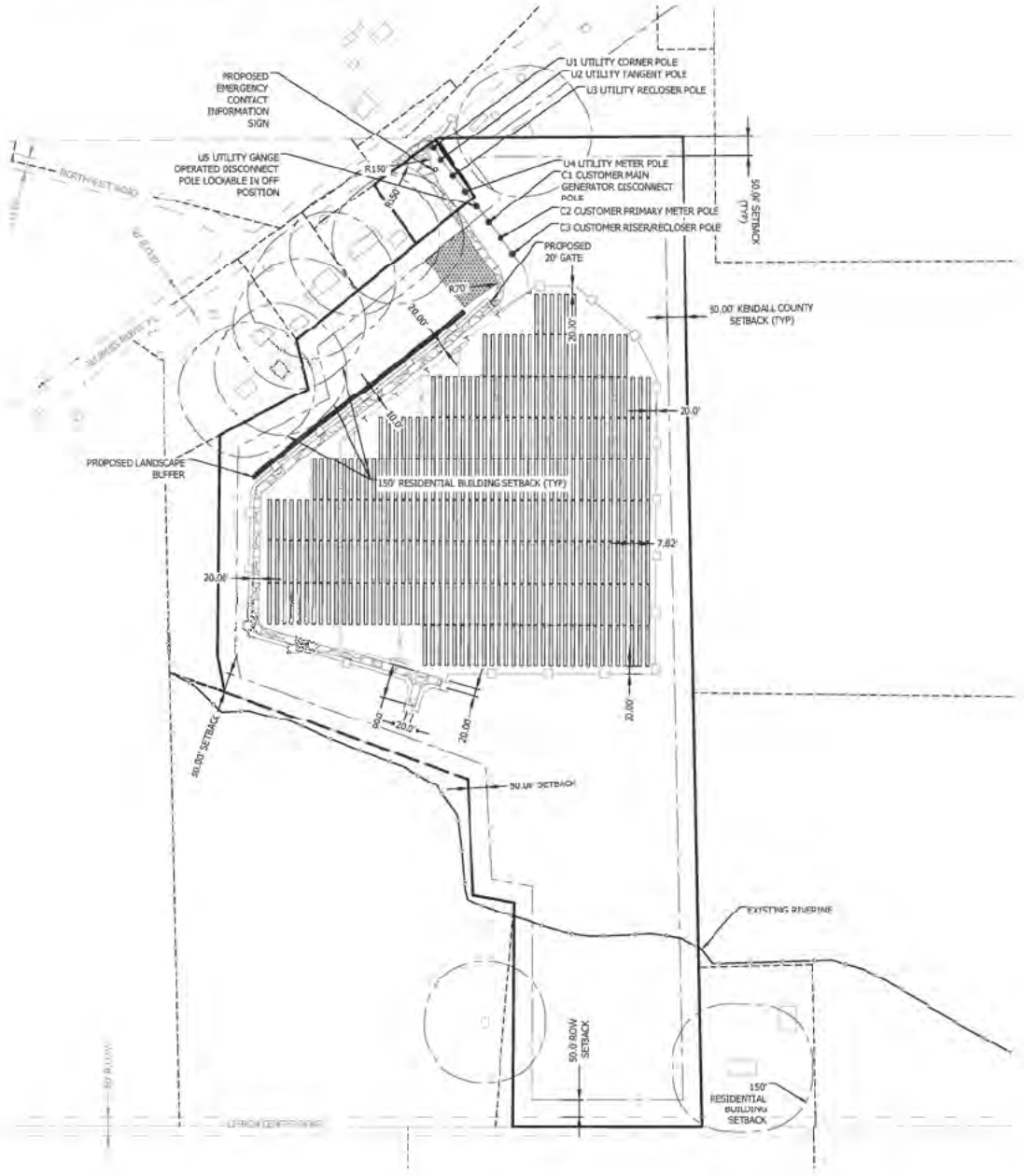
Blue Sage Solar, LLC has indicated they will provide the County with Financial Assurance to cover the estimated costs of decommissioning. The provisions of this Financial Assurance shall be phased in over the first 11 years of the Project's operation as follows:

- On or before the first anniversary of the COD, Blue Sage Solar, LLC shall provide the County with Financial Security to cover ten (10) percent of the estimated costs to decommission the facility as determined in this Plan.
- On or before the sixth anniversary of the COD, Blue Sage Solar, LLC shall provide the County with Financial Security to cover fifty (50) percent of the estimated costs to decommission the facility as determined in this Plan.
- On or before the eleventh anniversary of the COD, Blue Sage Solar, LLC shall provide the County with Financial Security to cover one hundred (100) percent of the estimated costs to decommission the facility as determined in the updated Plan provided during the tenth year of commercial operation.

# FIGURES

DRAFT

## Figure 1 Proposed Project Layout



# STANDARD AGRICULTURAL IMPACT MITIGATION AGREEMENT

between

**Blue Sage Project LLC**

**and the**

**ILLINOIS DEPARTMENT OF AGRICULTURE**

**Pertaining to the Construction of a Commercial Solar Energy Facility**

**in**

**Kendall County, Illinois**

Pursuant to the Renewable Energy Facilities Agricultural Impact Mitigation Act (505 ILCS 147), the following standards and policies are required by the Illinois Department of Agriculture (IDOA) to help preserve the integrity of any Agricultural Land that is impacted by the Construction and Deconstruction of a Commercial Solar Energy Facility. They were developed with the cooperation of agricultural agencies, organizations, Landowners, Tenants, drainage contractors, and solar energy companies to comprise this Agricultural Impact Mitigation Agreement (AIMA).

**Blue Sage Project LLC**, hereafter referred to as Commercial Solar Energy Facility Owner, or simply as Facility Owner, plans to develop and/or operate a 5 MWac Commercial Solar Energy Facility in **Kendall** County [GPS Coordinates: 41°31'37" N, 88°35'34" W ], which will consist of up to 20.6 acres that will be covered by solar facility related components, such as solar panel arrays, racking systems, access roads, an onsite underground collection system, inverters and transformers and any affiliated electric transmission lines. This AIMA is made and entered between the Facility Owner and the IDOA.

If Construction does not commence within four years after this AIMA has been fully executed, this AIMA shall be revised, with the Facility Owner's input, to reflect the IDOA's most current Solar Farm Construction and Deconstruction Standards and Policies. This AIMA, and any updated AIMA, shall be filed with the County Board by the Facility Owner prior to the commencement of Construction.

The below prescribed standards and policies are applicable to Construction and Deconstruction activities occurring partially or wholly on privately owned agricultural land.

## Conditions of the AIMA

The mitigative actions specified in this AIMA shall be subject to the following conditions:

A. All Construction or Deconstruction activities may be subject to County or other local requirements. However, the specifications outlined in this AIMA shall be the minimum standards applied to all Construction or Deconstruction activities. IDOA may utilize any legal means to enforce this AIMA.

B. Except for Section 17. B. through F., all actions set forth in this AIMA are subject to modification through negotiation by Landowners and the Facility Owner, provided such changes are negotiated in advance of the respective Construction or Deconstruction activities.

C. The Facility Owner may negotiate with Landowners to carry out the actions that Landowners wish to perform themselves. In such instances, the Facility Owner shall offer Landowners the area commercial rate for their machinery and labor costs.

D. All provisions of this AIMA shall apply to associated future Construction, maintenance, repairs, and Deconstruction of the Facility referenced by this AIMA.

E. The Facility Owner shall keep the Landowners and Tenants informed of the Facility's Construction and Deconstruction status, and other factors that may have an impact upon their farming operations.

F. The Facility Owner shall include a statement of its adherence to this AIMA in any environmental assessment and/or environmental impact statement.

G. Execution of this AIMA shall be made a condition of any Conditional/Special Use Permit. Not less than 30 days prior to the commencement of Construction, a copy of this AIMA shall be provided by the Facility Owner to each Landowner that is party to an Underlying Agreement. In addition, this AIMA shall be incorporated into each Underlying Agreement.

H. The Facility Owner shall implement all actions to the extent that they do not conflict with the requirements of any applicable federal, state and local rules and regulations and other permits and approvals that are obtained by the Facility Owner for the Facility.

I. No later than 45 days prior to the Construction and/or Deconstruction of a Facility, the Facility Owner shall provide the Landowner(s) with a telephone number the Landowner can call to alert the Facility Owner should the Landowner(s) have questions or concerns with the work which is being done or has been carried out on his/her property.

J. If there is a change in ownership of the Facility, the Facility Owner assuming ownership of the Facility shall provide written notice within 90 days of ownership transfer, to the Department, the County, and to Landowners of such change. The Financial Assurance requirements and the other terms of this AIMA shall apply to the new Facility Owner.

K. The Facility Owner shall comply with all local, state and federal laws and regulations, specifically including the worker protection standards to protect workers from pesticide exposure.

L. Within 30 days of execution of this AIMA, the Facility Owner shall use Best Efforts to provide the IDOA with a list of all Landowners that are party to an Underlying Agreement and known Tenants of said Landowner who may be affected by the Facility. As the list of Landowners and Tenants is updated, the Facility Owner shall notify the IDOA of any additions or deletions.

M. If any provision of this AIMA is held to be unenforceable, no other provision shall be affected by that holding, and the remainder of the AIMA shall be interpreted as if it did not contain the unenforceable provision.

## Definitions

| | |
|---|---|
| Abandonment | When Deconstruction has not been completed within 12 months after the Commercial Solar Energy Facility reaches the end of its useful life. For purposes of this definition, a Commercial Solar Energy Facility shall be presumed to have reached the end of its useful life if the Commercial Solar Energy Facility Owner fails, for a period of 6 consecutive months, to pay the Landowner amounts owed in accordance with an Underlying Agreement. |

| | |
|---|---|
| Aboveground Cable | Electrical power lines installed above ground surface to be utilized for conveyance of power from the solar panels to the solar facility inverter and/or point of interconnection to utility grid or customer electric meter. |
| Agricultural Impact Mitigation Agreement (AIMA) | The Agreement between the Facility Owner and the Illinois Department of Agriculture (IDOA) described herein. |
| Agricultural Land | Land used for Cropland, hayland, pastureland, managed woodlands, truck gardens, farmsteads, commercial ag-related facilities, feedlots, livestock confinement systems, land on which farm buildings are located, and land in government conservation programs used for purposes as set forth above. |
| Best Efforts | Diligent, good faith, and commercially reasonable efforts to achieve a given objective or obligation. |
| Commercial Operation Date | The calendar date of which the Facility Owner notifies the Landowner, County, and IDOA in writing that commercial operation of the facility has commenced. If the Facility Owner fails to provide such notifications, the Commercial Operation Date shall be the execution date of this AIMA plus 6 months. |
| Commercial Solar Energy Facility (Facility) | A solar energy conversion facility equal to or greater than 500 kilowatts in total nameplate capacity, including a solar energy conversion facility seeking an extension of a permit to construct granted by a county or municipality before June 29, 2018. "Commercial solar energy facility" does not include a solar energy conversion facility: (1) for which a permit to construct has been issued before June 29, 2018; (2) that is located on land owned by the commercial solar energy facility owner; (3) that was constructed before June 29, 2018; or (4) that is located on the customer side of the customer's electric meter and is primarily used to offset that customer's electricity load and is limited in nameplate capacity to less than or equal to 2,000 kilowatts. |
| Commercial Solar Energy Facility Owner deemed (Facility Owner) | A person or entity that owns a commercial solar energy facility. A Commercial Solar Energy Facility Owner is not nor shall it be to be a public utility as defined in the Public Utilities Act. |
| County | The County or Counties where the Commercial Solar Energy Facility is located. |
| Construction | The installation, preparation for installation and/or repair of a Facility. |
| Cropland | Land used for growing row crops, small grains or hay; includes land which was formerly used as cropland, but is currently enrolled in a government conservation program; also includes pastureland that is classified as Prime Farmland. |

| | |
|---|---|
| Deconstruction | The removal of a Facility from the property of a Landowner and the restoration of that property as provided in the AIMA. |
| Deconstruction Plan | A plan prepared by a Professional Engineer, at the Facility's expense, that includes:<br>(1) the estimated Deconstruction cost, in current dollars at the time of filing, for the Facility, considering among other things:<br>i. the number of solar panels, racking, and related facilities involved;<br>ii. the original Construction costs of the Facility;<br>iii. the size and capacity, in megawatts of the Facility;<br>iv. the salvage value of the facilities (if all interests in salvage value are subordinate to that of the Financial Assurance holder if abandonment occurs);<br>v. the Construction method and techniques for the Facility and for other similar facilities; and<br>(2) a comprehensive detailed description of how the Facility Owner plans to pay for the Deconstruction of the Facility. |
| Department | The Illinois Department of Agriculture (IDOA). |
| Financial Assurance | A reclamation or surety bond or other commercially available financial assurance that is acceptable to the County, with the County or Landowner as beneficiary. |
| Landowner | Any person with an ownership interest in property that is used for agricultural purposes and that is party to an Underlying Agreement. |
| Prime Farmland | Agricultural Land comprised of soils that are defined by the USDA Natural Resources Conservation Service (NRCS) as "Prime Farmland" (generally considered to be the most productive soils with the least input of nutrients and management). |
| Professional Engineer | An engineer licensed to practice engineering in the State of Illinois. |
| Soil and Water Conservation District (SWCD) | A unit of local government that provides technical and financial assistance to eligible Landowners for the conservation of soil and water resources. |
| Tenant | Any person, apart from the Facility Owner, lawfully residing or leasing/renting land that is subject to an Underlying Agreement. |
| Topsoil | The uppermost layer of the soil that has the darkest color or the highest content of organic matter; more specifically, it is defined as the "A" horizon. |
| Underlying Agreement | The written agreement between the Facility Owner and the Landowner(s) including, but not limited to, an easement, option, lease, or license under the terms of which another person has constructed, constructs, or intends to construct a Facility on the property of the Landowner. |

| | |
|---|---|
| Underground Cable | Electrical power lines installed below the ground surface to be utilized for conveyance of power within a Facility or from a Commercial Solar Energy Facility to the electric grid. |
| USDA Natural Resources Conservation Service (NRCS) | An agency of the United States Department of Agriculture that provides America's farmers with financial and technical assistance to aid with natural resources conservation. |

## Construction and Deconstruction Standards and Policies

### 1. Support Structures

A. Only single pole support structures shall be used for the Construction and operation of the Facility on Agricultural Land. Other types of support structures, such as lattice towers or H-frames, may be used on nonagricultural land.

B. Where a Facility's Aboveground Cable will be adjacent and parallel to highway and/or railroad right-of-way, but on privately owned property, the support structures shall be placed as close as reasonably practicable and allowable by the applicable County Engineer or other applicable authorities to the highway or railroad right-of-way. The only exceptions may be at jogs or weaves on the highway alignment or along highways or railroads where transmission and distribution lines are already present.

C. When it is not possible to locate Aboveground Cable next to highway or railroad right-of-way, Best Efforts shall be expended to place all support poles in such a manner to minimize their placement on Cropland (i.e., longer than normal above ground spans shall be utilized when traversing Cropland).

### 2. Aboveground Facilities

Locations for facilities shall be selected in a manner that is as unobtrusive as reasonably possible to ongoing agricultural activities occurring on the land that contains or is adjacent to the Facility.

### 3. Guy Wires and Anchors

Best Efforts shall be made to place guy wires and their anchors, if used, out of Cropland, pastureland and hayland, placing them instead along existing utilization lines and on land other than Cropland. Where this is not feasible, Best Efforts shall be made to minimize guy wire impact on Cropland. All guy wires shall be shielded with highly visible guards.

### 4. Underground Cabling Depth

A. Underground electrical cables located outside the perimeter of the (fence) of the solar panels shall be buried with:

1. a minimum of 5 feet of top cover where they cross Cropland.
2. a minimum of 5 feet of top cover where they cross pastureland or other non-Cropland classified as Prime Farmland.
3. a minimum of 3 feet of top cover where they cross pastureland and other Agricultural Land not classified as Prime Farmland.

4. a minimum of 3 feet of top cover where they cross wooded/brushy land.

B. Provided that the Facility Owner removes the cables during Deconstruction, underground electric cables may be installed to a minimum depth of 18 inches:

1. Within the fenced perimeter of the Facility; or

2. When buried under an access road associated with the Facility provided that the location and depth of cabling is clearly marked at the surface.

C. If Underground Cables within the fenced perimeter of the solar panels are installed to a minimum depth of 5 feet, they may remain in place after Deconstruction.

**5. Topsoil Removal and Replacement**

A. Any excavation shall be performed in a manner to preserve topsoil. Best Efforts shall be made to store the topsoil near the excavation site in such a manner that it will not become intermixed with subsoil materials.

B. Best Efforts shall be made to store all disturbed subsoil material near the excavation site and separate from the topsoil.

C. When backfilling an excavation site, Best Efforts shall be used to ensure the stockpiled subsoil material will be placed back into the excavation site before replacing the topsoil.

D. Refer to Section 7 for procedures pertaining to rock removal from the subsoil and topsoil.

E. Refer to Section 8 for procedures pertaining to the repair of compaction and rutting of the topsoil.

F. Best Efforts shall be performed to place the topsoil in a manner so that after settling occurs, the topsoil's original depth and contour will be restored as close as reasonably practicable. The same shall apply where excavations are made for road, stream, drainage ditch, or other crossings. In no instance shall the topsoil materials be used for any other purpose unless agreed to explicitly and in writing by the Landowner.

G. Based on the mutual agreement of the landowner and Facility Owner, excess soil material resulting from solar facility excavation shall either be removed or stored on the Landowner's property and reseeded per the applicable National Pollution Discharge Elimination System (NPDES) permit/Stormwater Pollution Prevention Plan (SWPPP). After the Facility reaches the end of its Useful Life, the excess subsoil material shall be returned to an excavation site or removed from the Landowner's property, unless otherwise agreed to by Landowner.

**6. Rerouting and Permanent Repair of Agricultural Drainage Tiles**

The following standards and policies shall apply to underground drainage tile line(s) directly or indirectly affected by Construction and/or Deconstruction:

A. Prior to Construction, the Facility Owner shall work with the Landowner to identify drainage tile lines traversing the property subject to the Underlying Agreement to the extent reasonably practicable. All drainage tile lines identified in this manner shall be shown on the Construction and Deconstruction Plans.

B. The location of all drainage tile lines located adjacent to or within the footprint of the Facility shall be recorded using Global Positioning Systems (GPS) technology. Within 60 days after Construction is complete, the Facility Owner shall provide the Landowner, the IDOA, and the respective County Soil and Water Conservation District (SWCD) with "as built" drawings (strip maps) showing the location of all drainage tile lines by survey station encountered in the Construction of the Facility, including any tile line repair location(s), and any underground cable installed as part of the Facility.

C. **Maintaining Surrounding Area Subsurface Drainage**

If drainage tile lines are damaged by the Facility, the Facility Owner shall repair the lines or install new drainage tile line(s) of comparable quality and cost to the original(s), and of sufficient size and appropriate slope in locations that limit direct impact from the Facility. If the damaged tile lines cause an unreasonable disruption to the drainage system, as determined by the Landowner, then such repairs shall be made promptly to ensure appropriate drainage. Any new line(s) may be located outside of, but adjacent to the perimeter of the Facility. Disrupted adjacent drainage tile lines shall be attached thereto to provide an adequate outlet for the disrupted adjacent tile lines.

D. **Re-establishing Subsurface Drainage Within Facility Footprint**

Following Deconstruction and using Best Efforts, if underground drainage tile lines were present within the footprint of the facility and were severed or otherwise damaged during original Construction, facility operation, and/or facility Deconstruction, the Facility Owner shall repair existing drainage tiles or install new drainage tile lines of comparable quality and cost to the original, within the footprint of the Facility with sufficient capacity to restore the underground drainage capacity that existed within the footprint of the Facility prior to Construction. Such installation shall be completed within 12 months after the end of the useful life of the Facility and shall be compliant with Figures 1 and 2 to this Agreement or based on prudent industry standards if agreed to by Landowner.

E. If there is any dispute between the Landowner and the Facility Owner on the method of permanent drainage tile line repair, the appropriate County SWCD's opinion shall be considered by the Facility Owner and the Landowner.

F. During Deconstruction, all additional permanent drainage tile line repairs beyond those included above in Section 6.D. must be made within 30 days of identification or notification of the damage, weather and soil conditions permitting. At other times, such repairs must be made at a time mutually agreed upon by the Facility Owner and the Landowner. If the Facility Owner and Landowner cannot agree upon a reasonable method to complete this restoration, the Facility Owner may implement the recommendations of the appropriate County SWCD and such implementation constitutes compliance with this provision.

G. Following completion of the work required pursuant to this Section, the Facility Owner shall be responsible for correcting all drainage tile line repairs that fail due to Construction and/or Deconstruction for one year following the completion of Construction or Deconstruction, provided those repairs were made by the Facility Owner. The Facility Owner shall not be responsible for drainage tile repairs that the Facility Owner pays the Landowner to perform.

## 7. Rock Removal

With any excavations, the following rock removal procedures pertain only to rocks found in the uppermost 42 inches of soil, the common freeze zone in Illinois, which emerged or were brought to the site as a result of Construction and/or Deconstruction.

A. Before replacing any topsoil, Best Efforts shall be taken to remove all rocks greater than 3 inches in any dimension from the surface of exposed subsoil which emerged or were brought to the site as a result of Construction and/or Deconstruction.

B. If trenching, blasting, or boring operations are required through rocky terrain, precautions shall be taken to minimize the potential for oversized rocks to become interspersed in adjacent soil material.

C. Rocks and soil containing rocks removed from the subsoil areas, topsoil, or from any excavations, shall be removed from the Landowner's premises or disposed of on the Landowner's premises at a location that is mutually acceptable to the Landowner and the Facility Owner.

## 8. Repair of Compaction and Rutting

A. Unless the Landowner opts to do the restoration work on compaction and rutting, after the topsoil has been replaced post-Deconstruction, all areas within the boundaries of the Facility that were traversed by vehicles and Construction and/or Deconstruction equipment that exhibit compaction and rutting shall be restored by the Facility Owner. All prior Cropland shall be ripped at least 18 inches deep or to the extent practicable, and all pasture and woodland shall be ripped at least 12 inches deep or to the extent practicable. The existence of drainage tile lines or underground utilities may necessitate less ripping depth. The disturbed area shall then be disked.

B. All ripping and disking shall be done at a time when the soil is dry enough for normal tillage operations to occur on Cropland adjacent to the Facility.

C. The Facility Owner shall restore all rutted land to a condition as close as possible to its original condition upon Deconstruction, unless necessary earlier as determined by the Landowner.

D. If there is any dispute between the Landowner and the Facility Owner as to what areas need to be ripped/disked or the depth at which compacted areas should be ripped/disked, the appropriate County SWCD's opinion shall be considered by the Facility Owner and the Landowner.

## 9. Construction During Wet Weather

Except as provided below, construction activities are not allowed on agricultural land during times when normal farming operations, such as plowing, disking, planting or harvesting, cannot take place due to excessively wet soils. With input from the landowner, wet weather conditions may be determined on a field by field basis.

A. Construction activities on prepared surfaces, surfaces where topsoil and subsoil have been removed, heavily compacted in preparation, or otherwise stabilized (e.g. through cement mixing) may occur at the discretion of the Facility Owner in wet weather conditions.

B. Construction activities on unprepared surfaces will be done only when work will not result in rutting which may mix subsoil and topsoil. Determination as to the potential of subsoil and topsoil mixing will be made in consultation with the underlying Landowner, or, if approved by the Landowner, his/her designated tenant or designee.

**10. Prevention of Soil Erosion**

A. The Facility Owner shall work with Landowners and create and follow a SWPPP to prevent excessive erosion on land that has been disturbed by Construction or Deconstruction of a Facility.

B. If the Landowner and Facility Owner cannot agree upon a reasonable method to control erosion on the Landowner's property, the Facility Owner shall consider the recommendations of the appropriate County SWCD to resolve the disagreement.

C. The Facility Owner may, per the requirements of the project SWPPP and in consultation with the Landowner, seed appropriate vegetation around all panels and other facility components to prevent erosion. The Facility Owner must utilize Best Efforts to ensure that all seed mixes will be as free of any noxious weed seeds as possible. The Facility Owner shall consult with the Landowner regarding appropriate varieties to seed.

**11. Repair of Damaged Soil Conservation Practices**

Consultation with the appropriate County SWCD by the Facility Owner shall be carried out to determine if there are soil conservation practices (such as terraces, grassed waterways, etc.) that will be damaged by the Construction and/or Deconstruction of the Facility. Those conservation practices shall be restored to their preconstruction condition as close as reasonably practicable following Deconstruction in accordance with USDA NRCS technical standards. All repair costs shall be the responsibility of the Facility Owner.

**12. Compensation for Damages to Private Property**

The Facility Owner shall reasonably compensate Landowners for damages caused by the Facility Owner. Damage to Agricultural Land shall be reimbursed to the Landowner as prescribed in the applicable Underlying Agreement.

**13. Clearing of Trees and Brush**

A. If trees are to be removed for the Construction or Deconstruction of a Facility, the Facility Owner shall consult with the Landowner to determine if there are trees of commercial or other value to the Landowner.

B. If there are trees of commercial or other value to the Landowner, the Facility Owner shall allow the Landowner the right to retain ownership of the trees to be removed and the disposition of the removed trees shall be negotiated prior to the commencement of land clearing.

**14. Access Roads**

A. To the extent practicable, access roads shall be designed to not impede surface drainage and shall be built to minimize soil erosion on or near the access roads.

B. Access roads may be left intact during Construction, operation or Deconstruction through mutual agreement of the Landowner and the Facility Owner unless otherwise restricted by federal, state, or local regulations.

C. If the access roads are removed, Best Efforts shall be expended to assure that the land shall be restored to equivalent condition(s) as existed prior to their construction, or as otherwise agreed to by the Facility Owner and the Landowner. All access roads that are removed shall be ripped to a depth of 18 inches. All ripping shall be performed consistent with Section 8.

## 15. Weed/Vegetation Control

A. The Facility Owner shall provide for weed control in a manner that prevents the spread of weeds. Chemical control, if used, shall be done by an appropriately licensed pesticide applicator.

B. The Facility Owner shall be responsible for the reimbursement of all reasonable costs incurred by owners of agricultural land where it has been determined by the appropriate state or county entity that weeds have spread from the Facility to their property. Reimbursement is contingent upon written notice to the Facility Owner. Facility Owner shall reimburse the property owner within 45 days after notice is received.

C. The Facility Owner shall ensure that all vegetation growing within the perimeter of the Facility is properly and appropriately maintained. Maintenance may include, but not be limited to, mowing, trimming, chemical control, or the use of livestock as agreed to by the Landowner.

D. The Deconstruction plans must include provisions for the removal of all weed control equipment used in the Facility, including weed-control fabrics or other ground covers.

## 16. Indemnification of Landowners

The Facility Owner shall indemnify all Landowners, their heirs, successors, legal representatives, and assigns from and against all claims, injuries, suits, damages, costs, losses, and reasonable expenses resulting from or arising out of the Commercial Solar Energy Facility, including Construction and Deconstruction thereof, and also including damage to such Facility or any of its appurtenances, except where claims, injuries, suits, damages, costs, losses, and expenses are caused by the negligence or intentional acts, or willful omissions of such Landowners, and/or the Landowners heirs, successors, legal representatives, and assigns.

## 17. Deconstruction Plans and Financial Assurance of Commercial Solar Energy Facilities

A. Deconstruction of a Facility shall include the removal/disposition of all solar related equipment/facilities, including the following utilized for operation of the Facility and located on Landowner property:

1. Solar panels, cells and modules;
2. Solar panel mounts and racking, including any helical piles, ground screws, ballasts, or other anchoring systems;
3. Solar panel foundations, if used (to depth of 5 feet);

4. Transformers, inverters, energy storage facilities, or substations, including all components and foundations; however, Underground Cables at a depth of 5 feet or greater may be left in place;
5. Overhead collection system components;
6. Operations/maintenance buildings, spare parts buildings and substation/switching gear buildings unless otherwise agreed to by the Landowner;
7. Access Road(s) unless Landowner requests in writing that the access road is to remain;
8. Operation/maintenance yard/staging area unless otherwise agreed to by the Landowner; and
9. Debris and litter generated by Deconstruction and Deconstruction crews.

B. The Facility Owner shall, at its expense, complete Deconstruction of a Facility within twelve (12) months after the end of the useful life of the Facility.

C. During the County permit process, or if none, then prior to the commencement of construction, the Facility Owner shall file with the County a Deconstruction Plan. The Facility Owner shall file an updated Deconstruction Plan with the County on or before the end of the tenth year of commercial operation.

D. The Facility Owner shall provide the County with Financial Assurance to cover the estimated costs of Deconstruction of the Facility. Provision of this Financial Assurance shall be phased in over the first 11 years of the Project's operation as follows:

1. On or before the first anniversary of the Commercial Operation Date, the Facility Owner shall provide the County with Financial Assurance to cover ten (10) percent of the estimated costs of Deconstruction of the Facility as determined in the Deconstruction Plan.
2. On or before the sixth anniversary of the Commercial Operation Date, the Facility Owner shall provide the County with Financial Assurance to cover fifty (50) percent of the estimated costs of Deconstruction of the Facility as determined in the Deconstruction Plan.
3. On or before the eleventh anniversary of the Commercial Operation Date, the Facility Owner shall provide the County with Financial Assurance to cover one hundred (100) percent of the estimated costs of Deconstruction of the Facility as determined in the updated Deconstruction Plan provided during the tenth year of commercial operation.

The Financial Assurance shall not release the surety from liability until the Financial Assurance is replaced. The salvage value of the Facility may only be used to reduce the estimated costs of Deconstruction if the County agrees that all interests in the salvage value are subordinate or have been subordinated to that of the County if Abandonment occurs.

E. The County may, but is not required to, reevaluate the estimated costs of Deconstruction of any Facility after the tenth anniversary, and every five years thereafter, of the Commercial Operation Date. Based on any reevaluation, the County may require changes in the level of Financial Assurance used to calculate the phased Financial Assurance levels described in Section 17.D. required from the Facility Owner. If the County is unable to its satisfaction to perform the investigations necessary to approve the Deconstruction Plan filed by the Facility Owner, then the County and Facility may mutually agree on the selection of a Professional Engineer independent of the Facility Owner to conduct any necessary investigations. The Facility Owner shall be responsible for the cost of any such investigations.

F. Upon Abandonment, the County may take all appropriate actions for Deconstruction including drawing upon the Financial Assurance.

## Concurrence of the Parties to this AIMA

The Illinois Department of Agriculture and **Blue Sage Project LLC** concur that this AIMA is the complete AIMA governing the mitigation of agricultural impacts that may result from the Construction and Deconstruction of the solar farm project in **Kendall** County within the State of Illinois.

The effective date of this AIMA commences on the date of execution.

**STATE OF ILLINOIS**
**DEPARTMENT OF AGRICULTURE**

[redacted]

By: Jerry Costello II, Director

[redacted]

By Clay Nordsiek, Deputy General Counsel

801 E. Sangamon Avenue,
State Fairgrounds, POB 19281
Springfield, IL 62794-9281

9/25, 2025

**Blue Sage Project LLC**

[redacted]

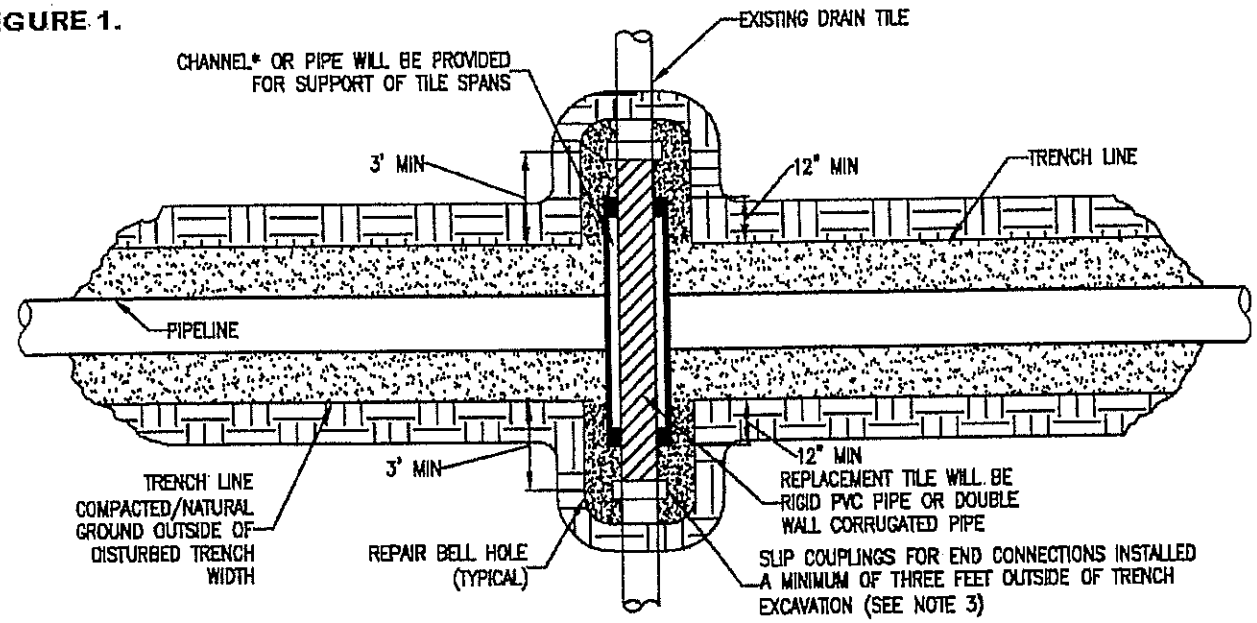
By Ansar Gufar

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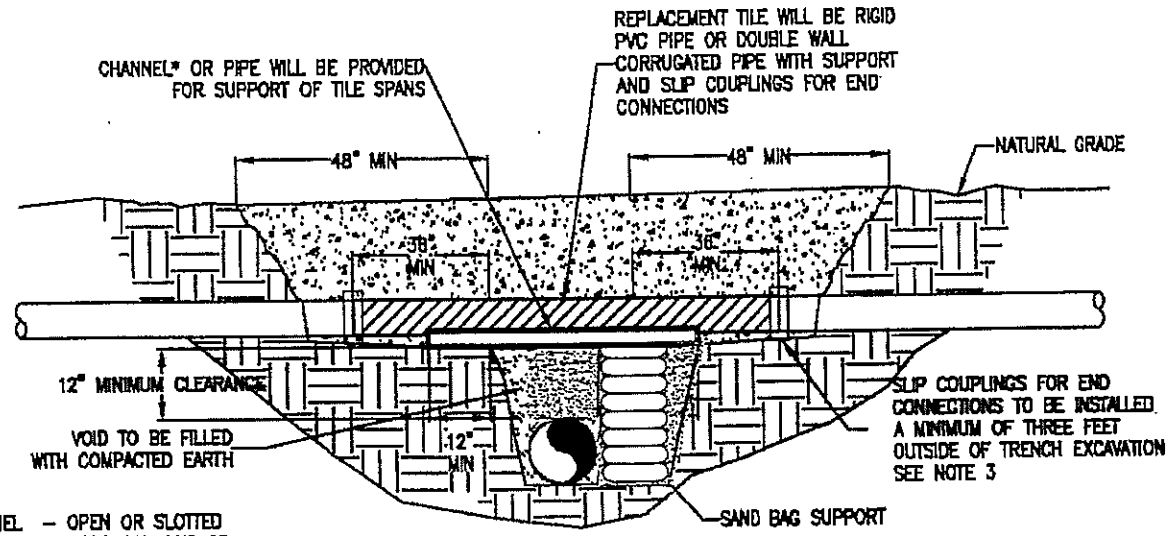
Address

September 15, 2025

FIGURE 1.




PLAN
N.T.S.




*CHANNEL – OPEN OR SLOTTED CORRUGATED GALVANIZED, PVC OR ALUMINUM CRADLE TO SUPPORT DRAIN TILE.

CROSS SECTION
N.T.S.

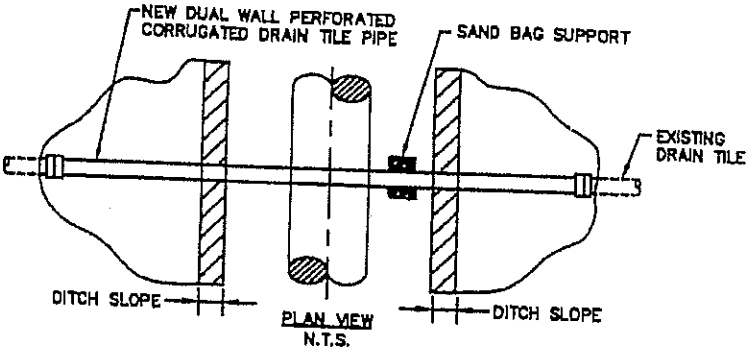
NOTE:

1. IMMEDIATELY REPAIR TILE IF WATER IS FLOWING THROUGH TILE AT TIME OF TRENCHING. IF NO WATER IS FLOWING AND TEMPORARY REPAIR IS DELAYED, OR NOT MADE BY THE END OF THE WORK DAY, A SCREEN OR APPROPRIATE 'NIGHT CAP' SHALL BE PLACED ON OPEN ENDS OF TILE TO PREVENT ENTRAPMENT OF ANIMALS ETC.
2. CHANNEL OR PIPE (OPEN OR SLOTTED) MADE OF CORRUGATED GALVANIZED PIPE, PVC OR ALUMINUM WILL BE USED FOR SUPPORT OF DRAIN TILE SPANS.
3. INDUSTRY STANDARDS SHALL BE FOLLOWED TO ENSURE PROPER SEAL OF REPAIRED DRAIN TILES.

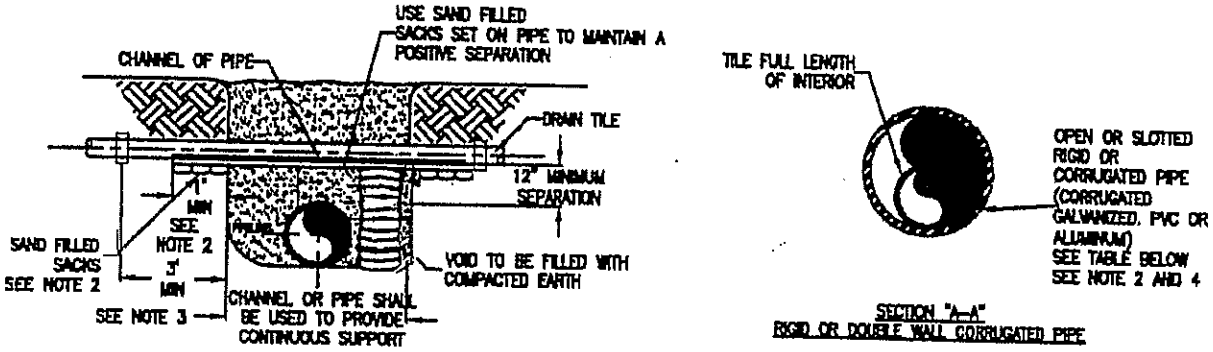
# TEMPORARY DRAIN TILE REPAIR

PAGE 1 of 2

**FIGURE 2.**




## PLAN VIEW




## END VIEWS

| MINIMUM SUPPORT TABLE | | | |
|---|---|---|---|
| TILE SIZE | CHANNEL SIZE | PIPE SIZE | |
| 3" | 4" @ 5.4 #/ft | 4" | STD. WT. |
| 4"-5" | 5" @ 6.7 #/ft | 6" | STD. WT. |
| 8"-9" | 7" @ 9.8 #/ft | 9"-10" | STD. WT. |
| 10" | 10" @ 15.3 #/ft | 12" | STD. WT. |

NOTE:

1. TILE REPAIR AND REPLACEMENT SHALL MAINTAIN ORIGINAL ALIGNMENT GRADIENT AND WATER FLOW TO THE GREATEST EXTENT POSSIBLE. IF THE TILE NEEDS TO BE RELOCATED, THE INSTALLATION ANGLE MAY VARY DUE TO SITE SPECIFIC CONDITIONS AND LANDOWNER RECOMMENDATIONS.
2. 1'-0" MINIMUM LENGTH OF CHANNEL OR RIGID PIPE (OPEN OR SLOTTED CORRUGATED GALVANIZED, PVC OR ALUMINUM CRADLE) SHALL BE SUPPORTED BY UNDISTURBED SOIL, OR IF CROSSING IS NOT AT RIGHT ANGLES TO PIPELINE, EQUIVALENT LENGTH PERPENDICULAR TO TRENCH. SHIM WITH SAND BAGS TO UNDISTURBED SOIL FOR SUPPORT AND DRAINAGE GRADIENT MAINTENANCE (TYPICAL BOTH SIDES).
3. DRAIN TILES WILL BE PERMANENTLY CONNECTED TO EXISTING DRAIN TILES A MINIMUM OF THREE FEET OUTSIDE OF EXCAVATED TRENCH LINE USING INDUSTRY STANDARDS TO ENSURE PROPER SEAL OF REPAIRED DRAIN TILES INCLUDING SLIP COUPLINGS.
4. DIAMETER OF RIGID PIPE SHALL BE OF ADEQUATE SIZE TO ALLOW FOR THE INSTALLATION OF THE TILE FOR THE FULL LENGTH OF THE RIGID PIPE.
5. OTHER METHODS OF SUPPORTING DRAIN TILE MAY BE USED IF ALTERNATE PROPOSED IS EQUIVALENT IN STRENGTH TO THE CHANNEL/PIPE SECTIONS SHOWN AND IF APPROVED BY COMPANY REPRESENTATIVES AND LANDOWNER IN ADVANCE. SITE SPECIFIC ALTERNATE SUPPORT SYSTEM TO BE DEVELOPED BY COMPANY REPRESENTATIVES AND FURNISHED TO CONTRACTOR FOR SPANS IN EXCESS OF 20', TILE GREATER THEN 10" DIAMETER, AND FOR "HEADER" SYSTEMS.
6. ALL MATERIAL TO BE FURNISHED BY CONTRACTOR.
7. PRIOR TO REPAIRING TILE, CONTRACTOR SHALL PROBE LATERALLY INTO THE EXISTING TILE TO FULL WIDTH OF THE RIGHTS OF WAY TO DETERMINE IF ADDITIONAL DAMAGE HAS OCCURRED. ALL DAMAGED/DISTURBED TILE SHALL BE REPAIRED AS NEAR AS PRACTICABLE TO ITS ORIGINAL OR BETTER CONDITION.

# PERMANENT DRAIN TILE REPAIR

PAGE 2 of 2

# United States Department of the Interior

FISH AND WILDLIFE SERVICE
Illinois-Iowa Ecological Services Field Office
Illinois & Iowa Ecological Services Field Office
1511 47th Ave
Moline, IL 61265-7022
Phone: (309) 757-5800 Fax: (309) 757-5807

In Reply Refer To: 06/03/2025 15:20:43 UTC
Project Code: 2025-0104652
Project Name: JAS Blue Sage Project LLC

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

The attached species list identifies federally threatened, endangered, proposed and candidate species that may occur within the boundary of your proposed project or may be affected by your proposed project. The list also includes designated critical habitat, if present, within your proposed project area or affected by your project. This list is provided to you as the initial step of the consultation process required under section 7(c) of the Endangered Species Act, also referred to as Section 7 Consultation.

Under 50 CFR 402.12(e) (the regulations that implement Section 7 of the Endangered Species Act) **the accuracy of this species list should be verified after 90 days.** This verification can be completed formally or informally. You may verify the list by visiting the ECOSPHERE Information for Planning and Consultation (IPaC) website https://ipac.ecosphere.fws.gov at regular intervals during project planning and implementation and completing the same process you used to receive the attached list.

**Section 7 Consultation**

Section 7 of the Endangered Species Act of 1973 requires that actions authorized, funded, or carried out by Federal agencies not jeopardize federally threatened or endangered species or adversely modify designated critical habitat. To fulfill this mandate, Federal agencies (or their designated non-federal representative) must consult with the U.S. Fish and Wildlife Service (Service) if they determine their project "may affect" listed species or designated critical habitat. Under the ESA, it is the responsibility of the Federal action agency or its designated representative to determine if a proposed action may affect endangered, threatened, or proposed species, or designated critical habitat, and if so, to consult with the Service further. Similarly, it is the responsibility of the Federal action agency or project proponent, not the Service to make "no effect" determinations. If you determine that your proposed action will have no effect on threatened or endangered species or their respective designated critical habitat, you do not need to seek concurrence with the Service.

**Note:** For some species or projects, IPaC will present you with *Determination Keys*. You may be able to use one or

more Determination Keys to conclude consultation on your action.

***Technical Assistance for Listed Species***

1. For assistance in determining if suitable habitat for listed, candidate, or proposed species occurs within your project area or if species may be affected by project activities, you can obtain information on the species life history, species status, current range, and other documents by selecting the species from the thumbnails or list view and visiting the species profile page.

***No Effect Determinations for Listed Species***

1. If there are *no* species or designated critical habitats on the Endangered Species portion of the species list: conclude "no species and no critical habitat present" and document your finding in your project records. No consultation under ESA section 7(a)(2) is required if the action would result in no effects to listed species or critical habitat. Maintain a copy of this letter and IPaC official species list for your records.
2. If any species or designated critical habitat are listed as potentially present in the **action area** of the proposed project the project proponents are responsible for determining if the proposed action will have “no effect” on any federally listed species or critical habitat. No effect, with respect to species, means that no individuals of a species will be exposed to any consequence of a federal action or that they will not respond to such exposure.
3. If the species habitat is not present within the action area or current data (surveys) for the species in the action area are negative: conclude “no species habitat or species present” and document your finding in your project records. For example, if the project area is located entirely within a “developed area” (an area that is already graveled/paved or supports structures and the only vegetation is limited to frequently mowed grass or conventional landscaping, is located within an existing maintained facility yard, or is in cultivated cropland conclude no species habitat present. Be careful when assessing actions that affect: 1) rights-of-ways that contains natural or semi-natural vegetation despite periodic mowing or other management; structures that have been known to support listed species (example: bridges), and 2) surface water or groundwater. Several species inhabit rights-of-ways, and you should carefully consider effects to surface water or groundwater, which often extend outside of a project’s immediate footprint.
4. Adequacy of Information & Surveys - Agencies may base their determinations on the best evidence that is available or can be developed during consultation. Agencies must give the benefit of any doubt to the species when there are any inadequacies in the information. Inadequacies may include uncertainty in any step of the analysis. To provide adequate information on which to base a determination, it may be appropriate to conduct surveys to determine whether listed species or their habitats are present in the action area. Please contact our office for more information or see the survey guidelines that the Service has made available in IPaC.

***May Effect Determinations for Listed Species***

1. If the species habitat is present within the action area and survey data is unavailable or inconclusive: assume the species is present or plan and implement surveys and interpret results in coordination with our office. If assuming species present or surveys for the species are positive continue with the may affect determination process. May affect, with respect to a species, is the appropriate conclusion when a species might be exposed to a consequence of a federal action and could respond to that exposure. For critical habitat, ‘may affect’ is the appropriate conclusion if the action area overlaps with mapped areas of critical habitat and an essential physical or biological feature may be exposed to a consequence of a federal action and could change in response to that exposure.
2. Identify stressors or effects to the species and to the essential physical and biological features of critical habitat that overlaps with the action area. Consider all consequences of the action and assess the potential for each life stage of the species that occurs in the action area to be exposed to the stressors. Deconstruct the action into its component parts to be sure that you do not miss any part of the action that could cause effects to the species or physical and biological features of critical habitat. Stressors that affect species’ resources may have consequences even if the species is not present when the project is implemented.
3. If no listed or proposed species will be exposed to stressors caused by the action, a ‘no effect’ determination may be appropriate – be sure to separately assess effects to critical habitat, if any overlaps with the action

area. If you determined that the proposed action or other activities that are caused by the proposed action may affect a species or critical habitat, the next step is to describe the manner in which they will respond or be altered. Specifically, to assess whether the species/critical habitat is "not likely to be adversely affected" or "likely to be adversely affected."

4. Determine how the habitat or the resource will respond to the proposed action (for example, changes in habitat quality, quantity, availability, or distribution), and assess how the species is expected to respond to the effects to its habitat or other resources. Critical habitat analyses focus on how the proposed action will affect the physical and biological features of the critical habitat in the action area. If there will be only beneficial effects or the effects of the action are expected to be insignificant or discountable, conclude "may affect, not likely to adversely affect" and submit your finding and supporting rationale to our office and request concurrence.
5. If you cannot conclude that the effects of the action will be wholly beneficial, insignificant, or discountable, check IPaC for species-specific Section 7 guidance and conservation measures to determine whether there are any measures that may be implemented to avoid or minimize the negative effects. If you modify your proposed action to include conservation measures, assess how inclusion of those measures will likely change the effects of the action. If you cannot conclude that the effects of the action will be wholly beneficial, insignificant, or discountable, contact our office for assistance.
6. Letters with requests for consultation or correspondence about your project should include the Consultation Tracking Number in the header. Electronic submission is preferred.

For additional information on completing Section 7 Consultation including a Glossary of Terms used in the Section 7 Process, information requirements for completing Section 7, and example letters visit the Midwest Region Section 7 Consultations website at: https://www.fws.gov/office/midwest-region-headquarters/midwest-section-7-technical-assistance.

You may find more specific information on completing Section 7 on communication towers and transmission lines on the following websites:

- Incidental Take Beneficial Practices: Power Lines - https://www.fws.gov/story/incidental-take-beneficial-practices-power-lines
- Recommended Best Practices for Communication Tower Design, Siting, Construction, Operation, Maintenance, and Decommissioning. - https://www.fws.gov/media/recommended-best-practices-communication-tower-design-siting-construction-operation

Tricolored Bat Update

On September 14, 2022, the Service published a proposal in the Federal Register to list the tricolored bat (Perimyotis subflavus) as endangered under the Endangered Species Act (ESA). The Service has up to 12-months from the date the proposal published to make a final determination, either to list the tricolored bat under the Act or to withdraw the proposal. The Service determined the bat faces extinction primarily due to the rangewide impacts of white-nose syndrome (WNS), a deadly fungal disease affecting cave-dwelling bats across North America. Because tricolored bat populations have been greatly reduced due to WNS, surviving bat populations are now more vulnerable to other stressors such as human disturbance and habitat loss. Species proposed for listing are not afforded protection under the ESA; however, as soon as a listing becomes effective (typically 30 days after publication of the final rule in the Federal Register), the prohibitions against jeopardizing its continued existence and “take” will apply. Therefore, if your future or existing project has the potential to adversely affect tricolored bats after the potential new listing goes into effect, we recommend that the effects of the project on tricolored bat and their habitat be analyzed to determine whether authorization under ESA section 7 or 10 is necessary. Projects with an existing section 7 biological opinion may require

reinitiation of consultation, and projects with an existing section 10 incidental take permit may require an amendment to provide uninterrupted authorization for covered activities. Contact our office for assistance.

Other Trust Resources and Activities

***Bald and Golden Eagles***

Although no longer protected under the Endangered Species Act, be aware that bald eagles are protected under the Bald and Golden Eagle Protection Act and Migratory Bird Treaty Act, as are golden eagles. Projects affecting these species may require measures to avoid harming eagles or may require a permit. If your project is near an eagle nest or winter roost area, please contact our office for further coordination. For more information on permits and other eagle information visit our website https://www.fws.gov/library/collections/bald-and-golden-eagle-management.

We appreciate your concern for threatened and endangered species. Please feel free to contact our office with questions or for additional information.

Attachment(s):

- Official Species List
- USFWS National Wildlife Refuges and Fish Hatcheries
- Bald & Golden Eagles
- Migratory Birds
- Wetlands

# OFFICIAL SPECIES LIST

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

**Illinois-Iowa Ecological Services Field Office**
Illinois & Iowa Ecological Services Field Office
1511 47th Ave
Moline, IL 61265-7022
(309) 757-5800

# PROJECT SUMMARY

Project Code: 2025-0104652
Project Name: JAS Blue Sage Project LLC
Project Type: Power Gen - Solar
Project Description: Proposed solar project on approximately 42 acres.
Project Location:

The approximate location of the project can be viewed in Google Maps: https://www.google.com/maps/@41.5264803,-88.59310293858668,14z




Counties: Kendall County, Illinois

# ENDANGERED SPECIES ACT SPECIES

There is a total of 6 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries[1], as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

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1. NOAA Fisheries, also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

## MAMMALS

| NAME | STATUS |
|---|---|
| Indiana Bat *Myotis sodalis*<br>There is **final** critical habitat for this species. Your location does not overlap the critical habitat.<br>Species profile: https://ecos.fws.gov/ecp/species/5949 | Endangered |
| Northern Long-eared Bat *Myotis septentrionalis*<br>No critical habitat has been designated for this species.<br>Species profile: https://ecos.fws.gov/ecp/species/9045 | Endangered |

## BIRDS

| NAME | STATUS |
|---|---|
| Whooping Crane *Grus americana*<br>Population: U.S.A. (AL, AR, CO, FL, GA, ID, IL, IN, IA, KY, LA, MI, MN, MS, MO, NC, NM, OH, SC, TN, UT, VA, WI, WV, western half of WY)<br>No critical habitat has been designated for this species.<br>Species profile: https://ecos.fws.gov/ecp/species/758 | Experimental Population, Non-Essential |

## INSECTS

| NAME | STATUS |
|---|---|
| Monarch Butterfly *Danaus plexippus*<br>There is **proposed** critical habitat for this species. Your location does not overlap the critical habitat.<br>Species profile: https://ecos.fws.gov/ecp/species/9743 | Proposed Threatened |
| Western Regal Fritillary *Argynnis idalia occidentalis*<br>No critical habitat has been designated for this species.<br>Species profile: https://ecos.fws.gov/ecp/species/12017 | Proposed Threatened |

## FLOWERING PLANTS

| NAME | STATUS |
|---|---|
| Eastern Prairie Fringed Orchid *Platanthera leucophaea*<br>No critical habitat has been designated for this species.<br>Species profile: https://ecos.fws.gov/ecp/species/601 | Threatened |

# CRITICAL HABITATS

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

YOU ARE STILL REQUIRED TO DETERMINE IF YOUR PROJECT(S) MAY HAVE EFFECTS ON ALL ABOVE LISTED SPECIES.

# USFWS NATIONAL WILDLIFE REFUGE LANDS AND FISH HATCHERIES

Any activity proposed on lands managed by the National Wildlife Refuge system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

THERE ARE NO REFUGE LANDS OR FISH HATCHERIES WITHIN YOUR PROJECT AREA.

# BALD & GOLDEN EAGLES

Bald and Golden Eagles are protected under the Bald and Golden Eagle Protection Act [2] and the Migratory Bird Treaty Act (MBTA) [1]. Any person or organization who plans or conducts activities that may result in impacts to Bald or Golden Eagles, or their habitats, should follow appropriate regulations and consider implementing appropriate avoidance and minimization measures, as described in the various links on this page.

---

1. The Bald and Golden Eagle Protection Act of 1940.
2. The Migratory Birds Treaty Act of 1918.
3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

BALD & GOLDEN EAGLES INFORMATION WAS NOT AVAILABLE WHEN THIS SPECIES LIST WAS GENERATED. PLEASE CONTACT THE FIELD OFFICE FOR FURTHER INFORMATION.

# MIGRATORY BIRDS

The Migratory Bird Treaty Act (MBTA) [1] prohibits the take (including killing, capturing, selling, trading, and transport) of protected migratory bird species without prior authorization by the Department of Interior U.S. Fish and Wildlife Service (Service). The incidental take of migratory birds is the injury or death of birds that results from, but is not the purpose, of an activity. The Service interprets the MBTA to prohibit incidental take.

---

1. The Migratory Birds Treaty Act of 1918.
2. The Bald and Golden Eagle Protection Act of 1940.
3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

MIGRATORY BIRD INFORMATION WAS NOT AVAILABLE WHEN THIS SPECIES LIST WAS GENERATED. PLEASE CONTACT THE FIELD OFFICE FOR FURTHER INFORMATION.

# WETLANDS

Impacts to NWI wetlands and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local U.S. Army Corps of Engineers District.

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

RIVERINE

- R4SBC
- R5UBH

# IPAC USER CONTACT INFORMATION

Agency: Private Entity
Name: Brittany Schweiger
Address: [redacted]
Address Line 2:
City:
State:
Zip:
Email
Phone:

Illinois Department of Natural Resources
JB Pritzker, Governor • Natalie Phelps Finnie, Director
One Natural Resources Way • Springfield, Illinois 62702-1271
www.dnr.illinois.gov

Kendall County
Newark
IL-71 & N 41st Rd
Section:7-Township:35N-Range:6E
IEPA
New Construction, Blue Sage Project LLC

PLEASE REFER TO: SHPO LOG #023072125

August 9, 2025

William Pridden
Stantec Consulting Services, Inc.
[redacted]

The Illinois State Historic Preservation Office is required by the Illinois State Agency Historic Resources Preservation Act (20 ILCS 3420, as amended, 17 IAC 4180) (Act) to review all state undertakings for their effect on cultural resources. Pursuant to this requirement, we have received information regarding the above-referenced project for our comment. We have reviewed the reports of archaeological and architectural surveys and they appear adequate. No historic properties were identified within the area of potential visual effects, or within the **31.6 acres** of proposed project area that were surveyed.

Our files do not identify any known historic properties within the remainder of the proposed project area, nor is it within the high probability area for archaeological resources as defined in the state Act. You have indicated there is no public funding, nor is the proposed project on public land. Accordingly, that portion of the proposed project area is **EXEMPT** from survey requests pursuant to Section 6 of the Act. An archaeological survey of the remaining **11.2 acres** is not *required* under Illinois law.

Since the area has never been surveyed for archaeological resources, however, it is possible that archaeological sites are present but remain unidentified. Please consider assisting the State of Illinois in its efforts to preserve and protect historic resources by sharing with us the results of any due diligence archaeological surveys. Early awareness of the presence of historic properties may help prevent unanticipated discoveries and potential construction delays. Our most recently updated list of archaeological consultants is available on our website.

The project, as proposed, is compliant with the Act. This letter remains in effect for two (2) years from the date of issuance. This approval does not pertain to any discovery during construction, nor is it a clearance for purposes of the Illinois Human Remains Protection Act (20 ILCS 3440).

According to the information provided there is no federal involvement in your project. Be aware the state law is less restrictive than the federal cultural resource laws concerning archaeology. If your project will use any federal loans or grants, need any federal agency permits (including non-reporting), use any federal property, or involve any assistance from a federal agency, then your project must be reviewed under the National Historic Preservation Act of 1966, as amended. Please notify us immediately if this is the case. Additional survey coverage may be necessary.

Please contact Jeff Kruchten, Principal Archaeologist, at 217/785-1279 or jeff.kruchten@illinois.gov if you need assistance.

Sincerely,

[redacted]
Carey L. Mayer, AIA
Deputy State Historic Preservation Officer

# COMMUNITY BENEFITS AGREEMENT

**THIS COMMUNITY BENEFITS AGREEMENT** ("**Agreement**") is made this 3rd day of September, 2025, between Blue Sage Project LLC, a limited liability company (the "**Developer**") and the County of Kendall, Illinois, an Illinois body politic (the "**County**") (individually Developer and the County are each a "**Party**" and collectively are the "**Parties**").

**WHEREAS**, Developer proposes to construct, own and operate a solar farm at parcel 07-07-100-022 and 07-07-100-005 known as the Blue Sage Project LLC commercial solar energy project (the "**Project**") in the County of Kendall, Illinois and Developer has applied to the County for a special use permit for the Project;

**WHEREAS**, the Project will include a solar photovoltaic system and other ancillary Project improvements to be installed in the County;

**WHEREAS**, Developer desires to participate in and contribute to the well-being of the community;

**WHEREAS**, by this Agreement, Developer shall provide certain economic benefits to the County in addition to those substantial economic benefits the Project will already provide to the County and its citizens;

**WHEREAS**, Developer and County agree that this Agreement will provide substantial benefits to the County and its citizens, and will serve to offset any possible increased demand upon County services resulting from the operation of the Project; and

**NOW THEREFORE**, in consideration of the promises made herein and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties hereby agree as follows:

1. The recitals are adopted and incorporated as material terms of this Agreement.

2. On an annual basis during the commercial operation of the Project, Developer shall contribute the amount of Fifteen Thousand Dollars ($15,000) to the County (the "**Contribution**"), which is approximately $3,000 per megawatt of the Project. "Commercial operation" shall mean the selling of electricity to a third-party purchaser on a commercial basis (excluding the sale of test energy). The first Contribution shall be made within thirty (30) days after the Project achieves commercial operation. Subsequent Contributions shall be made on the yearly anniversary of the first annual payment, or on such other calendar date as the Parties may agree. The Contribution shall increase by 5% every five (5) years.

3. If the County does not approve the special use permit application for the Project, and/or if Developer elects not to build the Project, then this Agreement shall become null and void, and neither Party shall have any obligations hereunder. This

Agreement does not constitute any promise or representation on behalf of the County that the County will approve the special use permit application for the Project.

4. Upon termination of the commercial operation of the Project, the Contribution shall cease and this Agreement shall terminate. Developer shall pay the full annual Contribution for any calendar year during which the Project conducts commercial operations.

5. This Agreement shall inure to the benefit of and be binding upon the respective heirs, executors, administrators, assigns and successors of each Party. At the time of any assignment by Developer, Developer shall provide written notice to the County of the name, address, entity type and state of incorporation of the assignee, and the name and address of the assignee's registered agent in the State of Illinois. In the event Developer assigns this Agreement, Developer shall remain obligated, as a principal and not a guarantor, to the County with respect to all of Developer's obligations, duties, liabilities, and commitments under this Agreement, including the obligation to make annual Contribution payments, unless and until the assignee agrees to assume all of the Developer's obligations, duties, liabilities, and commitments under this Agreement and the County consents to that assumption by the assignee.

6. This Agreement may be executed in one or more counterparts, each of which so executed shall be deemed to be an original and such counterparts together shall constitute one and the same instrument.

7. Any written communication will be deemed to have been given or made on the day on which it was delivered if it is received before 5:00 p.m. on the day in question or, if such day is not a business day or if such written communication is received after 5:00 p.m., then delivery will be deemed to have occurred on the next following business day. Either Party may from time to time change its address for service hereunder by notice to the other Party. Any notice, request, demand or other instrument which may be required or permitted to be delivered, given or served upon either Party will be sufficiently delivered, given or served upon the Party in question, if in writing, and if either delivered by hand or if sent by certified mail (return receipt requested), courier or nationally recognized overnight delivery service mailed, in each case addressed as referenced below:

(A) In the case of County to:

County of Kendall
502 S Main Street
Yorkville IL 60560
Attn: County Clerk

(B) In the case of Developer to:

JAS Power, LLC
190 High Street, 3rd Floor
Boston, MA 02110

Attn: Ansar Gafur

8. Each Party acknowledges having obtained its own independent legal advice with respect to this Agreement and the transactions contemplated hereby to the fullest extent deemed necessary by each Party prior to its execution and delivery. There will be no presumption that any ambiguity in this Agreement and any documents contemplated hereby be resolved in favor of either of the Parties. The execution, delivery and performance by the Parties of this Agreement has been duly authorized by all necessary action and there are no approvals, authorizations, consents, or other action necessary to authorize either Party's execution and delivery of this Agreement.

9. This Agreement shall be governed by and be construed in accordance with the laws of the State of Illinois. Any dispute arising from this Agreement shall be adjudicated by the Circuit Court of Kendall County, Illinois.

**IN WITNESS WHEREOF**, this Agreement is executed effective as of the day and year first above written.

| | |
|---|---|
| **BLUE SAGE PROJECT LLC**<br>a limited liability company | **COUNTY OF KENDALL, ILLINOIS,**<br>an Illinois body politic |
| By: **JAS Power, LLC**<br>Its sole member and manager | |
| By: [redacted] | By: _____ |
| Name: Ansar Gafur | Name: _____ |
| Title: Authorized Signatory | Title: _____ |

## Matt Asselmeier

**From:** Short, Michael A <Michael.Short@illinois.gov>
**Sent:** Monday, September 29, 2025 10:56 AM
**To:** Matt Asselmeier
**Cc:** Christina Burns; Seth Wormley; Fran Klaas
**Subject:** RE: [External]RE: 07-07-100-022

Mr. Asselmeier,

While we believe it would be safer for IL 71 traffic for access to the property to be from Lisbon Center Road instead of IL 71, we have no significant concerns at this time.

We will not require a road use agreement. However, an access permit will be required.

Thanks,
Mike

**From:** Matt Asselmeier <masselmeier@kendallcountyil.gov>
**Sent:** Thursday, September 25, 2025 2:52 PM
**To:** Short, Michael A <Michael.Short@illinois.gov>
**Cc:** Christina Burns <cburns@kendallcountyil.gov>; Seth Wormley <swormley@kendallcountyil.gov>; EXT Klaas, Francis <FKlaas@kendallcountyil.gov>
**Subject:** RE: [External]RE: 07-07-100-022

Mike:

For the solar project at this site, did IDOT have any concerns with their proposed driveway location off of Route 71?

Is IDOT going to require a road use agreement?

Thanks,

Matthew H. Asselmeier, AICP, CFM
Director
Kendall County Planning, Building & Zoning
807 West John Street
Yorkville, IL 60560-9249
PH: 630-553-4139
Fax: 630-553-4179

**From:** Short, Michael A <Michael.Short@illinois.gov>
**Sent:** Thursday, September 4, 2025 8:54 AM
**To:** Matt Asselmeier <masselmeier@kendallcountyil.gov>
**Cc:** Christina Burns <cburns@kendallcountyil.gov>; Seth Wormley <swormley@kendallcountyil.gov>; Fran Klaas <FKlaas@kendallcountyil.gov>
**Subject:** [External]RE: 07-07-100-022

Attachment 12 Looking North from Lisbon Center Road



## Matt Asselmeier

**From:** Fran Klaas
**Sent:** Wednesday, October 1, 2025 3:56 PM
**To:** Matt Asselmeier
**Subject:** RE: Petition 25-18

I have no comments on this one either.

Francis C. Klaas, P.E. Kendall County Engineer **6780 Route 47, Yorkville, IL 60560 (630) 553-7616** fklaas@kendallcountyil.gov

**From:** Matt Asselmeier <masselmeier@kendallcountyil.gov>
**Sent:** Wednesday, October 1, 2025 3:54 PM
**To:** Aaron Rybski <ARybski@kendallcountyil.gov>; Alyse Olson <aolson.kcswcd@gmail.com>; Brian Holdiman <BHoldiman@kendallcountyil.gov>; Christina Burns <cburns@kendallcountyil.gov>; David Guritz <dguritz@kendallcountyil.gov>; Fran Klaas <FKlaas@kendallcountyil.gov>; Greg Chismark <gchismark@bodwegroup.com>; Jason Langston <JLangston@kendallcountyil.gov>; Meagan Briganti <MBriganti@kendallcountyil.gov>; Seth Wormley <swormley@kendallcountyil.gov>
**Subject:** RE: Petition 25-18

Please use this link for this Petition, https://www.kendallcountyil.gov/home/showdocument?id=33712.

Thanks,

Matthew H. Asselmeier, AICP, CFM
Director
Kendall County Planning, Building & Zoning
807 West John Street
Yorkville, IL 60560-9249
PH: 630-553-4139
Fax: 630-553-4179

**From:** Matt Asselmeier
**Sent:** Wednesday, October 1, 2025 3:35 PM
**To:** Aaron Rybski <ARybski@kendallcountyil.gov>; Alyse Olson <aolson.kcswcd@gmail.com>; Brian Holdiman <BHoldiman@kendallcountyil.gov>; Christina Burns <cburns@kendallcountyil.gov>; David Guritz <dguritz@kendallcountyil.gov>; Fran Klaas <FKlaas@kendallcountyil.gov>; Greg Chismark <gchismark@bodwegroup.com>; Jason Langston <JLangston@kendallcountyil.gov>; Meagan Briganti <MBriganti@kendallcountyil.gov>; Seth Wormley <swormley@kendallcountyil.gov>
**Subject:** Petition 25-18

ZPAC Members:

Kendall County received the following application:

**Petition 25 – 18 – Ansar Gafur on Behalf of JAS Powered by Greenvolt, LLC (Tenant) and Thomas F. Richards, Junior (Owner)**

**Matt Asselmeier**

**From:** Aaron Rybski
**Sent:** Tuesday, October 7, 2025 5:02 PM
**To:** Matt Asselmeier
**Subject:** RE: Petition 25-18

Assuming that they stick to no buildings and no real workers on site (no well, septic, garbage, etc), I have no objection at all to the development.

Thanks.

A.R.

**MINUTES – UNOFFICIAL UNTIL APPROVED**
**KENDALL COUNTY**
**ZONING BOARD OF APPEALS MEETING**
110 WEST MADISON STREET, COURT ROOM
YORKVILLE, IL 60560
October 27, 2025 – 7:00 p.m.

**CALL TO ORDER**
Chairman Randy Mohr called the Zoning Board of Appeals meeting to order at 7:04 p.m.

**ROLL CALL:**
Members Present: Tom LeCuyer, Randy Mohr, Jillian Prodehl, and Dick Whitfield
Members Absent: Scott Cherry, Cliff Fox, and Dick Thompson
Staff Present: Matthew Asselmeier, AICP, CFM, Director
Others Present: Diego Ramirez, Laura P, Robert Schwartz, Dwayne Killian, Bill Klein, Fran Miller, Tim O'Brien, Boyd Ingemunson, Jeremy Dippold, Samantha Dippold, John Tebrugge, Miriam Schneider, Ken Schneider, Jack Marlowe, Ernesto Ramirez, Margaret Pearson, and Doug Winsor

**PETITIONS:**
Chairman Mohr swore in Diego Ramirez, Laura P, Robert Schwartz, Dwayne Killian, Bill Klein, Fran Miller, Tim O'Brien, Boyd Ingemunson, Jeremy Dippold, Samantha Dippold, Miriam Schneider, Ken Schneider, Ernesto Ramirez, Margaret Pearson, Doug Winsor, and Jack Marlowe.

The Zoning Board of Appeals started their review of Petitions 25-18 and 25-19 at 10:09 p.m.

**Petition 25 – 18 – Ansar Gafur on Behalf of JAS Powered by Greenvolt, LLC (Tenant) and Thomas F. Richards, Junior (Owner)**

| | |
|---|---|
| Request: | Special Use Permit for a Commercial Solar Energy Facility, Variance to Section 36-282(17)(a) of the Kendall County Code to Allow a Commercial Solar Energy Facility on Land within One Point Five (1.5) Miles of Municipality without an Annexation Agreement, and Revocation of Special Use Permits Previously Granted |
| PINs: | 07-07-100-005 and 07-07-100-022 |
| Location: | Property Between 17448 and 17676 Route 71, Newark, in Big Grove Township |
| Purpose: | Petitioner Wants To Operate a Commercial Solar Energy Facility; Property is Zoned A-1 and A-1 SU |

**Petition 25 – 19 – Koswatte Sumanawansa on Behalf of Chicago Buddhist Vihara**

| | |
|---|---|
| Request: | Special Use Permit for a Place of Worship |
| PIN: | 03-18-403-016 |
| Location: | West of 5313 Route 34, Oswego, in Oswego Township |
| Purpose: | Petitioner Wants To Operate Healing Meditation Garden; Property is Zoned B-2 |

Mr. Asselmeier reported that both Petitions were continued by the Kendall County Regional Planning Commission to their meeting on November 6, 2025. He also stated that, for the December 15, 2025, hearing, there will likely be at least two (2) new Petitions. Petitions 25-18 and 25-19 won't go to the County until December, regardless of the date the Zoning Board picks for the continuance.

The consensus of the Zoning Board of Appeals was to schedule a special hearing for November 12, 2025, at 6:00 p.m.

The Zoning Board of Appeals completed their review of Petition 25-15 at 10:13 p.m.

**PUBLIC COMMENTS**
None

**ADJOURNMENT OF THE ZONING BOARD OF APPEALS**
Member LeCuyer made a motion, seconded by Member Prodehl, to adjourn.

With a voice vote of four (4) ayes, the motion carried.

The Zoning Board of Appeals meeting adjourned at 10:15 p.m.

Respectfully submitted by,
Matthew H. Asselmeier
Director of Planning, Building and Zoning

Exhibits
1. Memo on Petitions 25-18 and 25-19 Dated October 24, 2025
2. Certificate of Publication for Petitions 25-18 and 25-19 (Not Included with Report but on file in Planning, Building and Zoning Office)

# KENDALL COUNTY

## ZONING BOARD OF APPEALS

## October 27, 2025

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

| NAME | ADDRESS | SIGNATURE |
|---|---|---|
| Diana Ramirez | operator | |
| Laura Pollastro | [redacted] | |
| Robert Schwartz | | |
| Dwayne Killian | | |
| Bill Klein | | |
| Fran Miller | | |
| Tim O'Brien | | |
| Boyd Ingemarson | | |
| Miriam Schneider | | |
| Ken Schnell | | |
| Jack Marlowe | | |
| Ernesto Ramirez | | |
| M. Pearson | [redacted] | |
| Doug Wilson | | |

**DEPARTMENT OF PLANNING, BUILDING & ZONING**
807 West John Street • Yorkville, IL • 60560
(630) 553-4141 Fax (630) 553-4179

# MEMORANDUM

To: Kendall County Zoning Board of Appeals
From: Matthew H. Asselmeier, AICP, CFM, Director
Date: October 24, 2025
Re: Petitions 25-18 and 25-19

At their meeting on October 22, 2025, the Kendall County Regional Planning Commission voted to continue their review of the subject Petitions until November 6, 2025, at 7:00 p.m.

Accordingly, Staff recommends that Petitions 25-18 and 25-19 be continued to a special hearing of the Zoning Board of Appeals to be held at some time in mid-November.

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

MHA

# KENDALL COUNTY
# REGIONAL PLANNING COMMISSION

***Kendall County Historic Court House***
***Court Room***
***110 W. Madison Street, Yorkville, Illinois***

**Unapproved - Meeting Minutes of October 22, 2025 - 7:00 p.m.**

Chairman Keith Landovitz called the meeting to order at 7:01 p.m.

## ROLL CALL

Mr. Asselmeier announced that Bill Ashton had resigned from the Regional Planning Commission.
Members Present: Eric Bernacki, Tom Casey, Dave Hamman, Keith Landovitz, Karin McCarthy-Lange, Ruben Rodriguez, Bob Stewart, Claire Wilson, and Seth Wormley
Members Absent: Bob Stewart
Staff Present: Matthew H. Asselmeier, Director, and Christina Burns, County Administrator
Others Present: Mike Hoffman, Boyd Ingemunson, Fran Miller, Ron Miller, Steven Papaeliou, Tim O'Brien, David Shively, Jeremy Dippold, Ed Kirch, Randy Pertler, Ernesto Ramirez, Patrick McCrimmon, Margaret Pearson, John Pearson, Sharon Robinson, Deb Mayerle, Doug Winsor, Jack Marlowe, Miriam Schneider, Ken Schneider, and Ansar Gafur

The Kendall County Regional Planning Commission returned to order at 10:54 p.m.

Members Present: Eric Bernacki, Tom Casey, Dave Hamman, Keith Landovitz, Karin McCarthy-Lange, Ruben Rodriguez, Bob Stewart, Claire Wilson, and Seth Wormley

Members Absent: Bob Stewart

## Petition 25-18 Ansar Gafur on Behalf of JAS Powered by Greenvolt, LLC (Tenant) and Thomas F. Richards, Junior (Owner) and Petition 25-19 Koswatte Sumanawansa on Behalf of Chicago Buddhist Vihara

Chairman Landovitz asked if anyone other than the Petitioner for Petition 25-18 was present to speak on that topic. There were attendees that wished to speak on this proposal.

Chairman Landovitz asked representatives of Petitions 25-18 and 25-19 if there would be any issues with their projects if the proposals were laid over. Ansar Gafur said he would try work with the Commission.

Discussion occurred regarding a date for a special meeting and the date of a special meeting of the Zoning Board of Appeals.

A representative from Petition 25-19 said a hardship would not exist if the matter was delayed two (2) weeks.

## ADJOURNMENT

Member Rodriguez made a motion, seconded by Member McCarthy-Lange, to continue the meeting to November 6, 2025, at 7:00 p.m. With a voice vote of eight (8) ayes, the motion carried.

The Kendall County Regional Planning Commission meeting adjourned at 11:04 p.m.

Respectfully submitted by,

Matthew H. Asselmeier, AICP, CFM, Director

Encs.: October 21, 2025, Scott Cryder Letter Regarding Arbeiter Road
Pictures of 2241 Route 52
October 21, 2025, Ernesto Ramirez Email Regarding Short-Term Rental Regulations

Jack Marlow ANSAR GHAFUR
Miriam Schneider
Ken Schneider

# KENDALL COUNTY
# REGIONAL PLANNING COMMISSION
# OCTOBER 22, 2025

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) |
|---|---|---|
| Fran Miller | | |
| Boyd Ingemunson | | |
| Capaccio | [redacted] | |
| Tim O'Brien | | |
| DAVID SAWELA | [redacted] | |
| Jeremy Dippold | Owner | |
| ED KIRCH | | [redacted] |
| Randy Peterl | | |

Ernesto Ramirez
Patrick McGinnis
Margaret Pearson Cornell Rd.
Doug Winsor

**KENDALL COUNTY**
**REGIONAL PLANNING COMMISSION**

***Kendall County Historic Court House***
***Court Room***
***110 W. Madison Street, Yorkville, Illinois***

**Unapproved - Meeting Minutes of November 6, 2025 - 7:00 p.m.**

Chairman Keith Landovitz called the meeting to order at 7:00 p.m.

**ROLL CALL**

Members Present: Eric Bernacki (Arrived at 7:02 p,m.), Tom Casey, Dave Hamman, Keith Landovitz, Karin McCarthy-Lange, Ruben Rodriguez, Claire Wilson, and Seth Wormley
Members Absent: Bob Stewart
Staff Present: Matthew H. Asselmeier, Director
Others Present: Nick Wills, Amber Wills, Matt Clementi, Elizabeth Corrigan, Richard Fitzgibbon, Chris Ormiston, Gayle Hoddy, Josh Haggard, Maria DiClementi, Brian Redmond, Genny Haggard, Sarah Hughes, Ryan Hughes, John Hughes, Nicole Mayer, Mary Marquez, Buddika Gajapala, Vichitra Hitihamiarachchi, Kanishka Liyanage

**PETITIONS**

**Petition 25-18 Ansar Gafur on Behalf of JAS Powered by Greenvolt, LLC (Tenant) and Thomas F. Richards, Junior (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 36-282(17)a of the Kendall County Code to allow a commercial solar energy facility on land within one point five (1.5) miles of municipality without an annexation agreement. The southern portion of subject property also has a special use permit from 1974, probably for gravel mining. The Petitioner is voluntarily requesting the revocation of this special use permit.

JAS Powered by Greenvolt, LLC would lease the property from Thomas F. Richards, Junior.

The application materials, NRI Report, stormwater permit application, wetland delineation report, site plan, including the landscaping plan, decommissioning plan, Agricultural Impact Mitigation Agreement and a picture of the property were provided.

The property is located between 17448 and 17676 Route 71, Newark.

The lot size is approximately fifty-one (51) acres and the fenced area is approximately twenty point six acres.

The existing land use Agricultural.

The property is zoned A-1 and A-1 SU for Mining.

The Future Land Use Map for the County calls for this area to be Agricultural. The Future Land Use Map for the Village of Newark calls for this area to be Agricultural.

Route 71 is an Arterial maintained by IDOT. Route 71 is identified as a Scenic Route in the County's Land Resource Management Plan. Lisbon Center Road is a Local Road maintained by Big Grove Township.

No trails are planned in this area.

There is a wetland on the property; a wetland delineation report was provided. There are no floodplains on the property.

The adjacent land uses are Agricultural and Single-Family Residential.

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

Both the County's Plan and the Village of Newark's Plan call for this area to be Agricultural.

Properties with one half (1/2) mile of this property are zoned A-1, A-1 SU, and A-1 BP in the County, A-1 and Commercial and Manufacturing inside the Village of Newark, and A-1 in LaSalle County.

The A-1 special use permit to the southwest is probably for mining.

Approximately twenty-two (22) existing houses are within one half (1/2) mile of the subject property.

EcoCAT Report was submitted on June 3, 2025, and consultation was terminated.

The LESA Score was 201 indicating a medium level of protection. The NRI Report was provide

Petition information was sent to Big Grove Township on October 1, 2025. No comments received.

Petition information was sent to the Village of Newark on October 1, 2025. Prior to formal application submittal, the Village of Newark submitted an email stating they did not want to annex the property and they were not opposed to the project. This email was provided.

Petition information was sent to the Newark Fire Protection District on October 1, 2025. No comments received.

Petition information was sent to former ZPAC members on October 1, 2025. The Highway Department and Health Department responded and neither Department had any objections. The emails were provided.

The Kendall County Regional Planning Commission reviewed this proposal at their meeting on October 22, 2025. The Kendall County Regional Planning Commission voted to continue the

proposal to a special meeting on November 6, 2025, at 7:00 p.m., by a vote of eight (8) in favor and zero (0) in opposition with one (1) member absent. The minutes were provided.

The Kendall County Zoning Board of Appeals initiated a public hearing on this proposal on October 27, 2025. The consensus of the four (4) Members present was to continue the hearing to November 12, 2025, at 6:00 p.m. The minutes of the hearing were provided.

Per § 36-282(17) of the Kendall County Code, 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.

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, the project is greater than one hundred fifty feet (150') from the nearest occupied non-participating dwelling. The perimeter fence is setback greater than fifty feet (50') from the adjoining property lines and nearest right-of-way.

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, the fence is proposed to be eight feet (8') in height and will be wire mesh. The fence will be three inches (3") off of the ground. One (1) twenty foot (20') wide gate is also on the site plan.

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. This is true. The maximum height will be approximately thirteen feet (13') off of the ground. The Petitioner does not want a restriction setting the maximum height at this level.

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. The acoustic noise rating is 73 dBA at one (1) meter and 67dBA at three (3) meters.

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 was provided and is outlined in the AIMA, which was also provided. The estimated cost of decommissioning is Three Hundred Fifty-Eight Thousand, Nine Hundred Forty-Four Dollars ($358,944). This money will be provided to the County in the form of a bond as outlined in the AIMA.

h. A vegetative screening shall be placed around the commercial solar energy facility. The landscaping plan was included with the site plan. The plan calls for one hundred four (104) Alleghany Viburnum, one hundred twenty (121) Red-Twig Doorwood, one hundred seventeen (117) Northern Spice Bush, and one hundred seventeen (117) Tannenbaum Mugo Pine. The Viburnum, Doorwood, and Pine will be ten feet (10') in height at maturity; the Bush will be eight feet (8') in height at the time of maturity. The Petitioner also proposes a landscape seed mix of low profile native grasses.

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. Six (6) threatened or endangered species were in the area, but 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.

l. 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 exist.

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, including timelines for planting and maintenance of the vegetation was provided.

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. The Illinois Department of Transportation did not want to enter into a road use agreement. An email outlining this position was provided.

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. The Petitioner does not believe there is any drain tile on the property and, if drain tile exists, they would not impact the project layout.

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 applied for a stormwater management permit.

Per the site plan, the Petitioner proposes one (1) twenty foot (20') wide gravel access road from Route 71 along the west and southwest portions of the property.

There is one (1) twenty (20') wide vehicular access gate. The site plan references other, personnel gates, but does not show where those would be located.

Knox box information will be provided to the County.

No permeant parking was proposed. There will be a twenty thousand (20,000) square foot staging area during construction located northwest of the fenced area.

No lighting was proposed.

There is one sign shown on the site plan near Route 71 and a second sign is shown on the vehicular access gate stating emergency contact information.

No glare information

No property value studies were provided.

No odors were foreseen.

The acoustic noise rating is 73 dBA at one (1) meter and 67dBA at three (3) meters.

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

The Petitioner has agreed to enter into a community benefits agreement. In that agreement, the Petitioner agreed to pay the County approximately Three Thousand Dollars ($3,000) per megawatt annually with five percent (5%) increases every five (5) years. The Petitioners for the proposals on Ament Road and Corneils Road agreed to the same agreement, which was provided.

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 project will be screened from adjoining properties. The Petitioner submitted a vegetative management plan outlining the types of vegetation that will be planted, the timing of planting, and a maintenance plan for the vegetation.

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 primarily zoned 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 minimal traffic will occur after installation is completed. The solar panels are setback from Route 71 and Lisbon Center Road and neighboring houses to avoid negative visual impacts.

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 Ameren. The proposal does not require water, sewer, or any other public utility facilities to operate. The Petitioner will also build the road and entrance at the facility and will obtain approval from IDOT for access from Route 71. After initial construction traffic, landscape maintenance and maintenance to the project components are anticipated to occur on an as-needed basis, consistent with the vegetative management plan. Existing traffic patterns will not be impacted in the post-construction operations phase.

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 3-4 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 Newark. The Village of Newark submitted an email stating they did not want to annex the property or enter into a pre-annexation agreement.

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 Newark did not wish to enter into a pre-annexation agreement or annex the property.

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's recommendation is neutral because of lack of clarity in State law regarding using the LaSalle and Sinclar Factors in evaluating applications of special use permits for commercial solar facilities. Assuming that conditions can be imposed on the special use permit, the proposed conditions and restrictions are as follows; to date the Petitioner has not agreed to these conditions:

1. The site shall be developed substantially in accordance with the submitted site plan and vegetative management plan, decommissioning plan, and Agricultural Impact Mitigation Agreement.
2. A variance to section 36-282(17)(a) of the Kendall County Code is hereby granted allowing a commercial solar energy facility within one point five (1.5) miles of a municipality without an annexation or pre-annexation agreement.
3. Any special use permits previously granted on the subject property are hereby revoked in their entirety.
4. The developer and/or owner of the subject property allowed by this special use permit shall enter into a community benefits agreement with Kendall County.
5. 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.
6. 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.
7. 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.
8. Warning signs shall be placed in the locations shown on the site plan. 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.
9. KenCom and other applicable public safety agencies shall be supplied the access code to the Knox Box/security gate.

10. Damaged drain tile will be repaired on a timeframe approved by the Kendall County Planning, Building and Zoning Department.

11. The operators of the use allowed by this special use permit acknowledge and agree to follow Kendall County's Right to Farm Clause.

12. 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.

13. 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.

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

15. 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.

Member Wilson asked about the proposed use of the funds from the community benefit agreement. Mr. Asselmeier said those funds would offset the loss from not developing the property into something other than a solar farm and it would be the County Board's discretion on how those funds were spent. Member Wilson suggested that some of the funds be reserved to pay for the County to review the decommissioning costs as allowed by the AIMA and pay for decommissioning costs, if the operator was no longer in existence. The Planning, Building and Zoning Committee drafted the community benefit agreement. A professional engineer would review the decommissioning costs in ten (10) years as allowed by the AIMA.

Member Bernacki requested the setbacks as shown on the site plan. The setback is one hundred fifty feet (150').

Elizabeth Corrigan, Project Manager for the Proposal, discussed the submittal process, the creation of the proposal, and the details of the proposal.

Member Wilson asked if the Petitioner's representatives had any experience with decommissioning a solar project. Matt Clementi, Civil Engineer, responded no. He noted that no wind or battery components were part of this proposal. He explained how the decommissioning plan was created and how the bond was calculated. The owner of the facility is responsible for decommissioning.

Mr. Clementi said the height of the panels would not be five feet, ten inches (5' 10"). That is the height of the axel. At maximum tilt, the panels would be approximately thirteen feet (13') off of the ground.

Member Bernacki asked about moving the solar panels further south on the property. Mr. Clementi responded that the location was determined by the property owner. Ms. Corrigan noted the industrial activity on the southern end of the property.

The owner of the property was not present.

Chairman Landovitz asked about possibly accessing the property from a different road instead of Route 71. Ms. Corrigan said that the property owner determined the location of the panels and access point.

Chairman Landovitz explained the legal framework for reviewing commercial solar special use permits. He noted that Public Act 102-1123 preempted most of the County's authority with regards to review. He asked speakers for conditions that could be incorporated in the special use permit.

Richard Fitzgibbon discussed drainage in the area. He was concerned that the solar panels would increase the flow of water onto his property. He discussed the location of culvert under Route 71. He noted the poor state of the drain tile in the area, which were installed in the 1950s. He asked about the ground cover. His property was not considered floodplain. Mr. Clementi said the majority of the site drains to the west. A native prairie grass would be planted below the solar panels and the runoff would be less than if the property was in active farming.

Mr. Clementi said the majority of traffic would occur during construction. After construction, traffic would be minimal; only maintenance people would visit the site.

Member Bernacki asked if a drain tile study occurred. Ms. Corrigan said the drain tile study should be completed within the next two (2) weeks. The results will not impact the placement of the solar panels.

Josh Haggard did not oppose renewal energy projects when properly sited. He noted the proximity of the proposal to Cushing Field. He noted the lack of a glare study and lack of a property value study. He expressed concerns regarding the proximity of the proposal to nearby homes. He requested a local property value study. He said that the developer, JAS Powered by Greenvolt, was not a local company. He noted the County Staff's neutral recommendation. He expressed concerns regarding drainage. He noted the unsightly appearance of the solar project on Newark Road. He said the Petitioner did not engage with neighbors prior to the meeting. He requested an FAA compliant glare study, an independent Kendall County centered property value study, a legally enforceable maintenance and vegetative management plan with clearly defined schedules, responsible parties, and monetary performance guarantees, a robust decommissioning surety, and local accountability with a local contact. He questioned if the Fire District was equipped and trained to handle fires at the property. He questioned what the Village of Newark gained from this proposal.

Maria DiClementi agreed with Mr. Haggard. She had concerns about fire suppression.

Brian Redmond said he attended the Village of Newark meeting and said the Village was not in favor of the project.

Genny Haggard agreed with Mr. Haggard.

Member Bernacki asked if other counties required conditions related to glare and airports. Mr. Asselmeier said there are regulations when the airport is federally designated. A glare study could be requested.

Sarah Hughes agreed with Mr. Haggard. Member Bernacki asked about flooding issues on her property. She deferred the answer to her father.

Brian Hughes agreed with Mr. Haggard. He requested a larger setback from the property line. The development is fifty foot (50') from the property line. State law established the setbacks.

John Hughes agreed with Mr. Haggard and favored a larger setback.

A resident asked how the County would guarantee compliance with the vegetative management plan. Mr. Asselmeier responded that the vegetative management plan would be a condition of the special use permit and, under normal circumstances, if a party violated the terms of a special use permit, that party could be fined and/or the special use permit could be revoked. The resident filed a complaint against the solar farm on Newark Road for unsightly vegetation.

Member Hamman noted that he owned property in the vicinity. He discussed the project on Newark Road; he questioned the location on the property for the solar project on Newark Road. He also favored moving the solar panels in the subject case further south and east on the property to address concerns of the neighbors.

Amber Wills said that she was planning to build a home in the area. She asked about the timeline for the planting of the vegetation. Mr. Asselmeier said the installation timeline was outlined in the vegetative management plan. Discussion occurred regarding penalties and enforcement. If the property owner wanted to expand the solar field, an amendment to the special use permit would be required. She noted that the solar panels would be taller than the vegetation proposed.

A resident asked what would happen to that portion of the field that was not included in the solar project. The area outside the project area could be farmed. Mr. Clementi said that any part of the site that is not actively farmed would be planted in prairie grass. The operator was leasing the entire property.

Discussion occurred regarding providing a property value study. The Petitioners were open to providing a property value study.

Member Wilson asked if the typical flight path for Cushing Field passed over the proposed solar field. She also asked if the Petitioner was willing to get a glare study. She also questioned why nobody from Cushing Field was in attendance, if glare was a problem. Parties within seven

hundred fifty feet (750') were sent notices. Member Hamman said the runways run parallel to Route 71.

Member Wormley favored requesting that the site plan be adjusted to move the solar panels away from the homes. He also favored a glare study.

Discussion occurred regarding a Kendall County centered property value study. Mr. Asselmeier said there were three (3) approved solar projects, but the one (1) on Newark Road was the only project that had been constructed. The number of transactions for a study would be limited. State law does not allow for property value guarantees as a condition of special use permits.

Chairman Landovitz noted that the Petitioner was open to submitting a glare study. He suggested moving the solar panels away from residences. He also requested the creation of registered agent and designed contact on file with the County and the owners of the record of adjacent properties. He asked if the Petitioners would like to continue the review in order to have an opportunity to revise the site plan.

The Petitioners were agreeable to existing proposed conditions. The Petitioners were agreeable to reviewing the site plan in relation to setbacks.

The proposed changes and items for submittal were as follows:

1. Amending the site plan showing the solar field moved further south and east on the property away from the neighboring houses.
2. Submitting a glare study.
3. Requiring the operator's contact information be on file with the County and with the owners of record of adjoining properties.

Discussion occurred regarding planting the native vegetation outside of the solar panel area on the property.

Ms. Corrigan asked about the requested setbacks. Member Wormley favored a five hundred foot (500') setback on the north from the residences, moving the solar panels further to the east, and closer to ravine to the south. It was noted that the County was not requiring larger setbacks, but was requesting larger setbacks.

Member Wormley suggested the Petitioners to work with the neighbors.

Ms. Corrigan requested that the proposal be continued to the December 10, 2025, meeting in order to be given an opportunity to talk to the property owner.

Member Wilson asked about drain tile installation. Mr. Clementi said that no plans exist to change the drainage pattern. More absorption of water would occur if the property was converted to prairie grasses instead of farming.

Member Wilson made a motion, seconded by Member Hamman, to continue review of the subject Petition at the Petitioners' request to the December 10, 2025, Kendall County Regional Planning Commission meeting.

The votes were as follows:
Ayes (8): Bernacki, Casey, Hamman, Landovitz, McCarthy-Lange, Rodriguez, Wilson, and Wormley
Nays (0): None
Absent (1): Stewart
Abstain (0): None

The motion carried.

The proposal goes to the Kendall County Zoning Board of Appeals on November 12, 2025, with a request for continuance and back to the Kendall County Regional Planning Commission on December 10, 2025.

**CITIZENS TO BE HEARD/PUBLIC COMMENT**
None

**OTHER BUSINESS/ANNOUNCEMENTS**
Mr. Asselmeier announced that Petition 25-18, an amendment to the special use permit at 1542 Plainfield Road, and a special use permit for a commercial solar farm near the northwest corner of Route 126 and Schlapp Roads would be on the December agenda. There might also be a rezoning request at the northeast corner of Route 47 and Caton Farm Road.

Member Casey asked if there would be some recognition of Bill Ashton. Chairman Landovitz suggested doing something at the Annual Meeting.

Discussion occurred regarding recognizing Larry Nelson. This has been on hold pending resolution of issues with Larry's family.

Member Wormley thanked the Commission Members for their service.

**ADJOURNMENT**
Member McCarthy-Lange made a motion, seconded by Member Hamman, to adjourn. With a voice vote of eight (8) ayes, the motion carried.

The Kendall County Regional Planning Commission meeting adjourned at 10:03 p.m.

Respectfully submitted by,
Matthew H. Asselmeier, AICP, CFM, Director

Encs.: Jason Haggard's Comments
Petition to Oppose Petition 25-19
Marquez Plat of Survey

**KENDALL COUNTY**
**REGIONAL PLANNING COMMISSION**
**NOVEMBER 6, 2025**

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) |
|---|---|---|
| NICK & AMBER WILLS WILLS | [redacted] | |
| MATT CLEMENT / STANTEC | | |
| Elizabeth Corrigan | | [redacted] |
| Richard Fitzgibbon | [redacted] | Chris Ormiston [redacted] Gayle Hoddy |
| Josh Haggard | | |
| Maria DeClement | [redacted] | |
| Brian Redmond | [redacted] | |
| Ginny Haggard | [redacted] | |
| Sarah Hughes | | |
| Ryan Hughes | | Sarah Hughes |

Brian Mayer
Mary Marquez

## Joshua L. Haggard — Resident, Highway 71, Newark, IL

## Petition 25-18: JAS Powered by Greenvolt / Blue Sage Project LLC

**Evidence Highlights**

1. County staff confirms critical analyses are missing.

    - The Kendall County Planning memo (RPC Memo — Petition 25-18, Oct. 15, 2025) explicitly notes: "No glare information." and "No property value studies were provided." These are statements in the County's official staff report.

2. Project proximity to homes and an active flight school.

    - The County memo shows approximately 22 homes within ½ mile of the site and indicates the fenced solar area will be ~20.6 acres within a 51.3-acre parcel. The proposed array comes as close as ~200 feet to nearby residences.

3. FAA/aviation safety risk not evaluated.

    - A professional glare hazard analysis FAA compatible, (e.g., ForgeSolar) is standard for projects near airports. The petition contains no glare study despite the site being less than one mile from Cushing Field — an active flight school and recreational airport.

4. No local property-value evidence provided.

    - The County memo explicitly states, "No property value studies were provided." Independent published research shows measurable reductions in home values near large solar farms, making the absence of a local study an omission of consequence.

5. Developer / corporate context — who is the applicant?

    - The applicant identifies publicly as JAS Power — "Powered by Greenvolt" (a U.S. development brand tied to Greenvolt, an international renewables company recently scaling into the U.S. market). Greenvolt states it entered the U.S. market via acquisitions and partnerships in 2022–2023.

6. County staff's recommendation is neutral due to legal/factual uncertainty.

    - The RPC memo documents staff's neutral stance (legal ambiguity / missing studies) — a clear signal that major outstanding questions remain.

**II. Immediate, binding commitments we should demand before any**

**Committee/Board approval:**

Please require the applicant to provide the following, in writing and subject to enforceable conditions or deferral of action:

1. FAA-compliant Glare Hazard Analysis (ForgeSolar or equivalent) — submitted to the County and FAA, publicly posted, and resulting mitigation measures accepted in writing before any vote.

2.Independent Kendall County property-value impact study covering properties within at least ½ mile — funded by the applicant, conducted by a mutually acceptable appraiser, and subject to public review before any vote.

3. Legally enforceable maintenance & vegetation plan — including: annual County inspections, a defined maintenance schedule, clear responsible party, and monetary performance guarantees tied to failure to maintain (not just decommissioning).

4. Robust decommissioning surety — a bond or escrow that is U.S.-jurisdictional, indexed to inflation, and payable to Kendall County if the owner/operator fails to perform.

5. Local accountability & contact — provide a U.S. registered agent, local project manager contact, and a commitment to a local dispute/inspection process (not just an out-of-state address).

**II. Questions to direct to the applicant now:**

1. Will you commit in writing, now, to fund and deliver an FAA-compliant glare study and accept binding remedies if glare is identified?

2. Will you fund an independent, Kendall County–specific property value study for homes within ½ mile and agree to postpone approval until the County and public can review it?

3. Who will be legally responsible (entity and U.S. jurisdiction) for annual maintenance, vegetative replacement, and enforcement actions — and will you agree to an escrow/performance bond for ongoing maintenance?

4. Provide documented proof of the decommissioning bond: issuer, bond number, beneficiary, and the instrument to be recorded against the property.

5. Has JAS/Greenvolt built projects with homes and airports nearby? Provide three local references, inspection logs, or corrective actions taken at those sites.

**MINUTES – UNOFFICIAL UNTIL APPROVED**
**KENDALL COUNTY**
**ZONING BOARD OF APPEALS MEETING**
110 WEST MADISON STREET, COURT ROOM
YORKVILLE, IL 60560
November 12, 2025 – 6:00 p.m.

**CALL TO ORDER**
Chairman Randy Mohr called the Zoning Board of Appeals meeting to order at 6:00 p.m.

**ROLL CALL:**
Members Present: Tom LeCuyer, Randy Mohr, Jillian Prodehl, Dick Thompson, and Dick Whitfield
Members Absent: Scott Cherry and Cliff Fox
Staff Present: Matthew Asselmeier, AICP, CFM, Director and Wanda Rolf, Part-Time Office Assistant
Others Present: Vichitra Hitihamiarachchi, Kanishka Liyanage, and Lorena Caron

**PETITIONS:**
The Zoning Board of Appeals started their review of Petition 25-18 at 6:01 p.m.

**Petition 25 – 18 – Ansar Gafur on Behalf of JAS Powered by Greenvolt, LLC (Tenant) and Thomas F. Richards, Junior (Owner)**

| | |
|---|---|
| Request: | Special Use Permit for a Commercial Solar Energy Facility, Variance to Section 36-282(17)(a) of the Kendall County Code to Allow a Commercial Solar Energy Facility on Land within One Point Five (1.5) Miles of Municipality without an Annexation Agreement, and Revocation of Special Use Permits Previously Granted |
| PINs: | 07-07-100-005 and 07-07-100-022 |
| Location: | Property Between 17448 and 17676 Route 71, Newark, in Big Grove Township |
| Purpose: | Petitioner Wants To Operate a Commercial Solar Energy Facility; Property is Zoned A-1 and A-1 SU |

Mr. Asselmeier presented an update on the Petition.

At their meeting on November 6, 2025, the Kendall County Regional Planning Commission voted to continue this proposal to their December 10, 2025, meeting at the Petitioners' request to address the following items:

1. Amending the site plan showing the solar field moved further south and east on the property away from the neighboring houses.

2. Submitting a glare study.

3. Requiring the operator's contact information be on file with the County and with the owners

of record of adjoining properties.

Complete Petition information can be found here,
https://www.kendallcountyil.gov/home/showpublisheddocument/33712/638974164313430000.

Mr. Asselmeier noted that Petition 25 – 18 needed to be continued.

Member LeCuyer made a motion, seconded by Member Whitfield, to continue Petition 25 – 18 to December 15, 2025.

The votes were as follows:

| | |
|---|---|
| Ayes (5): | LeCuyer, Mohr, Prodehl, Thompson, and Whitfield |
| Nays (0): | None |
| Abstain (0): | None |
| Absent (2): | Cherry and Fox |

The Petition will be at the Kendall County Regional Planning Commission on December 10, 2025.

The Zoning Board of Appeals completed their review of Petition 25-18 at 6:01 p.m.

**PUBLIC COMMENTS**

Mr. Asselmeier reported that Petition 25-18, an amendment to the special use permit for a banquet facility at 1542 Plainfield Road, a special use permit for a commercial solar project near the northwest corner of Route 126 and Schlapp Road, a front yard setback variance at 34 Greenfield Road, and a map amendment for the northeast corner of Route 47 and Caton Farm Road would likely be on the agenda for the December 15th hearing.

**ADJOURNMENT OF THE ZONING BOARD OF APPEALS**

Member LeCuyer made a motion, seconded by Member Prodehl, to adjourn.

With a voice vote of five (5) ayes, the motion carried.

The Zoning Board of Appeals meeting adjourned at 6:29 p.m.

Respectfully submitted by,

Wanda A Rolf,
Part-Time Office Assistant

Exhibits

1. Memo on Petition 25-18 Dated November 7, 2025

# KENDALL COUNTY

# ZONING BOARD OF APPEALS

## November 12, 2025

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

| NAME | ADDRESS | SIGNATURE |
|---|---|---|
| Vichithra Hithamiarachchi | [redacted] | |
| Kanishka Ariyaratne | | |
| Lorena Cora | | |
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| | | |

**DEPARTMENT OF PLANNING, BUILDING & ZONING**
807 West John Street • Yorkville, IL • 60560
(630) 553-4141 Fax (630) 553-4179

# MEMORANDUM

To: Kendall County Zoning Board of Appeals
From: Matthew H. Asselmeier, AICP, CFM, Director
Date: November 7, 2025
Re: Petition 25-18

At their meeting on November 6, 2025, the Kendall County Regional Planning Commission voted to continue this proposal to their December 10, 2025, meeting at the Petitioners' request to address the following items:

1. Amending the site plan showing the solar field moved further south and east on the property away from the neighboring houses.
2. Submitting a glare study.
3. Requiring the operator's contact information be on file with the County and with the owners of record of adjoining properties.

Complete Petition information can be found here,
https://www.kendallcountyil.gov/home/showpublisheddocument/33712/638974164313430000.

Accordingly, Staff recommends that the hearing on this Petition be continued to December 15, 2025.

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

MHA

## Matt Asselmeier

**From:** Corrigan, Elizabeth <[redacted]>
**Sent:** Friday, November 21, 2025 3:25 PM
**To:** Matt Asselmeier
**Cc:** Ansar Gafur; McClory, Jessica; Tucker, John; Clementi, Matt
**Subject:** [External]Blue Sage - Special Use Petition
**Attachments:** 20251119_JAS_BlueSage_SUP.pdf; Fwd: Solar site

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.

Dear Matt,

Please find attached the updated plan set for Blue Sage Solar with items of note below:

1. The site plan has been adjusted to increase the setbacks significantly from the northern residences. We are hesitant to move the site any farther south due to an existing riverine in the southern portion of the site.
2. We are not able to move the poles to the opposite site of the road because then we would be putting structures within the required setbacks for the residences on the other side of the road. However, we did reduce the poles from 8 to 6 and moved them closer (20') to the road and therefore farther from the residence in question.
3. JAS has no issue providing operator's contact information to be on file with the county and the owners of record for adjoining properties and will do so prior to starting construction.
4. JAS conducted additional research on glare study requirements. According to FAA policy, glare studies are only mandated for solar energy systems located at federally obligated airports with control towers. Our project does not meet these criteria - It is not situated at a federally obligated airport, and the nearby flight school does not have a control tower. Furthermore, our team spoke twice with Lawrence Gehrig, the current manager of the flight school, who confirmed they have no concerns regarding the project. Written email confirmation from Mr. Gehrig is attached for reference. Given these circumstances and considering that a glare study would cost several thousand dollars, we believe JAS should be exempt from this requirement.

Best Regards,
Liz

**Elizabeth Corrigan,** PMP
Project Manager, Renewable Energy

Direct: [redacted]

**Stantec**
350 North Orleans Street, Suite 8000N, Chicago IL 60654-1610, United States

Stantec

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**Matt Asselmeier**

**From:** Ansar Gafur <[redacted]>
**Sent:** Thursday, November 20, 2025 2:01 PM
**To:** McClory, Jessica; Corrigan, Elizabeth; Stuart Smith
**Subject:** Fwd: Solar site

fyi.

Regards.

Ansar Gafur
Cell [redacted]

Sent from my iPhone

Begin forwarded message:

**From:** larry gehrig <[redacted]>
**Date:** November 20, 2025 at 2:59:05 PM EST
**To:** Ansar Gafur <[redacted]>
**Subject: Solar site**

Good afternoon Mr. Gafur,

My name is Lawrence Gehrig. I operate a Pilot training facility @ Cushing Field airport very near your proposed solar energy generating site.

I have looked into your proposal & I have determined that once completed & operational, I see no conflict with our day to day flight training procedures.

I hope that this message finds you well.

Sincerely

L.Gehrig, Facility Manager

**Caution:** This email originated from outside of Stantec. Please take extra precaution.

**Attention:** Ce courriel provient de l'extérieur de Stantec. Veuillez prendre des précautions supplémentaires.

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(630) 553-4141 Fax (630) 553-4179

# Petition 25-21
# Kathryn A. Vorbau and Eric H. Gray
# Major Amendment to A-1 Special Use – For Banquet Facility Related to the Site Plan, Facility Capacity, and Business Operations Plan and Variance for Maximum Height of an Accessory Structure

**INTRODUCTION**
On January 21, 2014, the County Board approved Ordinance 2014-02, granting a special use permit for a banquet facility (uses not otherwise listed herein may be granted special use approval if such uses conform to the purpose, goals and objectives of the residential zoning districts) at 1542 Plainfield Road. The special use permit contained the following conditions and restrictions:

1. The principal use of the property is for residential purposes.

2. A maximum of one hundred (100) persons at any one (1) time.

3. All events must end at 10:00 p.m. on weeknights and 11:00 p.m. on weekends.

4. All events must be catered unless modifications are made to the kitchen and approved by the Health Department.

5. Compliance with applicable building codes and securing of the required permits associated with any proposed remodeling, alteration, construction or expansion of existing and proposed structures on the premises.

6. Allow a lit sign only to be lighted during the event and not to exceed 16 square feet in size. The lights must go off no later than the times specified in the special use. No electronic billboard.

Ordinance 2014-02 is included as Attachment 1.

While not stated in Ordinance 2014-02, events held at the subject property were to occur inside a tent.

On September 30, 2025, the Petitioners submitted an application for major amendment to the existing special use permit with following changes:

1. Adding a site plan which includes the addition of one (1) new four thousand, fifty (4,050) square foot accessory structure to be used as banquet facility, one (1) approximately thirty-two thousand, six hundred eleven (32,611) square foot parking lot, one (1) new detention basin, one (1) approximately eight thousand, four hundred (8,400) square foot septic field and related storage tank, a paver area with fire pit, future outdoor bar area, widened eastern driveway, four (4) new parking lot light poles, five (5) wall mounted lights on various structures, and various additions and subtractions to the landscaping on the property.

2. Increase the maximum number of guests and staff to two hundred (200) at any one (1) time.

3. Changing and clarifying hours of operation with specific hours of operation as 10:00 a.m. until 11:00 p.m. on Fridays and Saturdays, 10:00 a.m. until 10:00 p.m. on Sundays, weekdays as needed with events ending by 10:00 p.m. Teardown from events shall occur within one (1) hour of closing time.

4. Setting the maximum number of events per year at sixty (60). Bridal showers, rehearsal dinners, and

setup for events shall be considered parts of one (1) larger, singular event.

5. Agreeing to comply with County noise regulations. Including setting an ending time for amplified music at 11:00 p.m. on Fridays and Saturdays and 10:00 p.m. on the other days of the week.

Related to the above changes, the Petitioners are also seeking a variance to allow the banquet facility structure to be a maximum twenty-eight feet, eight inches (28'-8") inches in height.

In addition to the special use permit for a banquet facility, the subject property has a special use permit for a bed and breakfast establishment, which was granted by Ordinance 1995-07. No changes were proposed to that special use permit.

The house on the subject property was designated a local historic landmark by Ordinance 2015-07. No changes were proposed related to the exterior of the house.

The application materials, including the business plan, are included as Attachment 2. The plat of survey is included as Attachment 3. The original proposed site plan, including the proposed landscaping plan and photometric plan is included as Attachment 4. The Petitioners revised the site plan to address the Oswego Fire Protection District's concerns; the revised site plan is included as Attachment 4A. The renderings of the building are included as Attachment 5. Pictures of the existing barns are included as Attachments 7, 8, and 9.

**SITE INFORMATION**

| | |
|---|---|
| PETITIONER | Kathryn A. Vorbau and Eric H. Gray |
| ADDRESS | 1542 Plainfield Road, Oswego |
| LOCATION | Approximately One Point One (1.1) Mile West of Ridge Road on the South Side of Plainfield Road |




| | |
|---|---|
| TOWNSHIP | Oswego and Na-Au-Say |
| PARCEL #s | 03-35-377-003 |
| LOT SIZE | 5.24 |
| EXISTING LAND USE | Residential/Banquet Facility/Bed and Breakfast Establishment |

ZONING R-3 One Family Residential District with Special Use Permits

LRMP

| | |
|---|---|
| Current Land Use | Agricultural/Residential/Banquet Facility |
| Future Land Use | Suburban Residential (Max 0.45 DU/Acre) (County)<br>Rural Residential (Plainfield) |
| Roads | Plainfield Road is a County Road classified as a Major Collector. |
| Trails | There are no trails planned in this area. |
| Floodplain/ Wetlands | There are no floodplains or wetlands on the subject property. |

REQUESTED ACTION Major Amendment to an A-1 Special Use to Operate a Banquet Facility

APPLICABLE REGULATIONS Section 36-282 (12) – A-1 Special Uses – Permits Banquet Facilities on A-1 Zoned Properties with Restrictions

Section 36-124 – Major Amendments to Special Uses

Section 36-39 – Variations

Section 36-971 (e) – Height of Accessory Buildings

**SURROUNDING LAND USE**

| Location | Adjacent Land Use | Adjacent Zoning | Land Resource Management Plan | Zoning within ½ Mile |
|---|---|---|---|---|
| North | Single-Family Residential | R-2 and R-3 | Suburban Residential (Max 1.00 DU/Acre) (County)<br>Rural Residential (Plainfield) | A-1, R-2, and R-3 (County)<br>R-1 (PUD) (Plainfield) |
| South | Single-Family Residential | R-3 | Rural Estate Residential (County)<br>Rural Residential (Plainfield) | A-1, R-2, and R-3 (County)<br>R-1 PUD (Plainfield) |
| East | Single-Family Residential | R-3 | Rural Estate Residential (County)<br>Rural Residential (Plainfield) | A-1, A-1 SU, and R-3 (County) |
| West | Single-Family Residential | R-3 | Rural Estate Residential (County)<br>Rural Residential (Plainfield) | A-1, R-1, and R-3 (County) |

Plainfield Comprehensive Plan calls for the Local Commercial at the intersection of Plainfield Road with Oswego Plains Road to the east of the subject property.

The A-1 SU to the east is for a landing strip.

**PHYSICAL DATA**

**ENDANGERED SPECIES REPORT**

EcoCat not required because the property is not zoned A-1.

**NATURAL RESOURCES INVENTORY**

The NRI application was submitted as on September 25, 2025 (see Attachment 2, Page 9). The LESA Score was 163 indicating a low level of protection. The NRI Report is included as Attachment 11.

**ACTION SUMMARY**

**OSWEGO TOWNSHIP**

Oswego Township was emailed the original information on November 12, 2025, and the revised information on November 26, 2025. The Oswego Township Planning Commission will review this proposal on December 9, 2025.

**NA-AU-SAY TOWNSHIP**

Na-Au-Say Township was emailed the original information on November 12, 2025, and the revised information on November 26, 2025.

**OSWEGO FIRE PROTECTION DISTRICT**

The Oswego Fire Protection District was emailed information on November 12, 2025. Prior to application submittal, the Petitioners communicated with the Oswego Fire Protection District regarding sprinkling requirements. Following consultation with the Oswego Fire Protection District, the Petitioners amended the site plan by squaring off the parking lot south of the house, adding a No Parking – Fire Lane sign, and adding the distance from the fire lane to the proposed banquet facility to the site plan. With these changes, the Oswego Fire Protection District's concerns were addressed, see Attachment 12.

**VILLAGE OF PLAINFIELD**

The Village of Plainfield was emailed the original information on November 12, 2025, and the revised information on November 26, 2025.

**ZPAC**

The former members of ZPAC were emailed information on November 12, 2025. On September 29, 2025, Fran Klaas submitted an email stating he had no objections to the eastern driveway expansion. This email is included as Attachment 6. On November 20, 2025, Aaron Rybski submitted an email stating the Health Department had no concerns. This email is included as Attachment 13.

**GENERAL**

The conditions for this type of use in the A-1 District are as follows:

a. The facility shall have direct access to a road designated as an arterial roadway or major collector road as identified in the Land Resource Management Plan.

b. The subject parcel must be a minimum of five (5) acres.

c. The use of this property shall be in compliance with all applicable ordinances.

d. Retail sales are permitted as long as the retail sales will be ancillary to the main operation.

e. 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.

While the subject property is zoned R-3, the property meets all of the above requirements.

**BUSINESS OPERATION**
The business plan for the proposed operations is included as Attachment 2, Pages 3-5.

As noted in the business plan, the site will consist of the newly constructed barn, incorporating remnants of the property's original barn, an outdoor ceremony area, a pond and greenhouse to serve as picturesque backdrops for ceremonies photos, ADA accessible restroom facilities, ADA compliant parking and pathways, and designated preparation space for caterers.

Phase I includes the main barn construction, outdoor ceremony lawn area, pond, greenhouse, ADA facilities, and parking area.

Phase II plans include a suite for the bride and a lounge for the groom. These two (2) areas will be inside the barn to be renovated as shown on the site plan (Attachment 4A).

In addition to the information provided previously, the Petitioners plan to have between four (4) and five (5) part-time employees including parking attendants and maintenance staff. Also, third party vendors will be hired by clients and not employees of the venue; these include caterers, DJs, and florists. The individuals would count towards the maximum capacity of two hundred (200).

The Petitioners were also agreeable to provide a contact number to neighbors for concerns related to events.

**BUILDING CODES**
Any structures constructed as part of the banquet facility operations will be required to secure applicable building permits.

**ENVIRONMENTAL HEALTH**
Applicable permits will be needed for the abandonment of the existing septic field and the installation of the new septic systems. Any improvements to the well would also require permits from the Health Department.

**STORMWATER**
The Petitioners have applied for a stormwater management permit. On October 27, 2025, WBK Engineering submitted comments on the proposal. WBK Engineering requested a stormwater narrative, an existing conditions analysis, and a request to plant native vegetation in the stormwater basin, swale area, areas adjacent to the banquet facility. This letter is included as Attachment 10. WBK Engineering was sent the revised site plan on November 24, 2025.

**ROAD ACCESS**
The property fronts Plainfield Road and has a U-shaped driveway. Per the site plan (Attachment 4A), the Petitioners proposed to widen the eastern entrance. Per Attachment 6, the Highway Department has no objections to this widening.

**PARKING AND INTERNAL TRAFFIC CIRCULATION**
The site plan (Attachment 4A) shows the driveway expanding to eighteen feet (18') in width.

The parking lot will consist of ninety-five (95) parking spaces, including four (4) handicapped accessible parking spaces. The parking lot would be gravel or some other environmentally friendly surface except for the area reserved for the handicapped accessible parking spaces.

**LIGHTING**
The photometric plan calls for four (4) new light poles in the park lot and five (5) wall mounted lights on the proposed new banquet facility building, outdoor bar, and renovated barn. The illuminated sign is also shown

on the plan eastern of the eastern entrance. No lighting would leave the sight. The photometric plan is included as Attachment 4A, Page 3.

**SIGNAGE**
As noted on the site plan (Attachment 4A) and the previously approved special use permit (Attachment 1), one (1) illuminated sign is allowed on the property. The sign can be a maximum sixteen (16) square feet in size. The sign is east of the eastern driveway entrance. There will also be one (1) no parking sign in the fire lane.

**LANDSCAPING**
The landscaping plan (Attachment 4A, Page 2), shows six (6) new deciduous trees, twenty-five (25) new coniferous trees, four (4) new understory trees, nine (9) new ornamental trees, and one hundred fifty-five (155) new bushes and shrubs. The trees will be between six feet (6') and eight feet (8') at the time of planting. Fifty (50) existing deciduous trees and sixteen (16) existing coniferous trees will be retained. Approximately three (3) trees will be removed. The site also calls for six inches (6") topsoil seed and blanket around the new pond.

**REFUSE CONTROL**
As noted in business plan (Attachment 2, Page 4), refuse will be stored inside the existing garage with waste and recycling services provided by Groot.

**NOISE CONTROL**
The Petitioners agreed to follow Kendall County's noise regulations and have amplified music end at 11:00 p.m. on Fridays and Saturdays and 10:00 p.m. on the other days of the week. Sound will be mitigated by barn insulation, strategic speaker placement, and limited outdoor amplification. The new facility will have roll-up doors, but amplified music will not originate outdoors Building Layout.

**RELATION TO OTHER SPECIAL USES**
The subject property is the only Residential zoned property that has a special use permit to be a banquet facility.

**FINDINGS OF FACT-SPECIAL USE PERMIT AMENDMENT**
§ 36-119 of the Kendall County Code outlines findings that the Zoning Board of Appeals must make in order to recommend in favor of the applicant on special use permit applications. They are listed below in *italics.* Staff has provided findings in **bold** below based on the recommendation:

*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 original special use permit was established in 2014. To date, no complaints regarding noise or light pollution have been received. Conditions may be placed in the special use permit related to hours of operation, number of events per year, number of people allowed on the property, origination of amplified music, placement of lights, and following other, applicable regulations to protect the public health, safety, morals, comfort, and general welfare.**

*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 special use permit has been in place since 2014. Conditions may be placed in the special use permit related to hours of operation, number of events per year, number of people allowed on the property, origination of amplified music, placement of lights, and following other, applicable regulations**

*That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided.* **The Kendall County Highway Department expressed no concerns regarding the eastern driveway expansion. The Petitioners have applied for stormwater**

**management permit and the site plan will be attached to the stormwater management permit. Applicable permits will be needed from the Kendall County Health Department related to the well and septic systems at the property.**

*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.* **The Petitioners are seeking a variance to allow an accessory structure to be eight feet, eight inches (8'8") taller than normally allowed in the R-3 District. If this variance is granted, the special use shall conform to the applicable regulations of the district in which it is located.**

*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.* **True, the proposed use is consistent with an objective found on Page 6-34 of the Kendall County Land Resource Management Plan which calls for "a strong base of agricultural, commerce and industry that provides a broad range of job opportunities, a healthy tax base, and improved quality of services to County residents."**

**FINDINGS OF FACT-VARIANCE**
§36-39 of the Kendall County Code outlines findings that the Zoning Board of Appeals must make in order to grant variations. They are listed below in *italics.* Staff has provided findings in **bold** below based on the recommendation:

*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 has an established agricultural setting with barns of similar or greater height.**

*The conditions upon which the requested variation is based would not be applicable, generally, to other property within the same zoning classification.* **Few other R-3 zoned properties have existing agricultural barns or outbuildings in the same number as the subject property. Also, the subject property is the only designed local historic landmark in Kendall County.**

*The alleged difficulty or hardship has not been created by any person presently having an interest in the property.* **The home on the subject property was built in 1865 and the property was used for agricultural purposes prior to the County establishing zoning. The Petitioners were not involved with the construction of the other accessory structures on the property.**

*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.* **Given that other structures on the property are of the same height as the proposed structure which is the subject of this variance, the proposed variance will not impair light or air on adjacent property, cause congestion, increase the danger of fire, or negatively impact property values.**

**RECOMMENDATION**
Staff recommends approval of the requested amendments to the existing special use permit for a banquet facility subject to the following conditions and restrictions:

1. Ordinance 2014-02 is hereby repealed in its entirety.

2. The property shall be developed substantially in accordance with the attached site plan (Attachment 4A). The parking lot shall be gravel or some other environmentally friendly surface except for the area reserved for the handicapped accessible parking spaces, which shall have a hard surface.

3. A variance is hereby granted to Section 36-971 (e) of the Kendall County Code allow an accessory structure to be a maximum twenty-eight feet, eight inches (28'-8").

4. The principal use of the property is for residential purposes. To this end, the operators of the business allowed by this special use permit shall reside on the subject property as their primary place of residence.

5. The maximum number of guests and staff shall be two hundred (200) at any one (1) time.

6. The hours of operation shall be from 10:00 a.m. until 11:00 p.m. on Fridays and Saturdays, 10:00 a.m. until 10:00 p.m. on Sundays, and weekdays as needed with events ending by 10:00 p.m. Teardown from events shall occur within one (1) hour of closing time. The operators of the business allowed by this special use permit may reduce these hours of operation. Music related to events held on the subject property shall not occur outside the hours of operation.

7. The maximum number of events per year shall be sixty (60). Bridal showers, rehearsal dinners, and setup for events shall be considered parts of one (1) larger, singular event.

8. Retail sales are permitted as long as the retail sales will be ancillary to the main operation.

9. 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.

10. At least one (1) fully functioning fire extinguisher shall be located inside the building shown as "Proposed Banquet Facility" on the attached site plan (Attachment 4A).

11. The operators of the business allowed by this special use permit shall supply the immediate property owners and KenCom with a contact phone number that can be called in case of emergencies within thirty (30) days of approval of the special use permit. In the event that the phone number of the operator of the business allowed by this special use permit changes, the operators of the business allowed by the special use permit shall supply the immediate property owners and KenCom with an updated phone number within thirty (30) days of change of phone number. In the event that an adjoining property owner changes their phone number or adjoining property owner changes, the operators of business allowed by this special use permit shall supply the property owner the contact phone number within thirty (30) days of written request for the phone number.

12. All events must be catered unless modifications are made to the kitchen area and approved by the Health Department.

13. None of the structures related to the business allowed by this special use permit shall be considered agricultural purposes and must secure applicable building permits.

14. Allow a lit sign only to be lit during events and not to exceed sixteen (16) square feet in size. No electronic billboard is allowed. Any changes to the size or location of this sign shall require applicable permits. Directional signs, no parking signs, and other signs required by law shall also be allowed

and shall not require permits.

15. The operators of the business allowed by this special use permit shall follow all other applicable federal, state, and local laws related to the operation of the use allowed by the special use permit.

16. The conditions and restrictions contained in Ordinances 1995-07 and 2015-07 shall remain valid and in effect.

17. The operators of the business allowed by this special use permit acknowledge and agree to follow Kendall County's Right to Farm Clause.

18. 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.

19. 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.

20. These major amendments to an existing special use permit and variance 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.

**ATTACHMENTS**

1. Ordinance 2014-02
2. Application Materials
3. Plat of Surve
4. Site Plan (Original)

4A. Site Plan Reflecting Oswego Fire District's Concerns

5. Rendering
6. September 29, 2025, Email from Fran Klaas
7. Picture of Existing Barn
8. Picture of Second Existing Barn
9. Picture of Existing Barn to be Renovated
10. October 27, 2025, Letter from WBK Engineering
11. NRI Report
12. November 20, 2025, Oswego Fire Protection District Email
13. November 20, 2025, Kendall County Health Department Email

State of Illinois
County of Kendall

Zoning Petition
#13-31

**ORDINANCE NUMBER 2014 - 02**

GRANTING A SPECIAL USE FOR
**1542 PLAINFIELD ROAD**

*WHEREAS,* Candice Hadley has filed a petition for a Special Use within the R-3 Residential Zoning District for a 5 acre property located on the south side of Plainfield Road about 1.1 miles west of Ridge Road, commonly known as 1542 Plainfield Road (PIN#03-35-377-003), in Oswego Township, and;

*WHEREAS,* said petition is to hold weddings and special events on site. This use would be considered a unique use: (Uses, not otherwise listed herein, may be granted special use approval if such uses conform to the purpose, goals and objectives of the Residential Zoning Districts as described in Section 8.01.); and

*WHEREAS,* said property would be considered unique due to home being historic and eligible to apply for the National Registry of Historic Places, the house was built in 1865 by Gilbert Gaylord; and

*WHEREAS,* said property would be considered unique due to the size of the lot and being able to meet all the conditions of a banquet hall if located in the A-1 Agricultural District as a special use; and

*WHEREAS,* said property is currently zoned R-3 Residential with an existing Special Use for the operation of a bed and breakfast; and

*WHEREAS,* the County Board of Kendall County, Illinois did grant the petitioner said request for as Ordinance 1995-07 on April 18, 1995; and

*WHEREAS,* said property is legally described as:

LOT 107 OF THE COUNTY CLERK'S SUBDIVISION OF A PART OF THE NORTH HALF OF SECTION 2 AND PART OF THE NORTHWEST QUARTER OF SECTION 1 IN TOWNSHIP 36 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, AND A PART OF THE SOUTH HALF OF SECTION 35, IN TOWNSHIP 37 NORTH, RANGE 8, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORIDNG TO THE PLAT THEREOF RECORDED JULY 9, 1971, IN BOOK 13 OF PLATS, PAGE 59, AS DOCUMENT 71-2373; IN THE TOWNSHIPS OF OSWEGO AND NA-AU-SAY, KENDALL COUNTY, ILLINOIS

*WHEREAS,* all procedures required by the Kendall County Zoning Ordinance were followed including notice for public hearing, preparation of the findings of fact in accordance with Section 13.08.J of the Zoning Ordinance, and recommendation for approval by the Special Use Hearing Officer on January 27, 2014; and

*WHEREAS,* the findings of fact were approved as follows:

State of Illinois
County of Kendall

Zoning Petition
#13-31

*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 special use will not be detrimental or endanger the public health, safety, morals, comfort or general welfare.**

*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 petitioner is not proposing to change the site but have a temporary tent up during events therefore keeping with the residential character of the neighborhood.**

*That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided.* ***The special use will not be adding any new utilities, roadways or drainage to the property. They will use the current access points onto Plainfield Road, have 2 septic systems currently and have some hard surface areas for parking.***

*That the special use shall in all other respects conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the County Board pursuant to the recommendation of the Hearing Officer.* **The special use will be considered a unique use and will meet other regulations like the noise ordinance and parking regulations during events.**

*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.* **This special use will not be every weekend so most of the time it will just be residential uses and not events.**

*WHEREAS*, the Kendall County Board has considered the findings and recommendation of the Hearing Officer and finds that said petition is in conformance with the provisions and intent of the Kendall County Zoning Ordinance; and

*WHEREAS*, this special use 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; and

*NOW, THEREFORE, BE IT ORDAINED,* that the Kendall County Board hereby grants approval of a special use zoning permit to hold weddings and special events on site subject to the following conditions:

1. The principal use of the property is for residential purposes.
2. A maximum of 100 persons at any one time
3. All events must end at 10pm on weeknights and 11pm on weekends.
4. All events must be catered unless modifications are made to the kitchen and approved by the Health Department.
5. Compliance with applicable building codes and securing of the required permits associated with any proposed remodeling, alteration, construction or expansion of existing and proposed structures on the premises.
6. Allow a lit sign only to be lighted during the event and not to exceed 16 square feet in size. The lights must go off no later than the times specified in the special use. No electronic billboard.

State of Illinois
County of Kendall

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#13-31

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 January 21st, 2014.

Attest:

[redacted]

Debbie Gillette
Kendall County Clerk

[redacted]

John Shaw
Kendall County Board Chairman

DEPARTMENT OF PLANNING, BUILDING & ZONING
807 West John Street • Yorkville, IL • 60560
(630) 553-4141 Fax (630) 553-4179

# APPLICATION

**PROJECT NAME** _____ **FILE #:**_____

**NAME OF APPLICANT (Including First, Middle Initial, and Last Name)**
Kathryn A. Vorbau & Eric H. Gray

**CURRENT LANDOWNER/NAME(s)**
Kathryn A. Vorbau & Eric H. Gray

**SITE INFORMATION**

| ACRES | SITE ADDRESS OR LOCATION | ASSESSOR'S ID NUMBER (PIN) |
|---|---|---|
| 5.24/4.79 | 1542 Plainfield Road | 03-35-377-003 |

| EXISTING LAND USE | CURRENT ZONING | LAND CLASSIFICATION ON LRMP |
|---|---|---|
| Residential | R3-SU | Rural Residential |

**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.)

X AMENDMENT TO A SPECIAL USE ( X Major; _____ Minor)

| [1]PRIMARY CONTACT | PRIMARY CONTACT MAILING ADDRESS | PRIMARY CONTACT EMAIL |
|---|---|---|
| Kathryn Vorbau | [redacted] | [redacted] |

| PRIMARY CONTACT PHONE # | PRIMARY CONTACT FAX # | PRIMARY CONTACT OTHER #(Cell, etc.) |
|---|---|---|
| [redacted] | N/A | |

| [2]ENGINEER CONTACT | ENGINEER MAILING ADDRESS | ENGINEER EMAIL |
|---|---|---|
| Michael D. Cook | [redacted] | [redacted] |

| ENGINEER PHONE # | ENGINEER FAX # | ENGINEER OTHER # (Cell, etc.) |
|---|---|---|
| [redacted] | [redacted] | [redacted] |

I UNDERSTAND THAT BY SIGNING THIS FORM, THAT THE PROPERTY IN QUESTION MAY BE VISITED BY COUNTY STAFF & BOARD/ COMMISSION MEMBERS THROUGHOUT THE PETITION PROCESS AND THAT THE PRIMARY CONTACT LISTED ABOVE WILL BE SUBJECT TO ALL CORRESPONDANCE ISSUED BY THE COUNTY.

I CERTIFY THAT THE INFORMATION AND EXHIBITS SUBMITTED ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND THAT I AM TO FILE THIS APPLICATION AND ACT ON BEHALF OF THE ABOVE SIGNATURES. **THE APPLICANT ATTESTS THAT THEY ARE FREE OF DEBT OR CURRENT ON ALL DEBTS OWED TO KENDALL COUNTY AS OF THE APPLICATION DATE.**

**SIGNATURE OF APPLICANT** [redacted] **DATE**

FEE PAID:$_____
CHECK #:_____

*[1]Primary Contact will receive all correspondence from County*
*[2]Engineering Contact will receive all correspondence from the County's Engineering Consultants*

Last Revised: **02.04.25**
Major Amendment to a Special Use

**DEPARTMENT OF PLANNING, BUILDING & ZONING**
807 West John Street • Yorkville, IL • 60560
(630) 553-4141 Fax (630) 553-4179

# APPLICATION

**PROJECT NAME** _____ **FILE #:**_____

**NAME OF APPLICANT (Including First, Middle Initial, and Last Name)**
Kathryn A. Vorbau & Eric H. Gray

**CURRENT LANDOWNER/NAME(s)**
Kathryn A. Vorbau & Eric H. Gray

| **SITE INFORMATION** ACRES | SITE ADDRESS OR LOCATION | ASSESSOR'S ID NUMBER (PIN) |
|---|---|---|
| 4.8/5.24 | 1542 Plainfield Road, Oswego, IL 60543 | 03-35-377-003 |

| EXISTING LAND USE | CURRENT ZONING | LAND CLASSIFICATION ON LRMP |
|---|---|---|
| R3-SU | R3-SU | Rural Residential |

**REQUESTED ACTION** (Check All That Apply):

_____SPECIAL USE ___ MAP AMENDMENT (Rezone to ____) X 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)

| [1]**PRIMARY CONTACT** | **PRIMARY CONTACT MAILING ADDRESS** | **PRIMARY CONTACT EMAIL** |
|---|---|---|
| Kathryn A. Vorbau | [redacted] | [redacted] |

| **PRIMARY CONTACT PHONE #** | **PRIMARY CONTACT FAX #** | **PRIMARY CONTACT OTHER #**(Cell, etc.) |
|---|---|---|
| [redacted] | N/A | [redacted] |

| [2]**ENGINEER CONTACT** | **ENGINEER MAILING ADDRESS** | **ENGINEER EMAIL** |
|---|---|---|
| Michael D. Cook | [redacted] | [redacted] |

| **ENGINEER PHONE #** | **ENGINEER FAX #** | **ENGINEER OTHER #** (Cell, etc.) |
|---|---|---|
| [redacted] | N/A | [redacted] |

I UNDERSTAND THAT BY SIGNING THIS FORM, THAT THE PROPERTY IN QUESTION MAY BE VISITED BY COUNTY STAFF & BOARD/ COMMISSION MEMBERS THROUGHOUT THE PETITION PROCESS AND THAT THE PRIMARY CONTACT LISTED ABOVE WILL BE SUBJECT TO ALL CORRESPONDANCE ISSUED BY THE COUNTY.

I CERTIFY THAT THE INFORMATION AND EXHIBITS SUBMITTED ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND THAT I AM TO FILE THIS APPLICATION AND ACT ON BEHALF OF THE ABOVE SIGNATURES. **THE APPLICANT ATTESTS THAT THEY ARE FREE OF DEBT OR CURRENT ON ALL DEBTS OWED TO KENDALL COUNTY AS OF THE APPLICATION DATE.**

**SIGNATURE OF APPLICANT** [redacted] **DATE** 9-30-25

FEE PAID:$_____
CHECK #:_____

[1]*Primary Contact will receive all correspondence from County*
[2]*Engineering Contact will receive all correspondence from the County's Engineering Consultants*

Last Revised:
**02.04.25**

Date Stamp Here If
Checklist Is Complete

## Detailed Description of Proposed Use & Business Plan – 1542 Plainfield Road, Oswego, IL 60543

### Proposed Use

The proposed use of the property is to operate a private event venue specializing in weddings and similar gatherings (e.g., bridal showers, anniversaries, and birthday parties). The venue will be housed in a newly constructed barn/building and located on a property that includes the first home designated as a historic site in Kendall County, Illinois. The setting provides a unique, historically significant atmosphere and aligns with Kendall County's commitment to preserving rural heritage and promoting thoughtful land use.

### Historical Significance

This property holds the distinction of being Kendall County's first designated historic home, and the proposed venue use will celebrate and preserve its historical integrity. All planned improvements, including landscaping, signage, pond, and exterior enhancements will be designed to respect the architectural character of the site. In addition, remnants from the property's original barn will be incorporated into the new barn construction, ensuring the preservation of historic materials and highlighting the site's agricultural heritage. The business aims to share the charm and history of the property with guests while protecting its cultural value for future generations.

### Hours of Operation

The venue will operate primarily on weekends, with occasional weekday events. The standard event schedule is as follows:

- Friday–Saturday: 10:00 AM – 11:00 PM
- Sunday: 10:00 AM – 10:00 PM
- Weekdays (as needed): Limited use for rehearsals or corporate events, ending by 10:00 PM

All amplified music and outdoor activities will cease in accordance with local noise ordinances. Event teardown will not occur during guest hours and will be completed by venue staff within one hour following closing times. Rehearsals associated with weddings will take place on weekdays or earlier in the event weekend but are considered part of the wedding event and not a separate event.

### Number of Events

We anticipate hosting up to 60 private events annually, with an average wedding size between 116–136 guests and a maximum of 200 guests/staff. The venue will not operate as a daily public space and will be used only for scheduled, private functions.

For weddings, one event includes the rehearsal, ceremony, and reception together, all counted as a single event toward the annual maximum.

### Number of Employees

- 4–5 part-time employees during event days, including parking attendants, maintenance staff, and on-site coordination personnel.
- Additional third-party vendors (e.g., caterers, DJs, florists) will be hired directly by clients and are not employees of the venue.
- Maximum on-site capacity of 200 (190 guests + 10 staff/vendors).

## Traffic & Parking

On-site parking will be provided via designated gravel/grass or reinforced turf areas to accommodate up to 95 vehicles, in compliance with occupancy limits and fire access requirements. All traffic will be managed to minimize neighborhood disruption and will be concentrated during event hours, primarily on weekends.

Parking attendants will manage flow to ensure safe entry/exit and compliance with fire lanes. If necessary for larger events, coordination with local law enforcement will be arranged to provide safe traffic management.

## Facility Description

The venue will include:

- A newly constructed barn for indoor receptions and ceremonies (approx. 4,000 sq. ft.), incorporating remnants of the property's original barn
- Suite (bride) barn for wedding parties to prep for the wedding and reception – Phase Two; initially located inside the main venue, with the permanent suite created through minor renovations of the existing barn already on the property
- Lounge (groom) for wedding parties to gather prior to the wedding ceremony – Phase Two; initially unavailable, with the permanent lounge created through minor renovations of the existing barn already on the property
- Outdoor ceremony lawn with scenic views
- Pond and greenhouse for picturesque backdrops for photos and ceremonies
- ADA-accessible restroom facilities
- ADA-compliant parking and pathways throughout the site
- Designated preparation space for caterers (non-commercial kitchen)
- Code-compliant well and septic systems designed for venue capacity and usage frequency
- All alcoholic beverages will be supplied by the clients reserving the venue. The venue itself will not sell or distribute alcohol, ensuring compliance with applicable liquor licensing laws.

## Noise, Lighting, and Waste Management

- All amplified sound will cease by 11:00 PM on weekends and 10:00 PM on weeknights and comply with local noise regulations.
- Sound will be mitigated through barn insulation, strategic speaker placement, and limited outdoor amplification.
- The venue does not plan to host amplified music outdoors. However, the barn is designed with roll-up doors that may remain open under favorable conditions. While amplified music will remain indoors, some sound may carry onto the immediate grounds of the property.
- Outdoor lighting will be low-glare, downward-directed, and designed to minimize light pollution. A full photometric plan will be submitted with site documentation.
- Refuse will be stored inside the on-site garage to remain out of sight. Waste and recycling services will be provided by Groot Recycling and Waste, with pickups scheduled as needed to accommodate event volume.

## Safety & Emergency Access

- The facility will comply with all fire and life safety codes, including designated fire lanes, clear emergency exits, and evacuation routes.
- Parking attendants will ensure emergency access routes remain unobstructed during events.
- First aid kits and fire extinguishers will be located onsite, and staff will be trained on emergency procedures.

- Maximum occupancy will never exceed 200 persons.
- Clients who provide alcohol for their events will be required to use licensed bartenders and/or beverage service providers, ensuring safe consumption practices and compliance with state/local regulations.

## Stormwater & Environmental Considerations

- Stormwater runoff will be managed in compliance with Kendall County requirements, with particular attention to the pond and drainage patterns.
- Landscaping will incorporate native and low-maintenance plantings, preserving the rural character while reducing water usage and maintenance needs.
- Trees shown on the site plan will be installed at a typical nursery height of approximately 6-8 feet at the time of planting, consistent with Kendall County landscaping standards.
- Efforts will be made to preserve existing trees and natural features where possible.

## Phased Development Plan

The project will be developed in phases to ensure responsible growth:

- Phase One: Main barn construction, outdoor ceremony lawn, pond, greenhouse, ADA facilities, and parking areas.
- Phase Two: Construction of bride and groom suite barns in the footprint of the existing barns on the property.

## Community Engagement & Good Neighbor Practices

- A dedicated contact number will be provided to neighbors for concerns during events.
- Event numbers will not exceed the approved 60 per year.
- Weekday events will be limited to rehearsals or corporate functions ending by 10:00 PM.
- Fireworks and other high-noise activities will not be permitted.

## Community & Economic Benefit

This venue will:

- Preserve a historically significant site while giving it new life through sustainable rural economic use
- Generate local economic activity by utilizing Kendall County vendors and services
- Attract visitors to the area, supporting nearby restaurants, lodging, and retail businesses
- Provide a unique wedding and event space aligned with the character and history of the community
- Contribute to local tax revenue through property improvements and indirect sales tax generated by events

## Compliance Documentation

The following will be submitted with or prior to final permitting:

- Site plan (showing layout, parking, and circulation)
- Photometric plan (lighting)
- Parking layout and traffic plan
- Septic and well engineering reports
- Stormwater management documentation

**LEGAL DESCRIPTION**
**1542 PLAINFIELD RD**
**OSWEGO, IL**
**PIN 03-35-377-003**

LOT 107 OF COUNTY CLERK'S SUBDIVISION OF PART OF THE NORTH HALF OF SECTION 2 AND PART OF THE NORTHWEST QUARTER OF SECTION 1 IN TOWNSHIP 36 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN AND A PART OF THE SOUTH HALF OF SECTION 35, IN TOWNSHIP 37 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JULY 9, 1971, IN BOOK 13 OF PLATS, PAGE 59, AS DOCUMENT 71-2373, IN THE TOWNSHIPS OF OSWEGO AND NAU-AU-SAY KENDALL COUNTY, ILLINOIS.

THE LANDS SURVEYED, SHOWN AND DESCRIBED HEREON ARE THE SAME LANDS AS DESCRIBED IN THE TITLE COMMITMENT PROVIDED BY FIRST AMERICAN TITLE INSURANCE COMPANY, COMMITMENT NO. [redacted] DATED APRIL 24, 2025.

**FIDELITY NATIONAL TITLE INSURANCE COMPANY** **OWNER'S POLICY NO** [redacted]

***Transaction Identification Data, for which the Company assumes no liability as set forth in Condition 9.d.:***

Name and Address of Title Insurance Agent: Nationwide Title Company
16106 S. Route 59, Unit 100
Plainfield, IL 60586

Property Address: 1542 Plainfield Rd, Oswego, IL 60543

## SCHEDULE A

Name and Address of Title Insurance Company: Fidelity National Title Company, LLC
674 Veterans Pkwy, Unit C
Yorkville, IL 60560

Policy Number: YK25005138

| Date of Policy | Amount of Insurance |
|---|---|
| April 24, 2025 | $867,500.00 |

1. The Insured is:

   Kathryn A. Vorbau and Eric H. Gray

2. The estate or interest in the Land insured by this policy is:

   Fee Simple

3. The Title is vested in:

   Kathryn A. Vorbau and Eric H. Gray

4. The Land is described as follows:

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

**THIS POLICY VALID ONLY IF SCHEDULE B IS ATTACHED**

**END OF SCHEDULE A**

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**OWNER'S POLICY NO. Y** [redacted]

# EXHIBIT "A"

Legal Description

LOT 107 OF COUNTY CLERK'S SUBDIVISION OF PART OF THE NORTH HALF OF SECTION 2 AND PART OF THE NORTHWEST QUARTER OF SECTION 1 IN TOWNSHIP 36 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN AND A PART OF THE SOUTH HALF OF SECTION 35, IN TOWNSHIP 37 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JULY 9, 1971, IN BOOK 13 OF PLATS, PAGE 59, AS DOCUMENT 71-2373, IN THE TOWNSHIPS OF OSWEGO AND NAU-AU-SAY KENDALL COUNTY, ILLINOIS.

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Kendall County Soil & Water Conservation District

7775A Route 47, Yorkville, Illinois 60560 • (630)553-5821 extension 3

Website: www.kendallswcd.org

# NATURAL RESOURCE INFORMATION (NRI) REPORT APPLICATION

**Petitioner:** Kathryn A. Vorbau & Eric H. Gray **Contact Person:** Kathryn Vorbau
Address: [redacted]
City, State, Zip: [redacted]
Phone Number: [redacted]
Email: [redacted]

Please select: How would you like to receive a copy of the NRI Report? ☑ Email ☐ Mail

**Site Location & Proposed Use**

Township Name Oswego Township 37 N, Range 8 E, Section(s) 35
Parcel Index Number(s) 03-35-377-003
Project or Subdivision Name _____ Number of Acres 4.8
Current Use of Site R3-SU Proposed Use R3-SU
Proposed Number of Lots 1 Proposed Number of Structures 3
Proposed Water Supply Well Proposed type of Wastewater Treatment Septic
Proposed type of Storm Water Management On-Site Wet Pond

**Type of Request**

☐ Change in Zoning from _____ to _____
☐ Variance (Please describe fully on separate page)
☑ Special Use Permit (Please describe fully on separate page)
Name of County or Municipality the request is being filed with: Kendall County

**In addition to this completed application form, please including the following to ensure proper processing:**

☑ **Plat of Survey/Site Plan** – showing location, legal description and property measurements
☑ **Concept Plan** - showing the locations of proposed lots, buildings, roads, stormwater detention, open areas, etc.
☐ If available: topography map, field tile map, copy of soil boring and/or wetland studies
☑ **NRI fee** (Please make checks payable to Kendall County SWCD)
The NRI fees, as of July 1, 2025, are as follows:
Full Report: $450.00 for five acres and under, plus $25.00 per acre for each additional acre or any fraction thereof over five.
Executive Summary Report: $375.00 (KCSWCD staff will determine when a summary report will be necessary)
Review Letter: $75.00 (KCSWCD staff will determine when a review letter will be necessary)

| | |
|---|---|
| Fee for first five acres and under | $ 450.00 |
| _____ Additional Acres at $25.00 each | $ ~~25.00~~ |
| **Total NRI Fee** | $ ~~475.00~~ 450.00 |

**NOTE:** Applications are due by the 1st of each month to be on that month's SWCD Board Meeting Agenda. Applications can be emailed to alyse@kendallswcd.org and checks mailed separately. Once a completed application is submitted, please allow 30 days for inspection, evaluation, and processing of this report.

**I (We) understand the filing of this application allows the authorized representative of the Kendall County Soil and Water Conservation District (SWCD) to visit and conduct an evaluation of the site described above. The completed NRI report expiration date will be 3 years after the date reported.**

[redacted] 9/25/25
**Petitioner or Authorized Agent** **Date**

This report will be issued on a nondiscriminatory basis without regard to race, color, religion, national origin, age, sex, handicap or marital status.

**FOR OFFICE USE ONLY**

NRI# 2515 Date initially rec'd 9/25/25 Date all rec'd 9/25/25 Board Meeting NOV. 10, 2025
Fee Due $ 450.00 Fee Paid $ 450.00 Check # [redacted] Over/Under Payment N/A Refund Due N/A

Please fill out the following findings of fact to the best of your capabilities. §36-119 of the Kendall County Code outlines findings that the Zoning Board of Appeals shall consider in rendering a decision, but is not required to make an affirmative finding on all items in order to grant a **special use**. They are as follows:

*That the establishment, maintenance, and operation of the special use will not be detrimental to, or endanger, the public health, safety, morals, comfort, or general welfare.* The venue will comply with all county building, fire safety, and health codes. Events will be managed in an orderly manner to protect health, safety, and welfare.

*That the special use will not be substantially injurious to the use and enjoyment of other properties 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 venue will be designed to complement the rural and historic character of the area, incoporating remnants of the original barn into the new constrcution. Noise, lighting, & landscaping will be managed carefully to minimize impact on neighbors. A landscaped buffer and site plan will ensure compatibility with surrounding properties.

*That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided.*

The site has access to necessary utilities, and improvements will be made to ensure proper drainage. The property is accessible from Plainfield Rd. with sufficient ingress/egress for event traffic, and additional parking accommodations will be developed to safetly handle capacity.

*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* The proposed venue will comply with all applicable zoning regulations. Any deviations or modifications will be submitted for County review and approval as part of this special use permit request.

*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.*

The project supports the County's goal of preserving historic and rural character while allowing for compatible development. The use will promote tourism, provide a community gathering space, and support local economic development in line with the County's Land Resource Management Plan.

Please fill out the following findings of fact to the best of your capabilities. § 36-39 of the Kendall County Code outlines findings that the Zoning Board of Appeals shall take into consideration the extent to which the following conditions have been established by the evidence:

We are requesting a variance to allow construction of a barn-style venue building with a height of 28 feet 8 inches. The current zoning ordinance permits accessory structures up to 20 feet in height. The additional height is needed to maintain appropriate barn proportions, match existing barns on the property, and ensure the building is aesthetically consistent with the agricultural character of the site.

*That 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 property has an established agricultural setting with existing barns of similar or greater height. Constructing a 20-foot building would create a practical difficulty by resulting in a structure disproportionate to the property's character and less aesthetically consistent with the existing barns.

*That the conditions upon which the requested variation is based would not be applicable, generally, to other property within the same zoning classification.*

Most accessory structures in the zoning district are garages or sheds, which do not require additional height. This property's use as a barn-style wedding venue, and the need to match existing historic barn proportions, creates unique conditions not broadly applicable to other properties.

*That the alleged difficulty or hardship has not been created by any person presently having an interest in the property.*

The need for additional height stems from the existing agricultural character of the land and the architectural requirements to design a barn-style venue consistent with the property.

*That 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.*

The proposed barn height will not negatively affect neighboring properties or the community. Other barns on the property are of similar or greater height, so the venue will not alter the visual character of the area.

*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 additional height will not block light or air to adjacent properties, create congestion, or endanger public safety. Because the structure reflects the existing agricultural setting, it will not diminish property values and may enhance the appearance of the site.

DEPARTMENT OF PLANNING, BUILDING & ZONING
807 West John Street • Yorkville, IL • 60560
(630) 553-4141 Fax (630) 553-4179

# ENGINEERING CONSULTANT FEES

I, Kathryn Vorbau & Eric Gray understand that Kendall County uses the services of a
Applicant Name

consultant for engineering reviews and inspections and that I will be responsible for payment of services on 1542 Plainfield Road project. I authorize the consulting
Project Name

services to proceed.

---

☒ IF THIS IS ***NOT*** PART OF A BUILDING PERMIT APPLICATION, PLEASE CHECK THE BOX AND COMPLETE THIS SECTION:

I hereby submit a deposit of $2,550.00 payable to the **Kendall County Treasurer**
$ Amount

to be used by Kendall County to reimburse consultant for charges invoiced for work done in the review, approval and inspection of the proposed improvements.

I understand that if the deposit is depleted that I may be required to replenish the deposit to have work proceed.

I further understand that Kendall County will not issue a Building Permit or a Certificate of Occupancy as the case may be until I provide payment or proof of payment for the engineering services.

Signature of Applicant: [redacted] Date: 9-26-25

# PLAT OF SURVEY




## RECORD DESCRIPTION:

LOT 107 OF COUNTY CLERK'S SUBDIVISION OF PART OF THE NORTH HALF OF SECTION 2 AND PART OF THE NORTHWEST QUARTER OF SECTION 1 IN TOWNSHIP 36 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN AND A PART OF THE SOUTH HALF OF SECTION 35, IN TOWNSHIP 37 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JULY 9, 1971, IN BOOK 13 OF PLATS, PAGE 59, AS DOCUMENT 71-2373, IN THE TOWNSHIPS OF OSWEGO AND NAU-AU-SAY KENDALL COUNTY, ILLINOIS.

THE LANDS SURVEYED, SHOWN AND DESCRIBED HEREON ARE THE SAME LANDS AS DESCRIBED IN THE TITLE COMMITMENT PROVIDED BY FIRST AMERICAN TITLE INSURANCE COMPANY, COMMITMENT NO. YK25005138, DATED APRIL 24, 2025.

## LEGEND & ABBREVIATIONS:

| | | |
|---|---|---|
| UTILITY POLE | MANHOLE | P.O.C. POINT OF COMMENCEMENT |
| LIGHT POLE | SANITARY MANHOLE | P.O.B. POINT OF BEGINNING |
| TRANSFORMER | STORM STRUCTURE (CLOSED) | ° DEGREES |
| UTILITY PEDESTAL | STORM STRUCTURE (OPEN) | ' FEET/MINUTES |
| TRAFFIC SIGNAL | CURB INLET | " INCHES/SECONDS |
| SIGNAL VAULT | VALVE VAULT | S.F. SQUARE FEET |
| UTILITY VAULT | CLEAN OUT | (REC) RECORD BEARING/DISTANCE |
| GAS VALVE | FLARED END SECTION | TF TOP OF FOUNDATION |
| WATER VALVE | WATER LINE | FF FINISHED FLOOR |
| ELECTRIC METER | TELEPHONE/CATV LINE | TP TOP OF PIPE |
| GAS METER | GAS LINE | B.S.L. BUILDING SETBACK LINE |
| FIRE HYDRANT | ELECTRIC LINE | P.U.E. PUBLIC UTILITY EASEMENT |
| AUTO SPRINKLER | OVERHEAD WIRES | D.E. DRAINAGE EASEMENT |
| MONITORING WELL | STORM SEWER | L ARC LENGTH |
| GROUND LIGHT | SANITARY SEWER | R RADIUS LENGTH |
| BOLLARD | CHAIN LINK FENCE | C CHORD LENGTH |
| B-BOX | STOCKADE FENCE | CB CHORD BEARING |
| SIGN | GUARD RAIL | CMP CORRUGATED METAL PIPE |
| FLAG POLE | IRON FENCE | CONCRETE SURFACE |

## REFERENCE BENCHMARK:

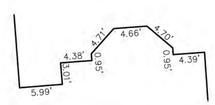
NATIONAL GEODETIC SURVEY BENCHMARK: DP5474

THE STATION IS LOCATED ABOUT 7.1 MI (11.4 KM) WEST-NORTHWEST OF JOLIET, 5.8 MI (9.3 KM) SOUTH-SOUTHEAST OF NORMANTOWN AND 3.6 MI (5.8 KM) SOUTH OF PLAINFIELD.

TO REACH THE STATION FROM THE SOUTH JUNCTION OF US HIGHWAY 30 WITH STATE HIGHWAY 59 IN PLAINFIELD, IL, GO SOUTH ON STATE HIGHWAY 59 FOR 2.2 MI (3.5 KM) TO ROLF ROAD AND THE STATION ON THE RIGHT.

THE STATION IS LOCATED 5 FT (1.5 M) WEST OF THE EDGE OF PAVEMENT OF STATE HIGHWAY 59, 298 FT (90.8 M) SOUTH OF A TELEPHONE PEDESTAL AND 215 FT (65.5 M) NORTH OF A 'SOUTH IL 59' SIGN.

ELEVATION = 595.99 (NAVD88)




DETAIL

1"=10'

[redacted]
Keith E. Bollinger, IPLS 9/13/2025
Professional Land Surveyor No. [redacted]
Expires 11-30-2026
THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

PROFESSIONAL LAND SURVEYOR No. [redacted] KEITH E. BOLLINGER SHOREWOOD ILLINOIS STATE OF ILLINOIS

ILLINOIS PROFESSIONAL DESIGN FIRM NO. 184.007120

JLH LAND SURVEYING INC.
ARIZONA | ILLINOIS | INDIANA | WISCONSIN
815.729.4000 | WWW.JLHSURVEY.COM
910 SENECA STREET | SHOREWOOD, IL 60404

SURVEY PREPARED FOR:
Cook Engineering Group
26316 Mapleview Drive
Plainfield, IL 60585

| DATE | REVISIONS | BY |
|---|---|---|
| | | |

PLAT OF SURVEY
1542 PLAINFIELD ROAD
OSWEGO, ILLINOIS

| | |
|---|---|
| FIELD WORK: | DK&GP |
| DRAFTED BY: | KB |
| PROJ SURV: | KB |
| FIELD DATE: | 9/12/25 |
| SCALE: | 1"=30' |

SHEET 1 OF 1

25-1305-102







SITE LOCATION

## SITE AREA STATISTICS

| | | |
|---|---|---|
| TOTAL OWNERSHIP AREA: | 228,084 SF | 5.24 AC |
| TOTAL DISTURBED DEVELOPMENT AREA: | 100,893 SF | 2.32 AC |
| 100-YR RELEASE RATE: | 0.35 CFS | |
| 2-YR RELEASE RATE | 0.09 CFS | |

| | EXISTING BASIN DRAINAGE AREA STATISTICS | | | |
|---|---|---|---|---|
| | EXISTING CONDITIONS (SF) | EXISTING CONDITIONS (AC) | PROPOSED CONDITIONS (SF) | PROPOSED CONDITIONS (AC) |
| PERVIOUS (GRASSED) AREA | 98,492 | 2.26 | 43,924 | 1.01 |
| IMPERVIOUS (WET POND HWL) AREA | 0 | 0.00 | 9,295 | 0.21 |
| IMPERVIOUS (GRAVEL) AREA | 0 | 0.00 | 33,679 | 0.77 |
| IMPERVIOUS (BUILDING) AREA | 2,333 | 0.05 | 4,050 | 0.09 |
| IMPERVIOUS (PAVEMENT & CURB) AREA | 68 | 0.00 | 9,946 | 0.23 |
| TOTAL AREA | 100,893 | 2.32 | 100,893 | 2.32 |
| TOTAL IMPERVIOUS AREA | 2,401 | 0.06 | 56,969 | 1.31 |
| NET INCREASE IN IMPERVIOUS AREA | | | 54,568 | 1.25 |
| PERCENT IMPERVIOUS | 2.4% | | 56.5% | |
| NET INCREASE IN PERCENT IMPERVIOUS | | | 54.1% | |

| | | |
|---|---|---|
| DETENTION STORAGE REQUIRED: | 40,511 CF | 0.930 AC-FT |
| DETENTION STORAGE PROVIDED: | 51,836 CF | 1.190 AC-FT |

## PARKING SUMMARY

| | |
|---|---|
| STANDARD STALLS | 91 |
| HANDICAP STALLS | 4 |
| TOTAL | 95 |

## LEGEND

| EXISTING | | PROPOSED |
|---|---|---|
| | FLARED END SECTION | |
| | STORM MANHOLE | |
| | STORM INLET | |
| | CATCH BASIN | |
| | FIRE HYDRANT | |
| | VALVE AND VAULT | |
| | VALVE BOX | |
| | B BOX | |
| | SANITARY MANHOLE | |
| | COMBINED SEWER MANHOLE | |
| | LIGHTPOLE | |
| | PATHWAY LIGHT | |
| | STORM SEWER | |
| | WATERMAIN | |
| | SANITARY SEWER | |
| | COMBINED SEWER | |
| | CONTOUR | |
| | SILT FENCE | |
| | ORNAMENTAL FENCE | |
| | WOOD FENCE | |
| | OVERLAND FLOW PATH | |

T/F - TOP OF FOUNDATION
F/F - FINISHED FLOOR ELEVATION
G/E - GARAGE ENTRY ELEVATION

- EXIST NG PCC PAVEMENT
- EXIST NG BRICK PAVER AREA
- EXIST NG HMA PAVEMENT
- PROPOSED HMA PAVEMENT
- PROPOSED PCC PAVEMENT
- PROPOSED GRAVEL
- PROPOSED BRICK PAVERS
- PROPOSED PERMANENT POOL NWL (RCN=100)
- PROPOSED GREENSPACE 6" TOPSO L, SEED & BLANKET

## OWNER

KATHY VORBAU
1542 PLAINFIELD ROAD
KENDALL COUNTY , IL

## REFERENCE BENCHMARK

THE STATION IS LOCATED ABOUT 7.1 MI (11.4 KM) WEST-NORTHWEST OF JOLIET, 5.8 MI (9.3 KM) SOUTH-SOUTHEAST OF NORMANTOWN AND 3.6 MI (5.8 KM) SOUTH OF PLAINFIELD.

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ELEVATION = 595.99 (NAVD88)

## CURRENT ZONING

R-3 SU (ORD #14-02)

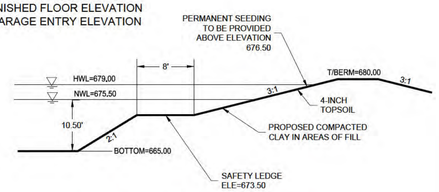
## P.I.N.

03-35-377-003

## LEGAL DESCRIPTION

LOT 107 OF COUNTY CLERK'S SUBDIVISION OF PART OF THE NORTH HALF OF SECTION 2 AND PART OF THE NORTHWEST QUARTER OF SECTION 1 IN TOWNSHIP 36 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN AND A PART OF THE SOUTH HALF OF SECTION 35, IN TOWNSHIP 37 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JULY 9, 1971, IN BOOK 13 OF PLATS, PAGE 59, AS DOCUMENT 71-2373, IN THE TOWNSHIPS OF OSWEGO AND NAU-AU-SAY KENDALL COUNTY, ILLINOIS.

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TYPICAL POND SECTION N.T.S.

NOTES:
1. EXISTING SITE TOPOGRAPHY COMPLETED BY JLH LAND SURVEYING INC. PER FIELD WORK COMPLETED ON SEPTEMBER 12, 2025.

30 0 15 30 60 120
( IN FEET )
1 inch = 30 ft.

COOK ENGINEERING GROUP
Civil Engineering & Land Development Consulting
26316 Mapleview Drive
Plainfield, IL 60585
815.577.1707 T 815.577.2595 F
www.cookenggroup.com

| # | DATE | REVISION DESCRIPTION |
|---|---|---|
| 1 | 09/26/2025 | PER KENDALL COUNTY REVIEW COMMENTS |
| 2 | | |
| 3 | | |
| 4 | | |
| 5 | | |
| 6 | | |
| 7 | | |
| 8 | | |
| 9 | | |
| 10 | | |

1 OF 1 CIVIL SITEPLAN

# BANQUET FACILITY
1542 PLAINFIELD ROAD
KENDALL COUNTY, IL

PREPARED FOR
MS. KATHY VORBAU
1542 PLAINFIELD ROAD
KENDALL COUNTY, IL
[redacted]

CEG JOB NUMBER
2025-137

| | |
|---|---|
| SCALE: | 1" =N.T.S. |
| DRAWN BY: | GRC |
| CHECKED BY: | MDC |
| DATE: | 09/24/2025 |
| SHEET: | ---- |

© Copyright, 2025




N

W E

S




N

SITE LOCATION

SITE AREA STATISTICS

| | | |
|---|---|---|
| TOTAL OWNERSHIP AREA: | 228,084 SF | 5.24 AC |
| TOTAL DISTURBED DEVELOPMENT AREA: | 100,893 SF | 2.32 AC |
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| NET INCREASE IN PERCENT IMPERVIOUS | | | 54.1% | |

| | | |
|---|---|---|
| DETENTION STORAGE REQUIRED: | 40,511 CF | 0.930 AC-FT |
| DETENTION STORAGE PROVIDED: | 51,836 CF | 1.190 AC-FT |

PARKING SUMMARY

| | |
|---|---|
| STANDARD STALLS | 91 |
| HANDICAP STALLS | 4 |
| TOTAL | 95 |

PROPOSED LANDSCAPING QUANTITIES

- 6 DEC DUOUS TREES
- 25 CONIFEROUS TREES
- 4 UNDERSTORY TREES
- 9 ORNAMENTAL TREES
- 155 BUSHES / SHRUBS

EXISTING LANDSCAPING QUANTITIES

- 50 DECIDUOUS TREES
- 16 CON FEROUS TREES
- TREE REMOVAL

ALL DISTURBED AREAS SHALL RECEIVE 6" TOPSO L AND BE SEEDED WITH DOT CLASS I SEEDMIX

- EXIST NG PCC PAVEMENT
- EXIST NG BRICK PAVER AREA
- EXIST NG HMA PAVEMENT
- PROPOSED HMA PAVEMENT
- PROPOSED PCC PAVEMENT
- PROPOSED GRAVEL
- PROPOSED BRICK PAVERS
- PROPOSED PERMANENT POOL NWL (RCN=100)
- PROPOSED GREENSPACE 6" TOPSO L, SEED & BLANKET

## OWNER

KATHY VORBAU
1542 PLAINFIELD ROAD
KENDALL COUNTY , IL

## REFERENCE BENCHMARK

THE STATION IS LOCATED ABOUT 7.1 MI (11.4 KM) WEST-NORTHWEST OF JOLIET, 5.8 MI (9.3 KM) SOUTH-SOUTHEAST OF NORMANTOWN AND 3.6 MI (5.8 KM) SOUTH OF PLAINFIELD.

TO REACH THE STATION FROM THE SOUTH JUNCTION OF US HIGHWAY 30 WITH STATE HIGHWAY 59 IN PLAINFIELD, IL, GO SOUTH ON STATE HIGHWAY 59 FOR 2.2 MI (3.5 KM) TO ROLF ROAD AND THE STATION ON THE RIGHT.

THE STATION IS LOCATED 5 FT (1.5 M) WEST OF THE EDGE OF PAVEMENT OF STATE HIGHWAY 59, 298 FT (90.8 M) SOUTH OF A TELEPHONE PEDESTAL AND 215 FT (65.5 M) NORTH OF A "SOUTH IL 59" SIGN.

ELEVATION = 595.99 (NAVD88)

## CURRENT ZONING

R-3 SU (ORD #14-02)

## P.I.N.

03-35-377-003

## LEGAL DESCRIPTION

LOT 107 OF COUNTY CLERK'S SUBDIVISION OF PART OF THE NORTH HALF OF SECTION 2 AND PART OF THE NORTHWEST QUARTER OF SECTION 1 IN TOWNSHIP 36 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN AND A PART OF THE SOUTH HALF OF SECTION 35, IN TOWNSHIP 37 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JULY 9, 1971, IN BOOK 13 OF PLATS, PAGE 59, AS DOCUMENT 71-2373, IN THE TOWNSHIPS OF OSWEGO AND NAU-AU-SAY KENDALL COUNTY, ILLINOIS.

THE LANDS SURVEYED, SHOWN AND DESCRIBED HEREON ARE THE SAME LANDS AS DESCRIBED IN THE TITLE COMMITMENT PROVIDED BY FIRST AMERICAN TITLE INSURANCE COMPANY, COMMITMENT NO. [redacted] DATED APRIL 24, 2025.

NOTES:
1. EXISTING SITE TOPOGRAPHY COMPLETED BY JLH LAND SURVEYING INC. PER FIELD WORK COMPLETED ON SEPTEMBER 12, 2025.

30 0 15 30 60 120
( IN FEET )
1 inch = 30 ft.

COOK ENGINEERING GROUP
Civil Engineering & Land Development Consulting
26316 Mapleview Drive
Plainfield, IL 60585
815.577.1707 T 815.577.2595 F
www.cookengroup.com

| # | DATE | REVISION DESCRIPTION |
|---|---|---|
| 1 | 09/26/2025 | PER KENDALL COUNTY REVIEW COMMENTS |
| 2 | | |
| 3 | | |
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| 9 | | |
| 10 | | |

1 OF 1 LANDSCAPE PLAN

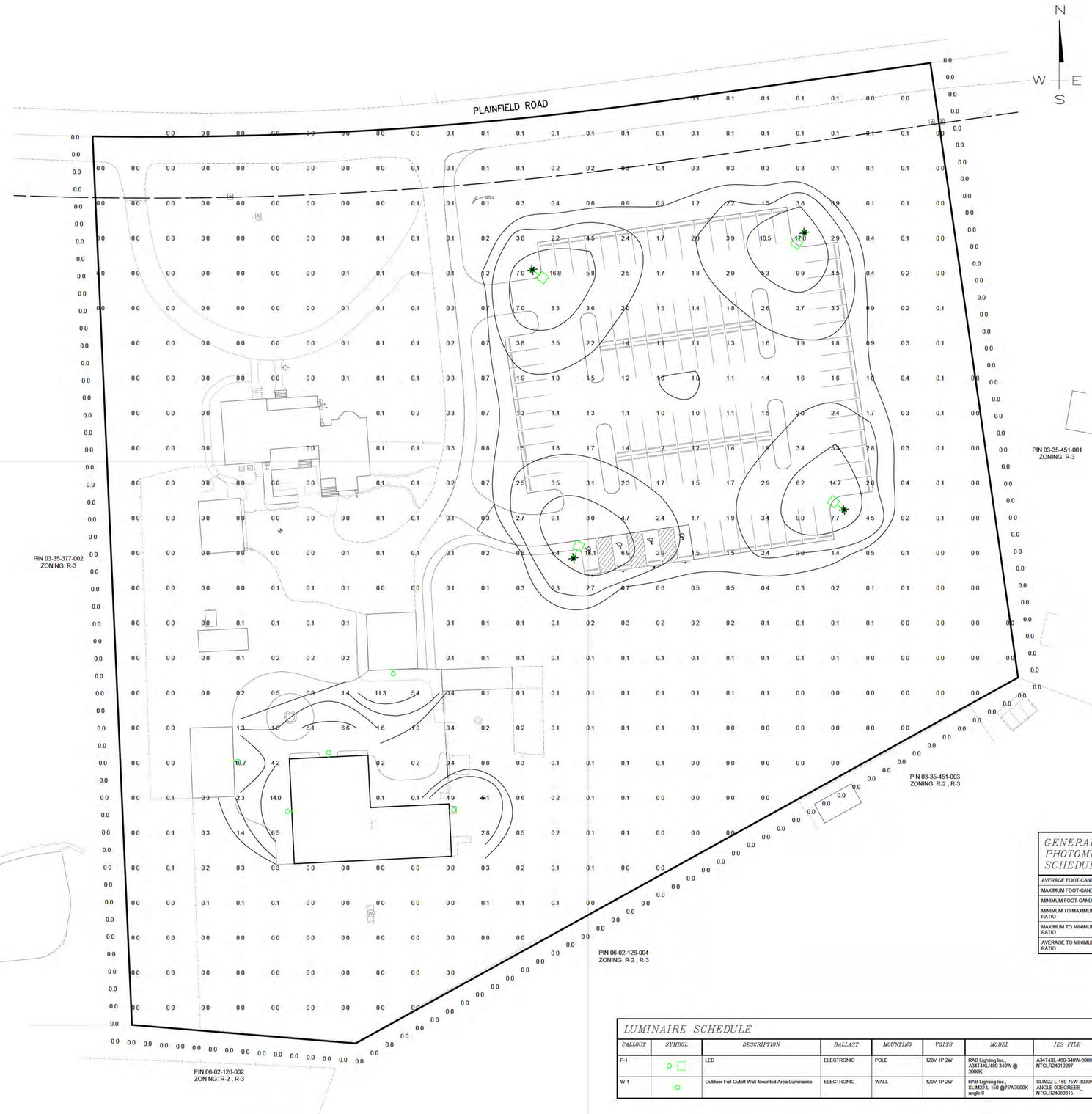
BANQUET FACILITY
1542 PLAINFIELD ROAD
KENDALL COUNTY, IL

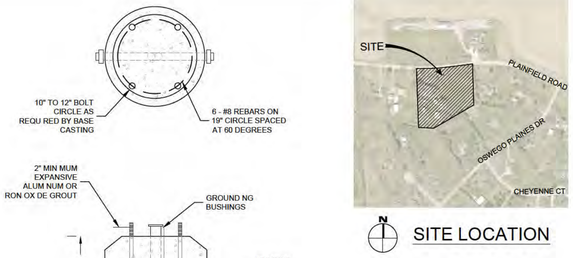
PREPARED FOR
MS. KATHY VORBAU
1542 PLAINFIELD ROAD
KENDALL COUNTY, IL
( [redacted]

CEG JOB NUMBER
2025-137

| | |
|---|---|
| SCALE: | 1" =N.T.S. |
| DRAWN BY: | GRC |
| CHECKED BY: | MDC |
| DATE: | 09/24/2025 |
| SHEET: | ---- |

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NOTE: MAX MUM LUM NAIRE ELEVATION SHALL BE TWENTY (20) FEET ABOVE ADJACENT GRADE.

## LIGHT STANDARD FOUNDATION PLAN
N.T.S.




SITE LOCATION

### GENERAL PHOTOMETRIC SCHEDULE

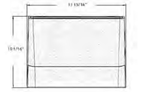
| | |
|---|---|
| AVERAGE FOOT-CANDLES | 0.94 |
| MAXIMUM FOOT-CANDLES | 19.7 |
| MINIMUM FOOT-CANDLES | 0.0 |
| MINIMUM TO MAXIMUM FC RATIO | 0.00 |
| MAXIMUM TO MINIMUM FC RATIO | 19.69 / 0.00 |
| AVERAGE TO MINIMUM FC RATIO | 0.94 / 0.00 |

### LUMINAIRE SCHEDULE

| CALLOUT | SYMBOL | DESCRIPTION | BALLAST | MOUNTING | VOLTS | MODEL | IES FILE | QUANTITY | DEFAULT ELEVATION |
|---|---|---|---|---|---|---|---|---|---|
| P-1 | | LED | ELECTRONIC | POLE | 120V 1P 2W | RAB Lighting Inc., A34T4XL480 340W @ 3000K | A34T4XL-480-340W-3000K_NTCLR24010207 | 4 | 20' |
| W-1 | | Outdoor Full-Cutoff Wall-Mounted Area Luminaires | ELECTRONIC | WALL | 120V 1P 2W | RAB Lighting Inc., SLIM22-L-150 @75W3000K angle 0 | SLIM22-L-150-75W-3000K-ANGLE-0DEGREES_NTCLR24080315 | 5 | 10' |

SLIM22-L-150 — RAB

Dimensions



Features
- DLC Premium listed
- 0-10V dimming standard
- 100,000-hour LED Life
- 5-Year, limited warranty

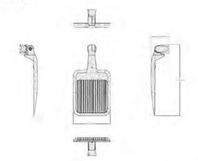
Ordering Matrix

| Family | Housing Size | | Wattage | Color Temp | Finish | Forward Throw | Driver | Options |
|---|---|---|---|---|---|---|---|---|
| SLIM22 | – L | – | 150 | | | | | |

S = Small; M = Medium; L = Large
30 = 30/25/20/15W; 60 = 60/50/40/30W; 100 = 100/85/70/50W; 150 = 150/125/100/75W
Blank = 3000/4000/5000K CCT Adjustable
Blank = Bronze; W = White
Blank = Adjustable Throw 0°/15°/30°/45°
Blank = 120-277V, 0-10V; /480 = 480V, 0-10V Dimming
Blank = Selectable Photocell; /E = Selectable Photocell w/Battery Backup

A34T4XL5F/480 — RAB

Dimensions



Features
- 100,000-hour LED Life
- 0-10V dimming standard
- IP65 rating protects against dust and water
- 5-Year, limited warranty

Ordering Matrix

| Family | Distribution | Size/Wattage | Mounting | Color Temp | Finish | Driver | Options |
|---|---|---|---|---|---|---|---|
| A34 | T4 | XL | SF | | | /480 | |

T4 = Type IV; T4 = type V; T3 = Type III
S = Small 100/80/50W; M = Medium 150/125/100W; L = Large 250/200/150W; XL = Extra Large 340/270/220W
Blank = Universal male mounts; SF = Slipfitter Mount; WM = Wall Mount
Blank = 3000/4000/5000K CCT Adjustable
Blank = bronze; W = White
Blank = 120-277V, 0-10V Dimming; /480 = 480V, 0-10V Dimming
Blank = No Option; /MS = passive infrared Occupancy Sensor; /MVS = Microwave Motion Sensor; /LCBS = Lightcloud Blue w/PIR Sensor; /LCBSMVS = Lightcloud Blue w/MVS Sensor

*480V available on M, L, and XL models only.

NOTES:
1. EXISTING SITE TOPOGRAPHY COMPLETED BY JLH LAND SURVEYING INC. PER FIELD WORK COMPLETED ON SEPTEMBER 12, 2025.

30 0 15 30 60 120
( IN FEET )
1 inch = 30 ft.

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Civil Engineering & Land Development Consulting
26316 Mapleview Drive
Plainfield, IL 60585
815.577.1707 T 815.577.2595 F
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| # | DATE | REVISION DESCRIPTION |
|---|---|---|
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| 9 | | |
| 10 | | |

# PHOTOMETRIC PLAN

## BANQUET FACILITY
1542 PLAINFIELD ROAD
KENDALL COUNTY, IL

PREPARED FOR
MS. KATHY VORBAU
1542 PLAINFIELD ROAD
KENDALL COUNTY, IL
[redacted]

CEG JOB NUMBER
2025-137

SCALE: 1" = 30'
DRAWN BY: GRC
CHECKED BY: MDC
DATE: 09/24/2025
SHEET: 1 of 1

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SITE LOCATION

## SITE AREA STATISTICS

| | | |
|---|---|---|
| TOTAL OWNERSHIP AREA: | 228,084 SF | 5.24 AC |
| TOTAL DISTURBED DEVELOPMENT AREA: | 100,666 SF | 2.31 AC |
| 100-YR RELEASE RATE: | 0.35 CFS | |
| 2-YR RELEASE RATE | 0.09 CFS | |

| | EXISTING BASIN DRAINAGE AREA STATISTICS | | | |
|---|---|---|---|---|
| | EXISTING CONDITIONS (SF) | EXISTING CONDITIONS (AC) | PROPOSED CONDITIONS (SF) | PROPOSED CONDITIONS (AC) |
| PERVIOUS (GRASSED) AREA | 98,265 | 2.26 | 43,924 | 1.01 |
| IMPERVIOUS (WET POND HWL) AREA | 0 | 0.00 | 9,295 | 0.21 |
| IMPERVIOUS (GRAVEL) AREA | 0 | 0.00 | 33,679 | 0.77 |
| IMPERVIOUS (BUILDING) AREA | 2,333 | 0.05 | 4,050 | 0.09 |
| IMPERVIOUS (PAVEMENT & CURB) AREA | 68 | 0.00 | 9,719 | 0.22 |
| TOTAL AREA | 100,666 | 2.31 | 100,666 | 2.31 |
| TOTAL IMPERVIOUS AREA | 2,401 | 0.06 | 56,742 | 1.30 |
| NET INCREASE IN IMPERVIOUS AREA | | | 54,341 | 1.25 |
| PERCENT IMPERVIOUS | 2.4% | | 56.4% | |
| NET INCREASE IN PERCENT IMPERVIOUS | | | 54.0% | |

| | | |
|---|---|---|
| DETENTION STORAGE REQUIRED: | 40,511 CF | 0.930 AC-FT |
| DETENTION STORAGE PROVIDED: | 51,836 CF | 1.190 AC-FT |

PARKING SUMMARY

| | |
|---|---|
| STANDARD STALLS | 91 |
| HANDICAP STALLS | 4 |
| TOTAL | 95 |

## LEGEND

| EXISTING | | PROPOSED |
|---|---|---|
| | FLARED END SECTION | |
| | STORM MANHOLE | |
| | STORM INLET | |
| | CATCH BASIN | |
| | FIRE HYDRANT | |
| | VALVE AND VAULT | |
| | VALVE BOX | |
| | B BOX | |
| | SANITARY MANHOLE | |
| | COMBINED SEWER MANHOLE | |
| | LIGHTPOLE | |
| | PATHWAY LIGHT | |
| | STORM SEWER | |
| | WATERMAIN | |
| | SANITARY SEWER | |
| | COMBINED SEWER | |
| | CONTOUR | |
| | SILT FENCE | |
| | ORNAMENTAL FENCE | |
| | WOOD FENCE | |
| | OVERLAND FLOW PATH | |

T/F - TOP OF FOUNDATION
F/F - FINISHED FLOOR ELEVATION
G/E - GARAGE ENTRY ELEVATION

- EXIST NG PCC PAVEMENT
- EXIST NG BRICK PAVER AREA
- EXIST NG HMA PAVEMENT
- PROPOSED HMA PAVEMENT
- PROPOSED PCC PAVEMENT
- PROPOSED GRAVEL
- PROPOSED BRICK PAVERS
- PROPOSED PERMANENT POOL NWL (RCN=100)
- PROPOSED GREENSPACE 6" TOPSO L, SEED & BLANKET

## OWNER

KATHY VORBAU
1542 PLAINFIELD ROAD
KENDALL COUNTY , IL

## REFERENCE BENCHMARK

THE STATION IS LOCATED ABOUT 7.1 MI (11.4 KM) WEST-NORTHWEST OF JOLIET, 5.8 MI (9.3 KM) SOUTH-SOUTHEAST OF NORMANTOWN AND 3.6 MI (5.8 KM) SOUTH OF PLAINFIELD.

TO REACH THE STATION FROM THE SOUTH JUNCTION OF US HIGHWAY 30 WITH STATE HIGHWAY 59 IN PLAINFIELD, IL, GO SOUTH ON STATE HIGHWAY 59 FOR 2.2 MI (3.5 KM) TO ROLF ROAD AND THE STATION ON THE RIGHT.

THE STATION IS LOCATED 5 FT (1.5 M) WEST OF THE EDGE OF PAVEMENT OF STATE HIGHWAY 59, 298 FT (90.8 M) SOUTH OF A TELEPHONE PEDESTAL AND 215 FT (65.5 M) NORTH OF A "SOUTH IL 59" SIGN.

ELEVATION = 595.99 (NAVD88)

## CURRENT ZONING

R-3 SU (ORD #14-02)

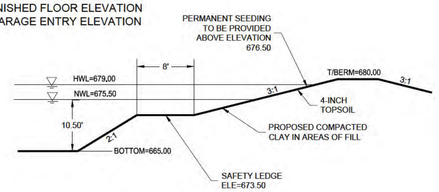
## P.I.N.

03-35-377-003

## LEGAL DESCRIPTION

LOT 107 OF COUNTY CLERK'S SUBDIVISION OF PART OF THE NORTH HALF OF SECTION 2 AND PART OF THE NORTHWEST QUARTER OF SECTION 1 IN TOWNSHIP 36 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN AND A PART OF THE SOUTH HALF OF SECTION 35, IN TOWNSHIP 37 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JULY 9, 1971, IN BOOK 13 OF PLATS, PAGE 59, AS DOCUMENT 71-2373, IN THE TOWNSHIPS OF OSWEGO AND NAU-AU-SAY KENDALL COUNTY, ILLINOIS.

THE LANDS SURVEYED, SHOWN AND DESCRIBED HEREON ARE THE SAME LANDS AS DESCRIBED IN THE TITLE COMMITMENT PROVIDED BY FIRST AMERICAN TITLE INSURANCE COMPANY, COMMITMENT NO. [redacted], DATED APRIL 24, 2025.




TYPICAL POND SECTION N.T.S.

NOTES:
1. EXISTING SITE TOPOGRAPHY COMPLETED BY JLH LAND SURVEYING INC. PER FIELD WORK COMPLETED ON SEPTEMBER 12, 2025.

30 0 15 30 60 120
( IN FEET )
1 inch = 30 ft.

COOK ENGINEERING GROUP
Civil Engineering & Land Development Consulting
26316 Mapleview Drive
Plainfield, IL 60585
815.577.1707 T 815.577.2595 F
www.cookenggroup.com

| # | DATE | REVISION DESCRIPTION |
|---|---|---|
| 1 | 09/26/2025 | PER KENDALL COUNTY REVIEW COMMENTS |
| 2 | 11/18/2025 | PER OSWEGO FPD REVIEW COMMENTS |
| 3 | | |
| 4 | | |
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| 9 | | |
| 10 | | |

# CIVIL SITEPLAN

# BANQUET FACILITY
1542 PLAINFIELD ROAD
KENDALL COUNTY, IL

PREPARED FOR
MS. KATHY VORBAU
1542 PLAINFIELD ROAD
KENDALL COUNTY, IL
[redacted]

| | |
|---|---|
| CEG JOB NUMBER | 2025-137 |
| SCALE: | 1" = 30' |
| DRAWN BY: | GRC |
| CHECKED BY: | MDC |
| DATE: | 09/24/2025 |
| SHEET: | 1 of 1 |

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SITE LOCATION

SITE AREA STATISTICS

| | | |
|---|---|---|
| TOTAL OWNERSHIP AREA: | 228,084 SF | 5.24 AC |
| TOTAL DISTURBED DEVELOPMENT AREA: | 100,893 SF | 2.32 AC |
| 100-YR RELEASE RATE: | 0.35 CFS | |
| 2-YR RELEASE RATE | 0.09 CFS | |

| | EXISTING BASIN DRAINAGE AREA STATISTICS | | | |
|---|---|---|---|---|
| | EXISTING CONDITIONS (SF) | EXISTING CONDITIONS (AC) | PROPOSED CONDITIONS (SF) | PROPOSED CONDITIONS (AC) |
| PERVIOUS (GRASSED) AREA | 98,492 | 2.26 | 43,924 | 1.01 |
| IMPERVIOUS (WET POND HWL) AREA | 0 | 0.00 | 9,295 | 0.21 |
| IMPERVIOUS (GRAVEL) AREA | 0 | 0.00 | 33,679 | 0.77 |
| IMPERVIOUS (BUILDING) AREA | 2,333 | 0.05 | 4,050 | 0.09 |
| IMPERVIOUS (PAVEMENT & CURB) AREA | 68 | 0.00 | 9,946 | 0.23 |
| TOTAL AREA | 100,893 | 2.32 | 100,893 | 2.32 |
| TOTAL IMPERVIOUS AREA | 2,401 | 0.06 | 56,969 | 1.31 |
| NET INCREASE IN IMPERVIOUS AREA | | | 54,568 | 1.25 |
| PERCENT IMPERVIOUS | 2.4% | | 56.5% | |
| NET INCREASE IN PERCENT IMPERVIOUS | | | 54.1% | |

| | | |
|---|---|---|
| DETENTION STORAGE REQUIRED: | 40,511 CF | 0.930 AC-FT |
| DETENTION STORAGE PROVIDED: | 51,836 CF | 1.190 AC-FT |

PARKING SUMMARY

| | |
|---|---|
| STANDARD STALLS | 91 |
| HANDICAP STALLS | 4 |
| TOTAL | 95 |

PROPOSED LANDSCAPING QUANTITIES

- 6 DEC DUOUS TREES
- 25 CONIFEROUS TREES
- 4 UNDERSTORY TREES
- 9 ORNAMENTAL TREES
- 155 BUSHES / SHRUBS

EXISTING LANDSCAPING QUANTITIES

- 50 DECIDUOUS TREES
- 16 CON FEROUS TREES
- TREE REMOVAL

- EXIST NG PCC PAVEMENT
- EXIST NG BRICK PAVER AREA
- EXIST NG HMA PAVEMENT
- PROPOSED HMA PAVEMENT
- PROPOSED PCC PAVEMENT
- PROPOSED GRAVEL
- PROPOSED BRICK PAVERS
- PROPOSED PERMANENT POOL NWL (RCN=100)
- PROPOSED GREENSPACE 6" TOPSO L, SEED & BLANKET

ALL DISTURBED AREAS SHALL RECEIVE 6" TOPSO L AND BE SEEDED WITH IDOT CLASS I SEEDMIX

## OWNER

KATHY VORBAU
1542 PLAINFIELD ROAD
KENDALL COUNTY , IL

## REFERENCE BENCHMARK

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THE STATION IS LOCATED 5 FT (1.5 M) WEST OF THE EDGE OF PAVEMENT OF STATE HIGHWAY 59, 298 FT (90.8 M) SOUTH OF A TELEPHONE PEDESTAL AND 215 FT (65.5 M) NORTH OF A "SOUTH IL 59" SIGN.

ELEVATION = 595.99 (NAVD88)

## CURRENT ZONING

R-3 SU (ORD #14-02)

## P.I.N.

03-35-377-003

## LEGAL DESCRIPTION

LOT 107 OF COUNTY CLERK'S SUBDIVISION OF PART OF THE NORTH HALF OF SECTION 2 AND PART OF THE NORTHWEST QUARTER OF SECTION 1 IN TOWNSHIP 36 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN AND A PART OF THE SOUTH HALF OF SECTION 35, IN TOWNSHIP 37 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JULY 9, 1971, IN BOOK 13 OF PLATS, PAGE 59, AS DOCUMENT 71-2373, IN THE TOWNSHIPS OF OSWEGO AND NAU-AU-SAY KENDALL COUNTY, ILLINOIS.

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( IN FEET )
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# LANDSCAPE PLAN

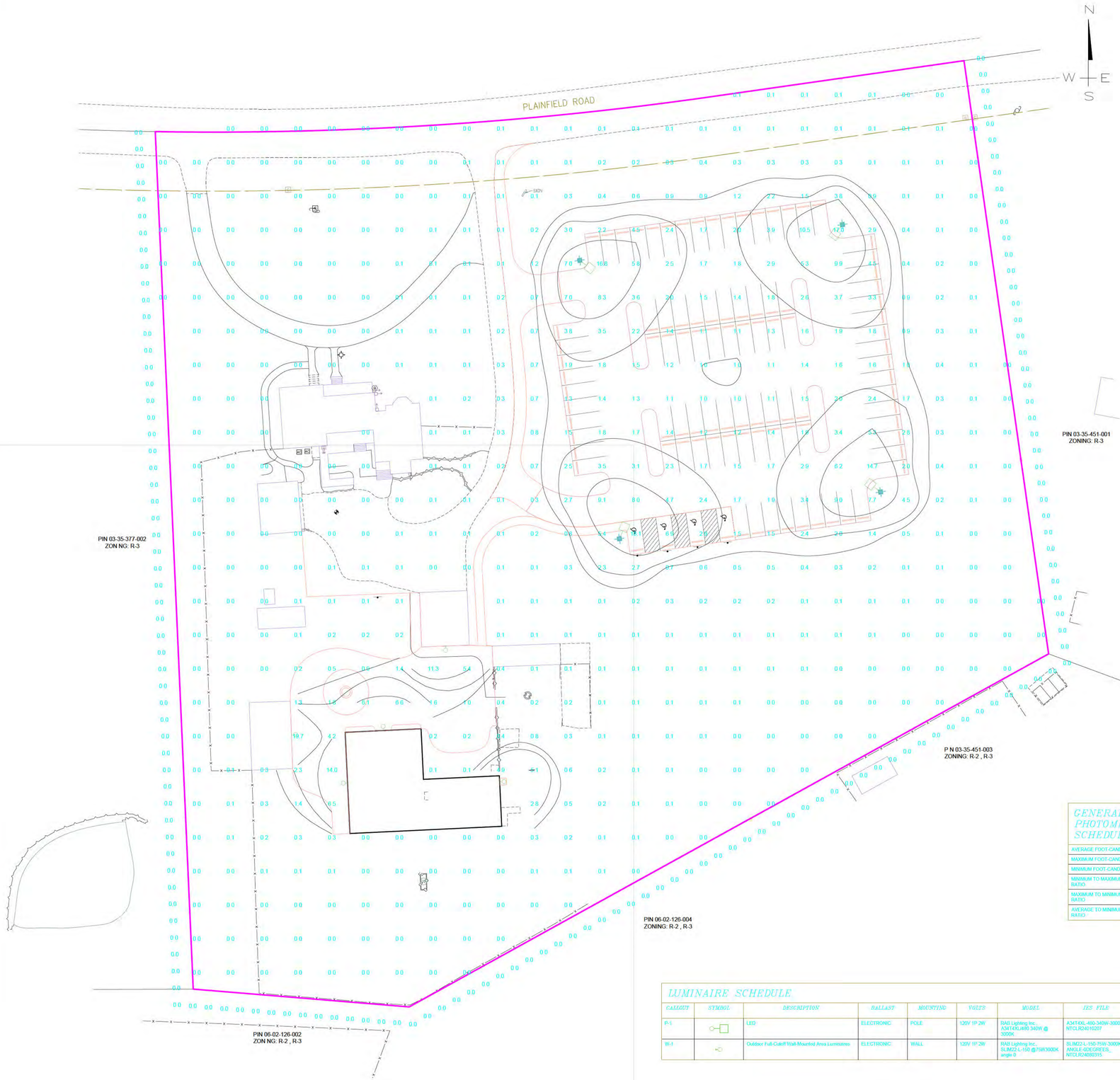
BANQUET FACILITY
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KENDALL COUNTY, IL

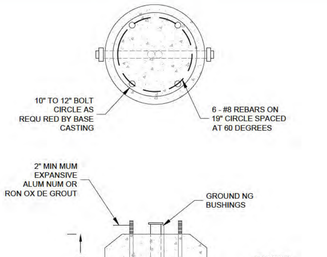
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1542 PLAINFIELD ROAD
KENDALL COUNTY, IL
( [redacted]

CEG JOB NUMBER
2025-137

| | |
|---|---|
| SCALE: | 1" = 30' |
| DRAWN BY: | GRC |
| CHECKED BY: | MDC |
| DATE: | 09/24/2025 |
| SHEET: | 1 of 1 |

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NOTE: MAX MUM LUM NAIRE ELEVATION SHALL BE TWENTY (20) FEET ABOVE ADJACENT GRADE.

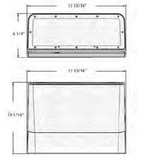
## LIGHT STANDARD FOUNDATION PLAN N.T.S.




SITE LOCATION

SLIM22-L-150 RAB

Dimensions



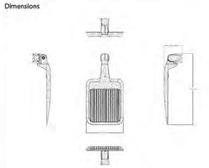
Features
- DLC Premium listed
- 0-10V dimming standard
- 100,000-hour LED Life
- 5-Year, limited warranty

Ordering Matrix

| Family | Housing Size | | Wattage | Color Temp | Finish | Forward Throw | Driver | Options |
|---|---|---|---|---|---|---|---|---|
| SLIM22 | L | - | 150 | | | | | |
| | S = Small, M = Medium, L = Large | | 30 = 30/25/20/15W, 60 = 60/50/40/30W, 100 = 100/85/70/50W, 150 = 150/125/100/75W | Blank = 3000/4000/5000K CCT Adjustable | Blank = Bronze, W = White | Blank = Adjustable Throw (F/15°/30°/45°) | Blank = 120-277V, 0-10V, /480 = 480V, 0-10V Dimming | Blank = Selectable Photocell, /S = Selectable Photocell w/Battery Backup |

A34T4XLSF/480 RAB

Dimensions



Features
- 100,000 hour LED Life
- 0-10V dimming standard
- IP65 rating protects against dust and water
- 5-Year, limited warranty

Ordering Matrix

| Family | Distribution | Size/Wattage | Mounting | Color Temp | Finish | Driver | Options |
|---|---|---|---|---|---|---|---|
| A34 | T4 | XL | SF | | | /480 | |
| | T4 = Type IV, T4 = type V, T3 = Type III | S = Small 100/80/50W, M = Medium 150/125/100W, L = Large 250/200/150W, XL = Extra Large 340/270/220W | Blank = Universal mke mounts, SF = Slipfitter Mount, WM = Wall Mount | Blank = 3000/4000/5000K CCT Adjustable | Blank = bronze, W = White | Blank = 120-277V, 0-10V Dimming, /480 = 480V, 0-10V Dimming | Blank = No Option, /MS = nassive intrared Occupancy Sensor, /MVS = Microwave Motion Sensor, /LCBS = Lightcloud Blue w/PIR Sensor, /LCBS/MVS = Lightcloud Blue w/MVS Sensor |

*480V available on kit, L, and XL models only.

## GENERAL PHOTOMETRIC SCHEDULE

| | |
|---|---|
| AVERAGE FOOT-CANDLES | 0.94 |
| MAXIMUM FOOT-CANDLES | 19.7 |
| MINIMUM FOOT-CANDLES | 0.0 |
| MINIMUM TO MAXIMUM F.C. RATIO | 0.00 |
| MAXIMUM TO MINIMUM F.C. RATIO | 19.69 / 0.00 |
| AVERAGE TO MINIMUM F.C. RATIO | 0.94 / 0.00 |

## LUMINAIRE SCHEDULE

| CALLOUT | SYMBOL | DESCRIPTION | BALLAST | MOUNTING | VOLTS | MODEL | IES FILE | QUANTITY | DEFAULT ELEVATION |
|---|---|---|---|---|---|---|---|---|---|
| P-1 | | LED | ELECTRONIC | POLE | 120V 1P 2W | RAB Lighting Inc., A34T4XL/480 340W @ 3000K | A34T4XL-480-340W-3000K_NTGLR24016207 | 4 | 20' |
| W-1 | | Outdoor Full-Cutoff Wall-Mounted Area Luminaires | ELECTRONIC | WALL | 120V 1P 2W | RAB Lighting Inc., SLIM22-L-150 @ 75W3000K angle 0 | SLIM22-L-150-75W-3000K-ANGLE-0DEGREES_NTCLISD4005315 | 5 | 10' |

NOTES:
1. EXISTING SITE TOPOGRAPHY COMPLETED BY JLH LAND SURVEYING INC. PER FIELD WORK COMPLETED ON SEPTEMBER 12, 2025.

30 0 15 30 60 120
( IN FEET )
1 inch = 30 ft.

COOK ENGINEERING GROUP
Civil Engineering & Land Development Consulting
26316 Mapleview Drive
Plainfield, IL 60585
815.577.1707 T 815.577.2595 F
www.cookenggroup.com

| # | DATE | REVISION DESCRIPTION |
|---|---|---|
| 1 | 09/26/2025 | PER KENDALL COUNTY REVIEW COMMENTS |
| 2 | 11/18/2025 | PER OSWEGO FPD REVIEW COMMENTS |
| 3 | | |
| 4 | | |
| 5 | | |
| 6 | | |
| 7 | | |
| 8 | | |
| 9 | | |
| 10 | | |

# PHOTOMETRIC PLAN

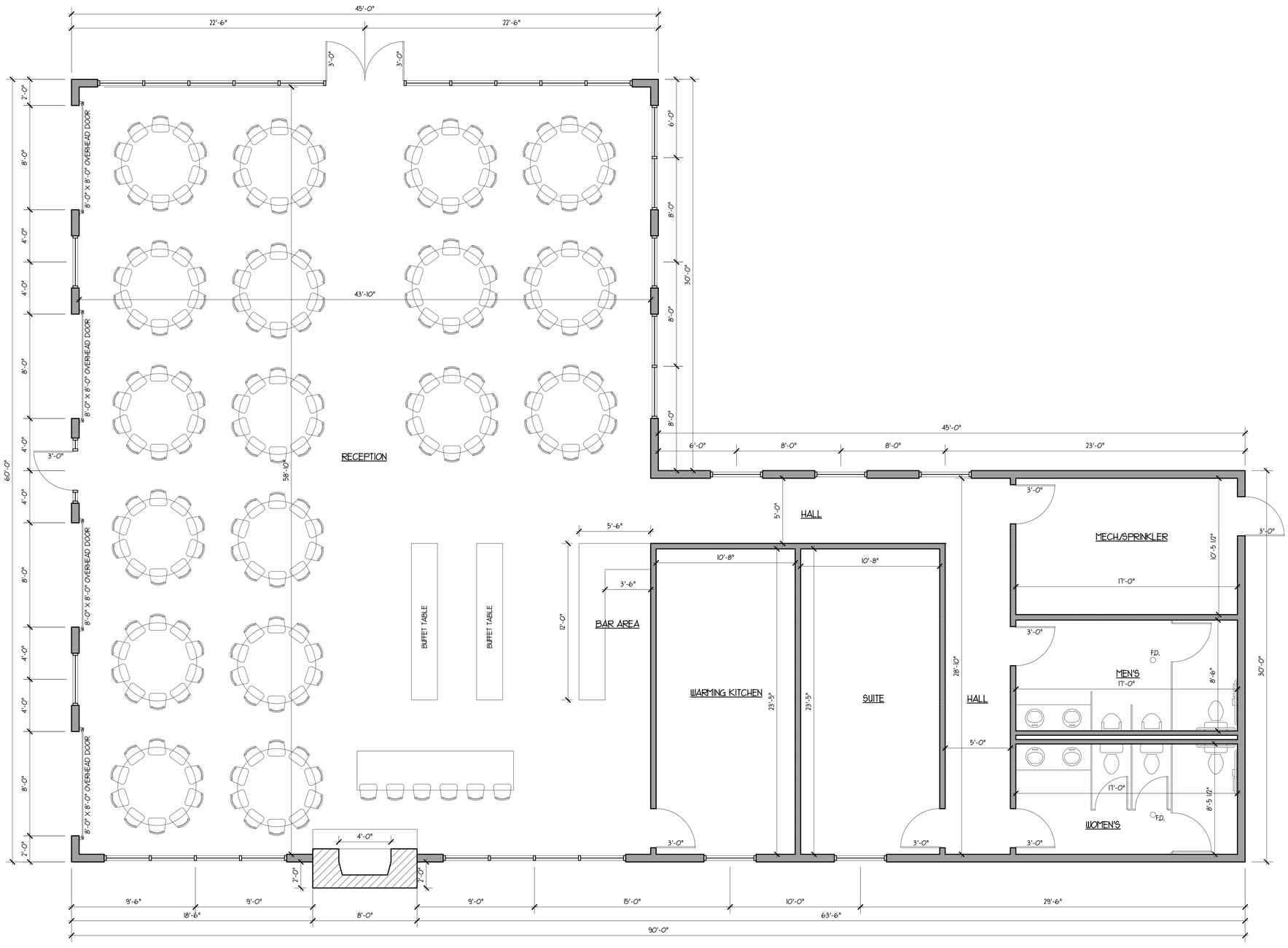
# BANQUET FACILITY
1542 PLAINFIELD ROAD
KENDALL COUNTY, IL

PREPARED FOR
MS. KATHY VORBAU
1542 PLAINFIELD ROAD
KENDALL COUNTY, IL
[redacted]

CEG JOB NUMBER
2025-137

| | |
|---|---|
| SCALE: | 1" = 30' |
| DRAWN BY: | GRC |
| CHECKED BY: | MDC |
| DATE: | 09/24/2025 |
| SHEET: | 1 of 1 |

© Copyright, 2025




## PROPOSED FLOOR PLAN

SCALE : 1/4" = 1'-0"

0 1' 2' 3' 4' 5' 6' 7' 8' 9'

NORTH

TOTAL SQUARE FOOTAGE = 4,066 SF

ISSUED FOR OWNER'S REVIEW SEPTEMBER 26, 2025

United ARCHITECTS LTD.
1002 PLAINFIELD ROAD JOLIET IL 60435
815-723-8060 * office@unitedarchitects.biz
PROFESSIONAL DESIGN FIRM #: 184-002966

REVISION NO. -DATE- -REMARKS-

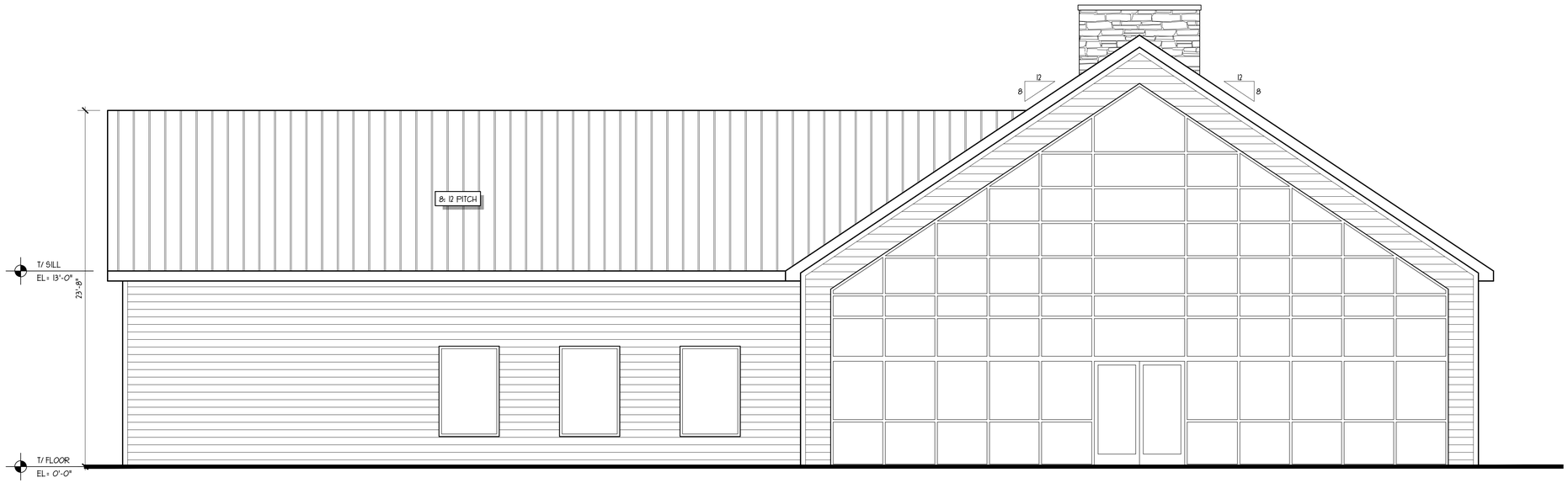
WEDDING VENUE

FOR: KATHY VORBAU & ERIC GRAY
1542 PLAINFIELD ROAD, OSWEGO, ILLINOIS

DRAWN BY: S.G.
CHECKED BY: BOB GEBEL
DATE : SEPTEMBER 26, 2025
PROJECT NO: 25-A6
TITLE: PROPOSED FLOOR PLAN

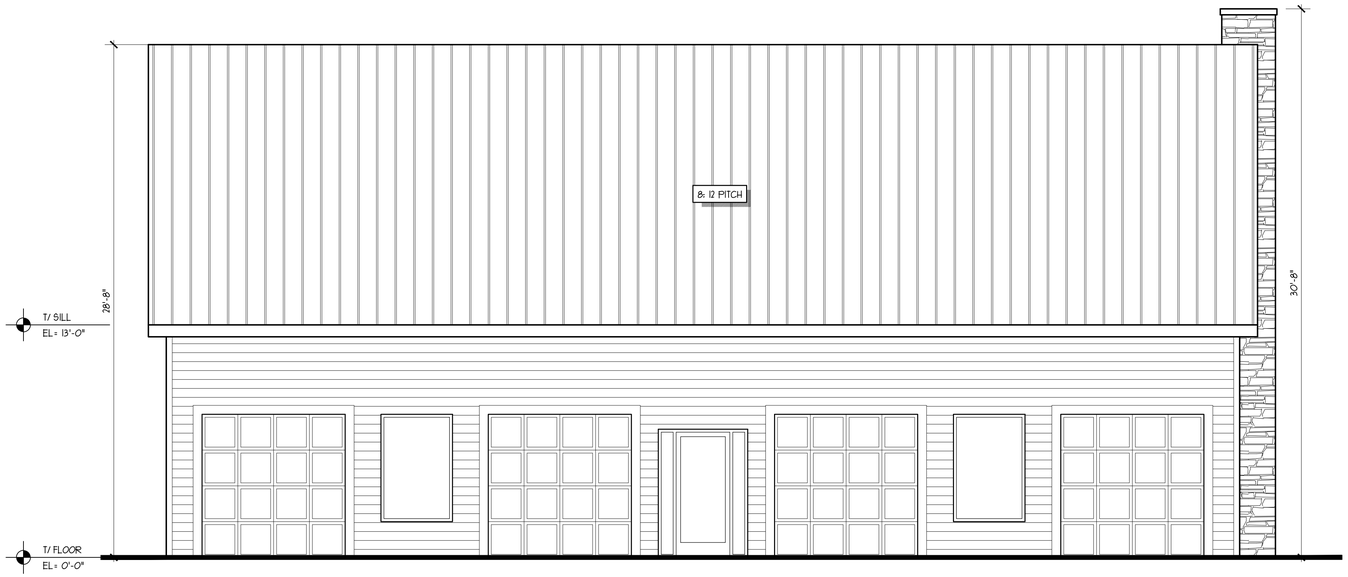
SHEET A-1

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PROPOSED NORTH ELEVATION

SCALE : 1/4" = 1'-0"




PROPOSED WEST ELEVATION

SCALE : 1/4" = 1'-0"

ISSUED FOR OWNER'S REVIEW SEPTEMBER 26, 2025

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PROFESSIONAL DESIGN FIRM #: 184-002986

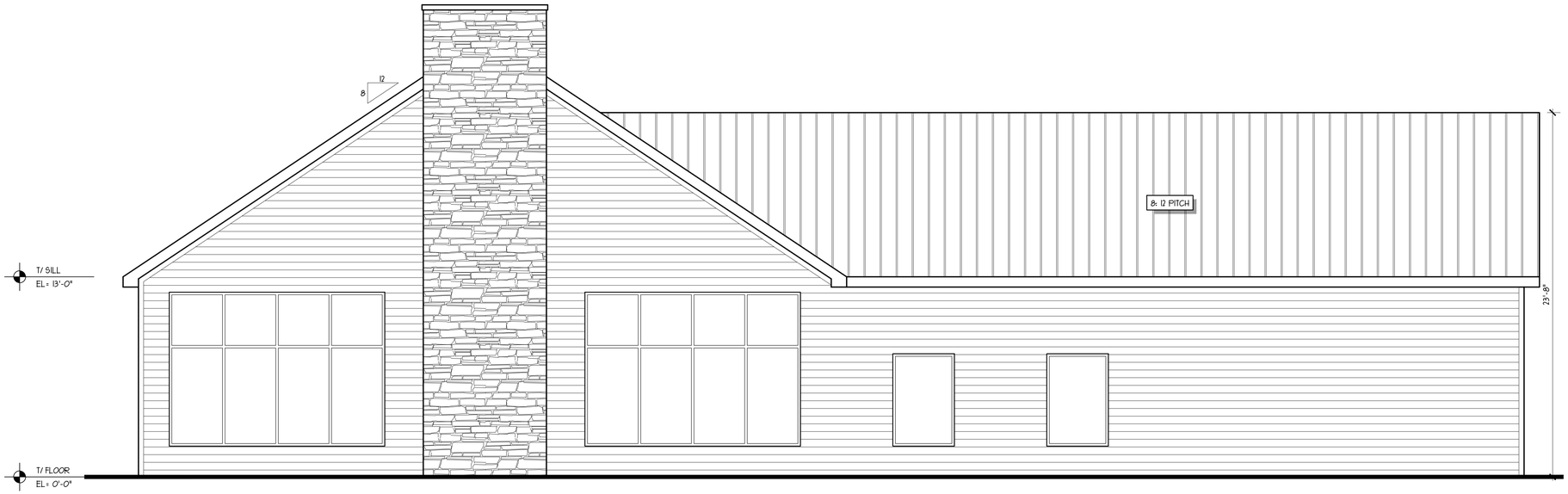
REVISION NO. -DATE- -REMARKS-

WEDDING VENUE

FOR: KATHY VORBAU & ERIC GRAY
1542 PLAINFIELD ROAD, OSWEGO, ILLINOIS

DRAWN BY: S.G.
CHECKED BY: BOB GEBEL
DATE : SEPTEMBER 26, 2025
PROJECT NO: 25-46
TITLE: PROPOSED ELEVATIONS

SHEET
A-2




PROPOSED SOUTH ELEVATION

SCALE : 1/4" = 1'-0"




PROPOSED EAST ELEVATION

SCALE : 1/4" = 1'-0"

ISSUED FOR OWNER'S REVIEW SEPTEMBER 26, 2025

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815-723-8060 * office@unitedarchitects.biz
PROFESSIONAL DESIGN FIRM #: 184-002986

REVISION NO. -DATE- -REMARKS-

WEDDING VENUE

FOR: KATHY VORBAU & ERIC GRAY
1542 PLAINFIELD ROAD, OSWEGO, ILLINOIS

DRAWN BY: S.G.
CHECKED BY: BOB GEBEL
DATE : SEPTEMBER 26, 2025
PROJECT NO: 25-46
TITLE: PROPOSED ELEVATIONS

SHEET
A-3

## Matt Asselmeier

**From:** Fran Klaas
**Sent:** Monday, September 29, 2025 9:53 AM
**To:** Matt Asselmeier
**Subject:** RE: [External]Special Use Permit Major Amendment - Application

No objection.

Francis C. Klaas, P.E. Kendall County Engineer **6780 Route 47, Yorkville, IL 60560 (630) 553-7616** fklaas@kendallcountyil.gov

**From:** Matt Asselmeier <masselmeier@kendallcountyil.gov>
**Sent:** Monday, September 29, 2025 8:41 AM
**To:** Fran Klaas <FKlaas@kendallcountyil.gov>
**Subject:** FW: [External]Special Use Permit Major Amendment - Application

Fran:

Do you have any objections to the widening of the driveway at this property as shown on the attached site plan?

Thanks,

Matthew H. Asselmeier, AICP, CFM
Director
Kendall County Planning, Building & Zoning
807 West John Street
Yorkville, IL 60560-9249
PH: 630-553-4139
Fax: 630-553-4179

Attachment 7, Existing Barn



Attachment 8, Second Existing Barn



Attachment 9, Existing Barn To Be Renovated



WBK ENGINEERING

October 27, 2025

Mr. Matt Asselmeier
Kendall County Planning, Building, & Zoning
111 West Fox Street
Yorkville, IL 60560-1498

Subject: 1542 Plainfield Road (WBK Project 19-102.CT)

Dear Mr. Asselmeier:

We have received and reviewed the following information for the subject project:

- Civil Site Plan prepared by Cook Engineering Group dated September 26, 2025 and received October 22, 2025.
- Landscape Plan prepared by Cook Engineering Group dated September 26, 2025 and received October 22, 2025.
- Photometric Plan prepared by Cook Engineering Group dated September 26, 2025 and received October 22, 2025.
- Stormwater Management Permit dated September 26, 2025 and received October 22, 2025.
- Plat of Survey prepared by JLH Surveying, Inc. dated September 12, 2025 and received October 22, 2025.
- Soils Report Prepared by KSI dated July 16, 2025 and received October 22, 2025.
- Proposed Use and Business Plan not dated and received October 22, 2025.

The following comments are offered for the petitioner's consideration. It is noted this submittal is not final engineering but is conceptual and considered preliminary engineering.

<u>Stormwater Management</u>

1. Provide a stormwater narrative that provides an overview of the drainage concepts, identifies, floodplain and wetland impacts as well as peak flow comparison and stormwater ordinance compliance.
2. Provide an existing condition analysis that identifies the various locations at which runoff leaves the site (outfalls) and quantify peak runoff under existing conditions.
3. Provide a proposed condition analysis that identifies the various locations at which runoff leaves the site (outfalls) and quantify peak runoff under proposed conditions with a comparison to existing conditions.
4. Verify 100 year and two year allowable release rates are facilitated.

Engineering Plan

1. We concur with the location of the stormwater basin emergency overflow location. Please verify one foot of freeboard from the overflow to the top of the containment berm.
2. Consider native vegetation in the stormwater basin, swale areas or areas adjacent to the proposed banquet facility.

The applicant's design professionals are responsible for performing and checking all design computations, dimensions, details, and specifications in accordance with all applicable codes and regulations, and obtaining all permits necessary to complete this work. In no way does this review relieve applicant's design professionals of their duties to comply with the law and any applicable codes and regulations, nor does it relieve the Contractors in any way from their sole responsibility for the quality and workmanship of the work and for strict compliance with the permitted plans and specifications.

If you have any questions or comments, please contact us at (630) 443-7755.

Sincerely,

[redacted]

Greg Chismark PE
WBK Engineering, LLC

# NATURAL RESOURCES INFORMATION (NRI) REPORT: #2515




**NRI Report 2515**

**Site Location Map:**
Kendall County GIS

**Location:**
SW ¼ of Sec. 35, T.37N-R.8E (Oswego Township)

Nov. 2025

Petitioner: Kathryn Vorbau & Eric Gray
Contact: Kathryn Vorbau

Prepared By:

Kendall County Soil & Water Conservation District
7775A Route 47
Yorkville, Illinois 60560
Phone: (630) 553-5821 x3
www.kendallswcd.org

# KENDALL COUNTY SOIL AND WATER CONSERVATION DISTRICT NATURAL RESOURCES INFORMATION (NRI) REPORT

| | |
|---|---|
| Natural Resources Information Report Number | 2515 |
| | |
| Date District Board Reviews Application | November 2025 |
| | |
| Applicant's Name | Kathryn Vorbau & Eric Gray |
| | |
| Size of Parcel | (+/-) 4.8 acres |
| | |
| Current Zoning & Use | R-3 SU One-Family Residential District Special Use; Residential |
| | |
| Proposed Zoning & Use | R-3 SU One-Family Residential District Special Use; Residential & Banquet Facility |
| | |
| Parcel Index Number(s) | 03-35-377-003 |
| | |
| Contact Person | Kathryn Vorbau |

| **Copies of this report or notification of the proposed land-use change was provided to:** | **Yes** | **No** |
|---|---|---|
| The Applicant | X | |
| The Applicant's Legal Representation | | X |
| The Local/Township Planning Commission | X | |
| The Village/City/**County** Planning and Zoning Department or Appropriate Agency | X | |
| The Kendall County Soil and Water Conservation District Files | X | |

Report Prepared By: *Alyse Olson* Position: *Resource Conservationist*

# PURPOSE AND INTENT

The purpose of this report is to provide officials of the local governing body and other decision-makers with natural resource information. This information may be useful when undertaking land use decisions concerning variations, amendments or relief of local zoning ordinances, proposed subdivision of vacant or agricultural lands and the subsequent development of these lands. This report is a requirement under Section 22.02a of the Illinois Soil and Water Conservation Districts Act.

The intent of this report is to present the most current natural resource information available in a readily understandable manner. It contains a description of the present site conditions, the present resources, and the potential impacts that the proposed change may have on the site and its resources. The natural resource information was gathered from standardized data, on-site investigations and information furnished by the petitioner. This report must be read in its entirety so that the relationship between the natural resource factors and the proposed land use change can be fully understood.

Due to the limitations of scale encountered with the various resource maps, the property boundaries depicted in the various exhibits in this report provide a generalized representation of the property location and may not precisely reflect the legal description of the PIQ (Parcel in Question).

This report, when used properly, will provide the basis for proper land use change decisions and development while protecting the natural resource base of the county. It should not be used in place of detailed environmental and/or engineering studies that are warranted under most circumstances, but in conjunction with those studies.

The conclusions of this report in no way indicate that a certain land use is not possible, but it should alert the reader to possible problems that may occur if the capabilities of the land are ignored. Any questions on the technical data supplied in this report or if anyone feels that they would like to see more additional specific information to make the report more effective, please contact:

**Kendall County Soil and Water Conservation District**
**7775A Route 47, Yorkville, IL 60560**
**Phone: (630) 553-5821 ext. 3**
**E-mail: alyse@kendallswcd.org**

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# EXECUTIVE SUMMARY

| | |
|---|---|
| Natural Resource Information Report Number | #2515 |
| | |
| Petitioner | Kathryn Vorbau & Eric Gray |
| | |
| Contact Person | Kathryn Vorbau |
| | |
| County or Municipality the Petition is Filed With | Kendall County |
| | |
| Location of Parcel | Southwest ¼ of Section 35, Township 37 North, Range 8 East (Oswego Township) of the 3rd Principal Meridian |
| | |
| Project or Subdivision Name | Banquet Facility |
| | |
| Existing Zoning & Land Use | R-3 SU One-Family Residential District Special Use; Residential |
| | |
| Proposed Zoning & Land Use | R-3 SU One-Family Residential District Special Use; Residential & Banquet Facility |
| | |
| Proposed Water Source | Well |
| | |
| Proposed Type of Sewage Disposal System | Septic |
| | |
| Proposed Type of Storm Water Management | Wet pond |
| | |
| Size of Site | (+/-) 4.8 acres |
| | |
| Land Evaluation Site Assessment Score | 163 (Land Evaluation: 87; Site Assessment: 76) |

## NATURAL RESOURCE CONSIDERATIONS

### SOIL INFORMATION

Based on information from the United States Department of Agriculture-Natural Resources Conservation Service (USDA-NRCS) 2008 Kendall County Soil Survey, this parcel contains the soil types shown in Figure 1 and Table 1. Please note this does not replace the need for or results of onsite soil testing. If completed, please refer to onsite soil test results for planning/engineering purposes.

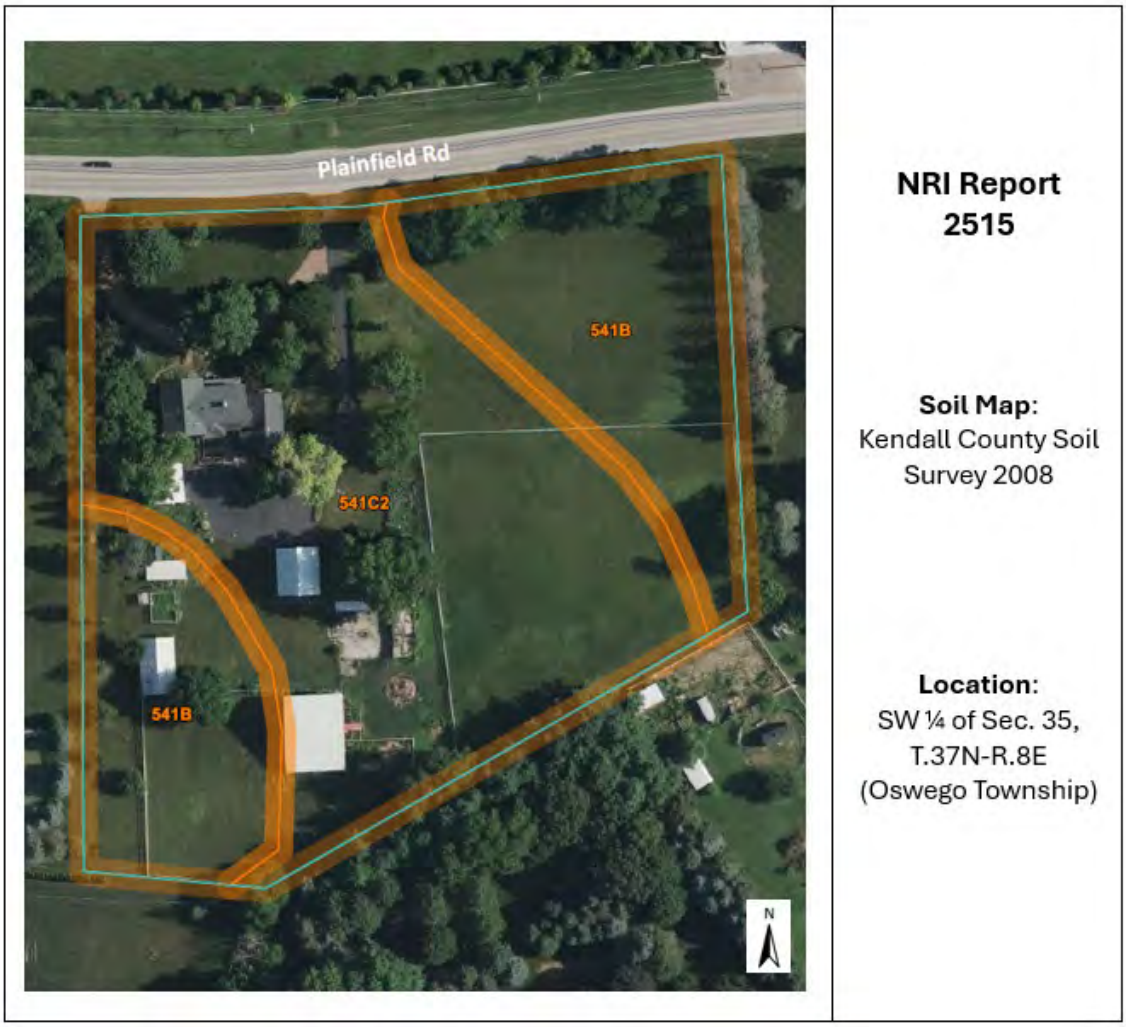



**Figure 1:** Soil Map

**Table 1:** Soils Information

| Soil Type | Soil Name | Drainage Class | Hydrologic Group | Hydric Designation | Farmland Designation | Acres | % Area |
|---|---|---|---|---|---|---|---|
| 541B | Graymont silt loam, 2-5% slopes | Moderately Well Drained | C | Non-Hydric w/ Hydric Inclusions | Prime Farmland | 1.8 | 37.9% |
| 541C2 | Graymont silt loam, 5-10% slopes, eroded | Moderately Well Drained | C | Non-Hydric w/ Hydric Inclusions | Farmland of Statewide Importance | 3.0 | 62.1% |

**Hydrologic Soil Groups** – Soils have been classified into four (A, B, C, D) hydrologic groups based on runoff characteristics due to rainfall. If a soil is assigned to a dual hydrologic group (A/D, B/D or C/D), the first letter is for drained areas and the second letter is for undrained areas.

- **Hydrologic group A:** Soils have a high infiltration rate (low runoff potential) when thoroughly wet. These consist mainly of deep, well drained to excessively drained sands or gravelly sands. These soils have a high rate of water transmission.
- **Hydrologic group B:** Soils have a moderate infiltration rate when thoroughly wet, consist chiefly of moderately deep to deep, moderately well drained to well drained soils that have a moderately fine to moderately coarse texture. These soils have a moderate rate of water transmission.
- **Hydrologic group C:** Soils having a slow infiltration rate when thoroughly wet. These consist chiefly of soils having a layer that impedes the downward movement of water or soils of moderately fine texture or fine texture. These soils have a slow rate of water transmission.
- **Hydrologic group D:** Soils having a very slow infiltration rate (high runoff potential) when thoroughly wet. These consist chiefly of clays that have a high shrink-swell potential, soils that have a high water table, have a claypan or clay layer at or near the surface, and soils that are shallow over nearly impervious material. These soils have a very slow rate of water transmission.

**Hydric Soils** – A hydric soil is one that formed under conditions of saturation, flooding, or ponding long enough during the growing season to develop anaerobic conditions in the upper part of the soil profile that supports the growth or regeneration of hydrophytic vegetation. Soils with hydric inclusions have map units dominantly made up of non-hydric soils that may have inclusions of hydric soils in the lower positions on the landscape. Of the soils found onsite, both are classified as non-hydric soil with hydric inclusions (541B Graymont silt loam & 541C2 Graymont silt loam).

**Prime Farmland** – Prime farmland is land that has the best combination of physical and chemical characteristics for agricultural production. Prime farmland soils are an important resource to Kendall County and some of the most productive soils in the United States occur locally. Of the soils found onsite, one is designated as prime farmland (541B Graymont silt loam) and one is designated as farmland of statewide importance (541C2 Graymont silt loam).

**Soil Limitations** – The USDA-NRCS Web Soil Survey rates the limitations of soils for dwellings, small commercial buildings, shallow excavations, lawns/landscaping, local roads/streets, etc. Soils have different properties which influence the development of building sites. The USDA-NRCS classifies soils as Not Limited, Somewhat Limited, and Very Limited. Soils that are Not Limited indicates that the soil has properties that are favorable for the specified use. They will perform well and will have low maintenance. Soils that are Somewhat Limited are moderately favorable, and their limitations can be overcome through special planning, design, or installation. Soils that are Very Limited have features that are unfavorable for the specified use, and their limitations cannot easily be overcome.

**Table 2:** Soil Limitations

| Soil Type | Small Commercial Buildings | Shallow Excavations | Lawns/Landscaping |
|---|---|---|---|
| 541B | Somewhat Limited | Somewhat Limited | Somewhat Limited |
| 541C2 | Somewhat Limited | Very Limited | Somewhat Limited |

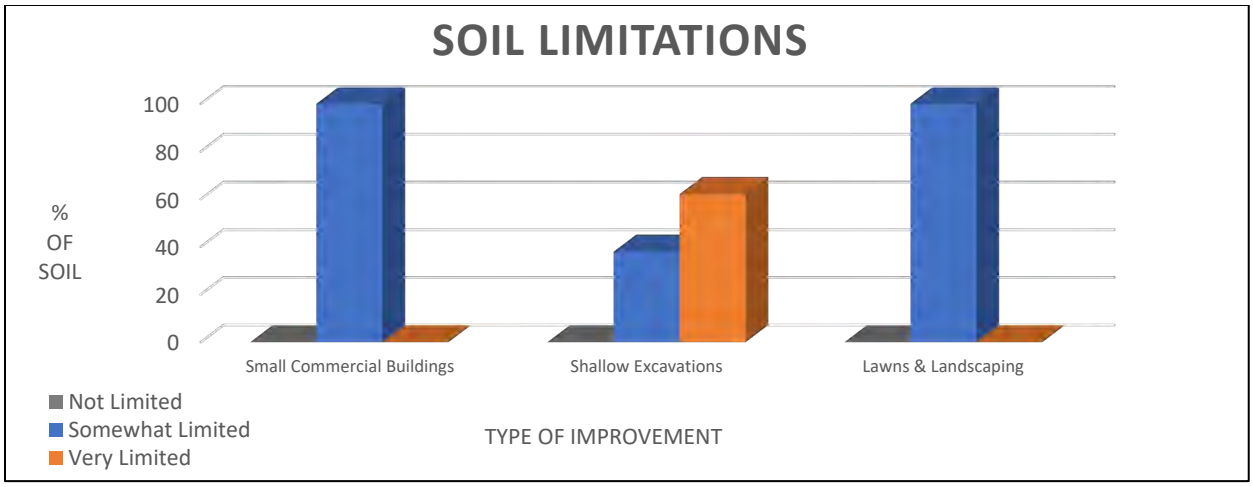



**Figure 2:** Soil Limitations

**KENDALL COUNTY LAND EVALUATION AND SITE ASSESSMENT (LESA)**

Decision-makers in Kendall County use the Land Evaluation and Site Assessment (LESA) system to determine the suitability of a land use change and/or a zoning request as it relates to agricultural land. The LESA system was developed by the United States Department of Agriculture-Natural Resources Conservation Service (USDA-NRCS) and takes into consideration local conditions such as physical characteristics of the land, compatibility of surrounding land-uses, and urban growth factors. The LESA system is a two-step procedure that includes:

- **Land Evaluation (LE)**: The soils of a given area are rated and placed in groups ranging from the best to worst suited for a stated agriculture use, cropland, or forestland. The best group is assigned a value of 100 and all other groups are assigned lower values. The Land Evaluation is based on data from the Kendall County Soil Survey. The Kendall County Soil and Water Conservation District is responsible for this portion of the LESA system.
  - The Land Evaluation score for this site is **87 out of 100**, indicating that this site is **well suited** for agricultural uses.
- **Site Assessment (SA)**: The site is numerically evaluated according to important factors that contribute to the quality of the site. Each factor selected is assigned values in accordance with the local needs and objectives. The Site Assessment value is based on a 200-point scale and accounts for 2/3 of the total score. The Kendall County LESA Committee is responsible for this portion of the LESA system.
  - The Site Assessment score for this site is **76 out of 200**.

The **LESA Score for this site is 163 out of a possible 300, which indicates a low level of protection** for the proposed project site. Selecting the project site with the lowest total points will generally protect the best farmland located in the most viable areas and maintain and promote the agricultural industry in Kendall County.

**WETLANDS**

The U.S. Fish & Wildlife Service's National Wetlands Inventory map does **not** indicate the presence of a wetland(s) on the proposed project site within Kendall County. To determine if a wetland is present, a wetland delineation specialist, who is recognized by the U.S. Army Corps of Engineers, should determine the exact boundaries and value of the wetlands.

**FLOODPLAIN**

The Federal Emergency Management Agency's (FEMA) Flood Insurance Rate Map (FIRM) for Kendall County, Community Panel No. 17093C0070G (effective date February 4, 2009) was reviewed to determine the presence of floodplain and floodway areas within the project site. According to the map, the site does **not** appear to contain areas of floodplain or floodway.

**SEDIMENT AND EROSION CONTROL**

Development on this site should include an erosion and sediment control plan in accordance with local, state, and federal regulations. Soil erosion on construction sites is a resource concern because suspended sediment from areas undergoing development is a primary nonpoint source of water pollution. Please consult the *Illinois Urban Manual* (https://illinoisurbanmanual.org/) for appropriate best management practices.

**STORMWATER POLLUTION**

A National Pollutant Discharge Elimination System (NPDES) permit (Permit No. ILR10) from the Illinois Environmental Protection Agency (IEPA) is required for stormwater discharges from construction sites that will disturb 1 or more acres of land. Conditions of the NPDES ILR10 permit require the development and implementation of a Stormwater Pollution Prevention Plan (SWPPP) to reduce stormwater pollutants on the construction site before they can cause environmental issues.

## LAND USE FINDINGS:

The Kendall County Soil and Water Conservation District (SWCD) Board has reviewed the proposed development plans for Kathryn Vorbau & Eric Gray. The petitioners are requesting a major amendment to their Special Use Permit, from Kendall County, on a 4.8-acre site (Parcel Index Numbers 03-35-377-003) to construct a 4,000 square foot barn on their property for events. The site is located within Section 35 of Oswego Township (T.37N – R.8E), Kendall County in the 3rd Principal Meridian. Based on the information provided by the petitioner and a review of natural resource related data available to the Kendall County SWCD, the SWCD Board presents the following information.

The Kendall County SWCD has always had the opinion that Prime Farmland should be preserved whenever feasible due to their highly productive qualities for growing agriculturally important crops in our community. Of the soils found onsite, 38% are classified as prime farmland.

A land evaluation (LE), which is a part of the Land Evaluation and Site Assessment (LESA), was conducted on this parcel. The soil on this parcel scored 87 out of a possible 100 points indicating that the soils are well suited for agricultural uses. The total LESA score for this site is 163 out of a possible 300, which indicates a low level of protection for the proposed project site. Selecting the project site with the lowest total points will generally protect the best farmland located in the most viable areas and maintain and promote the agricultural industry in Kendall County.

Soils found on the project site are rated for specific uses and can have potential limitations for development. Soil types with severe limitations do not preclude the ability to develop the site for the proposed use, but it is important to note that the limitation may require soil reclamation, special design/engineering, or maintenance to obtain suitable soil conditions to support development with significant limitations. This report indicates that for soils located on the parcel, 62% are considered very limited for supporting shallow excavations, and 0% are considered very limited for supporting small commercial buildings and lawns / landscaping. The remaining soils are considered somewhat limited for these types of developments/uses. This information is based on the soil in an undisturbed state.

This site is located within the Upper Illinois River watershed and the East Aux Sable Creek sub watershed (HUC 12 – 071200050102). The sub watershed comprises approximately 21,752 acres covering parts of Oswego, Plainfield, Yorkville, Minooka, and Joliet.

This development should include a soil erosion and sediment control plan to be implemented during construction. It is critical to have vegetative cover during and after construction to protect the soil from erosion. Sediment may become a primary non-point source of pollution; eroded soils during the construction phase can create unsafe conditions on roadways, degrade water quality and destroy aquatic ecosystems lower in the watershed.

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

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

[redacted]

SWCD Board Representative

11-10-25

Date

# PARCEL LOCATION

This site is in the southwest quarter of Section 35, Township 37 North (Oswego Township), Range 8 East. It is located on the south side of Plainfield Road, east of Southfield Lane, west of Oswego Plains Drive, and north of Cherry Road in Oswego, IL.

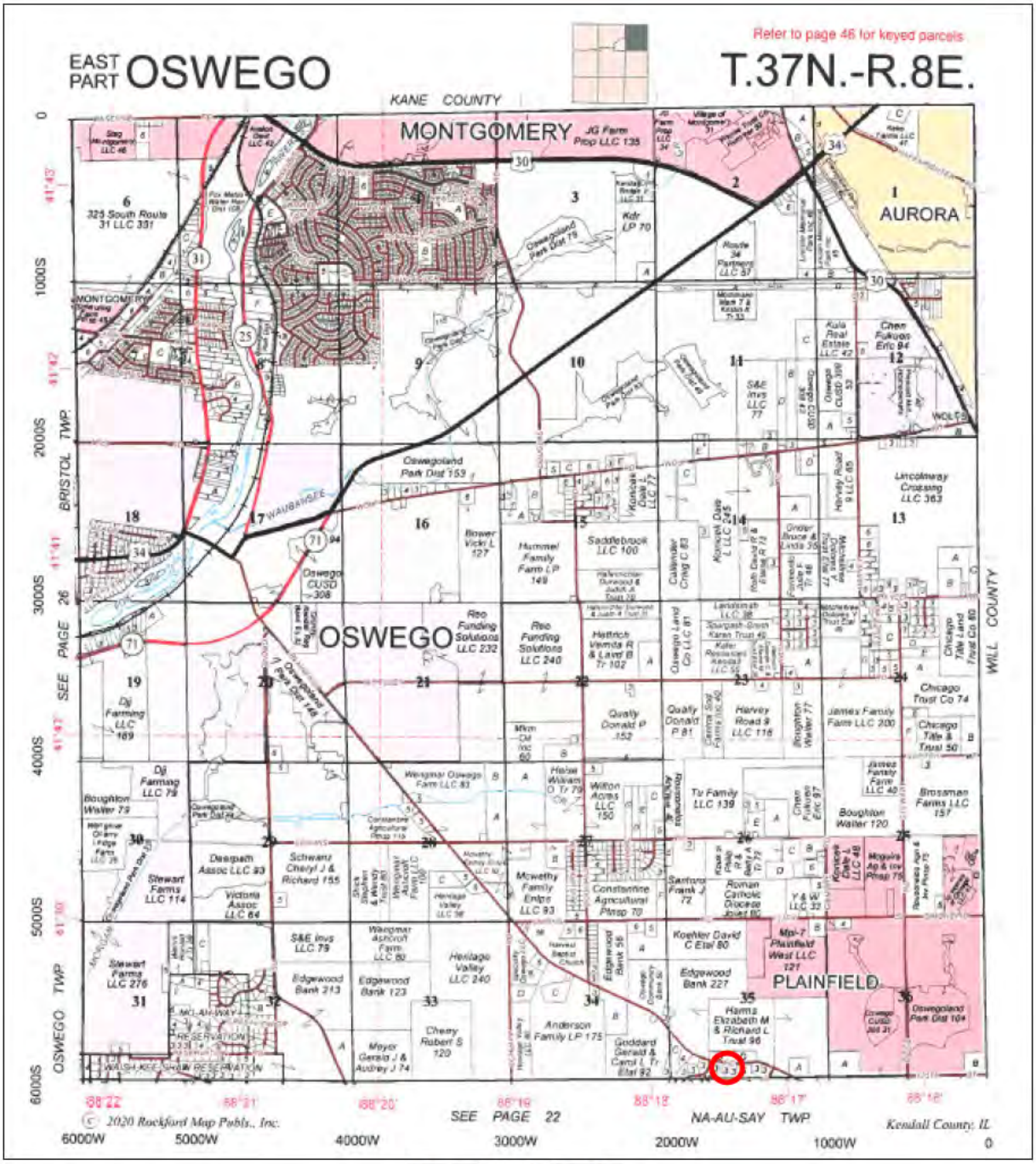



**Figure 3:** 2021 Plat Map

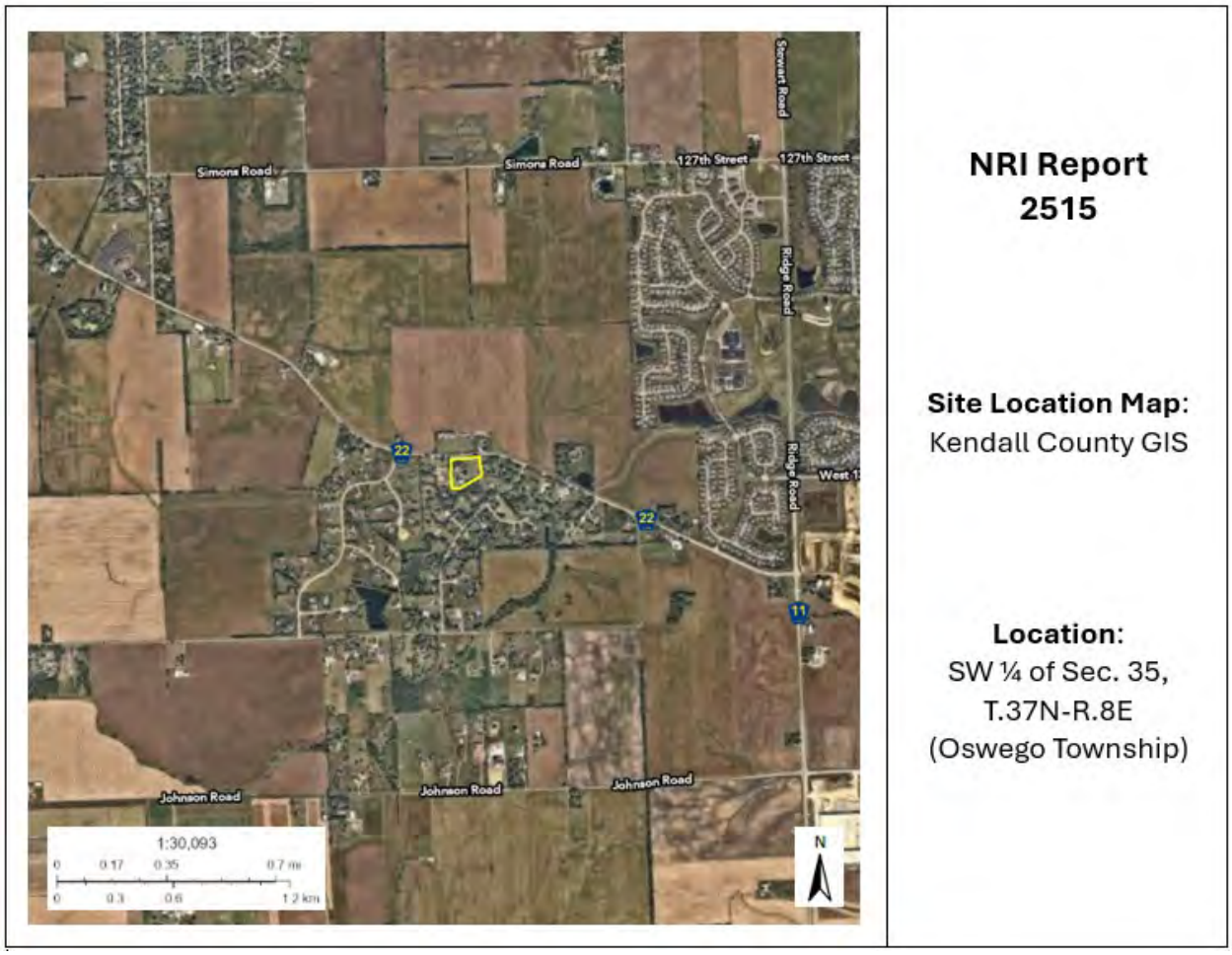



**Figure 4:** Aerial Map with Site Boundary

# *ARCHAEOLOGIC/CULTURAL RESOURCES INFORMATION*

Simply stated, cultural resources are all the past activities and accomplishments of people. They include the following: buildings; objects made or used by people; locations; and less tangible resources, such as stories, dance forms, and holiday traditions.

The Soil and Water Conservation District most often encounters cultural resources as historical properties. These may be prehistoric or historical sites, buildings, structures, features, or objects. The most common type of historical property that the Soil and Water Conservation District may encounter is non-structural archaeological sites. These sites often extend below the soil surface and must be protected against disruption by development or other earth moving activity if possible. Cultural resources are *non-renewable* because there is no way to "grow" a site to replace a disrupted site.

Landowners with historical properties on their land have ownership of that historical property. However, the State of Illinois owns all the following: human remains, grave markers, burial mounds, and artifacts associated with graves and human remains.

Non-grave artifacts from archaeological sites and historical buildings are the property of the landowner. The landowner may choose to disturb a historical property but may not receive federal or state assistance to do so. If an earth moving activity disturbs human remains, the landowner must contact the county coroner within 48 hours.

**The Illinois Historic Preservation Agency has not been notified of the proposed land use change by the Kendall County SWCD. There may be historic features in the area. The applicant may need to contact the IHPA according to current Illinois law.**

# ECOLOGICALLY SENSITIVE AREAS

**WHAT IS BIOLOGICAL DIVERSITY AND WHY SHOULD IT BE CONSERVED?[1]**

Biological diversity, or biodiversity, is the range of life on our planet. A more thorough definition is presented by botanist Peter H. Raven: "At the simplest level, biodiversity is the sum total of all the plants, animals, fungi and microorganisms in the world, or in a particular area; all of their individual variation; and all of the interactions between them. It is the set of living organisms that make up the fabric of the planet Earth and allow it to function as it does, by capturing energy from the sun and using it to drive all of life's processes; by forming communities of organisms that have, through the several billion years of life's history on Earth, altered the nature of the atmosphere, the soil and the water of our Planet; and by making possible the sustainability of our planet through their life activities now" (Raven 1994).

It is not known how many species occur on our planet. Presently, about 1.4 million species have been named. It has been estimated that there are perhaps 9 million more that have not been identified. What is known is that they are vanishing at an unprecedented rate. Reliable estimates show extinction occurring at a rate several orders of magnitude above "background" in some ecological systems (Wilson 1992, Hoose 1981).

The reasons for protecting biological diversity are complex, but they fall into four major categories. First, loss of diversity generally weakens entire natural systems. Healthy ecosystems tend to have many natural checks and balances. Every species plays a role in maintaining this system. When simplified by the loss of diversity, the system becomes more susceptible to natural and artificial perturbations. The chances of a system-wide collapse increase. In parts of the midwestern United States, for example, it was only the remnant areas of natural prairies that kept soil intact during the dust bowl years of the 1930s (Roush 1982).

Simplified ecosystems are almost always expensive to maintain. For example, when synthetic chemicals are relied upon to control pests, the target species are not the only ones affected. Their predators are almost always killed or driven away, exasperating the pest problem. In the meantime, people are unintentionally breeding pesticide-resistant pests. A process has begun where people become perpetual guardians of the affected area, which requires the expenditure of financial resources and human ingenuity to keep the system going.

A second reason for protecting biological diversity is that it represents one of our greatest untapped resources. Great benefits can be reaped from a single species. About 20 species provide 90% of the world's food. Of these 20, just three, wheat, maize, and rice-supply over one half of that food. American wheat farmers need new varieties every five to 15 years to compete with pests and diseases. Wild strains of wheat are critical genetic reservoirs for these new varieties.

Further, every species is a potential source of human medicine. In 1980, a published report identified the market value of prescription drugs from higher plants at over $3 billion. Organic alkaloids, a class of

chemical compounds used in medicines, are found in an estimated 20% of plant species. Yet only 2% of plant species have been screened for these compounds (Hoose 1981).

The third reason for protecting diversity is that humans benefit from natural areas and depend on healthy ecosystems. The natural world supplies our air, our water, our food and supports human economic activity. Further, humans are creatures that evolved in a diverse natural environment between forest and grasslands. People need to be reassured that such places remain. When people speak of "going to the country," they generally mean more than getting out of town. For reasons of their own sanity and wellbeing, they need a holistic, organic experience. Prolonged exposure to urban monotony produces neuroses, for which cultural and natural diversity cure.

Historically, the lack of attention to biological diversity, and the ecological processes it supports, has resulted in economic hardships for segments of the basin's human population.

The final reason for protecting biological diversity is that species and natural systems are intrinsically valuable. The above reasons have focused on the benefits of the natural world to humans. All things possess intrinsic value simply because they exist.

**BIOLOGICAL RESOURCES CONCERNING THE SUBJECT PARCEL**

As part of the Natural Resources Information Report, staff checks office maps to determine if any nature preserves or ecologically sensitive areas are in the general vicinity of the parcel in question. If there is a nature preserve in the area, then that resource will be identified as part of the report. The SWCD recommends that every effort be made to protect that resource. Such efforts should include, but are not limited to erosion control, sediment control, stormwater management, and groundwater monitoring.

**Office maps indicate that there are no nature preserves in the vicinity of the parcel in question (PIQ).**

[1]Taken from *The Conservation of Biological Diversity in the Great Lakes Ecosystem: Issues and Opportunities*, prepared by the Nature Conservancy Great Lakes Program 79W. Monroe Street, Suite 1309, Chicago, IL 60603, January 1994.

# SOILS INFORMATION

**IMPORTANCE OF SOILS INFORMATION**

Soils information comes from the Natural Resources Conservation Service Soil Maps and Descriptions for Kendall County. This information is important to all parties involved in determining the suitability of the proposed land use change.

Each soil polygon is given a number, which represents its soil type. The letter found after the soil type number indicates the soils slope class.

Each soil map unit has limitations for a variety of land uses such as septic systems, buildings with basements, and buildings without basements. It is important to remember that soils do not function independently of each other. The behavior of a soil depends upon the physical properties of adjacent soil types, the presence of artificial drainage, soil compaction, and its position in the local landscape.

The limitation categories (not limited, somewhat limited, or very limited) indicate the potential for difficulty in using that soil unit for the proposed activity and, thus, the degree of need for thorough soil borings and engineering studies. A limitation does not necessarily mean that the proposed activity cannot be done on that soil type. It does mean that the reasons for the limitation need to be thoroughly understood and dealt with to complete the proposed activity successfully. Very limited indicates that the proposed activity will be more difficult and costly to do on that soil type than on a soil type with a somewhat limited or not limited rating.

Soil survey interpretations are predictions of soil behavior for specified land uses and specified management practices. They are based on the soil properties that directly influence the specified use of the soil. Soil survey interpretations allow users of soil surveys to plan reasonable alternatives for the use and management of soils.

Soil interpretations do not eliminate the need for on-site study and testing of specific sites for the design and construction for specific uses. They can be used as a guide for planning more detailed investigations and for avoiding undesirable sites for an intended use. The scale of the maps and the range of error limit the use of the soil delineation.

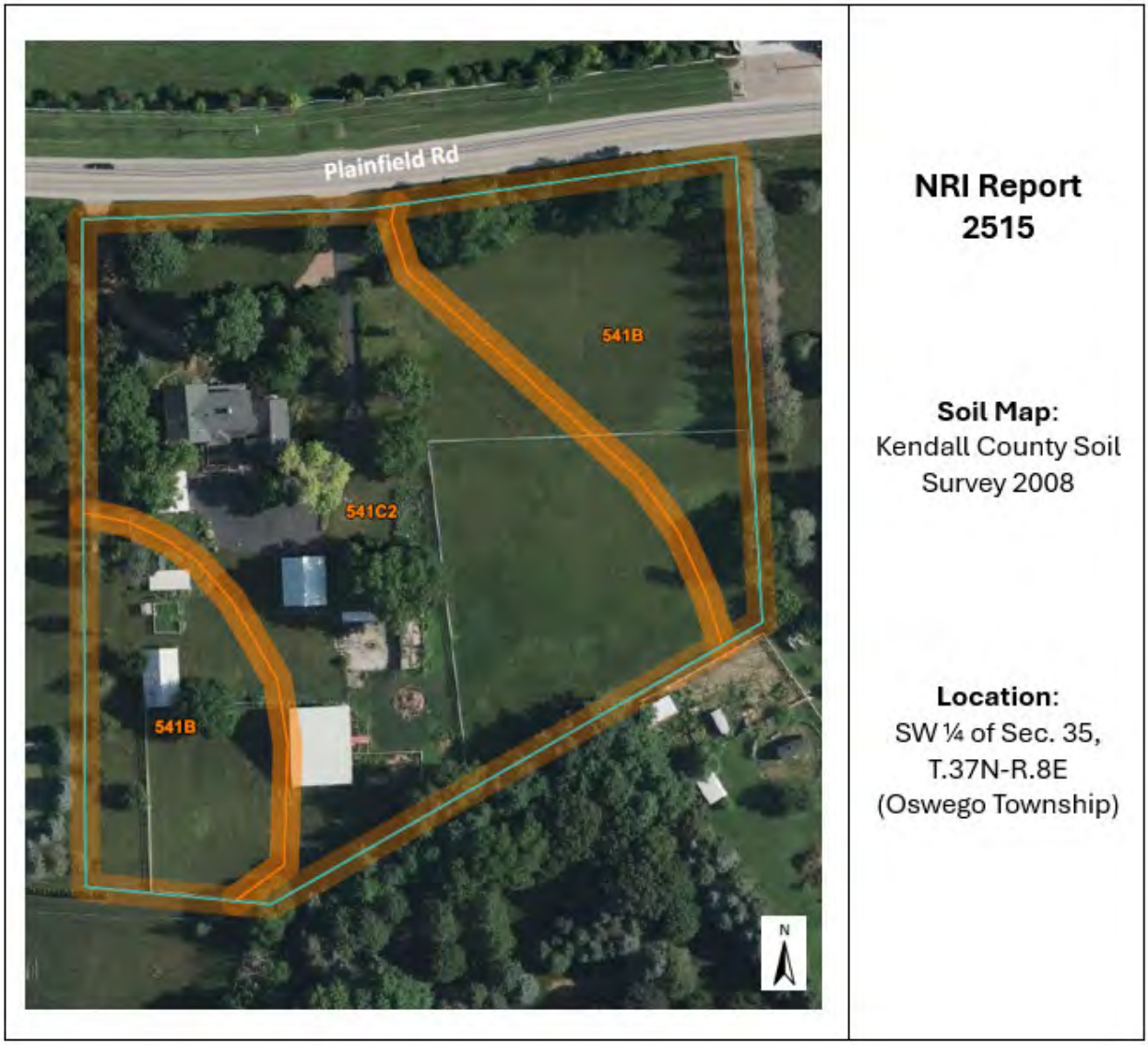



**Figure 5**: Soil Map

**Table 3**: Soil Map Unit Descriptions

| Soil Type | Soil Name | Acres | Percent |
|---|---|---|---|
| 541B | Graymont silt loam, 2-5% slopes | 1.8 | 37.8% |
| 541C2 | Graymont silt loam, 5-10% slopes, eroded | 3.0 | 62.1% |

**Source**: National Cooperative Soil Survey – USDA-NRCS

# SOILS INTERPRETATIONS EXPLANATION

**GENERAL – NONAGRICULTURAL**

These interpretative ratings help engineers, planners, and others to understand how soil properties influence behavior when used for nonagricultural uses such as building site development or construction materials. This report gives ratings for proposed uses in terms of limitations and restrictive features. The tables list only the most restrictive features.

Other features may need treatment to overcome soil limitations for a specific purpose. Ratings come from the soil's "natural" state, that is, no unusual modification occurs other than that which is considered normal practice for the rated use. Even though soils may have limitations, an engineer may alter soil features or adjust building plans for a structure to compensate for most degrees of limitations. Most of these practices, however, are costly. The final decision in selecting a site for a particular use generally involves weighing the costs for site preparation and maintenance. Soil properties influence development of building sites, including the selection of the site, the design of the structure, construction, performance after construction, and maintenance. Soil limitation ratings of not limited, somewhat limited, and very limited are given for the types of proposed improvements that are listed or inferred by the petitioner as entered on the report application and/or zoning petition. The most common types of building limitation that this report gives limitations ratings for is septic systems. It is understood that engineering practices can overcome most limitations for buildings with and without basements, and small commercial buildings. Limitation ratings for these types of buildings are not commonly provided. Organic soils, when present on the parcel, are referenced in the hydric soils section of the report. This type of soil is considered unsuitable for all types of construction.

**LIMIATIONS RATINGS**

- **Not Limited:** This soil has favorable properties for the use. The degree of limitation is minor. The people involved can expect good performance and low maintenance.
- **Somewhat Limited**: This soil has moderately favorable properties for the use. Special planning, design, or maintenance can overcome this degree of limitation. During some part of the year, the expected performance is less desirable than for soils rated slight.
- **Very Limited**: This soil has one or more properties that are unfavorable for the rated use. These may include the following: steep slopes, bedrock near the surface, flooding, high shrink-swell potential, a seasonal high water table, or low strength. This degree of limitation generally requires major soil reclamation, special design, or intensive maintenance, which in most situations is difficult and costly.

# BUILDING LIMITATIONS

## BUILDING ON POORLY SUITED OR UNSUITABLE SOILS

Building on poorly suited or unsuitable soils can present problems to future property owners such as cracked foundations, wet basements, lowered structural integrity and high maintenance costs associated with these problems. The staff of the Kendall County SWCD strongly urges scrutiny by the plat reviewers when granting parcels with these soils exclusively.

**Small Commercial Buildings** – Ratings are for structures that are less than three stories high and do not have basements. The foundation is assumed to be spread footings of reinforced concrete built on disturbed soil at a depth of 2 feet or at the depth of maximum frost penetration, whichever is deeper. The ratings are based on soil properties that affect the capacity of the soil to support a load without movement and on the properties that affect excavation and construction costs.

**Shallow Excavations** – Trenches or holes dug to a maximum depth of 5 or 6 feet for utility lines, open ditches, or other purposes. Ratings are based on soil properties that influence the ease of digging and the resistance to sloughing.

**Lawns and Landscaping** – Require soils on which turf and ornamental trees and shrubs can be established and maintained (irrigation is not considered in the ratings). The ratings are based on the soil properties that affect plant growth and trafficability after vegetation is established.

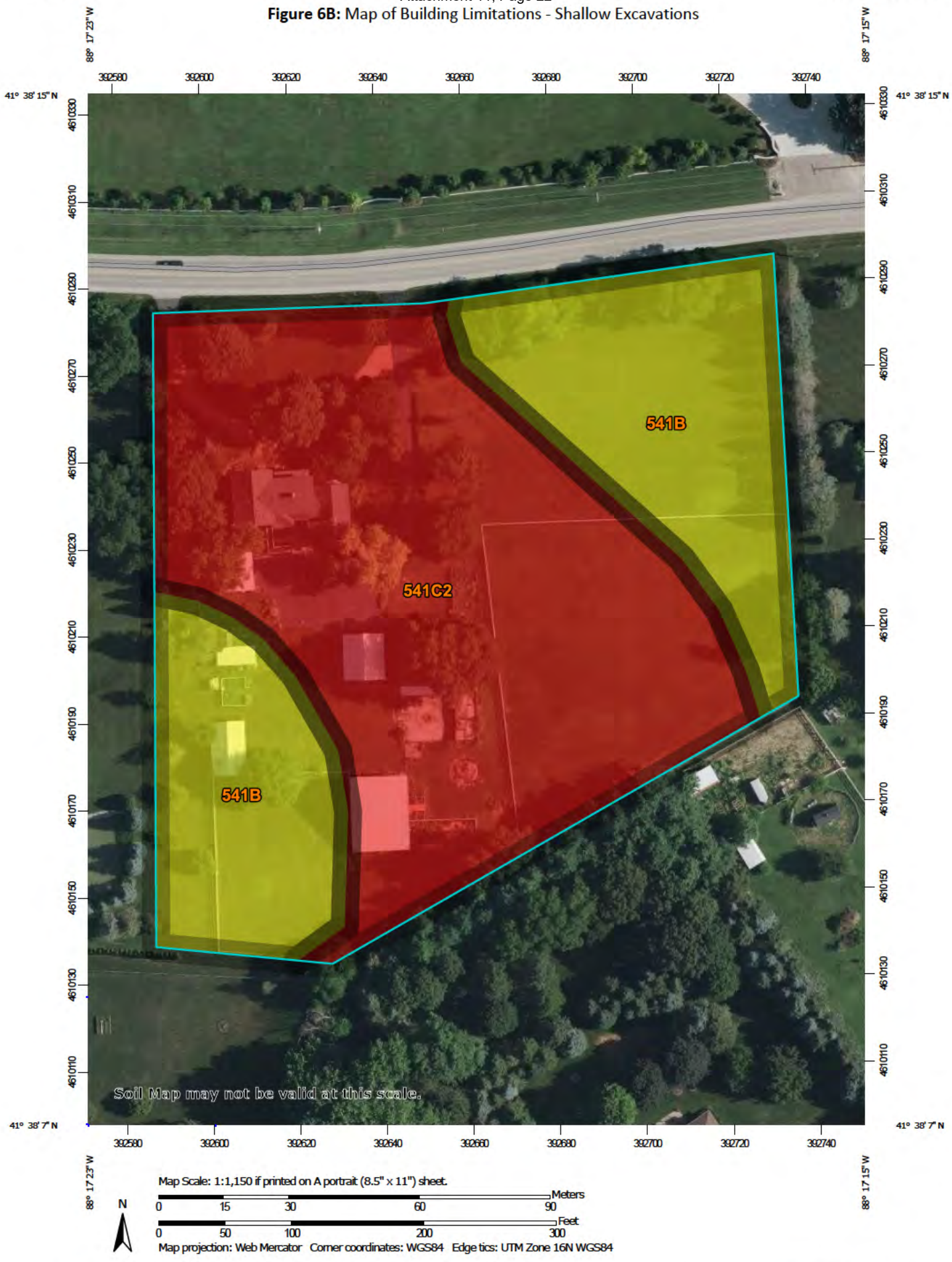
**Table 4:** Building Limitations

| Soil Type | Small Commercial Buildings | Shallow Excavations | Lawns & Landscaping | Acres | % |
|---|---|---|---|---|---|
| 541B | **Somewhat Limited:**<br>Shrink-swell | **Somewhat Limited:**<br>Depth to saturated zone<br>Dusty<br>Unstable excavation walls | **Somewhat Limited:**<br>Dusty | 1.8 | 37.9% |
| 541C2 | **Somewhat Limited:**<br>Slope<br>Shrink-swell | **Very Limited:**<br>Depth to saturated zone<br>Dusty<br>Unstable excavation walls<br>Ponding | **Somewhat Limited:**<br>Dusty | 3.0 | 62.1% |
| **% Very Limited** | **0%** | **62.1%** | **0%** | | |

**Figure 6A:** Map of Building Limitations - Small Commercial Buildings & Lawns / Landscaping



**Figure 6B:** Map of Building Limitations - Shallow Excavations



# *SOIL WATER FEATURES*

Table 5, below, gives estimates of various soil water features that should be taken into consideration when reviewing engineering for a land use project.

**HYDROLOGIC SOIL GROUPS (HSGs)** – The groups are based on estimates of runoff potential. Soils are assigned to one of four groups according to the rate of water infiltration when the soils are not protected by vegetation, are thoroughly wet, and receive precipitation from long-duration storms.

- **Group A:** Soils having a high infiltration rate (low runoff potential) when thoroughly wet. These consist mainly of deep, well drained to excessively drained sands or gravelly sands. These soils have a high rate of water transmission.
- **Group B:** Soils having a moderate infiltration rate when thoroughly wet. These consist chiefly of moderately deep or deep, moderately well drained, or well drained soils that have moderately fine texture to moderately coarse texture. These soils have a moderate rate of water transmission.
- **Group C:** Soils having a slow infiltration rate when thoroughly wet. These consist chiefly of soils having a layer that impedes the downward movement of water or soils of moderately fine texture or fine texture. These soils have a slow rate of water transmission.
- **Group D:** Soils having a very slow infiltration rate (high runoff potential) when thoroughly wet. These consist chiefly of clays that have a high shrink-swell potential, soils that have a high water table, soils that have a claypan or clay layer at or near the surface, and soils that are shallow over nearly impervious material. These soils have a very slow rate of water transmission.

**Note:** If a soil is assigned to a dual hydrologic group (A/D, B/D or C/D) the first letter is for drained areas and the second is for undrained areas.

**SURFACE RUNOFF** – Surface runoff refers to the loss of water from an area by flow over the land surface. Surface runoff classes are based upon slope, climate and vegetative cover and indicates relative runoff for very specific conditions (it is assumed that the surface of the soil is bare and that the retention of surface water resulting from irregularities in the ground surface is minimal). The classes are negligible, very low, low, medium, high, and very high.

**MONTHS** – The portion of the year in which a water table, ponding, and/or flooding is most likely to be a concern.

**WATER TABLE** – Water table refers to a saturated zone in the soil and the data indicates, by month, depth to the top (upper limit) and base (lower limit) of the saturated zone in most years. These estimates are based upon observations of the water table at selected sites and on evidence of a saturated zone (grayish colors or mottles (redoximorphic features)) in the soil. Note: A saturated zone that lasts for less than a month is not considered a water table.

**PONDING** – Ponding refers to standing water in a closed depression, and the data indicates surface water depth, duration, and frequency of ponding.

- **Duration:** Expressed as *very brief* if less than 2 days, *brief* if 2 to 7 days, *long* if 7 to 30 days and *very long* if more than 30 days.
- **Frequency:** Expressed as: *none* meaning ponding is not possible; *rare* means unlikely but possible under unusual weather conditions (chance of ponding is 0-5% in any year); *occasional* means that it occurs, on the average, once or less in 2 years (chance of ponding is 5 to 50% in any year); and frequent means that it occurs, on the average, more than once in 2 years (chance of ponding is more than 50% in any year).

**FLOODING** – The temporary inundation of an area caused by overflowing streams, by runoff from adjacent slopes, or by tides. Water standing for short periods after rainfall or snowmelt is not considered flooding, and water standing in swamps and marshes is considered ponding rather than flooding.

- **Duration:** Expressed as: *extremely brief* if 0.1 hour to 4 hours; *very brief* if 4 hours to 2 days; *brief* if 2 to 7 days; *long* if 7 to 30 days; and *very long* if more than 30 days.
- **Frequency:** Expressed as: *none* means flooding is not probable; *very rare* means that it is very unlikely but possible under extremely unusual weather conditions (chance of flooding is less than 1% in any year); *rare* means that it is unlikely but possible under unusual weather conditions (chance of flooding is 1 to 5% in any year); *occasional* means that it occurs infrequently under normal weather conditions (chance of flooding is 5 to 50% in any year but is less than 50% in all months in any year); and *very frequent* means that it is likely to occur very often under normal weather conditions (chance of flooding is more than 50% in all months of any year).

**Note:** The information is based on evidence in the soil profile. In addition, consideration is also given to local information about the extent and levels of flooding and the relation of each soil on the landscape to historic floods. Information on the extent of flooding based on soil data is less specific than that provided by detailed engineering surveys that delineate flood-prone areas at specific flood frequency levels.

**Table 5:** Water Features

| Map Unit | Hydrologic Group | Surface Runoff | Water Table | Ponding | Flooding |
|---|---|---|---|---|---|
| 541B | C | Low | February – April<br>**Upper Limit**: 2.0’-3.5’<br>**Lower Limit:** 2.2’-4.3’ | January – December<br>**Frequency**: None | January – December<br>**Frequency**: None |
| 541C2 | C | Medium | February – April<br>**Upper Limit**: 2.0’-3.5’<br>**Lower Limit:** 2.2’-4.3’ | January – December<br>**Frequency**: None | January – December<br>**Frequency**: None |

# SOIL EROSION AND SEDIMENT CONTROL

Erosion is the wearing away of the soil by water, wind, and other forces. Soil erosion threatens the Nation's soil productivity and contributes the most pollutants in our waterways. Water causes about two thirds of erosion on agricultural land. Four properties, mainly, determine a soil's erodibility: texture, slope, structure, and organic matter content.

**Slope** has the most influence on soil erosion potential when the site is under construction. Erosivity and runoff increase as slope grade increases. The runoff then exerts more force on the particles, breaking their bonds more readily and carrying them farther before deposition. The longer water flows along a slope before reaching a major waterway, the greater the potential for erosion.

Soil erosion during and after this proposed construction can be a primary non-point source of water pollution. Eroded soil during the construction phase can create unsafe conditions on roadways, decrease the storage capacity of lakes, clog streams and drainage channels, cause deterioration of aquatic habitats, and increase water treatment costs. Soil erosion also increases the risk of flooding by choking culverts, ditches, and storm sewers and by reducing the capacity of natural and man-made detention facilities.

The general principles of erosion and sedimentation control measures include:

- Reducing/diverting flow from exposed areas, storing flows, or limiting runoff from exposed areas
- Staging construction to keep disturbed areas to a minimum
- Establishing or maintaining temporary or permanent groundcover
- Retaining sediment on site
- Properly installing, inspecting, and maintaining control measures

Erosion control practices are useful controls only if they are properly located, installed, inspected, and maintained. Soil erosion and sedimentation control plans, including maintenance responsibilities, should be clearly communicated to all contractors working on the site.

The SWCD recommends an erosion and sediment control plan for all building sites, especially if there is a wetland or stream nearby. Additionally, a National Pollutant Discharge Elimination System (NPDES) permit (Permit No. ILR10) from the Illinois Environmental Protection Agency (IEPA) is required for stormwater discharges from construction sites that will disturb 1 or more acres of land. Conditions of the NPDES ILR10 permit require the development and implementation of a Stormwater Pollution Prevention Plan (SWPPP) to reduce stormwater pollutants on the construction site before they can cause environmental issues.

**Table 6:** Soil Erosion Potential

| Soil Type | Slope | Rating | Acres | Percent |
|---|---|---|---|---|
| 541B | 2-5% | Slight | 1.8 | 37.9% |
| 541C2 | 5-10% | Moderate | 3.0 | 62.1% |

# PRIME FARMLAND SOILS

Prime farmland soils are an important resource to Kendall County. Some of the most productive soils in the United States occur locally. Each soil map unit in the United States is assigned a prime or non-prime rating. Prime agricultural land does not need to be in the production of food & fiber.

Section 310 of the NRCS general manual states that urban or built-up land on prime farmland soils is not prime farmland. The percentages of soils map units on the parcel reflect the determination that urban or built up land on prime farmland soils is not prime farmland.

**Table 7:** Prime Farmland Soils

| Soil Types | Prime Designation | Acres | Percent |
|---|---|---|---|
| 541B | Prime Farmland | 1.8 | 37.9% |
| 541C2 | Farmland of Statewide Importance | 3.0 | 62.1% |
| **% Prime Farmland** | **100%** | | |

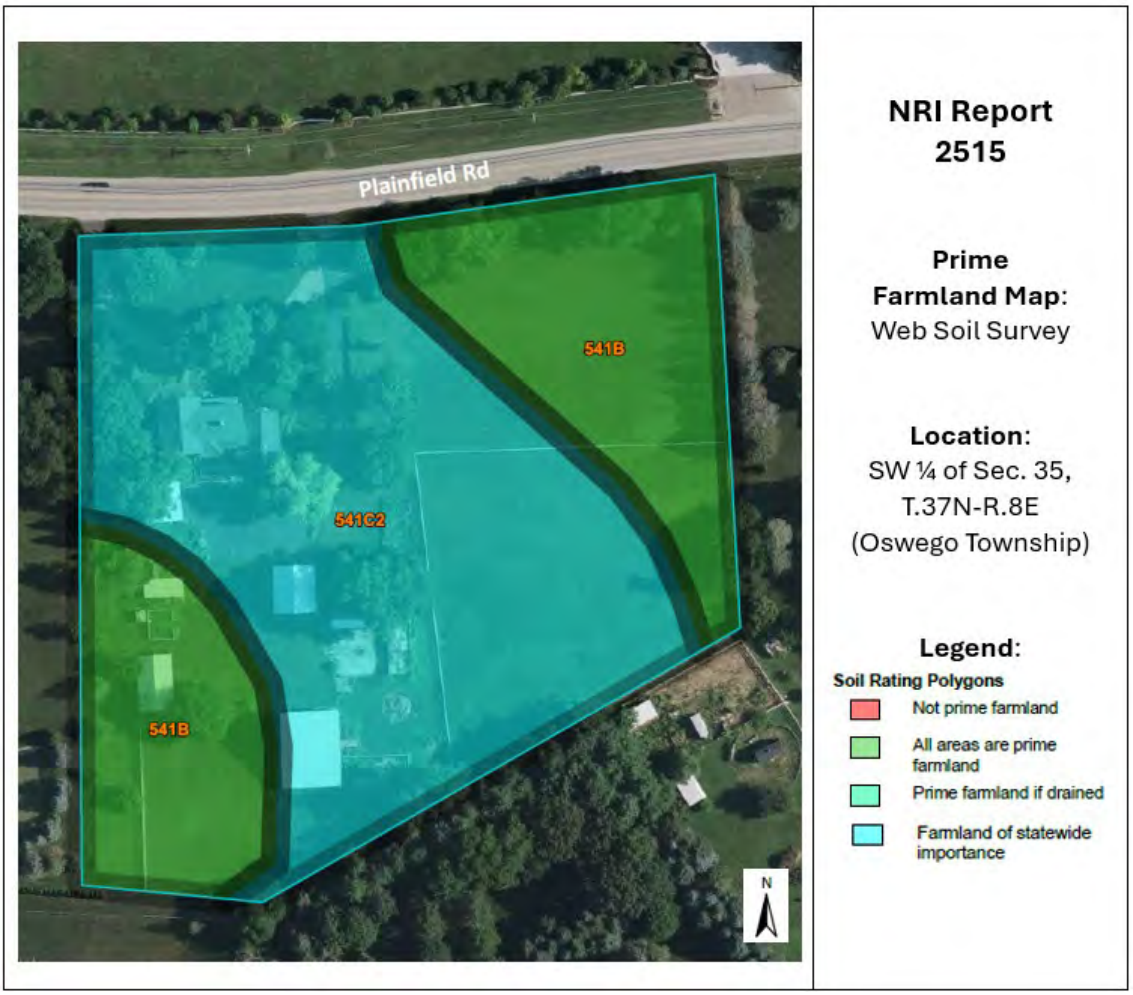



**Figure 7**: Map of Prime Farmland Soils

# *LAND EVALUATION AND SITE ASSESSMENT (LESA)*

Decision-makers in Kendall County use the Land Evaluation and Site Assessment (LESA) system to determine the suitability of a land use change and/or a zoning request as it relates to agricultural land. The LESA system was developed by the United States Department of Agriculture-Natural Resources Conservation Service (USDA-NRCS) and takes into consideration local conditions such as physical characteristics of the land, compatibility of surrounding land-uses, and urban growth factors. The LESA system is a two-step procedure that includes:

**LAND EVALUATION (LE)**

The soils of a given area are rated and placed in groups ranging from the best to worst suited for a stated agriculture use, cropland, or forestland. The best group is assigned a value of 100, and all other groups are assigned lower values. The Land Evaluation is based on data from the Kendall County Soil Survey. The LE score is calculated by multiplying the relative value of each soil type by the number of acres of that soil. The sum of the products is then divided by the total number of acres; the answer is the Land Evaluation score on this site. The Kendall County Soil and Water Conservation District is responsible for this portion of the LESA system.

**SITE ASSESSMENT (SA)**

The site is numerically evaluated according to important factors that contribute to the quality of the site. Each factor selected is assigned values in accordance with the local needs and objectives. The value group is a predetermined value based upon prime farmland designation. The Kendall County LESA Committee is responsible for this portion of the LESA system.

**Please Note:** A land evaluation (LE) score will be compiled for every project parcel. However, when a parcel is located within municipal planning boundaries, a site assessment (SA) score is not compiled as the scoring factors are not applicable. As a result, only the LE score is available, and a full LESA score is unavailable for the parcel.

**Table 8A:** Land Evaluation Computation

| Soil Type | Value Group | Relative Value | Acres* | Product (Relative Value x Acres) |
|---|---|---|---|---|
| 541B | 2 | 94 | 1.8 | 169.2 |
| 541C2 | 5 | 82 | 3.0 | 246.0 |
| **Totals** | | | **4.8** | **415.2** |
| **LE Calculation** | | | (Product of relative value / Total Acres)<br>415.2 / 4.8 = 86.5 | |
| **LE Score** | | | **LE = 87** | |

The Land Evaluation score for this site is 87, indicating that the soils on this site are designated as land that is well suited for agricultural uses considering the Land Evaluation score is at or above 80.

**Table 8B:** Site Assessment Computation

| | | |
|---|---|---|
| **A.** | **Agricultural Land Uses** | **Points** |
| | 1. Percentage of area in agricultural uses within 1.5 miles of site. (20-10-5-0) | 10 |
| | 2. Current land use adjacent to site. (30-20-15-10-0) | 0 |
| | 3. Percentage of site in agricultural production in any of the last 5 years. (20-15-10-5-0) | 0 |
| | 4. Size of site. (30-15-10-0) | 0 |
| **B.** | **Compatibility / Impact on Uses** | |
| | 1. Distance from city or village limits. (20-10-0) | 0 |
| | 2. Consistency of proposed use with County Land Resource Management Concept Plan and/or municipal comprehensive land use plan. (20-10-0) | 20 |
| | 3. Compatibility of agricultural and non-agricultural uses. (15-7-0) | 15 |
| **C.** | **Existence of Infrastructure** | |
| | 1. Availability of public sewage system. (10-8-6-0) | 8 |
| | 2. Availability of public water system. (10-8-6-0) | 8 |
| | 3. Transportation systems. (15-7-0) | 7 |
| | 4. Distance from fire protection service. (10-8-6-2-0) | 8 |
| | **Site Assessment Score:** | **76** |

**Land Evaluation Value:** 87 + **Site Assessment Value:** 76 = **LESA Score:** **163**

**Table 9:** LESA Score Summary

| LESA SCORE | LEVEL OF PROTECTION |
|---|---|
| 0-200 | Low |
| 201-225 | Medium |
| 226-250 | High |
| 251-300 | Very High |

**The LESA Score for this site is 163 out of a possible 300, which indicates a low level of protection for the proposed project site.** Selecting the project site with the lowest total points will generally protect the best farmland located in the most viable areas and maintain and promote the agricultural industry in Kendall County.

# LAND USE PLANS

Many counties, municipalities, villages, and townships have developed land-use plans. These plans are intended to reflect the existing and future land-use needs of a given community. Please contact Kendall County for information regarding their comprehensive land use plan and map.

# DRAINAGE, RUNOFF, AND FLOOD INFORMATION

U.S.G.S Topographic maps give information on elevations, which are important mostly to determine slopes, drainage directions, and watershed information.

Elevations determine the area of impact of floods of record. Slope information determines steepness and erosion potential. Drainage directions determine where water leaves the PIQ, possibly impacting surrounding natural resources.

Watershed information is given for changing land use to a subdivision type of development on parcels greater than 10 acres.

**WHAT IS A WATERSHED?**
Simply stated, a watershed is the area of land that contributes water to a certain point. The watershed boundary is important because the area of land in the watershed can now be calculated using an irregular shape area calculator such as a dot counter or planimeter.

Using regional storm event information, and site-specific soils and land use information, the peak stormwater flow through the point marked "○" for a specified storm event can be calculated. This value is called a "Q" value (for the given storm event) and is measured in cubic feet per second (CFS).

When construction occurs, the Q value naturally increases because of the increase in impermeable surfaces. This process decreases the ability of soils to accept and temporarily hold water. Therefore, more water runs off and increases the Q value.

Theoretically, if each development, no matter how large or small, maintains their preconstruction Q value after construction by the installation of stormwater management systems, the streams and wetlands and lakes will not suffer damage from excessive urban stormwater.

For this reason, the Kendall County SWCD recommends that the developer for intense uses such as a subdivision calculate the preconstruction Q value for the exit point(s). A stormwater management system

should be designed, installed, and maintained to limit the postconstruction Q value to be at or below the preconstruction value.

**IMPORTANCE OF FLOOD INFORMATION**

A floodplain is defined as land adjoining a watercourse (riverine) or an inland depression (non-riverine) that is subject to periodic inundation by high water. Floodplains are important areas demanding protection since they have water storage and conveyance functions which affect upstream and downstream flows, water quality and quantity, and suitability of the land for human activity. Since floodplains play distinct and vital roles in the hydrologic cycle, development that interferes with their hydrologic and biologic functions should be carefully considered.

Flooding is both dangerous to people and destructive to their properties. The following maps, when combined with wetland and topographic information, can help developers and future homeowners to "sidestep" potential flooding or ponding problems.

FIRM is the acronym for the Flood Insurance Rate Map, produced by the Federal Emergency Management Agency (FEMA). These maps define flood elevation adjacent to tributaries and major bodies of water and superimpose that onto a simplified USGS topographic map. The scale of the FIRM maps is generally dependent on the size and density of parcels in that area. (This is to correctly determine the parcel location and floodplain location.) The FIRM map has three (3) zones. Zone A includes the 100-year flood, Zone B or Zone X (shaded) is the 100 to 500-year flood, and Zone C or Zone X (unshaded) is outside the floodplain.

The Hydrologic Atlas (H.A.) Series of the Flood of Record Map is also used for the topographic information. This map is different from the FIRM map mainly because it will show isolated or pocketed flooded areas. Kendall County uses both these maps in conjunction with each other for flooded area determinations. The Flood of Record maps show the areas of flood for various years. Both maps stress that the recurrence of flooding is merely statistical. A 100-year flood may occur twice in one year, or twice in one week, for that matter.

It should be noted that greater floods than those shown on the two maps are possible. The flood boundaries indicated provide a historic record only until the map publication date. Additionally, these flood boundaries are a function of the watershed conditions existing when the maps were produced. Cumulative changes in runoff characteristics caused by urbanization can result in an increase in flood height of future flood episodes.

Floodplains play a vital role in reducing the flood damage potential associated with an urbanizing area and, when left in an undisturbed state, also provide valuable wildlife habitat benefits. If it is the petitioner's intent to conduct floodplain filling or modification activities, the petitioner, and the Unit of Government responsible need to consider the potentially adverse effects this type of action could have on adjacent properties. The change or loss of natural floodplain storage often increases the frequency and severity of flooding on adjacent property.

If the available maps indicate the presence of a floodplain on the PIQ, the petitioner should contact the Illinois Department of Natural Resources – Office of Water Resources (IDNR-OWR) and the Federal

Emergency Management Agency (FEMA) to delineate a floodplain elevation for the parcel. If a portion of the property is indeed floodplain, applicable state, county, and local regulations will need to be reflected in the site plans.

Another indication of flooding potential can be found in the soils information. Hydric soils indicate the presence of drainageways, areas subject to ponding, or a naturally occurring high water table. These need to be considered along with the floodplain information when developing the site plan and the stormwater management plan. Development on hydric soils can contribute to the loss of water storage within the soil and the potential for increased flooding in the area.

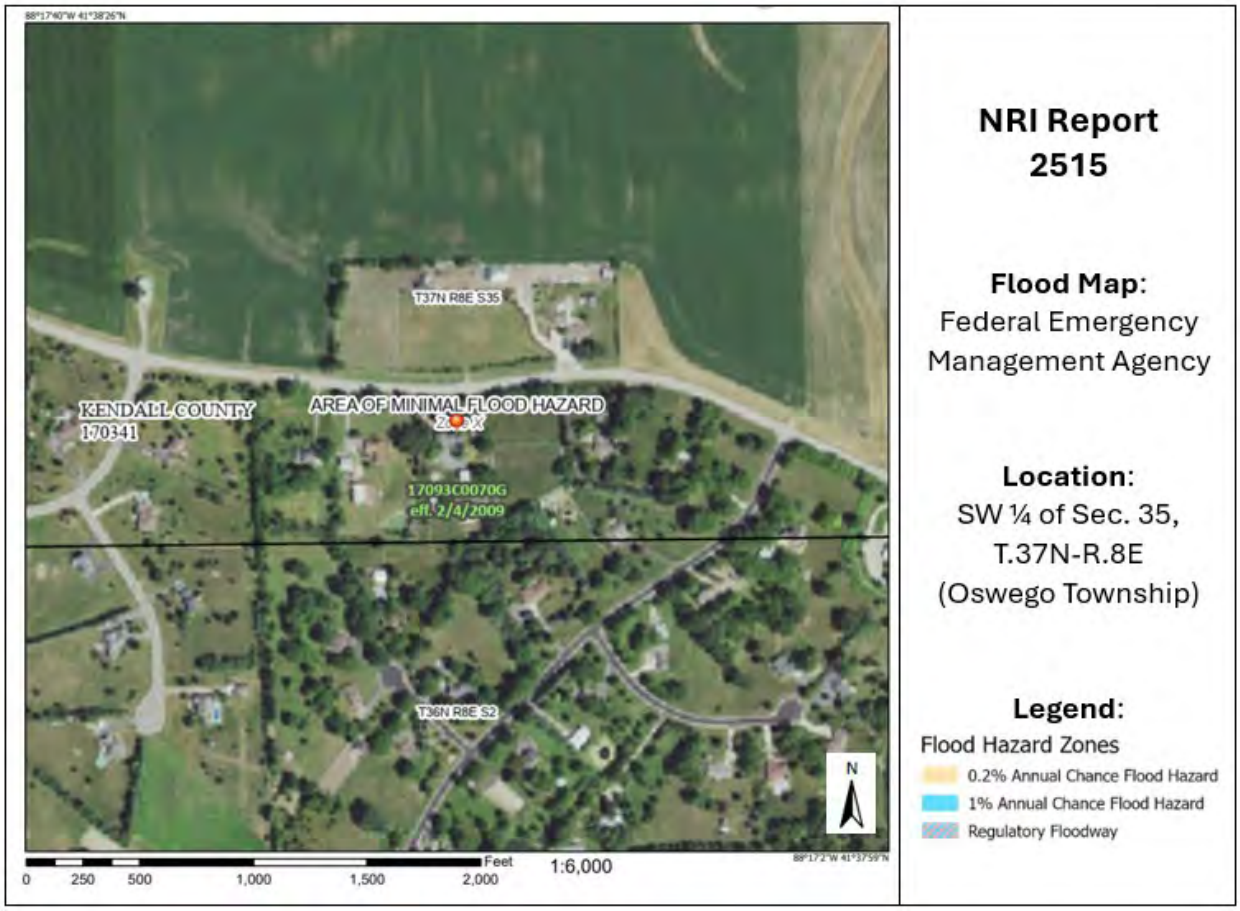



**Figure 8:** Flood Map

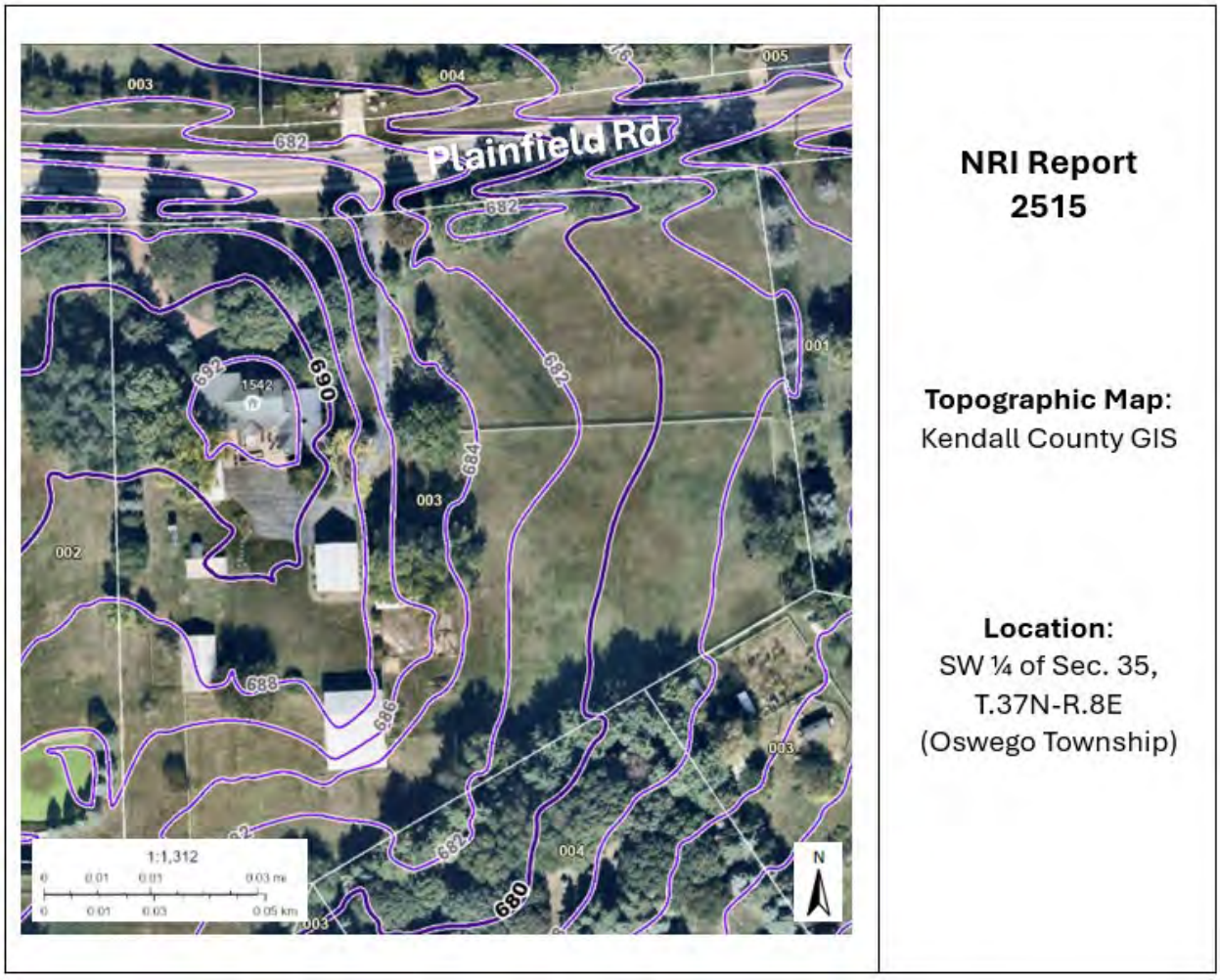



**Figure 9:** Topographic Map

**This site contains soils with slopes of 2% to 10% and is at an elevation range of approximately 678'-692' above sea level. The highest point is near the northwest portion of the parcel. The lowest point is near the eastern boundary of the parcel. According to the Flood Map (Figure 8), the parcel does not appear to contain areas of floodplain or floodway. It is mapped as Zone X, an area of minimal flood hazard determined to be outside of the 0.2% annual chance floodplain.**

# WATERSHED PLANS

## WATERSHED AND SUB WATERSHED INFORMATION

A watershed is the area of land that drains into a specific point including a stream, lake, or other body of water. High points on the Earth's surface, such as hills and ridges define watersheds. When rain falls in the watershed, it flows across the ground towards a stream or lake. Rainwater carries pollutants such as oils, pesticides, and soil.

Everyone lives in a watershed. Their actions can impact natural resources and people living downstream. Residents can minimize this impact by being aware of their environment and the implications of their activities, implementing practices recommended in watershed plans, and educating others about their watershed.

The following are recommendations to developers for protection of this watershed: Preserve open space; maintain wetlands as part of development; use natural water management; prevent soil from leaving a construction site; protect subsurface drainage; use native vegetation; retain natural features; mix housing styles and types; decrease impervious surfaces; reduce area disturbed by mass grading; shrink lot size and create more open space; maintain historical and cultural resources; treat water where it falls; preserve views; and establish and link trails.

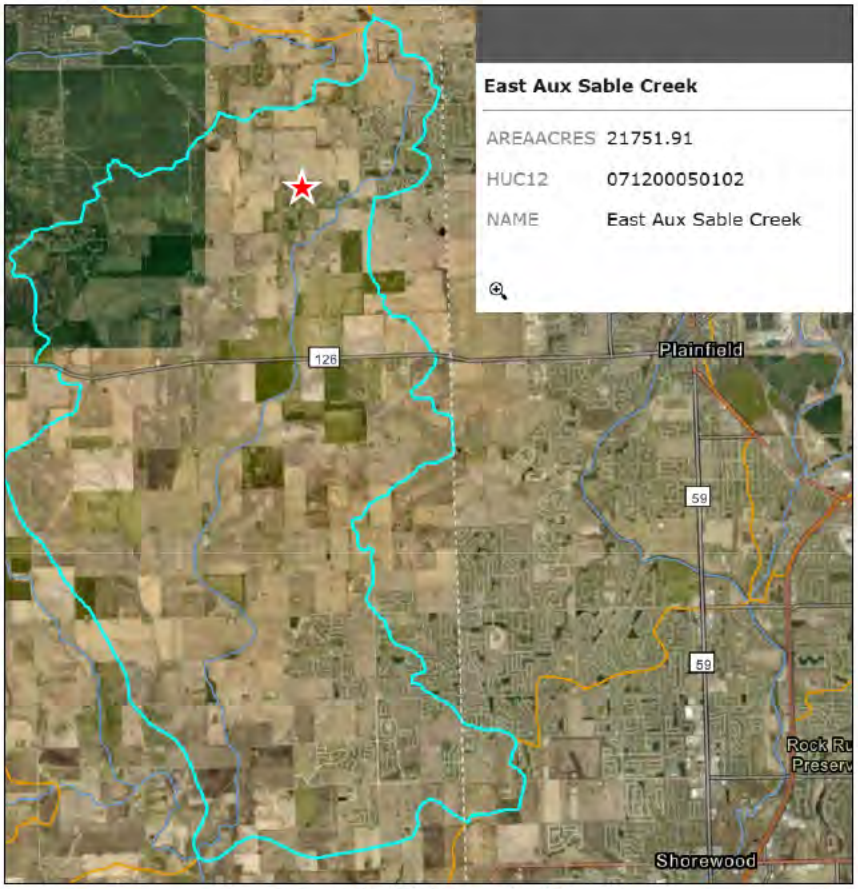



**Figure 10:** Sub Watershed Map

**This site is located within the Upper Illinois River watershed and the East Aux Sable Creek sub watershed (HUC 12 – 071200050102). The sub watershed comprises approximately 21,752 acres covering parts of Oswego, Plainfield, Yorkville, Minooka, and Joliet.**

# WETLAND INFORMATION

**IMPORTANCE OF WETLAND INFORMATION**

Wetlands function in many ways to provide numerous benefits to society. They control flooding by offering a slow release of excess water downstream or through the soil. They cleanse water by filtering out sediment and some pollutants and can function as rechargers of our valuable groundwater. They also are essential breeding, rearing, and feeding grounds for many species of wildlife.

These benefits are particularly valuable in urbanizing areas as development activity typically adversely affects water quality, increases the volume of stormwater runoff, and increases the demand for groundwater. In an area where many individual homes rely on shallow groundwater wells for domestic water supplies, activities that threaten potential groundwater recharge areas are contrary to the public good. The conversion of wetlands, with their sediment trapping and nutrient absorbing vegetation, to biologically barren stormwater detention ponds can cause additional degradation of water quality in downstream or adjacent areas.

It has been estimated that over 95% of the wetlands that were historically present in Illinois have been destroyed while only recently has the true environmental significance of wetlands been fully recognized. America is losing 100,000 acres of wetland a year and has saved 5 million acres total (since 1934). One acre of wetland can filter 7.3 million gallons of water a year. These are reasons why our wetlands are high quality and important.

This section contains the National Wetlands Inventory, which is the most comprehensive inventory to date. The National Wetlands Inventory is reproduced from an aerial photo at a scale of 1” equals 660 feet. The NRCS developed these maps in cooperation with U.S. EPA (Environmental Protection Agency,) and the U.S. Fish and Wildlife Service, using the National Food Security Act Manual, 3rd Edition. The main purpose of these maps is to determine wetland areas on agricultural fields and areas that may be wetlands but are in a non-agriculture setting.

The National Wetlands Inventory in no way gives an exact delineation of the wetlands, but merely an outline, or the determination that there is a wetland within the outline. For the final, most accurate wetland **determination** of a specific wetland, a wetland ***delineation*** must be certified by NRCS staff using the National Food Security Act Manual (on agricultural land.) On urban land, a certified wetland delineator must perform the delineation using the ACOE 1987 Manual. *See the glossary section for the definitions of “delineation” and “determination.*

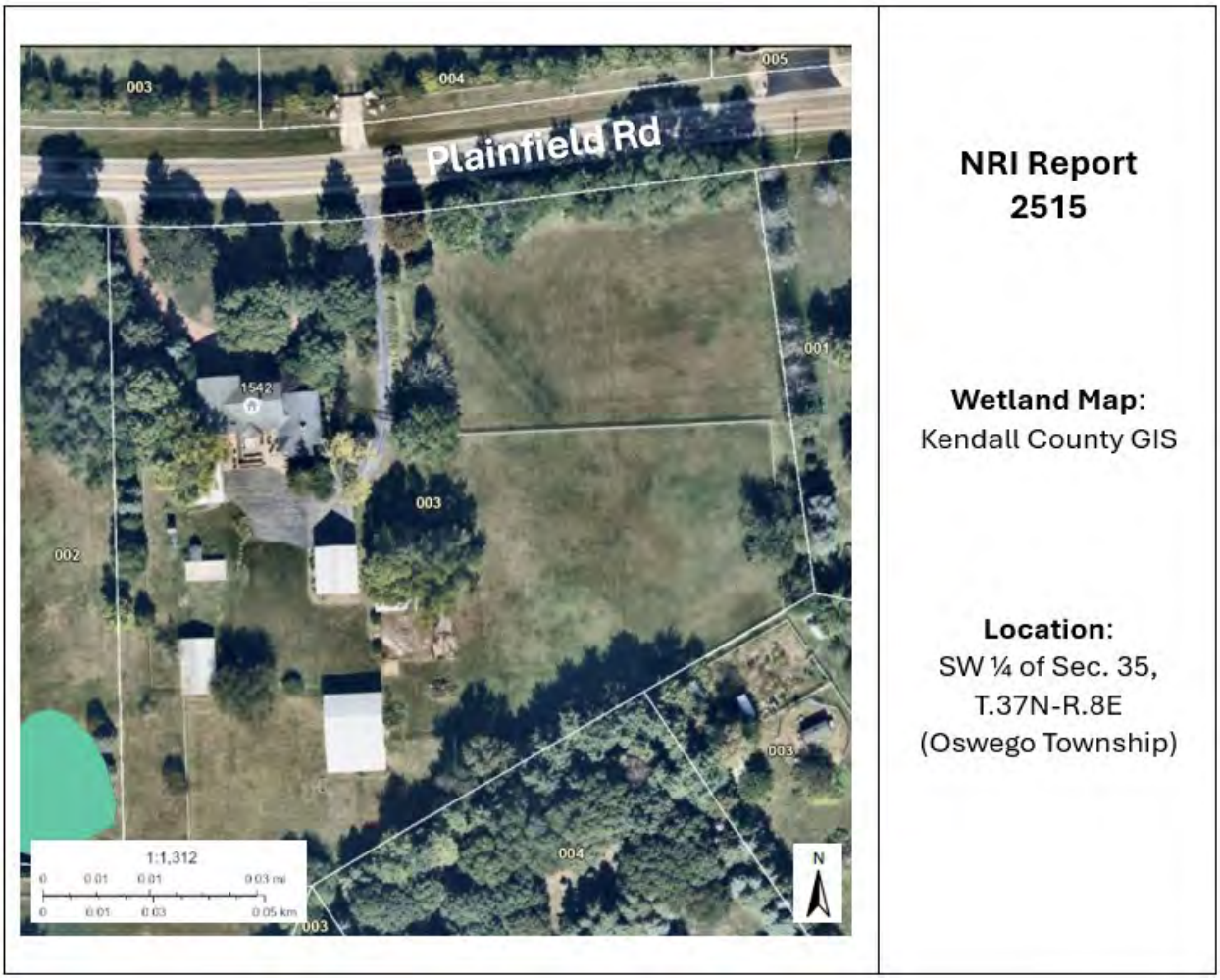



**Figure 11:** Wetland Map

**Office maps indicate that mapped wetlands/waters are not present on the parcel in question (PIQ). To determine the presence of wetlands, a wetland delineation specialist, who is recognized by the U.S. Army Corps of Engineers, should determine the exact boundaries and value of the wetlands.**

# HYDRIC SOILS

Soils information gives another indication of flooding potential. The soils map on the following page indicates the soil(s) on the parcel that the Natural Resources Conservation Service indicates as hydric. Hydric soils, by definition, have seasonal high water at or near the soil surface and/or have potential flooding or ponding problems. All hydric soils range from poorly suited to unsuitable for building. One group of the hydric soils are the organic soils, which formed from dead organic material. Organic soils are unsuitable for building because of not only the high water table but also their subsidence problems.

It is important to add the possibility of hydric inclusions in a soil type. An inclusion is a soil polygon that is too small to appear on these maps. While relatively insignificant for agricultural use, hydric soil inclusions become more important to more intense uses such as a residential subdivision.

While considering hydric soils and hydric inclusions, it is noteworthy to mention that subsurface agriculture drainage tile occurs in almost all poorly drained and somewhat poorly drained soils. Drainage tile expedites drainage and facilitates farming. It is imperative that these drainage tiles remain undisturbed. A damaged subsurface drainage tile may return original hydrologic conditions to all the areas that drained through the tile (ranging from less than one acre to many square miles.)

For an intense land use, such as a subdivision, the Kendall County SWCD recommends the following: a topographical survey with 1 foot contour intervals to accurately define the flood area on the parcel, an intensive soil survey to define most accurately the locations of the hydric soils and inclusions, and a drainage tile survey on the area to locate the tiles that must be preserved to maintain subsurface drainage.

**Table 10:** Hydric Soils

| Soil Types | Drainage Class | Hydric Designation | Hydric Inclusions Likely | Hydric Rating | Acres | % Area |
|---|---|---|---|---|---|---|
| 541B | Moderately Well Drained | Non-Hydric | Yes | 5% | 1.8 | 37.9% |
| 541C2 | Moderately Well Drained | Non-Hydric | Yes | 3% | 3.0 | 62.1% |




**Figure 12:** Hydric Soil Map

# *WETLAND AND FLOODPLAIN REGULATIONS*

PLEASE READ THE FOLLOWING IF YOU ARE PLANNING TO DO ANY WORK NEAR A STREAM (THIS INCLUDES SMALL UNNAMED STREAMS), LAKE, WETLAND OR FLOODWAY.

The laws of the United States and the State of Illinois assign certain agencies specific and different regulatory roles to protect the waters within the State's boundaries. These roles, when considered together, include protection of navigation channels and harbors, protection against floodway encroachments, maintenance and enhancement of water quality, protection of fish and wildlife habitat and recreational resources, and, in general, the protection of total public interest. Unregulated use of the waters within the State of Illinois could permanently destroy or alter the character of these valuable resources and adversely impact the public. Therefore, please contact the proper regulatory authorities when planning any work associated with Illinois waters so that proper consideration and approval can be obtained.

**WHO MUST APPLY?**

Anyone proposing to dredge, fill, rip rap, or otherwise alter the banks or beds of, or construct, operate, or maintain any dock, pier, wharf, sluice, dam, piling, wall, fence, utility, floodplain or floodway subject to State or Federal regulatory jurisdiction should apply for agency approvals.

**REGULATORY AGENCIES**

- **Wetland or U.S. Waters**: U.S. Army Corps of Engineers, Chicago District, 231 South LaSalle Street, Suite 1500, Chicago, IL 60604. Phone: (312) 846-5530
- **Floodplains**: Illinois Department of Natural Resources - Office of Water Resources, One Natural Resources Way, Springfield, IL 62702-1270. Phone: (217) 782-6302
- **Water Quality/Erosion Control**: Illinois Environmental Protection Agency, 1021 North Grand Avenue East, P.O. Box 19276, Springfield, IL 62794-9276. Phone: (217) 782-3397

**COORDINATION**

We recommend early coordination with the regulatory agencies BEFORE finalizing work plans. This allows the agencies to recommend measures to mitigate or compensate for adverse impacts. Also, the agency can make possible environmental enhancement provisions early in the project planning stages. This could reduce time required to process necessary approvals.

**CAUTION: Contact with the United States Army Corps of Engineers is strongly advised before commencement of any work in or near a Waters of the United States. This could save considerable time and expense. Persons responsible for willful and direct violation of Section 10 of the River and Harbor Act of 1899 or Section 404 of the Federal Water Pollution Control Act are subject to fines ranging up to $16,000 per day of violation, with a maximum cap of $187,500 in any single enforcement action, as well as criminal enforcement.**

# GLOSSARY

**AGRICULTURAL PROTECTION AREAS (AG AREAS)** - Allowed by P.A. 81-1173. An AG AREA consists of a minimum of 350 acres of farmland, as contiguous and compact as possible. Petitioned by landowners, AG AREAS protect for a period of ten years initially, then reviewed every eight years thereafter. AG AREA establishment exempts landowners from local nuisance ordinances directed at farming operations, and designated land cannot receive special tax assessments on public improvements that do not benefit the land, e.g. water and sewer lines.

**AGRICULTURE** - The growing, harvesting and storing of crops including legumes, hay, grain, fruit and truck or vegetable including dairying, poultry, swine, sheep, beef cattle, pony and horse production, fur farms, and fish and wildlife farms; farm buildings used for growing, harvesting and preparing crop products for market, or for use on the farm; roadside stands, farm buildings for storing and protecting farm machinery and equipment from the elements, for housing livestock or poultry and for preparing livestock or poultry products for market; farm dwellings occupied by farm owners, operators, tenants or seasonal or year around hired farm workers.

**B.G.** - Below Grade. Under the surface of the Earth.

**BEDROCK** - Indicates depth at which bedrock occurs. Also lists hardness as rippable or hard.

**FLOODING** - Indicates frequency, duration, and period during year when floods are likely to occur.

**HIGH LEVEL MANAGEMENT** - The application of effective practices adapted to different crops, soils, and climatic conditions. Such practices include providing for adequate soil drainage, protection from flooding, erosion and runoff control, near optimum tillage, and planting the correct kind and amount of high-quality seed. Weeds, diseases, and harmful insects are controlled. Favorable soil reaction and near optimum levels of available nitrogen, phosphorus, and potassium for individual crops are maintained. Efficient use is made of available crop residues, barnyard manure, and/or green manure crops. All operations, when combined efficiently and timely, can create favorable growing conditions and reduce harvesting losses -- within limits imposed by weather.

**HIGH WATER TABLE** - A seasonal high water table is a zone of saturation at the highest average depth during the wettest part of the year. May be apparent, perched, or artesian kinds of water tables.

- **Water table, Apparent**: A thick zone of free water in the soil. An apparent water table is indicated by the level at which water stands in an uncased borehole after adequate time is allowed for adjustment in the surrounding soil.
- **Water table, Artesian**: A water table under hydrostatic head, generally beneath an impermeable layer. When this layer is penetrated, the water level rises in an uncased borehole.
- **Water table, Perched**: A water table standing above an unsaturated zone. In places an upper, or perched, water table is separated from a lower one by a dry zone.

**DELINEATION** - For Wetlands: A series of pink or orange flags placed on the ground by a certified professional that outlines the wetland boundary on a parcel.

**DETERMINATION** - A polygon drawn on a map using map information that gives an outline of a wetland.

**HYDRIC SOIL** - This type of soil is saturated, flooded, or ponded long enough during the growing season to develop anaerobic conditions in the upper part (USDA Natural Resources Conservation Service 1987).

**IDNR-OWR** – Illinois Department of Natural Resources Office of Water Resources

**INTENSIVE SOIL MAPPING** - Mapping done on a smaller more intensive scale than a modern soil survey to determine soil properties of a specific site, e.g. mapping for septic suitability.

**LAND EVALUATION AND SITE ASSESSMENT (L.E.S.A.)** - LESA is a systematic approach for evaluating a parcel of land and to determine a numerical value for the parcel for farmland preservation purposes.

**MODERN SOIL SURVEY** - A soil survey is a field investigation of the soils of a specific area, supported by information from other sources. The kinds of soil in the survey area are identified and their extent shown on a map, and an accompanying report describes, defines, classifies, and interprets the soils. Interpretations predict the behavior of the soils under different used and the soils' response to management. Predictions are made for areas of soil at specific places. Soils information collected in a soil survey is useful in developing land-use plans and alternatives involving soil management systems and in evaluating and predicting the effects of land use.

**PALUSTRINE** - Name given to inland freshwater wetlands.

**PERMEABILITY** - Values listed estimate the range (in rate and time) it takes for downward movement of water in the major soil layers when saturated but allowed to drain freely. The estimates are based on soil texture, soil structure, available data on permeability and infiltration tests, and observation of water movement through soils or other geologic materials.

**PIQ** - Parcel in question

**POTENTIAL FROST ACTION** - Damage that may occur to structures and roads due to ice lens formation causing upward and lateral soil movement. Based primarily on soil texture and wetness.

**PRIME FARMLAND** - Prime farmland soils are lands that are best suited to food, feed, forage, fiber and oilseed crops. It may be cropland, pasture, woodland, or other land, but it is not urban and built up land or water areas. It either is used for food or fiber or is available for those uses. The soil qualities, growing season, and moisture supply are those needed for a well-managed soil economically to produce a sustained high yield of crops. Prime farmland produces in highest yields with minimum inputs of energy and economic resources and farming the land results in the least damage to the environment. Prime farmland has an adequate and dependable supply of moisture from precipitation or irrigation. The temperature and growing season are favorable. The level of acidity or alkalinity is acceptable. Prime

farmland has few or no rocks and is permeable to water and air. It is not excessively erodible or saturated with water for long periods and is not frequently flooded during the growing season. The slope ranges mainly from 0 to 5 percent (USDA Natural Resources Conservation Service).

**PRODUCTIVITY INDEXES** - Productivity indexes for grain crops express the estimated yields of the major grain crops grown in Illinois as a single percentage of the average yields obtained under basic management from several of the more productive soils in the state. This group of soils is composed of the Muscatine, Ipava, Sable, Lisbon, Drummer, Flanagan, Littleton, Elburn and Joy soils. Each of the 425 soils found in Illinois are found in Circular 1156 from the Illinois Cooperative Extension Service.

**SEASONAL** - When used in reference to wetlands indicates that the area is flooded only during a portion of the year.

**SHRINK-SWELL POTENTIAL** - Indicates volume changes to be expected for the specific soil material with changes in moisture content.

**SOIL MAPPING UNIT** - A map unit is a collection of soil areas of miscellaneous areas delineated in mapping. A map unit is generally an aggregate of the delineations of many different bodies of a kind of soil or miscellaneous area but may consist of only one delineated body. Taxonomic class names and accompanying phase terms are used to name soil map units. They are described in terms of ranges of soil properties within the limits defined for taxa and in terms of ranges of taxadjuncts and inclusions.

**SOIL SERIES** - A group of soils, formed from a particular type of parent material, having horizons that, except for texture of the A or surface horizon, are similar in all profile characteristics and in arrangement in the soil profile. Among these characteristics are color, texture, structure, reaction, consistence, and mineralogical and chemical composition.

**SUBSIDENCE** - Applies mainly to organic soils after drainage. Soil material subsides due to shrinkage and oxidation.

**TERRAIN -** The area or surface over which a particular rock or group of rocks is prevalent.

**TOPSOIL** - That portion of the soil profile where higher concentrations of organic material, fertility, bacterial activity and plant growth take place. Depths of topsoil vary between soil types.

**WATERSHED** - An area of land that drains to an associated water resource such as a wetland, river or lake. Depending on the size and topography, watersheds can contain numerous tributaries, such as streams and ditches, and ponding areas such as detention structures, natural ponds and wetlands.

**WETLAND** - An area that has a predominance of hydric soils and that is inundated or saturated by surface or groundwater at a frequency and duration sufficient enough to support, and under normal circumstances does support, a prevalence of hydrophytic vegetation typically adapted for life in saturated soil conditions.

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## Matt Asselmeier

**From:** ALEC KEENUM <AKEENUM@oswegofire.com>
**Sent:** Thursday, November 20, 2025 8:46 AM
**To:** Michael Cook; Matt Asselmeier
**Cc:** Kathy Vorbau; ERIC GRAY
**Subject:** RE: FW: [External]RE: Kendall County Zoning Petition 25-21
**Attachments:** 2025-137 CIVIL SP - LS - PHOTO (25-1118).pdf

These changes satisfy the FD's earlier comments/concerns.

Regards,

Capt. Alec J Keenum
Fire Marshal
Oswego Fire Protection District

**From:** Michael Cook <mcook@cookenggroup.com>
**Sent:** Tuesday, November 18, 2025 2:10 PM
**To:** ALEC KEENUM <AKEENUM@oswegofire.com>; Matt Asselmeier <masselmeier@kendallcountyil.gov>
**Cc:** Kathy Vorbau <[redacted]; ERIC GRAY <[redacted]>
**Subject:** RE: FW: [External]RE: Kendall County Zoning Petition 25-21

Captain Keenum –
Thank you for meeting with Kathy and myself on-site this morning. See attached PDF showing the revised Civil Siteplan last revised 11/18/25 on page 1.

As we discussed, we squared off the pavement area south of the residence, added a "NO PARKING – FIRE LANE" sign and added a dimension to the proposed building of 80.8 feet.

Matt –
If Captain Keenum doesn't have any further changes, this should replace the prior 3-page document you were sent from Kathy in September.

Thank you - Mike

**Michael D. Cook, P.E.**
President

**Cook Engineering Group**
Civil Engineering & Land
Development Consulting
815.577.1707 T | 815.715.6217 C
https://link.edgepilot.com/s/fc092144/s8Rfr1XD3UqXFA96UjEBMQ?u=http://www.cookenggroup.com/

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**From:** ALEC KEENUM <AKEENUM@oswegofire.com>
**Sent:** Tuesday, November 18, 2025 1:41 PM

## Matt Asselmeier

**From:** Aaron Rybski
**Sent:** Thursday, November 20, 2025 8:59 AM
**To:** Matt Asselmeier
**Subject:** Re: Kendall County Zoning Petition 25-21

No concerns on this. We want to make sure that they work with us on the septic permit before they move forward with building renovation work. Usual process. Thanks.

Get Outlook for iOS

**DEPARTMENT OF PLANNING, BUILDING & ZONING**
807 West John Street • Yorkville, IL • 60560
(630) 553-4141 Fax (630) 553-4179

# Petition 25-22
## Todd E. Fryatt on Behalf of East Schoolhouse Road Community Energy Initiative LLC (Tenant) and John H. Smits on Behalf of the Jerrald J. Smits ET AL Trust (Owner)
## A-1 Special Use Permit for Commercial Solar Energy Facility and Variance to Allow the Facility on Land Within 1.5 Miles of a Municipality Without an Annexation Agreement

**INTRODUCTION**

The Petitioner is seeking a special use permit for a commercial solar energy facility and a variance to Section 36-282(17)a of the Kendall County Code 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 are included as Attachment 1. The wetland delineation report is included as Attachment 2. The NRI Report is included as Attachment 3. The plat of survey is included as Attachment 4. The site plan is included as Attachment 5. The vegetative management plan is included as Attachment 6. Decommissioning information is included as Attachment 7. The Agricultural Impact Mitigation Agreement is included as Attachment 8. Drain tile information is included as Attachment 16. A glare study is included as Attachment 17. A property value study is included as Attachment 18. A Health and Safety Study is included as Attachment 19.

**SITE INFORMATION**

PETITIONER: Todd E. Fryatt on Behalf of East Schoolhouse Road Community Energy Initiative LLC (Tenant) and John H. Smits on Behalf of the Jerrald J. Smits ET AL Trust (Owner)

ADDRESS: East of 3485 Route 126, Oswego

LOCATION: Approximately 0.25 Miles West of Schlapp Road on the North Side of Route 126



TOWNSHIP: Na-Au-Say

PARCEL : 06-09-400-004

LOT SIZE: 86.4 +/- Acres (Total Parcel), 36.4 +/- Acres (Disturbed Area), 34.5 +/- Acres (Fenced Area)

EXISTING LAND USE: Agricultural

ZONING: A-1

LRMP:

| | |
|---|---|
| Future Land Use | Rural Residential (Max 0.60 DU/Acre) (County)<br>Agricultural (Oswego) |
| Roads | Route 126 is an Arterial maintained by IDOT. |
| Trails | There is a trail planned along Route 126. |
| Floodplain/ Wetlands | There is a floodplain of the Little Slough Creek near the south end of the property (Zone A-no base flood elevation determined). |

REQUESTED ACTIONS: Special Use Permit for a Commercial Solar Energy System

Variance to Allow a Commercial Solar Energy System on Land with One Point Five (1.5) Miles of a Municipality without an Annexation Agreement

APPLICABLE REGULATIONS: §36-282(17) – A-1 Special Uses

§36-39 – Variance Procedures

Chapter 36, Article II, Division 3, Subdivision I – Special Use Procedures

**SURROUNDING LAND USE**

| Location | Adjacent Land Use | Adjacent Zoning | Land Resource Management Plan | Zoning within ½ Mile |
|---|---|---|---|---|
| North | Agricultural/Farmstead | A-1 | Rural Residential (County)<br>Agricultural (Oswego) | A-1 |
| South | Agricultural | A-1 | Rural Residential (County)<br>Agricultural (Oswego) | A-1 and R-1 |
| East | Agricultural | A-1 | Rural Residential and Commercial (County)<br>Agricultural (Oswego) | A-1 and A-1 SU |

| | | | | |
|---|---|---|---|---|
| West | Farm Equipment Sales and Service Business and Landscaping Business | A-1 and A-1 SU | Rural Residential (County) Agricultural (Oswego) | A-1 and A-1 SU |

The A-1 special use permit to the east is for a farm market, garden shop, winery, corn maze, and fall festival. The A-1 special use permits to the west are for a farm equipment sales and service business and a landscaping business.

Oswego School District 308 owns property near the southwest corner of the subject property.

Approximately seven (7) existing houses are within one half (1/2) mile of the subject property.

Schlapp Road is roughly the boundary line between the Village of Oswego's and Village of Plainfield's planning areas.

**PHYSICAL DATA**

**ENDANGERED SPECIES REPORT**

EcoCAT Report was submitted on October 4, 2024, and consultation was terminated see Attachment 1, Pages 69 and 70.

**NATURAL RESOURCES INVENTORY**

The LESA Score was 240 indicating a high level of protection. The NRI Report is included as Attachment 3.

**ACTION SUMMARY**

**NA-AU-SAY TOWNSHIP**

Petition information was sent to Na-Au-Say Township on November 12, 2025. The Petitioners reviewed the proposal with Na-Au-Say Township prior to application submittal.

**VILLAGE OF OSWEGO**

Petition information was sent to the Village of Oswego on November 12, 2025. Prior to formal application submittal, the Village of Oswego submitted a letter stating they would not pursue annexation at this time. The Village also requested that the County deny the special use permit for this project because the proposal could negatively impact the Village's ability to grow. This letter is included as Attachment 9.

**OSWEGO PROTECTION DISTRICT**

Petition information was sent to the Oswego Fire Protection District on November 12, 2025. Prior to formal application submittal, the Petitioners met with the Oswego Fire Protection District. Discussion occurred regarding vehicular access, Knox Box access, types of vegetation proposed, the location of the power disconnect, and emergency contact information. The Fire Protection District's concerns were addressed. An email outlining the meeting is included as Attachment 11.

**ZPAC**

Petition information was sent to former ZPAC members on November 12, 2025.

**GENERAL INFORMATION**

Per § 36-282(17) of the Kendall County Code, commercial solar energy facilities businesses can be special uses on A-1 zoned property subject to the following conditions (Staff Comments in Bold):

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.**

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 Attachment 5, Page 2, the closet nonparticipating structure is approximately one thousand, one hundred seventy-four feet (1,174') to the south of the commercial solar energy facility. The owner of the closest non-participating structure submitted a letter of support for the project which is included as Attachment 11. The perimeter fence is setback approximately one hundred fifteen feet (115') from the eastern property line, two hundred eighty five feet (285') from the northern property line, fifty-one feet (51') from the western property line, and seven hundred ninety-four feet (794') from the southwestern property line. The commercial solar energy facility is approximately one thousand, three hundred six feet (1,306') from Route 126. In addition to the setback from the fence to the property lines, the commercial solar panels are at least twenty feet (20') inside of the fence, at their closet point.**

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 Attachment 5, Page 9, the fence is proposed to be eight feet (8') in height and will be a knot wire fence. The fence will have fox passages every fifty feet (50') for the entire length of the fence; these passages are eight inches (8") wide by twelve inches (12") tall**

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. **This is true. Per the site plan, see Attachment 5, Page 2, the Petitioners acknowledge the maximum height will be less than twenty feet (20').**

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. **A noise study was provided; see Attachment 12.**

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 7 and is outlined in the AIMA provided as Attachment 8. As noted on Page 10 of Attachment 7, the estimated cost of decommissioning is Three Hundred Sixteen Thousand, Nine Hundred Sixty-One Dollars and Forty Cents ($316,961.40). The Petitioners will provide a bond to the County.**

h. A vegetative screening shall be placed around the commercial solar energy facility. **The landscaping plan was included on Page 6 of the site plan (Attachment 5) with more detailed landscaping information included in the vegetative management plan (Attachment 6). The plan includes the installation of sixty-six (66) Eastern Red Cedars, one hundred fifty-seven Northern White**

**Cedars, and ninety (90) Green Giant Arborvitae. The previously listed plants will be three-five feet (3'-5') minimum in height. The seed mix will be an Economy Prairie Seed Mix from Pizzo Native Plant Nursery, LLC or equivalent seed mix.**

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 as Attachment 13. Four (4) threatened or endangered species were in the area, but 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 regulatory floodplain.**

l. 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 Attachment 14.**

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, including timelines for planting and maintenance of the vegetation was provided, see Attachment 6. Additional planting information was included in the site plan, Attachment 5. WBK Engineering requested additional information regarding the vegetative management plan's role in stormwater management and annual reporting requirements for the first five (5) years after planting and germination.**

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. **No road use agreement was requested. The permit application from IDOT is included as Attachment 15. The site plan (Attachment 5) shows one (1) twenty foot (20') wide gravel driveway approximately fourteen feet (14) west of the eastern property line at its closest point to the property line. The existing driveway is approximately thirteen feet (13') wide at its narrowest point.**

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. **A drain tile study was provided (see Attachment 16). The foundations for the racking will be placed in a manner that minimizes impacts on the drain tile and drain tile will be repaired per the AIMA. Additional drain tile repair information was requested by WBK Engineering (see Attachment 20).**

**BUILDINGS AND BUILDING CODES**
No buildings are planned for the site. Any structures proposed for the site, including the solar arrays, shall obtain applicable permits.

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

The Petitioner provided a health and safety study, see Attachment 19.

**STORMWATER**
The property drains to the south. The Petitioners submitted an application for a stormwater management permit.

On November 19, 2025, WBK Engineering submitted comments regarding the proposal. In particular, WBK requested additional informational clarifying drainage on the property, the addition of drain tiles to additional pages in the site plan, and a more robust vegetative management plan with annual reporting requirements for the first five (5) years after planting and germination. These comments are included as Attachment 20.

**ACCESS**
Per the site plan (See Attachment 5), the Petitioner proposes one (1) twenty foot (20') wide access road.

The site plan shows two (2) twelve foot (12') wide sliding vehicular access gates.

Knox box information will be provided to the County.

**PARKING AND INTERNAL TRAFFIC CIRCULATION**
No permeant parking was proposed.

**LIGHTING**
No lighting was proposed.

**SIGNAGE**
Though not shown on the site plan, the Petitioners were agreeable to installing one (1) non-illuminated sign stating emergency contact information along Route 126.

**GLARE**
The Petitioner provided a glare study, see Attachment 17.

**IMPACT ON PROPERTY VALUES**
The Petitioner provided a property values study, see Attachment 18. The same firm that prepared the property value study for this proposal also provided the property value study for the solar projects on Simons Road and Ament Road

**ODORS**
No odors were foreseen.

**NOISE**
The Petitioner provided a noise study, see Attachment 12.

**RELATION TO OTHER SPECIAL USES**
If approved, this would be the fourth special use permit for a commercial solar energy facility in unincorporated Kendall County.

As of the date of this memo, the Petitioners were evaluating the Community Benefits Agreement.

**FINDINGS OF FACT-SPECIAL USE PERMIT**
§ 36-119 of the Kendall County Code outlines findings that the Zoning Board of Appeals must make in order to recommend in favor of the applicant on special use permit applications. They are listed below in *italics.* Staff

has provided findings in **bold** below based on the recommendation:

*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 front portion of the parcel closest to Route 126 will be retained for agricultural use and serve as a buffer to the floodplain. The Petitioner submitted a vegetative management plan outlining the types of vegetation that will be planted, the timing of planting, and a maintenance plan for the vegetation.**

*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 A-1 with a special use permit and will not be prevented from continuing any existing use or from pursuing future uses. The proposal's operations would be quiet and minimal traffic will occur after installation is completed. The solar panels are setback from Route 126 and screened to avoid negative visual impacts.**

*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 secure applicable permits from IDOT and a stormwater management permit. After initial construction traffic, landscape maintenance and maintenance to the project components are anticipated to occur on an as-needed basis, consistent with the vegetative management plan. Existing traffic patterns will not be impacted in the post-construction operations phase. A drain tile survey has been completed and foundation design will work around or reroute any identified drain tiles to ensure proper drainage. Additional drain tile repair information was requested by WBK Engineering. Annual reporting information was requested by WBK Engineering for the first five (5) years after planting and germination.**

*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 3-4 of the Land Resource Management Plan**, **"Support the public and private use of sustainable energy systems (examples include wind, solar, and geo-thermal)." However, the proposal is located on property classified as Rural Residential on the Future Land Use Map and the Kendall County Regional Planning Commission recommended denial of similar proposals. Also, the Village of Oswego requested the County to deny the special use permit because the proposal could negatively impact the Village's ability to grow.**

**FINDINGS OF FACT-VARIANCE**

§36-39 of the Kendall County Code outlines findings that the Zoning Board of Appeals must make in order to grant variations. They are listed below in *italics.* Staff has provided findings in **bold** below based on the recommendation:

*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 Oswego and the Village of Plainfield. The subject property is on the Village of Oswego's side of the boundary agreement. The Village of Oswego submitted a letter stating they did not wish to annex the property or enter into a pre-annexation agreement.**

*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 Oswego did not wish to enter into a pre-annexation agreement or annex the property.**

*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.**

**RECOMMENDATION**

Given that the Kendall County Regional Planning Commission recommended denial of similar proposals on lands planned to be Rural Residential and because of lack of clarity in State law regarding using the LaSalle and Sinclar Factors in evaluating applications of special use permits for commercial solar facilities, Staff's recommendation is neutral. Assuming that conditions can be imposed on the special use permit, the proposed conditions and restrictions are as follows:

1. The site shall be developed substantially in accordance with the submitted site plan (Attachment 5), vegetative management plan (Attachment 6), decommissioning plan (Attachment 7), and Agricultural Impact Mitigation Agreement (Attachment 8).
2. A variance to section 36-282(17)(a) of the Kendall County Code is hereby granted allowing a commercial solar energy facility within one point five (1.5) miles of a municipality without an annexation or pre-annexation agreement.
3. The developer and/or owner of the subject property allowed by this special use permit shall enter into a community benefits agreement with Kendall County
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 near the access on Route 126. This sign 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. KenCom and other applicable public safety agencies shall be supplied the access code to the Knox Box/security gate.
9. Damaged drain tile will be repaired on a timeframe approved by the Kendall County Planning, Building and Zoning Department.
10. Written performance standards as well as annual reporting related to the installation and maintenance of the vegetation shall be submitted to the County for the first five (5) years after planting and

germination. The last three (3) years shall meet the required performance standards or reporting shall continue until this condition is satisfied. (**Added Prior to RPC Meeting**).

11. The operators of the use allowed by this special use permit acknowledge and agree to follow Kendall County's Right to Farm Clause.

12. 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.

13. 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.

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

15. 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.

**ATTACHMENTS**

1. Application Materials
2. Wetland Delineation Reports
3. NRI Report
4. Plat of Survey
5. Site Plan
6. Vegetative Management Plan
7. Decommissioning Plan
8. Agricultural Impact Mitigation Agreement
9. December 12, 2024, Letter from the Village of Oswego
10. Oswego Fire Protection District Correspondence
11. September 22, 2025, Letter from Greg Dady
12. Noise Study
13. U.S. Fish and Wildlife Report
14. State Historic Preservation Office Letter
15. IDOT Permit Application
16. Drain Tile Information
17. Glare Study
18. Property Value Study
19. Health and Safety Study
20. November 19, 2025, Letter from WBK Engineering

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

# APPLICATION

**PROJECT NAME** East Schoolhouse Road Solar **FILE #:**_____

**NAME OF APPLICANT (Including First, Middle Initial, and Last Name)**
East Schoolhouse Road Community Energy Initiative LLC

**CURRENT LANDOWNER/NAME(s)**
Jerrald J Trust ET AL Smits

| **SITE INFORMATION** ACRES | SITE ADDRESS OR LOCATION | ASSESSOR'S ID NUMBER (PIN) |
|---|---|---|
| 86.452 | E Schoolhouse Road | 06-09-400-004 |

| EXISTING LAND USE | CURRENT ZONING | LAND CLASSIFICATION ON LRMP |
|---|---|---|
| Agriculture | Agricultural - A1 | Rural Residential |

**REQUESTED ACTION** (Check All That Apply):

| | | |
|---|---|---|
| X SPECIAL USE | ___ MAP AMENDMENT (Rezone to ____) | ___ VARIANCE |
| ____ADMINISTRATIVE VARIANCE | ___ A-1 CONDITIONAL USE for:_____ | ___ SITE PLAN REVIEW |
| ___ TEXT AMENDMENT<br>___ PRELIMINARY PLAT | ___ RPD (___Concept; ___ Preliminary; ___ Final)<br>___ FINAL PLAT | ___ ADMINISTRATIVE APPEAL<br>___ OTHER PLAT (Vacation, Dedication, etc.) |

___ AMENDMENT TO A SPECIAL USE (____ Major; _____ Minor)

| [1]PRIMARY CONTACT | PRIMARY CONTACT MAILING ADDRESS | PRIMARY CONTACT EMAIL |
|---|---|---|
| Ben Dykema | [redacted] | [redacted] |

| PRIMARY CONTACT PHONE # | PRIMARY CONTACT FAX # | PRIMARY CONTACT OTHER #(Cell, etc.) |
|---|---|---|
| [redacted] | --- | --- |

| [2]ENGINEER CONTACT | ENGINEER MAILING ADDRESS | ENGINEER EMAIL |
|---|---|---|
| Andy Gullone - CEC, Inc | [redacted] | [redacted] |

| ENGINEER PHONE # | ENGINEER FAX # | ENGINEER OTHER # (Cell, etc.) |
|---|---|---|
| [redacted] | --- | --- |

I UNDERSTAND THAT BY SIGNING THIS FORM, THAT THE PROPERTY IN QUESTION MAY BE VISITED BY COUNTY STAFF & BOARD/ COMMISSION MEMBERS THROUGHOUT THE PETITION PROCESS AND THAT THE PRIMARY CONTACT LISTED ABOVE WILL BE SUBJECT TO ALL CORRESPONDANCE ISSUED BY THE COUNTY.

I CERTIFY THAT THE INFORMATION AND EXHIBITS SUBMITTED ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND THAT I AM TO FILE THIS APPLICATION AND ACT ON BEHALF OF THE ABOVE SIGNATURES. **THE APPLICANT ATTESTS THAT THEY ARE FREE OF DEBT OR CURRENT ON ALL DEBTS OWED TO KENDALL COUNTY AS OF THE DATE OF THE APPLICATION.**

**SIGNATURE OF APPLICANT** [redacted] 79EE4C7433024D6... **DATE** 3/13/2025

FEE PAID:$_____
CHECK #:_____

[1]*Primary Contact will receive all correspondence from County*
[2]*Engineering Contact will receive all correspondence from the County's Engineering Consultants*

Date Stamp Here If Checklist Is Complete

**DEPARTMENT OF PLANNING, BUILDING & ZONING**
807 West John Street • Yorkville, IL • 60560
(630) 553-4141 Fax (630) 553-4179

# APPLICATION

**PROJECT NAME** Schoolhouse Road **FILE #:**_____

**NAME OF APPLICANT (Including First, Middle Initial, and Last Name)**
East Schoolhouse Road Community Energy Initiative LLC

**CURRENT LANDOWNER/NAME(s)**
Jerrald J Trust ET AL Smits

| **SITE INFORMATION** ACRES | SITE ADDRESS OR LOCATION | ASSESSOR'S ID NUMBER (PIN) |
|---|---|---|
| 86.452 | 0 E Schoolhouse Road | |
| EXISTING LAND USE | CURRENT ZONING | LAND CLASSIFICATION ON LRMP |
| Agriculture | Agricultural - A1 | Rural Residential |

**REQUESTED ACTION** (Check All That Apply):

| | | |
|---|---|---|
| _____SPECIAL USE | ___ MAP AMENDMENT (Rezone to ____) | X VARIANCE |
| _____ADMINISTRATIVE VARIANCE | ___ A-1 CONDITIONAL USE for:_____ | ___ SITE PLAN REVIEW |
| ___ TEXT AMENDMENT<br>___ PRELIMINARY PLAT | ___ RPD (___Concept; ___ Preliminary; ___ Final)<br>___ FINAL PLAT | ___ ADMINISTRATIVE APPEAL<br>___ OTHER PLAT (Vacation, Dedication, etc.) |
| ___ AMENDMENT TO A SPECIAL USE (_____Major; _____Minor) | | |

| [1]**PRIMARY CONTACT** | **PRIMARY CONTACT MAILING ADDRESS** | **PRIMARY CONTACT EMAIL** |
|---|---|---|
| Ben Dykema | [redacted] | [redacted] |
| **PRIMARY CONTACT PHONE #** | **PRIMARY CONTACT FAX #** | **PRIMARY CONTACT OTHER #**(Cell, etc.) |
| [redacted] | --- | --- |

| [2]**ENGINEER CONTACT** | **ENGINEER MAILING ADDRESS** | **ENGINEER EMAIL** |
|---|---|---|
| Andy Gullone - CEC, Inc | [redacted] | [redacted] |
| **ENGINEER PHONE #** | **ENGINEER FAX #** | **ENGINEER OTHER #** (Cell, etc.) |
| [redacted] | --- | --- |

I UNDERSTAND THAT BY SIGNING THIS FORM, THAT THE PROPERTY IN QUESTION MAY BE VISITED BY COUNTY STAFF & BOARD/ COMMISSION MEMBERS THROUGHOUT THE PETITION PROCESS AND THAT THE PRIMARY CONTACT LISTED ABOVE WILL BE SUBJECT TO ALL CORRESPONDANCE ISSUED BY THE COUNTY.

I CERTIFY THAT THE INFORMATION AND EXHIBITS SUBMITTED ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND THAT I AM TO FILE THIS APPLICATION AND ACT ON BEHALF OF THE ABOVE SIGNATURES. **THE APPLICANT ATTESTS THAT THEY ARE FREE OF DEBT OR CURRENT ON ALL DEBTS OWED TO KENDALL COUNTY AS OF THE APPLICATION DATE.**

**SIGNATURE OF APPLICANT** Signed by: [redacted] **DATE** 3/13/2025

FEE PAID:$_____
CHECK #:_____

*[1]Primary Contact will receive all correspondence from County*
*[2]Engineering Contact will receive all correspondence from the County's Engineering Consultants*

Last Revised:
**02.04.25**

Date Stamp Here If Checklist Is Complete

# AUTHORIZATION TO ACT AS AGENT of JOHN H. SMITS

I, John H. Smits, an Illinois person, residing at [redacted] hereby state the following;

1. I am a part owner of the Property known as Kendall County, IL parcel ID 06-09-400-004, off of East Schoolhouse Road, Oswego, Illinois (the "Property").
2. Pursuant to the terms of a Tenants in Common Agreement ("Agreement") dated December 31, 2024, I have been appointed the Property Agent.
3. Further pursuant to such Agreement, I am authorized to make decisions and sign real estate documents on behalf of the other owners of the Property.
4. The Agreement entitles the Property Agent to sign real property documents on behalf of the other Property Owners.
5. The Property is subject to a Lease Agreement between East Schoolhouse Road Community Energy Initiative LLC as tenant, and the Property Owners as Landlord.
6. East Schoolhouse Road Community Energy Initiative LLC is developing a solar energy facility on the Property and from time to time needs the permission of the Property Owner for the submission of applications, related plans, documents, and to appear before boards and other officials for obtaining approvals for solar installation to be constructed on the property.
7. The Lease obligates the Landlord to reasonably comply with the Tenant's efforts to permit the solar project.
8. Accordingly, individually and in my appointed capacity as Property Agent, I hereby authorize ECA Solar d/b/a East Schoolhouse Road Community Energy Initiative LLC and its employees and affiliates to act as the agent for the Property Owners for the submission of applications, related plans, documents, and to appear before boards and other officials for obtaining approvals for solar installation to be constructed on the property located off Schoolhouse Road in Na-Au-Say Township, Kendall County, IL parcel ID 06-09-400-004.

Stated under the pains and penalties of perjury, this 20th day of March 2025,



John H. Smits, Individually and in my capacity as Property Agent

**STATE OF: Illinois** )

) **ss:**

**COUNTY OF** DuPage )

On this the 20 day of March, 2025, before me, a Notary Public, personally appeared John H. Smits, who proved himself to me by Illinois drivers license, and that he, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing, individually and in his official capacity.

**In Witness Whereof**, I hereunto set my hand and official seal.

MICHAEL C BRASSIL
Official Seal
Notary Public - State of Illinois
My Commission Expires Aug 15, 2026

[redacted]
Notary Public

My Commission Expires: 8/15/26

# LEASE AGREEMENT

This Lease Agreement (this "**Lease**") is made, dated and effective as of February 4, 2025 (the "**Effective Date**"), between John H. Smits and Marygrace Smits, as to an undivided interest, Robert J. Smits and Pamela Smits, as to an undivided interest and Jerrald J. Smits, Trustee of the Jerrald J. Smits Trust, a certain Trust Agreement dated the 6th day of February 2009, and as designated as the Jerrald J. Smits Trust, as to an undivided interest (collectively as "**Owner**"), and East Schoolhouse Road Community Energy Initiative LLC, an Illinois limited liability company ("**Lessee**"). Owner and Lessee are sometimes referred to herein as a "**Party**" and collectively as the "**Parties.**"

WHEREAS, Owner holds fee title to that certain property located in the County of Kendall in the State of Illinois, as further described in **Exhibit A** attached hereto (the "**Property**[1]"); and

NOW THEREFORE, in consideration of the mutual promises contained herein, and for other valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties agree as follows:

1. **Grant of Lease**. Owner hereby grants to Lessee an exclusive lease of a minimum of [redacted] located on the Property as more particularly described and shown on Exhibit A-1 (the "Leased Premises"), including all improvements thereon, any easements and rights-of-way benefiting such real property, including the right to access and utilize all radiant energy emitted from the sun ("Solar Energy") upon, over and across said real property. Prior to the commencement of construction of the Solar Energy Facility, the Parties shall meet to agree on a mutually acceptable final layout and description of the Leased Premises, to include Lessee's construction staging area. Upon agreement, the Parties shall amend Exhibit A-1 of this Agreement with a new site plan and legal metes and bounds description confirming the actual leased acreage to accurately describe and memorialize the Leased Premises. Notwithstanding the Leased Premises, Lessee shall have a general right of ingress and egress over and across the Remainder Property so long as Lessee's activities do not conflict with any other tenant on the Property outside of the Leased Premises ("Tenant"). Lessee shall pay Owner a non-refundable payment of Fifteen Thousand Dollars ($15,000.00) upon the signing of this Lease Agreement. Lessee shall pay Owner a non-refundable payment of Forty Thousand Dollars ($40,000.00) within five days of the Commencement of Construction, being defined as the formal issuance of the Notice to Proceed ("NTP") by Lessee authorizing the mobilization of any equipment for the construction of the Solar Energy Facility.

2. **Basic Lease Rights**.

2.1. Exclusive Use; Purpose of Lease. Lessee shall have the exclusive right to use the Leased Premises and the unobstructed flow of Solar Energy upon, over and across the Property for the collection, generation, and sale of electric power and for purposes and activities ancillary thereto ("**Solar Energy Purposes**"), whether accomplished by Lessee or a third party authorized by Lessee, and to derive all profits therefrom. For purposes of this Lease, the meaning of Solar

[1] References to the Property throughout this Lease Agreement shall include the Leased Premises. References to the Leased Premises shall include only that portion of the Property described in Exhibit A-1. References to the Remainder Property shall refer to the area of the Property outside the Leased Premises.

Energy Purposes includes, without limitation, the right to convert the Solar Energy into electrical energy and to collect, store, sell and transmit the electrical energy so converted, together with any and all activities related thereto, including, without limitation, (a) determining the feasibility of Solar Energy conversion and power generation on the Leased Premises, including studies of the Solar Energy emitted upon, over and across the Leased Premises and other meteorological data and environmental studies and due diligence activities; (b) constructing, installing, using, replacing, relocating and removing from time to time, and maintaining and operating, Solar Energy collection, storage and electrical generating equipment of all types including, without limitation, any such equipment utilizing photovoltaic and/or solar thermal technology (collectively referred to herein as "**Solar Generating Equipment**"), overhead and underground electrical and communications lines, electric transformers, telecommunications equipment, roads, meteorological towers and Solar Energy measurement equipment, control buildings, operations and maintenance buildings, maintenance yards, substations, switch yards, and related facilities and equipment (the Solar Generating Equipment together with all of the other foregoing equipment and improvements, collectively "**Solar Facilities**"); and (c) undertaking any other activities that Lessee reasonably determines are necessary, useful or appropriate to accomplish any of the foregoing, including without limitation, exercising the right of ingress to and egress from Solar Facilities (whether located on the Property or on the adjacent drive) over and across the Remainder Property by means of roads and lanes thereon if existing, or otherwise by such route or routes as Lessee may construct from time to time ("**Access Rights**"). Lessee shall have the right to make all siting decisions with respect to the Solar Facilities on the Leased Premises. Lessee's rights with respect to the Leased Premises shall also include the following rights:

(a) Right to Eliminate Obstructions Interfering with Solar Facilities. Lessee may at Lessee's expense, as reasonably necessary, remove, trim, prune, top or otherwise control the growth of any tree, shrub, plant or other vegetation and dismantle, demolish, and remove any improvement, structure, embankment, impediment, berm, wall, fence or other object, on or that intrudes (or could intrude from adjacent property owned or controlled by Owner) into the Remainder Property and Leased Premises that could obstruct, interfere with or impair the Solar Facilities or the use of the Leased Premises by Lessee hereunder.

(b) Specific Right to Use and Demolish Existing Structures. Without limitation of any and all other rights under this Lease, Lessee will have the specific right to occupy, use, renovate, rebuild, demolish, and/or remove any existing structures on the Leased Premises, at Lessee's sole expense, for any and all purposes related to its use of the Leased Premises, including as an office and/or living quarters in connection with construction, operation, and management of the Solar Facilities. Furthermore, no existing structures on any adjacent parcels shall be demolished, renovated, or altered in any manner without the prior written consent of the Lessor which consent shall not be unreasonably withheld, delayed, or conditioned.

(c) Right to Control Access. Subject to the terms of this Lease and applicable law, Lessee shall have the right under the Lease to control and restrict access onto and over the Leased Premises and exclude others, and Lessee may, at its sole expense, construct and maintain security devices on and surrounding the Leased Premises which Lessee deems appropriate and necessary for the protection of the Solar Facilities, including, but not limited to, any type of fencing, security monitoring or other security safeguards. Nothing in this Lease shall be construed to require Lessee to repair, maintain or replace any fence existing on the Leased Premises on the

Effective Date or any other fences erected, with Lessee's permission, by Owner on the Remainder Property thereafter.

(d) Notwithstanding anything to the contrary, Lessee shall cooperate with any other tenants of the Remainder Property and shall take best efforts not to unreasonably interfere with any tenant's usual business operations. Lessee shall inform any tenant of delivery schedules to the extent practicable should they be expected to disturb any tenant. The Owner shall provide contact information for any tenant at Exhibit B of this Agreement and shall notify Lessee immediately of any change in contact.

2.2. Conveyances, Other Agreements, and Owner's Cooperation. In connection with the exercise of the rights of Lessee hereunder, Lessee, shall also have the right, with the consent of Owner with respect to grants that do not extend beyond the expiration of the Term: (a) to grant directly or (b) cause Owner to promptly grant to any party (a "**Grantee**") such rights or interests in or to the Leased Premises that are reasonably necessary or convenient for the Lessee's use of the Leased Premises for the Solar Facilities as permitted pursuant to Section 2.1, including, without limitation, easements and similar associated rights to construct, operate, and maintain transmission, substation, collection, distribution, interconnection or switching lines or facilities (collectively, the "**Additional Rights**"). It is agreed that it would be unreasonable for Owner to withhold, condition, or delay its consent to any of the Additional Rights to the extent that the grant of the right or interest is necessary for the operation of the Solar Facilities. Notwithstanding anything to the contrary in this Lease, Lessee shall not have the right to grant a sub-lease or other property interest to a subordinate tenant without the written consent of Owner, which may be withheld in Owner's reasonable judgment.

2.3. Owner Access. During the Term (as defined below), Owner shall have access to the Leased Premises at reasonable intervals and at reasonable times, upon twenty-four hours prior advance written notice to Lessee, to inspect the Leased Premises, provided that Owner shall not interfere with the Solar Facilities or Lessee's activities or occupancy of the Leased Premises in any manner. Owner shall have access to the Leased Premises in case of emergency with no prior notice to Lessee required.

2.4. Setback. Owner agrees to a setback of 100 feet surrounding the entire Leased Area for any buildings or structures to ensure non-interference with the insolation of the Solar System. The setback area shall not be considered part of the Leased Area.

3. **Term**. The term of this Lease ("**Original Term**") shall commence upon the Effective Date and continue until the [redacted] anniversary of the date on which the Solar Generating Equipment commences commercial operations (the "**Commercial Operations Date**") unless terminated earlier pursuant to the terms hereof. Additionally, the Lessee shall have [redacted] to extend following the expiration of the Original Term (each an "Extension Term"), which may be exercised by Lessee sending written notice to Owner 120 days prior to the expiration of the Original Term and the First Extension Term. Lessee may terminate this Agreement at any point prior to the Commercial Operations Date should Lessee be unable to obtain the necessary permits and approvals to construct and operate the facility contemplated at Exhibit A-1, by providing written notice to Owner of such termination.

4. **Rent**. In consideration of the rights granted hereunder, Lessee will pay annual rent to the Owner, due and payable beginning on the Commercial Operations Date and each anniversary of the Commercial Operations Date until the expiration or termination of this Lease (collectively, the "**Rent**"), in the minimum amount of [redacted] in the first year. The first year Rent amount shall be calculated based on utility interconnection costs of greater tha[redacted] Lessee shall provide proof of interconnection costs to Owner upon receipt. The Rent shall be increased based on a proportional decrease in interconnection costs as shown on Exhibit B. The Parties shall amend this Agreement based upon the actual interconnection cost to memorialize the actual first year rent prior to the Commercial Operations Date. Payments shall be made on an annual basis. The Rent shall be subject to a [redacted] The foregoing rent shall be prorated for any partial lease year. Lessee shall be entitled to recover from the Owner a prorated amount of the Rent paid if this Lease is terminated for any reason other than Lessee's default before the end of a full lease year. For the avoidance of doubt, Rent during the extension terms shall be based on the rent paid to Owner in year twenty-five of the Original Term of this Agreement.

5. **Ownership of Solar Facilities**. Owner acknowledges and agrees that Lessee is the exclusive owner and operator of the Solar Facilities, and that all equipment comprising the Solar Facilities shall remain the personal property of the Lessee and shall not become fixtures, notwithstanding the manner in which the Solar Facilities are or may be affixed to any real property of Owner. Owner shall have no right, title or interest in the Solar Facilities or any component thereof, notwithstanding that the Solar Facilities may be physically mounted or affixed to the Leased Premises. The Owner consents to the filing of a disclaimer of the Solar Facilities as a fixture of the Leased Premises in the office where real estate records are customarily filed in the jurisdiction of the Leased Premises. Except for the Rent payments described in Section 4 above, Owner shall not be entitled to any other payments or benefits accrued by or from the Solar Facilities, including renewable energy credits, environmental credits, or tax credits. To the extent Owner comes into possession of any energy credits, environmental credits, or tax credits as a result of the Solar Facilities, Owner shall immediately transfer same to Lessee.

6. **Taxes**. Lessee shall pay all of the real estate property taxes assessed against the Leased Premises when due, subject to this Section 6 and Lessee shall have the right to contest such taxes in a manner that does not jeopardize Owner's rights hereunder. Lessee shall pay all property taxes assessed against the Solar Facilities and caused by Lessee's operations on the Leased Premises. Furthermore, Lessee shall be solely responsible for any Transfer Taxes assessed by the County. Lessee may contest the amount and the legal validity and amount of any such taxes for which it is responsible under this Lease, and may institute such proceedings as it considers reasonable or necessary, provided that Lessee shall bear all expenses in pursuing such contest or proceeding, and for which Lessee shall indemnify Owner from any adverse action taken by any taxing authority against Owner. Further, if Lessee elects to challenge any real property taxes assessed against the Leased Premises, Owner agrees to cooperate with such challenge, and file the same upon request of Lessee, at the sole cost of Lessee. Owner shall submit to Lessee a copy of all notices and other correspondence Owner receives from any taxing authorities regarding taxes for which Lessee is responsible hereunder within thirty (30) days after Owner receives same, but in no event later than thirty (30) days prior to the date an objection to such assessment or taxes must be filed. Should Lessee fail to pay any taxes for which Lessee is responsible, Owner may pay such taxes, subject

to reimbursement by Lessee, with interest of 1.5% per month. Lessee shall indemnify Owner from any adverse action taken by any taxing authority as a result of Lessee's failure to pay.

7. **Lessee's Representations and Warranties**. Lessee represents and warrants that it has the unrestricted right and authority to execute this Lease. Each person signing this Lease on behalf of Lessee is authorized to do so. When signed by Lessee, this Lease constitutes a valid and binding agreement enforceable against Lessee in accordance with its terms.

8. **Lessee's Covenants**.

8.1. Insurance. Throughout the term, the Lessee shall maintain and pay for (i) general liability insurance with limits of not less than $2,000,000 combined single limit and $4,000,000 general aggregate; (ii) vehicle liability insurance with minimum limits of $2,000,000; and (iii) statutory workers' compensation insurance covering all of its employees. Lessee shall provide to Owner a certificate evidencing such coverage prior to the commencement of the Term and evidence of renewal or replacement thereof upon request. In addition, Lessee shall maintain an umbrella policy with coverage of $5,000,000.

8.2. Indemnification of Owner. Lessee shall indemnify, defend, and hold harmless Owner against any and all losses, damages, claims, expenses and other liabilities, including without limitation, reasonable attorneys' fees, in each case to the extent resulting from or arising out of physical damage to property or physical injury to any person, and in each case to the extent caused by Lessee's negligence or willful misconduct on the Leased Premises. This indemnification shall survive the termination of this Lease. This indemnification shall not apply to losses, damages, claims, expenses, and other liabilities to the extent caused by the negligence or willful misconduct of Owner or any invitees or agents of Owner.

8.3. Requirements of Governmental Agencies. Lessee, at its expense, shall comply in all material respects with valid laws, ordinances, statutes, orders, and regulations of any governmental agency applicable to the Solar Facilities. Lessee shall have the right, in its sole discretion, to contest by appropriate legal proceedings, the validity or applicability to the Leased Premises or Solar Facilities of any law, ordinance, statute, order, regulation, property assessment, or the like now or hereafter made or issued by any federal, state, county, local or other governmental agency or entity. Any such contest or proceeding shall be controlled and directed by Lessee.

8.4. Construction Liens. Lessee shall keep the Leased Premises free and clear of all liens and claims of liens for labor and services performed on, and materials, supplies, or equipment furnished to, the Leased Premises in connection with Lessee's use of the Leased Premises pursuant to this Lease; provided, however, that if Lessee wishes to contest any such lien, Lessee shall, within thirty (30) days after it receives notice of the filing of such lien, remove or bond over such lien from the Leased Premises pursuant to applicable law.

8.5. Hazardous Materials. Lessee shall comply in all material respects with federal, state, and/or local law, and ordinances, and regulations promulgated thereunder relating to the generation, manufacture, production, use, storage, release, discharge, disposal, transportation, or

presence of any hazardous materials ("**Environmental Laws**") in, on under, or about the Leased Premises by Lessee.

9. **Owner's Representations and Warranties**. Owner hereby represents and warrants as follows:

9.1. Owner's Authority. Owner represents and warrants that it is the sole owner of the Property and has the unrestricted right and authority to execute this Lease and to grant to Lessee the rights granted hereunder. Each person signing this Lease on behalf of Owner is authorized to do so. When signed by Owner, this Lease constitutes a valid and binding agreement enforceable against Owner in accordance with its terms. If an entity, Owner is properly registered to do business in, and in good standing under the laws of the State of Illinois.

9.2. Liens and Tenants. Except as may be disclosed in Lessee's title policy or otherwise disclosed by Owner in writing to Lessee on or prior to the Effective Date, Owner represents that there are no liens, encumbrances, leases, mortgages, deeds of trust, security interests, claims, disputes, or other exceptions (collectively, "**Liens**") to Owner's right, title, or interest in the Property. There are no existing leases, either oral or written, options to lease, purchase agreements, or options to purchase applicable to the Property other than those listed on Exhibit B. All tenancies or leasehold interests disclosed in Exhibit B encumbering the Leased Premises shall be properly terminated by Owner in a manner that ensures the Leased Premises will be vacant prior to the Commencement of Construction. Owner shall provide Lessee with proof of termination of such tenancies or leasehold interests consistent with the legal standards of the State of Illinois upon Lessee's request.

9.3. Hazardous Materials. Owner represents and warrants that, as of the Effective Date, there are no violations of Environmental Laws with respect to the Property. No release or threatened release of any hazardous material has occurred, or is occurring, at, on, under, from or to the Property, and no hazardous material is present in, on, under or about the Property that could give rise to a claim under Environmental Laws. Neither Owner nor, to Owner's knowledge, any third party has used, generated, manufactured, produced, stored, or disposed of on, under or about the Property, or transported to or from the Property any hazardous materials in violation of Environmental Laws. To Owner's knowledge, there are no storage or other tanks or containers, or wells or other improvements, below the surface of the Property, nor have any storage or other tanks or containers, or wells or other improvements ever previously been located below the surface of the Property.

10. **Covenants of Owner**.

10.1. Quiet Enjoyment. During the entire term of this Lease, (a) Lessee shall have peaceful and quiet enjoyment of the Leased Premises, without hindrance or interruption by Owner or any other person and (b) Owner shall protect and defend the right, title, and interest of Lessee hereunder from any other rights, interests, title and claims of or by any Person. Without limiting the generality of the foregoing, if any Encumbrance, as defined below (including any mortgage against the Property or the lien of property taxes) provides for payment or performance of any obligations by Owner, then Owner shall, prior to delinquency, make such payment and perform such obligations.

(a) Insolation. Owner acknowledges and agrees that the free and unobstructed flow of sunlight ("Insolation") is essential to the value to Lessee of the leased interest granted hereunder and is a material inducement to Lessee in entering into this Agreement, as well as future agreements with any purchaser of energy or renewable energy credits generated hereunder. Accordingly, Owner shall not reasonably permit any interference with Insolation reaching the Leased Premises. Without limiting the foregoing, Owner shall not construct or permit to be constructed any structure on the Remainder Property that could adversely affect Insolation levels, permit the growth of foliage that could adversely affect Insolation levels, or emit or permit the emission of suspended particulate matter, smoke, fog or steam or other airborne impediments to Insolation or allow the unreasonable or intentional accumulation of farming dust. If Owner becomes aware of any potential development or other activity on adjacent or nearby properties that could diminish the Insolation to the Leased Premises, Owner shall advise Lessee of such information and reasonably cooperate with Lessee in measures to preserve existing levels of Insolation at the Leased Premises. Notwithstanding any other provision of this Lease, the Parties agree that (i) Lessee would be irreparably harmed by a breach of the provisions of this Section 10.1(a), (ii) an award of monetary damages would be inadequate to remedy such a breach, and (iii) Lessee shall be entitled to seek equitable relief, including specific performance, to compel compliance with the provisions of this Section 10.1(a). In addition, Owner hereby grants to Lessee the right, with Owner's consent (which consent shall not be unreasonably withheld, conditioned, or delayed), to remove, trim, prune, top or otherwise control the growth of any tree, shrub, plant, or other vegetation on the Remainder Property to the extent it prevents or otherwise obstructs Insolation to the Leased Premises.

10.2. No Interference. Owner's activities and any grant of rights Owner makes to any person or entity, whether located on the Leased Premises or Remainder Property, shall not, currently, or prospectively, interfere with Lessee's Access Rights, activities on the Property, or any other rights of Lessee granted hereunder. Without limiting the generality of the foregoing, Owner shall not (and shall not allow any other party to) disturb or interfere with the unobstructed flow of Solar Energy upon, over and across the Owner's Property, whether by placing towers or antennas of any type, planting trees or constructing buildings or other structures or facilities, or by engaging in any other activity on the Owner's Property or elsewhere that might delay the installation of, disrupt, or otherwise cause a decrease in the output or efficiency of the Solar Facilities. Owner shall be entitled to grant a lien or otherwise encumber Owner's fee estate in the Property or interest in this Lease (a "**Fee Mortgage**") to a Fee Mortgagee (as hereinafter defined); provided, said grant or encumbrance shall be subject to this Lease, any modifications or extensions hereof or any new lease so made pursuant to Section 12.3 (collectively, "**Modifications**"), and all rights of Lessee under this Lease (including any Financing Party (as hereinafter defined), sublessee or any other party claiming by and through Lessee). The grant of a lien or encumbrance by Owner in favor of any Fee Mortgagee shall be subordinate to and shall not be a lien prior to this Lease, any Modifications, or any Financing Agreement placed thereon. Any encumbrance by Owner shall not be deemed to give any such Fee Mortgagee any greater rights than Owner hereunder or the right to cancel this Lease or any Modifications. As used herein, the term "**Fee Mortgagee**" collectively includes any person or entity that holds a security interest in the Property.

10.3. Indemnity. Owner shall indemnify, defend and hold harmless Lessee and Lessee's members, managers, shareholders, directors, employees, agents, successors and assigns (collectively, "**Lessee's Indemnified Parties**") against any and all losses, damages, claims, expenses and other liabilities, including without limitation, reasonable attorneys' fees, in each case to the extent resulting from or arising out of physical damage to property or physical injury to any person, and in each case to the extent caused by Owner's negligence or willful misconduct on the Property. This indemnification shall survive the termination of this Lease. This indemnification shall not apply to losses, damages, claims, expenses, and other liabilities to the extent caused by the negligence or willful misconduct of Lessee or any of Lessee's Indemnified Parties.

10.4. Non-Disturbance Agreement. Upon Lessee 's request, Owner shall execute, and shall use commercially reasonable efforts to cause any current beneficiaries of any mortgages/deeds of trust, or any other parties with rights in, or interests secured by Owner's interest in, the Property, to enter into an agreement with Lessee confirming that such party subordinates its rights or interests in the Property to this Lease, or solely with respect to current beneficiaries of any mortgages/deeds of trust or other parties with a security interest in the Property, that such party will not disturb or extinguish Lessee 's interest in the Property and in this Lease except and unless acting by and through Owner's interest under this Lease. Such agreement shall be in form and substance reasonably agreeable to Lessee. If Lessee and Owner are unable to obtain such agreements from any third party holding an interest in the Property, Lessee shall be entitled (but not obligated) to make payments or performance in fulfillment of Owner's obligations to such third party and may offset the amount of such payments or performance from amounts due Owner under this Lease; provided, that if such obligations cannot be satisfied by the payment of money or performance by Lessee, Lessee shall have the right to immediately terminate this Lease.

10.5. Requirements of Governmental Agencies. Owner shall assist and fully cooperate with Lessee, at no out-of-pocket expense to Owner, in complying with or obtaining any land use permits and approvals, building permits, environmental impact reviews or any other approvals required for the financing, construction, installation, monitoring, replacement relocation, maintenance, operation or removal of Solar Facilities, including execution of applications for such permits and approvals, and including participating in any appeals or regulatory proceedings respecting the Solar Facilities. To the extent permitted by law, Owner hereby waives enforcement of any applicable setback requirements respecting the Solar Facilities to be placed on the Property or any such facilities to be placed upon property adjacent to Owner's Property. For the avoidance of doubt, Lessee is responsible for obtaining all necessary permits at its own cost.

10.6. Easement for Access and Utilities. Upon the request of Lessee, Owner shall grant, for the term of this Lease, an easement without additional consideration, for rights for installing, operating and maintaining a transmission and communication facilities to be used in connection with the Solar Facilities and/or for the purpose of providing ingress and egress to public roads. Notwithstanding the foregoing sentence's reference to "without additional consideration," any easement agreement or similar agreement shall provide that, without being all-inclusive, the maintenance, repair, carrying cost, government impositions, taxes and similar expenses incurred as a result of the easement shall be at the sole expense of Lessee and if Owner shall be receiving any invoices and is required to pay for same, Lessee, upon receipt of Owner's request for reimbursement, shall reimburse Owner within ten (10) business days of receipt of such notice.

This easement shall extend over and across only those reasonable portions of other real property interests (whether leasehold, fee or easement rights) owned by Owner or any Affiliate of Owner that are contiguous to the Leased Premises as may be reasonably required for the Solar Facilities ("**Access and Utility Easement**"). Any Access and Utility Easement shall be prepared in a document in recordable and financeable form, shall include the right to improve existing roads and lanes, shall be appurtenant to the Leased Premises, and shall inure to the benefit of Lessee and be binding upon Owner and such Affiliates and each of their respective transferees, successors, and assigns, and all persons claiming under them. For the purposes of this Lease, an "**Affiliate**" shall mean an entity that controls, is controlled by or is under common control with party and where "control" means either (i) ownership of at least fifty percent (50%) of the equity or voting rights of the party or (ii) the power to otherwise direct the affairs of the party. Lessee shall provide Owner with a list of all contemplated Access and Utility Easements and other easements within ninety (90) days from the Effective Date. Should these Access and Utility Easements and other easements change prior to the commencement of construction, Lessee shall notify Owner and Owner shall have the right to final approval of same, which shall not be unreasonably withheld.

10.7. Environmental Laws. Owner shall not violate any Environmental Laws in connection with the Property. Owner shall indemnify Lessee against any losses, damages, expenses, or liabilities incurred by Lessee in connection with such violations of Environmental Laws by Owner or any hazardous materials on the Property that: (i) exist as of the Effective Date, or (ii) are caused by Owner or Owner's agents after the Effective Date. Owner shall promptly notify the Lessee of any such violations. This provision shall survive termination of this Lease.

11. **Assignment**. Subject to Section 10.2 and Section 14.5, each Party shall have the right and authority to sell, convey, assign, sublease or otherwise transfer, and/or collaterally assign, mortgage, or encumber to one or more persons any or all of its right, title and interest under this Lease and/or any easements granted hereunder to a third party (each, an "**Assignee**") with Lessee's assignment requiring the prior written consent of Owner which shall not be unreasonably withheld. The assigning Party shall notify the other Party in writing of any such assignment and the name and address of any Assignee. Any Assignee of Lessee's interest must be of substantially similar creditworthiness and experience as Lessee.

12. **Financing.**

(a) Lessor's Obligations. As a precondition to exercising any remedies related to any alleged default by Lessee under this Agreement, Lessor shall give written Notice of Default (hereinafter defined) to each Financing Party at the same time it delivers Notice of Default to Lessee, specifying in detail the alleged Event of Default (hereinafter defined) and the required remedy.

(b) Financing Party. Lessee shall have the right to encumber its interest in this Agreement, the Premises, the System and all of Lessee's improvements located on the Premises by mortgage, lease, deed of trust or similar instrument or instruments and/or by security agreement, fixture filing and financing statements or similar instrument or instruments in favor of and/or for the benefit of any Financing Party or any Person or Persons refinancing any financing provided by such Financing Party.

(c) Rights of Financing Party. In the event of a foreclosure or seizure of Lessee's rights or property or the exercise of any other right under any security agreement granted by Lessee to a Financing Party, Lessor agrees to permit such Financing Party to exercise any and all rights of Lessee hereunder, so long as there are no existing uncured defaults. Lessor further agrees to give each Financing Party thirty (30) days' notice of and the opportunity to cure any Event of Default, defined in Section 13 below, by Lessee. For an Event of Default by Lessee that is not the result of Lessee's failure to pay any monetary amounts due hereunder, a reasonable further opportunity to cure such Event of Default shall be provided to each Financing Party if weather or access to the Premises is physically difficult before Lessor exercises any rights or remedies against Lessee as a result of such Event of Default. Lessor agrees to execute any consent to assignment reasonably requested by any Financing Party to evidence and give effect to the provisions of this Section 18. Lessor shall be timely provided with current addresses for all Financing Parties and their assignees.

(d) Amendment of Agreement; Third Party Beneficiary. At Lessee's request, Lessor shall amend this Agreement to include any provision that may reasonably be requested by an existing or proposed Financing Party, and shall execute such additional documents as may reasonably be required to evidence such Financing Party's rights hereunder; provided, however, that such amendment shall not materially impair the rights or increase the burdens or obligations of Lessor under this Agreement, or extend the Lease Term. Further, Lessor shall, within thirty (30) days after receipt of written request from Lessee or any existing or proposed Financing Party, execute and deliver thereto a certificate to the effect that Lessor (i) recognizes a particular entity as a Financing Party under this Agreement and (ii) will accord to such entity all the rights and privileges of a Financing Party hereunder. All Financing Parties shall be and be deemed third party beneficiaries of the rights granted to Financing Parties under this Agreement.

(e) Financing Party Contact Information. Notwithstanding any other provisions of this Agreement, Lessor shall have no obligation to provide notices to Financing Parties unless and until Lessee has provided to Lessor written notice of such Financing Party's contact information.

(f) Estoppel Certificates. From time to time, upon written request by Tenant (or any Financing Party), Landlord shall provide within fifteen (15) days thereafter (i) a lien waiver from any party purporting to have a lien, security interest or other encumbrance on the Premises, confirming that it has no interest in the Solar System, and/or (ii) an estoppel certificate attesting, to the knowledge of Landlord, of Tenant's compliance with the terms of this Agreement or detailing any known issues of noncompliance, and making such other representations, warranties, and accommodations reasonably requested by such Financing Party including, without limitation, giving a Financing Party notice of and an opportunity to cure defaults by Tenant hereunder, and agreeing to reasonable modifications of this Agreement as may be requested by a Financing Party so long as the same do not materially increase Landlord's obligations or decrease Landlord's rights hereunder.

13. **Default**.

13.1. Default. Subject to the rights of any Financing Party as provided in Article 12, each of the following events shall constitute an "**Event of Default**" by a Party and shall permit the non-defaulting Party to terminate this Lease and/or pursue all other appropriate remedies:

(a) Failure to Perform. The failure or omission by either Party to observe, keep or perform any of the other terms, agreements or conditions set forth in this Lease, and such failure or omission has continued for thirty (30) days (or such longer period as may reasonably be required to cure such failure or omission, provided that cure has commenced, and such Party is diligently proceeding to complete such cure) after written notice from the other Party; or

(b) Bankruptcy. A Party files for protection or liquidation under the bankruptcy laws of the United States or any other jurisdiction or has an involuntary petition in bankruptcy or a request for the appointment of a receiver filed against it, and such involuntary petition or request is not dismissed within one hundred twenty (120) days after filing.

13.2. Effect of Default. Upon the occurrence of an Event of Default, subject to the rights of any Financing Party as set forth in Article 12, the non-defaulting Party may, at its option, and in addition to and cumulatively of any other rights it may have at law or in equity or under this Lease, (a) cure the default on the other Party's behalf, in which event the defaulting Party shall reimburse the non-defaulting Party on demand for all sums so expended, (b) terminate this Lease by written notice to the defaulting Party, and/or (c) enforce, by all proper and legal suits and other means, its rights hereunder, including the collection of sums due hereunder.

13.3. [Reserved].

13.4. Removal of Solar Facilities and Restoration of Property. Lessee shall remove all Solar Facilities, including but not limited to, foundations, underground installations, wiring, and conduit from the Property within one hundred eighty (180) days from the date this Lease terminates or expires. Lessee shall use commercially reasonable efforts to restore the Property to materially its prior condition, accounting for reasonable wear and tear, except that Lessee shall not be required to restore any structures or improvements Lessee was authorized to remove and/or demolish pursuant to the Lease related to its use of the Property for Solar Energy Purposes. Lessee shall continue to pay Rent hereunder until such removal and restoration work is completed on a monthly basis in an amount equal to the annual Rent divided by 12 until such removal and restoration work is completed. If Lessee fails to carry out its obligations under this Section 13.4 within one eighty hundred (180) days of termination of this Lease, Owner may do so, in which case Lessee shall reimburse Owner for the reasonable and documented costs of removal and restoration incurred by Owner. Owner hereby grants Lessee a license to access the Property after termination of this Lease for the purposes set forth in this Section 13.4. The Owner shall be named as a third-party beneficiary of any bond or surety required by any State or local government body or agency related to the Lease and the actions contemplated herein.

14. **Miscellaneous**.

14.1. Force Majeure. If performance of this Lease or of any obligation hereunder and/or Lessee's ability operate the Solar Facilities and to transmit and sell power therefrom to a third party purchaser is prevented, interfered or hindered by reason of an event of Force Majeure (as defined below), the affected Party, upon giving notice to the other Party, shall be excused from such performance, and with respect to an event preventing, interfering or hindering Lessee's ability to operate the Solar Facilities and/or to transmit and sell power, Lessee's obligation to pay Rent shall be abated, to the extent of and for the duration of such Force Majeure event. The affected

Party shall use its reasonable efforts to avoid, remove or repair such causes of nonperformance and shall continue performance hereunder whenever such causes are removed. "**Force Majeure**" means fire, earthquake, flood, or other casualty or accident; strikes or labor disputes; war, civil strife, or other violence; any law, order, proclamation, regulation, ordinance, action, demand, or requirement of any government agency; or any other act or condition beyond the reasonable control and without the fault or negligence of the affected Party.

14.2. Condemnation. Should title or possession of all of the Property be taken in condemnation proceedings by a governmental body under the exercise of the right of eminent domain or should a partial taking render the remaining portion of the Property, in Lessee's sole discretion, unsuitable for Lessee's use, then, Lessee may terminate this Lease. All payments made on account of any taking by eminent domain shall be apportioned between the valuation given to Lessee's interest under this Lease and the Solar Facilities (collectively "**Lessee's Interest**") and the valuation given to Owner's interest in this Lease and its reversionary interest in the Property, valued as unimproved and unentitled land (collectively, "**Owner's Interest**"), and Lessee shall not be required to pursue a separate award from the condemning authority, nor shall Lessee's right to condemnation proceeds under this Section 14.2 be affected by the refusal of the condemning authority to make a separate award in favor of Lessee. The portion of such award relating to Lessee's Interest shall be paid to Lessee, and the portion relating to the Owner's Interest shall be paid to Owner. Lessee shall also be entitled to any award made with respect to the Solar Facilities or Solar Energy Purposes. The balance of any award, including severance damage, if any, shall be payable to Owner. It is agreed that Lessee shall have the right to participate in any condemnation proceedings and settlement discussions and negotiations thereof and that Owner shall not enter into any binding settlement agreement without the prior written consent of Lessee, which consent shall not be unreasonably withheld, conditioned, or delayed. Lessee's Rent obligations hereunder shall be proportionally reduced to reflect the reduced size of the Property in the event of a condemnation event.

14.3. Confidentiality. To the full extent allowed by law, Owner shall maintain in the strictest confidence, all information pertaining to the financial terms of or payments under this Lease, Lessee's site or product design, compensation, lease terms,, power production or availability of the Solar Facilities, and any similar information, whether disclosed by Lessee or discovered by Owner, unless such information either (i) is in the public domain by reason of prior publication through no act or omission of Owner or its employees or agents, or (ii) was already known to Owner without an obligation of confidentiality at the time of disclosure. Owner shall not use such information for its own benefit, publish or otherwise disclose it to others, or permit its use by others for their benefit or to the detriment of Lessee. Notwithstanding the foregoing, Owner may provide information as required or appropriate to attorneys, accountants, lenders, insurers, or similar agents and consultants, or as may be necessary to enforce this Lease, to comply with legal or regulatory obligations, or to secure financing or insurance coverage. Owner shall ensure any such agents or consultant to whom confidential information is disclosed are bound by similar confidentiality obligations.

14.4. Successors and Assigns/Runs with the Land. This Lease shall inure to the benefit of and be binding upon Owner and Lessee and their respective heirs, transferees, successors and assigns with respect to the Leased Premises and this Lease, and all persons claiming under them. The Leased Premises shall be held, conveyed, assigned, hypothecated, encumbered, used,

and occupied subject to the covenants, terms and provisions set forth in this Lease, which covenants, terms and provisions shall run with the Property.

14.5. Right of First Offer in Favor of Lessee.

(a) If, at any time during the Term or Extension Terms, or within ninety (90) days following the expiration or termination of this Lease, Owner or an Affiliate of Owner intends to sell, assign, transfer or convey all or a portion of the Property or the direct owner of Owner proposes to sell a controlling interest in Owner (hereinafter, the "**ROFO Interests**") (any of the foregoing, a "**Disposition**") to any third party (excluding Affiliates and persons related by blood or marriage to Owner), then Owner shall give notice of such contemplated Disposition (the "**Disposition Notice**") to Lessee containing a concise summary of the commercial terms negotiated by Owner with the third party. Lessee shall have the right of first offer (the "**ROFO**"), exercisable by notice (the "**Exercise Notice**") which may be given on or before the thirtieth (30th) day after the Disposition Notice is given (the "**Exercise Period**"), and which shall set forth the material terms for Lessee's proposed purchase of the ROFO Interests, including the proposed purchase price, proposed feasibility period and proposed time period for closing. If Lessee fails to deliver an Exercise Notice within the Exercise Period, Owner shall have the right to affect a Disposition of the ROFO Interests on the terms specified in the Disposition Notice on or before the 180th Day after the date the Disposition Notice was given (such period, the "**Disposition Period**"). If, however, the Owner fails to so dispose of the ROFO Interests during the Disposition Period, the proposed Disposition shall again become subject to the ROFO.

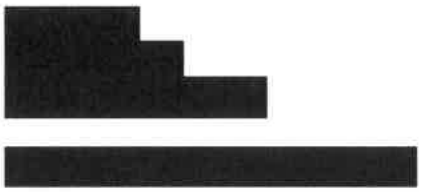
(b) If Lessee delivers an Exercise Notice within the Exercise Period, Owner shall have thirty (30) days after the Exercise Notice is given (the "**Acceptance Period**") to notify Lessee whether or not Owner wishes to pursue negotiation of a purchase agreement with Lessee based upon the terms set forth in the Exercise Notice (the "**Response Notice**").

(c) If Owner delivers a Response Notice indicating that Owner does wish to pursue negotiation with Lessee based upon the terms set forth in the Exercise Notice, the Parties shall proceed to negotiate in good faith on an exclusive basis for at most sixty (60) days following the delivery of such Response Notice ("**Negotiation Period**"), in order to finalize a mutually acceptable purchase agreement based upon the terms in the Exercise Notice. If the Parties are unable to agree upon the terms and conditions of a sale of the ROFO Interests to Lessee during the Negotiation Period, then Owner shall have the right to effect a Disposition of the ROFO Interests specified in the Disposition Notice on or before the 120th day after the expiration of the Negotiation Period (the "**Post Negotiation Disposition Period**") for substantially the same or higher price, on substantially the same or more favorable terms and conditions. If Owner fails to affect a Disposition of the ROFO Interests specified in the Disposition Notice during the Post Negotiation Disposition Period in accordance with the foregoing requirements, the proposed Disposition shall again become subject to the ROFO.

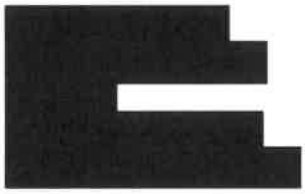
14.6. Notices. Any notice provided hereunder (each a "**Notice**") shall be in writing to the applicable Party's address specified below (or such other address as such Party may provide from time to time) and maybe served (a) personally, (b) by Federal Express or other commercial delivery service, (c) by registered or certified mail (return receipt requested, postage prepaid), or (e) by email transmission, with delivery confirmation. Such Notice shall be effective (i) upon

personal delivery, (ii) upon the date of actual delivery if delivered by Federal Express or other commercial or private delivery service, (iii) when received as indicated by the date on the return invoice or receipt showing delivery if delivered by the United States Postal Service, certified mail, return receipt requested, postage prepaid, or (iv) when sent by email with written confirmation of receipt.

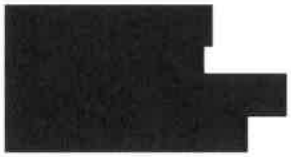
If to Owner:



With a copy which shall not constitute Notice to:



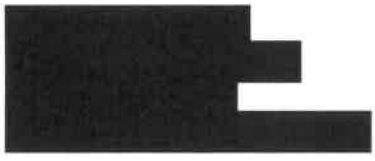
and,



If to Lessee:



With a copy which shall not constitute Notice to:



14.7. ***Waiver of Consequential Damages.*** NOTWITHSTANDING ANY OTHER PROVISION OF THIS LEASE TO THE CONTRARY, IN NO EVENT, WHETHER BASED IN

CONTRACT, INDEMNITY, WARRANTY, TORT, NEGLIGENCE, STRICT LIABILITY OR OTHERWISE, SHALL EITHER PARTY, OR ITS AFFILIATES OR ITS AND THEIR RESPECTIVE DIRECTORS, MANAGERS, OFFICERS, SHAREHOLDERS, PARTNERS, MEMBERS, EMPLOYEES, CONTRACTORS, AGENTS AND REPRESENTATIVES, BE LIABLE TO THE OTHER PARTY FOR ANY SPECIAL, INCIDENTAL, INDIRECT OR CONSEQUENTIAL DAMAGES THAT ARISE OUT OF, RELATE TO, OR ARE OTHERWISE ATTRIBUTABLE TO THIS LEASE OR THE PERFORMANCE OR NON-PERFORMANCE OF DUTIES HEREUNDER.

14.8. Tax and Renewable Energy Credits. If under applicable law, Lessee (or any of its assigns) becomes ineligible for any tax credit, renewable energy credit, environmental credit or any other benefit or incentive for renewable energy established by any local, state or federal government, then, at Lessee's option, Owner and Lessee shall exercise good faith and negotiate an amendment to this Lease or replace it with a different instrument so as to convert Lessee's interest in the Property to a substantially similar interest that makes Lessee eligible for such credit, benefit or incentive. The parties shall use commercially reasonable efforts to avoid a change in economic terms.

14.9. Modifications and Amendments. This Lease shall not be modified or amended except in a writing signed by both Parties. Provided that no material default in the performance of Lessee's obligations under this Lease shall have occurred and remain uncured, Owner shall cooperate with Lessee in amending this Lease from time to time to include any provision that may be reasonably requested by Lessee for the purpose facilitating a financing related to its Solar Facilities.

14.10. Governing Law. This Lease shall be governed by and interpreted in accordance with the laws of the State of Illinois. The sole venue of action for disputes arising under this Lease shall be the courts of the State of Illinois. The prevailing Party in any legal action or proceeding brought under this Lease shall be entitled to recover its reasonable attorneys' fees and costs in connection with such action or proceeding from the non-prevailing party.

14.11. Memorandum. Owner and Lessee shall execute in recordable form, and Lessee shall then record at the relevant Recorder of Deeds a memorandum evidencing this Lease, satisfactory in form and substance to Owner and Lessee.

14.12. Partial Invalidity. Should any provision of this Lease be held by a court of competent jurisdiction to be invalid, void or otherwise unenforceable, the remaining provisions hereof shall remain in full force and effect.

14.13. Construction. The Parties agree that this Lease was negotiated by both Parties and any rule of construction to interpret any ambiguities in favor of one Party shall not be employed in the interpretation of this Lease.

14.14. Entire Agreement. This Lease constitutes the entire understanding between Owner and Lessee with respect to the subjects contained herein and supersedes any other prior or contemporaneous agreements with respect to such subjects.

14.15. Counterparts. This Lease may be executed in one or more counterparts (each of which shall be deemed an original, but all of which together shall constitute one and the same instrument) and shall be effective as of the Effective Date upon execution and delivery by the parties hereto, and such execution and delivery may be effectuated by facsimile transmission, transmission of an executed PDF copy via email, a third party electronic signature verification program or process, by any other electronic means intended to preserve the original graphic and pictorial appearance of a document, or by combination of such means. Signatures of the Parties transmitted by any of the foregoing methods shall be deemed to be their original signatures for all purposes and signature pages may be detached from the counterparts and attached to a single copy of this Lease to physically form one document.

14.16. Crop Damage. In the event of crop damage during an Agricultural Crop Year prior to the commencement of construction, Lessee shall reimburse the Farm tenant the sum of [redacted] for any crop acreage damaged.

In the event of crop damage during an Agricultural Crop Year post-construction, Lessee shall reimburse the Farm tenant the sum of $3,200.00 per acre for any crop acreage damaged during the Term of this Lease on the Property or the Remainder Property. The per acre reimbursement shall be subject to a 2.5% annual escalator.

14.17. Drainage Tiles. Lessor shall notify Lessee of the location of all drainage tiles on Lessor's Property, to the best of Lessor's knowledge or, if any, Lessor is aware of. If, during construction, operation or decommissioning of the Facility, Lessee or Lessee's contractors damage any drainage tile that Lessee was notified of, and of which Lessor has not been aware of, Lessee shall repair such drainage tile in a manner that assures the tile line's proper operation at the point of repair. Notwithstanding the foregoing, no drainage tiles on the Lessor's Property shall interfere with the construction, operation or maintenance of the System. Lessor agrees that Lessee shall reroute in a manner that assures the tile so rerouted will not interfere with the Tile System's proper operation, at Lessee's sole expense, any drainage tiles which may conflict with the locations of the System. Lessee shall bear the cost of having a responsible, insured and experienced field tile contractor repair or rebuild the tiles damaged by Lessee's operations.

14.18. Agricultural Impact Mitigation Agreement. Lessee shall enter into an Agricultural Impact Mitigation Agreement (an "AIMA") with the Illinois Department of Agriculture (the "IDOA"). After Lessee and the IDOA have entered into the AIMA, Lessee shall provide a copy of the executed AIMA to Lessor, and the executed AIMA shall automatically be incorporated into this Agreement as a new exhibit hereto without the need for any further action by the Parties. Notwithstanding such AIMA, Lessor and Lessee recognize and acknowledge that the terms and conditions of this Agreement shall govern and control over the terms of the AIMA; provided, however, Lessor and Lessee hereby recognize that, per the terms of the AIMA, Sections 17 (B-F) are not subject to modification by the Parties.

14.19. One-Time Attorney Fee. A one-time attorney fee of no more than $3,500 shall be paid to Landowner's attorney, with the address to be provided by Owner, within 10 days of Lessees receipt of a full detailed invoice of services rendered relating to this Lease Agreement.

14.20. Further Assurances. Upon the receipt of a request from the other Party or a Financing Party, each Party shall execute such commercially reasonable additional documents, instruments and assurances and take such additional actions as are reasonably necessary to carry out the terms and intent hereof, including at the requesting Party's expense, entering into any consents, assignments, affidavits, estoppels and other documents as may be reasonably required by such Party's lender to create, perfect or preserve its collateral interest in such Party's property or such party's rights and obligations under this Agreement. Neither Party shall unreasonably withhold, condition or delay its compliance with any reasonable request made pursuant to this Section.

14.21 TO THE EXTENT PERMITTED BY LAW, EACH OF THE PARTIES KNOWINGLY, VOLUNTARILY, AND INTENTIONALLY WAIVES THE RIGHT TO A TRIAL BY JURY IN RESPECT OF ANY LITIGATION ARISING OUT OF, UNDER OR IN CONNECTION WITH THIS LEASE AND ANY OTHER AGREEMENT CONTEMPLATED TO BE EXECUTED IN CONJUNCTION HEREWITH. THIS PROVISION IS A MATERIAL INDUCEMENT TO EACH OF THE PARTIES FOR ENTERING INTO THIS AGREEMENT.

[*signature page follows*]

IN WITNESS WHEREOF, Owner and Lessee have executed this Solar Lease Agreement as of the Effective Date.

**OWNER:**

Signature: [redacted]

Name: Jerrald J. Smits as Trustee of the Jerrald J. Smits Trust dated February 6, 2009

Title: Property Owner

Signature: [redacted]

Name: John H. Smits, Individually

Title: Property Owner

Signature: [redacted]

Name: Marygrace Smits, Individually

Title: Property Owner

Signature: [redacted]

Name: Robert J. Smits, Individually

Title: Property Owner

Signature: [redacted]

Name: Pamela Smits, Individually

Title: Property Owner

**LESSEE: East Schoolhouse Road Community Energy Initiative LLC**

Signature: [redacted]

Name: Todd Fryatt

Title: Manager

**EXHIBIT A**

LEGAL DESCRIPTION OF THE PROPERTY

**An interest in land, said interest being over a portion of the following described parent parcel:**



# LEGAL DESCRIPTION OF THE LEASED PREMISES

[redacted]

Exhibit A-1

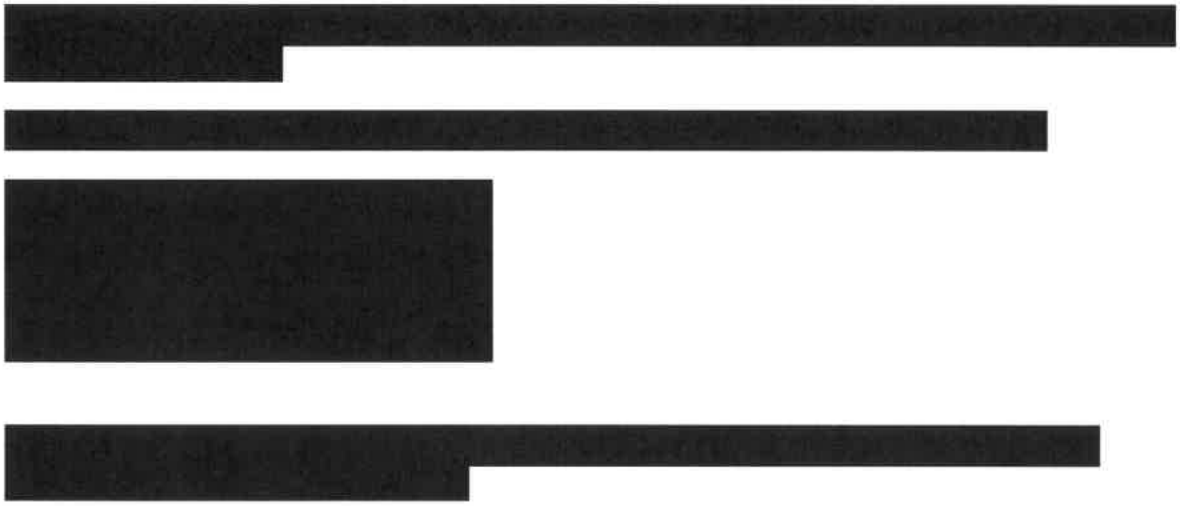
SITE PLAN[2]



[2] For illustration purposes only. Site plan is subject to change.

# EXHIBIT B

## RENT CALCULATION



# EXHIBIT C
# LIENS, MORTGAGES, AND TENANCIES ON THE PROPERTY

None.

[redacted]

**Memorandum Of Lease Agreement**

This Memorandum of Lease Agreement is made as of this __ day of _____, 2025 between John H. Smits and Marygrace Smits, as to an undivided interest, Robert J. Smits and Pamela Smits, as to an undivided interest and Jerrald J. Smits, Trustee of the Jerrald J. Smits Trust, a certain Trust Agreement dated the 6th day of February 2009, and as designated as the Jerrald J. Smits Trust, as to an undivided interest ("**Owner**"), and East Schoolhouse Road Community Energy Initiative LLC, an Illinois limited liability company ("**Lessee**").

This Memorandum of Lease Agreement is prepared, executed, and acknowledged for notice and recording purposes as authorized.

| | |
|---|---|
| Name of Owner: | John H. Smits and Marygrace Smits, as to an undivided interest, Robert J. Smits and Pamela Smits, as to an undivided interest and Jerrald J. Smits, Trustee of the Jerrald J. Smits Trust, a certain Trust Agreement dated the 6th day of February 2009, and as designated as the Jerrald J. Smits Trust, as to an undivided interest |
| | [redacted] |
| Name of Lessee: | East Schoolhouse Road Community Energy Initiative LLC |
| | [redacted] |
| Date of Lease: | _____, 2025 |
| Description of Demised Premises: | [redacted] |

Effective Date: [] __, 2025

Term of Lease: [redacted]

This Memorandum of Lease Agreement does not enlarge or diminish any way the terms and provisions of the Lease Agreement, all of which remain in full force and effect.

This Memorandum of Lease Agreement may be executed in counterparts, which signatures when taken together, shall be deemed to be originals and complete documents for purposes of this Memorandum of Lease Agreement.

**-SIGNATURE PAGES TO FOLLOW-**

OWNER [redacted]

Signature [redacted]
Name: Jerrald J. Smits, Trustee of the Jerrald J. Smits Trust, a certain Trust Agreement dated the 6th day of February 2009

State of: IL )
) ss:
COUNTY OF: Du Page )

On this day of 3rd, February, 2025, before me, a Notary Public, the undersigned officer, personally appeared Jerrald Smits, known to me (or satisfactorily proven) to be the persons described in the foregoing instrument, signed and sworn to (or affirmed) before me on said date, that they executed the same in the capacity therein stated and for the purposes therein contained.

IN WITNESS WHEREOF, I have hereunto set me hand and notarial seal.

[redacted]

(SEAL)

Official Seal:
MOHAMED S UDDIN
Notary Public, State of Illinois
Commission No. 973911
My Commission Expires June 23, 2027

OWNER [redacted]

Signature:
Name: John H. Smits

State of: IL )
) ss:
COUNTY OF: DuPage )

Official Seal:
MOHAMED S UDDIN
Notary Public, State of Illinois
Commission No. 973917
My Commission Expires June 23, 2027

On this day of 3rd, February, 2025, before me, a Notary Public, the undersigned officer, personally appeared John Smits, known to me (or satisfactorily proven) to be the persons described in the foregoing instrument, signed and sworn to (or affirmed) before me on said date, that they executed the same in the capacity therein stated and for the purposes therein contained.

IN WITNESS WHEREOF, I have hereunto set me hand and notarial seal.

[redacted]

(SEAL)

27

OWNER

Signature: [redacted]
Name: Robert J. Smits

State of: )
) ss:
COUNTY OF: )

On this day of 4 February, 2025, before me, a Notary Public, the undersigned officer, personally appeared Robert Smits known to me (or satisfactorily proven) to be the persons described in the foregoing instrument, signed and sworn to (or affirmed) before me on said date, that they executed the same in the capacity therein stated and for the purposes therein contained.

IN WITNESS WHEREOF, I have hereunto set me hand and notarial seal.

[redacted]

(SEAL)

SHAWN MICHAEL DESEAR
Notary Public - State of Florida
Commission # HH 455578
My Comm. Expires Oct 18, 2027
Bonded through National Notary Assn.

28

OWNER

Signature: [redacted]
Name: Pamela Smits

State of: )
) ss:
COUNTY OF: )

On this day of 17, February, 2025, before me, a Notary Public, the undersigned officer, personally appeared Pamela Smits, known to me (or satisfactorily proven) to be the persons described in the foregoing instrument, signed and sworn to (or affirmed) before me on said date, that they executed the same in the capacity therein stated and for the purposes therein contained.

IN WITNESS WHEREOF, I have hereunto set me hand and notarial seal.

[redacted] (SEAL)

SHAWN MICHAEL DESEAR
Notary Public - State of Florida
Commission # HH 455578
My Comm. Expires Oct 18, 2027
Bonded through National Notary Assn.

OWNER

Signature: [redacted]

Name: Marygrace Smits

State of: IL )
) ss:
COUNTY OF: DuPage )

Official Seal
MOHAMED S UDDIN
Notary Public, State of Illinois
Commission No. 973911
My Commission Expires June 23, 2027

On this day of 3rd, February, 2025, before me, a Notary Public, the undersigned officer, personally appeared Marygrace Smits, known to me (or satisfactorily proven) to be the persons described in the foregoing instrument, signed and sworn to (or affirmed) before me on said date, that they executed the same in the capacity therein stated and for the purposes therein contained.

IN WITNESS WHEREOF, I have hereunto set me hand and notarial seal.

[redacted]

(SEAL)

30

LESSEE

[redacted]

Signature:

Name: East Schoolhouse Road Community Energy Initiative LLC

State of: Massachusetts )
) ss:
COUNTY OF: Middlesex )

On this day of 4 February 2025, before me, a Notary Public, the undersigned officer, personally appeared Todd Fryatt, known to me (or satisfactorily proven) to be the persons described in the foregoing instrument, signed and sworn to (or affirmed) before me on said date, that they executed the same in the capacity therein stated and for the purposes therein contained.

IN WITNESS WHEREOF, I have hereunto set me hand and notarial seal.

[redacted]

(SEAL)

MONICA R. LESLIE
MY COMMISSION EXPIRES
MAY 31, 2030
NOTARY PUBLIC
COMMONWEALTH OF
MASSACHUSETTS

31

# 1.0 INTRODUCTION

## 1.1 PROJECT NARRATIVE

ECA Solar LLC d/b/a East Schoolhouse Road Community Energy Initiative LLC (the "Applicant") is proposing the development of a 5.0-megawatt AC solar photovoltaic system (the "Project") on a portion of a ±86-acre parcel located about 1,400 feet west of the South Schlapp Road and Schoolhouse Road intersection. The Project consists of a single-axis tracking ground-mounted solar array, associated electrical equipment, an already existing access driveway, and a fence that outlines ±37 acres of the ±86-acre parcel. The Project will power about 1,100 homes without requiring subscribers of the Project to install or maintain solar on their own property.

The parcel (parcel identification number 06-09-400-004) is zoned Agricultural District (A-1) in Kendall County, which allows commercial solar energy facilities with a special use permit. The ±37-acre Project is sited on the northern portion of the parcel, set back from East Schoolhouse Road to reduce visual impacts, and take advantage of existing vegetation on the south side for natural screening. This location also ensures the Project produces zero glare minutes and complies with Illinois Pollution Control Board noise standards as further discussed in Section 2.0. The remainder of the property will continue to be farmed and maintained as agricultural land.

The Applicant is requesting a variance from Section 36-282.17.a of the Kendall County Zoning Ordinance, which requires securing an annexation or an annexation agreement with a municipality located within 1.5 miles of the Project site. This variance is necessary to allow the Project to proceed under Kendall County's jurisdiction. The request is a result of nearby municipalities declining to annex the parcel or enter into an annexation agreement. As a result, the Applicant is asking the County to take jurisdiction over this zoning case. Denial of the variance would impose a unique hardship on the Project that cannot be otherwise resolved. Refer to Section 3.0 for more information.

If the Project is approved, Kendall County and the local community would enjoy considerable benefits. Over thirty-five years, the Project is estimated to pay over one million dollars ($1,000,000+) to various taxing bodies. This tax revenue would be generated without additional impacts on local infrastructure, such as sewer, water, and schools, unlike the impacts associated with other types of development. A community solar project enables community members to subscribe to the project and receive a discounted rate on their ComEd electric bill, creating bill savings for the subscriber. The Project's required electrical grid upgrades, paid entirely by East Schoolhouse Road Community Energy Initiative LLC, will benefit community members as the upgrades will increase the resilience and reliability of the local electrical infrastructure.

The Applicant has contacted and met with abutting neighbors to introduce the project, solicit feedback, hear concerns regarding the proposed development, and answer any questions. Where applicable, the Project incorporated feedback into its design, including a change in landscape design and the addition of an opaque fabric mesh wrap on portions of the fence to provide a visual screen while the vegetation matures. The Applicant has also contacted surrounding municipalities and various governmental bodies regarding the Project.

**About ECA Solar**

ECA Solar was founded in 2014 and is 100% employee owned. ECA Solar develops, engineers, installs, and operates large-scale solar facilities across the United States. ECA Solar takes an institutional approach to the solar energy industry. Our goal is to deploy the highest quality of solar power projects to diversify the electric grid, while remaining risk averse and prioritizing safety. We value diversity and creativity to achieve the common goal of making solar energy more accessible to everyone. ECA Solar has over fifty projects in operation or construction, and over 100 projects in development throughout the United States.

Property located in Kendall County, Illinois



The west 1/2 of the south east 1/4 of section 9 township 36 north, range 8 east of 3rd p.m. and that part of the west 1/2 of the northeast 1/4 of section 16 lying northerly of the centerline of Illinois route no. 126 (excepting therefrom the following described tract: beginning at the southwest corner of said south east 1/4 of section 9; thence north 01 degrees, 36 minutes, 40 seconds west along the west line of said south east 1/4, 260 feet; thence north 88 degrees, 44 minutes, 53 seconds east, 335 feet; thence south 01 degrees, 39 minutes, 11 seconds east, 677.39 feet to the centerline of said road; thence south 80 degrees, 28 minutes, 31 seconds west along said centerline, 338.17 feet to the west line of said northeast 1/4; thence north 01 degrees, 40 minutes, 39 seconds west along said west line, 466.05 feet to the point of beginning), in the township of Na-Au-Say, Kendall County, Illinois.

**WARRANTY DEED** 92 11678

Exempt

FILED FOR RECORD
KENDALL COUNTY ILL.
DOC. # 92 11678
1:50 PM
DEC 03 1992

Paul A. Anderson
RECORDER OF DEEDS
(The above space for Recorder's use only)

BK 502 PG 222

THE GRANTOR , ARNOLD W. OESTMANN, a widower not remarried,

of the [redacted] County of [redacted] State of [redacted]

for and in consideration of the sum of Ten Dollars and other valuable consideration in hand paid Convey S and Warrant S to RICHARD R. SMITS and DONNA M. SMITS, husband and wife, of [redacted] as to an undivided one-third interest in joint tenancy ROBERT J. SMITS and PAMELA SMITS, husband and wife, of [redacted] as to an undivided one-third interest in joint tenancy; and JERRALD J. SMITS, a bachelor, of [redacted] as to an undivided one-third interest;

the following described Real Estate, to-wit:

The West 1/2 of the Southeast 1/4 of Section 9 and that part of the West 1/2 of the Northeast 1/4 of Section 16 lying Northerly of the Centerline of Illinois Route No. 126 (excepting therefrom the following described tract: Beginning at the Southwest corner of said Southeast 1/4 of Section 9; thence North 01 degrees, 36 minutes, 40 seconds West along the West line of said Southeast 1/4, 260 feet thence North 88 degrees, 44 minutes, 53 seconds East, 335 feet; thence South 01 degrees, 39 minutes, 11 seconds East, 677.39 feet to the centerline of said road; thence South 80 degrees, 28 minutes, 31 seconds West along said centerline, 338.17 feet to the West line of said Northeast 1/4; thence North 01 degrees, 40 minutes, 39 seconds West along said West line, 466.05 feet to the point of beginning), in the Township of Na-Au-Say, Kendall County, Illinois;

PERMANENT TAX INDEX NO. 06-09-400-001 and 06-16-200-001

situated in the Township of Na-Au-Say County of Kendall in the State of Illinois, hereby releasing and waiving rights under and by virtue of the Homestead Exemption Laws of the State of Illinois.

Subject to all real estate taxes and easements and restrictions of record.

(AFFIX REVENUE STAMPS)

(AFFIX REVENUE STAMPS)

Dated this 31 day of OCTOBER A.D. 1992

[redacted] SEAL

Arnold W. Oestmann SEAL

SEAL SEAL

SEAL SEAL

State of Illinois } ss.
County
Kendall

I, the undersigned, a Notary Public in, and for said County and State aforesaid, DO HEREBY CERTIFY that ARNOLD W. OESTMANN, a widower not remarried,

personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he signed, sealed and delivered the said instrument as his free and voluntary act, for the uses and purposes therein set forth, including the release and waiver of the right of homestead.

OFFICIAL SEAL
PETER L. KRENTZ
NOTARY PUBLIC STATE OF ILLINOIS
MY COMMISSION EXP. MAR. 29,1993

Given under my hand and [redacted] day of OCTOBER A.D. 1992

SEAL

Notary Public

This Instrument was prepared by:

THIS INSTRUMENT PREPARED BY:
Peter L. Krentz
Attorney at Law
100 W. Main Street
Plano, Illinois 60545

Grantees Address: [redacted]

Send subsequent tax bills to: (NAME & ADDRESS)
Jerrald J. Smits, et al
[redacted]

CHICAGO TITLE INSURANCE CO.
Kane County Office
Geneva, Illinois 60134
Phone 232-2555

WARRANTY DEED
JOINT TENANCY

9503139 05/05/1995 03:24P 1 of 2
Paul Anderson, Kendall County, IL Recorder

THIS INSTRUMENT PREPARED BY
AND MAIL TO:
Peter L. Krentz
KRENTZ & KRENTZ, P.C.
100 W. Main Street
Plano, IL 60545

Exempt

NAME AND ADDRESS OF TAXPAYER:
John H. & Marygrace Smits
[redacted]

THE GRANTORS, ROBERT J. SMITS and PAMELA SMITS, husband and wife, of Willow Springs, Cook County, Illinois, as to an undivided 3.8 acres; RICHARD R. SMITS and DONNA M. SMITS, husband and wife, of Glen Ellyn, DuPage County, Illinois, as to an undivided 3.8 acres; and JERRALD J. SMITS, a bachelor, of Hinsdale, DuPage County, Illinois, as to an undivided 3.8 acres, (intending to convey 11.4 acres), for and in consideration of Ten ($10.00) Dollars and other good and valuable considerations in hand paid,

CONVEY and WARRANT to JOHN H. SMITS and MARYGRACE SMITS, husband and wife, ~~of 6000 Dunham Road~~ 30760 Webster Street, Downers Grove, Illinois 60516, not in Tenancy in Common, but in JOINT TENANCY, the following described real estate situated in the County of Kendall, in the State of Illinois, to-wit:

A total of 11.4 acres in
The West 1/2 of the Southeast 1/4 of Section 9 and that part of the West 1/2 of the Northeast 1/4 of Section 16 lying Northerly of the Centerline of Illinois Route No. 126 (excepting therefrom the following described tract: Beginning at the Southwest corner of said Southeast 1/4 of Section 9; thence North 01 degrees, 36 minutes, 40 seconds West along the West line of said Southeast 1/4, 260 feet; thence North 88 degrees, 44 minutes, 53 seconds East, 335 feet; thence South 01 degrees, 39 minutes, 11 seconds East, 677.39 feet to the centerline of said road; thence South 80 degrees, 28 minutes 31 seconds West along said centerline, 338.17 feet to the West line of said Northeast 1/4; thence North 01 degrees, 40 minutes, 39 seconds West along said West line, 466.05 feet to the point of beginning), in the Township of Na-Au-Say, Kendall County, Illinois;

Subject to all real estate taxes, easements and restrictions of record;

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

Permanent Index Numbers 06-09-400-001 and 06-16-200-001

Property Address: Route 126 Oswego, IL

Dated this 24th day of April, 1995.

[redacted] (SEAL)
Robert J. Smits

[redacted] (SEAL)
Pamela Smits

[redacted] (SEAL)
Richard R. Smits

[redacted] (SEAL)
Donna M. Smits

[redacted] (SEAL)
Jerrald J. Smits

STATE OF ILLINOIS )
) SS
COUNTY OF DuPage )

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, CERTIFY that ROBERT J. SMITS and PAMELA SMITS, husband and wife, RICHARD R. SMITS and DONNA M. SMITS, husband and wife, and JERRALD J. SMITS, a bachelor, all personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person, and acknowledged that they signed, sealed and delivered the instrument as their free and voluntary act, for the uses and purposes therein set forth, including the release and waiver of the right of homestead.

Given under my hand and Notarial seal this 24th day of April 1995.

[redacted]
Notary Public

" OFFICIAL SEAL "
MARYGRACE SMITS
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES 4/1/96

-2-

Prepared by and Mail to:
Darcy Chamberlin
[redacted]

TAX BILLS TO
JERRALD SMITS
[redacted]

200900021237

DEBBIE
GILLETTE
KENDALL COUNTY, IL

RECORDED: 9/25/2009 10:54 AM
DEED: 49.00 RHSPS FEE: 10.00
PAGES: 3

## DEED OF CORRECTION

THIS INDENTURE, made as of the 4th day of May, 2009, by and between Robert J. Smits and Pamela Smits, his wife, Donna M. Smits, a single woman, and Jerrald J. Smits, a single man **(hereinafter the "Grantors")** and John H. Smits and Marygrace Smits, his wife, o[redacted] the **"Grantees"**).

**WITNESSETH:**

**THAT** Robert J. Smits and Pamela Smits, Richard R. Smits and Donna M. Smits, and Jerrald J. Smits, did make and enter into that certain Warranty Deed dated April 24, 1995 and recorded May 5, 1995 as document number 9503139 in the office of the Recorder of Deeds of Kendall County, Illinois (the "Deed"), purporting to transfer an "undivided 11.4 acres" of the real property in Kendall County, Illinois identified of Exhibit A hereto (the "Premises") to the Grantees;

1/3

**THAT** Donna M. Smits is the surviving joint tenant as to the undivided 1/3 interest held by Richard R. Smits and Donna M. Smits;

**THAT** by and through said Deed, each of the grantors in said Deed as holders of undivided 1/3 interests in and to the Premises, intended to transfer an undivided 13.3% interest in the aggregate in and to the Premises to the Grantees, as a tenant in common, and that the undivided acreage set forth in such Deed does equal 13.3% of the total acreage of the Premises;

**THAT Grantor** desires to correct such Deed to properly reflect the undivided percentage;

**NOW THEREFORE,** it is hereby understood and agreed that for all purposes, the interest transferred by the above referenced Deed to the Grantees shall be as follows: each of Grantors transfers an undivided 4.433% interest in and to the Premises, to Grantees, or an undivided 13.3% interest in the aggregate, as a tenant in common.

Together with all tenements, hereditaments, and appurtenances thereto belonging

THIS IS NOT HOMESTEAD PROPERTY.
TO HAVE AND TO HOLD the same to Grantee, and Grantee's heirs and assigns, in fee simple.

IN WITNESS WHEREOF, Grantors have hereunto set their hands ands seal the day and year first above written.

[redacted]

Donna M. Smits

[redacted]

Pamela Smits

[redacted]

Jerrald J. Smits

STATE OF ILLINOIS )
) SS
COUNTY OF DuPage )

***Robert J. Smits, Donna M. Smits, Pamela Smits and Jerrald J. Smits

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that ***, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person, and acknowledged that he/she signed, sealed and delivered the said instrument as his/her free and voluntary act, for the uses and purposes therein set forth.

Given under my hand and official seal, this 2nd day of June, 2009.

OFFICIAL SEAL
JILL JETT
NOTARY PUBLIC - STATE OF ILLINOIS
MY COMMISSION EXPIRES:12/14/11

[redacted]

Notary Public
My Commission expires: _____

STATE OF FLORIDA )
) SS
COUNTY OF _____ )

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that _____, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person, and acknowledged that he/she signed, sealed and delivered the said instrument as his/her free and voluntary act, for the uses and purposes therein set forth.

Given under my hand and official seal, this _____ day of _____, 2009.

_____
Notary signature

____ Personally known

____ Produced identification

Type of identification:
_____

_____
Printed Name
My commission expires: _____

Acknowledged and agreed to as of the 2 day of June, 2009.

[redacted]

John H. Smits

[redacted]

Marygrace Smits

"OFFICIAL SEAL"
Darcy J Chamberlin
Notary Public, State of Illinois
Commission Expires 7/5/2011

Subscribed and sworn to before me this 2
day of June, 2009.
Notary Public [redacted]
My commission expires: _____

**Address of Property:** Rte. 126, Oswego, IL

**PIN #:** 06-09-400-004

**Legal Description:**

The West ½ of the South East ¼ of Section 9 and that part of the West ½ of the Northeast ¼ of Section 16 lying Northerly of the centerline of Illinois Route No. 126 (excepting therefrom the following described tract: Beginning at the Southwest corner of said South East ¼ of Section 9; thence North 01 degrees, 36 minutes, 40 seconds West along the West line of said South East ¼, 260 feet; thence North 88 degrees, 44 minutes, 53 seconds East, 335 feet; thence South 01 degrees, 39 minutes, 11 seconds East, 677.39 feet to the centerline of said road; thence South 80 degrees, 28 minutes, 31 seconds West along said centerline, 338.17 feet to the West line of said Northeast ¼; thence North 01 degrees, 40 minutes, 39 seconds West along said West line, 466.05 feet to the point of beginning), in the Township of Na-Au-Say, Kendall County, Illinois.

I Hereby declare this deed represent an exempt Transaction under the provisions of paragraph (d), Section 200/31-45 of the Real Estate Transfer Act.
9-22-09 [redacted]

200900021238

DEBBIE GILLETTE
KENDALL COUNTY, IL

RECORDED: 9/25/2009 10:54 AM
REL: 49.00 RHSPS FEE: 10.00
PAGES: 3

**UNITED STATES OF AMERICA**
**IN THE CIRCUIT COURT OF THE EIGHTEENTH JUDICIAL CIRCUIT**
**DU PAGE COUNTY, ILLINOIS – IN PROBATE**

| | | |
|---|---|---|
| Estate of | ) | |
| | ) | |
| **RICHARD R. SMITS** | ) | No. 2008 P 145 |
| | ) | |
| Deceased | ) | |

293

## RELEASE OF REAL ESTATE INTEREST

Decedent, **RICHARD R. SMITS**, [redacted] who died on
(name and address at death)

**November 30, 2008**, owned an undivided 28.9% interest in and to the following described real estate at the time of death:

SEE LEGAL DESCRIPTION ATTACHED HERETO.

PIN: 06-09-400-004

The real estate is commonly known as Rte. 126, Oswego, Illinois, A.O. Rte. 126 Farm, Na-Au-Say Township, Kendall County, Illinois.

The undersigned was appointed as Independent Representative of the Decedent's estate on June 12, 2008, by the Circuit Court of DuPage County, Case No. 2008 P 145, Probate Division, and is now acting as such Independent Representative. Pursuant to a qualified disclaimer filed with the Court, title to the above real estate passed to the following beneficiary of the estate:

| **Name:** | **Address** | **Share** |
|---|---|---|
| Sarah Smits | [redacted] | 14.45% |

Acting pursuant to 755 ICS 5/28-8(i) and 5/28-10(a) of the Illinois Probate Act of 1975, the undersigned releases the estate's interest in the real estate and confirms the title of the above beneficiary.

Date: Aug. 27 2009

[redacted]
Donna M. Smits, Independent Representative

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that, Donna M. Smits, Independent Representative, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person, and acknowledged that she signed, sealed and delivered the said instrument as her free and voluntary act, for the uses and purposes therein set forth.

Given under my hand and official seal, this 27 day of August, 2009

[redacted]
Notary Public

My Commission expires: _____

"OFFICIAL SEAL"
Darcy J Chamberlin
Notary Public, State of Illinois
Commission Expires 7/5/2011

PREPARED BY AND MAIL TO:
DARCY CHAMBERLIN
[redacted]

**Address of Property:** Rte. 126, Oswego, IL

**PIN #:** 06-09-400-004

**Legal Description:**

The West ½ of the South East ¼ of Section 9 and that part of the West ½ of the Northeast ¼ of Section 16 lying Northerly of the centerline of Illinois Route No. 126 (excepting therefrom the following described tract: Beginning at the Southwest corner of said South East ¼ of Section 9; thence North 01 degrees, 36 minutes, 40 seconds West along the West line of said South East ¼, 260 feet; thence North 88 degrees, 44 minutes, 53 seconds East, 335 feet; thence South 01 degrees, 39 minutes, 11 seconds East, 677.39 feet to the centerline of said road; thence South 80 degrees, 28 minutes, 31 seconds West along said centerline, 338.17 feet to the West line of said Northeast ¼; thence North 01 degrees, 40 minutes, 39 seconds West along said West line, 466.05 feet to the point of beginning), in the Township of Na-Au-Say, Kendall County, Illinois.

**DEED IN TRUST**
Prepared by and Mail to:
Darcy Chamberlin
[redacted]

200900021239

DEBBIE
GILLETTE
KENDALL COUNTY, IL

RECORDED: 9/25/2009 10:54 AM
DTR: 49.00 RHSPS FEE: 10.00
PAGES: 3

TAX BILLS TO:
JERRALD SMITS
[redacted]

The Grantor, Donna M. Smits, a single woman, of the [redacted]s, [redacted] for and in consideration of TEN DOLLARS ($10.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, hereby conveys and warrants to **Donna M. Smits, and her successors, as Trustee of the Donna M. Smits Trust,** under the terms and provisions of a certain Trust Agreement dated the 8th day of February, 2008, and designated as the **Donna M. Smits Trust** ( the "Trust Agreement"), and to any and all successors as Trustee appointed under the Trust Agreement, or who may be legally appointed, an undivided 14.45% interest, being all of her right, title and interest, in and to the following described real estate, situated in the County of Kendall, in the State of Illinois, to wit:

SEE LEGAL DESCRIPTION ATTACHED HERETO AND MADE A PART HEREOF

Address of Grantee: [redacted]
Address of Real Estate: Rte. 126, Oswego, Illinois, A.O. Rte. 126 Farm
PIN: 06-09-400-004

TO HAVE AND TO HOLD said real estate and appurtenances thereto upon the trusts set forth in said Trust Agreement and for the following uses:

1. The Trustee (or Trustees, as the case may be), is invested with the following powers: (a) to manage, improve, divide or subdivide the trust property, or any part thereof, (b) To sell on any terms, grant options to purchase, contract to sell, to convey with our without consideration, to convey to a successor or successors in trust, any or all of the title and estate of the trust, and to grant to such successor or successors in trust all the powers vested in the Trustee. (c) To mortgage, encumber or otherwise transfer the trust property, or any interest therein, as security for advances or loans. (d) To dedicate parks, streets, highways or alleys, and to vacate any portion of the premises. (e) To lease and enter into leases for the whole or part of the premises, from time to time, but any such leasehold or renewal shall not exceed a single term of 199 years, and to renew, extend or modify any existing lease.

2. Any party dealing with the Trustee with regard to the trust property, whether by contract, sale, mortgage, lease or otherwise, shall not be required to see to the application of the purchase money, loan proceeds, rental or other consideration given, nor shall be required to see that the terms of the trust have been complied with, or to inquire into the powers and authority of the Trustee, and the execution of every contract, option, deal, mortgage or other instrument dealing with the trust property, shall be conclusive evidence in favor of every person relying upon or claiming under such conveyance or other instrument, that at the time of the execution and delivery of any of the aforesaid instruments, the Trust Agreement above described was in full force and effect; that said instrument so executed was pursuant to and in accordance with the authority granted the Trustee, and is binding upon the beneficiary or beneficiaries under said Trust Agreement, and if said instrument is executed by a successor or successors in trust, that he or they were duly appointed and are fully invested with the title, estate, rights, powers and duties of the preceding Trustee.

3. The interest of each and every beneficiary under said Trust Agreement and hereunder, and of all persons claiming under any of the beneficiaries, shall be only in the earnings, avails and proceeds arising from the sale or other disposition of the trust property, and such interest is hereby declared to be personal property only, and the beneficiary or beneficiaries of the trust shall not have any title or interest therein, legal or equitable, except as stated.

4. In the event of the inability, refusal of the Trustee herein named, to act, or upon his removal from the County, a Successor Trustee as provided in the Trust Agreement is then appointed as Successor Trustee herein with like powers and authority as is vested in the Trustee named herein.

All of the covenants, conditions, powers, rights and duties vested hereby, in the respective parties, shall inure to and be binding upon their heirs, legal representatives and assigns.

If the title to any of the above real estate now is or hereafter shall be registered, the Registrar of Titles is directed not to register or note in the Certificate of Title, duplicate thereof, or memorial, the words "in trust" or "upon condition", or "with limitation", or words of similar import, in compliance with the statute of the State of Illinois in such case made and provided.

The Grantor hereby waives and releases any and all right and benefit under and by virtue of the Statutes of the State of Illinois providing for the exemption of homestead from sale or execution or otherwise.

DATED this 27 day of Aug, 2009.

[redacted]EAL)
Donna M. Smits

STATE OF ILLINOIS )
) SS
COUNTY OF DuPage )

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that, Donna M. Smits, a single woman, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person, and acknowledged that she signed, sealed and delivered the said instrument as her free and voluntary act, for the uses and purposes therein set forth.

Given under my hand and official seal, this 27 day of August, 2009

[redacted]
Notary Public

My Commission expires:

"OFFICIAL SEAL"
Darcy J Chamberlin
Notary Public, State of Illinois
Commission Expires 7/5/2011

I hereby declare this Deed represents a transaction exempt under the provisions of Paragraph E, Section 4, of the Real Estate Transfer Tax Act.

Dated: 8-27-2009

Signed: [redacted]

**Address of Property:** Rte. 126, Oswego, IL

**PIN #:** 06-09-400-004

**Legal Description:**

The West ½ of the South East ¼ of Section 9 and that part of the West ½ of the Northeast ¼ of Section 16 lying Northerly of the centerline of Illinois Route No. 126 (excepting therefrom the following described tract: Beginning at the Southwest corner of said South East ¼ of Section 9; thence North 01 degrees, 36 minutes, 40 seconds West along the West line of said South East ¼, 260 feet; thence North 88 degrees, 44 minutes, 53 seconds East, 335 feet; thence South 01 degrees, 39 minutes, 11 seconds East, 677.39 feet to the centerline of said road; thence South 80 degrees, 28 minutes, 31 seconds West along said centerline, 338.17 feet to the West line of said Northeast ¼; thence North 01 degrees, 40 minutes, 39 seconds West along said West line, 466.05 feet to the point of beginning), in the Township of Na-Au-Say, Kendall County, Illinois.

200900025409

DEBBIE
GILLETTE
KENDALL COUNTY, IL
RECORDED: 11/24/2009 3:32 PM
DEED: 49.00 RHSPS FEE: 10.00
PAGES: 4

THIS SHEET IS FOR RECORDING PURPOSES ONLY.
THIS DOCUMENT IS BEING RE-RECORDED TO CORRECT THE LEGAL DESCRIPTION ON ORIGINAL DOCUMENT 200900021237 RECORDED ON SEPTEMBER 25, 2009 WHICH LEGAL DESCRIPTION FAILED TO INCLUDE THE TOWNSHIP AND RANGE.

Prepared by and Mail to:
Darcy Chamberlin
[redacted]

TAX BILLS TO
JERRALD SMITS
[redacted]

200900021237

DEBBIE
GILLETTE
KENDALL COUNTY, IL

RECORDED: 9/25/2009 10:34 AM
DEED: 49.00 RHSPS FEE: 10.00
PAGES: 3

**DEED OF CORRECTION**

THIS INDENTURE, made as of the 14th day of May, 2009, by and between Robert J. Smits and Pamela Smits, his wife, Donna M. Smits, a single woman, and Jerrald J. Smits, a single man (**hereinafter the "Grantors"**) and John H. Smits and Marygrace Smits, his wife, of 5920 Webster Street, Downers Grove, Illinois 60516 (the "**Grantees**").

**WITNESSETH:**

**THAT** Robert J. Smits and Pamela Smits, Richard R. Smits and Donna M. Smits, and Jerrald J. Smits, did make and enter into that certain Warranty Deed dated April 24, 1995 and recorded May 5, 1995 as document number 9503139 in the office of the Recorder of Deeds of Kendall County, Illinois (the "Deed"), purporting to transfer an "undivided 11.4 acres" of the real property in Kendall County, Illinois identified of Exhibit A hereto (the "Premises") to the Grantees;

1 of 3

**THAT** Donna M. Smits is the surviving joint tenant as to the undivided 1/3 interest held by Richard R. Smits and Donna M. Smits;

**THAT** by and through said Deed, each of the grantors in said Deed as holders of undivided 1/3 interests in and to the Premises, intended to transfer an undivided 13.3% interest in the aggregate in and to the Premises to the Grantees, as a tenant in common, and that the undivided acreage set forth in such Deed does equal 13.3% of the total acreage of the Premises;

**THAT Grantor** desires to correct such Deed to properly reflect the undivided percentage;

**NOW THEREFORE,** it is hereby understood and agreed that for all purposes, the interest transferred by the above referenced Deed to the Grantees shall be as follows: each of Grantors transfers an undivided 4.433% interest in and to the Premises, to Grantees, or an undivided 13.3% interest in the aggregate, as a tenant in common.

Together with all tenements, hereditaments, and appurtenances thereto belonging

THIS IS NOT HOMESTEAD PROPERTY.
TO HAVE AND TO HOLD the same to Grantee, and Grantee's heirs and assigns, in fee simple.

IN WITNESS WHEREOF, Grantors have hereunto set their hands ands seal the day and year first above written.

[redacted]
Robert J. Smits

[redacted]
Pamela Smits

[redacted]
Donna M. Smits

[redacted]
Jerrald J. Smits

STATE OF ILLINOIS )
) SS
COUNTY OF DuPage )

***Robert J. Smits, Donna M. Smits, Pamela Smits and Jerrald J. Smits

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that ***, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person, and acknowledged that he/she signed, sealed and delivered the said instrument as his/her free and voluntary act, for the uses and purposes therein set forth.

Given under my hand and official seal, this 2nd day of June, 2009.

OFFICIAL SEAL
JILL JETT
NOTARY PUBLIC - STATE OF ILLINOIS
MY COMMISSION EXPIRES:12/14/11

[redacted]
Notary Public
My Commission expires: _____

STATE OF FLORIDA )
) SS
COUNTY OF _____ )

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that _____, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person, and acknowledged that he/she signed, sealed and delivered the said instrument as his/her free and voluntary act, for the uses and purposes therein set forth.

Given under my hand and official seal, this _____ day of _____, 2009.

_____
Notary signature

____ Personally known

____ Produced identification

Type of identification:
_____

_____
Printed Name
My commission expires: _____

Acknowledged and agreed to as of the 2 day of June, 2009.

[redacted]
John H. Smits

[redacted]
Marygrace Smits

Subscribed and sworn to before me this 2nd day of June, 2009.
Notary Public [redacted]
My commission expires: 7/5/2011

"OFFICIAL SEAL"
Darcy J Chamberlin
Notary Public, State of Illinois
Commission Expires 7/5/2011

**Address of Property:** Rte. 126, Oswego, IL

**PIN #:** 06-09-400-004

**Legal Description:**

TOWNSHIP 36 NORTH, RANGE 8 EAST OF 3RD P.M.

The West ½ of the South East ¼ of Section 9 and that part of the West ½ of the Northeast ¼ of Section 16 lying Northerly of the centerline of Illinois Route No. 126 (excepting therefrom the following described tract: Beginning at the Southwest corner of said South East ¼ of Section 9; thence North 01 degrees, 36 minutes, 40 seconds West along the West line of said South East ¼, 260 feet; thence North 88 degrees, 44 minutes, 53 seconds East, 335 feet; thence South 01 degrees, 39 minutes, 11 seconds East, 677.39 feet to the centerline of said road; thence South 80 degrees, 28 minutes, 31 seconds West along said centerline, 338.17 feet to the West line of said Northeast ¼; thence North 01 degrees, 40 minutes, 39 seconds West along said West line, 466.05 feet to the point of beginning), in the Township of Na-Au-Say, Kendall County, Illinois.

I hereby declare this deed represent an exempt transaction under the provisions of paragraph (d), Section 200/31-45 of the Real Estate Transfer Act.

9-22-09 [redacted]

200900025410

DEBBIE
GILLETTE
KENDALL COUNTY, IL

RECORDED: 11/24/2009 3:32 PM
REL: 49.00 RHSPS FEE: 10.00
PAGES: 4

THIS SHEET IS FOR RECORDING PURPOSES ONLY.
THIS DOCUMENT IS BEING RE-RECORDED TO CORRECT THE LEGAL DESCRIPTION ON ORIGINAL DOCUMENT 200900021238 RECORDED ON SEPTEMBER 25, 2009 WHICH LEGAL DESCRIPTION FAILED TO INCLUDE THE TOWNSHIP AND RANGE.

200900021238

DEBBIE GILLETTE
KENDALL COUNTY, IL

RECORDED: 9/25/2009 10:54 AM
REL: 49.00 RHSPS FEE: 10.00
PAGES: 3

**UNITED STATES OF AMERICA**
**IN THE CIRCUIT COURT OF THE EIGHTEENTH JUDICIAL CIRCUIT**
**DU PAGE COUNTY, ILLINOIS – IN PROBATE**

| | | |
|---|---|---|
| Estate of | ) | |
| | ) | |
| **RICHARD R. SMITS** | ) | No. 2008 P 145 |
| | ) | |
| Deceased | ) | |

## RELEASE OF REAL ESTATE INTEREST

Decedent, **RICHARD R. SMITS**, [redacted] who died on
(name and address at death)

**November 30, 2008**, owned an undivided 28.9% interest in and to the following described real estate at the time of death:

SEE LEGAL DESCRIPTION ATTACHED HERETO.

PIN: 06-09-400-004

The real estate is commonly known as Rte. 126, Oswego, Illinois, A.O. Rte. 126 Farm, Na-Au-Say Township, Kendall County, Illinois.

The undersigned was appointed as Independent Representative of the Decedent's estate on June 12, 2008, by the Circuit Court of DuPage County, Case No. 2008 P 145, Probate Division, and is now acting as such Independent Representative. Pursuant to a qualified disclaimer filed with the Court, title to the above real estate passed to the following beneficiary of the estate:

| **Name:** | **Address** | **Share** |
|---|---|---|
| Sarah Smits | [redacted] | 14.45% |

Acting pursuant to 755 ICS 5/28-8(i) and 5/28-10(a) of the Illinois Probate Act of 1975, the undersigned releases the estate's interest in the real estate and confirms the title of the above beneficiary.

Date: Aug. 27, 2009

[redacted]
Donna M. Smits, Independent Representative

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that, Donna M. Smits, Independent Representative, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person, and acknowledged that she signed, sealed and delivered the said instrument as her free and voluntary act, for the uses and purposes therein set forth.

Given under my hand and official seal, this 27 day of August, 2009

[redacted]
Notary Public

My Commission expires: _____

"OFFICIAL SEAL"
Darcy J Chamberlin
Notary Public, State of Illinois
Commission Expires 7/5/2011

PREPARED BY AND MAIL TO:
DARCY CHAMBERLIN
[redacted]

**Address of Property:** Rte. 126, Oswego, IL

**PIN #:** 06-09-400-004

**Legal Description:** TOWNSHIP 36 NORTH, RANGE 8 EAST OF 3rd. P.M.

The West ½ of the South East ¼ of Section 9 and that part of the West ½ of the Northeast ¼ of Section 16 lying Northerly of the centerline of Illinois Route No. 126 (excepting therefrom the following described tract: Beginning at the Southwest corner of said South East ¼ of Section 9; thence North 01 degrees, 36 minutes, 40 seconds West along the West line of said South East ¼, 260 feet; thence North 88 degrees, 44 minutes, 53 seconds East, 335 feet; thence South 01 degrees, 39 minutes, 11 seconds East, 677.39 feet to the centerline of said road; thence South 80 degrees, 28 minutes, 31 seconds West along said centerline, 338.17 feet to the West line of said Northeast ¼; thence North 01 degrees, 40 minutes, 39 seconds West along said West line, 466.05 feet to the point of beginning), in the Township of Na-Au-Say, Kendall County, Illinois.

200900025411

DEBBIE
GILLETTE
KENDALL COUNTY, IL

RECORDED: 11/24/2009 3:32 PM
DTR: 49.00 RHSPS FEE: 10.00
PAGES: 4

THIS SHEET IS FOR RECORDING PURPOSES ONLY.
THIS DOCUMENT IS BEING RE-RECORDED TO CORRECT THE LEGAL DESCRIPTION ON ORIGINAL DOCUMENT 200900021239 RECORDED ON SEPTEMBER 25, 2009 WHICH LEGAL DESCRIPTION FAILED TO INCLUDE THE TOWNSHIP AND RANGE.

**DEED IN TRUST**
Prepared by and Mail to:
Darcy Chamberlin
[redacted]

200900021239

DEBBIE
GILLETTE
KENDALL COUNTY, IL

RECORDED: 9/25/2009 10:54 AM
DTR: 49.00 RHSPS FEE: 10.00
PAGES: 3

TAX BILLS TO:
JERRALD SMITS
[redacted]

The Grantor, Donna M. Smits, a single woman, of the [redacted], C[redacted] for and in consideration of TEN DOLLARS ($10.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, hereby conveys and warrants to **Donna M. Smits, and her successors, as Trustee of the Donna M. Smits Trust,** under the terms and provisions of a certain Trust Agreement dated the 8th day of February, 2008, and designated as the **Donna M. Smits Trust** ( the "Trust Agreement"), and to any and all successors as Trustee appointed under the Trust Agreement, or who may be legally appointed, an undivided 14.45% interest, being all of her right, title and interest, in and to the following described real estate, situated in the County of Kendall, in the State of Illinois, to wit:

SEE LEGAL DESCRIPTION ATTACHED HERETO AND MADE A PART HEREOF

Address of Grantee: [redacted]
Address of Real Estate: Rte. 126, Oswego, Illinois, A.O. Rte. 126 Farm
PIN: 06-09-400-004

TO HAVE AND TO HOLD said real estate and appurtenances thereto upon the trusts set forth in said Trust Agreement and for the following uses:

1. The Trustee (or Trustees, as the case may be), is invested with the following powers: (a) to manage, improve, divide or subdivide the trust property, or any part thereof, (b) To sell on any terms, grant options to purchase, contract to sell, to convey with our without consideration, to convey to a successor or successors in trust, any or all of the title and estate of the trust, and to grant to such successor or successors in trust all the powers vested in the Trustee. (c) To mortgage, encumber or otherwise transfer the trust property, or any interest therein, as security for advances or loans. (d) To dedicate parks, streets, highways or alleys, and to vacate any portion of the premises. (e) To lease and enter into leases for the whole or part of the premises, from time to time, but any such leasehold or renewal shall not exceed a single term of 199 years, and to renew, extend or modify any existing lease.

2. Any party dealing with the Trustee with regard to the trust property, whether by contract, sale, mortgage, lease or otherwise, shall not be required to see to the application of the purchase money, loan proceeds, rental or other consideration given, nor shall be required to see that the terms of the trust have been complied with, or to inquire into the powers and authority of the Trustee, and the execution of every contract, option, deal, mortgage or other instrument dealing with the trust property, shall be conclusive evidence in favor of every person relying upon or claiming under such conveyance or other instrument; that at the time of the execution and delivery of any of the aforesaid instruments, the Trust Agreement above described was in full force and effect; that said instrument so executed was pursuant to and in accordance with the authority granted the Trustee, and is binding upon the beneficiary or beneficiaries under said Trust Agreement; and if said instrument is executed by a successor or successors in trust, that he or they were duly appointed and are fully invested with the title, estate, rights, powers and duties of the preceding Trustee.

3. The interest of each and every beneficiary under said Trust Agreement and hereunder, and of all persons claiming under any of the beneficiaries, shall be only in the earnings, avails and proceeds arising from the sale or other disposition of the trust property, and such interest is hereby declared to be personal property only, and the beneficiary or beneficiaries of the trust shall not have any title or interest therein, legal or equitable, except as stated.

4. In the event of the inability, refusal of the Trustee herein named, to act, or upon his removal from the County, a Successor Trustee as provided in the Trust Agreement is then appointed as Successor Trustee herein with like powers and authority as is vested in the Trustee named herein.

All of the covenants, conditions, powers, rights and duties vested hereby, in the respective parties, shall inure to and be binding upon their heirs, legal representatives and assigns.

If the title to any of the above real estate now is or hereafter shall be registered, the Registrar of Titles is directed not to register or note in the Certificate of Title, duplicate thereof, or memorial, the words "in trust" or "upon condition", or "with limitation", or words of similar import, in compliance with the statute of the State of Illinois in such case made and provided.

The Grantor hereby waives and releases any and all right and benefit under and by virtue of the Statutes of the State of Illinois providing for the exemption of homestead from sale or execution or otherwise.

DATED this 27 day of Aug., 2009.

[redacted]EAL)
Donna M. Smits

STATE OF ILLINOIS )
) SS
COUNTY OF DuPage )

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that, Donna M. Smits, a single woman, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person, and acknowledged that she signed, sealed and delivered the said instrument as her free and voluntary act, for the uses and purposes therein set forth.

Given under my hand and official seal, this 27 day of August, 2009

[redacted]
Notary Public

My Commission expires:

"OFFICIAL SEAL"
Darcy J Chamberlin
Notary Public, State of Illinois
Commission Expires 7/5/2011

I hereby declare this Deed represents a transaction exempt under the provisions of Paragraph E, Section 4, of the Real Estate Transfer Tax Act.

Dated: 8-27-2009

Signed: [redacted]

**Address of Property:** Rte. 126, Oswego, IL

**PIN #:** 06-09-400-004

**Legal Description:** TOWNSHIP 36 NORTH, RANGE 8 EAST OF 3RD P.M.

The West ½ of the South East ¼ of Section 9 and that part of the West ½ of the Northeast ¼ of Section 16 lying Northerly of the centerline of Illinois Route No. 126 (excepting therefrom the following described tract: Beginning at the Southwest corner of said South East ¼ of Section 9; thence North 01 degrees, 36 minutes, 40 seconds West along the West line of said South East ¼, 260 feet; thence North 88 degrees, 44 minutes, 53 seconds East, 335 feet; thence South 01 degrees, 39 minutes, 11 seconds East, 677.39 feet to the centerline of said road; thence South 80 degrees, 28 minutes, 31 seconds West along said centerline, 338.17 feet to the West line of said Northeast ¼; thence North 01 degrees, 40 minutes, 39 seconds West along said West line, 466.05 feet to the point of beginning), in the Township of Na-Au-Say, Kendall County, Illinois.

DEED IN TRUST
Prepared by and Mail to:
Darcy Chamberlin
[redacted]

201000019150
DEBBIE
GILLETTE
KENDALL COUNTY, IL
RECORDED: 10/19/2010 12:05 PM
DTR: 49.00 RHSPS FEE: 10.00
PAGES: 3

The Grantor, Jerrald J. Smits, a single man, of the [redacted] for and in consideration of TEN DOLLARS ($10.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, hereby conveys and warrants to **Jerrald J. Smits, and his successors, as Trustee of the Jerrald J. Smits Trust,** under the terms and provisions of a certain Trust Agreement dated the 6th day of February, 2009, and designated as the **Jerrald J. Smits Trust** ( the "Trust Agreement"), and to any and all successors as Trustee appointed under the Trust Agreement, or who may be legally appointed, an undivided 28.9% interest, being all of his right, title and interest, in and to the following described real estate, situated in the County of Kendall, in the State of Illinois, to wit:

SEE LEGAL DESCRIPTION ATTACHED HERETO AND MADE A PART HEREOF.

Address of Grantee: [redacted]
PIN: 06-09-400-004
Property Address: Rte. 126, Oswego, IL

TO HAVE AND TO HOLD said real estate and appurtenances thereto upon the trusts set forth in said Trust Agreement and for the following uses:

1. The Trustee (or Trustees, as the case may be), is invested with the following powers: (a) To manage, improve, divide or subdivide the trust property, or any part thereof, (b) To sell on any terms, grant options to purchase, contract to sell, to convey with or without consideration, to convey to a successor or successors in trust, any or all of the title and estate of the trust, and to grant to such successor or successors in trust all the powers vested in the Trustee. (c) To mortgage, encumber or otherwise transfer the trust property, or any interest therein, as security for advances or loans. (d) To dedicate parks, streets, highways or alleys, and to vacate any portion of the premises. (e) To lease and enter into leases for the whole or part of the premises, from time to time, but any such leasehold or renewal shall not exceed a single term of 199 years, and to renew, extend or modify any existing lease.

2. Any party dealing with the Trustee with regard to the trust property, whether by contract, sale, mortgage, lease or otherwise, shall not be required to see to the application of the purchase money, loan proceeds, rental or other consideration given, nor shall be required to see that the terms of the trust have been complied with, or to inquire into the powers and authority of the Trustee, and the execution of every contract, option, deal, mortgage or other instrument dealing with the trust property, shall be conclusive evidence in favor of every person relying upon or claiming under such conveyance or other instrument; that at the time of the execution and delivery of any of the aforesaid instruments, the Trust Agreement above described was in full force and effect; that said instrument so executed was pursuant to and in accordance with the authority granted the Trustee, and is binding

AO 126

upon the beneficiary or beneficiaries under said Trust Agreement; and if said instrument is executed by a successor or successors in trust, that he or they were duly appointed and are fully invested with the title, estate, rights, powers and duties of the preceding Trustee.

3. The interest of each and every beneficiary under said Trust Agreement and hereunder, and of all persons claiming under any of the beneficiaries, shall be only in the earnings, avails and proceeds arising from the sale or other disposition of the trust property, and such interest is hereby declared to be personal property only, and the beneficiary or beneficiaries of the trust shall not have any title or interest therein, legal or equitable, except as stated.

4. In the event of the inability, refusal of the Trustee herein named, to act, or upon his removal from the County, a Successor Trustee as provided in the Trust Agreement is then appointed as Successor Trustee herein with like powers and authority as is vested in the Trustee named herein.

All of the covenants, conditions, powers, rights and duties vested hereby, in the respective parties, shall inure to and be binding upon their heirs, legal representatives and assigns.

If the title to any of the above real estate now is or hereafter shall be registered, the Registrar of Titles is directed not to register or note in the Certificate of Title, duplicate thereof, or memorial, the words "in trust" or "upon condition", or "with limitation", or words of similar import, in compliance with the statute of the State of Illinois in such case made and provided.

The Grantor hereby waives and releases any and all right and benefit under and by virtue of the Statutes of the State of Illinois providing for the exemption of homestead from sale or execution or otherwise.

DATED this 23 day of July, 2010.

[redacted] SEAL)

Jerrald J. Smits

OFFICIAL SEAL
Pablo Antonio Encinas
Notary Public, State of Illinois
My Commission Exp. 11/3/12

STATE OF Illinois )
) SS
COUNTY OF DuPage )

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that, Jerrald J. Smits, a single man, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person, and acknowledged that he signed, sealed and delivered the said instrument as his free and voluntary act, for the uses and purposes therein set forth.

Given under my hand and official seal, this 23rd day of July, 2010

[redacted]
Notary Public

My Commission expires: November 3rd, 2012

I hereby declare this Deed represents a transaction exempt under the provisions of Paragraph E, Section 4, of the Real Estate Transfer Tax Act.

Dated: 9-24-2010

[redacted]

AO 126

Address of Property: Rte. 126, Oswego, IL

PIN #: 06-09-400-004

Legal Description:

TOWNSHIP 36 NORTH, RANGE 8 EAST OF 3RD P.M.)

The West ½ of the South East ¼ of Section 9 and that part of the West ½ of the Northeast ¼ of Section 16 lying Northerly of the centerline of Illinois Route No. 126 (excepting therefrom the following described tract: Beginning at the Southwest corner of said South East ¼ of Section 9; thence North 01 degrees, 36 minutes, 40 seconds West along the West line of said South East ¼, 260 feet; thence North 88 degrees, 44 minutes, 53 seconds East, 335 feet; thence South 01 degrees, 39 minutes, 11 seconds East, 677.39 feet to the centerline of said road; thence South 80 degrees, 28 minutes, 31 seconds West along said centerline, 338.17 feet to the West line of said Northeast ¼; thence North 01 degrees, 40 minutes, 39 seconds West along said West line, 466.05 feet to the point of beginning), in the Township of Na-Au-Say, Kendall County, Illinois.

202200019791
DEBBIE GILLETTE
RECORDER - KENDALL COUNTY, IL
RECORDED: 12/20/2022 11:39 AM
REC FEE: 57.00 RHSPS: 10.00
STATE TAX: 342.00
COUNTY TAX: 171.00
PAGES: 4

# WARRANTY DEED
# ILLINOIS STATUTORY

**AFTER RECORDING MAIL TO:**

Vasili Russis
Buckley Fine, LLC
[redacted]

THE GRANTOR, **DONNA M. SMITS, TRUSTEE OF THE DONNA M. SMITS TRUST dated February 8, 2008**, of [redacted] as to a 14.5% undivided interest; and **SARA SMITS**, of [redacted] as to a 14.5% undivided interest, for and in consideration of TEN AND NO/100----DOLLARS in hand paid, CONVEYS AND WARRANTS to **JERRALD J. SMITS TRUST DATED FEBRUARY 6, 2009,** of [redacted] as to a 28.9% undivided interest in the following described real estate situated in Kendall County in the State of Illinois, to wit:

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

Hereby releasing and waiving all rights under and by virtue of the Homestead Exemption Laws of the State of Illinois.

**SUBJECT TO:** (a) General real estate taxes not due and payable at the time of closing; (b) Special Assessments confirmed after Contract date; (c) Building, building line and use or occupancy restrictions, conditions and covenants of record; (d) Zoning laws and Ordinances; (e) Easements for public utilities; (f) Drainage ditches, feeders, laterals and drain tile, pipe or other conduit.

Permanent Real Estate Index Number(s): **06-09-400-004**

Address of Real Estate: A.O Rte. 126 Farm, Route 126, Oswego, Illinois.

Dated this 9th day of December, 2022.

[redacted]

**Donna M. Smits, Trustee of the Donna M. Smits Trust Dated February 8, 2008**

[redacted]

**Sara Smits**

STATE OF ILLINOIS )
) SS
COUNTY OF DuPAGE )

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY THAT **Donna M. Smits, as Trustee under the Donna M. Smits Trust dated February 8, 2008** and **Sara Smits,** personally known to me to be the persons whose names are subscribed to the foregoing instrument, appeared before me this day in person, and acknowledged that they signed, sealed, and delivered the said instrument as their free and voluntary act, for the uses and purposes therein set forth, including the release and waiver of the right of homestead.

Given under my hand and official seal, this 9th day of December, 2022.

[redacted]
Notary Public

**Prepared By:**

Vasili Russis
Buckley Fine, LLC
[redacted]

JOCELYN ANAYA
Official Seal
Notary Public - State of Illinois
My Commission Expires Jan 5, 2026

***Name and Address of Taxpayer:***

John Smits
[redacted]

**Address of Property:** Rte. 126, Oswego, IL

**PIN #:** 06-09-400-004

**Legal Description:** TOWNSHIP 36 NORTH, RANGE 8 EAST OF 3RD P.M.

The West ½ of the South East ¼ of Section 9 and that part of the West ½ of the Northeast ¼ of Section 16 lying Northerly of the centerline of Illinois Route No. 126 (excepting therefrom the following described tract: Beginning at the Southwest corner of said South East ¼ of Section 9; thence North 01 degrees, 36 minutes, 40 seconds West along the West line of said South East ¼, 260 feet; thence North 88 degrees, 44 minutes, 53 seconds East, 335 feet; thence South 01 degrees, 39 minutes, 11 seconds East, 677.39 feet to the centerline of said road; thence South 80 degrees, 28 minutes, 31 seconds West along said centerline, 338.17 feet to the West line of said Northeast ¼; thence North 01 degrees, 40 minutes, 39 seconds West along said West line, 466.05 feet to the point of beginning), in the Township of Na-Au-Say, Kendall County, Illinois.

EcoCAT
Ecological Compliance Assessment Tool

*Applicant:* SCI Engineering, Inc.
*Contact:* Scott Billings
*Address:* [redacted]

*IDNR Project Number:* 2504528
*Date:* 10/04/2024

*Project:* East Schoolhouse Road Solar
*Address:* Northwest of E Schoolhouse Rd and S Schlapp Rd, Oswego

*Description:* This project is being proposed for a community solar development with associated access and infrastructure.

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

*County:* Kendall

*Township, Range, Section:*
36N, 8E, 9
36N, 8E, 16



**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: 2504528*

**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.

## 2.0 APPROVAL STANDARDS FOR SPECIAL USE PERMITS

1. **That the establishment, maintenance, and operation of the special use will not be detrimental to, or endanger, the public health, safety, morals, comfort, or general welfare.**

   *Response: The Project will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare of the community. The Project will be operated safely at all times and will be monitored locally and/or remotely twenty-four hours a day, seven days a week. The North Carolina State University Report, provided in Appendix R, demonstrates that solar projects and their components do not have a detrimental effect. The Sound Analysis Report and the Glare Study, provided as Appendix U and Appendix V, respectively, reinforce that the Project will not be detrimental to the public. Rather, the Project will be a positive new source of jobs, tax revenue, and will be a creator of emission-free and locally sourced electricity without utilizing or adding stress to community infrastructure.*

2. **That the special use will not be substantially injurious to the use and enjoyment of other properties 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.**

   *Response: The Project complies with all setback requirements and performance codes specified in the Kendall County Zoning Ordinance. The Project complies with the Illinois Pollution Control Board noise limits as demonstrated in the report (Appendix U). The CohnReznick site-specific property value impact report (Appendix W), demonstrates that the Project will have no negative impacts on neighboring property values. The report indicates that solar facilities located in similar areas, with similar land uses, do not cause negative impacts to adjacent real estate, based on a review of academic studies, CohnReznick's own paired sales data, and interviews with County Assessors and other Market Participants. An existing treeline approximately 350 feet north of Schoolhouse Road will be utilized as natural screening in addition to the screening planted by the Applicant, which will further reduce any visual impacts. There is no proposed lighting for the Project.*

3. **That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided.**

   *Response: The Project has been thoroughly studied by ComEd, and the various analyses produced by ComEd assure that the proper electrical infrastructure is present or will be constructed to operating the Project. The Project does not require water or sewer facilities. A drain tile survey has been completed (refer to Appendix Z for map) and will be used to mitigate against impacts to the existing drain tile system. These mitigation strategies will include rerouting drain tile where impacts are expected and making repairs as needed. Any upgrades or changes to the drain tile system will be at the request and with approval of the landowner and follow the requirements listed in the AIMA. The Project has been designed such that existing water drainage patterns will not be impacted and that the existing driveway along Schoolhouse Road will provide sufficient ingress and egress to the site.*

4. **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.**

   *Response: The Project, sited on an agricultural zoned parcel within Kendall County, will comply with the regulations applicable to commercial solar energy facilities as well as other county codes and ordinances and thereby will conform to the applicable regulations of the district.*

5. **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.**

   *Response: The Project is consistent with the purpose and objective of the land resource management plan and other adopted county or municipal plans and policies. For example, the Land Resource Management Plan has a stated goal of supporting "the public and private use of sustainable energy systems (examples include wind, solar, and geothermal)."*

## 3.0 APPROVAL STANDARDS FOR VARIANCE

1. **That 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.**

   *Response: Per Section 36-282.17.a of the Kendall County Zoning Ordinance, all commercial solar energy facilities and test solar energy systems located within 1.5 miles of a municipality shall either annex to the municipality or secure an annexation agreement, allowing the municipality's regulations to apply to the property. The Project is situated within 1.5 miles of the Village of Plainfield. The Applicant contacted the Village to request annexation of the Parcel; however, as documented in Appendix O, the Village declined to annex the property or enter into an annexation agreement. Without a variance, the Project would be unable to obtain permits and would remain in limbo regarding zoning authority. The Project complies with all other state and county requirements and is only deficient because the Village of Plainfield has chosen not to annex the parcel at this time.*

2. **That the conditions upon which the requested variation is based would not be applicable, generally, to other property within the same zoning classification.**

   *Response: The variance being requested is generally not applicable to other properties within the same zoning classification. Agriculturally zoned properties typically fall outside the 1.5-mile radius for municipalities or have already been incorporated into the city due to the proximity to the corporate limits or the projected path of development. The variance being sought is only applicable to parcels within 1.5 miles of a municipality that have community solar proposed on the parcel and have had a municipality decline to annex the parcel.*

3. **That the alleged difficulty or hardship has not been created by any person presently having an interest in the property.**

   *Response: The hardship was not created by any person presently having an interest in the property. The hardship was created by the municipality's decision not to annex the property, and the Applicant is required to follow Section 36-282.17.a of the Kendall County Zoning Ordinance.*

4. **That 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.**

*Response: The Project will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare of the community. The Project will be operated safely at all times and will be monitored locally and/or remotely on twenty-four hours a day, seven days a week. The North Carolina State University Report, provided in Appendix R, demonstrates that solar projects and the components within a solar project do not have a detrimental effect. The Sound Analysis Report and the Glare Study, provided as Appendix U and Appendix V, respectively, reinforce that the Project will not be detrimental to the public. Rather, the Project will be a positive new source of jobs, tax revenue, and will be a creator of emission-free and locally sourced electricity without utilizing or adding stress to community infrastructure.*

5. **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.**

*Response: The proposed Project will not be detrimental to or endanger the nearby properties. The Project will be operated safely at all times and will be monitored locally and/or remotely twenty-four hours a day, seven days a week. The proposed Project will not impair the supply or light and air to adjacent properties. The Project will not have permanent staff onsite and will have minimal traffic for maintenance and operations after construction. As a result, the Project will not substantially increase congestion on public streets.*

## 4.0 DEVELOPMENT REQUIREMENTS

East Schoolhouse Road Community Energy Initiative LLC has provided proof that the Schoolhouse Road Solar project meets the following standards:

Kendall County Code Chapter 36, Section 282:

**a. All commercial solar energy facilities and test solar energy systems located within one and one-half (1½) 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.**

*Response: The Project is located within 1.5 miles of the Village of Plainfield boundary. The Applicant contacted the Village of Plainfield and was informed that the Village is not interested in annexing the parcel and that the parcel in question is located within the Village of Oswego's planning jurisdiction. The Applicant also contacted the Village of Oswego to discuss the project. The email correspondence between the villages and the Applicant is in Appendix O.*

*The Project is located within Na-Au-Say Township and the Applicant attended the Township's meeting on March 17th to discuss the project. The meeting agenda is in Appendix O.*

**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** | **150 feet from the nearest point on the outside wall of the structures** |
| **Boundary lines of participating properties** | **None** |
| **Boundary lines of nonparticipating properties** | **50 feet to the nearest point on the property line of the nonparticipating property** |
| **Public road rights-of-ways** | **50 feet 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, State Commerce Commission, Federal Energy Regulatory Commission, and their designees or successors.**

*Response: Acknowledged. The Project will adhere to the above setbacks and will remain in compliance with electric facility clearances approved or required by the National*

*Electrical Code, the National Electrical Safety Code, State Commerce Commission, Federal Energy Regulatory Commission, and their designees or successors where necessary.*

**c. A commercial solar energy facility's perimeter shall be enclosed by fencing having a height of at least six (6) feet and no more than twenty-five (25) feet.**

*Response: The Project shall have a perimeter fence that is approximately 8 feet 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 (20) feet above ground when the solar energy facility's arrays are at full tilt.**

*Response: No component of a solar panel as part of the Project will exceed 20 feet in height. The required electrical utility poles will be above 20 feet in height.*

**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.**

*Response: Acknowledged. The Project meets the setback, fencing, and height requirements. As a result, the Applicant will not submit a waiver.*

**f. Sound limitations for components in commercial solar energy facilities shall follow the sound limitations established by the State Pollution Control Board.**

*Response: The quantifiable operational sound emissions are associated with the inverters and transformers. The facility will have two equipment pads, each containing 12 string inverters and 2-3.5 Mega Volt-Ampere (MVA) pad-mounted transformers. The sound emissions from the inverters and transformers was modeled using SoundPLAN, which is a three-dimensional sound modeling program. Based on the results, the solar project is not anticipated to have an impact on the surrounding community sound levels or sensitive receptors. The project will comply with the established IPCB noise impact threshold of 61 A-weighted decibels (dB(A)) at the property line. The sound analysis report has been included in Appendix U.*

**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.**

*Response: Acknowledged. The Agricultural Impact Mitigation Agreement (AIMA) has been included in Appendix L.*

h. **A vegetative screening shall be placed around the commercial solar energy facility.**

*Response: Vegetative screening will be placed around the commercial solar energy facility in addition to utilizing the existing treeline located approximately 350 feet north of Schoolhouse Road. Please refer to the landscaping plan for more details.*

i. **Commercial solar energy facility applicants shall provide the results and recommendations from consultations with the State 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.**

*Response: SCI Engineering, Inc. (SCI) consulted with the Illinois Department of Natural Resources (IDNR) through the EcoCAT program and received a response from IDNR on October 4, 2024. The response letter indicated that consultation was terminated, as the Illinois Natural Heritage Database contains no record of state-listed threatened or endangered species, within the project area. The letter is valid for two years. The EcoCAT consultation letter from IDNR is located within the Threatened and Endangered Species Habitat Assessment Report by SCI included in Appendix E.*

*In compliance with the Endangered Species Act and USFWS consultation, SCI requested an official species list through the Information for Planning and Consultation (IPaC). The IPaC official species list included four species; Indiana bat, whooping crane, monarch butterfly (status changed to proposed threatened), and eastern prairie fringed orchid. The project area is located on undeveloped agricultural land. SCI concluded that the project area does not contain suitable summer roosting habitat for the Indiana bat; is likely only suitable as a stopover, foraging habitat for the whooping crane; SCI concluded the project area likely does not contain monarch butterfly habitat, and SCI also concluded that potential habitat for eastern prairie fringed orchid is not likely present within the project area. It does not appear that the proposed project is likely to impact the four species listed on the IPaC Official Species list. See the Threatened and Endangered Species Habitat Assessment Report by SCI in Appendix E.*

**j. Commercial solar energy facility applicants shall provide the results of the U.S. Fish and Wildlife Service's information for planning and consulting environmental review or a comparable successor toll that is consistent with U.S. Fish and Wildlife Service land-based wind energy guidelines and any applicable U.S. Fish and Wildlife Service solar wildlife guidelines that have been subject to public review.**

*Response: SCI consulted with the IDNR through the EcoCAT program and received a response from IDNR on October 4, 2024. The response letter indicated that consultation was terminated, as the Illinois Natural Heritage Database contains no record of state-listed threatened or endangered species, within the project area. The letter is valid for two years. The EcoCAT consultation letter from IDNR is located within the Threatened and Endangered Species Habitat Assessment Report by SCI included in Appendix E.*

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**k. A facility owner shall demonstrate avoidance of protected lands as identified by the State Department of Natural Resources and the State Nature Preserve Commission or consider the recommendations of the State Department of Natural Resources for setbacks from protected lands, including areas identified by the State Nature Preserve Commission.**

*Response: According to the EcoCAT report, the Illinois Natural Heritage Database contains no record of state-listed threatened or endangered species, Illinois Natural Area Inventory sites, dedicated Illinois Nature Preserves, or registered Land and Water Reserves in the vicinity of the project location, therefore, IDNR EcoCAT Consultation has been terminated (see Appendix E).*

l. **A facility owner shall provide evidence at the time of application submittal of consultation with the State Historic Preservation Office to assess potential impacts on State-registered historic sites under applicable State law.**

*Response: The Project is located within a high probability area for archaeological sites. Therefore, the project is pursuant to Section 6 of the Illinois State Agency Historic Resources Preservation Act. An archaeological survey for the above-mentioned Project will be required within the high probability area under Illinois law as there is no public funding and it is not on public land. On November 3, 2024, the Illinois Historic Preservation Agency (IHPA) determined that an above-ground survey of structures within a 0.25-mile radius of the project area was not necessary. SCI Engineering, Inc. completed the archaeological survey and report for the Project. The IHPA issued a clearance letter on June 3, 2025, which is included in Appendix K.*

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 State Department of Natural Resources' vegetative management plans. The vegetation management plan shall be required at the time of application submittal.**

*Response: A vegetative management plan, consistent with state law and the guidelines of the State Department of Natural Resources, has been included in Appendix M. A native seed mix will be planted, established, and maintained for the life of the facility as part of the Project.*

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 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.**

*Response: A request will be sent to Illinois Department of Transportation (IDOT) to determine if a road use agreement is required. If one is, an agreement will be entered into with the Illinois Department of Transportation for site access to the Project along East Schoolhouse Road (State Route 126). A copy of the approved agreement or correspondence from IDOT indicating one is not necessary, will be submitted to the Kendall County Planning, Building, and Zoning Department once received.*

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.**

*Response: The facility owner will repair or pay for the repair of all damage to the drainage system caused by construction of the commercial solar energy facility in accordance with the Agricultural Impact Mitigation Agreement (Appendix L), or within the allowable time set in the special use permit.*

SCI ENGINEERING, INC.
[redacted]
www.sciengineering.com

# Wetland and Waterbody Delineation Report (Revised)

## EAST SCHOOLHOUSE ROAD SOLAR
## PLAINFIELD, ILLINOIS

**May 22, 2025**

**Prepared for:**

**EAST SCHOOLHOUSE ROAD COMMUNITY ENERGY INITIATIVE LLC**

**SCI No. 2024-1651.30**

SCI ENGINEERING, INC.
EARTH • SCIENCE • SOLUTIONS
GEOTECHNICAL
ENVIRONMENTAL
NATURAL RESOURCES
CULTURAL RESOURCES
CONSTRUCTION SERVICES

May 22, 2025

Tiffany Grace
East Schoolhouse Road Community Energy Initiative LLC
[redacted]

RE: Wetland and Waterbody Delineation Report (Revised)
East Schoolhouse Road Solar
Plainfield, Illinois
SCI No. 2024-1651.30

Dear Tiffany Grace:

Please find attached SCI Engineering, Inc.'s (SCI) *Wetland and Waterbody Delineation Report (Revised)*, dated May 22, 2025, for the above-referenced project site. The approximately 64-acre site is located northwest of East Schoolhouse Road and South Schlapp Road in Plainfield, Illinois. The project includes the proposed construction of a solar development with associated access and infrastructure. Our due diligence services consisted of a site reconnaissance survey and the preparation of a Wetland and Waterbody Delineation report. An executive summary of the report is provided below.

- SCI conducted a wetland and waterbody delineation of the site on September 26, 2024. The site was found to contain one relatively permanent waterway (RPW) (Little Slough Creek) within the proposed project boundary.
- The identified feature would likely be considered a water of the United States (WOTUS) as identified under the definitions described in *Section 328.3 of the Code of Federal Regulations and the May 25, 2023, Sackett V. the U.S. Environmental Protection Agency* supreme court case decision.
- If impacts are proposed to the waterbody feature, it is likely that a Section 404 Permit from the U.S. Army Corps of Engineers (USACE) and a 401 Water Quality Certification from the Illinois Environmental Protection Agency (IEPA) would be required.

The attached report should be read in its entirety. We appreciate the opportunity to provide you with our natural resource services. You may reach me at (314) 917-2645 or mholm@sciengineering.com if you have any questions or concerns.

Respectfully,

**SCI ENGINEERING, INC.**

[redacted]

Justin Loos
Field Scientist

[redacted]

Michael S. Holm, CESSWI
Project Scientist

Enclosure

\\sciengineering.local\shared\Projects\2024\2024-1651 Schoolhouse Road Solar\NR\30\Report\241651.30_Schoolhouse_Road Delineation Report - revised 5.21.25.docx

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**Wetland and Waterbody Delineation Report**

**EAST SCHOOLHOUSE ROAD SOLAR**
**PLAINFIELD, ILLINOIS**

## 1.0 INTRODUCTION

SCI Engineering, Inc. (SCI) was retained by East Schoolhouse Road Community Energy Initiative LLC to conduct a wetland and waterbody delineation of an approximate 64-acre site located northwest of East Schoolhouse Road and South Schlapp Road in Plainfield, Illinois. SCI understands that the project site is being considered for a new solar development with associated access and infrastructure. The scope of services included performing site reconnaissance to characterize the soils, vegetation, and hydrology for the delineation of wetlands and waterbodies. Our services were provided in general accordance with our proposal, dated September 16, 2024, and executed on September 23, 2024.

On September 26, 2024, SCI Natural Resource Scientists performed a wetland and waterbody delineation on the project site and identified one relatively permanent waterway (RPW) within the project survey limits.

Traditional Navigable Waterways (TNW), RPWs, virtually indistinguishable wetlands, and some lakes and ponds, are considered waters of the United States (WOTUS) as determined in the recent Supreme Court Case, *Sackett vs the U.S. Environmental Protection Agency* (USEPA). Any impact to a WOTUS, including filling, crossing, piping, relocating, or discharging into, would require a Section 404 Permit from the U.S. Army Corps of Engineers (USACE) and a Section 401 Water Quality Certification from the Illinois Environmental Protection Agency (IEPA). Please note that the USACE has the sole authority to determine if any features identified are WOTUS resources. Likewise, the USACE has the authority to review the results of the delineation and notify the applicant of any additional requirements or restrictions.

## 2.0 SITE LOCATION

The approximately 64-acre project site is located northwest of East Schoolhouse Road and South Schlapp Road in Plainfield, Illinois (41.610250, -88.323309). The site consists of an agricultural field and a narrow strip of grass with an access road on the eastern edge of the site. The *Vicinity and Topographic Map* depicting the site location is enclosed as Figure 1.

## 3.0 DESKTOP REVIEW

### 3.1 United States Geological Survey (USGS)

The United States Geological Survey (USGS) topographic map depicts a blue line tributary identified as Little Slough Creek draining through the access road corridor in the southern section of the project site. The site is mostly flat with the site gradually draining south toward Little Slough Creek. The *USGS Topographic Map* is enclosed as Figure 1.

### 3.2 National Wetlands Inventory (NWI)

The NWI Map depicts a riverine habitat (R2UBHx) identified as Little Slough Creek in the same location as the topographic map. The *NWI Map* is enclosed as Figure 2.

### 3.3 Web Soil Survey

The Natural Resources Conservation Service (NRCS) Web Soil Survey (http://websoilsurvey.nrcs.usda.gov) was utilized to determine the mapped soil types and hydric rating of the soils underlaying the project site. Wetlands require hydric soils, which are described as those soils that are sufficiently wet in the upper part to develop anaerobic conditions during the growing season. Four soil units are mapped within the project site, one of which is considered to be a hydric soil. The mapped soil units are summarized in Table 3.1 below. The mapped soils are shown on Figure 2.

**Table 3.1 - Soil Survey Data**

| Soil Map Unit Name | Hydric rating |
|---|---|
| Drummer silty clay loam, 0 to 2 percent slopes | Hydric |
| Mundelein silt loam, 0 to 2 percent slopes | Non-hydric |
| Barrington silt loam, 0 to 2 percent slopes | Non-hydric |
| Barrington silt loam, 2 to 4 percent slopes | Non-hydric |

### 3.4 Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM)

Review of the FIRM panel map 17093C0130H (Effective date: January 8, 2014) indicates there is one regulatory floodway, which is a Zone A 1% annual chance flood hazard along Little Slough Creek within the project survey limits. The *FEMA Flood Map* is enclosed as Figure 3.

### 3.5 Historic Aerials Review

Publicly available historic aerials were reviewed from 1952 to 2021. In 1952, the project site is used for agricultural purposes. The site shows little change from 1952 to 1984. By 1999, the site has a crossing over the tributary and has an access road to the property. The site also appears to have a narrow strip of land along the eastern boundary that appears to have piles of material placed. From 1999 to 2021, the site shows little change. The site is currently being used for agricultural purposes.

### 3.6 Antecedent Precipitation Evaluation

The USACE Antecedent Precipitation Tool (APT) was utilized to calculate the normal range of precipitation for the project area, including whether the area was experiencing a drought at the time of the delineation. The APT was unavailable for the project site at the time of writing this report. No rain was observed in the week prior to the site visit.

## 4.0 SITE RECONNAISSANCE

On September 26, 2024, SCI Natural Resource Scientists conducted a field exploration to delineate the extent of wetlands and waterbodies that may exist within the project site. Suspect areas that were identified during the desktop review were explored for wetland and waterbody characteristics utilizing methods as described in the *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Midwest Region* (Version 2.0).

The site exists as an agricultural field and appears to be farmed annually. A gravel access road extends from Schoolhouse Road to the northeast corner of the site, along the east boundary. Material stockpiles were observed along the gravel road. Most of the surrounding properties are agricultural fields on all sides with a few commercial businesses and to the south and southwest of the project site. Dominant herbaceous vegetation observed across the agricultural fields includes soybeans (*Glycine max*) and field corn (*Zea mays*).

## 5.0 CONDITION SUMMARY

### 5.1 Farmed Wetland Determination

In an effort to assist in the identification of farmed wetlands within the project limits, SCI reviewed a minimum of five years of aerial imagery for designated years with approximate "normal precipitation" during the early growing season (April through June), based on long-term precipitation averages. The aerial review focused on the identification of wetland signatures, which are indicators left in the field due to ponding, flooding or impacts of saturation for sufficient duration. During our review, no areas possessing

wetland signatures were identified within the project area. The two identified grassed swales in the northeast section of the site did not possess hydric soils and would not be considered farmed wetland features. A Farmed Wetland Determination Summary is provided in Table 5.1, below. The aerial photographs used in this review are included as Figures 5 through 11.

**Table 5.1. Farmed Wetland Determination**

| Imagery Date | Source | Annual Precipitation Condition | Wetland Signature Assessment | | | | |
|---|---|---|---|---|---|---|---|
| | | | 1 | 2 | 3 | 4 | 5 |
| 2010 | FSA | Wet | - | - | - | - | - |
| 2009 | FSA | Normal | - | - | - | - | - |
| 2002 | FSA | Normal | - | - | - | - | - |
| 2001 | FSA | Normal | - | - | - | - | - |
| 2000 | FSA | Wet | - | - | - | - | - |
| 1999 | FSA | Normal | - | - | - | - | - |
| 1998 | FSA | Wet | - | - | - | - | - |
| | Number of Normal Years | 4 | - | - | - | - | - |
| | ID on NWI or LCWI (Y/N) | | | | | | |
| | ***Potential FW*** | | | | | | |
| | | | | | | | |
| | Field-Verified Hydric Soil (Y/N) | | | | | | |
| | ***Qualifies as FW?*** | | | | | | |

## 5.2 USACE Wetland Delineation

During the site visit, one RPW was observed within the site boundaries. Data was collected on USACE – Wetland Determination Data Forms for areas on site. A photographic summary of the representative site conditions and identified features are included as Appendix A. The *Automated Wetland Determination Data Forms* are enclosed as Appendix B. In addition, the features identified are illustrated on Figure 4 - *Wetland Delineation and Aerial Photograph*. The following discussion provides a narrative description of the identified features.

**Little Slough Creek** is an RPW that drains east through the access road corridor in the southern section of the site. It drains through the site for approximately 115 linear feet (LF) before draining off site to the east. A crossing with two culverts exists under the gravel access road. The tributary was observed to contain an Ordinary High-Water Mark (OHWM) of approximately 12 feet in width, a top-of-bank width of approximately 15 to 20 feet, and a bank height of approximately 5 feet. The substrate was observed to consist

of cobble, gravel, sand, clay, and silt. A pool of water was observed within the channel at the time of the site visit. Based on the observed characteristics of the waterbody feature, the tributary would likely be determined to be a WOTUS.

SCI also identified two grassed swales in the northeast section of the site. They were dominated by panic grass (*Panicum dichotomiflorum*), giant foxtail (*Setaria faberi*), and common amaranth (*Amaranthus retroflexus*). Hyrdic soils were not observed within either swale feature. Therefore, these features would not likely be determined to be a WOTUS.

## 6.0 CONCLUSION & RECOMMENDATIONS

SCI performed a wetland and waterbody delineation on September 26, 2024, and identified one RPW (Little Slough Creek) within the project survey limits. The feature is anticipated to be considered a WOTUS resource as determined by the *Sackett vs the USEPA/USACE* supreme court decision and thus regulated by the USACE. A Section 404 Permit from the USACE and Section 401 Water Quality Certification from the IEPA would likely be necessary if impacts are proposed to this feature.

Based on our review of available information, it appears that the project area is outside city limits and not under the jurisdiction of any city's code of ordinances. Kendall County currently has no ordinances on wetland or waterbody protection.

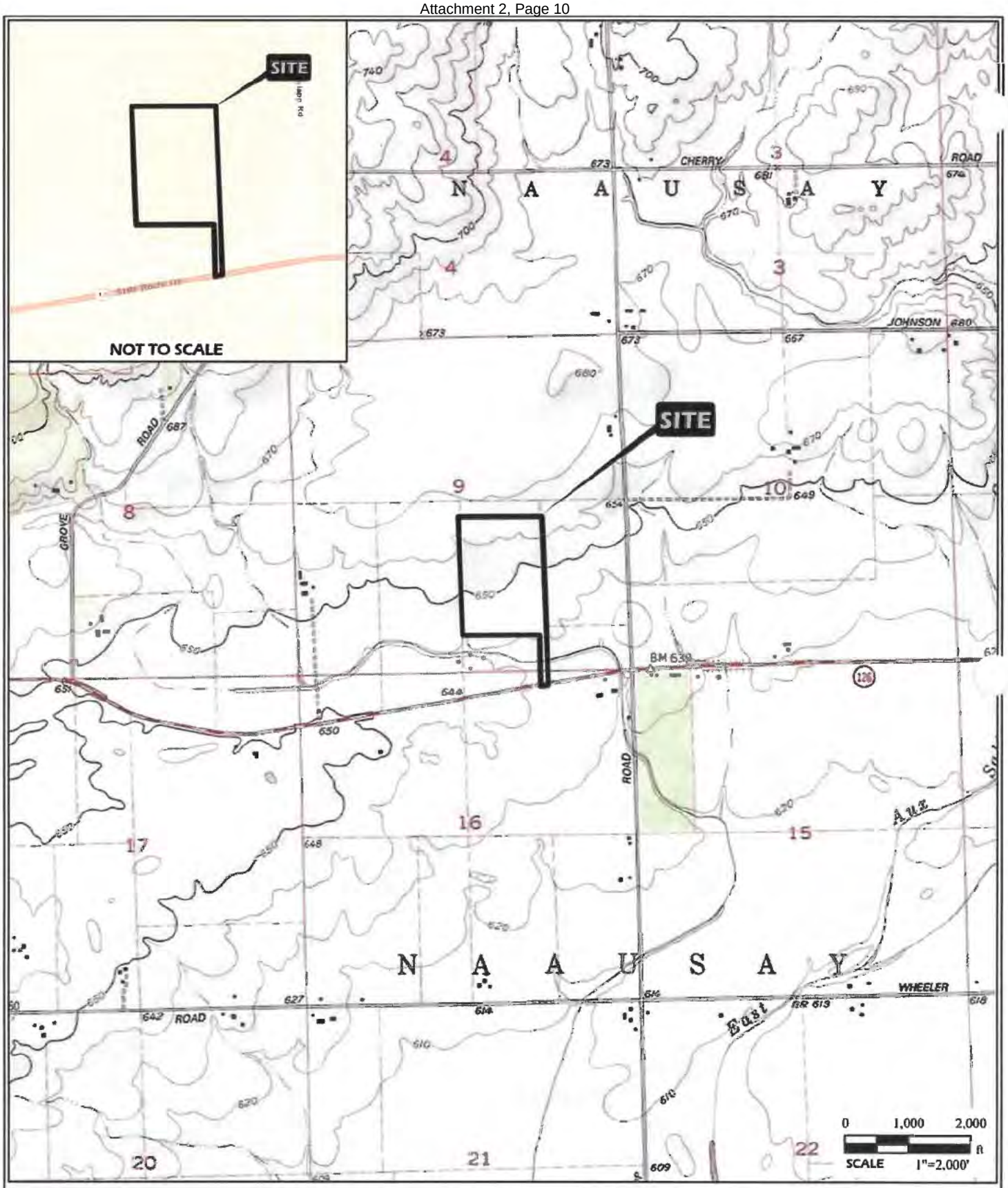
## 7.0 LIMITATIONS

This report has been prepared for the exclusive use of East Schoolhouse Road Community Energy Initiative LLC. SCI is not responsible for independent conclusions or recommendations made by others. The USACE has the sole authority to determine if any of the features identified would be under their jurisdiction. Likewise, the USACE has the authority to review of results of the delineation and request additional information or studies.

Furthermore, written consent must be provided by SCI or East Schoolhouse Road Community Energy Initiative LLC should another party wish to excerpt or rely on the contents of this report. The findings of this report are valid as of the present date of the delineation. SCI is not responsible for surveys, calculations, or plans that were prepared by others.

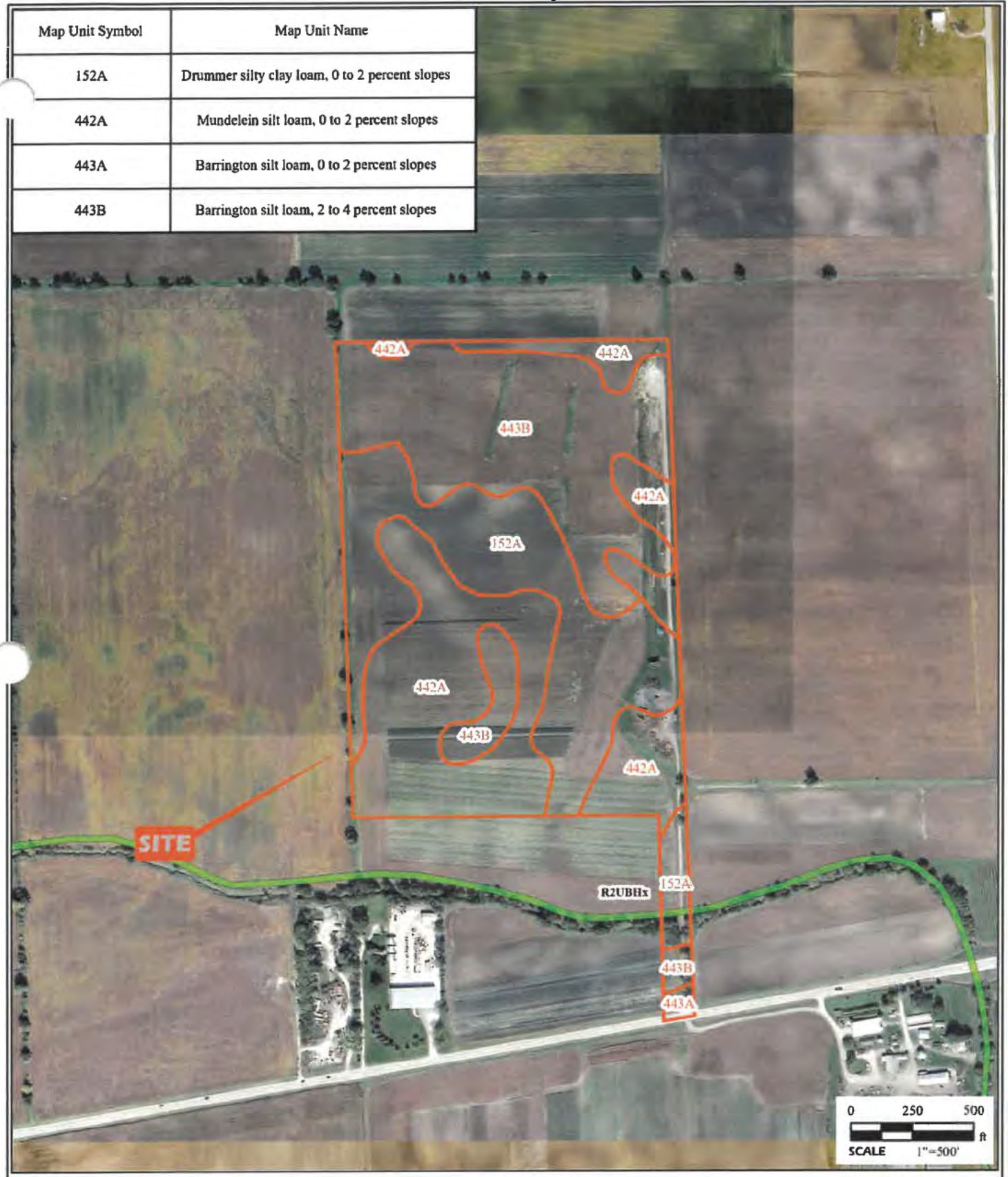
This delineation is based on the professional experience in the approved methodology and from experience with the USACE; however, this delineation does not constitute a jurisdictional determination of WOTUS. This delineation has been based on the professional experience of SCI staff and our interpretation of USACE regulations at 33 CFR 328.3 and the *Sackett vs the USEPA/USACE* supreme court decision. While SCI believes our delineation is accurate, final authority to interpret regulations and to issue or deny a permit lies solely with the USACE. SCI in no way guarantees the acquisition of a permit from the USACE/IEPA.

Changes in surface and subsurface conditions of a property can occur with the passage of time, whether due to natural processes or the works of man on this or adjacent properties. In addition, changes in applicable or appropriate standards may occur, whether they result from legislation, the broadening of knowledge, or other reasons. Accordingly, the findings of this report may be invalidated in whole or in part by changes outside our control. The intent of this report is to provide you with natural resource due diligence information to assist you in planning your project.




| | | | | |
|---|---|---|---|---|
| PROJECT NAME: EAST SCHOOLHOUSE ROAD SOLAR<br>PLAINFIELD, ILLINOIS | | | | GENERAL NOTES/LEGEND<br>USGS TOPOGRAPHIC MAP<br>AURORA SOUTH, ILLINOIS QUADRANGLE<br>DATED 1954 PHOTOREVISED 1973<br>10' CONTOURS<br>YORKVILLE SE, ILLINOIS QUADRANGLE<br>DATED 1933<br>10' CONTOURS<br><br>STREET MAP<br>HTTP://GOTO.ARCGISONLINE.COM/MAPS/WORLD_STREET_MAP |
| VICINITY AND TOPOGRAPHIC MAP | | | | |
| DRAWN BY: ACV | FIGURE DATE: 05/21/2025 | JOB NUMBER: 2024-1651.30 | | FIGURE: 1 |
| CHECKED BY: MSH | | | | |

| Map Unit Symbol | Map Unit Name |
|---|---|
| 152A | Drummer silty clay loam, 0 to 2 percent slopes |
| 442A | Mundelein silt loam, 0 to 2 percent slopes |
| 443A | Barrington silt loam, 0 to 2 percent slopes |
| 443B | Barrington silt loam, 2 to 4 percent slopes |




PROJECT NAME

EAST SCHOOLHOUSE ROAD SOLAR
PLAINFIELD, ILLINOIS

NATIONAL WETLAND INVENTORY &
USDA SOIL SURVEY MAP

| DRAWN BY | ACV | FIGURE DATE | JOB NUMBER |
|---|---|---|---|
| CHECKED BY | MSH | 05/21/2025 | 2024-1651.30 |

GENERAL NOTES/LEGEND

SOILS DATA OBTAINED FROM https://websoilsurvey.sc.egov.usda.gov/

IL WETLAND DATA OBTAINED FROM https://www.fws.gov/wetlands/

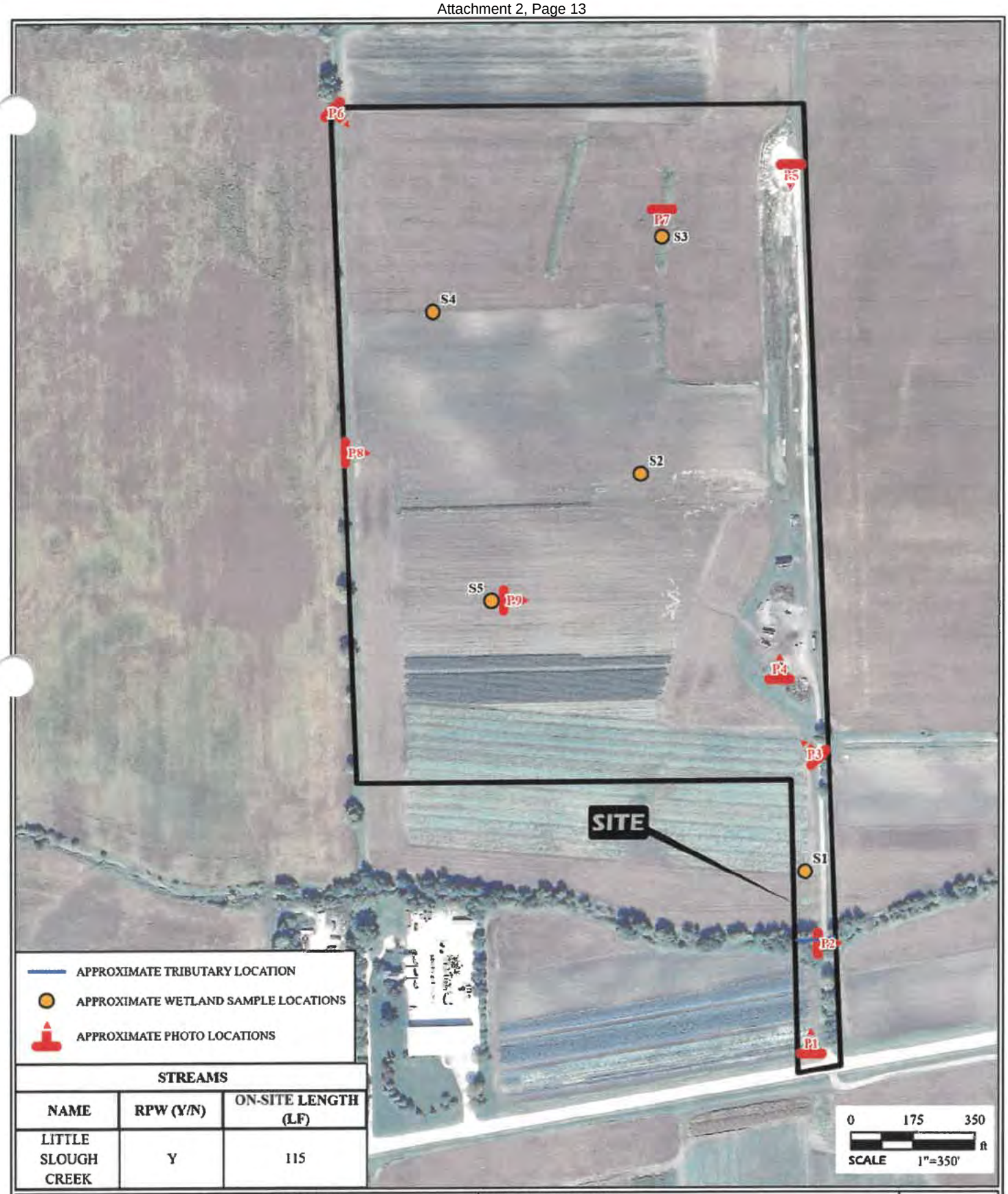
AERIAL PHOTOGRAPH OBTAINED FROM ARCGIS ONLINE, WORLD IMAGERY. DIMENSIONS AND LOCATIONS ARE APPROXIMATE; ACTUAL MAY VARY. DRAWING SHALL NOT BE USED OUTSIDE THE CONTEXT OF THE REPORT FOR WHICH IT WAS GENERATED.

N
W
E
S

FIGURE
2




| | | | | |
|---|---|---|---|---|
| SCI | PROJECT NAME: EAST SCHOOLHOUSE ROAD SOLAR, PLAINFIELD, ILLINOIS | GENERAL NOTES/LEGEND | N / W / S | |
| | FEMA FLOOD MAP | KENDALL COUNTY, ILLINOIS<br>PANEL: 17093C0130H<br>EFFECTIVE DATE: 01/08/2014 | | |
| | DRAWN BY: ACV<br>CHECKED BY: MSH | FIGURE DATE: 05/21/2025<br>JOB NUMBER: 2024-1651.30 | DIMENSIONS AND LOCATIONS ARE APPROXIMATE; ACTUAL MAY VARY. DRAWING SHALL NOT BE USED OUTSIDE THE CONTEXT OF THE REPORT FOR WHICH IT WAS GENERATED. | FIGURE 3 |




APPROXIMATE TRIBUTARY LOCATION

APPROXIMATE WETLAND SAMPLE LOCATIONS

APPROXIMATE PHOTO LOCATIONS

**STREAMS**

| NAME | RPW (Y/N) | ON-SITE LENGTH (LF) |
|---|---|---|
| LITTLE SLOUGH CREEK | Y | 115 |

PROJECT NAME

EAST SCHOOLHOUSE ROAD SOLAR
PLAINFIELD, ILLINOIS

WETLAND DELINEATION &
AERIAL PHOTOGRAPHY

| DRAWN BY | ACV | FIGURE DATE | JOB NUMBER |
|---|---|---|---|
| CHECKED BY | MSH | 05/21/2025 | 2024-1651.30 |

GENERAL NOTES/LEGEND

AERIAL PHOTOGRAPH OBTAINED FROM GOOGLE EARTH 09/2023.

DIMENSIONS AND LOCATIONS ARE APPROXIMATE; ACTUAL MAY VARY. DRAWING SHALL NOT BE USED OUTSIDE THE CONTEXT OF THE REPORT FOR WHICH IT WAS GENERATED.

N
W
E
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FIGURE
4



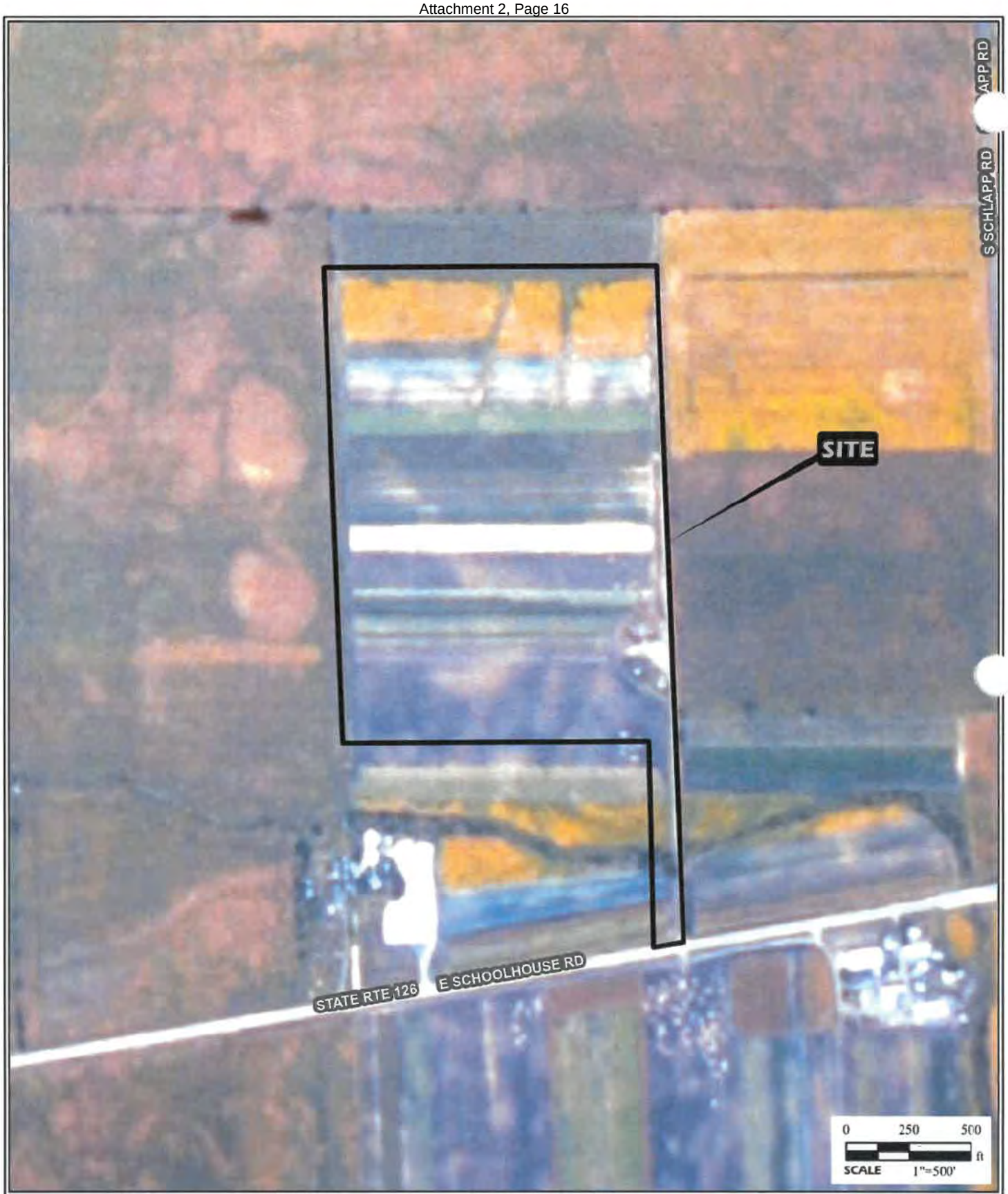

| | | | | | |
|---|---|---|---|---|---|
| SCI | PROJECT NAME: EAST SCHOOLHOUSE ROAD SOLAR PLAINFIELD, ILLINOIS | | | GENERAL NOTES/LEGEND | N W S |
| | 2010 AERIAL PHOTOGRAPH | | | AERIAL PHOTOGRAPH OBTAINED FROM KENDALL COUNTY SOIL & WATER CONSERVATION DISTRICT | |
| | DRAWN BY: CJD | FIGURE DATE: 05/21/2025 | JOB NUMBER: 2024-1651.30 | DIMENSIONS AND LOCATIONS ARE APPROXIMATE; ACTUAL MAY VARY. DRAWING SHALL NOT BE USED OUTSIDE THE CONTEXT OF THE REPORT FOR WHICH IT WAS GENERATED. | FIGURE 5 |
| | CHECKED BY: MSH | | | | |



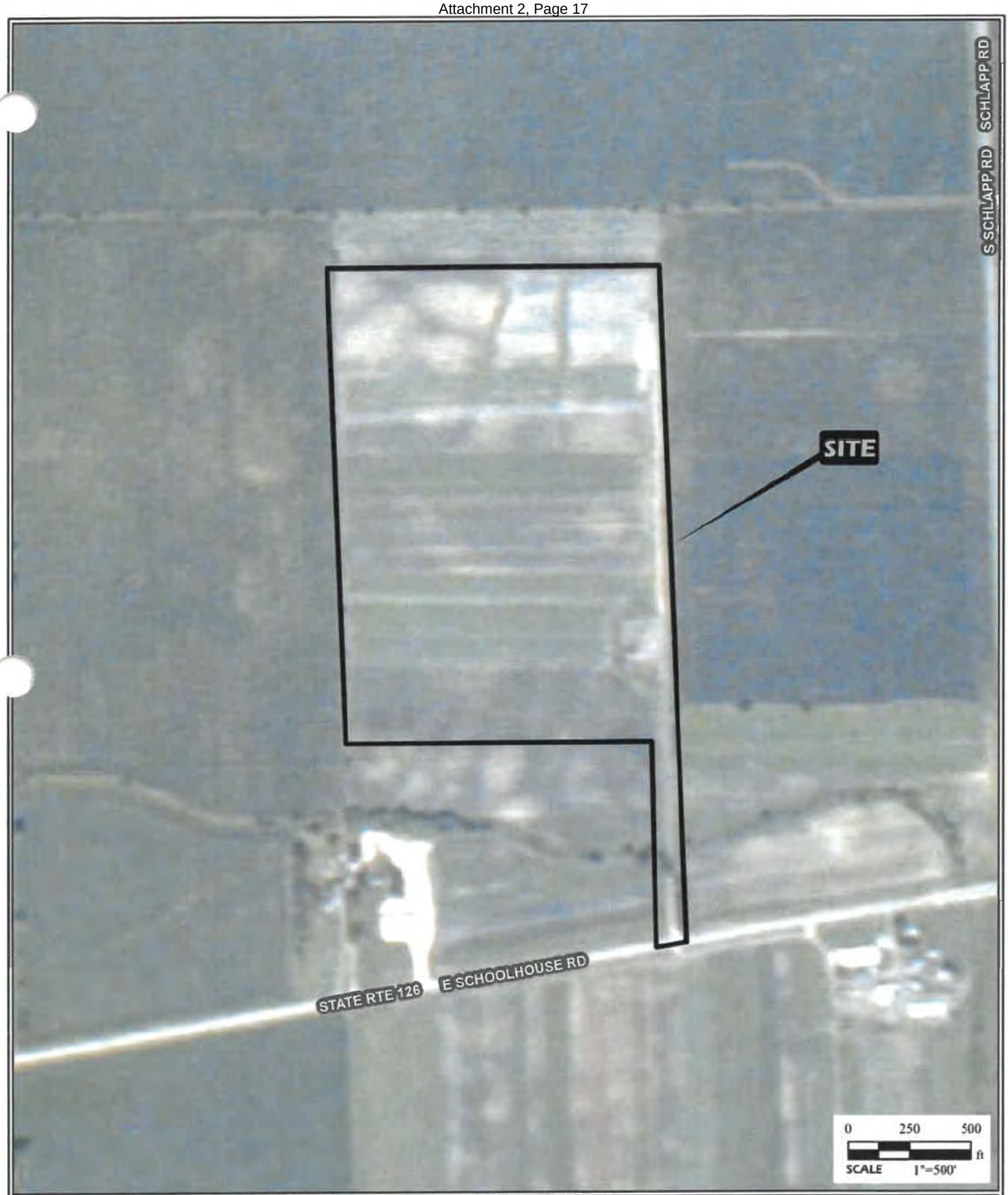

| | | | | |
|---|---|---|---|---|
| SCI | PROJECT NAME: EAST SCHOOLHOUSE ROAD SOLAR, PLAINFIELD, ILLINOIS | | | GENERAL NOTES/LEGEND |
| | 2009 AERIAL PHOTOGRAPH | | | AERIAL PHOTOGRAPH OBTAINED FROM KENDALL COUNTY SOIL & WATER CONSERVATION DISTRICT |
| | DRAWN BY: CJD | FIGURE DATE: 05/21/2025 | JOB NUMBER: 2024-1651.30 | DIMENSIONS AND LOCATIONS ARE APPROXIMATE; ACTUAL MAY VARY. DRAWING SHALL NOT BE USED OUTSIDE THE CONTEXT OF THE REPORT FOR WHICH IT WAS GENERATED. |
| | CHECKED BY: MSH | | | |

N
W E
S

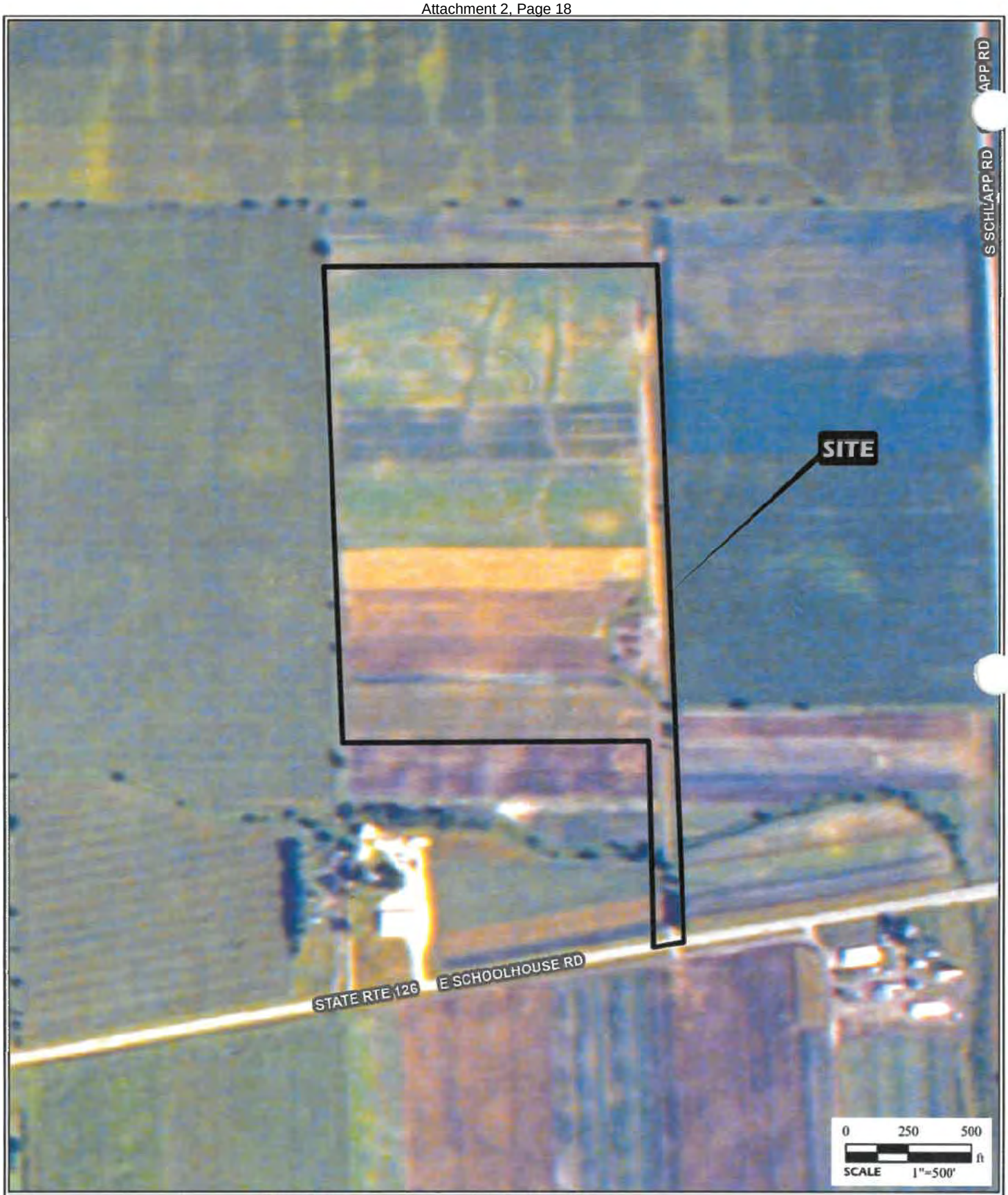
FIGURE 6




| | | | | |
|---|---|---|---|---|
| SCI | PROJECT NAME: EAST SCHOOLHOUSE ROAD SOLAR, PLAINFIELD, ILLINOIS | | | GENERAL NOTES/LEGEND |
| | 2002 AERIAL PHOTOGRAPH | | | AERIAL PHOTOGRAPH OBTAINED FROM KENDALL COUNTY SOIL & WATER CONSERVATION DISTRICT<br>DIMENSIONS AND LOCATIONS ARE APPROXIMATE; ACTUAL MAY VARY. DRAWING SHALL NOT BE USED OUTSIDE THE CONTEXT OF THE REPORT FOR WHICH IT WAS GENERATED. |
| | DRAWN BY: CJD | FIGURE DATE: 05/21/2025 | JOB NUMBER: 2024-1651.30 | N, W, S |
| | CHECKED BY: MSH | | | FIGURE: 7 |



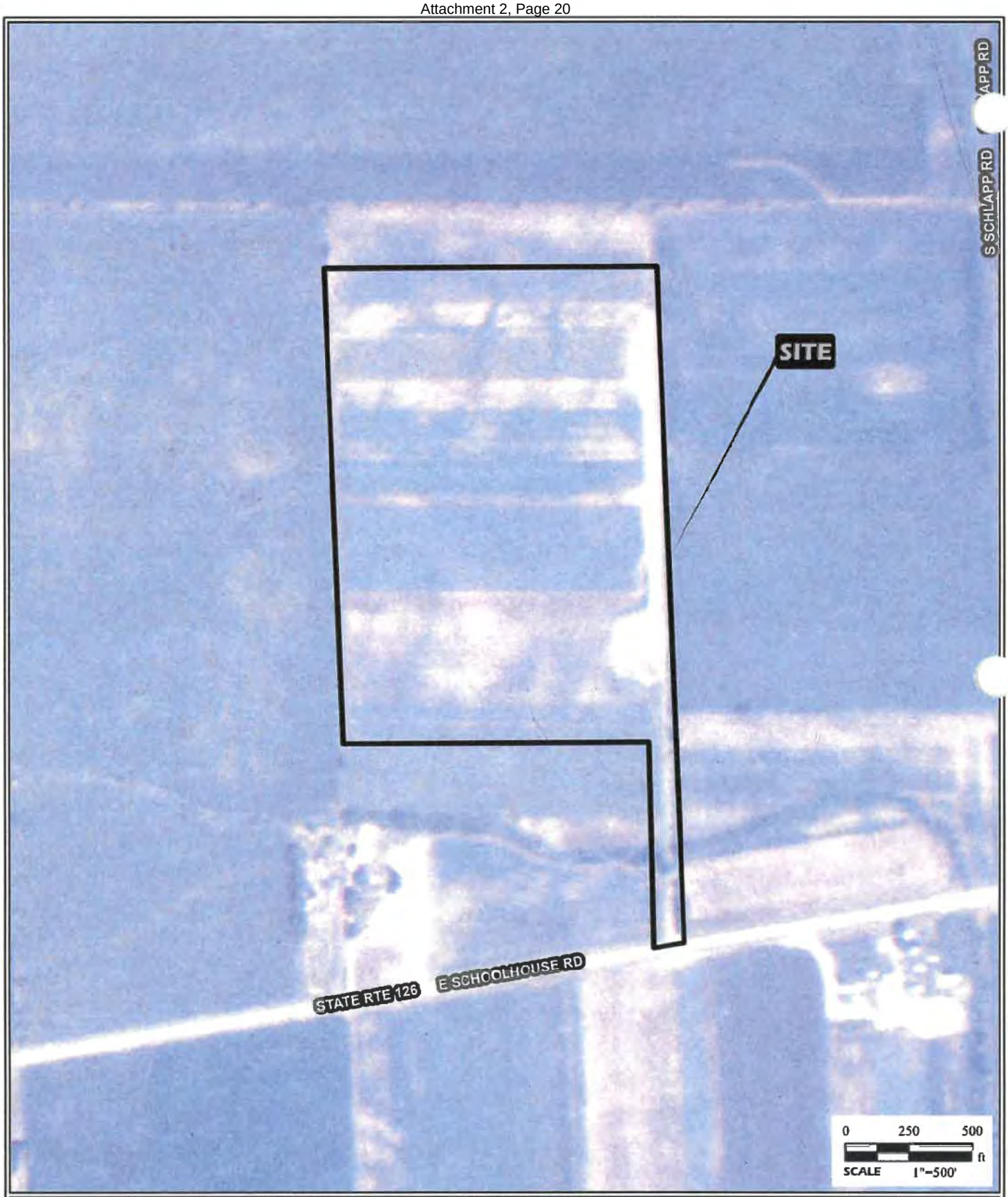

| | | | | |
|---|---|---|---|---|
| PROJECT NAME: EAST SCHOOLHOUSE ROAD SOLAR, PLAINFIELD, ILLINOIS | | | | GENERAL NOTES/LEGEND |
| 2001 AERIAL PHOTOGRAPH | | | | AERIAL PHOTOGRAPH OBTAINED FROM KENDALL COUNTY SOIL & WATER CONSERVATION DISTRICT |
| DRAWN BY: CJD | FIGURE DATE: 05/21/2025 | JOB NUMBER: 2024-1651.30 | | DIMENSIONS AND LOCATIONS ARE APPROXIMATE; ACTUAL MAY VARY. DRAWING SHALL NOT BE USED OUTSIDE THE CONTEXT OF THE REPORT FOR WHICH IT WAS GENERATED. |
| CHECKED BY: MSH | | | | FIGURE 8 |




| | | | | | |
|---|---|---|---|---|---|
| SCI | PROJECT NAME: EAST SCHOOLHOUSE ROAD SOLAR PLAINFIELD, ILLINOIS | | | GENERAL NOTES/LEGEND: AERIAL PHOTOGRAPH OBTAINED FROM KENDALL COUNTY SOIL & WATER CONSERVATION DISTRICT. DIMENSIONS AND LOCATIONS ARE APPROXIMATE; ACTUAL MAY VARY. DRAWING SHALL NOT BE USED OUTSIDE THE CONTEXT OF THE REPORT FOR WHICH IT WAS GENERATED. | N, W, S |
| | 2000 AERIAL PHOTOGRAPH | | | | |
| | DRAWN BY: CJD | FIGURE DATE: 05/21/2025 | JOB NUMBER: 2024-1651.30 | | FIGURE: 9 |
| | CHECKED BY: MSH | | | | |




| | | | |
|---|---|---|---|
| PROJECT NAME: EAST SCHOOLHOUSE ROAD SOLAR, PLAINFIELD, ILLINOIS | | | GENERAL NOTES/LEGEND |
| 1999 AERIAL PHOTOGRAPH | | | AERIAL PHOTOGRAPH OBTAINED FROM KENDALL COUNTY SOIL & WATER CONSERVATION DISTRICT |
| DRAWN BY: CJD | FIGURE DATE: 05/21/2025 | JOB NUMBER: 2024-1651.30 | DIMENSIONS AND LOCATIONS ARE APPROXIMATE; ACTUAL MAY VARY. DRAWING SHALL NOT BE USED OUTSIDE THE CONTEXT OF THE REPORT FOR WHICH IT WAS GENERATED. |
| CHECKED BY: MSH | | | FIGURE 10 |




| | | | | | |
|---|---|---|---|---|---|
| SCI | PROJECT NAME: EAST SCHOOLHOUSE ROAD SOLAR, PLAINFIELD, ILLINOIS | | | GENERAL NOTES/LEGEND: AERIAL PHOTOGRAPH OBTAINED FROM KENDALL COUNTY SOIL & WATER CONSERVATION DISTRICT. DIMENSIONS AND LOCATIONS ARE APPROXIMATE: ACTUAL MAY VARY. DRAWING SHALL NOT BE USED OUTSIDE THE CONTEXT OF THE REPORT FOR WHICH IT WAS GENERATED. | N, W, S |
| | 1998 AERIAL PHOTOGRAPH | | | | |
| | DRAWN BY: CJD | FIGURE DATE: 05/21/2025 | JOB NUMBER: 2024-1651.30 | | FIGURE: 11 |
| | CHECKED BY: MSH | | | | |

# Appendix A



Photo 1. View of access road and field in the southern section of the site, facing north.



Photo 2. Downstream view of Little Slough Creek, facing east.



Photo 3. Overview of agricultural field in the southeastern section of the site, facing northwest.



Photo 4. View of old equipment and piles of soil in the southeastern section of the site, facing north.



Photo 5. View of access road and compost piles in the northeast corner of the site, facing south.



Photo 6. View of corn field in the northwestern corner of the site, facing southeast.



Photo 7. View of swale in the northeastern section of the site, facing south.



Photo 8. View of agricultural field in the western section of the site, facing east.



Photo 9. Overview of agricultural field in the southwestern section of the site, facing east.

# Appendix B

**U.S. Army Corps of Engineers**
**WETLAND DETERMINATION DATA SHEET – Midwest Region**
See ERDC/EL TR-10-16; the proponent agency is CECW-CO-R

*OMB Control #: 0710-0024, Exp:11/30/2024*
*Requirement Control Symbol EXEMPT:*
*(Authority: AR 335-15, paragraph 5-2a)*

Project/Site: East Schoolhouse Road Solar City/County: Oswego/Kendall Sampling Date: 9/26/2024
Applicant/Owner: Schoolhouse Road Community Energy Initiative LLC State: IL Sampling Point: S1
Investigator(s): SCI Engineering - J. Loos, M. Kerr Section, Township, Range: 9, 36N, 8E
Landform (hillside, terrace, etc.): Field Local relief (concave, convex, none): None
Slope (%): 0-2 Lat: 41.06077094 Long: -88.3208863 Datum: WGS84
Soil Map Unit Name: Drummer sily clay loam, 0 to 2 percent slopes NWI classification:
Are climatic / hydrologic conditions on the site typical for this time of year? Yes X No ____ (If no, explain in Remarks.)
Are Vegetation X, Soil ____, or Hydrology ____ significantly disturbed? Are "Normal Circumstances" present? Yes X No ____
Are Vegetation ____, Soil ____, or Hydrology ____ naturally problematic? (If needed, explain any answers in Remarks.)

**SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.**

| | | | |
|---|---|---|---|
| Hydrophytic Vegetation Present? | Yes ____ | No X | **Is the Sampled Area within a Wetland?** Yes ____ No X |
| Hydric Soil Present? | Yes ____ | No X | |
| Wetland Hydrology Present? | Yes ____ | No X | |

Remarks:
Sample point 1 is located in an agricultural field in the southern section of the site in the access road corridor.

**VEGETATION** – Use scientific names of plants.

| Tree Stratum (Plot size: 30) | Absolute % Cover | Dominant Species? | Indicator Status |
|---|---|---|---|
| 1. | | | |
| 2. | | | |
| 3. | | | |
| 4. | | | |
| 5. | | | |
| | =Total Cover | | |
| **Sapling/Shrub Stratum (Plot size: 15)** | | | |
| 1. | | | |
| 2. | | | |
| 3. | | | |
| 4. | | | |
| 5. | | | |
| | =Total Cover | | |
| **Herb Stratum (Plot size: 5)** | | | |
| 1. *Glycine max* | 90 | Yes | UPL |
| 2. | | | |
| 3. | | | |
| 4. | | | |
| 5. | | | |
| 6. | | | |
| 7. | | | |
| 8. | | | |
| 9. | | | |
| 10. | | | |
| | 90 =Total Cover | | |
| **Woody Vine Stratum (Plot size: 15)** | | | |
| 1. | | | |
| 2. | | | |
| | =Total Cover | | |

**Dominance Test worksheet:**
Number of Dominant Species That Are OBL, FACW, or FAC: 0 (A)
Total Number of Dominant Species Across All Strata: 1 (B)
Percent of Dominant Species That Are OBL, FACW, or FAC: 0.0% (A/B)

**Prevalence Index worksheet:**

| Total % Cover of: | | Multiply by: | |
|---|---|---|---|
| OBL species | 0 | x 1 = | 0 |
| FACW species | 0 | x 2 = | 0 |
| FAC species | 0 | x 3 = | 0 |
| FACU species | 0 | x 4 = | 0 |
| UPL species | 90 | x 5 = | 450 |
| Column Totals: | 90 (A) | | 450 (B) |

Prevalence Index = B/A = 5.00

**Hydrophytic Vegetation Indicators:**
___ 1 - Rapid Test for Hydrophytic Vegetation
___ 2 - Dominance Test is >50%
___ 3 - Prevalence Index is ≤3.0[1]
___ 4 - Morphological Adaptations[1] (Provide supporting data in Remarks or on a separate sheet)
___ Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

**Hydrophytic Vegetation Present?** Yes ____ No X

Remarks: (Include photo numbers here or on a separate sheet.)

## SOIL

Sampling Point: S1

**Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)**

| Depth | Matrix | | Redox Features | | | | | |
|---|---|---|---|---|---|---|---|---|
| (inches) | Color (moist) | % | Color (moist) | % | Type[1] | Loc[2] | Texture | Remarks |
| 0-20 | 10YR 2/1 | 100 | | | | | Loamy/Clayey | |
| 20-30 | 10YR 3/2 | 95 | 10YR 3/3 | 5 | D | M | Loamy/Clayey | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, MS=Masked Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

**Hydric Soil Indicators:**

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5)
- ___ 2 cm Muck (A10)
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Sandy Mucky Mineral (S1)
- ___ 5 cm Mucky Peat or Peat (S3)
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Dark Surface (S7)
- ___ Loamy Mucky Mineral (F1)
- ___ Loamy Gleyed Matrix (F2)
- ___ Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)

**Indicators for Problematic Hydric Soils[3]:**

- ___ Coast Prairie Redox (A16)
- ___ Iron-Manganese Masses (F12)
- ___ Red Parent Material (F21)
- ___ Very Shallow Dark Surface (F22)
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

**Restrictive Layer (if observed):**

Type: _____

Depth (inches): _____

**Hydric Soil Present?** Yes ____ No X

Remarks:

## HYDROLOGY

**Wetland Hydrology Indicators:**

Primary Indicators (minimum of one is required: check all that apply)

- ___ Surface Water (A1)
- ___ High Water Table (A2)
- ___ Saturation (A3)
- ___ Water Marks (B1)
- ___ Sediment Deposits (B2)
- ___ Drift Deposits (B3)
- ___ Algal Mat or Crust (B4)
- ___ Iron Deposits (B5)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Sparsely Vegetated Concave Surface (B8)
- ___ Water-Stained Leaves (B9)
- ___ Aquatic Fauna (B13)
- ___ True Aquatic Plants (B14)
- ___ Hydrogen Sulfide Odor (C1)
- ___ Oxidized Rhizospheres on Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Recent Iron Reduction in Tilled Soils (C6)
- ___ Thin Muck Surface (C7)
- ___ Gauge or Well Data (D9)
- ___ Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

- ___ Surface Soil Cracks (B6)
- ___ Drainage Patterns (B10)
- ___ Dry-Season Water Table (C2)
- ___ Crayfish Burrows (C8)
- ___ Saturation Visible on Aerial Imagery (C9)
- ___ Stunted or Stressed Plants (D1)
- ___ Geomorphic Position (D2)
- ___ FAC-Neutral Test (D5)

**Field Observations:**

Surface Water Present? Yes ____ No X Depth (inches): ____

Water Table Present? Yes ____ No X Depth (inches): ____

Saturation Present? (includes capillary fringe) Yes ____ No X Depth (inches): ____

**Wetland Hydrology Present?** Yes ____ No X

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

**U.S. Army Corps of Engineers**
**WETLAND DETERMINATION DATA SHEET – Midwest Region**
See ERDC/EL TR-10-16; the proponent agency is CECW-CO-R

*OMB Control #: 0710-0024, Exp:11/30/2024*
*Requirement Control Symbol EXEMPT:*
*(Authority: AR 335-15, paragraph 5-2a)*

Project/Site: East Schoolhouse Road Solar City/County: Oswego/Kendall Sampling Date: 9/26/2024
Applicant/Owner: Schoolhouse Road Community Energy Initiative LLC State: IL Sampling Point: S2
Investigator(s): SCI Engineering - J.Loos, M. Kerr Section, Township, Range: 9, 36N, 8E
Landform (hillside, terrace, etc.): Hillslope Local relief (concave, convex, none): Concave
Slope (%): 2-5 Lat: 41.6107496 Long: -88.3225804 Datum: WGS84
Soil Map Unit Name: Drummer silty clay loam, 0 to 2 percent slopes NWI classification:
Are climatic / hydrologic conditions on the site typical for this time of year? Yes X No ____ (If no, explain in Remarks.)
Are Vegetation X, Soil ____, or Hydrology ____ significantly disturbed? Are "Normal Circumstances" present? Yes X No ____
Are Vegetation ____, Soil ____, or Hydrology ____ naturally problematic? (If needed, explain any answers in Remarks.)

**SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.**

| | | | |
|---|---|---|---|
| Hydrophytic Vegetation Present? | Yes ____ | No X | **Is the Sampled Area within a Wetland?** Yes ____ No X |
| Hydric Soil Present? | Yes X | No ____ | |
| Wetland Hydrology Present? | Yes ____ | No X | |

Remarks:
Sample point 2 is located in an agricultural field in the central section of the site.

**VEGETATION** – Use scientific names of plants.

| Tree Stratum (Plot size: 30) | Absolute % Cover | Dominant Species? | Indicator Status |
|---|---|---|---|
| 1. | | | |
| 2. | | | |
| 3. | | | |
| 4. | | | |
| 5. | | | |
| | =Total Cover | | |
| **Sapling/Shrub Stratum (Plot size: 15)** | | | |
| 1. | | | |
| 2. | | | |
| 3. | | | |
| 4. | | | |
| 5. | | | |
| | =Total Cover | | |
| **Herb Stratum (Plot size: 5)** | | | |
| 1. *Glycine max* | 30 | Yes | UPL |
| 2. *Portulaca oleracea* | 30 | Yes | FACU |
| 3. *Hibiscus trionum* | 15 | No | UPL |
| 4. *Echinochloa colona* | 5 | No | FACW |
| 5. *Panicum dichotomiflorum* | 5 | No | FACW |
| 6. | | | |
| 7. | | | |
| 8. | | | |
| 9. | | | |
| 10. | | | |
| | 85 | =Total Cover | |
| **Woody Vine Stratum (Plot size: 15)** | | | |
| 1. | | | |
| 2. | | | |
| | =Total Cover | | |

**Dominance Test worksheet:**
Number of Dominant Species That Are OBL, FACW, or FAC: 0 (A)
Total Number of Dominant Species Across All Strata: 2 (B)
Percent of Dominant Species That Are OBL, FACW, or FAC: 0.0% (A/B)

**Prevalence Index worksheet:**

| Total % Cover of: | | Multiply by: | |
|---|---|---|---|
| OBL species | 0 | x 1 = | 0 |
| FACW species | 10 | x 2 = | 20 |
| FAC species | 0 | x 3 = | 0 |
| FACU species | 30 | x 4 = | 120 |
| UPL species | 45 | x 5 = | 225 |
| Column Totals: | 85 (A) | | 365 (B) |
| Prevalence Index = B/A = | 4.29 | | |

**Hydrophytic Vegetation Indicators:**
___ 1 - Rapid Test for Hydrophytic Vegetation
___ 2 - Dominance Test is >50%
___ 3 - Prevalence Index is ≤3.0[1]
___ 4 - Morphological Adaptations[1] (Provide supporting data in Remarks or on a separate sheet)
___ Problematic Hydrophytic Vegetation[1] (Explain)
[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

**Hydrophytic Vegetation Present?** Yes ____ No X

Remarks: (Include photo numbers here or on a separate sheet.)

## SOIL

Sampling Point: S2

**Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)**

| Depth (inches) | Matrix Color (moist) | % | Redox Features Color (moist) | % | Type[1] | Loc[2] | Texture | Remarks |
|---|---|---|---|---|---|---|---|---|
| 0-15 | 10YR 2/1 | 100 | | | | | Loamy/Clayey | |
| 15-20 | 10YR 4/1 | 95 | 10YR 3/6 | 5 | C | M | Loamy/Clayey | Prominent redox concentrations |
| 20-30 | 10YR 5/2 | 95 | 10YR 4/6 | 5 | C | M | Loamy/Clayey | Prominent redox concentrations |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, MS=Masked Sand Grains.

[2]Location: PL=Pore Lining, M=Matrix.

**Hydric Soil Indicators:**

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5)
- ___ 2 cm Muck (A10)
- ___ Depleted Below Dark Surface (A11)
- X Thick Dark Surface (A12)
- ___ Sandy Mucky Mineral (S1)
- ___ 5 cm Mucky Peat or Peat (S3)
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Dark Surface (S7)
- ___ Loamy Mucky Mineral (F1)
- ___ Loamy Gleyed Matrix (F2)
- ___ Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)

**Indicators for Problematic Hydric Soils[3]:**

- ___ Coast Prairie Redox (A16)
- ___ Iron-Manganese Masses (F12)
- ___ Red Parent Material (F21)
- ___ Very Shallow Dark Surface (F22)
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

**Restrictive Layer (if observed):**

Type: _____

Depth (inches): _____

**Hydric Soil Present?** Yes X No ___

Remarks:

## HYDROLOGY

**Wetland Hydrology Indicators:**

Primary Indicators (minimum of one is required; check all that apply)

- ___ Surface Water (A1)
- ___ High Water Table (A2)
- ___ Saturation (A3)
- ___ Water Marks (B1)
- ___ Sediment Deposits (B2)
- ___ Drift Deposits (B3)
- ___ Algal Mat or Crust (B4)
- ___ Iron Deposits (B5)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Sparsely Vegetated Concave Surface (B8)
- ___ Water-Stained Leaves (B9)
- ___ Aquatic Fauna (B13)
- ___ True Aquatic Plants (B14)
- ___ Hydrogen Sulfide Odor (C1)
- ___ Oxidized Rhizospheres on Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Recent Iron Reduction in Tilled Soils (C6)
- ___ Thin Muck Surface (C7)
- ___ Gauge or Well Data (D9)
- ___ Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

- ___ Surface Soil Cracks (B6)
- ___ Drainage Patterns (B10)
- ___ Dry-Season Water Table (C2)
- ___ Crayfish Burrows (C8)
- ___ Saturation Visible on Aerial Imagery (C9)
- ___ Stunted or Stressed Plants (D1)
- ___ Geomorphic Position (D2)
- ___ FAC-Neutral Test (D5)

**Field Observations:**

Surface Water Present? Yes ___ No X Depth (inches): ___

Water Table Present? Yes ___ No X Depth (inches): ___

Saturation Present? (includes capillary fringe) Yes ___ No X Depth (inches): ___

**Wetland Hydrology Present?** Yes ___ No X

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

**U.S. Army Corps of Engineers**
**WETLAND DETERMINATION DATA SHEET – Midwest Region**
See ERDC/EL TR-10-16; the proponent agency is CECW-CO-R

*OMB Control #: 0710-0024, Exp:11/30/2024*
*Requirement Control Symbol EXEMPT:*
*(Authority: AR 335-15, paragraph 5-2a)*

Project/Site: East Schoolhouse Road Solar City/County: Oswego/Kendall Sampling Date: 9/26/2024
Applicant/Owner: Schoolhouse Road Community Energy Initiative LLC State: IL Sampling Point: S3
Investigator(s): SCI Engineering - J. Loos, M. Kerr Section, Township, Range: 9, 36N, 8E
Landform (hillside, terrace, etc.): Swale Local relief (concave, convex, none): Convex
Slope (%): 2-5 Lat: 41.6125573 Long: -88.3223662 Datum: WGS84
Soil Map Unit Name: Barrington silt loam, 2 to 4 percent slopes NWI classification:
Are climatic / hydrologic conditions on the site typical for this time of year? Yes X No ____ (If no, explain in Remarks.)
Are Vegetation X, Soil ____, or Hydrology ____ significantly disturbed? Are "Normal Circumstances" present? Yes X No ____
Are Vegetation ____, Soil ____, or Hydrology ____ naturally problematic? (If needed, explain any answers in Remarks.)

## SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

| | | | |
|---|---|---|---|
| Hydrophytic Vegetation Present? | Yes ____ | No X | **Is the Sampled Area within a Wetland?** Yes ____ No X |
| Hydric Soil Present? | Yes ____ | No X | |
| Wetland Hydrology Present? | Yes ____ | No X | |

Remarks:
Sample point 3 is located in an agricultural swale in the northeastern section of the site.

## VEGETATION – Use scientific names of plants.

| Tree Stratum (Plot size: 30) | Absolute % Cover | Dominant Species? | Indicator Status |
|---|---|---|---|
| 1. | | | |
| 2. | | | |
| 3. | | | |
| 4. | | | |
| 5. | | | |
| | =Total Cover | | |
| **Sapling/Shrub Stratum (Plot size: 15)** | | | |
| 1. | | | |
| 2. | | | |
| 3. | | | |
| 4. | | | |
| 5. | | | |
| | =Total Cover | | |
| **Herb Stratum (Plot size: 5)** | | | |
| 1. *Panicum dichotomiflorum* | 40 | Yes | FACW |
| 2. *Setaria faberi* | 30 | Yes | FACU |
| 3. *Amaranthus retroflexus* | 20 | Yes | FACU |
| 4. *Abutilon theophrasti* | 5 | No | FACU |
| 5. | | | |
| 6. | | | |
| 7. | | | |
| 8. | | | |
| 9. | | | |
| 10. | | | |
| | 95 =Total Cover | | |
| **Woody Vine Stratum (Plot size: 15)** | | | |
| 1. | | | |
| 2. | | | |
| | =Total Cover | | |

**Dominance Test worksheet:**
Number of Dominant Species That Are OBL, FACW, or FAC: 1 (A)
Total Number of Dominant Species Across All Strata: 3 (B)
Percent of Dominant Species That Are OBL, FACW, or FAC: 33.3% (A/B)

**Prevalence Index worksheet:**

| Total % Cover of: | | Multiply by: | |
|---|---|---|---|
| OBL species | 0 | x 1 = | 0 |
| FACW species | 40 | x 2 = | 80 |
| FAC species | 0 | x 3 = | 0 |
| FACU species | 55 | x 4 = | 220 |
| UPL species | 0 | x 5 = | 0 |
| Column Totals: | 95 (A) | | 300 (B) |
| Prevalence Index = B/A = | | | 3.16 |

**Hydrophytic Vegetation Indicators:**
___ 1 - Rapid Test for Hydrophytic Vegetation
___ 2 - Dominance Test is >50%
___ 3 - Prevalence Index is ≤3.0[1]
___ 4 - Morphological Adaptations[1] (Provide supporting data in Remarks or on a separate sheet)
___ Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

**Hydrophytic Vegetation Present?** Yes ____ No X

Remarks: (Include photo numbers here or on a separate sheet.)

## SOIL

Sampling Point: S3

**Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)**

| Depth | Matrix | | Redox Features | | | | | |
|---|---|---|---|---|---|---|---|---|
| (inches) | Color (moist) | % | Color (moist) | % | Type[1] | Loc[2] | Texture | Remarks |
| 0-4 | 10YR 2/1 | 100 | | | | | Loamy/Clayey | |
| 4-14 | 10YR 3/3 | 100 | | | | | Loamy/Clayey | |
| 14-30 | 10YR 5/3 | 85 | 10YR 5/4 | 10 | D | M | Loamy/Clayey | |
| | | | 10YR 5/8 | 5 | C | M | | Prominent redox concentrations |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, MS=Masked Sand Grains.

[2]Location: PL=Pore Lining, M=Matrix.

**Hydric Soil Indicators:**

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5)
- ___ 2 cm Muck (A10)
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Sandy Mucky Mineral (S1)
- ___ 5 cm Mucky Peat or Peat (S3)
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Dark Surface (S7)
- ___ Loamy Mucky Mineral (F1)
- ___ Loamy Gleyed Matrix (F2)
- ___ Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)

**Indicators for Problematic Hydric Soils[3]:**

- ___ Coast Prairie Redox (A16)
- ___ Iron-Manganese Masses (F12)
- ___ Red Parent Material (F21)
- ___ Very Shallow Dark Surface (F22)
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

**Restrictive Layer (if observed):**

Type: _____

Depth (inches): _____

**Hydric Soil Present?** Yes ____ No X

Remarks:

## HYDROLOGY

**Wetland Hydrology Indicators:**

Primary Indicators (minimum of one is required; check all that apply)

- ___ Surface Water (A1)
- ___ High Water Table (A2)
- ___ Saturation (A3)
- ___ Water Marks (B1)
- ___ Sediment Deposits (B2)
- ___ Drift Deposits (B3)
- ___ Algal Mat or Crust (B4)
- ___ Iron Deposits (B5)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Sparsely Vegetated Concave Surface (B8)
- ___ Water-Stained Leaves (B9)
- ___ Aquatic Fauna (B13)
- ___ True Aquatic Plants (B14)
- ___ Hydrogen Sulfide Odor (C1)
- ___ Oxidized Rhizospheres on Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Recent Iron Reduction in Tilled Soils (C6)
- ___ Thin Muck Surface (C7)
- ___ Gauge or Well Data (D9)
- ___ Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

- ___ Surface Soil Cracks (B6)
- ___ Drainage Patterns (B10)
- ___ Dry-Season Water Table (C2)
- ___ Crayfish Burrows (C8)
- ___ Saturation Visible on Aerial Imagery (C9)
- ___ Stunted or Stressed Plants (D1)
- ___ Geomorphic Position (D2)
- ___ FAC-Neutral Test (D5)

**Field Observations:**

Surface Water Present? Yes ____ No X Depth (inches): ____

Water Table Present? Yes ____ No X Depth (inches): ____

Saturation Present? (includes capillary fringe) Yes ____ No X Depth (inches): ____

**Wetland Hydrology Present?** Yes ____ No X

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

**U.S. Army Corps of Engineers**
**WETLAND DETERMINATION DATA SHEET – Midwest Region**
See ERDC/EL TR-10-16; the proponent agency is CECW-CO-R

*OMB Control #: 0710-0024, Exp:11/30/2024*
*Requirement Control Symbol EXEMPT:*
*(Authority: AR 335-15, paragraph 5-2a)*

Project/Site: East Schoolhouse Road Solar City/County: Oswega/Kendall Sampling Date: 9/26/2024
Applicant/Owner: Schoolhouse Road Community Energy Initiative LLC State: IL Sampling Point: S4
Investigator(s): SCI Engineering - J. Loos, M. Kerr Section, Township, Range: 9, 36N, 8E
Landform (hillside, terrace, etc.): Hillslope Local relief (concave, convex, none): Convex
Slope (%): 2-5 Lat: 41.6119899 Long: -88.3247129 Datum: WGS84
Soil Map Unit Name: Drummer silt clay loam, 0 to 2 percent slopes NWI classification:
Are climatic / hydrologic conditions on the site typical for this time of year? Yes X No ____ (If no, explain in Remarks.)
Are Vegetation X, Soil ____, or Hydrology ____ significantly disturbed? Are "Normal Circumstances" present? Yes X No ____
Are Vegetation ____, Soil ____, or Hydrology ____ naturally problematic? (If needed, explain any answers in Remarks.)

**SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.**

| | | | |
|---|---|---|---|
| Hydrophytic Vegetation Present? | Yes ____ | No X | **Is the Sampled Area within a Wetland?** Yes ____ No X |
| Hydric Soil Present? | Yes ____ | No X | |
| Wetland Hydrology Present? | Yes ____ | No X | |

Remarks:
Sample point 4 is located in an agricultural field in the northwestern section of the site

**VEGETATION** – Use scientific names of plants.

| Tree Stratum (Plot size: 30) | Absolute % Cover | Dominant Species? | Indicator Status |
|---|---|---|---|
| 1. | | | |
| 2. | | | |
| 3. | | | |
| 4. | | | |
| 5. | | | |
| | =Total Cover | | |
| **Sapling/Shrub Stratum (Plot size: 15)** | | | |
| 1. | | | |
| 2. | | | |
| 3. | | | |
| 4. | | | |
| 5. | | | |
| | =Total Cover | | |
| **Herb Stratum (Plot size: 5)** | | | |
| 1. *Glycine max* | 90 | Yes | UPL |
| 2. *Chenopodium album* | 5 | No | FACU |
| 3. | | | |
| 4. | | | |
| 5. | | | |
| 6. | | | |
| 7. | | | |
| 8. | | | |
| 9. | | | |
| 10. | | | |
| | 95 =Total Cover | | |
| **Woody Vine Stratum (Plot size: 15)** | | | |
| 1. | | | |
| 2. | | | |
| | =Total Cover | | |

**Dominance Test worksheet:**
Number of Dominant Species That Are OBL, FACW, or FAC: 0 (A)
Total Number of Dominant Species Across All Strata: 1 (B)
Percent of Dominant Species That Are OBL, FACW, or FAC: 0.0% (A/B)

**Prevalence Index worksheet:**

| Total % Cover of: | | Multiply by: | |
|---|---|---|---|
| OBL species | 0 | x 1 = | 0 |
| FACW species | 0 | x 2 = | 0 |
| FAC species | 0 | x 3 = | 0 |
| FACU species | 5 | x 4 = | 20 |
| UPL species | 90 | x 5 = | 450 |
| Column Totals: | 95 (A) | | 470 (B) |
| Prevalence Index = B/A = | | | 4.95 |

**Hydrophytic Vegetation Indicators:**
___ 1 - Rapid Test for Hydrophytic Vegetation
___ 2 - Dominance Test is >50%
___ 3 - Prevalence Index is ≤3.0[1]
___ 4 - Morphological Adaptations[1] (Provide supporting data in Remarks or on a separate sheet)
___ Problematic Hydrophytic Vegetation[1] (Explain)
[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

**Hydrophytic Vegetation Present?** Yes ____ No X

Remarks: (Include photo numbers here or on a separate sheet.)

## SOIL

Sampling Point: S4

**Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)**

| Depth | Matrix | | Redox Features | | | | | |
|---|---|---|---|---|---|---|---|---|
| (inches) | Color (moist) | % | Color (moist) | % | Type[1] | Loc[2] | Texture | Remarks |
| 0-14 | 10YR 2/1 | 60 | 10YR 3/3 | 40 | D | M | Loamy/Clayey | |
| 14-30 | 10YR 5/3 | 70 | 10YR 5/2 | 25 | D | M | Loamy/Clayey | |
| | | | 10YR 5/8 | 5 | C | M | | Prominent redox concentrations |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, MS=Masked Sand Grains.

[2]Location: PL=Pore Lining, M=Matrix.

**Hydric Soil Indicators:**

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5)
- ___ 2 cm Muck (A10)
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Sandy Mucky Mineral (S1)
- ___ 5 cm Mucky Peat or Peat (S3)
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Dark Surface (S7)
- ___ Loamy Mucky Mineral (F1)
- ___ Loamy Gleyed Matrix (F2)
- ___ Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)

**Indicators for Problematic Hydric Soils[3]:**

- ___ Coast Prairie Redox (A16)
- ___ Iron-Manganese Masses (F12)
- ___ Red Parent Material (F21)
- ___ Very Shallow Dark Surface (F22)
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

**Restrictive Layer (if observed):**

Type: _____

Depth (inches): _____

**Hydric Soil Present?** Yes ____ No X

Remarks:

## HYDROLOGY

**Wetland Hydrology Indicators:**

Primary Indicators (minimum of one is required; check all that apply)

- ___ Surface Water (A1)
- ___ High Water Table (A2)
- ___ Saturation (A3)
- ___ Water Marks (B1)
- ___ Sediment Deposits (B2)
- ___ Drift Deposits (B3)
- ___ Algal Mat or Crust (B4)
- ___ Iron Deposits (B5)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Sparsely Vegetated Concave Surface (B8)
- ___ Water-Stained Leaves (B9)
- ___ Aquatic Fauna (B13)
- ___ True Aquatic Plants (B14)
- ___ Hydrogen Sulfide Odor (C1)
- ___ Oxidized Rhizospheres on Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Recent Iron Reduction in Tilled Soils (C6)
- ___ Thin Muck Surface (C7)
- ___ Gauge or Well Data (D9)
- ___ Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

- ___ Surface Soil Cracks (B6)
- ___ Drainage Patterns (B10)
- ___ Dry-Season Water Table (C2)
- ___ Crayfish Burrows (C8)
- ___ Saturation Visible on Aerial Imagery (C9)
- ___ Stunted or Stressed Plants (D1)
- ___ Geomorphic Position (D2)
- ___ FAC-Neutral Test (D5)

**Field Observations:**

Surface Water Present? Yes ____ No X Depth (inches): ____

Water Table Present? Yes ____ No X Depth (inches): ____

Saturation Present? (includes capillary fringe) Yes ____ No X Depth (inches): ____

**Wetland Hydrology Present?** Yes ____ No X

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

**U.S. Army Corps of Engineers**
**WETLAND DETERMINATION DATA SHEET – Midwest Region**
See ERDC/EL TR-10-16; the proponent agency is CECW-CO-R

*OMB Control #: 0710-0024, Exp:11/30/2024*
*Requirement Control Symbol EXEMPT:*
*(Authority: AR 335-15, paragraph 5-2a)*

Project/Site: East Schoolhouse Road Solar City/County: Oswego/Kendall Sampling Date: 9/26/2024
Applicant/Owner: Schoolhouse Road Community Energy Initiative LLC State: IL Sampling Point: S5
Investigator(s): SCI Engineering - J. Loos, M. Kerr Section, Township, Range: 9, 36N, 8E
Landform (hillside, terrace, etc.): Terrace Local relief (concave, convex, none): Convex
Slope (%): 2-5 Lat: 41.6097833 Long: -88.3241113 Datum: WGS84
Soil Map Unit Name: Mundelein silt loam, 0 to 2 percent slopes NWI classification:
Are climatic / hydrologic conditions on the site typical for this time of year? Yes X No ____ (If no, explain in Remarks.)
Are Vegetation X, Soil ____, or Hydrology ____ significantly disturbed? Are "Normal Circumstances" present? Yes X No ____
Are Vegetation ____, Soil ____, or Hydrology ____ naturally problematic? (If needed, explain any answers in Remarks.)

## SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

| | | | |
|---|---|---|---|
| Hydrophytic Vegetation Present? | Yes ____ | No X | **Is the Sampled Area within a Wetland?** Yes ____ No X |
| Hydric Soil Present? | Yes ____ | No X | |
| Wetland Hydrology Present? | Yes ____ | No X | |

Remarks:
Sample point 5 is located in an agricultural field in the southwestern section of the site.

## VEGETATION – Use scientific names of plants.

| Tree Stratum (Plot size: 30) | Absolute % Cover | Dominant Species? | Indicator Status |
|---|---|---|---|
| 1. | | | |
| 2. | | | |
| 3. | | | |
| 4. | | | |
| 5. | | | |
| | =Total Cover | | |
| **Sapling/Shrub Stratum (Plot size: 15)** | | | |
| 1. | | | |
| 2. | | | |
| 3. | | | |
| 4. | | | |
| 5. | | | |
| | =Total Cover | | |
| **Herb Stratum (Plot size: 5)** | | | |
| 1. *Glycine max* | 50 | Yes | UPL |
| 2. *Persicaria maculosa* | 10 | No | FACW |
| 3. *Chenopodium album* | 5 | No | FACU |
| 4. | | | |
| 5. | | | |
| 6. | | | |
| 7. | | | |
| 8. | | | |
| 9. | | | |
| 10. | | | |
| | 65 =Total Cover | | |
| **Woody Vine Stratum (Plot size: 15)** | | | |
| 1. | | | |
| 2. | | | |
| | =Total Cover | | |

**Dominance Test worksheet:**
Number of Dominant Species That Are OBL, FACW, or FAC: 0 (A)
Total Number of Dominant Species Across All Strata: 1 (B)
Percent of Dominant Species That Are OBL, FACW, or FAC: 0.0% (A/B)

**Prevalence Index worksheet:**

| Total % Cover of: | | Multiply by: | |
|---|---|---|---|
| OBL species | 0 | x 1 = | 0 |
| FACW species | 10 | x 2 = | 20 |
| FAC species | 0 | x 3 = | 0 |
| FACU species | 5 | x 4 = | 20 |
| UPL species | 50 | x 5 = | 250 |
| Column Totals: | 65 (A) | | 290 (B) |
| Prevalence Index = B/A = | | | 4.46 |

**Hydrophytic Vegetation Indicators:**
___ 1 - Rapid Test for Hydrophytic Vegetation
___ 2 - Dominance Test is >50%
___ 3 - Prevalence Index is ≤3.0[1]
___ 4 - Morphological Adaptations[1] (Provide supporting data in Remarks or on a separate sheet)
___ Problematic Hydrophytic Vegetation[1] (Explain)
[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

**Hydrophytic Vegetation Present?** Yes ____ No X

Remarks: (Include photo numbers here or on a separate sheet.)

## SOIL

Sampling Point: S5

**Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)**

| Depth (inches) | Matrix Color (moist) | % | Redox Features Color (moist) | % | Type[1] | Loc[2] | Texture | Remarks |
|---|---|---|---|---|---|---|---|---|
| 0-18 | 10YR 2/1 | 100 | | | | | Loamy/Clayey | |
| 18-20 | 10YR 4/2 | 75 | 10YR 4/4 | 20 | D | M | Loamy/Clayey | |
| | | | 10YR 5/6 | 5 | C | M | | Prominent redox concentrations |
| 20-30 | 10YR 5/3 | 90 | 10YR 5/8 | 10 | C | M | Loamy/Clayey | Prominent redox concentrations |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, MS=Masked Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

**Hydric Soil Indicators:**

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5)
- ___ 2 cm Muck (A10)
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Sandy Mucky Mineral (S1)
- ___ 5 cm Mucky Peat or Peat (S3)
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Dark Surface (S7)
- ___ Loamy Mucky Mineral (F1)
- ___ Loamy Gleyed Matrix (F2)
- ___ Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)

**Indicators for Problematic Hydric Soils[3]:**

- ___ Coast Prairie Redox (A16)
- ___ Iron-Manganese Masses (F12)
- ___ Red Parent Material (F21)
- ___ Very Shallow Dark Surface (F22)
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

**Restrictive Layer (if observed):**

Type: _____

Depth (inches): _____

**Hydric Soil Present?** Yes ____ No X

Remarks:

## HYDROLOGY

**Wetland Hydrology Indicators:**

Primary Indicators (minimum of one is required; check all that apply)

- ___ Surface Water (A1)
- ___ High Water Table (A2)
- ___ Saturation (A3)
- ___ Water Marks (B1)
- ___ Sediment Deposits (B2)
- ___ Drift Deposits (B3)
- ___ Algal Mat or Crust (B4)
- ___ Iron Deposits (B5)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Sparsely Vegetated Concave Surface (B8)
- ___ Water-Stained Leaves (B9)
- ___ Aquatic Fauna (B13)
- ___ True Aquatic Plants (B14)
- ___ Hydrogen Sulfide Odor (C1)
- ___ Oxidized Rhizospheres on Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Recent Iron Reduction in Tilled Soils (C6)
- ___ Thin Muck Surface (C7)
- ___ Gauge or Well Data (D9)
- ___ Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

- ___ Surface Soil Cracks (B6)
- ___ Drainage Patterns (B10)
- ___ Dry-Season Water Table (C2)
- ___ Crayfish Burrows (C8)
- ___ Saturation Visible on Aerial Imagery (C9)
- ___ Stunted or Stressed Plants (D1)
- ___ Geomorphic Position (D2)
- ___ FAC-Neutral Test (D5)

**Field Observations:**

Surface Water Present? Yes ____ No X Depth (inches): ____

Water Table Present? Yes ____ No X Depth (inches): ____

Saturation Present? (includes capillary fringe) Yes ____ No X Depth (inches): ____

**Wetland Hydrology Present?** Yes ____ No X

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

**DEPARTMENT OF THE ARMY**
**U.S. ARMY CORPS OF ENGINEERS, CHICAGO DISTRICT**
**231 SOUTH LA SALLE STREET, SUITE 1500**
**CHICAGO IL 60604-1437**

June 26, 2025

Regulatory Branch (LRC-2025-00178)

SUBJECT: Approved Jurisdictional Determination for the 64-acre Study Area Northwest of East Schoolhouse Road and South Schlapp Road in Plainfield, Kendall County, Illinois (Latitude 41.6108486, Longitude -88.3231157)

Ben Dykema
[redacted]

Jerrald J. Smits
[redacted]

Dear Mr. Dykema and Mr. Smits:

This is in response to your request that the U.S. Army Corps of Engineers complete a jurisdictional determination for the above-referenced site submitted on your behalf by SCI Engineering, Inc. The subject project has been assigned number LRC-2025-00178. Please reference this number in all future correspondence concerning this project.

Following a review of the Aquatic Resource Delineation report titled, "Wetland and Waterbody Delineation Report (Revised); East Schoolhouse Road Solar; Plainfield, Illinois", dated May 22, 2025, prepared by SCI Engineering, Inc., and a verification of the information submitted in the report, this office has determined that the subject property contains "waters of the United States" under the jurisdiction of this office and therefore, subject to regulation under Section 404 of the Clean Water Act, specifically: Little Slough Creek (RPW). An Approved Jurisdictional Determination (AJD) is enclosed.

This letter is considered an approved jurisdictional determination for your subject site. If you object to this determination, you may appeal, according to 33 CFR Part 331. Enclosed you will find a Notification of Administrative Appeal Options and Process (NAO/NAP) and Request for Appeal (RFA) form. If you request to appeal the above determination, you must submit a completed RFA form to the Great Lakes/Ohio River Division Office at the address listed on the form.

In order to be accepted, your RFA must be complete, meet the criteria for appeal, and be received by the Division Office within sixty (60) days of the date of the NAO/NAP and RFA form. Should you decide to submit an RFA form, it must be received at the above address by August 24, 2025. If you concur with the determination in this letter, submittal of the RFA form to the Division office is not necessary.

This office concurs with the presence conclusion in the above-referenced delineation report. In the event an application or an NPR request is submitted for work within jurisdictional areas, all aquatic resource boundaries must be approved by this office.

The jurisdictional determination Memorandum for Record (MFR) decision document for the review area is enclosed. This determination is valid for a period of 5 years from the date of this letter unless new information warrants revision of the determination before the expiration date or a District Commander has identified, after public notice and comment, that specific geographic areas with rapidly changing environmental conditions merit re-verification on a more frequent basis.

This determination has been conducted to identify the limits of the Corps Clean Water Act jurisdiction for the subject site identified in this request. This determination may not be valid for the wetland conservation provisions of the Food Security Act of 1985, as amended. If you or your tenant are USDA program participants, or anticipate participation in USDA programs, you should request a certified wetland determination from the local office of the Natural Resources Conservation Service prior to starting work. It is your responsibility to obtain any required state, county, or local approvals for impacts to wetland areas not under the Department of the Army jurisdiction.

Pursuant to Section 404 of the Clean Water Act, the U.S. Army Corps of Engineers regulates the discharge of dredged or fill material into waters of the United States, including wetlands. A Department of the Army permit is required for any proposed work involving the discharge of dredged or fill material within the jurisdiction of this office. To initiate the permit process, please submit a joint permit application form along with detailed plans of the proposed work. Information concerning our program, including the application form and an application checklist, can be found at and downloaded from our website: https://www.lrd.usace.army.mil/Wetlands-Permits/.

If you have any questions, please contact Ms. Sophia Morgan of this office by telephone at (312) 846-5542 or email at Sophia.R.Morgan@usace.army.mil.

Sincerely,

Soren G. Hall

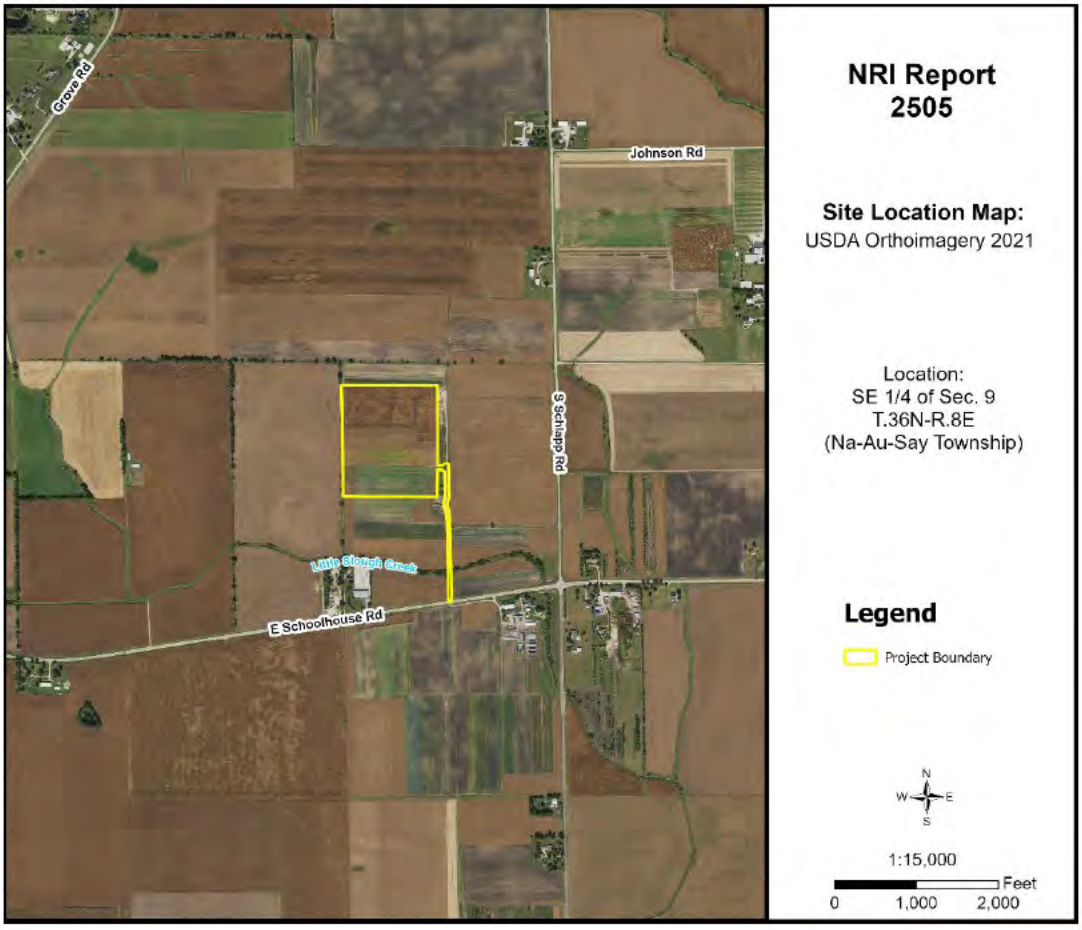
Digitally signed by Soren G. Hall
Date: 2025.06.26 15:25:08 -05'00'

Soren G. Hall
Team Leader
Regulatory Branch

Enclosures

cc:
SCI Engineering, Inc. (Michael Holm)
Village of Plainfield (Jonathan Proulx)

# NATURAL RESOURCES INFORMATION (NRI) REPORT: #2505




Apr. 2025

Petitioner: East Schoolhouse Road Community Energy
Contact: Ben Dykema (ECA Solar)

Prepared By:

Kendall County Soil & Water Conservation District

7775A Route 47
Yorkville, Illinois 60560
Phone: (630) 553-5821 x3
www.kendallswcd.org

# KENDALL COUNTY SOIL AND WATER CONSERVATION DISTRICT NATURAL RESOURCES INFORMATION (NRI) REPORT

| | |
|---|---|
| Natural Resources Information Report Number | 2505 |
| | |
| Date District Board Reviews Application | April 2025 |
| | |
| Applicant's Name | East Schoolhouse Road Community Energy |
| | |
| Size of Parcel | (+/-) 37 acres |
| | |
| Current Zoning & Use | A-1 Agricultural District; Agricultural land |
| | |
| Proposed Zoning & Use | A-1 Agricultural Special Use; Community Solar Farm |
| | |
| Parcel Index Number(s) | 06-09-400-004 |
| | |
| Contact Person | Ben Dykema (ECA Solar) |

| **Copies of this report or notification of the proposed land-use change was provided to:** | **Yes** | **No** |
|---|---|---|
| The Applicant | X | |
| The Applicant's Legal Representation | | X |
| The Local/Township Planning Commission | X | |
| The Village/City/**County** Planning and Zoning Department or Appropriate Agency | X | |
| The Kendall County Soil and Water Conservation District Files | X | |

Report Prepared By: *Alyse Olson* Position: *Resource Conservationist*

# *PURPOSE AND INTENT*

The purpose of this report is to provide officials of the local governing body and other decision-makers with natural resource information. This information may be useful when undertaking land use decisions concerning variations, amendments or relief of local zoning ordinances, proposed subdivision of vacant or agricultural lands and the subsequent development of these lands. This report is a requirement under Section 22.02a of the Illinois Soil and Water Conservation Districts Act.

The intent of this report is to present the most current natural resource information available in a readily understandable manner. It contains a description of the present site conditions, the present resources, and the potential impacts that the proposed change may have on the site and its resources. The natural resource information was gathered from standardized data, on-site investigations and information furnished by the petitioner. This report must be read in its entirety so that the relationship between the natural resource factors and the proposed land use change can be fully understood.

Due to the limitations of scale encountered with the various resource maps, the property boundaries depicted in the various exhibits in this report provide a generalized representation of the property location and may not precisely reflect the legal description of the PIQ (Parcel in Question).

This report, when used properly, will provide the basis for proper land use change decisions and development while protecting the natural resource base of the county. It should not be used in place of detailed environmental and/or engineering studies that are warranted under most circumstances, but in conjunction with those studies.

The conclusions of this report in no way indicate that a certain land use is not possible, but it should alert the reader to possible problems that may occur if the capabilities of the land are ignored. Any questions on the technical data supplied in this report or if anyone feels that they would like to see more additional specific information to make the report more effective, please contact:

**Kendall County Soil and Water Conservation District**
**7775A Route 47, Yorkville, IL 60560**
**Phone: (630) 553-5821 ext. 3**
**E-mail: Alyse.Olson@il.nacdnet.net**

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# EXECUTIVE SUMMARY

| | |
|---|---|
| Natural Resources Information Report Number | 2505 |
| | |
| Petitioner | East Schoolhouse Road Community Energy |
| | |
| Contact Person | Ben Dykema (ECA Solar) |
| | |
| County or Municipality the Petition is Filed With | Kendall County |
| | |
| Location of Parcel | Southeast ¼ of Section 9, Township 36 North, Range 8 East (Na-Au-Say Township) of the 3rd Principal Meridian |
| | |
| Project or Subdivision Name | East Schoolhouse Road Solar |
| | |
| Existing Zoning & Land Use | A-1 Agricultural District; Agricultural land |
| | |
| Proposed Zoning & Land Use | A-1 Agricultural Special Use; Community Solar Farm |
| | |
| Proposed Water Source | Not applicable |
| | |
| Proposed Type of Sewage Disposal System | Not applicable |
| | |
| Proposed Type of Storm Water Management | Undetermined |
| | |
| Size of Site | (+/-) 37 acres |
| | |
| Land Evaluation Site Assessment (LESA) Score | 240 (Land Evaluation: 93; Site Assessment: 147) |

## NATURAL RESOURCE CONSIDERATIONS

### SOIL INFORMATION

Based on information from the United States Department of Agriculture-Natural Resources Conservation Service (USDA-NRCS) 2008 Kendall County Soil Survey, this project area contains the soil types shown in Figure 1 and Table 1. Please note this does not replace the need for or results of onsite soil testing. If completed, please refer to onsite soil test results for planning/engineering purposes.

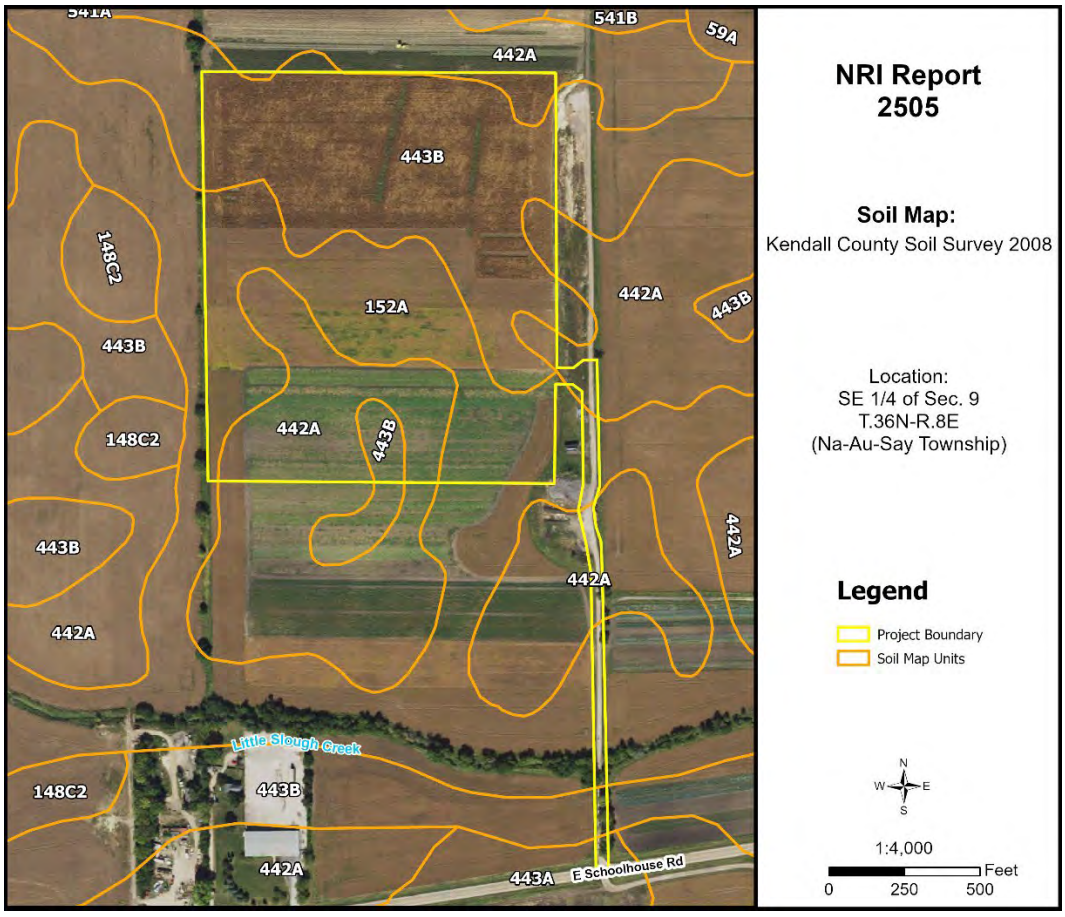



**Figure 1:** Soil Map

**Table 1:** Soils Information

| Soil Type | Soil Name | Drainage Class | Hydrologic Group | Hydric Designation | Farmland Designation | Acres | % Area |
|---|---|---|---|---|---|---|---|
| 152A | Drummer silty clay loam, 0-2% slopes | Poorly Drained | B/D | Hydric | Prime Farmland if Drained | 12.4 | 33.7% |
| 442A | Mundelein silt loam, 0-2% slopes | Somewhat Poorly Drained | B/D | Non-Hydric with Hydric Inclusions | Prime Farmland | 8.3 | 22.5% |
| 443A | Barrington silt loam, 0-2% slopes | Moderately Well Drained | C | Non-Hydric with Hydric Inclusions | Prime Farmland | 0.1 | 0.3% |
| 443B | Barrington silt loam, 2-4% slopes | Moderately Well Drained | C | Non-Hydric with Hydric Inclusions | Prime Farmland | 16.0 | 43.5% |

**Hydrologic Soil Groups** – Soils have been classified into four (A, B, C, D) hydrologic groups based on runoff characteristics due to rainfall. If a soil is assigned to a dual hydrologic group (A/D, B/D or C/D), the first letter is for drained areas and the second letter is for undrained areas.

- **Hydrologic group A:** Soils have a high infiltration rate (low runoff potential) when thoroughly wet. These consist mainly of deep, well drained to excessively drained sands or gravelly sands. These soils have a high rate of water transmission.
- **Hydrologic group B:** Soils have a moderate infiltration rate when thoroughly wet, consist chiefly of moderately deep to deep, moderately well drained to well drained soils that have a moderately fine to moderately coarse texture. These soils have a moderate rate of water transmission.
- **Hydrologic group C:** Soils having a slow infiltration rate when thoroughly wet. These consist chiefly of soils having a layer that impedes the downward movement of water or soils of moderately fine texture or fine texture. These soils have a slow rate of water transmission.
- **Hydrologic group D:** Soils having a very slow infiltration rate (high runoff potential) when thoroughly wet. These consist chiefly of clays that have a high shrink-swell potential, soils that have a high water table, have a claypan or clay layer at or near the surface, and soils that are shallow over nearly impervious material. These soils have a very slow rate of water transmission.

**Hydric Soils** – A hydric soil is one that formed under conditions of saturation, flooding, or ponding long enough during the growing season to develop anaerobic conditions in the upper part of the soil profile that supports the growth or regeneration of hydrophytic vegetation. Soils with hydric inclusions have map units dominantly made up of non-hydric soils that may have inclusions of hydric soils in the lower positions on the landscape. Of the soils found onsite, one is classified as hydric soil (152A Drummer silty clay loam) and three are classified as non-hydric soil with hydric inclusions likely (442A Mundelein silt loam, 443A Barrington silt loam, and 443B Barrington silt loam).

**Prime Farmland** – Prime farmland is land that has the best combination of physical and chemical characteristics for agricultural production. Prime farmland soils are an important resource to Kendall County and some of the most productive soils in the United States occur locally. Of the soils found onsite, three are designated as prime farmland (442A Mundelein silt loam, 443A Barrington silt loam, and 443B Barrington silt loam) and one is designated as prime farmland if drained (152A Drummer silty clay loam).

**Soil Limitations** – The USDA-NRCS Web Soil Survey rates the limitations of soils for dwellings, small commercial buildings, solar arrays, shallow excavations, lawns/landscaping, local roads and streets, etc. Soils have different properties which influence the development of building sites. The USDA-NRCS classifies soils as Not Limited, Somewhat Limited, and Very Limited. Soils that are Not Limited indicates that the soil has properties that are favorable for the specified use. They will perform well and will have low maintenance. Soils that are Somewhat Limited are moderately favorable, and their limitations can be overcome through special planning, design, or installation. Soils that are Very Limited have features that are unfavorable for the specified use, and their limitations cannot easily be overcome.

**Table 2:** Soil Limitations

| Soil Type | Solar Arrays | Shallow Excavations | Lawns/ Landscaping | Local Roads / Streets |
|---|---|---|---|---|
| 152A | Very Limited | Very Limited | Very Limited | Very Limited |
| 442A | Very Limited | Very Limited | Somewhat Limited | Very Limited |
| 443A | Very Limited | Somewhat Limited | Somewhat Limited | Very Limited |
| 443B | Very Limited | Somewhat Limited | Somewhat Limited | Very Limited |

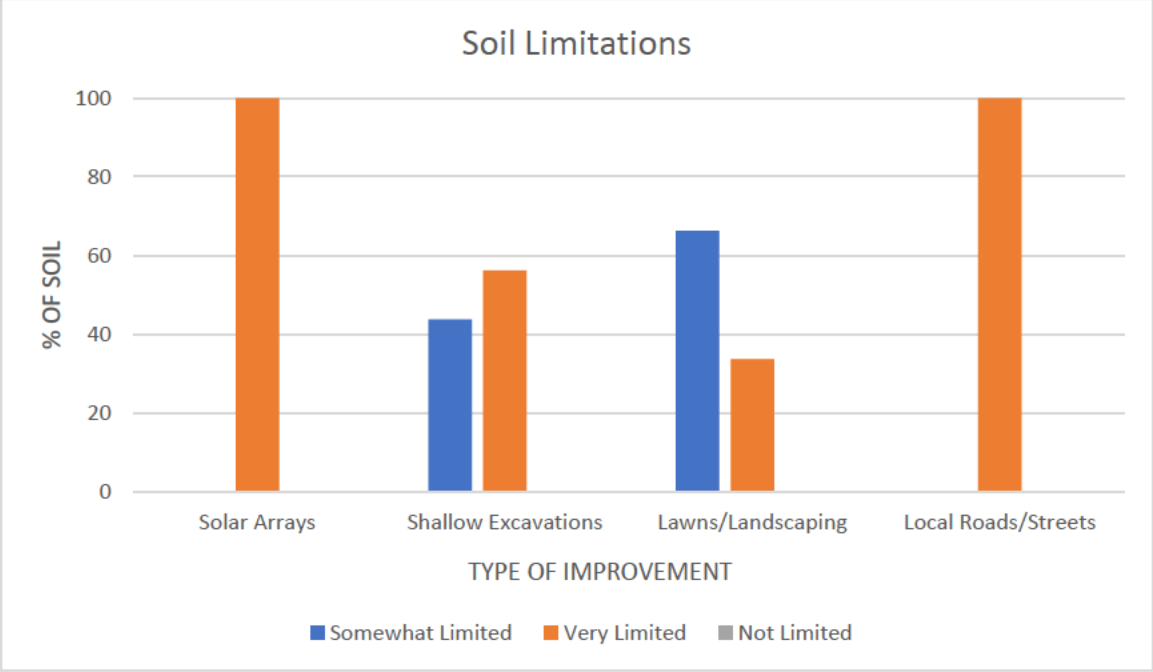



**Figure 2:** Soil Limitations Chart

**KENDALL COUNTY LAND EVALUATION AND SITE ASSESSMENT (LESA)**

Decision-makers in Kendall County use the Land Evaluation and Site Assessment (LESA) system to determine the suitability of a land use change and/or a zoning request as it relates to agricultural land. The LESA system was developed by the United States Department of Agriculture-Natural Resources Conservation Service (USDA-NRCS) and takes into consideration local conditions such as physical characteristics of the land, compatibility of surrounding land-uses, and urban growth factors. The LESA system is a two-step procedure that includes:

- **Land Evaluation (LE)**: The soils of a given area are rated and placed in groups ranging from the best to worst suited for a stated agriculture use, cropland, or forestland. The best group is assigned a value of 100 and all other groups are assigned lower values. The Land Evaluation is based on data from the Kendall County Soil Survey. The Kendall County Soil and Water Conservation District is responsible for this portion of the LESA system.
    - The Land Evaluation score for this site is **93 out of 100**, indicating that the soils are **well suited** for agricultural uses.
- **Site Assessment (SA)**: The site is numerically evaluated according to important factors that contribute to the quality of the site. Each factor selected is assigned values in accordance with the

local needs and objectives. The Site Assessment value is based on a 200-point scale and accounts for 2/3 of the total score. The Kendall County LESA Committee is responsible for this portion of the LESA system.

- The Site Assessment score for this site is **147 out of 200**.

The **LESA Score for this site is 240 out of a possible 300, which indicates a high level of protection** for the proposed project site. Selecting the project site with the lowest total points will generally protect the best farmland located in the most viable areas and maintain and promote the agricultural industry in Kendall County.

**WETLANDS**

The U.S. Fish & Wildlife Service's National Wetlands Inventory map indicates the presence of wetland(s)/waters on or near the proposed project site. To determine if a wetland is present, a wetland delineation specialist, who is recognized by the U.S. Army Corps of Engineers, should determine the exact boundaries and value of the wetlands.

**FLOODPLAIN**

The Federal Emergency Management Agency's (FEMA) Flood Insurance Rate Map (FIRM) for Kendall County, Community Panel No. 17093C0130H (effective date January 8, 2014) was reviewed to determine the presence of floodplain and floodway areas within the project site. According to the map, the site appears to contain an area of regulated floodplain.

**SEDIMENT AND EROSION CONTROL**

Development on this site should include an erosion and sediment control plan in accordance with local, state, and federal regulations. Soil erosion on construction sites is a resource concern as suspended sediment from areas undergoing development is a primary nonpoint source of water pollution. Please consult the *Illinois Urban Manual* (https://illinoisurbanmanual.org/) for appropriate best management practices.

**STORMWATER POLLUTION**

A National Pollutant Discharge Elimination System (NPDES) permit (Permit No. ILR10) from the Illinois Environmental Protection Agency (IEPA) is required for stormwater discharges from construction sites that will disturb 1 or more acres of land. Conditions of the NPDES ILR10 permit require the development and implementation of a Stormwater Pollution Prevention Plan (SWPPP) to reduce stormwater pollutants on the construction site before they can cause environmental issues.

**ECOLOGICAL CONSIDERATIONS**

Developers of solar project sites are encouraged to plant native groundcover. Native shrubs, grasses, and wildflowers offer benefits such as improved erosion control, pesticide avoidance, stormwater infiltration, wildlife habitat, and reduced overall maintenance. Naturalized areas, once established, are more drought tolerant, require little to no fertilization, and only need to be mowed once or twice a year. Native fruiting and flowering plants also provide a food source and habitat for native pollinators which offer the ecological service of pollinating our agricultural crops.

The district recognizes two potential sources of water pollution from solar farms including cracked panels and oil leaks or spills from transformers. Cracked panels can leach toxic materials if many broken panels

are exposed to precipitation over a long period of time. To prevent this issue, solar farm operators should regularly inspect for cracked panels. Cracked or broken panels must be immediately stored under protective cover and should be periodically transported offsite for recycling or proper offsite storage.

Electrical transformers are used to increase output voltage from solar farms to the electrical grid. These transformers contain oil, which can leak or spill resulting in environmental damage. To reduce environmental damage, biodegradable oil can be used in the transformers. Larger transformers typically use mineral-based oil unless biodegradable oil is specifically requested. Leaks and spills of biodegradable oil must still be prevented, but the risk for groundwater contamination would be reduced and clean-up efforts simplified in the event of a release. Secondary containment systems such as trays, membranes, or vaults can also be used in the event of a leak or spill. Containment systems must be designed to manage stormwater so adequate containment volume is maintained. This would be the responsibility of the solar developer.

## LAND USE FINDINGS:

The Kendall County Soil and Water Conservation District (SWCD) Board has reviewed the proposed site plans for petitioner East Schoolhouse Road Community Energy. The petitioner is requesting an A-1 Agricultural Special Use Permit from Kendall County on one parcel (Parcel Index Number 06-09-400-004), totaling approximately 37 acres. The petitioner plans to construct a community solar farm within Section 9 of Na-Au-Say Township (T.36N – R.8E) in Kendall County, IL. Based on the information provided by the petitioner and a review of natural resource related data available to the Kendall County SWCD, the SWCD Board presents the following information.

The Kendall County SWCD has always had the opinion that prime farmland soils should be preserved whenever feasible due to their highly productive qualities for growing agriculturally important crops in our community. Of the soils found onsite, 100% are designated as prime farmland or prime farmland if drained.

A land evaluation (LE), which is a part of the Land Evaluation and Site Assessment (LESA), was conducted on this parcel. The soils on this parcel scored a 93 out of a possible 100 points indicating that the soils are well suited for agricultural uses. The total LESA score for this site is 240 out of a possible 300, which indicates a high level of protection for the proposed project site. Selecting the project site with the lowest total points will generally protect the best farmland located in the most viable areas and maintain and promote the agricultural industry in Kendall County.

Soils found on the project site are rated for specific uses and can have potential limitations for development. Soil types with severe limitations do not preclude the ability to develop the site for the proposed use, but it is important to note that the limitation may require soil reclamation, special design/engineering, or maintenance to obtain suitable soil conditions to support development with significant limitations. This report indicates that for soils located on the parcel, 100% are considered very limited for supporting solar arrays and local roads/streets, 56% are considered very limited for supporting shallow excavations, and 34% are considered very limited for supporting lawns/landscaping. The remaining soils are considered somewhat limited for these types of developments/uses. This information is based on the soil in an undisturbed state.

This site is within the Upper Illinois River watershed and the East Aux Sable Creek sub watershed (HUC 12 – 071200050102). The sub watershed comprises approximately 21,752 acres covering parts of Plainfield, Joliet, Oswego, and Yorkville.

This development should include a soil erosion and sediment control plan to be implemented during construction. It is critical to have vegetative cover during and after construction to protect the soil from erosion. Sediment may become a primary non-point source of pollution; eroded soils during the construction phase can create unsafe conditions on roadways, degrade water quality and destroy aquatic ecosystems lower in the watershed.

The Kendall County SWCD strongly recommends the use of native ground cover, specifically plant varieties beneficial to pollinator species, be used to vegetate the site. Native vegetation benefits soil health, creates habitat, provides resiliency to drought and prolonged wet conditions, and reduces maintenance needs after successful establishment.

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

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



SWCD Board Representative

4/14/2025

Date

# PARCEL LOCATION

Southeast quarter of Section 9, Township 36 North, Range 8 East (Na-Au-Say Township). This site is approximately 37 acres and is located north of East Schoolhouse Road (Route 126), south of Cherry Road, east of Grove Road, and west of South Schlapp Road near Oswego, IL.

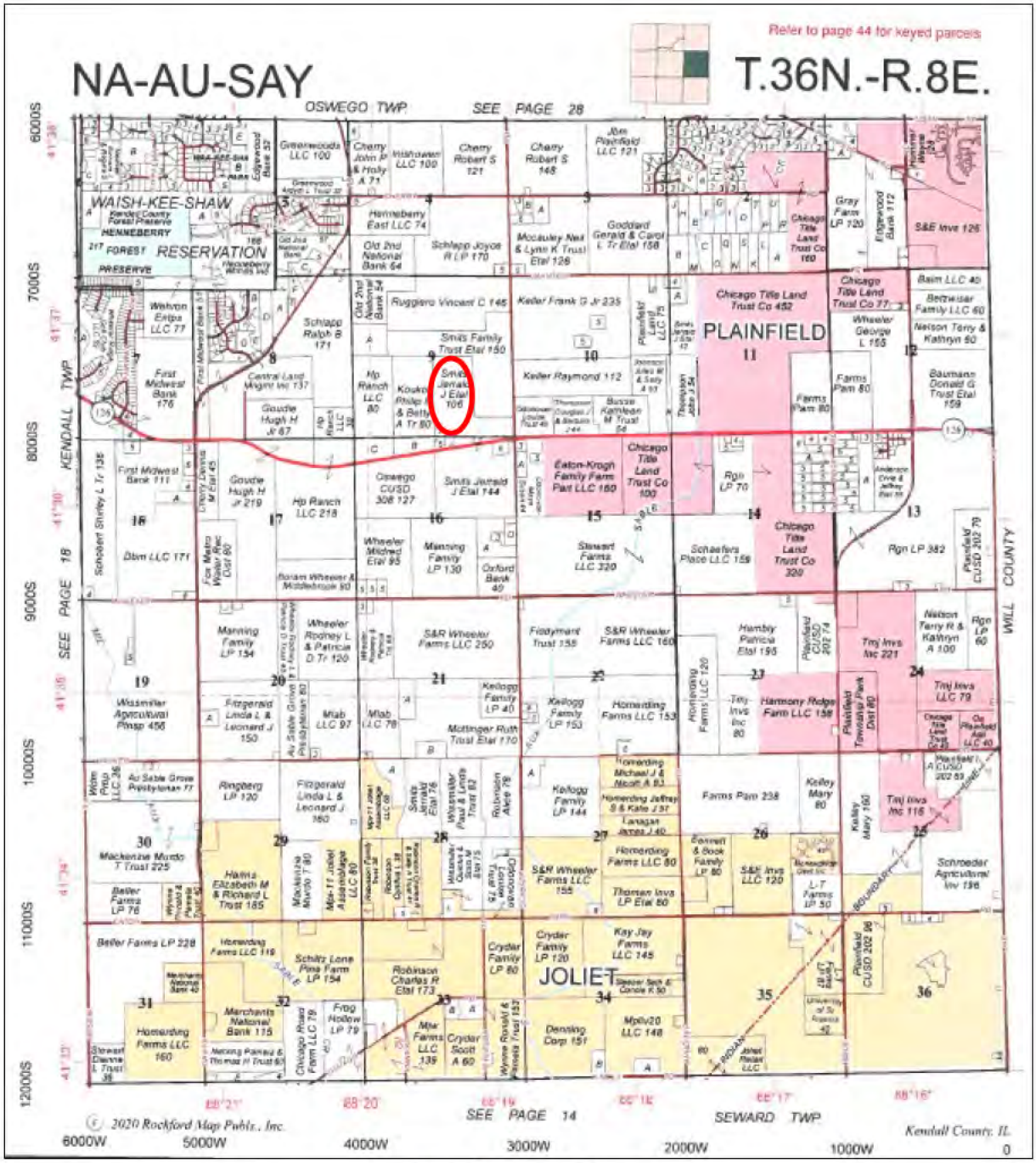



**Figure 3:** 2021 Plat Map

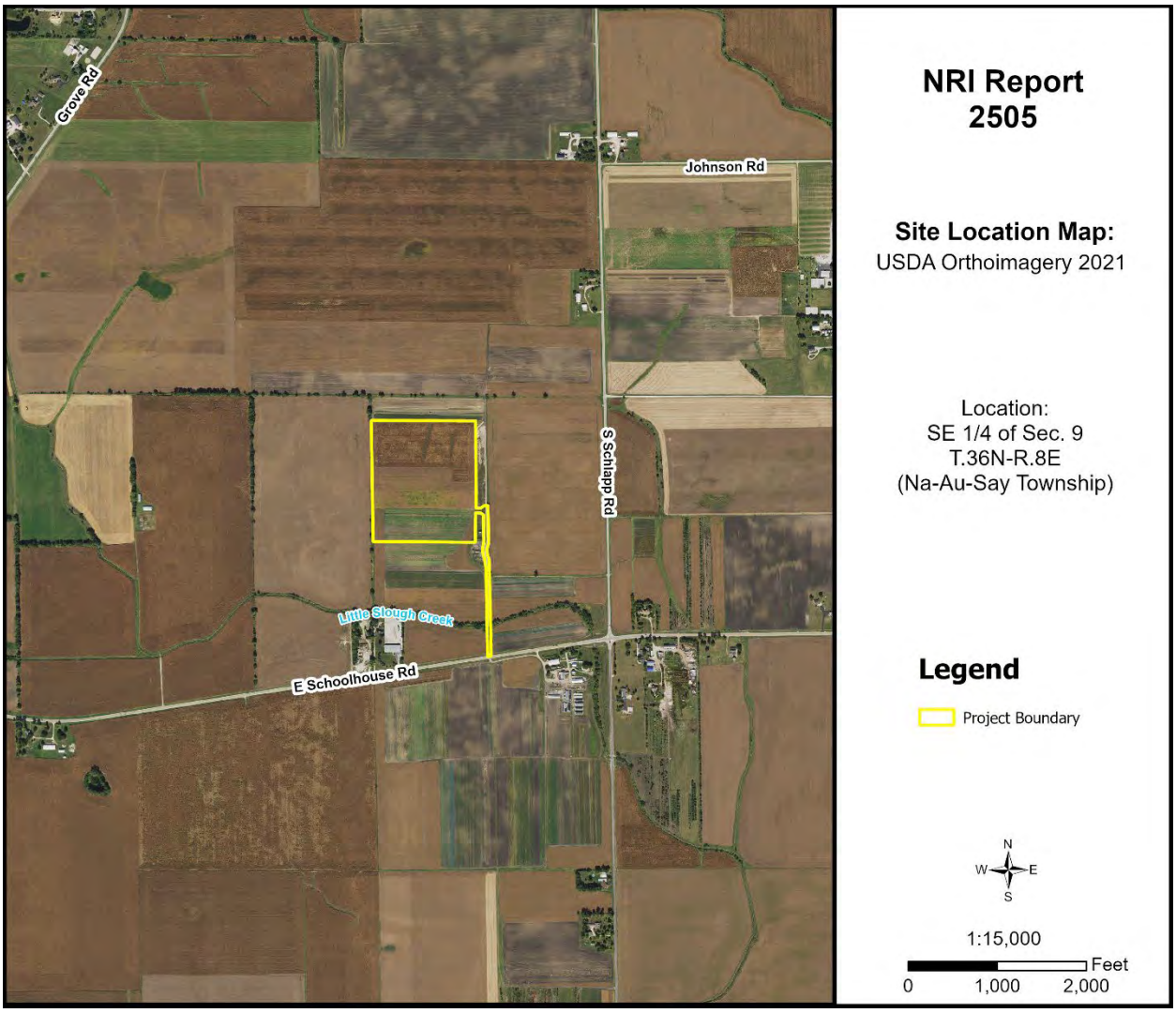



**Figure 4:** Aerial Map with NRI Project Boundary

# *ARCHAEOLOGIC/CULTURAL RESOURCES INFORMATION*

Simply stated, cultural resources are all the past activities and accomplishments of people. They include the following: buildings; objects made or used by people; locations; and less tangible resources, such as stories, dance forms, and holiday traditions.

The Soil and Water Conservation District most often encounters cultural resources as historical properties. These may be prehistoric or historical sites, buildings, structures, features, or objects. The most common type of historical property that the Soil and Water Conservation District may encounter is non-structural archaeological sites. These sites often extend below the soil surface and must be protected against disruption by development or other earth moving activity if possible. Cultural resources are *non-renewable* because there is no way to "grow" a site to replace a disrupted site.

Landowners with historical properties on their land have ownership of that historical property. However, the State of Illinois owns all the following: human remains, grave markers, burial mounds, and artifacts associated with graves and human remains.

Non-grave artifacts from archaeological sites and historical buildings are the property of the landowner. The landowner may choose to disturb a historical property but may not receive federal or state assistance to do so. If an earth moving activity disturbs human remains, the landowner must contact the county coroner within 48 hours.

**The Illinois State Historic Preservation Office has not been notified of the proposed land use change by the Kendall County SWCD. There may be historic features in the area. The applicant may need to contact them according to current Illinois law.**

# ECOLOGICALLY SENSITIVE AREAS

**WHAT IS BIOLOGICAL DIVERSITY AND WHY SHOULD IT BE CONSERVED?[1]**

Biological diversity, or biodiversity, is the range of life on our planet. A more thorough definition is presented by botanist Peter H. Raven: "At the simplest level, biodiversity is the sum total of all the plants, animals, fungi and microorganisms in the world, or in a particular area; all of their individual variation; and all of the interactions between them. It is the set of living organisms that make up the fabric of the planet Earth and allow it to function as it does, by capturing energy from the sun and using it to drive all of life's processes; by forming communities of organisms that have, through the several billion years of life's history on Earth, altered the nature of the atmosphere, the soil and the water of our Planet; and by making possible the sustainability of our planet through their life activities now" (Raven 1994).

It is not known how many species occur on our planet. Presently, about 1.4 million species have been named. It has been estimated that there are perhaps 9 million more that have not been identified. What is known is that they are vanishing at an unprecedented rate. Reliable estimates show extinction occurring at a rate several orders of magnitude above "background" in some ecological systems (Wilson 1992, Hoose 1981).

The reasons for protecting biological diversity are complex, but they fall into four major categories. First, loss of diversity generally weakens entire natural systems. Healthy ecosystems tend to have many natural checks and balances. Every species plays a role in maintaining this system. When simplified by the loss of diversity, the system becomes more susceptible to natural and artificial perturbations. The chances of a system-wide collapse increase. In parts of the midwestern United States, for example, it was only the remnant areas of natural prairies that kept soil intact during the dust bowl years of the 1930s (Roush 1982).

Simplified ecosystems are almost always expensive to maintain. For example, when synthetic chemicals are relied upon to control pests, the target species are not the only ones affected. Their predators are almost always killed or driven away, exasperating the pest problem. In the meantime, people are unintentionally breeding pesticide-resistant pests. A process has begun where people become perpetual guardians of the affected area, which requires the expenditure of financial resources and human ingenuity to keep the system going.

A second reason for protecting biological diversity is that it represents one of our greatest untapped resources. Great benefits can be reaped from a single species. About 20 species provide 90% of the world's food. Of these 20, just three, wheat, maize, and rice-supply over one half of that food. American wheat farmers need new varieties every five to 15 years to compete with pests and diseases. Wild strains of wheat are critical genetic reservoirs for these new varieties.

Further, every species is a potential source of human medicine. In 1980, a published report identified the market value of prescription drugs from higher plants at over $3 billion. Organic alkaloids, a class of

chemical compounds used in medicines, are found in an estimated 20% of plant species. Yet only 2% of plant species have been screened for these compounds (Hoose 1981).

The third reason for protecting diversity is that humans benefit from natural areas and depend on healthy ecosystems. The natural world supplies our air, our water, our food and supports human economic activity. Further, humans are creatures that evolved in a diverse natural environment between forest and grasslands. People need to be reassured that such places remain. When people speak of "going to the country," they generally mean more than getting out of town. For reasons of their own sanity and wellbeing, they need a holistic, organic experience. Prolonged exposure to urban monotony produces neuroses, for which cultural and natural diversity cure.

Historically, the lack of attention to biological diversity, and the ecological processes it supports, has resulted in economic hardships for segments of the basin's human population.

The final reason for protecting biological diversity is that species and natural systems are intrinsically valuable. The above reasons have focused on the benefits of the natural world to humans. All things possess intrinsic value simply because they exist.

**BIOLOGICAL RESOURCES CONCERNING THE SUBJECT PARCEL**

As part of the Natural Resources Information Report, staff checks office maps to determine if any nature preserves or ecologically sensitive areas are in the general vicinity of the parcel in question. If there is a nature preserve in the area, then that resource will be identified as part of the report. The SWCD recommends that every effort be made to protect that resource. Such efforts should include, but are not limited to erosion control, sediment control, stormwater management, and groundwater monitoring.

**Office maps indicate that there are no nature preserves in the vicinity of the parcel in question (PIQ). Little Slough Creek, a mapped riverine waterway, flows through the PIQ and is considered an ecologically sensitive area.**

[1]Taken from *The Conservation of Biological Diversity in the Great Lakes Ecosystem: Issues and Opportunities*, prepared by the Nature Conservancy Great Lakes Program 79W. Monroe Street, Suite 1309, Chicago, IL 60603, January 1994.

# SOILS INFORMATION

**IMPORTANCE OF SOILS INFORMATION**

Soils information comes from the Natural Resources Conservation Service Soil Maps and Descriptions for Kendall County. This information is important to all parties involved in determining the suitability of the proposed land use change.

Each soil polygon is given a number, which represents its soil type. The letter found after the soil type number indicates the soils slope class.

Each soil map unit has limitations for a variety of land uses such as septic systems, buildings with basements, and buildings without basements. It is important to remember that soils do not function independently of each other. The behavior of a soil depends upon the physical properties of adjacent soil types, the presence of artificial drainage, soil compaction, and its position in the local landscape.

The limitation categories (not limited, somewhat limited, or very limited) indicate the potential for difficulty in using that soil unit for the proposed activity and, thus, the degree of need for thorough soil borings and engineering studies. A limitation does not necessarily mean that the proposed activity cannot be done on that soil type. It does mean that the reasons for the limitation need to be thoroughly understood and dealt with to complete the proposed activity successfully. Very limited indicates that the proposed activity will be more difficult and costly to do on that soil type than on a soil type with a somewhat limited or not limited rating.

Soil survey interpretations are predictions of soil behavior for specified land uses and specified management practices. They are based on the soil properties that directly influence the specified use of the soil. Soil survey interpretations allow users of soil surveys to plan reasonable alternatives for the use and management of soils.

Soil interpretations do not eliminate the need for on-site study and testing of specific sites for the design and construction for specific uses. They can be used as a guide for planning more detailed investigations and for avoiding undesirable sites for an intended use. The scale of the maps and the range of error limit the use of the soil delineation.

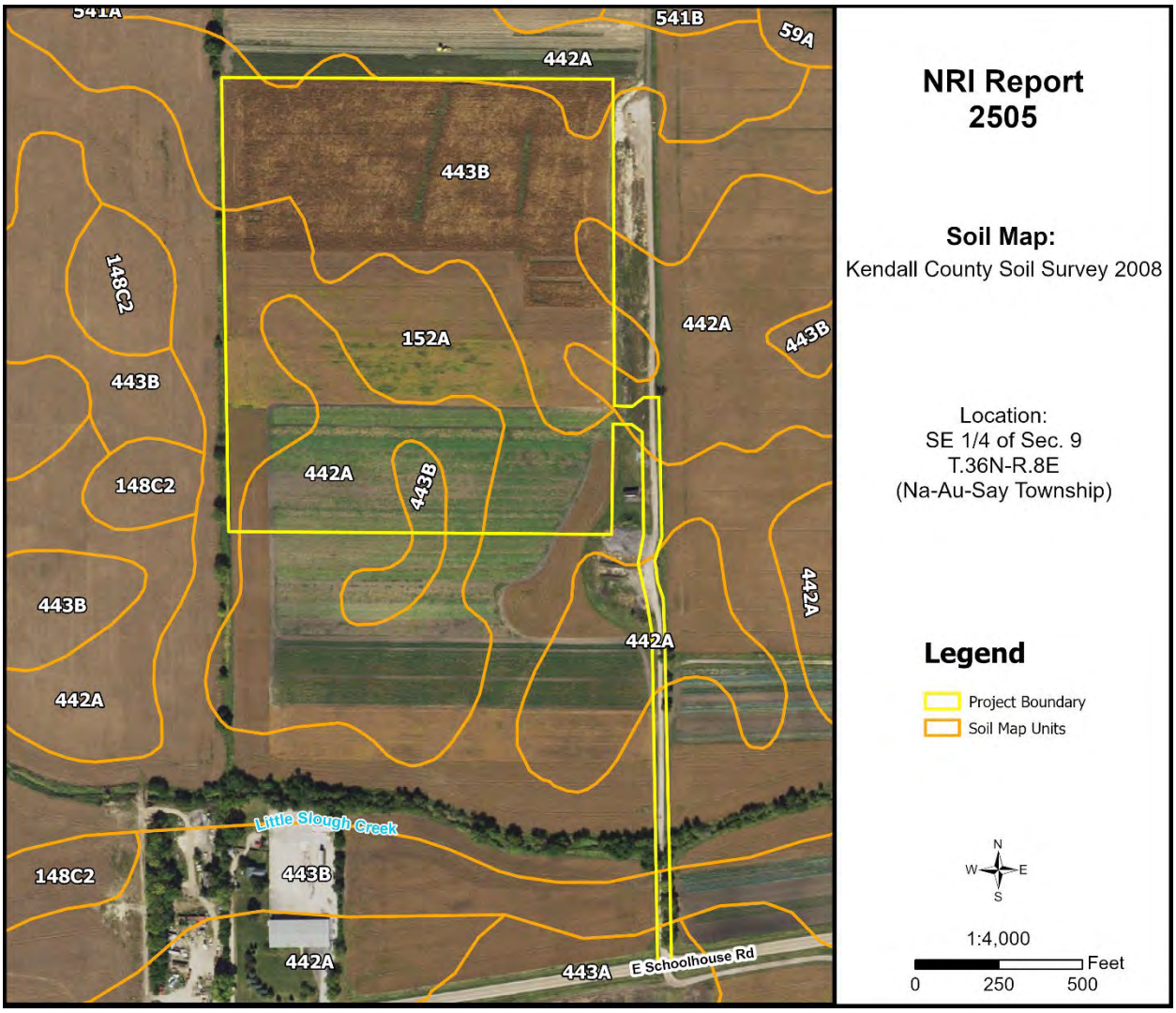



**Figure 5**: Soil Map

**Table 3**: Soil Map Unit Descriptions

| Soil Type | Soil Name | Acres | Percent |
|---|---|---|---|
| 152A | Drummer silty clay loam, 0-2% slopes | 12.4 | 33.7% |
| 442A | Mundelein silt loam, 0-2% slopes | 8.3 | 22.5% |
| 443A | Barrington silt loam, 0-2% slopes | 0.1 | 0.3% |
| 443B | Barrington silt loam, 2-4% slopes | 16.0 | 43.5% |

**Source**: National Cooperative Soil Survey – USDA-NRCS

# *SOILS INTERPRETATIONS EXPLANATION*

**GENERAL – NONAGRICULTURAL**

These interpretative ratings help engineers, planners, and others to understand how soil properties influence behavior when used for nonagricultural uses such as building site development or construction materials. This report gives ratings for proposed uses in terms of limitations and restrictive features. The tables list only the most restrictive features.

Other features may need treatment to overcome soil limitations for a specific purpose. Ratings come from the soil's "natural" state, that is, no unusual modification occurs other than that which is considered normal practice for the rated use. Even though soils may have limitations, an engineer may alter soil features or adjust building plans for a structure to compensate for most degrees of limitations. Most of these practices, however, are costly. The final decision in selecting a site for a particular use generally involves weighing the costs for site preparation and maintenance. Soil properties influence development of building sites, including the selection of the site, the design of the structure, construction, performance after construction, and maintenance. Soil limitation ratings of not limited, somewhat limited, and very limited are given for the types of proposed improvements that are listed or inferred by the petitioner as entered on the report application and/or zoning petition. The most common types of building limitation that this report gives limitations ratings for is septic systems. It is understood that engineering practices can overcome most limitations for buildings with and without basements, and small commercial buildings. Limitation ratings for these types of buildings are not commonly provided. Organic soils, when present on the parcel, are referenced in the hydric soils section of the report. This type of soil is considered unsuitable for all types of construction.

**LIMIATIONS RATINGS**

- **Not Limited:** This soil has favorable properties for the use. The degree of limitation is minor. The people involved can expect good performance and low maintenance.
- **Somewhat Limited**: This soil has moderately favorable properties for the use. Special planning, design, or maintenance can overcome this degree of limitation. During some part of the year, the expected performance is less desirable than for soils rated slight.
- **Very Limited**: This soil has one or more properties that are unfavorable for the rated use. These may include the following: steep slopes, bedrock near the surface, flooding, high shrink-swell potential, a seasonal high water table, or low strength. This degree of limitation generally requires major soil reclamation, special design, or intensive maintenance, which in most situations is difficult and costly.

# BUILDING LIMITATIONS

**BUILDING ON POORLY SUITED OR UNSUITABLE SOILS**

Building on poorly suited or unsuitable soils can present problems to future property owners such as cracked foundations, wet basements, lowered structural integrity and high maintenance costs associated with these problems. The staff of the Kendall County SWCD strongly urges scrutiny by the plat reviewers when granting parcels with these soils exclusively.

**Solar Arrays, Soil-Penetrating Anchor Systems** – Ground-based solar arrays are sets of photovoltaic panels that are not situated on a building or pole. These installations consist of a racking system that holds the panel in the desired orientation and the foundation structures that hold the racking system to the ground. Two basic methods are used to hold the systems to the ground, based on site conditions and cost. One method employs driven piles, screw augers, or concrete piers that penetrate the soil to provide a stable foundation.

**Shallow Excavations** – Trenches or holes dug to a maximum depth of 5 or 6 feet for utility lines, open ditches, or other purposes. Ratings are based on soil properties that influence the ease of digging and the resistance to sloughing.

**Lawns and Landscaping** – Require soils on which turf and ornamental trees and shrubs can be established and maintained (irrigation is not considered in the ratings). The ratings are based on the soil properties that affect plant growth and trafficability after vegetation is established.

**Local Roads and Streets** – They have an all-weather surface and carry automobile and light truck traffic all year. They have a subgrade of cut or fill soil material, a base of gravel, crushed rock or soil material stabilized by lime or cement; and a surface of flexible material (asphalt), rigid material (concrete) or gravel with a binder. The ratings are based on the soil properties that affect the ease of excavation and grading and the traffic-supporting capacity.

**Table 4:** Building Limitations

| Soil Type | Solar Arrays | Shallow Excavations | Lawns & Landscaping | Local Roads & Streets | Acres | % |
|---|---|---|---|---|---|---|
| 152A | **Very Limited**:<br>Ponding<br>Depth to saturated zone<br>Frost action<br>Low strength<br>Steel corrosion<br>Shrink-swell | **Very Limited**:<br>Ponding<br>Depth to saturated zone<br>Dusty<br>Unstable excavation walls<br>Too clayey | **Very Limited**:<br>Ponding<br>Depth to saturated zone<br>Dusty | **Very Limited:**<br>Ponding<br>Depth to saturated zone<br>Frost action<br>Low strength<br>Shrink-swell | 12.4 | 33.7% |
| 442A | **Very Limited:**<br>Frost action<br>Steel corrosion<br>Depth to saturated zone<br>Low strength<br>Hillslope position<br>Ponding | **Very Limited:**<br>Depth to saturated zone<br>Dusty<br>Unstable excavation walls<br>Ponding | **Somewhat Limited:**<br>Depth to saturated zone<br>Dusty<br>Low exchange capacity | **Very Limited:**<br>Frost action<br>Low strength<br>Depth to saturated zone<br>Shrink-swell<br>Ponding | 8.3 | 22.5% |
| 443A | **Very Limited**:<br>Frost action<br>Steel corrosion<br>Hillslope position<br>Low strength<br>Ponding<br>Depth to saturated zone<br>Shrink-swell | **Somewhat Limited**:<br>Depth to saturated zone<br>Dusty<br>Unstable excavation walls | **Somewhat Limited**:<br>Dusty | **Very Limited:**<br>Frost action<br>Low strength<br>Ponding<br>Depth to saturated zone<br>Shrink swell | 0.1 | 0.3% |
| 443B | **Very Limited:**<br>Frost action<br>Steel corrosion<br>Low strength<br>Hillslope position<br>Slope shape across<br>Ponding<br>Depth to saturated zone | **Somewhat Limited:**<br>Depth to saturated zone<br>Dusty<br>Unstable excavation walls | **Somewhat Limited:**<br>Dusty | **Very Limited:**<br>Frost action<br>Low strength<br>Shrink-swell<br>Ponding<br>Depth to saturated zone | 16.0 | 43.5% |
| **% Very Limited** | **100%** | **56.2%** | **33.7%** | **100%** | | |

**Figure 6A:** Map of Building Limitations - Solar Arrays and Local Roads / Streets

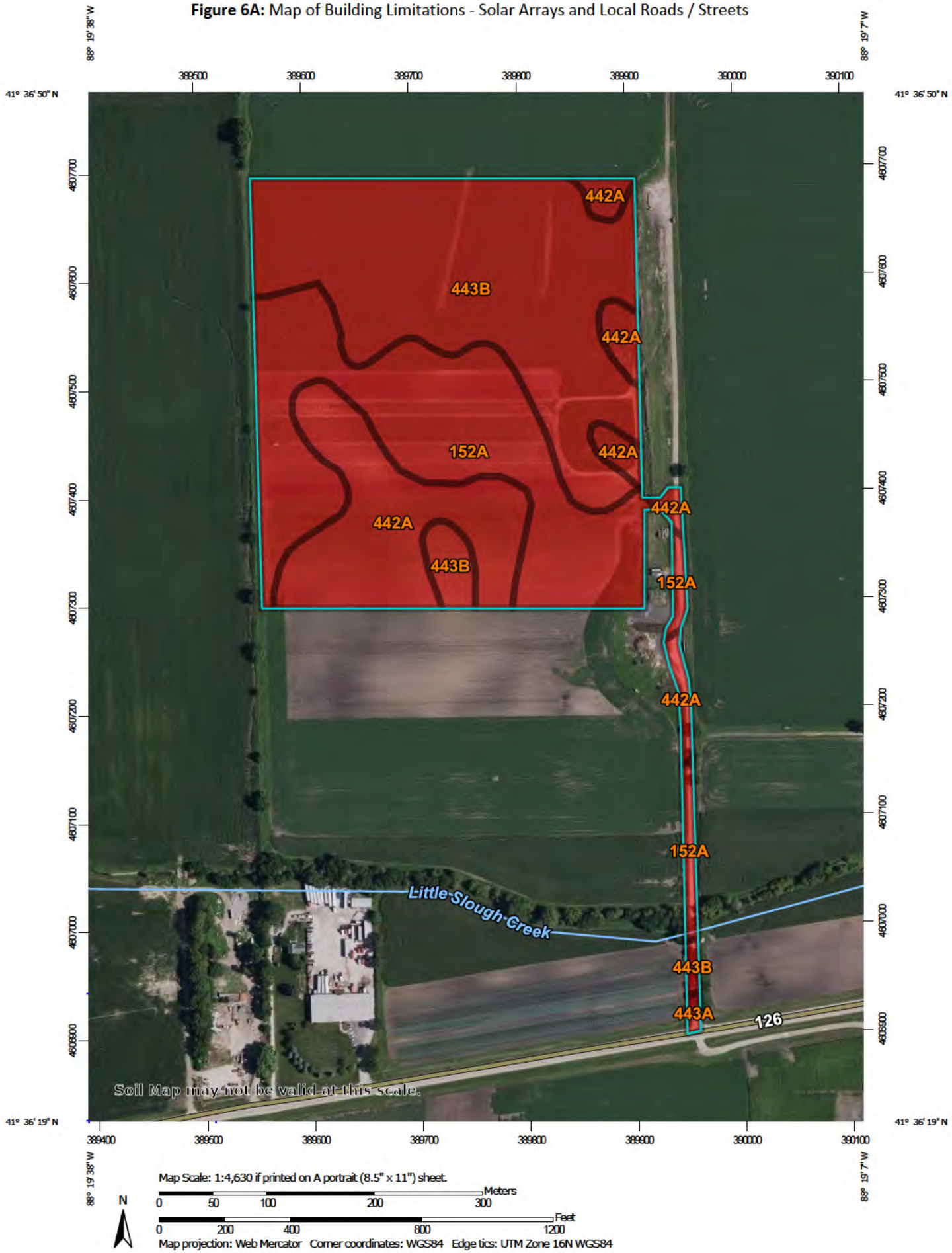


**Figure 6B:** Map of Building Limitations - Shallow Excavations

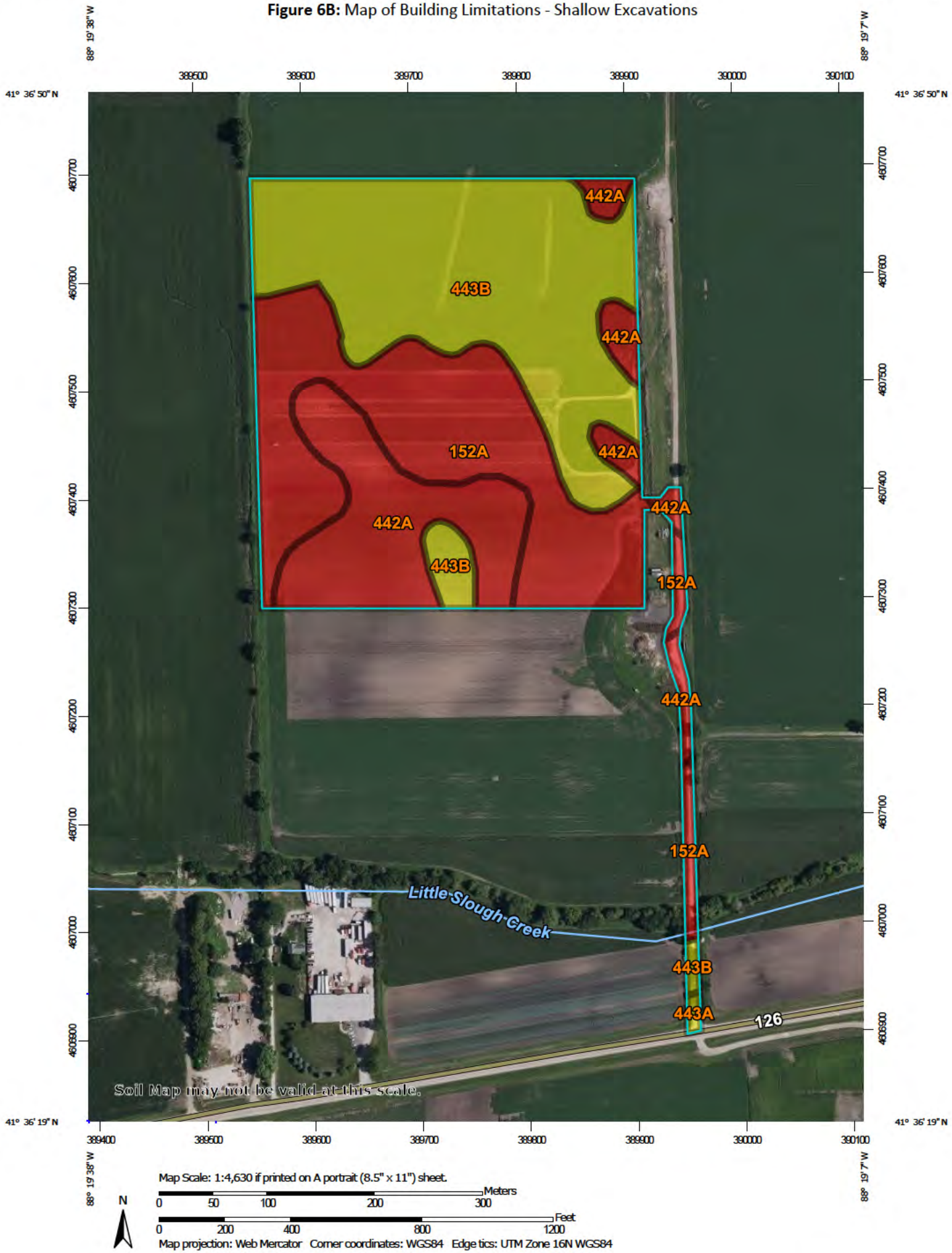
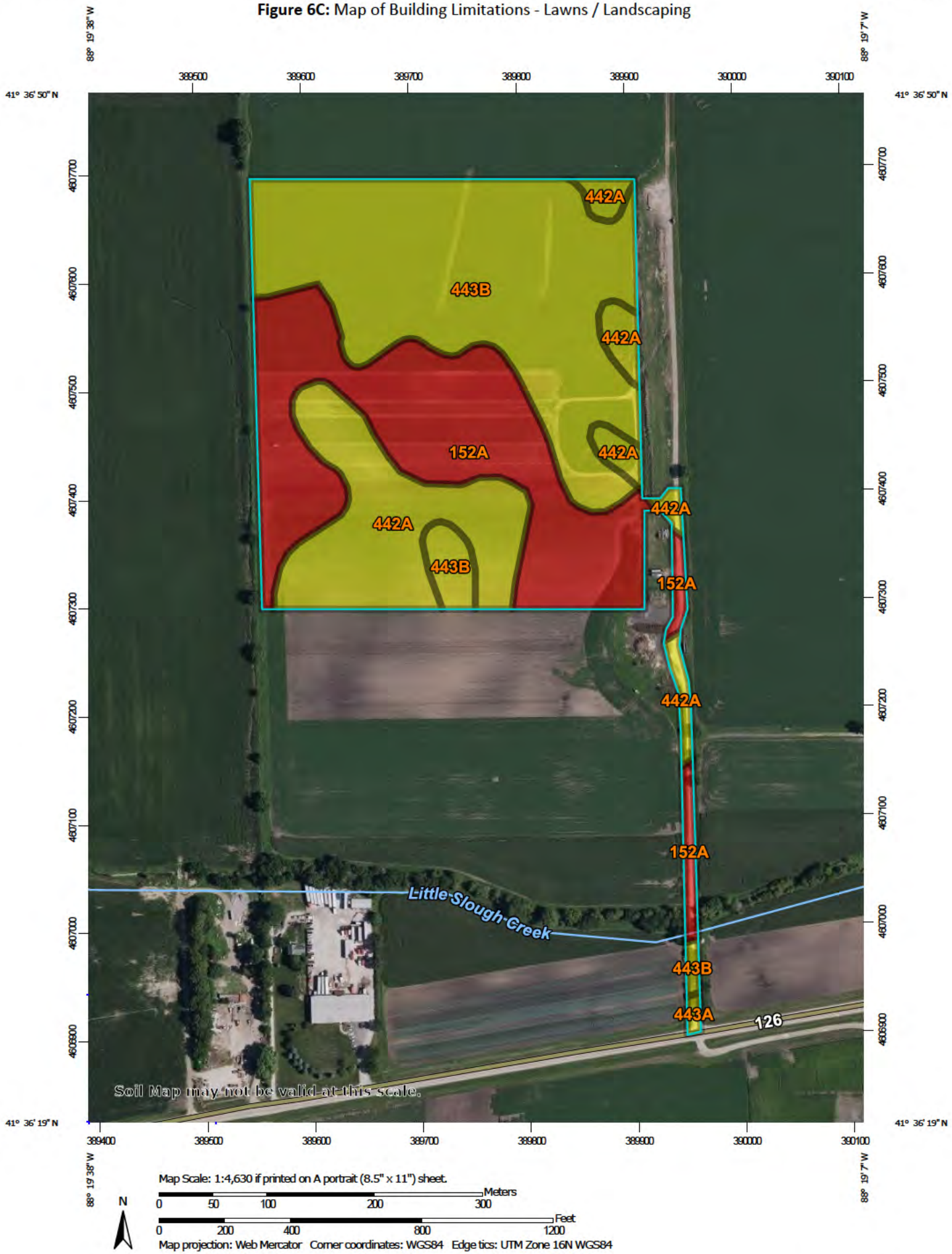


**Figure 6C:** Map of Building Limitations - Lawns / Landscaping



# SOIL WATER FEATURES

Table 5, below, gives estimates of various soil water features that should be taken into consideration when reviewing engineering for a land use project.

**HYDROLOGIC SOIL GROUPS (HSGs)** – The groups are based on estimates of runoff potential. Soils are assigned to one of four groups according to the rate of water infiltration when the soils are not protected by vegetation, are thoroughly wet, and receive precipitation from long-duration storms.

- **Group A:** Soils having a high infiltration rate (low runoff potential) when thoroughly wet. These consist mainly of deep, well drained to excessively drained sands or gravelly sands. These soils have a high rate of water transmission.
- **Group B:** Soils having a moderate infiltration rate when thoroughly wet. These consist chiefly of moderately deep or deep, moderately well drained, or well drained soils that have moderately fine texture to moderately coarse texture. These soils have a moderate rate of water transmission.
- **Group C:** Soils having a slow infiltration rate when thoroughly wet. These consist chiefly of soils having a layer that impedes the downward movement of water or soils of moderately fine texture or fine texture. These soils have a slow rate of water transmission.
- **Group D:** Soils having a very slow infiltration rate (high runoff potential) when thoroughly wet. These consist chiefly of clays that have a high shrink-swell potential, soils that have a high water table, soils that have a claypan or clay layer at or near the surface, and soils that are shallow over nearly impervious material. These soils have a very slow rate of water transmission.

**Note:** If a soil is assigned to a dual hydrologic group (A/D, B/D or C/D) the first letter is for drained areas and the second is for undrained areas.

**SURFACE RUNOFF** – Surface runoff refers to the loss of water from an area by flow over the land surface. Surface runoff classes are based upon slope, climate and vegetative cover and indicates relative runoff for very specific conditions (it is assumed that the surface of the soil is bare and that the retention of surface water resulting from irregularities in the ground surface is minimal). The classes are negligible, very low, low, medium, high, and very high.

**MONTHS** – The portion of the year in which a water table, ponding, and/or flooding is most likely to be a concern.

**WATER TABLE** – Water table refers to a saturated zone in the soil and the data indicates, by month, depth to the top (upper limit) and base (lower limit) of the saturated zone in most years. These estimates are based upon observations of the water table at selected sites and on evidence of a saturated zone (grayish colors or mottles (redoximorphic features)) in the soil. Note: A saturated zone that lasts for less than a month is not considered a water table.

**PONDING** – Ponding refers to standing water in a closed depression, and the data indicates surface water depth, duration, and frequency of ponding.

- **Duration:** Expressed as *very brief* if less than 2 days, *brief* if 2 to 7 days, *long* if 7 to 30 days and *very long* if more than 30 days.
- **Frequency:** Expressed as: *none* meaning ponding is not possible; *rare* means unlikely but possible under unusual weather conditions (chance of ponding is 0-5% in any year); *occasional* means that it occurs, on the average, once or less in 2 years (chance of ponding is 5 to 50% in any year); and *frequent* means that it occurs, on the average, more than once in 2 years (chance of ponding is more than 50% in any year).

**FLOODING** – The temporary inundation of an area caused by overflowing streams, by runoff from adjacent slopes, or by tides. Water standing for short periods after rainfall or snowmelt is not considered flooding, and water standing in swamps and marshes is considered ponding rather than flooding.

- **Duration:** Expressed as: *extremely brief* if 0.1 hour to 4 hours; *very brief* if 4 hours to 2 days; *brief* if 2 to 7 days; *long* if 7 to 30 days; and *very long* if more than 30 days.
- **Frequency:** Expressed as: *none* means flooding is not probable; *very rare* means that it is very unlikely but possible under extremely unusual weather conditions (chance of flooding is less than 1% in any year); *rare* means that it is unlikely but possible under unusual weather conditions (chance of flooding is 1 to 5% in any year); *occasional* means that it occurs infrequently under normal weather conditions (chance of flooding is 5 to 50% in any year but is less than 50% in all months in any year); and *very frequent* means that it is likely to occur very often under normal weather conditions (chance of flooding is more than 50% in all months of any year).

**Note:** The information is based on evidence in the soil profile. In addition, consideration is also given to local information about the extent and levels of flooding and the relation of each soil on the landscape to historic floods. Information on the extent of flooding based on soil data is less specific than that provided by detailed engineering surveys that delineate flood-prone areas at specific flood frequency levels.

**Table 5:** Water Features

| Soil Type | Hydrologic Group | Surface Runoff | Water Table | Ponding | Flooding |
|---|---|---|---|---|---|
| 152A | B/D | Negligible | January – May<br>**Upper Limit:** 0.0’-1.0’<br>**Lower Limit:** 6.0’ | January – May<br>**Surface Water Depth**: 0.0’-0.5’<br>**Duration**: Brief (2-7 days)<br>**Frequency**: Frequent | January – December<br>**Frequency**: None |
| 442A | B/D | Negligible | January – May<br>**Upper Limit:** 1.0’-2.0’<br>**Lower Limit:** 6.0’ | January – December<br>**Frequency**: None | January – December<br>**Frequency**: None |
| 443A | C | Low | February - April<br>**Upper Limit**: 2.0’-3.5’<br>**Lower Limit**: 6.0’ | January – December<br>**Frequency**: None | January – December<br>**Frequency**: None |
| 443B | C | Low | February - April<br>**Upper Limit**: 2.0’-3.5’<br>**Lower Limit**: 6.0’ | January – December<br>**Frequency**: None | January – December<br>**Frequency**: None |

# SOIL EROSION AND SEDIMENT CONTROL

Erosion is the wearing away of the soil by water, wind, and other forces. Soil erosion threatens the Nation's soil productivity and contributes the most pollutants in our waterways. Water causes about two thirds of erosion on agricultural land. Four properties, mainly, determine a soil's erodibility: texture, slope, structure, and organic matter content.

**Slope** has the most influence on soil erosion potential when the site is under construction. Erosivity and runoff increase as slope grade increases. The runoff then exerts more force on the particles, breaking their bonds more readily and carrying them farther before deposition. The longer water flows along a slope before reaching a major waterway, the greater the potential for erosion.

Soil erosion during and after this proposed construction can be a primary non-point source of water pollution. Eroded soil during the construction phase can create unsafe conditions on roadways, decrease the storage capacity of lakes, clog streams and drainage channels, cause deterioration of aquatic habitats, and increase water treatment costs. Soil erosion also increases the risk of flooding by choking culverts, ditches, and storm sewers and by reducing the capacity of natural and man-made detention facilities.

The general principles of erosion and sedimentation control measures include:

- Reducing/diverting flow from exposed areas, storing flows, or limiting runoff from exposed areas
- Staging construction to keep disturbed areas to a minimum
- Establishing or maintaining temporary or permanent groundcover
- Retaining sediment on site
- Properly installing, inspecting, and maintaining control measures

Erosion control practices are useful controls only if they are properly located, installed, inspected, and maintained. Soil erosion and sedimentation control plans, including maintenance responsibilities, should be clearly communicated to all contractors working on the site.

The SWCD recommends an erosion and sediment control plan for all building sites, especially if there is a wetland or stream nearby. Additionally, a National Pollutant Discharge Elimination System (NPDES) permit (Permit No. ILR10) from the Illinois Environmental Protection Agency (IEPA) is required for stormwater discharges from construction sites that will disturb 1 or more acres of land. Conditions of the NPDES ILR10 permit require the development and implementation of a Stormwater Pollution Prevention Plan (SWPPP) to reduce stormwater pollutants on the construction site before they can cause environmental issues.

**Table 6:** Soil Erosion Potential

| Soil Type | Slope | Rating | Acreage | Percent of Project Area |
|---|---|---|---|---|
| 152A | 0-2% | Slight | 12.4 | 33.7% |
| 442A | 0-2% | Slight | 8.3 | 22.5% |
| 443A | 0-2% | Slight | 0.1 | 0.3% |
| 443B | 2-4% | Slight | 16.0 | 43.5% |

# PRIME FARMLAND SOILS

Prime farmland soils are an important resource to Kendall County. Some of the most productive soils in the United States occur locally. Each soil map unit in the United States is assigned a prime or non-prime rating. Prime agricultural land does not need to be in the production of food & fiber.

Section 310 of the NRCS general manual states that urban or built-up land on prime farmland soils is not prime farmland. The percentages of soil map units on the parcel reflect the determination that urban or built-up land on prime farmland soils is not prime farmland.

**Table 7:** Prime Farmland Soils

| Soil Type | Prime Designation | Acreage | Percent |
|---|---|---|---|
| 152A | Prime Farmland if Drained | 12.4 | 33.7% |
| 442A | Prime Farmland | 8.3 | 22.5% |
| 443A | Prime Farmland | 0.1 | 0.3% |
| 443B | Prime Farmland | 16.0 | 43.5% |
| **% Prime Farmland** | **100%** | | |

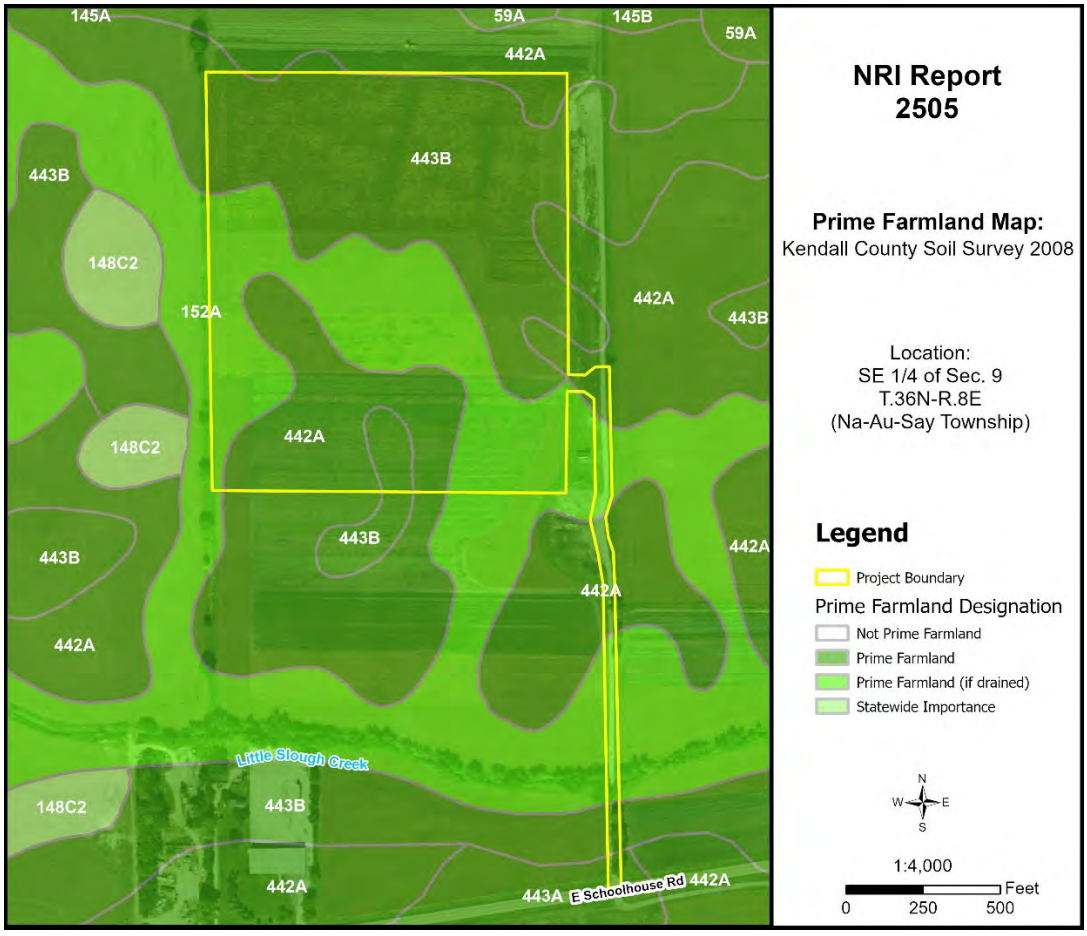



**Figure 7**: Prime Farmland Soils

# *LAND EVALUATION AND SITE ASSESSMENT (LESA)*

Decision-makers in Kendall County use the Land Evaluation and Site Assessment (LESA) system to determine the suitability of a land use change and/or a zoning request as it relates to agricultural land. The LESA system was developed by the United States Department of Agriculture-Natural Resources Conservation Service (USDA-NRCS) and takes into consideration local conditions such as physical characteristics of the land, compatibility of surrounding land-uses, and urban growth factors. The LESA system is a two-step procedure that includes:

**LAND EVALUATION (LE)**

The soils of a given area are rated and placed in groups ranging from the best to worst suited for a stated agriculture use, cropland, or forestland. The best group is assigned a value of 100, and all other groups are assigned lower values. The Land Evaluation is based on data from the Kendall County Soil Survey. The LE score is calculated by multiplying the relative value of each soil type by the number of acres of that soil. The sum of the products is then divided by the total number of acres; the answer is the Land Evaluation score on this site. The Kendall County Soil and Water Conservation District is responsible for this portion of the LESA system.

**SITE ASSESSMENT (SA)**

The site is numerically evaluated according to important factors that contribute to the quality of the site. Each factor selected is assigned values in accordance with the local needs and objectives. The value group is a predetermined value based upon prime farmland designation. The Kendall County LESA Committee is responsible for this portion of the LESA system.

**Please Note:** A land evaluation (LE) score will be compiled for every project parcel. However, when a parcel is located within municipal planning boundaries, a site assessment (SA) score is not compiled as the scoring factors are not applicable. As a result, only the LE score is available, and a full LESA score is unavailable for the parcel.

**Table 8A:** Land Evaluation Computation

| Soil Type | Value Group | Relative Value | Acres* | Product (Relative Value x Acres) |
|---|---|---|---|---|
| 152A | 1 | 100 | 12.4 | 1,240.0 |
| 442A | 2 | 94 | 8.3 | 780.2 |
| 443A | 2 | 94 | 0.1 | 9.4 |
| 443B | 3 | 87 | 16.0 | 1,392.0 |
| | | | **36.7** | **3,421.6** |
| **LE Calculation** | | | (Product of relative value / Total Acres)<br>3,421.6 / 36.7 = 93.2 | |
| **LE Score** | | | **LE = 93** | |

The Land Evaluation score for this site is 93, indicating that the soils on this site are designated as land that is well suited for agricultural uses considering the Land Evaluation score is at or above 80.

**Table 8B:** Site Assessment Computation

| **A.** | **Agricultural Land Uses** | **Points** |
|---|---|---|
| | 1. Percentage of area in agricultural uses within 1.5 miles of site. (20-10-5-0) | 20 |
| | 2. Current land use adjacent to site. (30-20-15-10-0) | 30 |
| | 3. Percentage of site in agricultural production in any of the last 5 years. (20-15-10-5-0) | 20 |
| | 4. Size of site. (30-15-10-0) | 10 |
| **B.** | **Compatibility / Impact on Uses** | |
| | 1. Distance from city or village limits. (20-10-0) | 10 |
| | 2. Consistency of proposed use with County Land Resource Management Concept Plan and/or municipal comprehensive land use plan. (20-10-0) | 20 |
| | 3. Compatibility of agricultural and non-agricultural uses. (15-7-0) | 0 |
| **C.** | **Existence of Infrastructure** | |
| | 1. Availability of public sewage system. (10-8-6-0) | 10 |
| | 2. Availability of public water system. (10-8-6-0) | 10 |
| | 3. Transportation systems. (15-7-0) | 7 |
| | 4. Distance from fire protection service. (10-8-6-2-0) | 10 |
| | **Site Assessment Score:** | **147** |

**Land Evaluation Value:** 93 + **Site Assessment Value:** 147 = **LESA Score: 240**

**Table 9:** LESA Score Summary

| LESA SCORE | LEVEL OF PROTECTION |
|---|---|
| 0-200 | Low |
| 201-225 | Medium |
| 226-250 | High |
| 251-300 | Very High |

**The LESA Score for this site is 240 which indicates a high level of protection for the proposed project site.** Selecting the project site with the lowest total points will generally protect the best farmland located in the most viable areas and maintain and promote the agricultural industry in Kendall County.

# LAND USE PLANS

Many counties, municipalities, villages, and townships have developed land-use plans. These plans are intended to reflect the existing and future land-use needs of a given community. Please contact Kendall County for information regarding their comprehensive land use plan and map.

# DRAINAGE, RUNOFF, AND FLOOD INFORMATION

U.S.G.S Topographic maps give information on elevations, which are important mostly to determine slopes, drainage directions, and watershed information.

Elevations determine the area of impact of floods of record. Slope information determines steepness and erosion potential. Drainage directions determine where water leaves the PIQ, possibly impacting surrounding natural resources.

Watershed information is given for changing land use to a subdivision type of development on parcels greater than 10 acres.

**WHAT IS A WATERSHED?**
Simply stated, a watershed is the area of land that contributes water to a certain point. The watershed boundary is important because the area of land in the watershed can now be calculated using an irregular shape area calculator such as a dot counter or planimeter.

Using regional storm event information, and site-specific soils and land use information, the peak stormwater flow through the point marked "○" for a specified storm event can be calculated. This value is called a "Q" value (for the given storm event) and is measured in cubic feet per second (CFS).

When construction occurs, the Q value naturally increases because of the increase in impermeable surfaces. This process decreases the ability of soils to accept and temporarily hold water. Therefore, more water runs off and increases the Q value.

Theoretically, if each development, no matter how large or small, maintains their preconstruction Q value after construction by the installation of stormwater management systems, the streams and wetlands and lakes will not suffer damage from excessive urban stormwater.

For this reason, the Kendall County SWCD recommends that the developer for intense uses, such as a subdivision, calculate the preconstruction Q value for the exit point(s). A stormwater management system

should be designed, installed, and maintained to limit the postconstruction Q value to be at or below the preconstruction value.

**IMPORTANCE OF FLOOD INFORMATION**

A floodplain is defined as land adjoining a watercourse (riverine) or an inland depression (non-riverine) that is subject to periodic inundation by high water. Floodplains are important areas demanding protection since they have water storage and conveyance functions which affect upstream and downstream flows, water quality and quantity, and suitability of the land for human activity. Since floodplains play distinct and vital roles in the hydrologic cycle, development that interferes with their hydrologic and biologic functions should be carefully considered.

Flooding is both dangerous to people and destructive to their properties. The following maps, when combined with wetland and topographic information, can help developers and future homeowners to "sidestep" potential flooding or ponding problems.

Flood Insurance Rate Maps (FIRMs), produced by the Federal Emergency Management Agency (FEMA), define flood elevation adjacent to tributaries and major bodies of water and superimpose that onto a simplified USGS topographic map. The scale of the FIRM maps is generally dependent on the size and density of parcels in that area. This is to correctly determine the parcel location and floodplain location. The FIRM map has three (3) zones. Zone A includes the 100-year flood (1% annual chance flood), Zone B or Zone X (shaded) is the 100 to 500-year flood (between limits of the 1% and the 0.2% annual chance flood), and Zone C or Zone X (unshaded) is outside the floodplain (outside the 0.2% annual chance flood).

The Hydrologic Atlas (H.A.) Series of the Flood of Record Map is also used for the topographic information. This map is different from the FIRM map mainly because it will show isolated or pocketed flooded areas. Kendall County uses both these maps in conjunction with each other for flooded area determinations. The Flood of Record maps show the areas of flood for various years. Both maps stress that the recurrence of flooding is merely statistical. A 100-year flood may occur twice in one year, or twice in one week, for that matter.

It should be noted that greater floods than those shown on the two maps are possible. The flood boundaries indicated provide a historic record only until the map publication date. Additionally, these flood boundaries are a function of the watershed conditions existing when the maps were produced. Cumulative changes in runoff characteristics caused by urbanization can result in an increase in flood height of future flood episodes.

Floodplains play a vital role in reducing the flood damage potential associated with an urbanizing area and, when left in an undisturbed state, also provide valuable wildlife habitat benefits. If it is the petitioner's intent to conduct floodplain filling or modification activities, the petitioner, and the Unit of Government responsible need to consider the potentially adverse effects this type of action could have on adjacent properties. The change or loss of natural floodplain storage often increases the frequency and severity of flooding on adjacent property.

If the available maps indicate the presence of a floodplain on the PIQ, the petitioner should contact the IDNR-OWR and FEMA to delineate a floodplain elevation for the parcel. If a portion of the property is indeed floodplain, applicable state, county, and local regulations will need to be reflected in the site plans.

Another indication of flooding potential can be found in the soils information. Hydric soils indicate the presence of drainage ways, areas subject to ponding, or a naturally occurring high water table. These need to be considered along with the floodplain information when developing the site plan and the stormwater management plan. Development on hydric soils can contribute to the loss of water storage within the soil and the potential for increased flooding in the area.

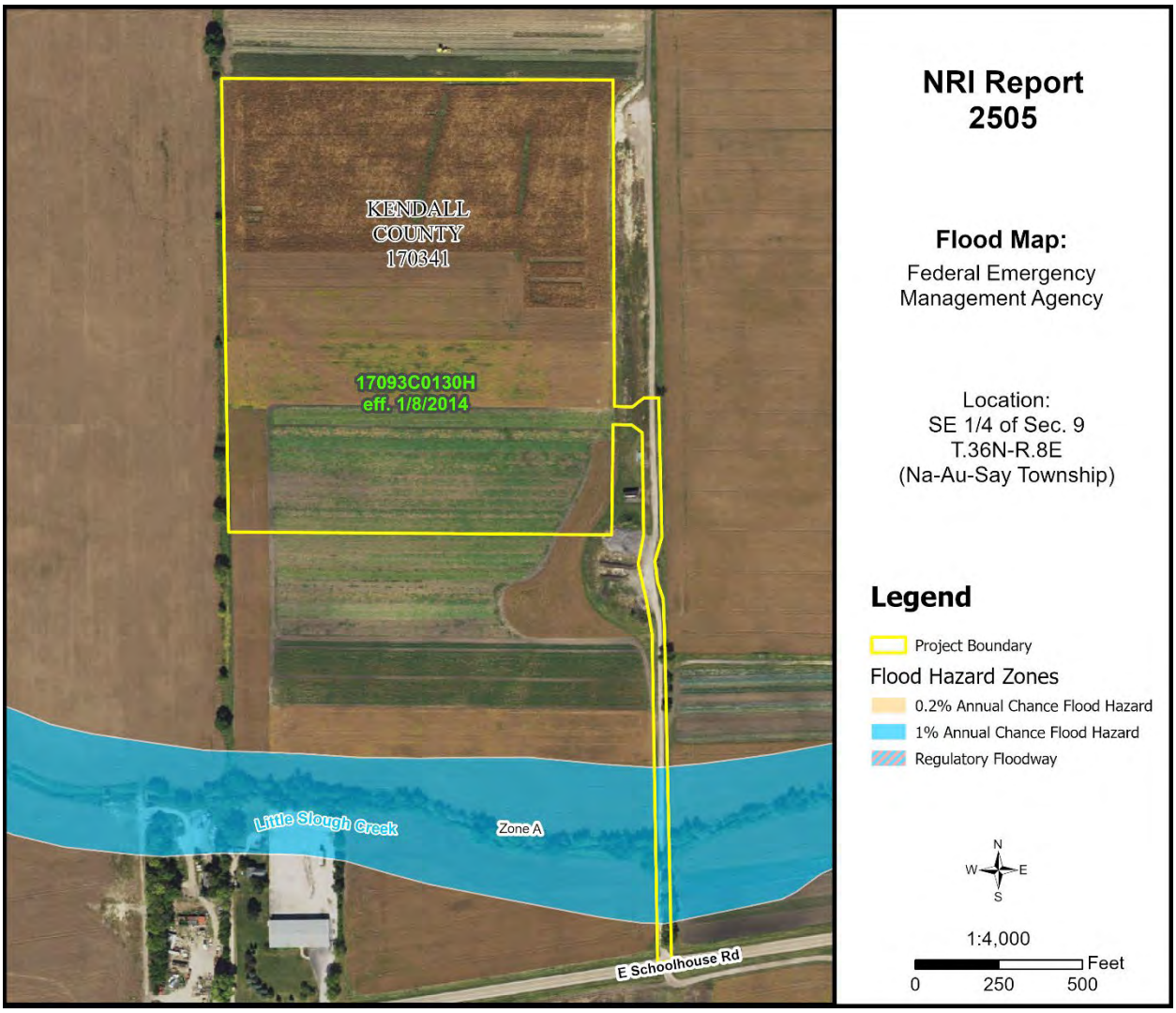



**Figure 8:** Flood Map

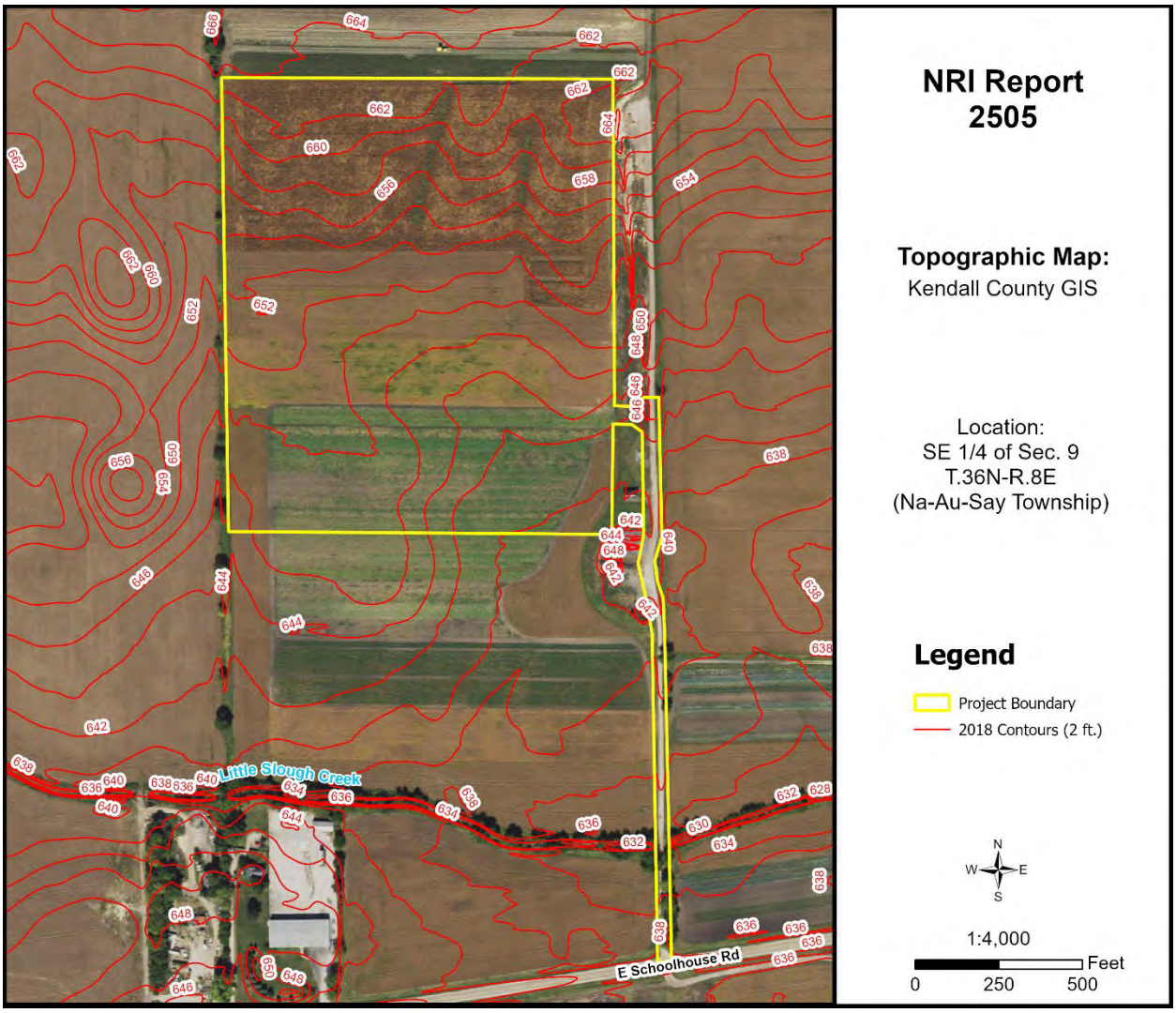



**Figure 9:** Topographic Map

**This parcel contains slopes of 0% to 4% with an elevation range of approximately 638'-662' above sea level. The highest point is near the northern portion of the site, and the lowest point is near the southeastern portion. According to the FEMA Flood Map (Figure 8), the parcel appears to contain an area of regulated floodplain. Along Little Slough Creek is mapped Zone A floodplain, an area with a 1% annual chance flood hazard. The rest of the parcel is mapped as Zone X (unshaded), an area of minimal flood hazard determined to be outside of the 0.2% annual chance floodplain.**

# WATERSHED PLANS

## WATERSHED AND SUB WATERSHED INFORMATION

A watershed is the area of land that drains into a specific point including a stream, lake, or other body of water. High points on the Earth's surface, such as hills and ridges define watersheds. When rain falls in the watershed, it flows across the ground towards a stream or lake. Rainwater carries pollutants such as oils, pesticides, and soil.

Everyone lives in a watershed. Their actions can impact natural resources and people living downstream. Residents can minimize this impact by being aware of their environment and the implications of their activities, implementing practices recommended in watershed plans, and educating others about their watershed.

The following are recommendations to developers for protection of this watershed: Preserve open space; maintain wetlands as part of development; use natural water management; prevent soil from leaving a construction site; protect subsurface drainage; use native vegetation; retain natural features; mix housing styles and types; decrease impervious surfaces; reduce area disturbed by mass grading; shrink lot size and create more open space; maintain historical and cultural resources; treat water where it falls; preserve views; and establish and link trails.

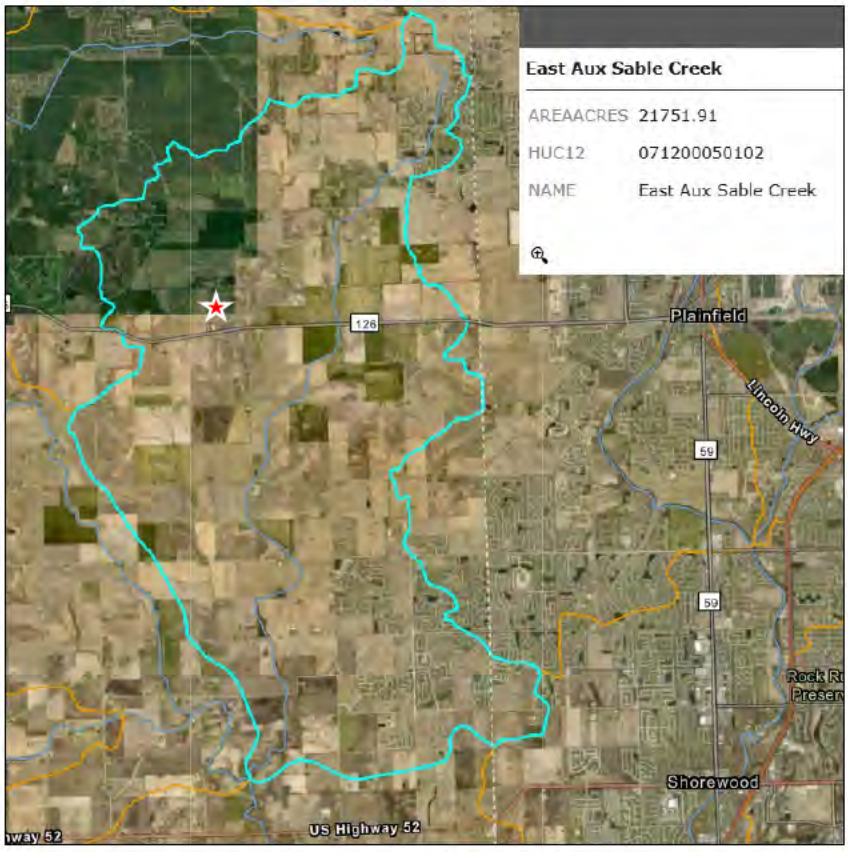



**Figure 10**: Sub Watershed Map

**This parcel is located within the Upper Illinois River watershed and the East Aux Sable Creek sub watershed (HUC 12 – 071200050102). The sub watershed comprises approximately 21,752 acres covering parts of Plainfield, Joliet, Oswego, and Yorkville.**

# WETLAND INFORMATION

**IMPORTANCE OF WETLAND INFORMATION**

Wetlands function in many ways to provide numerous benefits to society. They control flooding by offering a slow release of excess water downstream or through the soil. They cleanse water by filtering out sediment and some pollutants and can function as rechargers of our valuable groundwater. They also are essential breeding, rearing, and feeding grounds for many species of wildlife.

These benefits are particularly valuable in urbanizing areas as development activity typically adversely affects water quality, increases the volume of stormwater runoff, and increases the demand for groundwater. In an area where many individual homes rely on shallow groundwater wells for domestic water supplies, activities that threaten potential groundwater recharge areas are contrary to the public good. The conversion of wetlands, with their sediment trapping and nutrient absorbing vegetation, to biologically barren stormwater detention ponds can cause additional degradation of water quality in downstream or adjacent areas.

It has been estimated that over 95% of the wetlands that were historically present in Illinois have been destroyed while only recently has the true environmental significance of wetlands been fully recognized. America is losing 100,000 acres of wetland a year and has saved 5 million acres total (since 1934). One acre of wetland can filter 7.3 million gallons of water a year. These are reasons why our wetlands are high quality and important.

This section contains the National Wetlands Inventory, which is the most comprehensive inventory to date. The National Wetlands Inventory is reproduced from an aerial photo at a scale of 1” equals 660 feet. The NRCS developed these maps in cooperation with U.S. EPA (Environmental Protection Agency,) and the U.S. Fish and Wildlife Service, using the National Food Security Act Manual, 3rd Edition. The main purpose of these maps is to determine wetland areas on agricultural fields and areas that may be wetlands but are in a non-agriculture setting.

The National Wetlands Inventory in no way gives an exact delineation of the wetlands, but merely an outline, or the determination that there is a wetland within the outline. For the final, most accurate wetland **determination** of a specific wetland, a wetland ***delineation*** must be certified by NRCS staff using the National Food Security Act Manual (on agricultural land.) On urban land, a certified wetland delineator must perform the delineation using the ACOE 1987 Manual. *See the glossary section for the definitions of “delineation” and “determination.”*

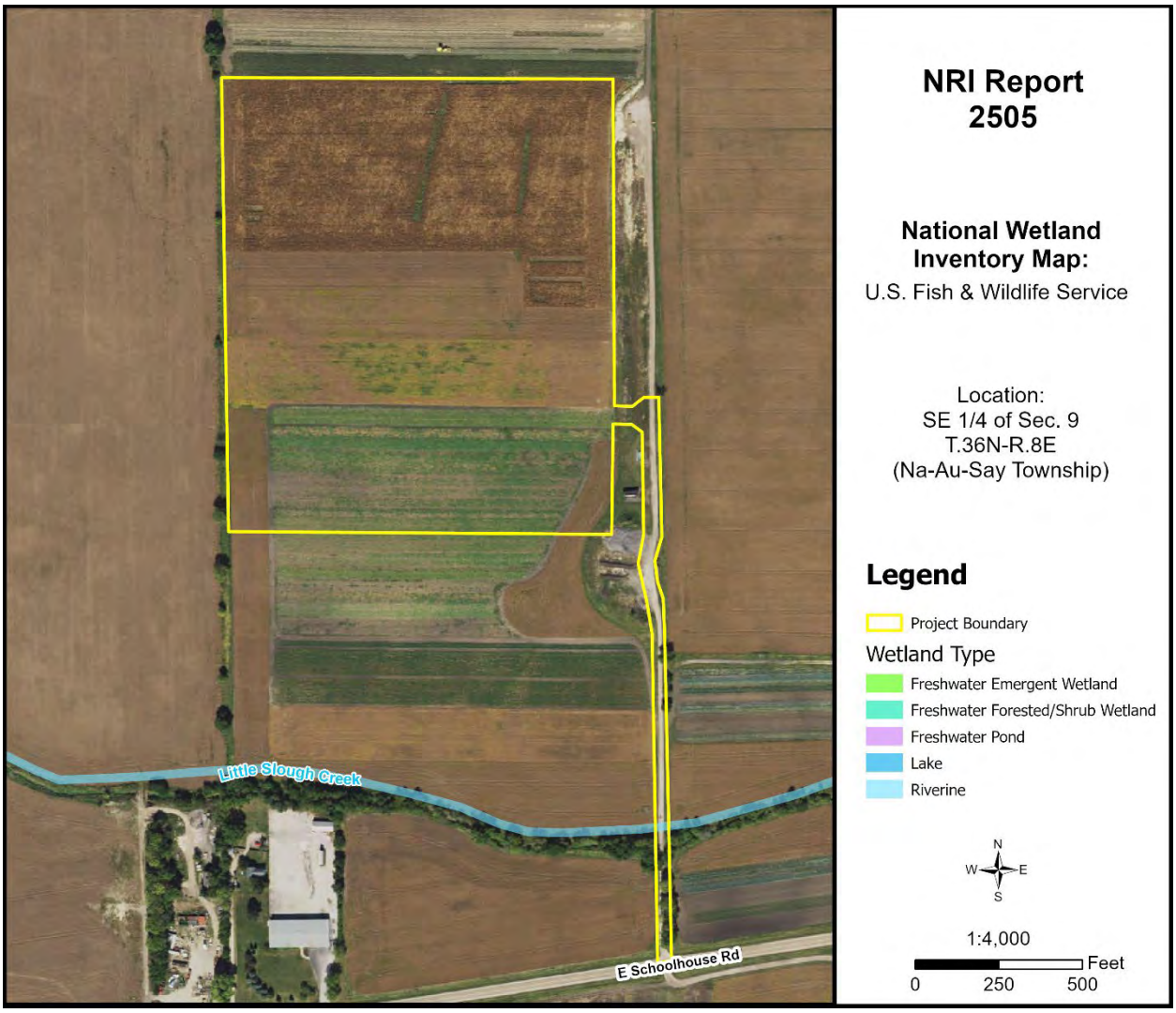



**Figure 11:** Wetland Map

**Office maps indicate that mapped wetlands/waters are present on the parcel in question (PIQ). Little Slough Creek, a riverine waterway is mapped within the PIQ. To determine the presence of wetlands, a wetland delineation specialist, who is recognized by the U.S. Army Corps of Engineers, should determine the exact boundaries and value of the wetlands.**

# HYDRIC SOILS

Soils information gives another indication of flooding potential. The soils map on the following page indicates the soil(s) on the parcel that the Natural Resources Conservation Service indicates as hydric. Hydric soils, by definition, have seasonal high water at or near the soil surface and/or have potential flooding or ponding problems. All hydric soils range from poorly suited to unsuitable for building. One group of the hydric soils are the organic soils, which formed from dead organic material. Organic soils are unsuitable for building because of not only the high water table but also their subsidence problems.

It is important to add the possibility of hydric inclusions in a soil type. An inclusion is a soil polygon that is too small to appear on these maps. While relatively insignificant for agricultural use, hydric soil inclusions become more important to more intense uses such as a residential subdivision.

While considering hydric soils and hydric inclusions, it is noteworthy to mention that subsurface agriculture drainage tile occurs in almost all poorly drained and somewhat poorly drained soils. Drainage tile expedites drainage and facilitates farming. It is imperative that these drainage tiles remain undisturbed. A damaged subsurface drainage tile may return original hydrologic conditions to all the areas that drained through the tile (ranging from less than one acre to many square miles.)

For an intense land use, the Kendall County SWCD recommends the following: a topographical survey with 1 foot contour intervals to accurately define the flood area on the parcel, an intensive soil survey to define most accurately the locations of the hydric soils and inclusions, and a drainage tile survey on the area to locate the tiles that must be preserved to maintain subsurface drainage.

**Table 10:** Hydric Soils

| Soil Types | Drainage Class | Hydric Designation | Hydric Inclusions Likely | Hydric Rating % | Acreage | Percent |
|---|---|---|---|---|---|---|
| 152A | Poorly Drained | Hydric | N/A | 100% | 12.4 | 33.7% |
| 442A | Somewhat Poorly Drained | Non-Hydric | Yes | 6% | 8.3 | 22.5% |
| 443A | Moderately Well Drained | Non-Hydric | Yes | 6% | 0.1 | 0.3% |
| 443B | Moderately Well Drained | Non-Hydric | Yes | 6% | 16.0 | 43.5% |

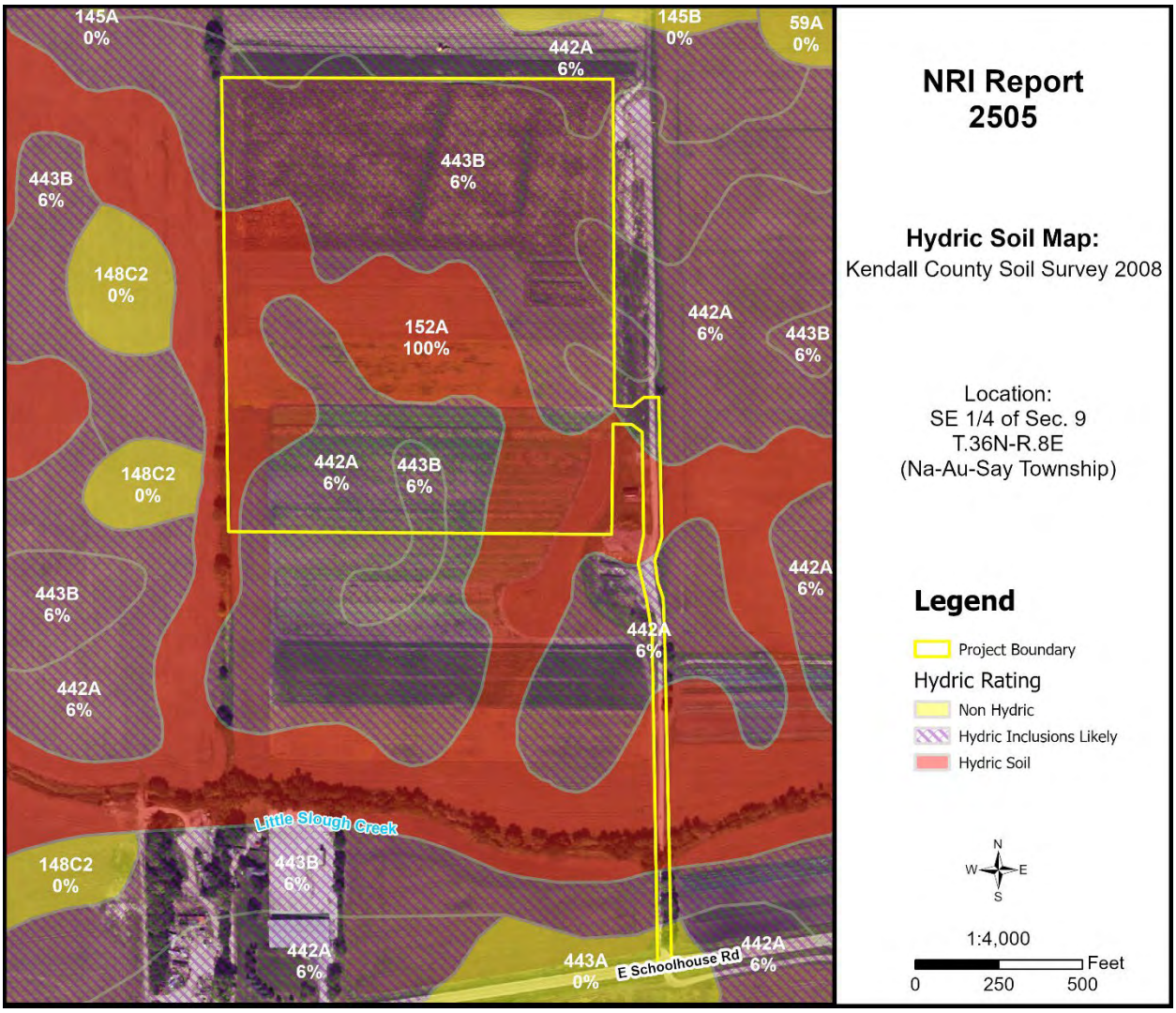



**Figure 12:** Hydric Soil Map

# *WETLAND AND FLOODPLAIN REGULATIONS*

PLEASE READ THE FOLLOWING IF YOU ARE PLANNING TO DO ANY WORK NEAR A STREAM (THIS INCLUDES SMALL UNNAMED STREAMS), LAKE, WETLAND OR FLOODWAY.

The laws of the United States and the State of Illinois assign certain agencies specific and different regulatory roles to protect the waters within the State's boundaries. These roles, when considered together, include protection of navigation channels and harbors, protection against floodway encroachments, maintenance and enhancement of water quality, protection of fish and wildlife habitat and recreational resources, and, in general, the protection of total public interest. Unregulated use of the waters within the State of Illinois could permanently destroy or alter the character of these valuable resources and adversely impact the public. Therefore, please contact the proper regulatory authorities when planning any work associated with Illinois waters so that proper consideration and approval can be obtained.

**WHO MUST APPLY?**

Anyone proposing to dredge, fill, rip rap, or otherwise alter the banks or beds of, or construct, operate, or maintain any dock, pier, wharf, sluice, dam, piling, wall, fence, utility, floodplain or floodway subject to State or Federal regulatory jurisdiction should apply for agency approvals.

**REGULATORY AGENCIES**

- **Wetland or U.S. Waters**: U.S. Army Corps of Engineers, Chicago District, 231 South LaSalle Street, Suite 1500, Chicago, IL 60604. Phone: (312) 846-5530
- **Floodplains**: Illinois Department of Natural Resources - Office of Water Resources, One Natural Resources Way, Springfield, IL 62702-1270. Phone: (217) 782-6302
- **Water Quality/Erosion Control**: Illinois Environmental Protection Agency, 1021 North Grand Avenue East, P.O. Box 19276, Springfield, IL 62794-9276. Phone: (217) 782-3397

**COORDINATION**

We recommend early coordination with the regulatory agencies BEFORE finalizing work plans. This allows the agencies to recommend measures to mitigate or compensate for adverse impacts. Also, the agency can make possible environmental enhancement provisions early in the project planning stages. This could reduce time required to process necessary approvals.

**CAUTION: Contact with the United States Army Corps of Engineers is strongly advised before commencement of any work in or near a Waters of the United States. This could save considerable time and expense. Persons responsible for willful and direct violation of Section 10 of the River and Harbors Appropriation Act of 1899 or Section 404 of the Clean Water Act are subject to fines ranging up to $16,000 per day of violation, with a maximum cap of $187,500 in any single enforcement action, as well as criminal enforcement.**

# *GLOSSARY*

**AGRICULTURAL PROTECTION AREAS (AG AREAS)** - Allowed by P.A. 81-1173. An AG AREA consists of a minimum of 350 acres of farmland, as contiguous and compact as possible. Petitioned by landowners, AG AREAS protect for a period of ten years initially, then reviewed every eight years thereafter. AG AREA establishment exempts landowners from local nuisance ordinances directed at farming operations, and designated land cannot receive special tax assessments on public improvements that do not benefit the land, e.g. water and sewer lines.

**AGRICULTURE** - The growing, harvesting and storing of crops including legumes, hay, grain, fruit and truck or vegetable including dairying, poultry, swine, sheep, beef cattle, pony and horse production, fur farms, and fish and wildlife farms; farm buildings used for growing, harvesting and preparing crop products for market, or for use on the farm; roadside stands, farm buildings for storing and protecting farm machinery and equipment from the elements, for housing livestock or poultry and for preparing livestock or poultry products for market; farm dwellings occupied by farm owners, operators, tenants or seasonal or year around hired farm workers.

**BEDROCK** - Indicates depth at which bedrock occurs. Also lists hardness as rippable or hard.

**FLOODING** - Indicates frequency, duration, and period during year when floods are likely to occur.

**HIGH WATER TABLE** - A seasonal high water table is a zone of saturation at the highest average depth during the wettest part of the year. May be apparent, perched, or artesian kinds of water tables.

- **Water table, Apparent**: A thick zone of free water in the soil. An apparent water table is indicated by the level at which water stands in an uncased borehole after adequate time is allowed for adjustment in the surrounding soil.
- **Water table, Artesian**: A water table under hydrostatic head, generally beneath an impermeable layer. When this layer is penetrated, the water level rises in an uncased borehole.
- **Water table, Perched**: A water table standing above an unsaturated zone. In places an upper, or perched, water table is separated from a lower one by a dry zone.

**DELINEATION** - For Wetlands: A series of pink or orange flags placed on the ground by a certified professional that outlines the wetland boundary on a parcel.

**DETERMINATION** - A polygon drawn on a map using map information that gives an outline of a wetland.

**HYDRIC SOIL** - This type of soil is saturated, flooded, or ponded long enough during the growing season to develop anaerobic conditions in the upper part (USDA Natural Resources Conservation Service 1987).

**INTENSIVE SOIL MAPPING** - Mapping done on a smaller more intensive scale than a modern soil survey to determine soil properties of a specific site, e.g. mapping for septic suitability.

**LAND EVALUATION AND SITE ASSESSMENT (L.E.S.A.)** - LESA is a systematic approach for evaluating a parcel of land and to determine a numerical value for the parcel for farmland preservation purposes.

**MODERN SOIL SURVEY** - A soil survey is a field investigation of the soils of a specific area, supported by information from other sources. The kinds of soil in the survey area are identified and their extent shown on a map, and an accompanying report describes, defines, classifies, and interprets the soils. Interpretations predict the behavior of the soils under different used and the soils' response to management. Predictions are made for areas of soil at specific places. Soils information collected in a soil survey is useful in developing land-use plans and alternatives involving soil management systems and in evaluating and predicting the effects of land use.

**PERMEABILITY** - Values listed estimate the range (in rate and time) it takes for downward movement of water in the major soil layers when saturated but allowed to drain freely. The estimates are based on soil texture, soil structure, available data on permeability and infiltration tests, and observation of water movement through soils or other geologic materials.

**PIQ** - Parcel in question

**POTENTIAL FROST ACTION** - Damage that may occur to structures and roads due to ice lens formation causing upward and lateral soil movement. Based primarily on soil texture and wetness.

**PRIME FARMLAND** - Prime farmland soils are lands that are best suited to food, feed, forage, fiber and oilseed crops. It may be cropland, pasture, woodland, or other land, but it is not urban and built up land or water areas. It either is used for food or fiber or is available for those uses. The soil qualities, growing season, and moisture supply are those needed for a well-managed soil economically to produce a sustained high yield of crops. Prime farmland produces in highest yields with minimum inputs of energy and economic resources and farming the land results in the least damage to the environment. Prime farmland has an adequate and dependable supply of moisture from precipitation or irrigation. The temperature and growing season are favorable. The level of acidity or alkalinity is acceptable. Prime farmland has few or no rocks and is permeable to water and air. It is not excessively erodible or saturated with water for long periods and is not frequently flooded during the growing season. The slope ranges mainly from 0 to 5 percent (USDA Natural Resources Conservation Service).

**SEASONAL** - When used in reference to wetlands indicates that the area is flooded only during a portion of the year.

**SHRINK-SWELL POTENTIAL** - Indicates volume changes to be expected for the specific soil material with changes in moisture content.

**SOIL MAPPING UNIT** - A map unit is a collection of soil areas of miscellaneous areas delineated in mapping. A map unit is generally an aggregate of the delineations of many different bodies of a kind of soil or miscellaneous area but may consist of only one delineated body. Taxonomic class names and accompanying phase terms are used to name soil map units. They are described in terms of ranges of soil properties within the limits defined for taxa and in terms of ranges of taxadjuncts and inclusions.

**SOIL SERIES** - A group of soils, formed from a particular type of parent material, having horizons that, except for texture of the A or surface horizon, are similar in all profile characteristics and in arrangement in the soil profile. Among these characteristics are color, texture, structure, reaction, consistence, and mineralogical and chemical composition.

**SUBSIDENCE** - Applies mainly to organic soils after drainage. Soil material subsides due to shrinkage and oxidation.

**TOPSOIL** - That portion of the soil profile where higher concentrations of organic material, fertility, bacterial activity and plant growth take place. Depths of topsoil vary between soil types.

**WATERSHED** - An area of land that drains to an associated water resource such as a wetland, river or lake. Depending on the size and topography, watersheds can contain numerous tributaries, such as streams and ditches, and ponding areas such as detention structures, natural ponds and wetlands.

**WETLAND** - An area that has a predominance of hydric soils and that is inundated or saturated by surface or groundwater at a frequency and duration sufficient enough to support, and under normal circumstances does support, a prevalence of hydrophytic vegetation typically adapted for life in saturated soil conditions.

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# PLAT OF SURVEY




SURVEY LOCATION/VICINITY MAP
(NOT TO SCALE)

## FIDELITY NATIONAL TITLE INSURANCE COMPANY

TITLE EXCEPTIONS NOTED BELOW ARE BASED UPON THE FIDELITY NATIONAL TITLE INSURANCE COMPANY ORDER NUMBER 5000008565 WITH AN ISSUE DATE OF SEPTEMBER 17, 2024. THIS SURVEY MAY NOT REFLECT MATTERS OF TITLE THAT MAY BENEFIT OR BURDEN THE PROPERTY UNLESS THEY ARE EVIDENT FROM THE FIELD SURVEY OR THEY ARE CONTAINED IN THE ABOVE TITLE COMMITMENT. TITLE EXCEPTIONS RAISED IN PRIOR TITLE COMMITMENTS, IF ANY, MAY NOT BE SHOWN, EXCEPT THAT ALL PLOTTABLE EASEMENTS THAT THE SURVEYOR IS AWARE OF HAVE BEEN SHOWN.

### SCHEDULE B - PART I:

ITEMS 1-11 DO NOT INCLUDE ANY PLOTTABLE EASEMENTS OR RESTRICTIONS.

### SCHEDULE B - PART II:

1. 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.

   SURVEYORS NOTE: NOT PLOTTABLE – NOT SHOWN ON SURVEY: NO PLOTTABLE EASEMENTS OR RESTRICTIONS.

2. RIGHTS OR CLAIMS OF PARTIES IN POSSESSION NOT SHOWN BY THE PUBLIC RECORDS.

   SURVEYORS NOTE: NOT PLOTTABLE – NOT SHOWN ON SURVEY: NO PLOTTABLE EASEMENTS OR RESTRICTIONS.

3. 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.

   SURVEYORS NOTE: NOT PLOTTABLE – NOT SHOWN ON SURVEY: NO PLOTTABLE EASEMENTS OR RESTRICTIONS.

4. EASEMENTS, OR CLAIMS OF EASEMENTS, NOT SHOWN BY THE PUBLIC RECORDS.

   SURVEYORS NOTE: NOT PLOTTABLE – NOT SHOWN ON SURVEY: NO PLOTTABLE EASEMENTS OR RESTRICTIONS.

5. 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.

   SURVEYORS NOTE: NOT PLOTTABLE – NOT SHOWN ON SURVEY: NO PLOTTABLE EASEMENTS OR RESTRICTIONS.

6. TAXES OR SPECIAL ASSESSMENTS WHICH ARE NOT SHOWN AS EXISTING LIENS BY THE PUBLIC RECORDS.

   NOTE: UPON RECEIPT OF SATISFACTORY OWNER/SELLER AFFIDAVIT SCHEDULE B – SECTION II ITEMS 2, 4, 5 AND 6 WILL BE DELETED FROM FINAL POLICY, AND ITEM 3 WILL BE DELETED UPON RECEIPT OF SATISFACTORY ALTA/NSPS SURVEY. ITEM 1 WILL BE DELETED FROM FINAL POLICY UPON RECEIPT OF ALL REQUIREMENTS AND A SATISFACTORY TITLE UPDATE.

   SURVEYORS NOTE: NOT PLOTTABLE – NOT SHOWN ON SURVEY: NO PLOTTABLE EASEMENTS OR RESTRICTIONS.

SPECIAL EXCEPTIONS:

7. TAXES FOR THE YEAR 2024 AND SUBSEQUENT YEARS. A LIEN NOT YET DUE AND PAYABLE.

   SURVEYORS NOTE: NOT PLOTTABLE – NOT SHOWN ON SURVEY: NO PLOTTABLE EASEMENTS OR RESTRICTIONS.

8. POSSIBLE ROLLBACK TAXES.

   SURVEYORS NOTE: NOT PLOTTABLE – NOT SHOWN ON SURVEY: NO PLOTTABLE EASEMENTS OR RESTRICTIONS.

SURVEYOR NOTES: THE FOLLOWING DOCUMENTS, AS NOTED IN EXHIBIT A OF THE TITLE COMMITMENT, PERTAIN TO OWNERSHIP INTEREST IN THE LAND DESCRIBED IN THE LEGAL DESCRIPTION (THE PARENT PARCEL) HAVE NO PLOTTABLE EASEMENTS. RESTRICTIONS REFER TO OWNERSHIP.

9211678 (RECORDED 10/31/1992),
9503139 (RECORDED 3/3/1995),
200900021237 (RECORDED 9/25/2009),
200900025408 (RE-RECORDED 11/4/2009),
200900021238 (RECORDED 9/25/2009),
200900025410 (RE-RECORDED 11/24/2009),
200900021239 (RECORDED 9/25/2009),
200900025411 (RE-RECORDED 11/24/2009),
201000019150 (RECORDED 10/18/2010),
202200019791 (RECORDED 12/9/2022).

## LEGAL DESCRIPTION (COMMITMENT NO. 5000008583)

PROPERTY LOCATED IN THE TOWNSHIP OF NA-AU-SAY, KENDALL COUNTY, ILLINOIS

THE WEST ½ OF THE SOUTH EAST ¼ OF SECTION 9 TOWNSHIP 36 NORTH, RANGE 8 EAST OF 3RD P.M. AND THAT PART OF THE WEST ½ OF THE NORTHEAST ¼ OF SECTION 16 LYING NORTHERLY OF THE CENTERLINE OF ILLINOIS ROUTE NO. 126 (EXCEPTING THEREFROM THE FOLLOWING DESCRIBED TRACT: BEGINNING AT THE SOUTHWEST CORNER OF SAID SOUTH EAST ¼ OF SECTION 9; THENCE NORTH 01 DEGREES, 36 MINUTES, 40 SECONDS WEST ALONG THE WEST LINE OF SAID SOUTH EAST ¼, 280 FEET; THENCE NORTH 88 DEGREES, 44 MINUTES, 53 SECONDS EAST, 333 FEET; THENCE SOUTH 01 DEGREES, 39 MINUTES, 11 SECONDS EAST, 277.59 FEET TO THE CENTERLINE OF SAID ROAD; THENCE SOUTH 80 DEGREES, 28 MINUTES, 31 SECONDS WEST ALONG SAID CENTERLINE, 338.17 FEET TO THE WEST LINE OF SAID NORTHEAST ¼; THENCE NORTH 01 DEGREES, 40 MINUTES, 36 SECONDS WEST ALONG SAID WEST LINE, 466.08 FEET TO THE POINT OF BEGINNING), IN THE TOWNSHIP OF NA-AU-SAY, KENDALL COUNTY, ILLINOIS.

## AREA OF THE SURVEYED TRACT:

| | |
|---|---|
| AREA NORTH OF THE RIGHT-OF-WAY | 3,725,293 S.F. (85.521 ACRES) |
| EXISTING RIGHT-OF-WAY | 40,562 S.F. (0.931 ACRES) |
| TOTAL AREA | 3,765,855 S.F. (86.452 ACRES) |

## EXISTING LEGEND:

| | |
|---|---|
| | EXISTING PROPERTY LINE |
| | EXISTING ADJACENT PROPERTY LINE |
| | UNDERLYING PROPERTY LINE |
| | EXISTING SECTION LINE |
| | EXISTING EASEMENT |
| | EXISTING ROADWAY CENTERLINE |
| | TRANSIT LINE FOR THE ROAD SURVEY AND PLANS FOR ROUTE 56, SECTION 119, KENDALL COUNTY, ILLINOIS |
| | EXISTING CROP FIELD LIMITS LINE |
| | EXISTING EDGE OF GRAVEL LINE |
| | EXISTING EDGE OF PAVEMENT LINE |
| | EXISTING WOVEN WIRE FENCE |
| | EXISTING WOOD FENCE |
| OH-W | EXISTING OVERHEAD ELECTRIC |
| | EXISTING CORRUGATED METAL PIPE |
| | EXISTING DITCH CENTER LINE |
| | EXISTING FLOODPLAIN |
| ■ | R/W MONUMENT FOUND |
| ▪ | FENCE POST FOUND |
| ● | REBAR/IRON PIPE FOUND/SET |
| ▲ | MAG / PK NAIL FOUND |
| ⚠ | SECTION CORNER MON. |
| | SIGN |
| | UTILITY POLE |
| | GUY WIRE |
| | STORM INLET |
| | END SECTION |
| | CABLE PEDESTAL |

## SURVEYOR'S NOTES

1. DISTANCES ARE MARKED IN FEET AND DECIMAL PLACES THEREOF. NO DIMENSION SHALL BE ASSUMED BY SCALE MEASUREMENT HEREON. DISTANCES AND/OR BEARINGS SHOWN IN PARENTHESIS (465.87') ARE RECORD OR DEED VALUES. NOT FIELD MEASURED.
2. COMPARE THIS PLAT, LEGAL DESCRIPTION AND ALL SURVEY MONUMENTS BEFORE BUILDING, AND IMMEDIATELY REPORT ANY DISCREPANCIES TO THE SURVEYOR.
3. THE LOCATION OF THE PROPERTY LINES SHOWN ON THE FACE OF THIS PLAT ARE BASED ON THE LEGAL DESCRIPTION CONTAINED IN THE TITLE COMMITMENT AND SHOWN HEREON. THIS INFORMATION HAS BEEN FURNISHED BY THE CLIENT AND COMPARED TO RECORD DEEDS TO CHECK FOR GAPS AND/OR OVERLAPS. HOWEVER, THIS SURVEY MAY NOT REFLECT HISTORICAL MATTERS OF TITLE AND OWNERSHIP THAT HAVE NOT BEEN DISCLOSED BY THE TITLE COMMITMENT.
4. UNLESS OTHERWISE NOTED, ONLY THE IMPROVEMENTS WHICH WERE VISIBLE FROM ABOVE GROUND AT THE TIME OF SURVEY AND THROUGH A NORMAL SEARCH AND WALK THROUGH OF THE SITE ARE SHOWN ON THE FACE OF THIS PLAT.
5. MANHOLES, INLETS AND OTHER UTILITY RIMS OR GRATES SHOWN HEREON ARE FROM FIELD LOCATION OF SUCH, AND ONLY REPRESENT SUCH UTILITY IMPROVEMENTS WHICH ARE VISIBLE FROM ABOVE GROUND AT TIME OF SURVEY, THROUGH A NORMAL SEARCH AND WALK THROUGH OF THE SITE. THE LABELING OF THESE MANHOLES (SANITARY, WATER, ETC.) IS BASED SOLELY ON THE "STAMPED" MARKINGS ON THE RIM. NO UNDERGROUND OBSERVATIONS HAVE BEEN MADE TO VERIFY THE ACTUAL USE OR EXISTENCE OF UNDERGROUND UTILITIES.
6. SURFACE INDICATIONS OF UTILITIES ON THE SURVEYED PARCEL HAVE BEEN SHOWN. UNDERGROUND AND OFFSITE OBSERVATIONS HAVE NOT BEEN MADE TO DETERMINE THE EXTENT OF UTILITIES SERVING OR EXISTING ON THE PROPERTY. PUBLIC AND/OR PRIVATE RECORDS HAVE NOT BEEN SEARCHED TO PROVIDE ADDITIONAL INFORMATION. OVERHEAD WIRES AND POLES (IF ANY) HAVE BEEN SHOWN, HOWEVER THEIR FUNCTION AND DIMENSIONS HAVE NOT BEEN SHOWN.
7. THIS SURVEY MAY NOT REFLECT ALL UTILITIES, OR IMPROVEMENTS, IF SUCH ITEMS ARE HIDDEN BY LANDSCAPING, OR ARE COVERED BY SUCH ITEMS AS DUMPSTERS OR TRAILERS, OR WHEN THE SITE WAS COVERED WITH SNOW, AT THE TIME OF SURVEY, THE SITE WAS NOT COVERED BY SNOW. OVERHEAD WIRES AND POLES (IF ANY) HAVE BEEN SHOWN, HOWEVER THEIR FUNCTION AND DIMENSIONS HAVE NOT BEEN SHOWN.
8. OTHER THAN VISIBLE OBSERVATIONS NOTED HEREON, THIS SURVEY MAKES NO STATEMENT REGARDING THE ACTUAL PRESENCE OR ABSENCE OF ANY SERVICE OR UTILITY LINE. CONTROLLED UNDERGROUND EXPLORATORY EFFORT TOGETHER WITH DIGGER'S HOTLINE MARKINGS IS RECOMMENDED TO DETERMINE THE FULL EXTENT OF UNDERGROUND SERVICE AND UTILITY LINES. CONTACT DIGGER'S HOTLINE AT 1-800-242-8311.
9. THE SURVEYED PROPERTY MAY HAVE A DRAINTILE SYSTEM, WHICH HAS NOT BEEN SURVEYED OR SHOWN HEREON. IN ORDER TO DETERMINE IF A DRAINTILE SYSTEM DOES EXIST ON THE SUBJECT PROPERTY, AND TO WHAT EXTENT, A DETAILED DRAINTILE STUDY SHOULD BE COMPLETED BY THE APPROPRIATE PROFESSIONAL.
10. RESTRICTIONS THAT MAY BE FOUND IN LOCAL BUILDING AND/OR ZONING CODES HAVE NOT BEEN SHOWN. HEIGHT AND BULK RESTRICTIONS (IF ANY) HAVE NOT BEEN SHOWN. ONLY THOSE SETBACK RESTRICTIONS SHOWN ON THE RECORDED SUBDIVISION PLAT OR IN THE TITLE COMMITMENT HAVE BEEN SHOWN.

## FLOOD STATEMENT

THE FEDERAL EMERGENCY MANAGEMENT AGENCY FIRM MAP NUMBER 17093C1035H, WITH AN EFFECTIVE DATE OF JANUARY 1, 2014, INDICATES THAT THE ABOVE-DESCRIBED PROPERTY LIES WITHIN AN AREA DESIGNATED AS ZONE X (UNSHADED) AND ZONE A, ZONE X (UNSHADED) IS DEFINED AS AREAS OF MINIMAL FLOOD HAZARD AND ZONE A IS DEFINED AREAS OF SPECIAL FLOOD HAZARD AREAS WITHOUT BASE FLOOD ELEVATION (BFE) PER THE FLOOD INSURANCE RATE MAP. THIS MAP DOES NOT NECESSARILY SHOW ALL AREAS SUBJECT TO FLOODING IN THE COMMUNITY OR ALL PLANIMETRIC FEATURES OUTSIDE SPECIAL FLOOD HAZARD AREAS. THIS DOES NOT GUARANTEE THAT THE PROPERTY SURVEYED WILL OR WILL NOT FLOOD.

REFERENCE BENCHMARKS:

NGS DESIGNATION WRI 018 PID DP5473: FROM THE SOUTH JUNCTION OF US HIGHWAY 30 WITH STATE HIGHWAY 59 IN PLAINFIELD, ILLINOIS, GO SOUTH ON STATE HIGHWAY 59 FOR 1.3 MILES TO FRASER ROAD AND THE STATION IS ON THE RIGHT. SAID STATION IS LOCATED 258 FEET NORTH OF THE EDGE OF PAVEMENT OF FRASER ROAD, 3.5 FEET WEST OF THE EDGE OF PAVEMENT OF STATE HIGHWAY 59 AND 3 FEET EAST OF THE EAST EDGE OF A SIDEWALK. ACCESS TO THE DATUM POINT IS THROUGH A 6 INCH LOGO CAP. THE ROAD IS SURROUNDED BY A FLOATING BRONZE DISK TO AID IN IDENTIFICATION.

ELEVATION= 603.54 (DATUM: NAVD 88)

SITE BENCHMARKS:

1. RAILROAD SPIKE ON THE NORTH FACE OF THE FIRST UTILITY POLE (91± FEET) WEST OF THE GRAVEL DRIVE ALONG THE EAST PROPERTY LINE OF THE SURVEYED SITE. SAID UTILITY POLE IS 1,459± FEET WEST OF THE INTERSECTION OF EAST SCHOOLHOUSE ROAD (ALSO KNOWN AS ILLINOIS ROUTE 126) AND SCHLAPP ROAD.

   ELEVATION= 639.47

2. RAILROAD SPIKE ON THE NORTH FACE OF THE SECOND UTILITY POLE (334± FEET) WEST OF THE GRAVEL DRIVE ALONG THE EAST PROPERTY LINE OF THE SURVEYED SITE. SAID UTILITY POLE IS 1,702± FEET WEST OF THE INTERSECTION OF EAST SCHOOLHOUSE ROAD (ALSO KNOWN AS ILLINOIS ROUTE 126) AND SCHLAPP ROAD.

   ELEVATION= 639.16

## SURVEYOR'S CERTIFICATE

STATE OF ILLINOIS }
COUNTY OF DUPAGE } SS

I, TIMOTHY J. MURPHY, A PROFESSIONAL LAND SURVEYOR, HEREBY CERTIFY THAT THIS SURVEY AND MAP WERE PREPARED BY CIVIL & ENVIRONMENTAL CONSULTANTS, INC. UNDER MY DIRECT SUPERVISION FOR THE EXCLUSIVE USE OF THE CLIENT NOTED HEREON. THIS SURVEY CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A PLAT OF SURVEY AND THE FIELDWORK WAS COMPLETED ON MARCH 5, 2025.

DATED THIS 17TH DAY OF MARCH, A.D., 2025.

[redacted]

TIMOTHY J. MURPHY
ILLINOIS P[redacted] LAND SURVEYOR
NUMBER [redacted]
LICENSE EXPIRES/RENEWS NOVEMBER 30, 2026

DESIGN FIRM PROFESSIONAL REGISTRATION NO. [redacted]
EXPIRES/RENEWS APRIL 30, 2025.

PROFESSIONAL LAND SURVEYOR TIMOTHY J. MURPHY [redacted] NAPERVILLE ILLINOIS STATE OF ILLINOIS

811 Know what's below. Call before you dig.

SHEET 1 OF 4 — SV01 — ORDINANCE

PLAT OF SURVEY

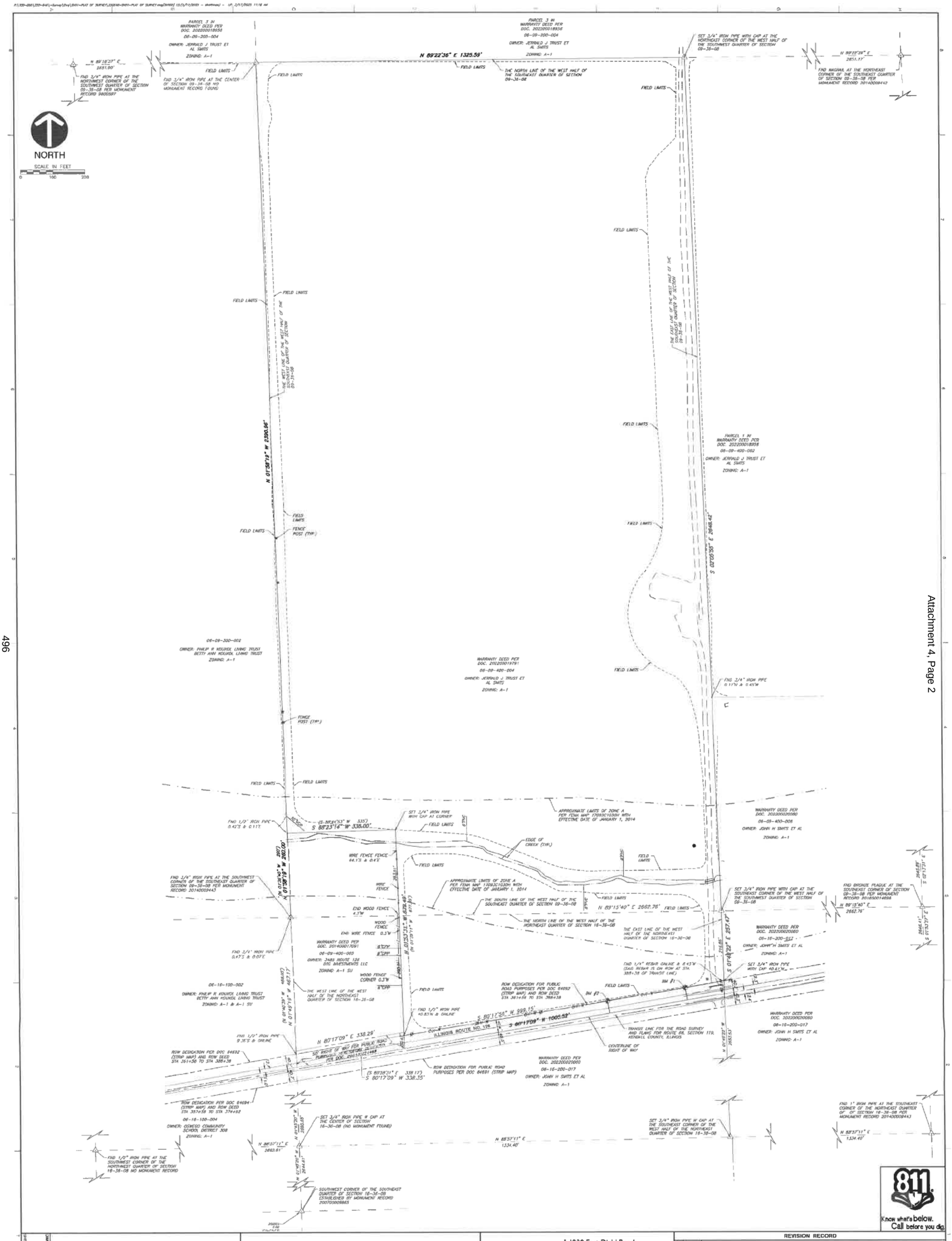
| | | | |
|---|---|---|---|
| DATE | MARCH 5, 2025 | DRAWN BY | SRM |
| DWG SCALE | NONE | CHECKED BY | TJM |
| PROJECT NO | | | 350-648 |
| APPROVED BY | | | TJM |

EAST SCHOOLHOUSE ROAD
COMMUNITY ENERGY INITIATIVE, LLC
EAST SCHOOLHOUSE ROAD
KENDALL COUNTY, ILLINOIS 60543

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Naperville, IL 60563
Ph: 630.963.6026
www.cecinc.com

REVISION RECORD

| NO | DATE | DESCRIPTION |
|---|---|---|
| | | |




PLAT OF SURVEY

DATE: MARCH 5, 2025 DRAWN BY: BRH
DWG SCALE: 1"=100' CHECKED BY: TJM
PROJECT NO: 350-040
APPROVED BY: TJM

**EAST SCHOOLHOUSE ROAD**
**COMMUNITY ENERGY INITIATIVE, LLC**
**EAST SCHOOLHOUSE ROAD**
**KENDALL COUNTY, ILLINOIS 60543**


Civil & Environmental Consultants, Inc.
1230 East Diehl Road
Suite 200
Naperville, IL 60563
Ph: 630.963.6026
www.cecinc.com


REVISION RECORD

| NO | DATE | DESCRIPTION |
|---|---|---|

811 Know what's below. Call before you dig.

SHEET SV01 OF 2 SHEETS

Know what's below. Call before you dig.

REVISION RECORD

| NO. | DATE | DESCRIPTION |
|---|---|---|

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Civil & Environmental Consultants, Inc.
1230 East Diehl Road
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Ph: 630.963.6026
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EAST SCHOOLHOUSE ROAD
COMMUNITY ENERGY INITIATIVE, LLC
EAST SCHOOLHOUSE ROAD
KENDALL COUNTY, ILLINOIS 60543

PLAT OF SURVEY

| | |
|---|---|
| DATE | MARCH 5, 2025 |
| DRAWN BY | EBH |
| CHECKED BY | TM |
| SCALE | 1"=60' |
| PROJECT NO. | 250146 |
| APPROVED BY | TJM |

DRAWING NO.
SV01
SHEET 3 OF 4

811 Know what's below. Call before you dig.

REVISION RECORD

| NO | DATE | DESCRIPTION |
|---|---|---|

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EAST SCHOOLHOUSE ROAD
KENDALL COUNTY, ILLINOIS 60543

PLAT OF SURVEY

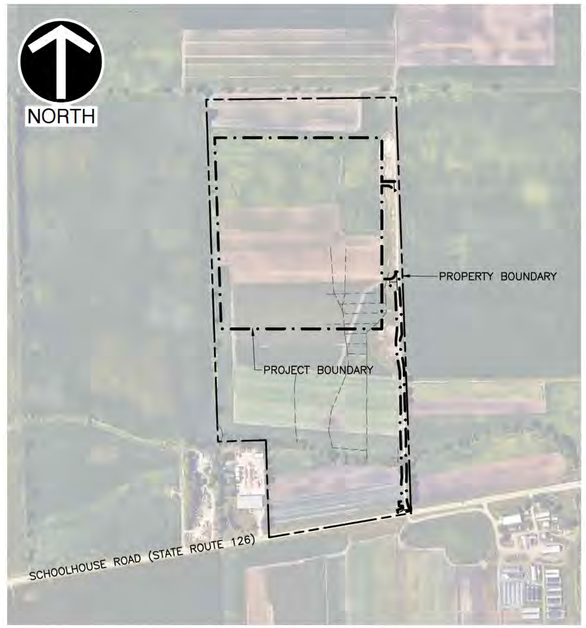
| | |
|---|---|
| DATE | MARCH 8, 2023 |
| DRAWN BY | SHH |
| CHECKED BY | TW |
| PROJECT NO | 356-849 |
| APPROVED BY | TW |

DRAWING NO
SV01
SHEET 4 OF 4

# EAST SCHOOLHOUSE ROAD
# COMMUNITY ENERGY INITIATIVE LLC
# EAST SCHOOLHOUSE ROAD SOLAR PROJECT
# SPECIAL USE APPLICATION PLANS
# NA-AU-SAY TOWNSHIP, KENDALL COUNTY, ILLINOIS

LEGEND

| | |
|---|---|
| 700 | EXISTING INDEX CONTOUR |
| 702 | EXISTING INTERMEDIATE CONTOUR |
| | EXISTING PROPERTY BOUNDARY LINE |
| | EXISTING ADJACENT PROPERTY LINE |
| | EXISTING SECTION LINE |
| | EXISTING CENTER LINE |
| | EXISTING FENCE LINE |
| | EXISTING GRAVEL ROAD EDGE |
| OH-E | EXISTING OVERHEAD ELECTRIC LINE |
| | EXISTING STORM SEWER |
| FO | EXISTING FIBER OPTIC LINE |
| COMM | EXISTING COMMUNICATION LINE |
| | EXISTING TREE LINE |
| | EXISTING SETBACK |
| | EXISTING FEMA ZONE A BOUNDARY |
| | EXISTING DRAIN TILE |
| | EXISTING STREAM |
| | EXISTING STORM SEWER |
| | EXISTING PAVED ROAD SURFACE |
| | EXISTING GRAVEL DRIVEWAY |
| | EXISTING SOIL BOUNDARY |
| 152A | EXISTING SOIL TYPE |
| | EXISTING POWER POLE |
| | EXISTING INLET |
| | EXISTING STREAM FLOW DIRECTION |
| | EXISTING DRAIN TILE |
| | PROPOSED OVERLAND FLOW DIRECTION |
| | PROPOSED UTILITY POLE |
| | PROPOSED SOLAR PANEL |
| | PROPOSED POST FOR SOLAR ARRAY |
| | PROPOSED FENCE LINE |
| OH-W | PROPOSED OVERHEAD WIRE |
| E | PROPOSED UNDERGROUND ELECTRIC LINE |
| | PROPOSED ACCESS ROAD |
| | PROPOSED SEEDING AREA |
| SF | PROPOSED SILT FENCE |
| | ROCK CONSTRUCTION ENTRANCE |
| | PROPOSED APPROXIMATE LIMITS OF DISTURBANCE |
| | PROPOSED STORM SEWER |
| | PROPOSED DRAIN TILE |
| | PROPOSED FLOW LINE |
| ME | MATCH EXISTING ELEVATION |
| C | PROPOSED CONCRETE ELEVATION |
| G | PROPOSED GRAVEL ELEVATION |
| HP | HIGH POINT |
| 600.00 | PROPOSED SPOT ELEVATION |




**VICINITY MAP**
BASE IMAGE FROM GOOGLE EARTH
ACCESSED MARCH 2025
1" = 500'
SCALE IN FEET
0 500 1000

**DRAWING INDEX**

| SHEET NUMBER | DRAWING NUMBER | SHEET TITLE |
|---|---|---|
| 1 | C000 | COVER SHEET |
| 2 | C200 | SITE LAYOUT PLAN – 1 |
| 3 | C201 | SITE ENTRANCE DETAIL – 1 |
| 4 | C202 | SITE ENTRANCE DETAIL – 2 |
| 5 | C300 | STORMWATER AND GRADING PLAN |
| 6 | C700 | LANDSCAPE PLAN |
| 7 | C800 | CONSTRUCTION DETAILS – 1 |
| 8 | C801 | CONSTRUCTION DETAILS – 2 |
| 9 | C802 | CONSTRUCTION DETAILS – 3 |
| 10 | C900 | EROSION AND SEDIMENT CONTROL PLAN |
| 11 | C901 | EROSION AND SEDIMENT CONTROL PLAN DETAILS |

## LEGAL DESCRIPTION (COMMITMENT NO. 5000008565)

PROPERTY LOCATED IN THE TOWNSHIP OF NA–AU–SAY, KENDALL COUNTY, ILLINOIS

THE WEST ½ OF THE SOUTH EAST ¼ OF SECTION 9 TOWNSHIP 36 NORTH, RANGE 8 EAST OF 3RD P.M. AND THAT PART OF THE WEST ½ OF THE NORTHEAST ¼ OF SECTION 16 LYING NORTHERLY OF THE CENTERLINE OF ILLINOIS ROUTE NO. 126 (EXCEPTING THEREFROM THE FOLLOWING DESCRIBED TRACT: BEGINNING AT THE SOUTHWEST CORNER OF SAID SOUTH EAST ¼ OF SECTION 9; THENCE NORTH 01 DEGREES, 36 MINUTES, 40 SECONDS WEST ALONG THE WEST LINE OF SAID SOUTH EAST ¼, 260 FEET; THENCE NORTH 88 DEGREES, 44 MINUTES, 53 SECONDS EAST, 335 FEET; THENCE SOUTH 01 DEGREES, 39 MINUTES, 11 SECONDS EAST, 677.39 FEET TO THE CENTERLINE OF SAID ROAD; THENCE SOUTH 80 DEGREES, 28 MINUTES, 31 SECONDS WEST ALONG SAID CENTERLINE, 338.17 FEET TO THE WEST LINE OF SAID NORTHEAST ¼; THENCE NORTH 01 DEGREES, 40 MINUTES, 39 SECONDS WEST ALONG SAID WEST LINE, 466.05 FEET TO THE POINT OF BEGINNING), IN THE TOWNSHIP OF NA–AU–SAY, KENDALL COUNTY, ILLINOIS.

## REFERENCE

1. EXISTING TOPOGRAPHY AND PLANIMETRIC FEATURES TAKEN FROM SURVEY COMPLETED BY CIVIL & ENVIRONMENTAL, INC. BASED UPON FIELD OBSERVATIONS PERFORMED IN FEBRUARY AND MARCH, 2025.
2. EXISTING TOPOGRAPHY OUTSIDE OF PROPERTY BOUNDARY EXTRACTED FROM THE KENDALL COUNTY GIS "2018 CONTOURS", ON APRIL 9, 2025.
3. PROPOSED SOLAR LAYOUT PROVIDED TO CIVIL & ENVIRONMENTAL CONSULTANTS, INC. BY ECA SOLAR, LLC ON AUGUST 28, 2025; FILE NAME "PROPOSEDPLAN_ELEC.DWG".
4. EXISTING WETLAND DELINEATION COMPLETED BY SCI ENGINEERING, INC. ON MAY 22, 2025.
5. APPROVED JURISDICTIONAL DETERMINATION (AJD) PROVIDED BY THE UNITED STATES ARMY CORE OF ENGINEERS, CHICAGO DISTRICT, DATED JUNE 26, 2025.
6. FLOODPLAIN ZONE A LIMITS PER FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP (FIRM) 17093C0130H, EFFECTIVE DATE JANUARY 8, 2014.
7. AERIAL IMAGERY GENERATED FROM GOOGLE EARTH, DATED AUGUST 2023.
8. EXISTING DRAIN TILE SURVEY RECEIVED FROM ECA SOLAR, LLC & ANTREX, INC. ON SEPTEMBER 26, 2025.

## PROJECT TEAM

**OWNER**
EAST SCHOOLHOUSE ROAD
COMMUNITY ENERGY INITIATIVE LLC
[redacted]
CONTACT: BEN DYKEMA
EMAIL:
PHONE: [redacted]

**CIVIL ENGINEER**
CIVIL & ENVIRONMENTAL CONSULTANTS, INC.
[redacted]
PH: [redacted]
FX:
CONTACT: ANDREW GULLONE
EMAIL: [redacted]

**SURVEYOR**
CIVIL & ENVIRONMENTAL CONSULTANTS, INC.
[redacted]
PH: [redacted]
FX:
CONTACT: TIM MURPHY
EMAIL: [redacted]

811 Know what's below. Call before you dig.
ILLINOIS LAW REQUIRES ANYONE DIGGING TO CALL JULIE AT 1–800–892–0123 AT LEAST 48 HOURS/TWO WORKING DAYS PRIOR TO THE START OF EXCAVATION AND THE PROJECT MUST BEGIN WITHIN 14 CALENDAR DAYS FROM THE CALL.

*HAND SIGNATURE ON FILE

REVISION RECORD

| NO | DATE | DESCRIPTION |
|---|---|---|

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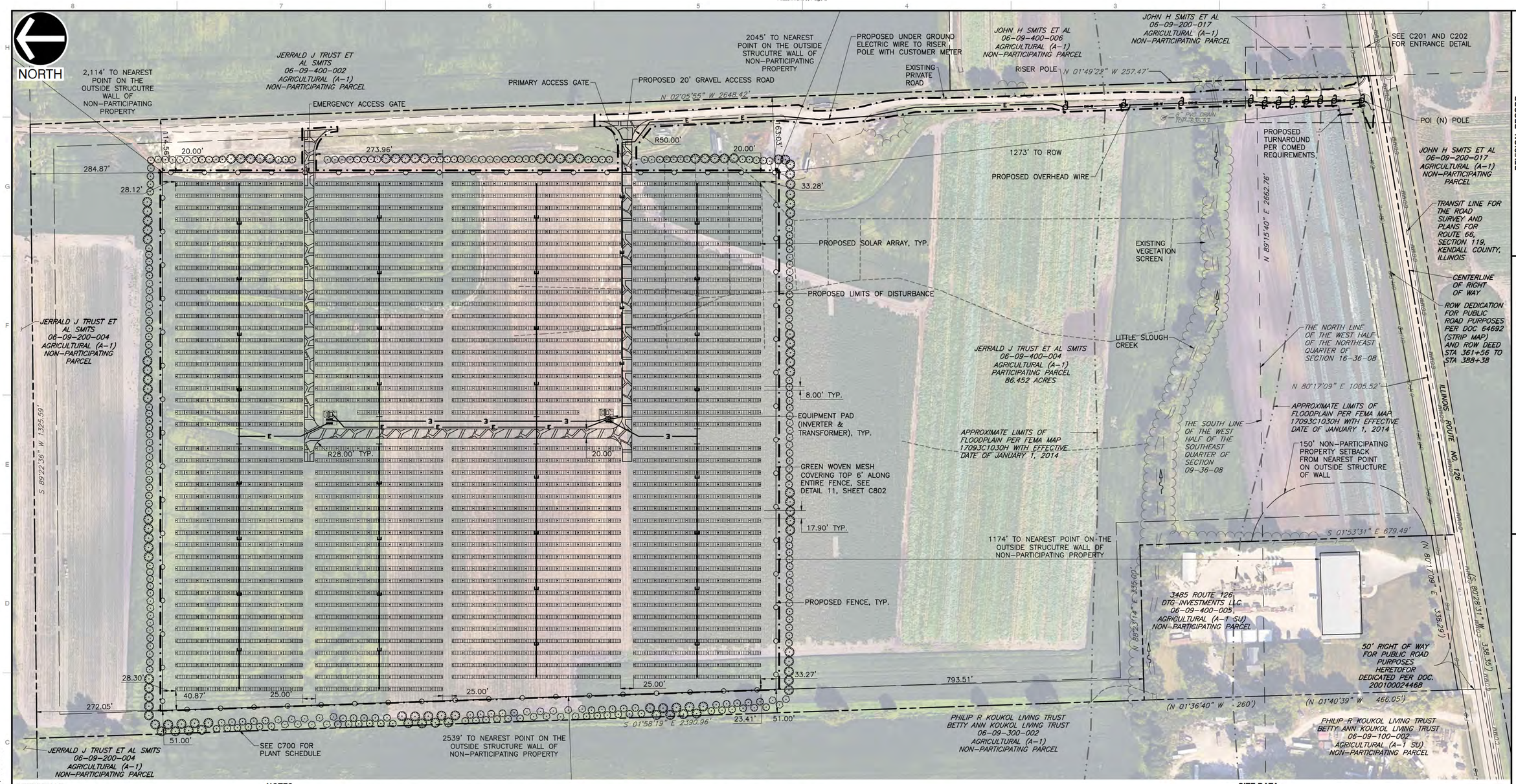
EAST SCHOOLHOUSE ROAD
COMMUNITY ENERGY INITIATIVE LLC
EAST SCHOOLHOUSE ROAD SOLAR PROJECT
EAST SCHOOLHOUSE ROAD
KENDALL COUNTY, ILLINOIS

COVER SHEET

| | |
|---|---|
| DATE: | OCTOBER 20, 2025 |
| DRAWN BY: | MJS |
| CHECKED BY: | ARG |
| DWG SCALE: | 1" = 500' |
| PROJECT NO: | 350-646 |
| APPROVED BY: | *DAK |

DRAWING NO.: C000
SHEET 1 OF 11

A:\350-0001\350-646\-CADD\Dwg\C000\350646-CV01-C000 & C200.dwg[C000] LS: 10/20/2025 - 3:42 PM




## REFERENCE

1. EXISTING TOPOGRAPHY AND PLANIMETRIC FEATURES TAKEN FROM SURVEY COMPLETED BY CIVIL & ENVIRONMENTAL, INC. BASED UPON FIELD OBSERVATIONS PERFORMED IN FEBRUARY AND MARCH, 2025.
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7. AERIAL IMAGERY GENERATED FROM GOOGLE EARTH, DATED AUGUST 2023.
8. SEE LEGEND ON DRAWING C000 FOR SYMBOL AND LINEWORK ELEMENTS.
9. EXISTING DRAIN TILE SURVEY RECEIVED FROM ECA SOLAR, LLC & ANTREX, INC. ON SEPTEMBER 26, 2025.

## NOTES

1. THE PURPOSE OF THIS PLAN IS FOR SPECIAL USE PERMIT REVIEW AND APPROVAL BY KENDALL COUNTY TO CONSTRUCT A COMMERCIAL SOLAR FARM.
2. THIS PLAN WAS PRODUCED UTILIZING GIS RESOURCES, A PLAT OF SURVEY PREPARED BY CEC MARCH 5, 2025, AND INFORMATION FROM MULTIPLE SOURCES, INCLUDING KENDALL COUNTY GIS, GOOGLE EARTH, AND USGS TOPOGRAPHIC INFORMATION.
3. THE LOCATIONS OF PROPOSED IMPROVEMENTS, INCLUDING BUT NOT LIMITED TO: FENCING, SOLAR ARRAY RACKING, INVERTER/TRANSFORMER PADS, OVERHEAD POLES AND LINES, ETC., SHOWN ARE APPROXIMATE AND ARE SUBJECT TO MODIFICATION DUE TO SITE CONDITIONS, ADDITIONAL PERMITTING REQUIREMENTS, EQUIPMENT SPECIFICATIONS, AND/OR OTHER CONSTRAINTS DURING FINAL ENGINEERING.
4. PROJECT AREA, INCLUDING CONSTRUCTION STAGING AREAS, WILL BE CLEARED AND GRUBBED AS NECESSARY, RETAINING PRE-DEVELOPMENT DRAINAGE PATTERNS TO THE BEST EXTENT POSSIBLE. CONSTRUCTION STAGING AND AREAS SUBJECT TO RUTTING DURING CONSTRUCTION WILL BE TEMPORARILY STABILIZED WITH GRAVEL. SOIL CONDITIONS AND EQUIPMENT LOADS WILL DETERMINE FINAL DESIGN.
5. ALL DIMENSIONS SHOWN ARE AT 90 DEGREES UNLESS OTHERWISE NOTED.
6. CONTRACTOR SHALL CALL AT LEAST 72 HOURS PRIOR TO BEGINNING CONSTRUCTION OR EXCAVATION TO HAVE EXISTING UTILITIES LOCATED. ADDITIONALLY, CONTRACTOR SHALL CONTACT ANY LOCAL UTILITIES THAT PROVIDE THEIR OWN LOCATOR SERVICES.
7. CONTRACTOR SHALL MAINTAIN ACCESS AND UTILITY SERVICES TO ANY REMAINING BUILDING(S) OR ADJACENT BUILDING(S) THROUGHOUT THE DEMOLITION AND CONSTRUCTION PHASES. EXISTING IMPROVEMENTS DAMAGED DURING CONSTRUCTION SHALL BE REPLACED/RESTORED TO THE SATISFACTION OF THE OWNER BY THE CONTRACTOR RESPONSIBLE FOR THE DAMAGE.
8. THE CONTRACTOR SHALL BE FULLY RESPONSIBLE TO PROVIDE SIGNS, BARRICADES, WARNING LIGHTS, GUARD RAILS, AND EMPLOY FLAGGERS AS NECESSARY WHEN CONSTRUCTION ENDANGERS EITHER VEHICULAR OR PEDESTRIAN TRAFFIC. THESE DEVICES SHALL REMAIN IN PLACE UNTIL THE TRAFFIC MAY PROCEED NORMALLY AGAIN.
9. SITE WILL HAVE NO DEDICATIONS FOR OPEN SPACE, NATURAL AREA, HISTORIC BUILDING(S)/STRUCTURE(S), OR STORMWATER MANAGEMENT FACILITIES.
10. SITE WILL NOT INCLUDE WATER SOURCE OR SEWAGE DISPOSAL.
11. THE MAXIMUM HEIGHTS OF ANY SOLAR PANEL SHALL NOT EXCEED 20 FEET.
12. SOLAR PANELS WILL BE DESIGNED WITH ANTI-REFLECTIVE COATING TO MINIMIZE GLARE.
13. COLLECTION LINES WITHIN THE SOLAR FARM WILL BE LOCATED AND MAINTAINED UNDERGROUND.
14. THERE SHALL BE NO EXTERIOR LIGHTING.
15. SETBACKS SHOWN ON THIS PLAN ARE BASED ON KENDALL COUNTY CODE OF ORDINANCES, SECTION 36-282.

## SITE DATA:

| | |
|---|---|
| PIN: | 06-09-400-004 |
| JURISDICTION: | KENDALL COUNTY |
| ZONING DISTRICT: | AGRICULTURAL (AG1) |
| CURRENT LAND USE: | FARM LAND |
| PARCEL AREA(S): | 86.452 ACRES± |
| LIMITS OF DISTURBANCE: | 36.60 ACRES± |
| FENCED AREA: | 34.58 ACRES± |
| EXISTING IMPERVIOUS AREA: | 1.34 ACRES± |
| NEW IMPERVIOUS AREA: | 1.11 ACRES± |
| FEMA FLOOD HAZARD: | ZONE A PER FIRM MAP 17093C0130H DATED JANUARY 8, 2014 |

| SETBACKS* | REQUIRED | ACTUAL |
|---|---|---|
| BOUNDARY LINES OF NON-PARTICIPATING PROPERTIES (NORTH, EAST, WEST) | 50' | 51' |
| REQUIRED BUFFER FROM OCCUPIED COMMUNITY BUILDINGS & DWELLINGS | 150' | 1,174' |
| PUBLIC ROAD R.O.W. | 50' | 1,273' |

*SETBACK REQUIREMENTS ARE FOR ALL COMPONENTS OF A SOLAR ARRAY FACILITY, INCLUDING FENCES.

HEIGHT RESTRICTIONS: TWENTY (20) FEET HEIGHT.

SCALE IN FEET
0 100 200

*HAND SIGNATURE ON FILE

REVISION RECORD

| NO | DATE | DESCRIPTION |
|---|---|---|

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EAST SCHOOLHOUSE ROAD
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EAST SCHOOLHOUSE ROAD SOLAR
EAST SCHOOLHOUSE ROAD
KENDALL COUNTY, ILLINOIS

SITE LAYOUT PLAN - 1

| | |
|---|---|
| DATE: | OCTOBER 20, 2025 |
| DWG SCALE: | 1" = 500' |
| PROJECT NO: | 350-646 |
| APPROVED BY: | *DAK |
| DRAWN BY: | MJS |
| CHECKED BY: | ARG |

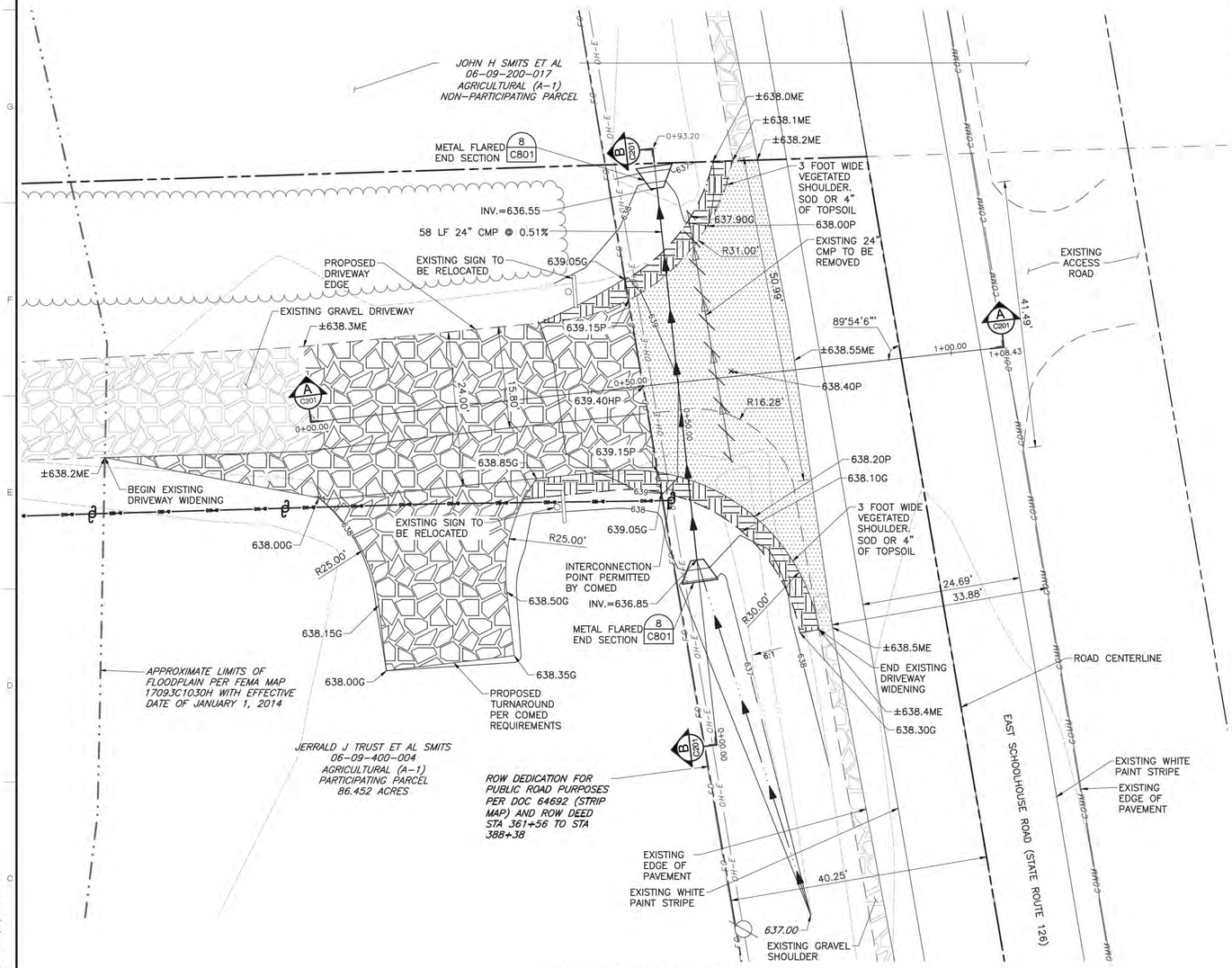
DRAWING NO.: C200

SHEET 2 OF 11

P:\350-000\350-646\-DWG\Dwg\C100\350646-C102-C200.dwg[C200] LS(10/20/2025 - akroll) - LP: 10/20/2025 3:42 PM

500

NORTH



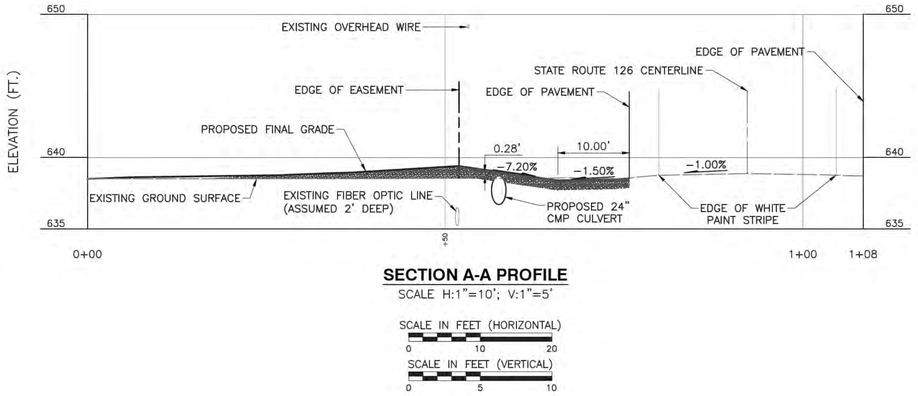

## PROPOSED ENTRANCE DETAIL

1" = 10'

SCALE IN FEET

0 10 20

PAVEMENT SECTION
2" HOT-MIX ASPHALT SURFACE
8" AGGREGATE BASE COURSE (CA-6)
SEE DETAIL 13 ON C802 FOR MORE INFORMATION




## SECTION A-A PROFILE

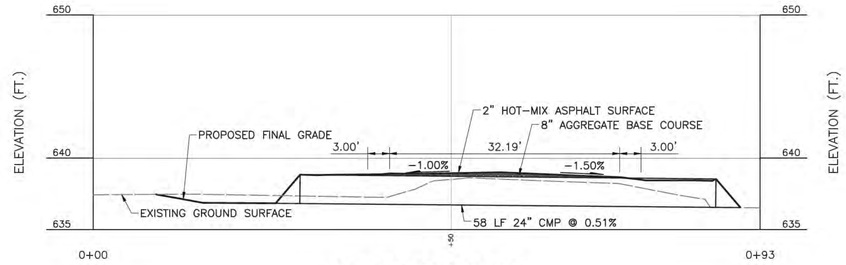
SCALE H:1"=10'; V:1"=5'

SCALE IN FEET (HORIZONTAL)

0 10 20

SCALE IN FEET (VERTICAL)

0 5 10




## SECTION B-B PROFILE

SCALE H:1"=10'; V:1"=5'

SCALE IN FEET (HORIZONTAL)

0 10 20

SCALE IN FEET (VERTICAL)

0 5 10

**NOTES**

1. ALL CONSTRUCTION ACTIVITIES SHALL OCCUR 24" FROM THE EDGE OF THE PAVED ROADWAY SHOULDER.
2. ALL EQUIPMENT AND MATERIALS SHALL BE STORED 30 FEET FROM THE EDGE OF THE ROADWAY (WHITE LINE) OR 15 FEET FROM THE CURB.
3. ALL TRAFFIC CONTROL SHALL BE IN ACCORDANCE WITH IDOT STANDARDS, INCLUDED ON SHEETS C800, C801, AND C802.
4. ALL TURF AREAS DISTURBED DURING THIS WORK SHALL BE RESTORED TO THE ORIGINAL LINE AND GRADE AND PROMPTLY SEEDED IN ACCORDANCE WITH STANDARD STATE SPECIFICATIONS.

LEGEND

- EXISTING INDEX CONTOUR
- EXISTING INTERMEDIATE CONTOUR
- EXISTING PROPERTY BOUNDARY LINE
- EXISTING ADJACENT PROPERTY LINE
- EXISTING SECTION LINE
- EXISTING CENTER LINE
- EXISTING GRAVEL ROAD EDGE
- EXISTING OVERHEAD ELECTRIC LINE
- EXISTING STORM SEWER
- EXISTING FIBER OPTIC LINE
- EXISTING COMMUNICATION LINE
- EXISTING TREE LINE
- EXISTING FEMA ZONE A BOUNDARY
- EXISTING STREAM
- EXISTING PAVED ROAD SURFACE
- EXISTING GRAVEL DRIVEWAY
- EXISTING POWER POLE
- EXISTING INLET
- PROPOSED UTILITY POLE
- PROPOSED OVERHEAD WIRE
- PROPOSED ACCESS ROAD
- PROPOSED CULVERT
- PROPOSED GRAVEL DRIVEWAY
- PROPOSED ASPHALT DRIVEWAY
- PROPOSED FLOW LINE

**REFERENCE**

1. EXISTING TOPOGRAPHY AND PLANIMETRIC FEATURES TAKEN FROM SURVEY COMPLETED BY CIVIL & ENVIRONMENTAL, INC. BASED UPON FIELD OBSERVATIONS PERFORMED IN FEBRUARY AND MARCH, 2025.
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DESIGN STAGE TICKET NUMBER: X250550761

REVISION RECORD

| NO | DATE | DESCRIPTION |
|---|---|---|

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EAST SCHOOLHOUSE ROAD SOLAR
EAST SCHOOLHOUSE ROAD
KENDALL COUNTY, ILLINOIS

SITE ENTRANCE DETAIL - 1

| | |
|---|---|
| DATE: | OCTOBER 20, 2025 |
| DWG SCALE: | VARIES |
| PROJECT NO: | 350-046 |
| APPROVED BY: | *DAK |
| DRAWN BY: | MJS |
| CHECKED BY: | ARG |

DRAWING NO.: C201

*HAND SIGNATURE ON FILE

SHEET 3 OF 11

P:\350-009\350-046\-C800\Dwg\C402\350046-C402-C201 & C202.dwg[C201] LS:10/20/2025 - msmowell - LD: 10/20/2025 2:42 PM

NORTH




WEST–BOUND TRUCK LEFT
TURN IN RADIUS EXHIBIT
1" = 20'




WEST–BOUND TRUCK RIGHT
TURN OUT RADIUS EXHIBIT
1" = 20'




WB–40 – Intermediate Semi–Trailer

| | |
|---|---|
| Overall Length | 45.500ft |
| Overall Width | 8.000ft |
| Overall Body Height | 12.052ft |
| Min Body Ground Clearance | 1.334ft |
| Track Width | 8.000ft |
| Lock–to–lock time | 4.00s |
| Curb to Curb Turning Radius | 40.000ft |

WB–40 TRUCK DIMENSIONS
NOT TO SCALE




EAST–BOUND TRUCK RIGHT
TURN IN RADIUS EXHIBIT
1" = 20'




EAST–BOUND TRUCK LEFT
TURN OUT RADIUS EXHIBIT
1" = 20'

SCALE IN FEET
0 20 40

*HAND SIGNATURE ON FILE

REVISION RECORD

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EAST SCHOOLHOUSE ROAD
KENDALL COUNTY, ILLINOIS

SITE ENTRANCE DETAIL - 2

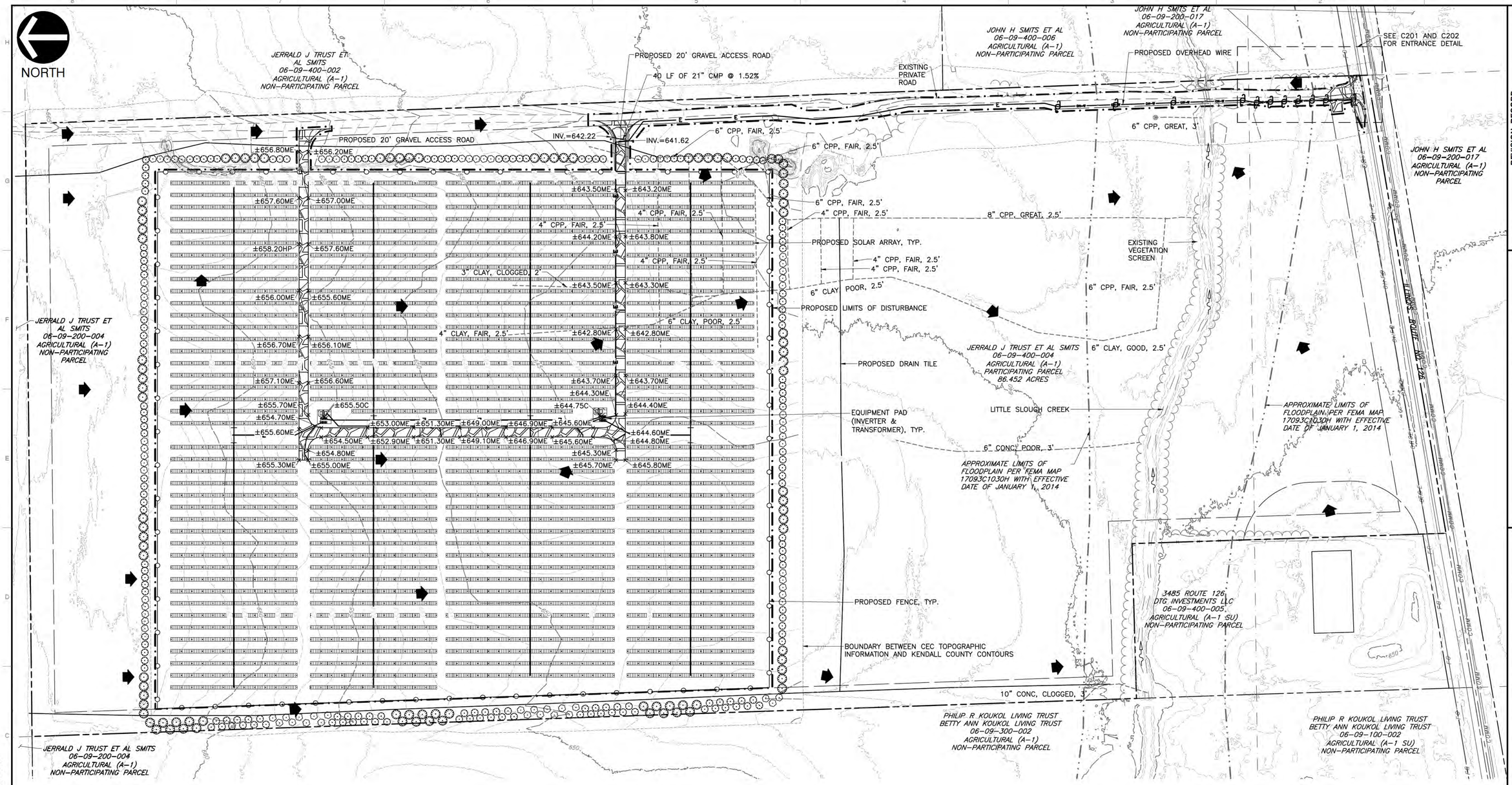
| | |
|---|---|
| DATE: | OCTOBER 20, 2025 |
| DWG SCALE: | 1" = 20' |
| PROJECT NO: | |
| APPROVED BY: | |
| DRAWN BY: | MJS |
| CHECKED BY: | ARG |
| | 350-646 |
| | *DAK |

DRAWING NO.: C202

SHEET 4 OF 11



P:\350-000\350-646\CADD\dwg\C202\350646-C202 & C203.dwg[C202] LS(10/20/2025 - mssmowski) - LP: 10/20/2025 3:43 PM




**NOTE**

1. THERE IS NO PROPOSED GRADING WITHIN THE ARRAY AREA. CONTRACTOR SHALL EVENLY SPREAD EXCESS TOPSOIL ONSITE.

**REFERENCE**

1. EXISTING TOPOGRAPHY AND PLANIMETRIC FEATURES TAKEN FROM SURVEY COMPLETED BY CIVIL & ENVIRONMENTAL, INC. BASED UPON FIELD OBSERVATIONS PERFORMED IN FEBRUARY AND MARCH, 2025.
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4. EXISTING WETLAND DELINEATION COMPLETED BY SCI ENGINEERING, INC. ON MAY 22, 2025.
5. APPROVED JURISDICTIONAL DETERMINATION (AJD) PROVIDED BY THE UNITED STATES ARMY CORE OF ENGINEERS, CHICAGO DISTRICT, DATED JUNE 26, 2025.
6. FLOODPLAIN ZONE A LIMITS PER FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP (FIRM) 17093C0130H, EFFECTIVE DATE JANUARY 8, 2014.
7. SEE LEGEND ON DRAWING C000 FOR SYMBOL AND LINEWORK ELEMENTS.
8. EXISTING DRAIN TILE SURVEY RECEIVED FROM ECA SOLAR, LLC & ANTREX, INC. ON SEPTEMBER 26, 2025.

**STORMWATER SUMMARY:**

LIMITS OF DISTURBANCE: 36.60±
PROPOSED IMPERVIOUS AREA: 1.11±
AVERAGE EXISTING SOIL RATING: C

EXISTING COVER: STRAIGHT ROW CROPS
CN FOR EXISTING SITE: 87

PROPOSED COBER: PASTURE
CN FOR PROPOSED SITE: 83

- THE DRAINAGE AREA WILL NOT BE ALTERED BETWEEN THE EXISTING CONDITIONS AND THE PROPOSED CONDITIONS.
- DUE TO THE LARGE REDUCTION IN THE CURVE NUMBER BETWEEN THE EXISTING AND PROPOSED CONDITIONS, THE PROPOSED RUNOFF WILL BE REDUCE, THUS CAUSING NO NEGATIVE IMPACTS ON THE DOWNSTREAM TRIBUTARY AREAS.
- NO DETENTION IS PROPOSED

SCALE IN FEET
0 100 200
*HAND SIGNATURE ON FILE

REVISION RECORD

| NO | DATE | DESCRIPTION |
|---|---|---|

1230 East Diehl Road
Suite 200
Naperville, IL 60563
Ph: 630.963.6026
www.cecinc.com

Civil & Environmental Consultants, Inc.

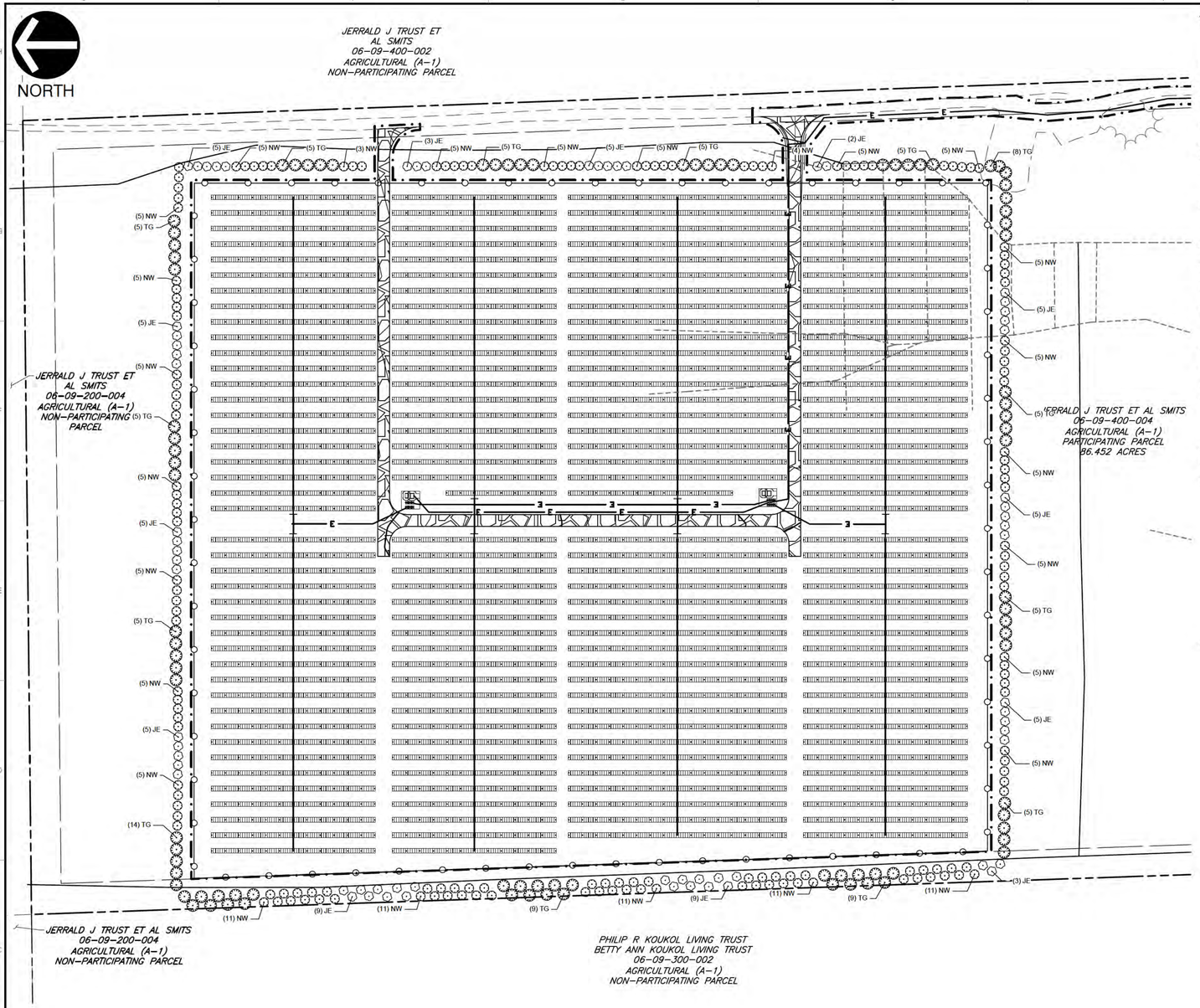
EAST SCHOOLHOUSE ROAD
COMMUNITY ENERGY INITIATIVE LLC
EAST SCHOOLHOUSE ROAD SOLAR
EAST SCHOOLHOUSE ROAD
KENDALL COUNTY, ILLINOIS

STORMWATER AND GRADING PLAN

| | |
|---|---|
| DRAWN BY: | MJS |
| CHECKED BY: | ARG |
| PROJECT NO: | 350-646 |
| APPROVED BY: | *DAK |
| DATE: | OCTOBER 20, 2025 |
| DWG SCALE: | 1" = 100' |

DRAWING NO.: C300
SHEET 5 OF 11

P:\350-000\350-646\-CADD\dwg\civil\350646-CV02-C300.dwg[C300] LS (10/20/2025 - arvid) - LP: 10/20/2025 3:43 PM




## REFERENCE

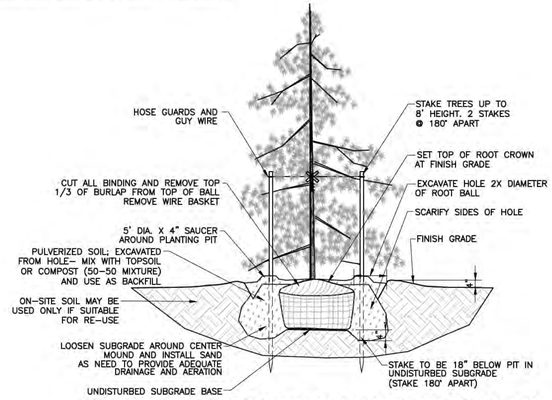
1. EXISTING TOPOGRAPHY AND PLANIMETRIC FEATURES TAKEN FROM SURVEY COMPLETED BY CIVIL & ENVIRONMENTAL, INC. BASED UPON FIELD OBSERVATIONS PERFORMED IN FEBRUARY AND MARCH, 2025.
2. EXISTING TOPOGRAPHY OUTSIDE OF PROPERTY BOUNDARY EXTRACTED FROM THE KENDALL COUNTY GIS "2018 CONTOURS", ON APRIL 9, 2025.
3. PROPOSED SOLAR LAYOUT PROVIDED TO CIVIL & ENVIRONMENTAL CONSULTANTS, INC. BY ECA SOLAR, LLC ON AUGUST 28, 2025; FILE NAME "PROPOSEDPLAN_ELEC.DWG".
4. EXISTING WETLAND DELINEATION COMPLETED BY SCI ENGINEERING, INC. ON MAY 22, 2025.
5. APPROVED JURISDICTIONAL DETERMINATION (AJD) PROVIDED BY THE UNITED STATES ARMY CORE OF ENGINEERS, CHICAGO DISTRICT, DATED JUNE 26, 2025.
6. FLOODPLAIN ZONE A LIMITS PER FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP (FIRM) 17093C0130H, EFFECTIVE DATE JANUARY 8, 2014.
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8. EXISTING DRAIN TILE SURVEY RECEIVED FROM ECA SOLAR, LLC & ANTREX, INC. ON SEPTEMBER 26, 2025.

## PLANT SCHEDULE

| SYMBOL | CODE | QTY | BOTANICAL / COMMON NAME | CONTAINER | SIZE |
|---|---|---|---|---|---|
| TREES | | | | | |
| | JE | 66 | JUNIPERUS VIRGINIANA / EASTERN REDCEDAR | B&B | 3'-5' HT. MIN. |
| | NW | 157 | THUJA OCCIDENTALIS / NORTHERN WHITE CEDAR | B&B | 3'-5' HT. MIN. |
| | TG | 90 | THUJA STANDISHII X PLICATA 'GREEN GIANT' / GREEN GIANT ARBORVITAE | B&B | 3'-5' HT. MIN. |

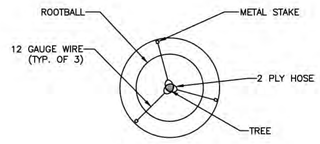
## PLANTING NOTES

1. THE QUANTITIES INDICATED ON THE PLANT MATERIALS SCHEDULE ARE PROVIDED FOR THE BENEFIT OF THE LANDSCAPE CONTRACTOR BUT SHALL NOT BE ASSUMED TO BE CORRECT. THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE QUANTITIES INDICATED ON THE PLAN. ANY DISCREPANCIES NOTED SHALL BE BROUGHT TO THE ATTENTION OF THE OWNERS REPRESENTATIVE PRIOR TO INSTALLATION. IN THE EVENT OF A DISCREPANCY, THE DRAWINGS SHALL GOVERN.
2. NO SUBSTITUTIONS AS TO SIZE, TYPE, SPACING, QUANTITY OR QUALITY OF PLANT MATERIAL SHALL BE MADE WITHOUT THE WRITTEN APPROVAL OF THE OWNERS REPRESENTATIVE. CHANGES IN PLANT MATERIAL MAY REQUIRE RE-APPROVAL BY LOCAL AUTHORITIES. CONTRACTOR IS NOT TO SEEK RE-APPROVAL WITHOUT EXPRESS WRITTEN CONSENT OF THE LANDSCAPE ARCHITECT/ENGINEER.
3. ALL PLANTS MUST BE NURSERY GROWN, HEALTHY, VIGOROUS, AND FREE FROM ALL PESTS AND DISEASE, BALL AND BURLAP (B&B) OR CONTAINER GROWN AS SPECIFIED IN THE PLANT SCHEDULE. ALL PLANTS SHALL CONFORM TO THE AMERICAN STANDARD FOR NURSERY STOCK ANSI Z-60.1, LATEST EDITION FOR SIZE AND QUALITY.
4. ALL TREES MUST BE STRAIGHT TRUNKED, FULL HEADED, WITH A SINGLE DOMINANT LEADER, AND MEET THE MINIMUM REQUIREMENTS. TREES WITH A "Y" SHAPE ARE NOT ACCEPTABLE.
5. ALL PLANTS ARE SUBJECT TO REVIEW AND APPROVAL BY THE OWNERS REPRESENTATIVE AT ANY TIME PRIOR TO FINAL ACCEPTANCE.
6. THE DIMENSIONS FOR HEIGHT, SPREAD, AND CALIPER AS SPECIFIED IN THE PLANT MATERIALS SCHEDULE ARE THE MINIMUM DESIRED FOR EACH PLANT. EACH PLANT SHALL BE UNIFORM AND CONSISTENT AS IT PERTAINS TO THE SPECIFICATIONS AND THE INDIVIDUAL SPECIES. ANY PLANT MATERIAL WHICH FAILS THESE SPECIFICATIONS WILL BE REJECTED. THE CONTRACTOR SHALL PROVIDE ACCEPTABLE MATERIAL AT NO ADDITIONAL COST TO THE OWNER. CALIPER SIZE IS NOT TO BE REDUCED. TREES THAT FAIL MINIMUM CALIPER SIZE AS MEASURED IN THE FIELD WILL BE REJECTED AND REPLACEMENTS SHALL BE MADE BY THE CONTRACTOR AT NO ADDITIONAL COST. CALIPER MEASUREMENTS SHALL BE MADE IN ACCORDANCE WITH ANSI STANDARDS.
7. PRIOR TO COMMENCEMENT OF INSTALLATION, THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR LOCATING ALL EXISTING UTILITIES AND SHALL AVOID DAMAGING UTILITIES DURING INSTALLATION. ANY UTILITIES DAMAGED DURING INSTALLATION SHALL BE REPAIRED BY THE LANDSCAPE CONTRACTOR TO THE SATISFACTION OF THE APPROPRIATE UTILITY COMPANY. ALL REPAIRS SHALL BE AT NO COST TO THE OWNER. NO TREES SHALL BE PLANTED WITHIN 10' OF SITE UTILITY LINES AND EASEMENTS. COORDINATE FIELD ADJUSTMENTS WITH OWNERS REPRESENTATIVE.
8. PRE-EMERGENT HERBICIDES, TREFLAN OR EPTAM, SHALL BE APPLIED TO ALL PLANTING BEDS. APPLY AT MANUFACTURERS RECOMMENDATIONS. HERBICIDES SHALL BE INCORPORATED INTO THE SOIL MIXES.
9. APPLY ROOT STIMULATOR, CONTAINING MYCORRHIZA, TO ALL PLANTS PRIOR TO BACK FILLING. APPLY AT MANUFACTURER'S RECOMMENDATIONS. CONTRACTOR TO SUBMIT SAMPLES OF ROOT STIMULATOR TO THE LANDSCAPE ARCHITECT FOR APPROVAL PRIOR TO USE.
10. ALL DISTURBED AREAS NOT RECEIVING MULCH OR OTHER SPECIFIED IMPROVEMENTS ARE TO BE FINE GRADED TO TRANSITION SMOOTHLY INTO ADJACENT GRADES AND RECEIVE PERMANENT GROUNDCOVER OR SEED.
11. THE LANDSCAPE CONTRACTOR SHALL GUARANTEE ALL PLANTINGS FOR A PERIOD OF ONE (1) YEAR BEGINNING UPON THE WRITTEN DATE OF SUBSTANTIAL COMPLETION OF THE PROJECT. ANY PLANTS SUBJECT TO REPLACEMENT SHALL BE MADE AT THE END OF THE WARRANTY PERIOD OR AT TIME AS DETERMINED BY THE OWNERS REPRESENTATIVE. ALL PLANTS MUST BE ALIVE AND HEALTHY FOR REVIEW AND APPROVAL BY LOCAL AUTHORITIES AS APPROPRIATE FOR OCCUPANCY PERMIT.
12. THE LANDSCAPE CONTRACTOR SHALL UTILIZE ON-SITE TOPSOIL AS AVAILABLE FROM THE GENERAL CONTRACTOR. ALL IMPORTED TOPSOIL SHALL COMPLY WITH ASTM D5265-23 STANDARD SPECIFICATIONS FOR TOPSOIL.
13. EXISTING GRASS TO BE REMOVED, IF PRESENT, AND TOPSOIL TO BE SPREAD SMOOTH AND HAND-RAKED TO REMOVE ALL ROCKS AND DEBRIS LARGER THAN 1 INCH IN DIAMETER. ALL PLANTING AREAS MUST BE COMPLETELY MULCHED.
14. IT IS THE CONTRACTORS RESPONSIBILITY TO NOTIFY THE OWNERS REPRESENTATIVE IN WRITING ONCE INSTALLATION IS COMPLETE.
15. THE CONTRACTOR AND THEIR SUBCONTRACTORS WILL BE RESPONSIBLE FOR KEEPING THE SITE NEAT AND ORDERLY DURING CONSTRUCTION. TRASH SHALL BE DISPOSED OF IN APPROPRIATE CONTAINERS ON SITE AND DISPOSED OF AT THEIR COST. NO CONSTRUCTION DEBRIS SHALL BE ALLOWED TO COLLECT ON OR OFF SITE. ROADWAYS SHALL BE CLEANED OF GRAVEL AND DEBRIS ON A DAILY BASIS, IF NEEDED. NO MATERIAL SHALL BE STORED IN DRIPLINES OF EXISTING TREES. ALL NEW LANDSCAPE MATERIAL SHALL BE PROTECTED DURING CONSTRUCTION, MAINTAIN LAWNS AS NEEDED, INCLUDING MOWING AND RESEEDING.
16. CONTRACTOR TO PROVIDE WATERING OF INSTALLED PLANT MATERIAL THROUGH THE GROWING SEASON AT A RATE OF 1" OF WATER PER WEEK.
17. ALL DISTURBED AREAS TO BE SEEDED WITH PIZZO ECONOMY PRAIRIE SEED MIX (OR APPROVED EQUAL). APPLY AT MANUFACTURERS SPECIFIED RATE. FOLLOW MANUFACTURERS RECOMMENDATIONS FOR NURSE CROP INCLUSIONS FOR TIME OF YEAR SEEDING.
18. THE TYPICAL PLANTING SOIL BACKFILL MIX FOR BEDS AND PLANT BACKFILL SHALL CONSIST OF THE FOLLOWING (BY VOLUME):
    - 2/3 EXISTING SITE SOIL
    - 1/3 SOIL AMENDMENTS (BY VOLUME AS FOLLOWS)
    - 2 PARTS HUMUS AND OR PEAT
    - 1 PART COARSE RIVER SAND
    - 1 PART STERILIZED COMPOSTED COW MANURE
    - CERTIFIED SOIL TEST REPORTS: SUBMIT TWO COPIES EACH OF CERTIFIED TEST REPORTS FOR TOPSOIL. PRIOR TO COMMENCEMENT OF CONSTRUCTION, OBTAIN SOIL TEST FOR THE TOPSOIL PROPOSED FOR USE. OBTAIN A MINIMUM OF 5 TOPSOIL TESTS. TAKE SAMPLES OF AVAILABLE TOPSOIL AT 5 SEPARATE LOCATIONS, SPECIFICALLY LABELING THE POINT OF ORIGIN OF EACH. TOPSOIL TESTS SHALL BE PERFORMED BY A SOIL TEST LAB CERTIFIED BY THE AGRICULTURAL LABORATORY TESTING ASSOCIATION (ILLINOIS).
    - SOIL FERTILITY TEST SHALL IDENTIFY THE FOLLOWING: PH, AVAILABLE PHOSPHORUS, POTASSIUM, CALCIUM, MAGNESIUM, AND ORGANIC MATTER PERCENTAGE CONTENT. RECOMMENDATIONS FOR FERTILIZERS FOR THE SOILS BASED ON THE PLANTS PROPOSED FOR THE PROJECT SHALL BE PROVIDED BY THE TESTING AGENCY, AS WELL AS ANY RECOMMENDATIONS FOR PH AND ORGANIC MATTER ADJUSTMENTS. SOIL SAMPLES SHALL BE COLLECTED, STORED, SHIPPED OR DELIVERED TO THE SPECIFIED LAB IN ACCORDANCE WITH THE WRITTEN INSTRUCTIONS OF THE TESTING AGENCY.
19. COMPLETELY BLEND BACKFILL SOIL MIX PRIOR TO PLACEMENT.




**DETAIL 1 - EVERGREEN TREE PLANTING DETAIL**

NOT TO SCALE




NOTE: LOCATE 1 STAKE DIRECTLY SOUTHWEST OF TREE TRUNK

**DETAIL 2 - TREE STAKING DETAIL**

NOT TO SCALE

SCALE IN FEET
0 100 200

*HAND SIGNATURE ON FILE

REVISION RECORD

| NO | DATE | DESCRIPTION |
|---|---|---|

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KENDALL COUNTY, ILLINOIS

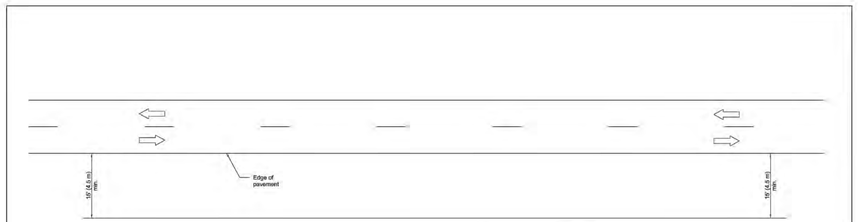
LANDSCAPE PLAN

| | |
|---|---|
| DATE: | OCTOBER 20, 2025 |
| DWG SCALE: | 1" = 100' |
| PROJECT NO: | |
| APPROVED BY: | |
| DRAWN BY: | MJS |
| CHECKED BY: | ARG |
| | 350-646 |
| | *DAK |

DRAWING NO.: C700

SHEET 6 OF 11

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**TYPICAL APPLICATIONS**

Landscaping work

Utility work

Fencing contracts and maintenance

Clearing culverts

**GENERAL NOTES**

This Standard is used where at all times all vehicles, equipment, workers or their activities are more than 15' (4.5 m) from the edge of pavement.

When the work operation requires that two or more work vehicles cross the 15' (4.5 m) clear zone in any one hour, traffic control shall be according to Standard 701006.

All dimensions are in inches (millimeters) unless otherwise shown.

Illinois Department of Transportation

APPROVED _____ January 1, 2009
ENGINEER OF OPERATIONS

APPROVED _____ January 1, 2009
ENGINEER OF DESIGN AND ENVIRONMENT

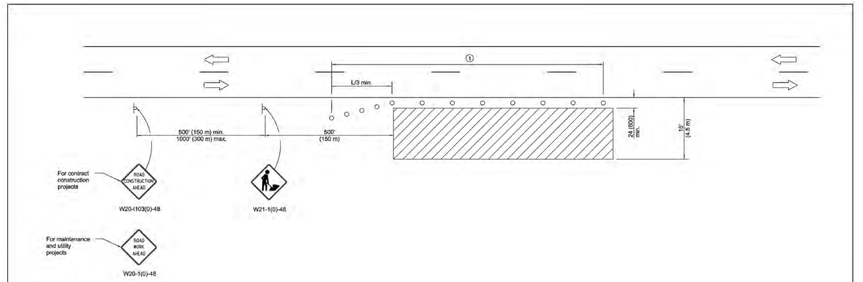
dgn = c 120000

| DATE | REVISIONS |
|---|---|
| 1-1-09 | Switched units to English (metric). |
| | |
| 1-1-05 | Revised title and notes. |
| | |
| | |

**OFF-RD OPERATIONS, 2L, 2W, MORE THAN 15' (4.5 m) AWAY**

**STANDARD 701001-02**

**DETAIL 1**
**OFF-RD OPERATIONS, 2L, 2W, MORE THAN 15' (4.5 M) AWAY**
NOT TO SCALE




**TYPICAL APPLICATIONS**

Utility operations
Culvert extensions
Side slope changes
Guardrail installation and maintenance
Delineator installation
Landscaping operations
Shoulder repair
Sign installation and maintenance

① When the work operation exceeds one hour, cones, drums or barricades shall be placed at 25' (8 m) centers for L/3 distance, and at 50' (15 m) centers through the remainder of the work area.

**SYMBOLS**

Work area

Sign

Cone, drum or barricade

**GENERAL NOTES**

This Standard is used where any vehicles, equipment, workers or their activities will encroach in the area 15' (4.5 m) to 24 (600) from the edge of pavement.

Calculate L as follows:

| SPEED LIMIT | FORMULAS | |
|---|---|---|
| | English | (Metric) |
| 40 mph (70 km/h) or less: | $L = \frac{WS^2}{60}$ | $L = \frac{WS^2}{150}$ |
| 45 mph (80 km/h) or greater: | L=(W)(S) | L=0.65(W)(S) |

W = Width of offset in feet (meters).

S = Normal posted speed mph (km/h).

All dimensions are in inches (millimeters) unless otherwise shown.

Illinois Department of Transportation

APPROVED _____ January 1, 2014
ENGINEER OF SAFETY ENGINEERING

APPROVED _____ January 1, 2014
ENGINEER OF DESIGN AND ENVIRONMENT

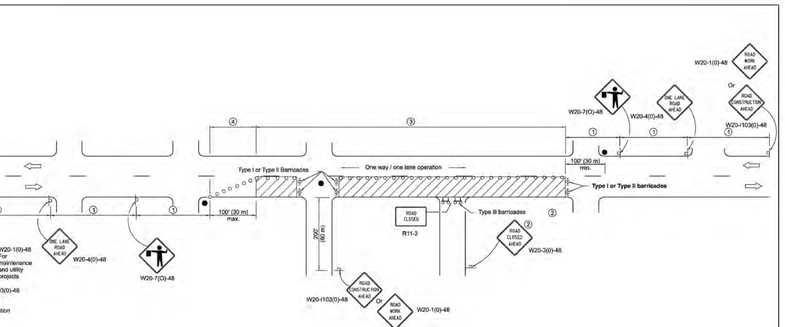
dgn = c 120000

| DATE | REVISIONS |
|---|---|
| 1-1-14 | Revised workers sign number to agree with current MUTCD. |
| | |
| 1-1-13 | Omitted text 'WORKERS' sign. |
| | |
| | |

**OFF-RD OPERATIONS, 2L, 2W, 15' (4.5 m) TO 24" (600 mm) FROM PAVEMENT EDGE**

**STANDARD 701006-05**

**DETAIL 2**
**OFF-RD OPERATIONS, 2L, 2W, 15' (4.5 M) TO 24" (600 MM) FORM PAVEMENT EDGE**
NOT TO SCALE




| SIGN SPACING | |
|---|---|
| Posted Speed | Sign Spacing |
| 50 | 500' (150 m) |
| 50-55 | 350' (100 m) |
| >55 | 200' (60 m) |

**SYMBOLS**

Work area

Cone, drum or barricade (not required for moving operations)

Sign on portable or permanent support

Flagger with traffic control sign

Barricade or drum with flashing light

Type III barricade with flashing lights

① Refer to SIGN SPACING TABLE for distances.

② For approved sidecad closures.

③ Cones at 25' (8 m) centers for 250' (75 m). Additional cones may be placed at 50' (15 m) centers. When drums or Type I or Type III barricades are used, the interval between devices may be doubled.

④ Cones, drums or barricades at 25' (8 m) centers.

**GENERAL NOTES**

This Standard is used where at any time, day or night, any vehicle, equipment, workers or their activities encroach on the pavement requiring the closure of one traffic lane in an urban area.

All dimensions are in inches (millimeters) unless otherwise shown.

Illinois Department of Transportation

APPROVED _____ April 1, 2016
ENGINEER OF SAFETY ENGINEERING

APPROVED _____ April 1, 2016
ENGINEER OF DESIGN AND ENVIRONMENT

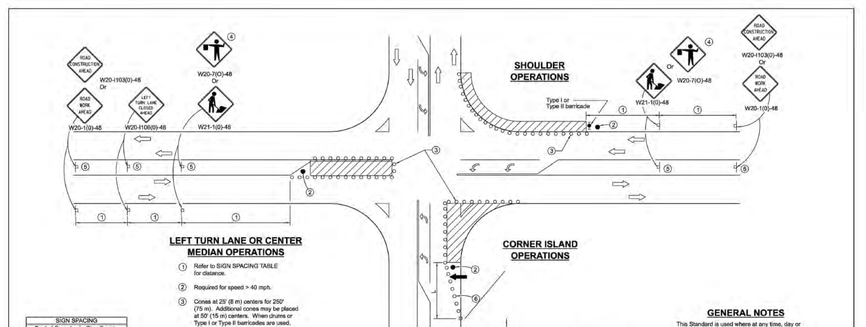
dgn = c 120000

| DATE | REVISIONS |
|---|---|
| 1-1-11 | Revised flagger sign. |
| | |
| 1-1-09 | Switched units to English (metric). |
| | Corrected sign No.'s. |
| | |

**URBAN LANE CLOSURE, 2L, 2W, UNDIVIDED**

**STANDARD 701501-06**

**DETAIL 3**
**URBAN LANE CLOSURE, 2L, 2W, UNDIVIDED**
NOT TO SCALE




| SIGN SPACING | |
|---|---|
| Posted Speed | Sign Spacing |
| 50 | 500' (150 m) |
| 50-55 | 350' (100 m) |
| >55 | 200' (60 m) |

① Refer to SIGN SPACING TABLE for distance.

② Required for speed > 40 mph.

③ Cones at 25' (8 m) centers for 250' (75 m). Additional cones may be placed at 50' (15 m) centers. When drums or Type I or Type II barricades are used, the interval between devices may be doubled.

④ Use flagger sign only when flagger is present.

⑤ Omit this sign when median is less than 10' (3 m) or for bi-directional turn lanes.

⑥ Cones, drums or barricades at 25' (8 m) centers in taper.

⑦ Advanced arrow board required for speeds > 45 mph.

⑧ Three Type II barricades, drums or vertical barricades at 50' (15 m) centers.

**SYMBOLS**

Work area

Cone, drum or barricade

Sign on portable or permanent support

Arrow board

Barricade or drum with flashing light

Flagger with traffic control sign

**GENERAL NOTES**

This Standard is used where at any time, day or night, any vehicle, equipment, workers or their activities encroach on the pavement during shoulder operations or where construction requires lane closures in an urban area.

Calculate L as follows:

| SPEED LIMIT | FORMULAS | |
|---|---|---|
| | English | (Metric) |
| 40 mph (70 km/h) or less: | $L = \frac{WS^2}{60}$ | $L = \frac{WS^2}{150}$ |
| 45 mph (80 km/h) or greater: | L=(W)(S) | L=0.65(W)(S) |

W = Width of offset in feet (metres).

S = Normal posted speed mph (km/h).

All dimensions are in inches (millimeters) unless otherwise shown.

| DATE | REVISIONS |
|---|---|
| 4-1-16 | Corrected sign number for LEFT TURN LANE CLOSED AHEAD. |
| | |
| 1-1-14 | Added devices at arrow board upstream from taper. Revised workers sign number. |
| | |

**URBAN LANE CLOSURE, MULTILANE INTERSECTION**

**STANDARD 701701-10**

**DETAIL 4**
**URBAN LANE CLOSURE, MULTILANE INTERSECTION**
NOT TO SCALE

*HAND SIGNATURE ON FILE

| REVISION RECORD | | |
|---|---|---|
| NO | DATE | DESCRIPTION |
| | | |

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Ph: 630.963.6026
www.cecinc.com

Civil & Environmental Consultants, Inc.

**EAST SCHOOLHOUSE ROAD COMMUNITY ENERGY INITIATIVE LLC EAST SCHOOLHOUSE ROAD SOLAR EAST SCHOOLHOUSE ROAD KENDALL COUNTY, ILLINOIS**

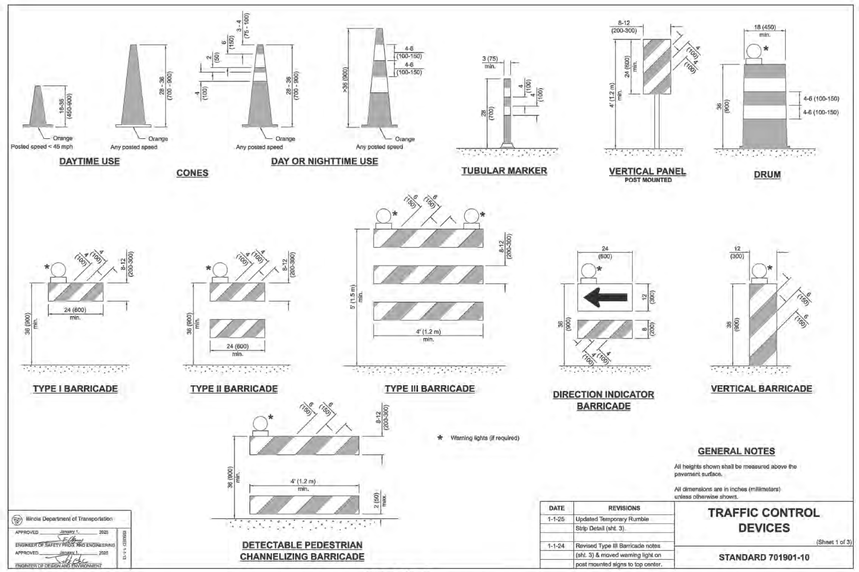
**CONSTRUCTION DETAILS - 1**

| | |
|---|---|
| DATE: | OCTOBER 20, 2025 |
| DWG SCALE: | NOT TO SCALE |
| PROJECT NO: | 350-646 |
| DRAWN BY: | MJS |
| CHECKED BY: | ARG |
| APPROVED BY: | *DAK |

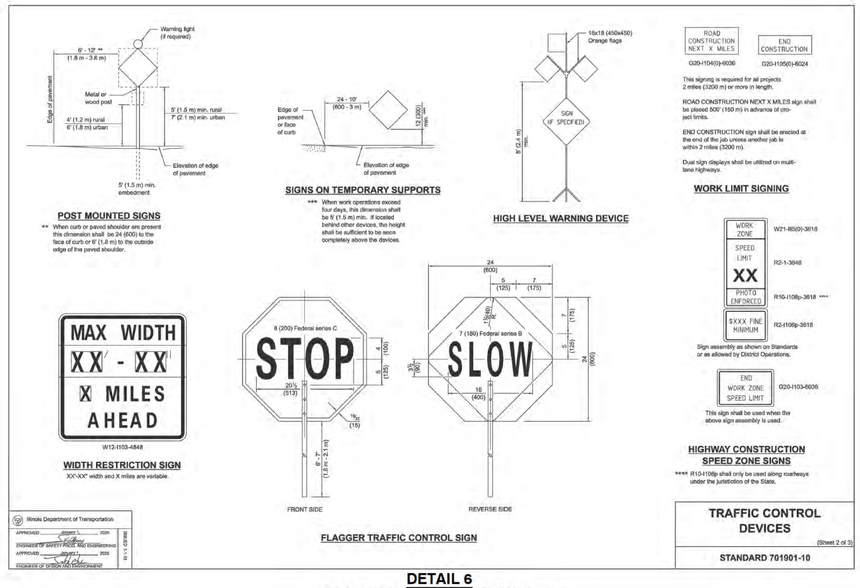
DRAWING NO.:
**C800**

SHEET 7 OF 11

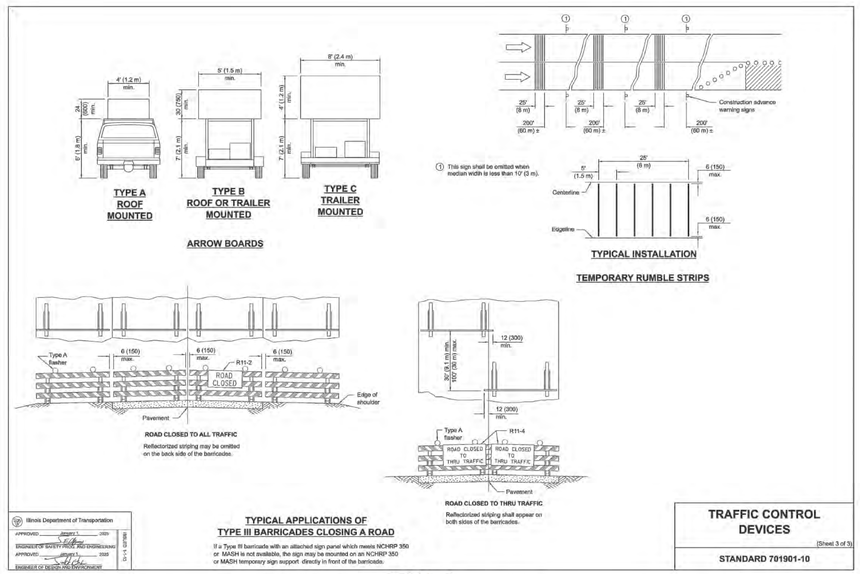
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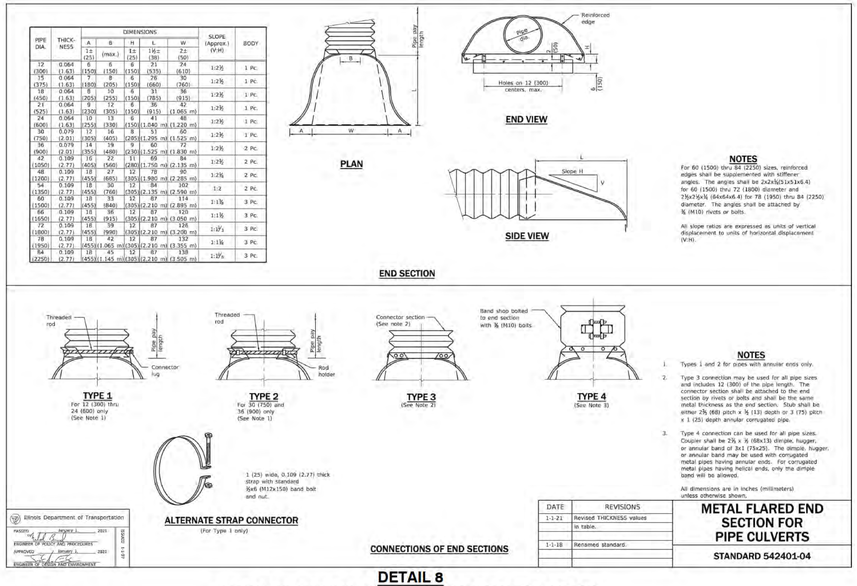

**DETAIL 5**
**TRAFFIC CONTROL DEVICES - 1**
NOT TO SCALE




**DETAIL 6**
**TRAFFIC CONTROL DEVICES - 2**
NOT TO SCALE




**DETAIL 7**
**TRAFFIC CONTROL DEVICES - 3**
NOT TO SCALE




**DETAIL 8**
**METAL FLARED END SECTION FOR PIPE CULVERTS**
NOT TO SCALE

CEC
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Ph: 630.963.6026
www.cecinc.com

REVISION RECORD

| NO | DATE | DESCRIPTION |
|---|---|---|

**EAST SCHOOLHOUSE ROAD COMMUNITY ENERGY INITIATIVE LLC**
**EAST SCHOOLHOUSE ROAD SOLAR**
**EAST SCHOOLHOUSE ROAD**
**KENDALL COUNTY, ILLINOIS**

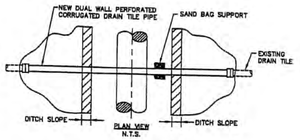
**CONSTRUCTION DETAILS - 2**

| | |
|---|---|
| DATE: | OCTOBER 20, 2025 |
| DWG SCALE: | NOT TO SCALE |
| PROJECT NO: | 350-646 |
| DRAWN BY: | MJS |
| CHECKED BY: | ARG |
| APPROVED BY: | *DAK |

DRAWING NO.:
**C801**
SHEET 8 OF 11

*HAND SIGNATURE ON FILE

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PLAN VIEW
N.T.S.

## PLAN VIEW



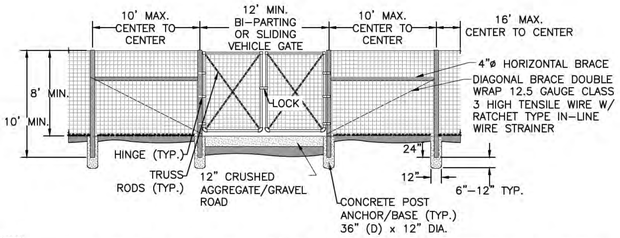

## END VIEWS

| MINIMUM SUPPORT TABLE | | | |
|---|---|---|---|
| TILE SIZE | CHANNEL SIZE | PIPE SIZE | |
| 3" | 4" @ 5.4 #/ft | 4" | STD. WT. |
| 4"-6" | 5" @ 6.7 #/ft | 6" | STD. WT. |
| 8"-9" | 7" @ 9.8 #/ft | 8"-10" | STD. WT. |
| 10" | 10" @ 15.3 #/ft | 12" | STD. WT. |

NOTE:

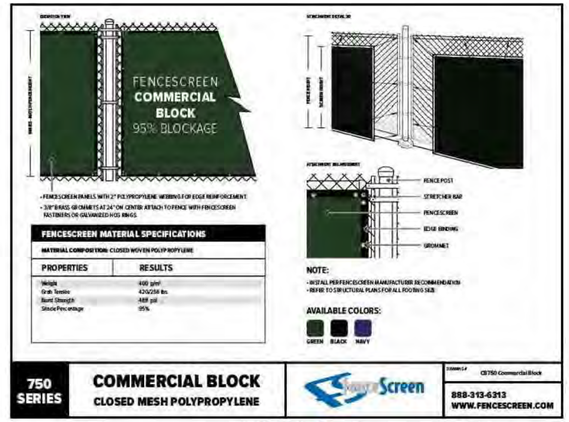
1. TILE REPAIR AND REPLACEMENT SHALL MAINTAIN ORIGINAL ALIGNMENT GRADIENT AND WATER FLOW TO THE GREATEST EXTENT POSSIBLE. IF THE TILE NEEDS TO BE RELOCATED, THE INSTALLATION ANGLE MAY VARY DUE TO SITE SPECIFIC CONDITIONS AND LANDOWNER RECOMMENDATIONS.
2. 1'-0" MINIMUM LENGTH OF CHANNEL OR RIGID PIPE (OPEN OR SLOTTED CORRUGATED GALVANIZED, PVC OR ALUMINUM CRADLE) SHALL BE SUPPORTED BY UNDISTURBED SOIL, OR IF CROSSING IS NOT AT RIGHT ANGLES TO PIPELINE, EQUIVALENT LENGTH PERPENDICULAR TO TRENCH. SHIM WITH SAND BAGS TO UNDISTURBED SOIL FOR SUPPORT AND DRAINAGE GRADIENT MAINTENANCE (TYPICAL BOTH SIDES).
3. DRAIN TILES WILL BE PERMANENTLY CONNECTED TO EXISTING DRAIN TILES A MINIMUM OF THREE FEET OUTSIDE OF EXCAVATED TRENCH LINE USING INDUSTRY STANDARDS TO ENSURE PROPER SEAL OF REPAIRED DRAIN TILES INCLUDING SLIP COUPLINGS.
4. DIAMETER OF RIGID PIPE SHALL BE OF ADEQUATE SIZE TO ALLOW FOR THE INSTALLATION OF THE TILE FOR THE FULL LENGTH OF THE RIGID PIPE.
5. OTHER METHODS OF SUPPORTING DRAIN TILE MAY BE USED IF ALTERNATE PROPOSED IS EQUIVALENT IN STRENGTH TO THE CHANNEL/PIPE SECTIONS SHOWN AND IF APPROVED BY COMPANY REPRESENTATIVES AND LANDOWNER IN ADVANCE. SITE SPECIFIC ALTERNATE SUPPORT SYSTEM TO BE DEVELOPED BY COMPANY REPRESENTATIVES AND FURNISHED TO CONTRACTOR FOR SPANS IN EXCESS OF 20', TILE GREATER THEN 10" DIAMETER, AND FOR "HEADER" SYSTEMS.
6. ALL MATERIAL TO BE FURNISHED BY CONTRACTOR.
7. PRIOR TO REPAIRING TILE, CONTRACTOR SHALL PROBE LATERALLY INTO THE EXISTING TILE TO FULL WIDTH OF THE RIGHTS OF WAY TO DETERMINE IF ADDITIONAL DAMAGE HAS OCCURRED. ALL DAMAGED/DISTURBED TILE SHALL BE REPAIRED AS NEAR AS PRACTICABLE TO ITS ORIGINAL OR BETTER CONDITION.

**DETAIL 9**
**PERMANENT DRAIN TILE REPAIR**
NOT TO SCALE

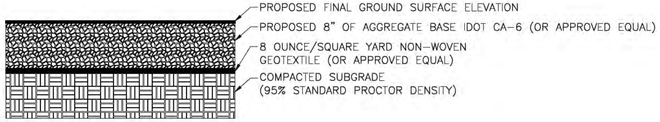



NOTES:
1. CONCRETE ANCHOR/BASE SHALL BE MIN. 3000 PSI. CAST-IN-PLACE FOR ALL CORNERS, PULL, TERMINAL AND GATE POSTS. ALL OTHER POST CAN BE DIRECT PUSH/BURIAL IF POST IS EMBEDDED MIN. 3 FEET.
2. ALL POSTS SHALL EXTEND A MIN. 8 FEET ABOVE GROUND SURFACE.
3. PROVIDE HORIZONTAL AND DIAGONAL BRACING AT ALL CORNERS, PULL, TERMINAL AND GATE POSTS.
4. POST SHALL BE SPACE AT A MAXIMUM OF 18'-0', SEE DETAIL FOR GATE POST SPACING.
5. POST SHALL BE PRESSURE TREATED PINE OR EQUIVALENT.
6. HORIZONTAL WOOD BRACES SHALL BE PINNED OR DOWELED.
7. GATE SHALL BE PT WOOD (4" MIN. SQUARE STOCK),METAL (2"ø BLACK COATED) OR APPROVED EQUIVALENT.
8. MESH SHALL BE HIGH TENSILE STEEL 4"X4" FIXED-KNOT 12.5 GAUGE WIRE.
9. CUT A 8" WIDE BY 12" TALL FOX PASSAGE OPENING IN BOTTOM OF MESH EVERY 50 FEET.

**DETAIL 10**
**KNOT WIRE FENCE DETAIL**
NOT TO SCALE



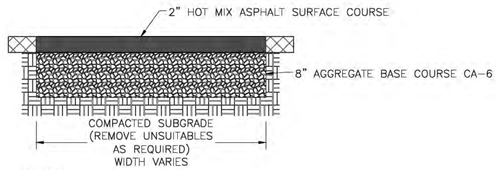

**DETAIL 11**
**GREEN WOVEN MESH DETAIL**
NOT TO SCALE




NOTE:

1. CONTRACTOR SHALL REFER TO AND FOLLOW RECOMMENDATIONS OF THE GEOTECHNICAL REPORT PREPARED BY THE GEOTECHNICAL ENGINEER OF RECORD.

**DETAIL 12**
**PROPOSED GRAVEL SECTION**
NOT TO SCALE




NOTES:

1. REMOVE TOPSOIL AND ALL SUITABLE MATERIAL AS REQUIRED AND REPLACE WITH GRAVEL
2. ACCESS DRIVES TO SLOPE IN THE DIRECTION OF THE EXISTING GRADE DRIVEWAY SHALL BE GRADED TO ALLOW STORMWATER TO SHEET DRAIN ACROSS IT AND TO PREVENT PUDDLING.

**DETAIL 13**
**PROPOSED HMA ACCESS ROAD SECTION**
NOT TO SCALE

REVISION RECORD

| NO | DATE | DESCRIPTION |
|---|---|---|

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EAST SCHOOLHOUSE ROAD
COMMUNITY ENERGY INITIATIVE LLC
EAST SCHOOLHOUSE ROAD SOLAR
EAST SCHOOLHOUSE ROAD
KENDALL COUNTY, ILLINOIS

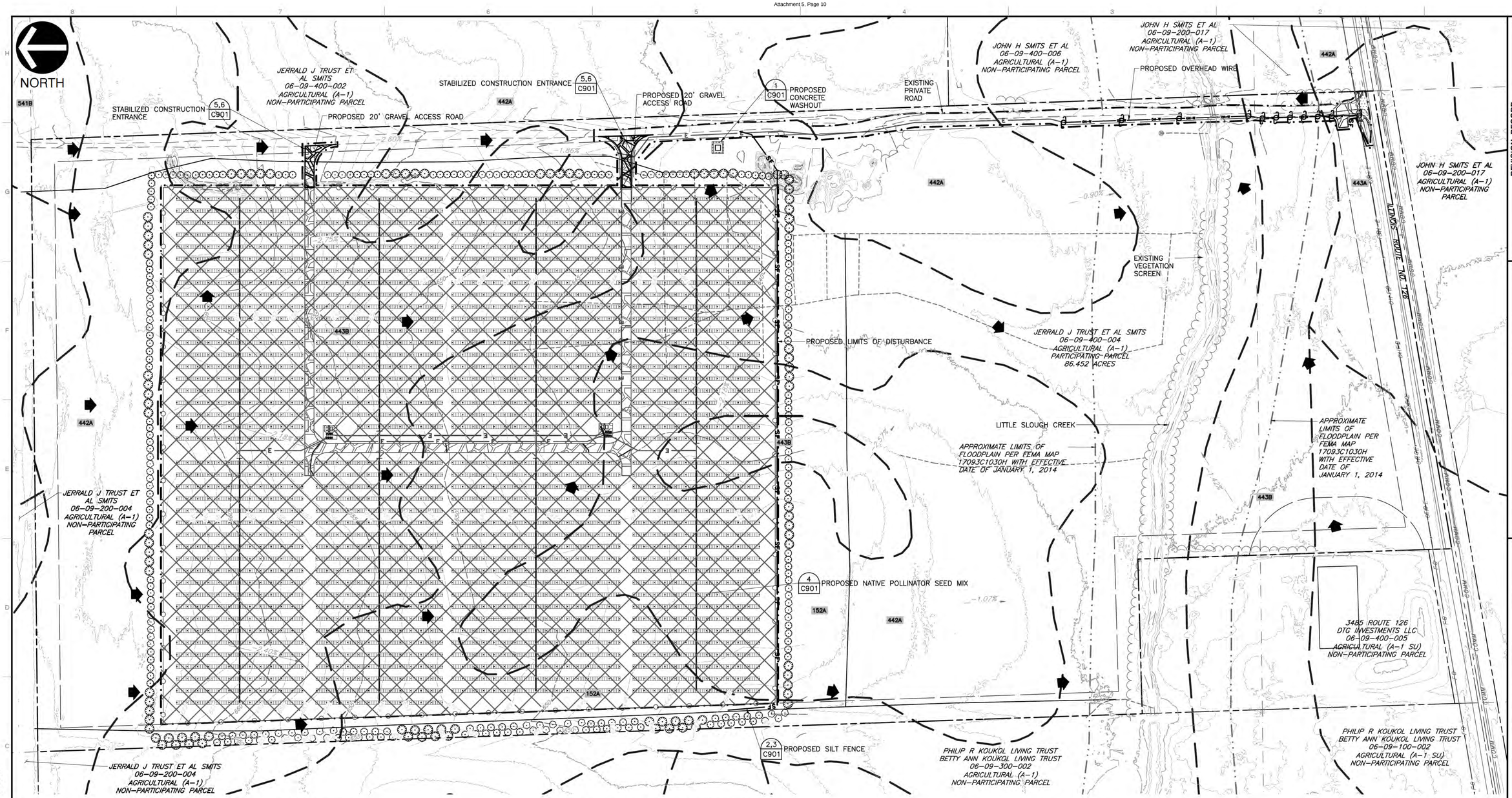
CONSTRUCTION DETAILS - 3

| | |
|---|---|
| DATE: | OCTOBER 20, 2025 |
| DWG SCALE: | NOT TO SCALE |
| PROJECT NO: | 350-646 |
| DRAWN BY: | MJS |
| CHECKED BY: | ARG |
| APPROVED BY: | *DAK |

DRAWING NO.:
**C802**
SHEET 9 OF 11

*HAND SIGNATURE ON FILE

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## REFERENCE

1. EXISTING TOPOGRAPHY AND PLANIMETRIC FEATURES TAKEN FROM SURVEY COMPLETED BY CIVIL & ENVIRONMENTAL, INC. BASED UPON FIELD OBSERVATIONS PERFORMED IN FEBRUARY AND MARCH, 2025.
2. EXISTING TOPOGRAPHY OUTSIDE OF PROPERTY BOUNDARY EXTRACTED FROM THE KENDALL COUNTY GIS "2018 CONTOURS", ON APRIL 9, 2025.
3. PROPOSED SOLAR LAYOUT PROVIDED TO CIVIL & ENVIRONMENTAL CONSULTANTS, INC. BY ECA SOLAR, LLC ON AUGUST 28, 2025; FILE NAME "PROPOSEDPLAN_ELEC.DWG".
4. EXISTING WETLAND DELINEATION COMPLETED BY SCI ENGINEERING, INC. ON MAY 22, 2025.
5. APPROVED JURISDICTIONAL DETERMINATION (AJD) PROVIDED BY THE UNITED STATES ARMY CORE OF ENGINEERS, CHICAGO DISTRICT, DATED JUNE 26, 2025.
6. FLOODPLAIN ZONE A LIMITS PER FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP (FIRM) 17093C0130H, EFFECTIVE DATE JANUARY 8, 2014.
7. SEE LEGEND ON DRAWING C000 FOR SYMBOL AND LINEWORK ELEMENTS.
8. EXISTING DRAIN TILE SURVEY RECEIVED FROM ECA SOLAR, LLC & ANTREX, INC. ON SEPTEMBER 26, 2025.

## SITE INFORMATION:

| | |
|---|---|
| PARCEL AREA: | 86.452 ACRES± |
| LIMITS OF DISTURBANCE: | 36.60 ACRES± |
| RECEIVING WATERS: | LITTLE SLOUGH CREEK |

CONSTRUCTION ACTIVITIES WILL INCLUDE INSTALLING SOLAR PANELS, ACCESS ROADS, FENCING, INVERTER/TRANSFORMER PADS, AND ABOVE AND BELOW GROUND ELECTRICAL WIRE. LANDSCAPING AND SEEDING OF NATIVE POLLINATOR FRIENDLY SEED MIX WILL FOLLOW.

**SOIL LEGEND**

| SOIL TYPE | SOIL RATING | SOIL NAME |
|---|---|---|
| 442A | B/D | MUNDELEIN SILT LOAM, 0 TO 2 PERCENT SLOPES |
| 443A | C | BARRINGTON SILT LOAM, 0 TO 2 PERCENT SLOPES |
| 443B | C | BARRINGTON SILT LOAM, 2 TO 4 PERCENT SLOPES |
| 152A | B/D | DRUMMER SILTY CLAY LOAM, 0 TO 2 PERCENT SLOPES |
| 59A | C/D | LISBON SILT LOAM, 0 TO 2 PERCENT SLOPES |
| 541A | C | GRAYMONT SILT LOAM, 0 TO 2 PERCENT SLOPES |
| 541B | C | GRAYMONT SILT LOAM, 2 TO 5 PERCENT SLOPES |

## EROSION CONTROL AND SEDIMENTATION NOTES:

1. THIS PLAN IS PROVIDED FOR INFORMATION PURPOSES AT THIS TIME. AN EROSION AND SEDIMENT CONTROL PLAN AND SWPPP WILL NEED TO BE FILLED WITH THE ILLINOIS ENVIRONMENTAL PROTECTION AGENCY AND LOCAL JURISDICTION PRIOR TO COMMENCEMENT OF CONSTRUCTION
2. A CONSTRUCTION ENTRANCE AND AN EROSION CONTROL BARRIER SHALL BE INSTALLED AS INDICATED IN THE PLAN PRIOR TO THE COMMENCEMENT OF DEMOLITION OR CONSTRUCTION OPERATIONS.
3. CONTRACTOR SHALL MAINTAIN ALL EROSION CONTROL MEASURES DURING ENTIRE CONSTRUCTION PERIOD.
4. ANY SEDIMENT TRACKED ONTO PUBLIC RIGHT-OF-WAYS SHALL BE SWEPT AT THE END OF EACH WORK DAY.
5. ALL STOCKPILE AREAS SHALL BE LOCATED WITHIN LIMIT OF WORK LINE AND STABILIZED TO PREVENT EROSION.
6. ALL DEBRIS GENERATED DURING SITE PREPARATION ACTIVITIES SHALL BE LEGALLY DISPOSED OF OFF-SITE
7. SITE ELEMENTS TO REMAIN MUST BE PROTECTED FOR DURATION OF PROJECT.
8. ALL TOPSOIL ENCOUNTERED WITHIN THE LIMITS OF THE PROPOSED PERMANENT AND TEMPORARY GRAVEL ROADS, EQUIPMENT PADS AREA, AND AREAS OF CUT AND FILL SHALL BE STRIPPED AS NEEDED AND STOCKPILES FOR REUSE. ECCESS TOPSOIL SHALL BE DISPOSED OF ON SITE AS DIRECTED BY OWNER. TOPSOIL PILES SHALL REMAIN SEGREGATED FROM EXCAVATED SUBSURFACE SOIL MATERIALS.
9. ADDITIONAL EROSION CONTROL MEASURES SHALL BE IMPLEMENTED AS CONDITIONS WARRANT OR AS DIRECTED BY THE OWNER OR OWNER'S REPRESENTATIVE.
10. ALL POINTS OF CONSTRUCTION EGRESS AND INGRESS SHALL BE MAINTAINED TO PREVENT TRACKING OR FLOWING OF SEDIMENT ONTO PUBLIC ROADS.
12. SOIL EROSION AND SEDIMENTATION CONTROL MEASURES SHALL BE INSPECTED AND MAINTAINED ON A DAILY BASIS DURING CONSTRUCTION TO ENSURE THAT PIPES ARE CLEAR OF DEBRIS AND THAT THE EROSION CONTROL BARRIERS ARE INTACT
13. DUST SHALL BE CONTROLLED AS NEEDED BY SPRINKLING OR OTHER APPROVED METHODS AS NECESSARY, OR AS DIRECTED BY THE OWNER OR REPRESENTATIVE.
14. CARE SHALL BE EXERCISED SO AS TO PREVENT ANY UNSUITABLE MATERIAL FROM MIGRATING OUTSIDE THE LIMIT OF WORK.
15. ADDITIONAL EROSION CONTROL SHALL BE LOCATED AS CONDITIONS WARRANT OR AS DIRECTED BY THE OWNER OR REPRESENTATIVE.
16. CLEAN AND MAINTAIN EROSION CONTROL BARRIER AS REQUIRED DURING CONSTRUCTION OPERATIONS TO ENSURE ITS CONTINUED FUNCTIONALITY.
17. OVERALL SITE DEVELOPMENT WILL GENERALLY MAINTAIN EXISTING TOPOGRAPHY AND STORM WATER DRAINAGE PATTERNS. SPOT GRADES WILL BE PROPOSED AS NECESSARY TO ACCOMMODATE THE RACKING SYSTEM.

SCALE IN FEET
0 100 200

*HAND SIGNATURE ON FILE

REVISION RECORD

| NO | DATE | DESCRIPTION |
|---|---|---|
| | | |

1230 East Diehl Road
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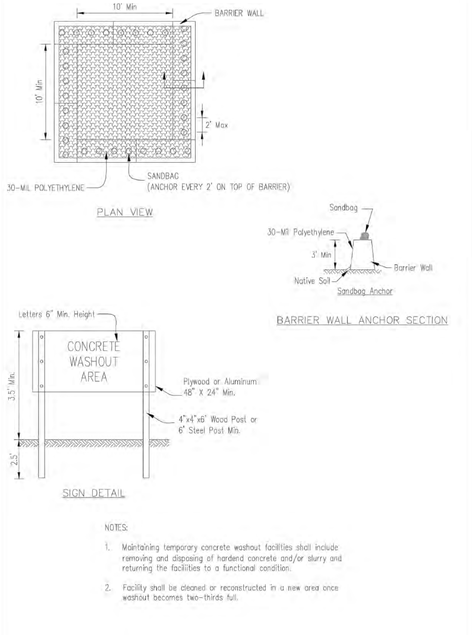
EROSION AND SEDIMENT CONTROL PLAN

DATE: OCTOBER 20, 2025
DWG SCALE: 1" = 100'
PROJECT NO: 350-646
APPROVED BY: *DAK
DRAWN BY: MJS
CHECKED BY: ARG

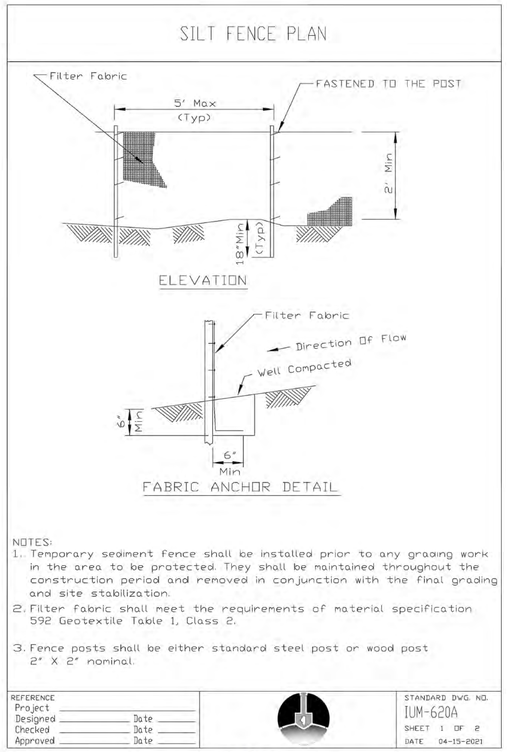
DRAWING NO.: C900
SHEET 10 OF 11



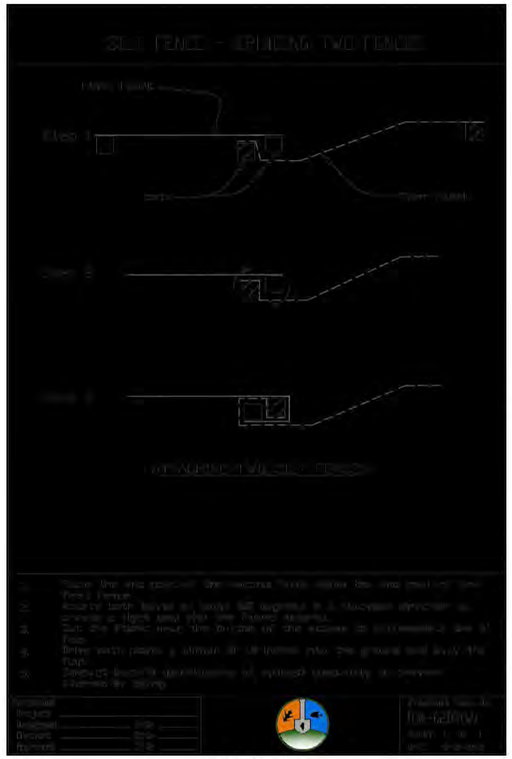
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**DETAIL 1**
**TEMPORARY CONCRETE WASHOUT FACILITY - BARRIER WALL**
NOT TO SCALE




**DETAIL 2**
**SILT FENCE PLAN**
NOT TO SCALE




**DETAIL 3**
**SILT FENCE - SPLICING TWO FENCES**
NOT TO SCALE

Pizzo NATIVE PLANT NURSERY
Pizzo Native Plant Nursery, LLC • 10729 Pine Road • Leland, IL 60531 • Phone : 815-981-8000 • www.pizzonursery.com

**Economy Prairie Seed Mix (Dry-Mesic Soils)**

Designed as the most economical way to establish an ecologically functional prairie while maintaining the highest aesthetic value. This mix includes prairie species that quickly establish for a more immediate naturalized setting in sunny areas that remain mesic to dry for the most of the growing season. Over 55% of this mix is composed of wildflowers that provide an array of blooms from April through October. When installed and managed correctly, this mix typically begins flowering in its second growing season, starting with the yellow blooms of annual Partridge Pea and biennial Black-Eyed Susan. An additional colorful matrix of perennial species appears in the succeeding 3 to 5 years. This is a medium-short height prairie with an average height of 2.9' by seed count.

| MIX STATISTICS | |
|---|---|
| Average Mix Height (ft) | 3.0 |
| Median Mix Height (ft) | 3.0 |
| Species Heights (# of Occurrences in Mix) | 2' (11), 3' (8), 4' (6), 5' (2) |
| Number of Native Species in Mix | 20 |
| Native FQI | 18.8 |
| Native Mean C-Value | 4.2 |
| Native Mean W-Value | 2.6 |
| National Wetland Category | FACUP |
| Lbs/Acre of Native Seed | 15.0 |
| Seeds per Square Foot | 30.7 |
| Percent of Mix (by Seed Count) Requiring Stratification | 40EE% |

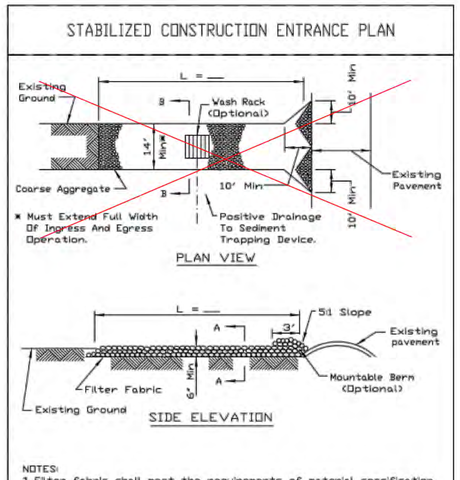
**Grasses, Sedges, & Rushes**

| CODE | SCIENTIFIC NAME | COMMON NAME | C-VALUE | W-VALUE | WETNESS | HEIGHT Min-Max | HEIGHT Typical | BLOOM COLOR | BLOOM TIME A | M | J | J | A | S | O | SEEDS/OZ | OZ/ACRE | LB/ACRE | % OF MIX by Weight | % OF MIX by Seed Count | GERMINATION | TOP-SOW |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| BOUCUR | *Bouteloua curtipendula* | Side-oats Grama | 8 | 5 | UPL | 1.5-2.5' | 2 | N/A | | | | | | | | 6,000 | 32.00 | 2.00 | 13.29% | 4.86% | N/A | |
| CARPEV | *Carex brevior* | Plains Oval Sedge | 4 | 0 | FAC | 1-3' | 2 | N/A | | | | | | | | 29,000 | 2.00 | 0.13 | 0.83% | 1.47% | CM-60 | |
| SORNUT | *Sorghastrum nutans* | Indian Grass | 5 | 3 | FACU | 3-7' | 6 | N/A | | | | | | | | 12,000 | 16.00 | 1.00 | 6.65% | 4.86% | N/A | |
| ELYCAN | *Elymus canadensis* | Canada Wild Rye | 4 | 3 | FACU | 3-5' | 5 | N/A | | | | | | | | 5,200 | 48.00 | 3.00 | 19.94% | 6.32% | N/A | |
| PANVIR | *Panicum virgatum* | Switch Grass | 5 | 0 | FAC | 3-6' | 4 | N/A | | | | | | | | 14,000 | 32.00 | 2.00 | 13.29% | 11.34% | N/A | |
| SCHSCO | *Schizachyrium scoparium* | Little Bluestem | 5 | 3 | FACU | 2-3' | 3 | N/A | | | | | | | | 15,000 | 32.00 | 2.00 | 13.29% | 12.15% | N/A | |
| | | | | | | | | | | | | | | | | | | Grass/Sedge Subtotals: | 10.125 | 67.29% | 40.99% | |

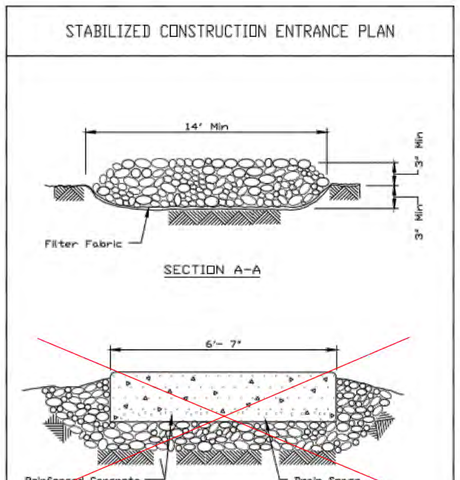
**Wildflowers**

| CODE | SCIENTIFIC NAME | COMMON NAME | C-VALUE | W-VALUE | WETNESS | HEIGHT Min-Max | HEIGHT Typical | BLOOM COLOR | BLOOM TIME A | M | J | J | A | S | O | SEEDS/OZ | OZ/ACRE | LB/ACRE | % OF MIX by Weight | % OF MIX by Seed Count | GERMINATION | TOP-SOW |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| ASCSYR | *Asclepias syriaca* | Common Milkweed | 0 | 3 | FACU | 2-6' | 3 | Pink | | | | | | | | 4,000 | 4.00 | 0.25 | 1.66% | 0.40% | CM-30 | |
| CHAFAS | *Chamaecrista fasciculata* | Partridge Pea | 5 | 3 | FACU | 6"-2' | 2 | Yellow | | | | | | | | 2,700 | 16.00 | 1.00 | 6.65% | 1.09% | CM-10, H, I | |
| CORLAN | *Coreopsis lanceolata* | Sand Coreopsis | 5 | 3 | FACU | 1.5-3' | 2 | Yellow | | | | | | | | 20,000 | 4.00 | 0.25 | 1.66% | 2.02% | CM-30 | |
| DESILL | *Desmodium canadense* | Showy Tick Trefoil | 4 | 3 | FACU | 3-6' | 4 | Purple | | | | | | | | 3,500 | 2.50 | 0.16 | 1.04% | 0.35% | I | |
| ECHPUR | *Echinacea purpurea* | Purple Coneflower | 3 | 5 | UPL | 2-5' | 4 | Purple | | | | | | | | 6,600 | 12.00 | 0.75 | 4.98% | 2.00% | N/A | |
| HELHEL | *Helianthus helianthoides* | Early Sunflower | 5 | 3 | FACU | 3-5' | 5 | Yellow | | | | | | | | 6,300 | 8.00 | 0.50 | 3.32% | 1.78% | CM-30 | |
| MONFIS | *Monarda fistulosa* | Wild Bergamot | 4 | 3 | FACU | 2.5-4' | 4 | Purple | | | | | | | | 70,000 | 2.00 | 0.13 | 0.83% | 3.54% | N/A | |
| PENDIG | *Penstemon digitalis* | Foxglove Beardtongue | 4 | 0 | FAC | 2-3' | 3 | White | | | | | | | | 130,000 | 1.75 | 0.11 | 0.73% | 5.76% | CM-30, G | |
| RUDHIR | *Rudbeckia hirta* | Black-eyed Susan | 1 | 3 | FACU | 2-3' | 2 | Yellow | | | | | | | | 92,000 | 16.00 | 1.00 | 6.65% | 37.25% | CM-30 | |
| SILINT | *Silphium integrifolium* | Rosin Weed | 5 | 5 | UPL | 2-6' | 5 | Yellow | | | | | | | | 1,200 | 3.00 | 0.19 | 1.25% | 0.09% | CM-60 | |
| SYMNOV | *Symphyotrichum novae-angliae* | New England Aster | 4 | 3 | FACW | 3-5' | 4 | Purple | | | | | | | | 66,000 | 1.00 | 0.06 | 0.42% | 1.67% | CM-60 | |
| TRADHI | *Tradescantia ohiensis* | Ohio Spiderwort | 2 | 3 | FACU | 2-4' | 3 | Blue | | | | | | | | 8,000 | 1.50 | 0.09 | 0.62% | 0.30% | CM-120 or M, G | |
| VERSTR | *Verbena stricta* | Hoary Vervain | 4 | 5 | UPL | 1-3' | 2 | Blue | | | | | | | | 28,000 | 3.00 | 0.19 | 1.25% | 2.13% | CM-60 | |
| ZIZAUR | *Zizia aurea* | Golden Alexanders | 7 | 0 | FAC | 1-2.5' | 2 | Yellow | | | | | | | | 11,500 | 6.00 | 0.25 | 1.66% | 1.11% | CM-60 or M, G | Yes |
| | | | | | | | | | | | | | | | | | | Wildflower Subtotals: | 4.922 | 32.71% | 59.01% | |
| | | | | | | | | | | | | | | | | | | Mix TOTALS | 15.047 | 100.00% | 100.00% | |

**DETAIL 4**
**PIZZO ECONOMY PRAIRIE SEED MIX OR APPROVED EQUAL**
NOT TO SCALE




**DETAIL 5**
**STABILIZED CONSTRUCTION ENTRANCE PLAN - 1**
NOT TO SCALE




**DETAIL 6**
**STABILIZED CONSTRUCTION ENTRANCE PLAN - 2**
NOT TO SCALE

REVISION RECORD

| NO | DATE | DESCRIPTION |
|---|---|---|

CEC Civil & Environmental Consultants, Inc.
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COMMUNITY ENERGY INITIATIVE LLC
EAST SCHOOLHOUSE ROAD SOLAR
EAST SCHOOLHOUSE ROAD
KENDALL COUNTY, ILLINOIS

EROSION AND SEDIMENT CONTROL PLAN DETAILS

DATE: OCTOBER 20, 2025
DWG SCALE: NOT TO SCALE
PROJECT NO.:
APPROVED BY: *DAK
DRAWN BY: MJS
CHECKED BY: ARG
350-646

DRAWING NO.: C901

*HAND SIGNATURE ON FILE

SHEET 11 OF 11

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# VEGETATION MANAGEMENT PLAN

## EAST SCHOOLHOUSE ROAD SOLAR
## KENDALL COUNTY, ILLINOIS

**Prepared For:**
**EAST SCHOOLHOUSE ROAD COMMUNITY ENERGY INITIATIVE LLC**
[redacted]

**Prepared By:**
**CIVIL & ENVIRONMENTAL CONSULTANTS, INC.**
**NAPERVILLE, ILLINOIS 60563**

**CEC Project 350-646**

**MARCH 2025**

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# 1.0 PROJECT DESCRIPTION

## 1.1 PROJECT OVERVIEW

On behalf of East Schoolhouse Road Community Energy Initiative LLC, Civil & Environmental Consultants, Inc. (CEC) has prepared this vegetation management plan for the proposed Schoolhouse Road Solar Project (Project), which is a 5.00 Mega Watt Alternate Current (MWac) (7.4588 Mega Watt Direct Current [MWdc]) solar energy system. The Project' access road will be located approximately 1,400 feet west of the intersection of South Schlapp Road and Schoolhouse Road (State Route 126). The Project is located along East Schoolhouse Road, Plainfield, Illinois 60543 within Na-Au-Say Township, Kendall County, Illinois and within Kendall County's jurisdiction. The Project's point of interconnection will be a power pole located in the southern portion of the property along Schoolhouse Road (State Route 126). Construction activities include installation of solar panels, access roads, fencing, inverter/transformer pads, and above and below ground electrical wire. The Project has been designed in compliance with the Kendall County Ordinance Sections 36-282 - "Special uses permitted", and the 55 Illinois Complied Statutes (ILCS) 5/5-12020. This Project will be constructed on approximately 35.5 acres of land that is currently used for agricultural purposes. Adjacent land use types include agricultural fields and industry.

The existing soil types on the project site, taken from the United States Department of Agriculture-Natural Resources Conservation Service Soil Survey, include Lisbon silt loam (59A), Proctor silt loam (148C2), Drummer silty clay loam (152A), Mundelein silt loam (442A), Barrington silt loam (443A/443B), and Graymont silt loam (541A/541B). The existing grade change across the Project site is approximately 28 feet.

## 1.2 SITE LOCATION MAP

A site location map is included as Appendix A.

## 1.3 SITE ASSESSMENT

The existing Project site and surrounding area is comprised mostly of farmland. Consultation through the United States Fish and Wildlife Service's Environmental Review determined that four threatened and endangered species and/or special concern species at the project site. The four species include Indiana bat, whooping crane, monarch butterfly, and eastern prairie fringed orchid. CEC determined that there is little to no habitat for these species at the Project site. There is also one waterway on the project site.

## 1.4 GOALS AND OBJECTIVES

The goal of this vegetation management plan is to establish the project area with native species to the point where it is esthetically pleasing, while also providing food and habitat to pollinators and other species throughout the year. Using a seed mix that contains species that bloom in the spring, summer, and fall will help ensure that the solar facility achieves this.

# 2.0 SITE PREPARATION

## 2.1 VEGETATION CONTROL

Due to the existing land use of the site being farmlands, it can be reasonably assumed that there is little to no existing vegetation on the site. Thus, no vegetation control will be required during the site preparation process.

## 2.2 SEED BED PREPARATION

Due to the existing land use of the site being farmlands, the bare ground surface will be used as the seed bed. No tilling or other soil preparation methods will need to be utilized. The farmer who previously worked on the property of the Project site shall be contacted to get information and application dates of herbicides previously used on the planting area. Planting shall not occur until after the effects of these herbicides have expired.

## 2.3 EROSION CONTROL

During construction and prior to seeding, silt fence and a rock construction entrance will be utilized as erosion control measures on the project site. The existing ground surface will not be graded during construction. Light weight equipment will be used to install the piles.

# 3.0 VEGETATION ESTABLISHMENT

## 3.1 SEED MIX

Following installation of the solar facility, the site will be seeded with the "Economy Prairie Seed Mix" from Pizzo Native Plant Nursery, LLC or an equivalent seed mix. The specifications of the seed mix, including common and scientific names of plant species, can be found in Appendix B. This seed mix will be broadcast spread across the entire site and rolled with a cultipacker, harrow, or similar device to ensure the seeds are worked into the soil. Seeding shall occur between November 15th and June 15th.

## 3.2 EROSION CONTROL

Existing erosions control devices shall remain in place and maintained per the stormwater pollution prevention plan after seed has been spread across the project site. The Project site is relatively flat and will be mostly undisturbed during construction, both of which will reduce erosion. Disturbed areas shall be reseeded as necessary.

# 4.0 MONITORING AND MAINTENANCE

## 4.1 METHODS OF MAINTENANCE

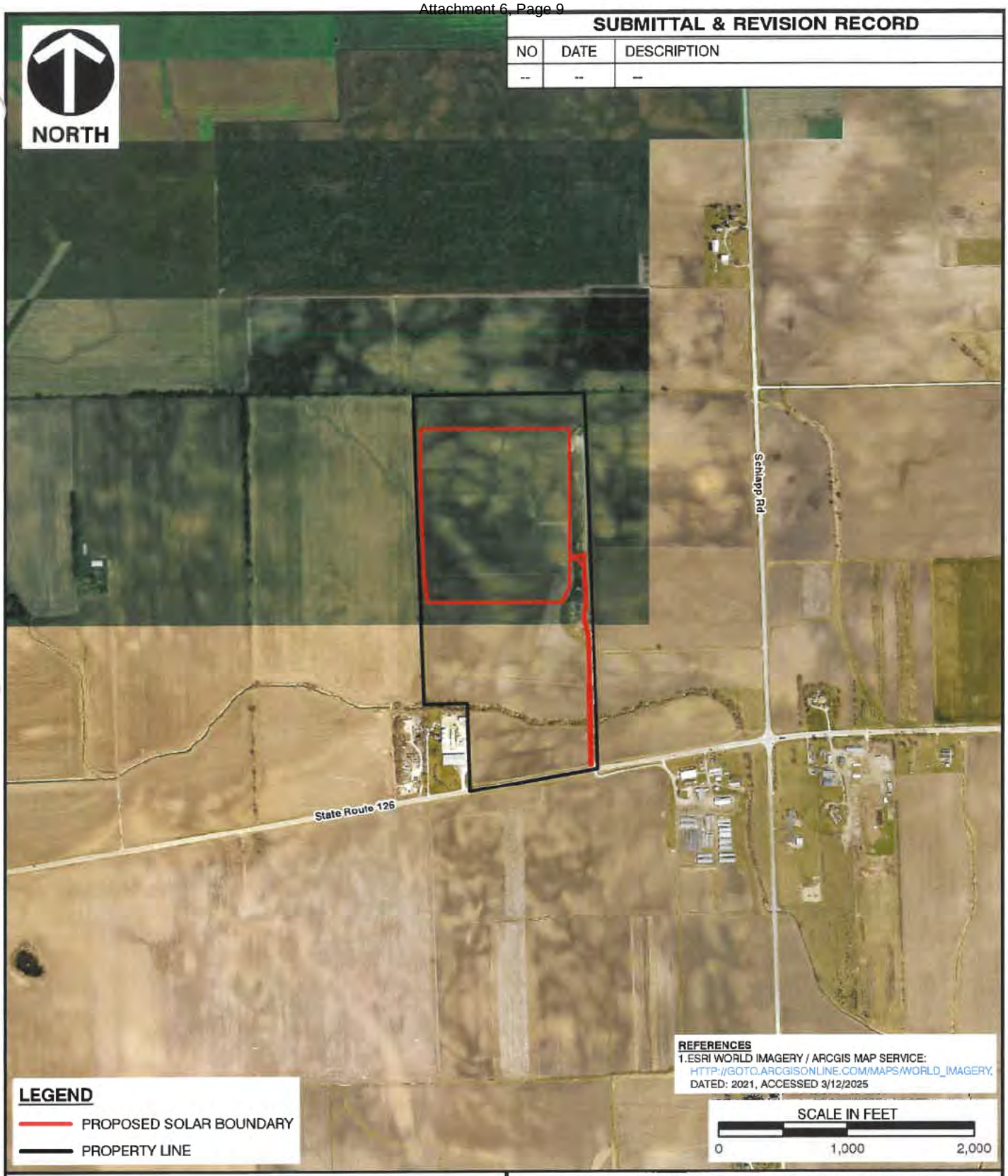
During the first growing season following the seed mix being spread, mowing shall occur over the entire planting area at a height of 10 inches or greater, one to three times during the growing season. Spot mowing or spot herbicide treatment shall be utilized in areas to eliminate undesirable weeds. Additional seeding or plug planting may be utilized to help further establish the native vegetation on the site.

For long-term management of the site, spot treatment with herbicide shall be performed to eliminate undesirable weeds. Haying, or livestock graving, shall be performed every one to three years to remove thatch buildup from the established vegetation. Additional seeding or plug planting may be utilized to help further establish the native vegetation on the site.

Annual inspections shall occur during the months of April to September to monitor the establishment of the seed mix, provide treatment to eliminate undesirable weeds, and perform additional measures to ensure that the requirements of the Illinois Department of Natural Resources "Established Pollinator Habitat on Solar Sites Scorecard" are met.

# APPENDIX A

# SITE LOCATION MAP




**SUBMITTAL & REVISION RECORD**

| NO | DATE | DESCRIPTION |
|---|---|---|
| -- | -- | -- |

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# EAST SCHOOLHOUSE ROAD COMMUNITY ENERGY INITIATIVE LLC
# EAST SCHOOLHOUSE ROAD SOLAR
# KENDALL COUNTY, ILLINOIS

## SITE LOCATION MAP

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| DRAWN BY: | CLC | CHECKED BY: | MJS | APPROVED BY: | ARG* | FIGURE NO: | 1 |
| DATE: | 3/12/2025 | SCALE: | 1"=1,000' | PROJECT NO: | 345-630 | | |

*Hand Signature on file

P:\350-000\350-6...\GIS\Maps\CV01\350646_CV01.aprx 3/12/2025 11:44 AM (ccyprych)

# APPENDIX B

# ECONOMY SEED MIX

Pizzo NATIVE PLANT NURSERY

Pizzo Native Plant Nursery, LLC • 10729 Pine Road • Leland, IL 60531 • Phone : 815-981-8000 • www.pizzonursery.com

# Economy Prairie Seed Mix (Dry-Mesic Soils)

**MIX STATISTICS**

| | |
|---|---|
| Average Mix Height (ft) | 3.0 |
| Median Mix Height (ft) | 3.0 |
| Species Heights (# of Occurrences in Mix) | 2' (11), 3' (8), 4' (8), 5' (3) |
| Number of Native Species in Mix | 20 |
| Native FQI | 18.8 |
| Native Mean C Value | 4.2 |
| Native Mean W Value | 2.5 |
| National Wetland Category | FACU+ |
| Lbs/Acre of Native Seed | 15.0 |
| Seeds per Square Foot | 90.7 |
| Percent of Mix (by Seed Count) Requiring Stratification | #REF! |

Designed as the most economical way to establish an ecologically functional prairie while maintaining the highest aesthetic value. This mix includes prairie species that quickly establish for a more immediate naturalized setting in sunny areas that remain mesic to dry for the most of the growing season. Over 55% of this mix is composed of wildflowers that provide an array of blooms from April through October. When installed and managed correctly, this mix typically begins flowering in its second growing season, starting with the yellow blooms of annual Partridge Pea and biennial Black-Eyed Susan. An additional colorful matrix of perennial species appears in the succeeding 3 to 5 years. This is a medium-short height prairie with an average height of 2.9' by seed count.

**Grasses, Sedges, & Rushes**

| CODE | SCIENTIFIC NAME | COMMON NAME | C-VALUE | W-VALUE | WETNESS | HEIGHT | | BLOOM | BLOOM TIME | | | | | | SEEDS/OZ | OZ/ACRE | LB/ACRE | % OF MIX | | GERMINATION | TOP SOW |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | | | | Min-Max | Typical | COLOR | A | M | J | J | A | S | O | | | | by Weight | by Seed Count | | |
| BOUCUR | *Bouteloua curtipendula* | Side-oats Grama | 8 | 5 | UPL | 1.5-2.5' | 2 | N/A | | | | | | | | 6,000 | 32.00 | 2.00 | 13.29% | 4.86% | N/A | |
| CXBREV | *Carex brevior* | Plains Oval Sedge | 4 | 0 | FAC | 1-3' | 2 | N/A | | | | | | | | 29,000 | 2.00 | 0.13 | 0.83% | 1.47% | CM-60 | |
| SORNUT | *Sorghastrum nutans* | Indian Grass | 5 | 3 | FACU | 3-7' | 6 | N/A | | | | | | | | 12,000 | 16.00 | 1.00 | 6.65% | 4.86% | N/A | |
| ELYCAN | *Elymus canadensis* | Canada Wild Rye | 4 | 3 | FACU | 3-5' | 5 | N/A | | | | | | | | 5,200 | 48.00 | 3.00 | 19.94% | 6.32% | N/A | |
| PANVIR | *Panicum virgatum* | Switch Grass | 5 | 0 | FAC | 3-6' | 4 | N/A | | | | | | | | 14,000 | 32.00 | 2.00 | 13.29% | 11.34% | N/A | |
| SCHSCO | *Schizachyrium scoparium* | Little Bluestem | 5 | 3 | FACU | 2-3' | 3 | N/A | | | | | | | | 15,000 | 32.00 | 2.00 | 13.29% | 12.15% | N/A | |
| | | | | | | | | | | | | | | | | **Grass/Sedge Subtotals** | | **10.125** | **67.29%** | **40.99%** | | |

**Wildflowers**

| CODE | SCIENTIFIC NAME | COMMON NAME | C-VALUE | W-VALUE | WETNESS | HEIGHT | | BLOOM | BLOOM TIME | | | | | | SEEDS/OZ | OZ/ACRE | LB/ACRE | % OF MIX | | GERMINATION | TOP SOW |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | | | | Min-Max | Typical | COLOR | A | M | J | J | A | S | O | | | | by Weight | by Seed Count | | |
| ASCSYR | *Asclepias syriaca* | Common Milkweed | 0 | 3 | FACU | 2-6' | 3 | Pink | | | | | | | | 4,000 | 4.00 | 0.25 | 1.66% | 0.40% | CM-30 | |
| CHAFAS | *Chamaecrista fasciculata* | Partridge Pea | 5 | 3 | FACU | 6"-2' | 2 | Yellow | | | | | | | | 2,700 | 16.00 | 1.00 | 6.65% | 1.09% | CM-10, H, I | |
| CORLAN | *Coreopsis lanceolata* | Sand Coreopsis | 5 | 3 | FACU | 1.5-3' | 2 | Yellow | | | | | | | | 20,000 | 4.00 | 0.25 | 1.66% | 2.02% | CM-30 | |
| DESCAA | *Desmodium canadense* | Showy Tick Trefoil | 4 | 3 | FACU | 3-6' | 4 | Purple | | | | | | | | 5,500 | 2.50 | 0.16 | 1.04% | 0.35% | J, I | |
| ECHPUR | *Echinacea purpurea* | Purple Coneflower | 3 | 5 | UPL | 2-5' | 4 | Purple | | | | | | | | 6,600 | 12.00 | 0.75 | 4.98% | 2.00% | N/A | |
| HELHEL | *Heliopsis helianthoides* | Early Sunflower | 5 | 3 | FACU | 3-5' | 5 | Yellow | | | | | | | | 6,300 | 8.00 | 0.50 | 3.32% | 1.28% | CM-30 | |
| MONFIS | *Monarda fistulosa* | Wild Bergamot | 4 | 3 | FACU | 2.5-4' | 4 | Purple | | | | | | | | 70,000 | 2.00 | 0.13 | 0.83% | 3.54% | N/A | |
| PENDIG | *Penstemon digitalis* | Foxglove Beardtongue | 4 | 0 | FAC | 2-3' | 3 | White | | | | | | | | 130,000 | 1.75 | 0.11 | 0.73% | 5.76% | CM-30, G | |
| RUDHIR | *Rudbeckia hirta* | Black-eyed Susan | 1 | 3 | FACU | 2-3' | 2 | Yellow | | | | | | | | 92,000 | 16.00 | 1.00 | 6.65% | 37.25% | CM-30 | |
| SILINT | *Silphium integrifolium* | Rosin Weed | 5 | 5 | UPL | 2-6' | 5 | Yellow | | | | | | | | 1,200 | 3.00 | 0.19 | 1.25% | 0.09% | CM-60 | |
| SYMNOV | *Symphyotrichum novae-angliae* | New England Aster | 4 | -3 | FACW | 3-5' | 4 | Purple | | | | | | | | 66,000 | 1.00 | 0.06 | 0.42% | 1.67% | CM-60 | |
| TRAOHI | *Tradescantia ohiensis* | Ohio Spiderwort | 2 | 3 | FACU | 2-4' | 3 | Blue | | | | | | | | 8,000 | 1.50 | 0.09 | 0.62% | 0.30% | CM-120 or M, G | |
| VERSTR | *Verbena stricta* | Hoary Vervain | 4 | 5 | UPL | 1-3' | 2 | Blue | | | | | | | | 28,000 | 3.00 | 0.19 | 1.25% | 2.13% | CM-60 | |
| ZIZAUR | *Zizia aurea* | Golden Alexanders | 7 | 0 | FAC | 1-2.5' | 2 | Yellow | | | | | | | | 11,000 | 4.00 | 0.25 | 1.66% | 1.11% | CM-60 or M, G | |
| | | | | | | | | | | | | | | | | **Wildflower Subtotals** | | **4.922** | **32.71%** | **59.01%** | | |
| | | | | | | | | | | | | | | | | **Mix TOTALS** | | **15.047** | **100.00%** | **100.00%** | | |

# APPENDIX C

# POLLINATOR SCORECARD

# Illinois Solar Site Pollinator Habitat Planning Form

**Use this form as a draft before completing the *Illinois Planned Pollinator Habitat on Solar Sites Scorecard* online**

## In Between and Under Solar Panels

1. PLANNED PLANT DIVERSITY IN ROWS & UNDER SOLAR ARRAY (choose up to 2)
   - ☐ 4-6 species +5 pts
   - ☑ 7 or More species +8 pts
   - ☑ All Native Species (minimum 4 species) +10 pts

## Perimeter and Buffer Area

2. VEGETATIVE BUFFER PLANNED ADJACENT TO THE SOLAR SITE (choose all that apply)
   - ☐ Buffer planned outside of array fencing +5 pts
   - ☐ Buffer is 30-49ft wide measured from array fencing +5 pts
   - ☐ Buffer is at least 50ft wide measured from array fencing +10 pts
   - ☐ Buffer has Native shrubs/trees that provide food for wildlife +5 pts

3. SEEDS USED FOR NATIVE PERIMETER & BUFFER AREAS (choose all that apply)
   - ☐ Mixes are seeded using at least 20 seeds per square foot of Pure Live Seed or 40 Seeds per square foot on slopes > 5% +10 pts
   - ☐ All seeds are from a source within 150 miles of site +5 pts
   - ☐ At least 2% milkweed cover is planned to be established from seeds/plants +5 pts

4. PLANNED # OF NATIVE SPECIES IN SITE PERIMETER & BUFFER AREA (species with more than 1% cover)(choose 1)
   - ☐ 5-10 species +2 pts
   - ☐ 10-15 species +5 pts
   - ☐ 16-20 species +10 pts
   - ☐ >20 species +15 pts

*Exclude invasive and non-native plant species from total*

5. PLANNED PERCENT OF PERIMETER & BUFFER AREA DOMINATED BY NATIVE PLANT SPECIES (choose 1)
   - ☐ 26- 50 % +2 pts
   - ☐ 51-75 % +10 pts
   - ☐ More than 75% +15 pts

## Whole Site

6. PLANNED PERCENT OF SITE VEGETATION COVER TO BE DOMINATED BY DESIRABLE WILDFLOWERS (choose 1)
   - ☐ 26- 50 % +2 pts
   - ☑ 51-75 % +10 pts
   - ☑ More than 75% +15 pts

7. PLANNED SEASONS WITH AT LEAST THREE BLOOMING NATIVE SPECIES PRESENT (choose all that apply)
   - ☑ Spring (April-May) +5 pts
   - ☑ Summer (June-August) +5 pts
   - ☑ Fall (September-October) +5 pts

8. HABITAT SITE PREPARATION PRIOR TO IMPLEMENTATION (choose all that apply)
   - ☑ Soil preparation done to promote germination and reduce erosion as appropriate for the site. +10 pts
   - ☑ Measures taken to control weeds prior to seeding +10 pts
   - ☐ None -10 pts

9. AVAILABLE HABITAT COMPONENTS WITHIN 0.25 MILES (choose all that apply)
   - ☑ Native bunch grass for bee nesting +2 pts
   - ☑ Native trees/shrubs for bee nesting +2 pts
   - ☐ Clean, perennial water sources +2 pts
   - ☐ Created habitat nesting features +2 pts

10. SITE PLANNING AND MANAGEMENT(choose all that apply)
    - ☑ Detailed establishment and management plan developed +10 pts
    - ☑ Signage legible at forty or more feet stating "pollinator friendly solar habitat" +3 pts

11. INSECTICIDE RISK (choose all that apply)
    - ☐ Planned on-site use of insecticide or pre-planting seed/plant treatment (excluding buildings/electrical boxes, etc.) -40 pts
    - ☐ Communication/registration with local chemical applicators or on www.fieldwatch.com to prevent drift +5 pts

Total Points: 85

**Meets Preliminary Pollinator Standards - 85**
**Provides Exceptional Habitat - 110 and higher**

East Schoolhouse Road

**Owner:** Community Energy Initiative LLC
**Vegetation Consultant:** _____
**Project Location:** Schoolhouse Road, Kendall County
**Project Size:** 36.4 **acres**
**Final Seeding Date:** TBD

*This form is designed (with the help of the Solar Site Pollinator Guidelines found on IDNR's website) to guide owners or managers of solar sites to meet the requirements to be able to claim a site is pollinator friendly according to the "Pollinator Friendly Solar Site Act (525 ILCS 55)". This form is for company records only and does not grant the title of a Pollinator Friendly Solar Site until the "Illinois Planned Pollinator Habitat on Solar Sites Scorecard" is completed with a score of 85 or higher on IDNR's website. This preliminary recognition is good for 3yrs, after which the "Established Pollinator Habitat on Solar Sites Scorecard" will need to be completed every 5 years to maintain recognition as a Pollinator Friendly Solar Site.*

12/3/2019

ILLINOIS DEPARTMENT OF NATURAL RESOURCES

# DECOMMISSIONING REPORT

## EAST SCHOOLHOUSE ROAD SOLAR
## KENDALL COUNTY, ILLINOIS

**Prepared For:**

## EAST SCHOOLHOUSE ROAD COMMUNITY ENERGY INITIATIVE LLC

[redacted]

**Prepared By:**

**CIVIL & ENVIRONMENTAL CONSULTANTS, INC.**
**NAPERVILLE, ILLINOIS**

**CEC Project 350-646**

**NOVEMBER 2025**

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Appendix A Engineer's Opinion of Probable Cost

# 1.0 INTRODUCTION

On behalf East Schoolhouse Road Community Energy Initiative LLC (Applicant), Civil & Environmental Consultants, Inc. (CEC) has prepared this decommissioning report for the development of a 5-megawatt alternating current solar photovoltaic (the Project) located along East Schoolhouse Road (State Route 126), Plainfield, Illinois within Na-Au-Say Township. The Project consists of a single axis tracking ground-mounted solar array, associated electrical equipment, an access driveway, and fence that covers approximately 36.4 acres of the 86.45-acre parcel.

CEC estimates the project will have an expected useful life of approximately thirty-five years. Actual useful life will be determined by Applicant depending on infrastructure condition, electrical generation capacity, and related factors. When Applicant determines that the Project should be retired, this plan will be used to guide the decommissioning process.

The decommissioning costs include the work necessary to return the site to similar conditions that existed prior to the development of the Project. Aboveground improvements including equipment, structures, and supporting components will be removed off-site and underground improvements (electrical conduits and concrete foundations), which will be removed to a depth of 5 feet below grade. The existing access road along the eastern property line will remain. The proposed access roads will be restored to similar conditions that existed before the development of the project. This decommissioning report and cost estimate assumes the access roads will be removed.

When the equipment, access roads, and foundations are removed, the project area will be graded to approximate existing conditions consistent with agricultural use, which is the current use of the land. The decommissioning activities will not impact existing wetlands or streams.

The decommissioning work will be conducted under the applicable permits and approval as generally outlined within Section 5.0 below.

# 2.0 PROJECT COMPONENTS AND DECOMMISSIONING ACTIVITIES

## 2.1 OVERVIEW OF SOLAR FACILITY SYSTEM

The East Schoolhouse Road Solar project will utilize approximately 11,900 solar modules to generate a capacity of 5.00 MWac on approximately 36.4 acres of land. The electric generation facility consists of ground mounted solar panel modules, metal racking system and support piles, underground electric collection cables, inverters, transformers, and associated access roads.

This section describes the disassembly, removal, and disposal or salvage procedures for each component of the Project. Appendix A includes the quantities, unit pricing, and cost estimate.

## 2.2 SOLAR MODULES

Applicant is proposing to use the QCells 630-watt power output bi-facial module (Q.Tron XL-G2/BFG). Each module is approximately 96.9 inches long and 44.6 inches wide with a total weight of 77.8 pounds. The modules are comprised of 156 half-cell monocrystalline with silver anodized aluminum frames and transparent tempered glass.

Module components in working conditions may be sold in a secondary market if the generating revenue is greater than the salvage material, otherwise they will be broken down with individual components salvaged. The engineer's opinion of probable cost provided in Appendix A assumes the modules will be broken down into individual components for salvage.

## 2.3 TRACKING SYSTEM AND SUPPORTS

The solar modules will be mounted on a single-axis tracking system. Each tracker is approximately 275 feet in length and will support approximately seventy-four solar modules. Smaller trackers may be constructed at the edges of the layout to utilize space more efficiently. The tracking systems are comprised of galvanized and stainless steel and are supported by steel piles that are comprised of structural steel.

The solar modules will be deactivated from the electrical system for safe disassembly. Tracker lubricants will be removed and disposed of at a licensed facility. The electronic components and internal electrical wiring will be removed and salvaged. The steel piles will be removed and recycled.

The supports, tracking system, and posts contain salvageable materials, which may be sold to provide revenue to offset the decommissioning costs. The engineer's opinion of probable cost provided in Appendix A assumes this material will be salvaged for revenue costs.

## 2.4 TRANSFORMERS

The transformers are located within the array area and will sit on a 2-foot-thick concrete pad with 6 inches of compacted Illinois Department of Transportation CA-6 aggregate material underneath. The transformers will be deactivated, disassembled, and removed. The equipment may be sold for refurbishment, re-used depending on the condition, or disposed of at an approved solid waste management facility. The engineer's opinion of probable cost provided in Appendix A assumes this material will be salvaged for revenue costs. All oils and lubricants will be collected and disposed of at a licensed facility. The concrete pad and aggregate base material shall be removed, stockpiled, and prepared for salvage.

## 2.5 ELECTRICAL CABLING AND CONDUITS

The underground electrical cabling and conduits will be placed at a depth of approximately 5 feet below ground. The electrical cabling and conduits that are above a depth of 5 feet will be removed and salvaged, per the Agricultural Impact Mitigation Agreement. The electrical cabling and conduits that are below a depth of 5 feet will not interfere with future farming activities and will be abandoned in place. The electrical cabling and conduits may be removed and salvaged if the salvage value is greater than the extraction and restoration cost at the time of decommissioning. The engineer's opinion of probable cost provided in Appendix A assumes this material will be salvaged for revenue costs.

## 2.6 ACCESS ROADS

The Project will include approximately 1,470 feet of access roads to support construction activities, maintenance activities, and emergency responses. The access roads are 20 feet wide and consist of 8 inches of aggregate base. The aggregate will be removed, stockpiled, and prepared for salvage. The engineer's opinion of probable cost conservatively assumes that the aggregate materials will be removed from the site and hauled up to 5 miles from the project area.

## 2.7 PERIMETER FENCE

The East Schoolhouse Road Solar project includes approximately 4,930 linear feet of 8-foot-high fence. The posted are embedded into a concrete foundation to a depth of 3 feet. The fence includes one security gate. The fence and security gate shall be removed and salvaged. The concrete foundation shall be removed, stockpiled, and prepared for salvage.

# 3.0 SITE RECLAMATION

## 3.1 RESTORATION AND REVEGETATION

The site reclamation activities will commence once the equipment demolition is completed and will restore the project area to the pre-development agricultural activities. The soil that was compacted during decommissioning activities and the soil that was under the access roads will be tilled to a depth of 18 inches using a ripper or chisel plow. The topsoil will be respread within the access road limits and establish the pre-development drainage patterns. The disturbed area will be reseeded with wheat or cereal rye at 150 pounds per acre, or per the direction of the landowner.

## 3.2 SURFACE WATER DRAINAGE

When the equipment, access roads, and foundations are removed, the project area will be graded to approximate existing conditions consistent with agricultural use, which is the current use of the land. The decommissioning report assumes the project will not disturb existing wetlands and streams.

## 3.3 AGRICULTURAL DRAINAGE TILES

The agricultural drainage tiles that are damaged during the decommissioning activities will be restored no later than thirty days after the damage has occurred. Tile installation or repairs shall be performed in accordance with the applicable provisions of the Standard Practice for Subsurface Installation of Corrugated Polyethylene Pipe for Agricultural Drainage or Water Table Control, ASTM F449-02 (2008), current edition.

# 4.0 DECOMMISSIONING COSTS

The decommissioning activities will occur when the Project has reached the end of its useful life (assumed to be thirty-five years) or has been abandoned and shall be the responsibility of Applicant. The decommissioning expenses for the project will be dependent on the labor and materials costs at the time of decommissioning. 2025 average market values were used to estimate costs for this report. Inflation of costs were not factored into the estimate.

## 4.1 DECOMMISSIONING EXPENSES

Decommissioning costs will occur for the disposal of items not sold for salvage and for materials that will be disposed of at a licensed facility. Decommissioning costs also include regrading access roads and soil reclamation activities as described in Sections 2.6 and 3.1. Appendix A includes the decommissioning cost estimate. Various work item costs are based on publicly available decommissioning reports which CEC compiled, or engineering judgment/experience. A decommissioning bond will be used for the estimated decommissioning costs.

## 4.2 SALVAGE REVENUES

Resale of construction materials and the solar facility components will be recognized as salvage revenue for the Project. The salvage costs of various components are expected to decline over time, and it is difficult to predict pricing at the time of decommissioning.

The main material of the tracking system and piles is assumed to be steel, the price of which fluctuates daily. The steel value used in this report is $270 per metric ton.

Solar modules can be recycled or reused if the life cycle has not been reached or if the solar module is refurbished. Future pricing of solar modules is difficult to predict currently since the industry is new and still growing. For the purposes of this report, it is assumed the solar modules will be recycled at $0.43 per pound of silicon and aluminum, and $0.05 per pound of glass.

Appendix A includes the salvage revenue cost estimate.

## 5.0 DECOMMISSIONING SCHEDULE AND PERMITS

The decommissioning schedule is estimated to be six months, which consists of two months for permitting and four months of demolition and reclamation activities. The schedule may vary depending on the number of crews the contractor uses, weather, and other variable conditions at the start of the decommissioning activities. The decommissioning process will include the following:

- Notify the Kendall County Code Enforcement offices.
- Remove the solar modules, tracking, transformers and inverters, cabling, supports, and perimeter fence.
- Dispose of all solid and hazardous water in accordance with local, state, and federal waste disposal regulations.
- Remove the access roads and respread topsoil.
- Reclaim and stabilize the site as necessary.

The following permits will likely be required prior to decommissioning activities starting:

- National Pollutant Discharge Elimination System general permit for stormwater associated with construction activities and a stormwater pollution prevention plan;
- Waste management plans;
- Road use and maintenance agreement;
- Demolition permit; and
- 401/404 water quality certification permits.

It shall be noted that the local jurisdiction's regulatory requirements change over time and additional permits may be required before decommissioning activities begin. CEC recommends coordinating with the local townships and counties prior to decommissioning activities commencing.

# APPENDIX A

# ENGINEER'S OPINION OF PROBABLE COST

Project: East Schoolhouse Road Solar
Location: Kendall County, Illinois
Project #: 350-646

Estimated By: MJS Date: 03/20/25
Checked By: ARG Date: 03/21/25

Title: DECOMMISSIONING OPINION OF PROBABLE COST

| ITEM | DESCRIPTION | UNIT PRICE ($) | UNITS | QUANTITY | TOTAL | NOTES | COST SOURCE |
|---|---|---|---|---|---|---|---|
| **1.000** | **Demolition and Restoration Costs** | | | | | | |
| 1.001 | Overhead/Permitting/Project Management | $ 41,000.00 | LS | 1.00 | $ 41,000.00 | 10% of Demolition Costs | 2 |
| 1.002 | Solar Module Disassembly and Removal | $ 6.50 | EA | 11,900.00 | $ 77,350.00 | Qcells Q.Tron XL-G2-BFG/630 | 1 |
| 1.003 | Tracking System Disassembly and Removal | $ 600.00 | EA | 160.00 | $ 96,000.00 | Single Axis Trackers | 1 |
| 1.004 | Steel Pile/Post Removal | $ 40.00 | EA | 1,900.00 | $ 76,000.00 | W6x9, 15' long | 1 |
| 1.005 | String Wiring | $ 2.00 | LF | 48,000.00 | $ 96,000.00 | #10 CU PV Wire | 1 |
| 1.006 | Underground MV Wiring | $ 2.00 | LF | 2,230.00 | $ 4,460.00 | 34.5kV tri-foil | 1 |
| 1.007 | Overhead Wire | $ 2.00 | LF | 840.00 | $ 1,680.00 | | 1 |
| 1.008 | Inverters Removal | $ 600.00 | EA | 20.00 | $ 12,000.00 | Solectria XGI 1500-250 (250 KW) | 1 |
| 1.009 | Transformer | $ 3,000.00 | EA | 2.00 | $ 6,000.00 | | 1 |
| 1.010 | Motor Removal | $ 100.00 | EA | 7 | $ 700.00 | Assuming 23 rows per motor | 1 |
| 1.011 | Concrete Pad Removal | $ 195.00 | CY | 83.00 | $ 16,185.00 | 2 transformer pad (30'x30'x2.5'). Includes crushing for salvage. | 2 |
| 1.012 | Topsoil Restoration | $ 19.00 | AC | 34.60 | $ 657.40 | Tilling the solar array and adjacent area to a depth of 18". | 1 |
| 1.013 | Fence Removal | $ 3.50 | LF | 4,930.00 | $ 17,255.00 | 8' Tall | 1 |
| 1.014 | Access Road Removal | $ 8,000.00 | AC | 0.75 | $ 6,000.00 | Removing gravel and topsoil spreading | 2 |
| 1.015 | Culvert Removal | $ 15.00 | LF | 80.00 | $ 1,200.00 | Concrete pipe | 2 |
| 1.016 | Utility Pole Removal | $ 750.00 | EA | 11.00 | $ 8,250.00 | Customer and utility company owned poles | 1 |
| | **DEMOLITION AND RESTORATION ESTIMATE TOTAL:** | | | | **$ 451,287.40** | | |
| **2.000** | **Salvage Revenues** | | | | | | |
| 2.001 | Solar Panel - Silicon | $ 0.43 | 1.5 pounds per panel | 11,900.00 | $ 7,675.50 | | 1 |
| 2.002 | Solar Panel - Aluminum | $ 0.43 | 2.3 pounds per panel | 11,900.00 | $ 11,769.10 | | 1 |
| 2.003 | Solar Panel - Glass | $ 0.05 | 21.9 pounds per panel | 11,900.00 | $ 13,030.50 | | 1 |
| 2.004 | Tracking System and Piles/Posts | $ 90.00 | Metric tons | 586.00 | $ 52,740.00 | | 1 |
| 2.005 | String Wiring | $ 0.30 | pounds per foot | 47,623.00 | $ 14,286.90 | Total string length | 1 |
| 2.006 | MV Wiring | $ 0.30 | pounds per foot | 2,230.00 | $ 669.00 | Total MV length | 1 |
| 2.007 | Concrete Salvage | $ 30.00 | CY | 83.00 | $ 2,490.00 | 2 transformer pad (30'x30'x2.5'). Includes crushing for salvage. | 2 |
| 2.008 | Access Road Gravel Salvage | $ 40.00 | CY | 730.00 | $ 29,200.00 | Standard 20' wide, 1,470' long, 8" aggregate base | 2 |
| 2.009 | Fence Material Salvage | $ 0.50 | LF | 4,930.00 | $ 2,465.00 | | 2 |
| | **SALVAGE ESTIMATE TOTAL:** | | | | **$ 134,326.00** | | |
| | | | | | | | |
| | **TOTAL DEMOLITION MINUS SALVAGE:** | | | | **$ 316,961.40** | | |

Cost Source:
1. CEC decommissioning report database.
2. Engineering Experience/Judgement.

Opinion of Cost Notes/Assumptions:
A. Unit prices based on CEC database, as well as various assumptions outlined herein.
B. Quantities based on site plan information provided by East Schoolhouse Road Community Energy Initiative LLC dated March 14, 2025.
C. Assumptions, quantities, and unit prices are subject to change.
D. CEC opinion of probable construction based solely upon our own experience with construction, published cost indices and similar references.
E. Costs should not be considered equivalent to a construction cost estimate or construction contractor quote.
F. Unit prices are shown in 2025 U.S. Dollars.
G. Cost estimate based on 5-year projections. Estimate to be reevaluated in 10 years based on new fees at that time and then every 5 years after the first 10 years.

Docusign Envelope ID: 84FB5128-89EA-487E-83CF-C0DDD941486A

# STANDARD AGRICULTURAL IMPACT MITIGATION AGREEMENT
between
**st Schoolhouse Road Community Energy Initiative L**

**and the**
**ILLINOIS DEPARTMENT OF AGRICULTURE**
**Pertaining to the Construction of a Commercial Solar Energy Facility**
**in**
**Kendall County, Illinois**

Pursuant to the Renewable Energy Facilities Agricultural Impact Mitigation Act (505 ILCS 147), the following standards and policies are required by the Illinois Department of Agriculture (IDOA) to help preserve the integrity of any Agricultural Land that is impacted by the Construction and Deconstruction of a Commercial Solar Energy Facility. They were developed with the cooperation of agricultural agencies, organizations, Landowners, Tenants, drainage contractors, and solar energy companies to comprise this Agricultural Impact Mitigation Agreement (AIMA).

East Schoolhouse Road Community Energy Initiative LLC, hereafter referred to as Commercial Solar Energy Facility Owner, or simply as Facility Owner, plans to develop and/or operate a 5.0 MW AC Commercial Solar Energy Facility in Kendall County [GPS Coordinates: 41.611509, -88.323302 ], which will consist of up to 34.34 acres that will be covered by solar facility related components, such as solar panel arrays, racking systems, access roads, an onsite underground collection system, inverters and transformers and any affiliated electric transmission lines. This AIMA is made and entered between the Facility Owner and the IDOA.

If Construction does not commence within four years after this AIMA has been fully executed, this AIMA shall be revised, with the Facility Owner's input, to reflect the IDOA's most current Solar Farm Construction and Deconstruction Standards and Policies. This AIMA, and any updated AIMA, shall be filed with the County Board by the Facility Owner prior to the commencement of Construction.

The below prescribed standards and policies are applicable to Construction and Deconstruction activities occurring partially or wholly on privately owned agricultural land.

## Conditions of the AIMA

The mitigative actions specified in this AIMA shall be subject to the following conditions:

A. All Construction or Deconstruction activities may be subject to County or other local requirements. However, the specifications outlined in this AIMA shall be the minimum standards applied to all Construction or Deconstruction activities. IDOA may utilize any legal means to enforce this AIMA.

B. Except for Section 17. B. through F., all actions set forth in this AIMA are subject to modification through negotiation by Landowners and the Facility Owner, provided such changes are negotiated in advance of the respective Construction or Deconstruction activities.

C. The Facility Owner may negotiate with Landowners to carry out the actions that Landowners wish to perform themselves. In such instances, the Facility Owner shall offer Landowners the area commercial rate for their machinery and labor costs.

D. All provisions of this AIMA shall apply to associated future Construction, maintenance, repairs, and Deconstruction of the Facility referenced by this AIMA.

E. The Facility Owner shall keep the Landowners and Tenants informed of the Facility's Construction and Deconstruction status, and other factors that may have an impact upon their farming operations.

F. The Facility Owner shall include a statement of its adherence to this AIMA in any environmental assessment and/or environmental impact statement.

G. Execution of this AIMA shall be made a condition of any Conditional/Special Use Permit. Not less than 30 days prior to the commencement of Construction, a copy of this AIMA shall be provided by the Facility Owner to each Landowner that is party to an Underlying Agreement. In addition, this AIMA shall be incorporated into each Underlying Agreement.

H. The Facility Owner shall implement all actions to the extent that they do not conflict with the requirements of any applicable federal, state and local rules and regulations and other permits and approvals that are obtained by the Facility Owner for the Facility.

I. No later than 45 days prior to the Construction and/or Deconstruction of a Facility, the Facility Owner shall provide the Landowner(s) with a telephone number the Landowner can call to alert the Facility Owner should the Landowner(s) have questions or concerns with the work which is being done or has been carried out on his/her property.

J. If there is a change in ownership of the Facility, the Facility Owner assuming ownership of the Facility shall provide written notice within 90 days of ownership transfer, to the Department, the County, and to Landowners of such change. The Financial Assurance requirements and the other terms of this AIMA shall apply to the new Facility Owner.

K. The Facility Owner shall comply with all local, state and federal laws and regulations, specifically including the worker protection standards to protect workers from pesticide exposure.

L. Within 30 days of execution of this AIMA, the Facility Owner shall use Best Efforts to provide the IDOA with a list of all Landowners that are party to an Underlying Agreement and known Tenants of said Landowner who may be affected by the Facility. As the list of Landowners and Tenants is updated, the Facility Owner shall notify the IDOA of any additions or deletions.

M. If any provision of this AIMA is held to be unenforceable, no other provision shall be affected by that holding, and the remainder of the AIMA shall be interpreted as if it did not contain the unenforceable provision.

## Definitions

| | |
|---|---|
| Abandonment | When Deconstruction has not been completed within 12 months after the Commercial Solar Energy Facility reaches the end of its useful life. For purposes of this definition, a Commercial Solar Energy Facility shall be presumed to have reached the end of its useful life if the Commercial Solar Energy Facility Owner fails, for a period of 6 consecutive months, to pay the Landowner amounts owed in accordance with an Underlying Agreement. |

| | |
|---|---|
| Aboveground Cable | Electrical power lines installed above ground surface to be utilized for conveyance of power from the solar panels to the solar facility inverter and/or point of interconnection to utility grid or customer electric meter. |
| Agricultural Impact Mitigation Agreement (AIMA) | The Agreement between the Facility Owner and the Illinois Department of Agriculture (IDOA) described herein. |
| Agricultural Land | Land used for Cropland, hayland, pastureland, managed woodlands, truck gardens, farmsteads, commercial ag-related facilities, feedlots, livestock confinement systems, land on which farm buildings are located, and land in government conservation programs used for purposes as set forth above. |
| Best Efforts | Diligent, good faith, and commercially reasonable efforts to achieve a given objective or obligation. |
| Commercial Operation Date | The calendar date of which the Facility Owner notifies the Landowner, County, and IDOA in writing that commercial operation of the facility has commenced. If the Facility Owner fails to provide such notifications, the Commercial Operation Date shall be the execution date of this AIMA plus 6 months. |
| Commercial Solar Energy Facility (Facility) | A solar energy conversion facility equal to or greater than 500 kilowatts in total nameplate capacity, including a solar energy conversion facility seeking an extension of a permit to construct granted by a county or municipality before June 29, 2018. "Commercial solar energy facility" does not include a solar energy conversion facility: (1) for which a permit to construct has been issued before June 29, 2018; (2) that is located on land owned by the commercial solar energy facility owner; (3) that was constructed before June 29, 2018; or (4) that is located on the customer side of the customer's electric meter and is primarily used to offset that customer's electricity load and is limited in nameplate capacity to less than or equal to 2,000 kilowatts. |
| Commercial Solar Energy Facility Owner deemed (Facility Owner) | A person or entity that owns a commercial solar energy facility. A Commercial Solar Energy Facility Owner is not nor shall it be to be a public utility as defined in the Public Utilities Act. |
| County | The County or Counties where the Commercial Solar Energy Facility is located. |
| Construction | The installation, preparation for installation and/or repair of a Facility. |
| Cropland | Land used for growing row crops, small grains or hay; includes land which was formerly used as cropland, but is currently enrolled in a government conservation program; also includes pastureland that is classified as Prime Farmland. |

| | |
|---|---|
| Deconstruction | The removal of a Facility from the property of a Landowner and the restoration of that property as provided in the AIMA. |
| Deconstruction Plan | A plan prepared by a Professional Engineer, at the Facility's expense, that includes:<br>(1) the estimated Deconstruction cost, in current dollars at the time of filing, for the Facility, considering among other things:<br>i. the number of solar panels, racking, and related facilities involved;<br>ii. the original Construction costs of the Facility;<br>iii. the size and capacity, in megawatts of the Facility;<br>iv. the salvage value of the facilities (if all interests in salvage value are subordinate to that of the Financial Assurance holder if abandonment occurs);<br>v. the Construction method and techniques for the Facility and for other similar facilities; and<br>(2) a comprehensive detailed description of how the Facility Owner plans to pay for the Deconstruction of the Facility. |
| Department | The Illinois Department of Agriculture (IDOA). |
| Financial Assurance | A reclamation or surety bond or other commercially available financial assurance that is acceptable to the County, with the County or Landowner as beneficiary. |
| Landowner | Any person with an ownership interest in property that is used for agricultural purposes and that is party to an Underlying Agreement. |
| Prime Farmland | Agricultural Land comprised of soils that are defined by the USDA Natural Resources Conservation Service (NRCS) as "Prime Farmland" (generally considered to be the most productive soils with the least input of nutrients and management). |
| Professional Engineer | An engineer licensed to practice engineering in the State of Illinois. |
| Soil and Water Conservation District (SWCD) | A unit of local government that provides technical and financial assistance to eligible Landowners for the conservation of soil and water resources. |
| Tenant | Any person, apart from the Facility Owner, lawfully residing or leasing/renting land that is subject to an Underlying Agreement. |
| Topsoil | The uppermost layer of the soil that has the darkest color or the highest content of organic matter; more specifically, it is defined as the "A" horizon. |
| Underlying Agreement | The written agreement between the Facility Owner and the Landowner(s) including, but not limited to, an easement, option, lease, or license under the terms of which another person has constructed, constructs, or intends to construct a Facility on the property of the Landowner. |

| | |
|---|---|
| Underground Cable | Electrical power lines installed below the ground surface to be utilized for conveyance of power within a Facility or from a Commercial Solar Energy Facility to the electric grid. |
| USDA Natural Resources Conservation Service (NRCS) | An agency of the United States Department of Agriculture that provides America's farmers with financial and technical assistance to aid with natural resources conservation. |

## Construction and Deconstruction Standards and Policies

**1. Support Structures**

A. Only single pole support structures shall be used for the Construction and operation of the Facility on Agricultural Land. Other types of support structures, such as lattice towers or H-frames, may be used on nonagricultural land.

B. Where a Facility's Aboveground Cable will be adjacent and parallel to highway and/or railroad right-of-way, but on privately owned property, the support structures shall be placed as close as reasonably practicable and allowable by the applicable County Engineer or other applicable authorities to the highway or railroad right-of-way. The only exceptions may be at jogs or weaves on the highway alignment or along highways or railroads where transmission and distribution lines are already present.

C. When it is not possible to locate Aboveground Cable next to highway or railroad right-of-way, Best Efforts shall be expended to place all support poles in such a manner to minimize their placement on Cropland (i.e., longer than normal above ground spans shall be utilized when traversing Cropland).

**2. Aboveground Facilities**

Locations for facilities shall be selected in a manner that is as unobtrusive as reasonably possible to ongoing agricultural activities occurring on the land that contains or is adjacent to the Facility.

**3. Guy Wires and Anchors**

Best Efforts shall be made to place guy wires and their anchors, if used, out of Cropland, pastureland and hayland, placing them instead along existing utilization lines and on land other than Cropland. Where this is not feasible, Best Efforts shall be made to minimize guy wire impact on Cropland. All guy wires shall be shielded with highly visible guards.

**4. Underground Cabling Depth**

A. Underground electrical cables located outside the perimeter of the (fence) of the solar panels shall be buried with:

1. a minimum of 5 feet of top cover where they cross Cropland.
2. a minimum of 5 feet of top cover where they cross pastureland or other non-Cropland classified as Prime Farmland.
3. a minimum of 3 feet of top cover where they cross pastureland and other Agricultural Land not classified as Prime Farmland.

4. a minimum of 3 feet of top cover where they cross wooded/brushy land.

B. Provided that the Facility Owner removes the cables during Deconstruction, underground electric cables may be installed to a minimum depth of 18 inches:

1. Within the fenced perimeter of the Facility; or

2. When buried under an access road associated with the Facility provided that the location and depth of cabling is clearly marked at the surface.

C. If Underground Cables within the fenced perimeter of the solar panels are installed to a minimum depth of 5 feet, they may remain in place after Deconstruction.

**5. Topsoil Removal and Replacement**

A. Any excavation shall be performed in a manner to preserve topsoil. Best Efforts shall be made to store the topsoil near the excavation site in such a manner that it will not become intermixed with subsoil materials.

B. Best Efforts shall be made to store all disturbed subsoil material near the excavation site and separate from the topsoil.

C. When backfilling an excavation site, Best Efforts shall be used to ensure the stockpiled subsoil material will be placed back into the excavation site before replacing the topsoil.

D. Refer to Section 7 for procedures pertaining to rock removal from the subsoil and topsoil.

E. Refer to Section 8 for procedures pertaining to the repair of compaction and rutting of the topsoil.

F. Best Efforts shall be performed to place the topsoil in a manner so that after settling occurs, the topsoil's original depth and contour will be restored as close as reasonably practicable. The same shall apply where excavations are made for road, stream, drainage ditch, or other crossings. In no instance shall the topsoil materials be used for any other purpose unless agreed to explicitly and in writing by the Landowner.

G. Based on the mutual agreement of the landowner and Facility Owner, excess soil material resulting from solar facility excavation shall either be removed or stored on the Landowner's property and reseeded per the applicable National Pollution Discharge Elimination System (NPDES) permit/Stormwater Pollution Prevention Plan (SWPPP). After the Facility reaches the end of its Useful Life, the excess subsoil material shall be returned to an excavation site or removed from the Landowner's property, unless otherwise agreed to by Landowner.

**6. Rerouting and Permanent Repair of Agricultural Drainage Tiles**

The following standards and policies shall apply to underground drainage tile line(s) directly or indirectly affected by Construction and/or Deconstruction:

A. Prior to Construction, the Facility Owner shall work with the Landowner to identify drainage tile lines traversing the property subject to the Underlying Agreement to the extent reasonably practicable. All drainage tile lines identified in this manner shall be shown on the Construction and Deconstruction Plans.

B. The location of all drainage tile lines located adjacent to or within the footprint of the Facility shall be recorded using Global Positioning Systems (GPS) technology. Within 60 days after Construction is complete, the Facility Owner shall provide the Landowner, the IDOA, and the respective County Soil and Water Conservation District (SWCD) with "as built" drawings (strip maps) showing the location of all drainage tile lines by survey station encountered in the Construction of the Facility, including any tile line repair location(s), and any underground cable installed as part of the Facility.

C. **Maintaining Surrounding Area Subsurface Drainage**

If drainage tile lines are damaged by the Facility, the Facility Owner shall repair the lines or install new drainage tile line(s) of comparable quality and cost to the original(s), and of sufficient size and appropriate slope in locations that limit direct impact from the Facility. If the damaged tile lines cause an unreasonable disruption to the drainage system, as determined by the Landowner, then such repairs shall be made promptly to ensure appropriate drainage. Any new line(s) may be located outside of, but adjacent to the perimeter of the Facility. Disrupted adjacent drainage tile lines shall be attached thereto to provide an adequate outlet for the disrupted adjacent tile lines.

D. **Re-establishing Subsurface Drainage Within Facility Footprint**

Following Deconstruction and using Best Efforts, if underground drainage tile lines were present within the footprint of the facility and were severed or otherwise damaged during original Construction, facility operation, and/or facility Deconstruction, the Facility Owner shall repair existing drainage tiles or install new drainage tile lines of comparable quality and cost to the original, within the footprint of the Facility with sufficient capacity to restore the underground drainage capacity that existed within the footprint of the Facility prior to Construction. Such installation shall be completed within 12 months after the end of the useful life of the Facility and shall be compliant with Figures 1 and 2 to this Agreement or based on prudent industry standards if agreed to by Landowner.

E. If there is any dispute between the Landowner and the Facility Owner on the method of permanent drainage tile line repair, the appropriate County SWCD's opinion shall be considered by the Facility Owner and the Landowner.

F. During Deconstruction, all additional permanent drainage tile line repairs beyond those included above in Section 6.D. must be made within 30 days of identification or notification of the damage, weather and soil conditions permitting. At other times, such repairs must be made at a time mutually agreed upon by the Facility Owner and the Landowner. If the Facility Owner and Landowner cannot agree upon a reasonable method to complete this restoration, the Facility Owner may implement the recommendations of the appropriate County SWCD and such implementation constitutes compliance with this provision.

G. Following completion of the work required pursuant to this Section, the Facility Owner shall be responsible for correcting all drainage tile line repairs that fail due to Construction and/or Deconstruction for one year following the completion of Construction or Deconstruction, provided those repairs were made by the Facility Owner. The Facility Owner shall not be responsible for drainage tile repairs that the Facility Owner pays the Landowner to perform.

**7. Rock Removal**

With any excavations, the following rock removal procedures pertain only to rocks found in the uppermost 42 inches of soil, the common freeze zone in Illinois, which emerged or were brought to the site as a result of Construction and/or Deconstruction.

A. Before replacing any topsoil, Best Efforts shall be taken to remove all rocks greater than 3 inches in any dimension from the surface of exposed subsoil which emerged or were brought to the site as a result of Construction and/or Deconstruction.

B. If trenching, blasting, or boring operations are required through rocky terrain, precautions shall be taken to minimize the potential for oversized rocks to become interspersed in adjacent soil material.

C. Rocks and soil containing rocks removed from the subsoil areas, topsoil, or from any excavations, shall be removed from the Landowner's premises or disposed of on the Landowner's premises at a location that is mutually acceptable to the Landowner and the Facility Owner.

**8. Repair of Compaction and Rutting**

A. Unless the Landowner opts to do the restoration work on compaction and rutting, after the topsoil has been replaced post-Deconstruction, all areas within the boundaries of the Facility that were traversed by vehicles and Construction and/or Deconstruction equipment that exhibit compaction and rutting shall be restored by the Facility Owner. All prior Cropland shall be ripped at least 18 inches deep or to the extent practicable, and all pasture and woodland shall be ripped at least 12 inches deep or to the extent practicable. The existence of drainage tile lines or underground utilities may necessitate less ripping depth. The disturbed area shall then be disked.

B. All ripping and disking shall be done at a time when the soil is dry enough for normal tillage operations to occur on Cropland adjacent to the Facility.

C. The Facility Owner shall restore all rutted land to a condition as close as possible to its original condition upon Deconstruction, unless necessary earlier as determined by the Landowner.

D. If there is any dispute between the Landowner and the Facility Owner as to what areas need to be ripped/disked or the depth at which compacted areas should be ripped/disked, the appropriate County SWCD's opinion shall be considered by the Facility Owner and the Landowner.

**9. Construction During Wet Weather**

Except as provided below, construction activities are not allowed on agricultural land during times when normal farming operations, such as plowing, disking, planting or harvesting, cannot take place due to excessively wet soils. With input from the landowner, wet weather conditions may be determined on a field by field basis.

A. Construction activities on prepared surfaces, surfaces where topsoil and subsoil have been removed, heavily compacted in preparation, or otherwise stabilized (e.g. through cement mixing) may occur at the discretion of the Facility Owner in wet weather conditions.

B. Construction activities on unprepared surfaces will be done only when work will not result in rutting which may mix subsoil and topsoil. Determination as to the potential of subsoil and topsoil mixing will be made in consultation with the underlying Landowner, or, if approved by the Landowner, his/her designated tenant or designee.

**10. Prevention of Soil Erosion**

A. The Facility Owner shall work with Landowners and create and follow a SWPPP to prevent excessive erosion on land that has been disturbed by Construction or Deconstruction of a Facility.

B. If the Landowner and Facility Owner cannot agree upon a reasonable method to control erosion on the Landowner's property, the Facility Owner shall consider the recommendations of the appropriate County SWCD to resolve the disagreement.

C. The Facility Owner may, per the requirements of the project SWPPP and in consultation with the Landowner, seed appropriate vegetation around all panels and other facility components to prevent erosion. The Facility Owner must utilize Best Efforts to ensure that all seed mixes will be as free of any noxious weed seeds as possible. The Facility Owner shall consult with the Landowner regarding appropriate varieties to seed.

**11. Repair of Damaged Soil Conservation Practices**

Consultation with the appropriate County SWCD by the Facility Owner shall be carried out to determine if there are soil conservation practices (such as terraces, grassed waterways, etc.) that will be damaged by the Construction and/or Deconstruction of the Facility. Those conservation practices shall be restored to their preconstruction condition as close as reasonably practicable following Deconstruction in accordance with USDA NRCS technical standards. All repair costs shall be the responsibility of the Facility Owner.

**12. Compensation for Damages to Private Property**

The Facility Owner shall reasonably compensate Landowners for damages caused by the Facility Owner. Damage to Agricultural Land shall be reimbursed to the Landowner as prescribed in the applicable Underlying Agreement.

**13. Clearing of Trees and Brush**

A. If trees are to be removed for the Construction or Deconstruction of a Facility, the Facility Owner shall consult with the Landowner to determine if there are trees of commercial or other value to the Landowner.

B. If there are trees of commercial or other value to the Landowner, the Facility Owner shall allow the Landowner the right to retain ownership of the trees to be removed and the disposition of the removed trees shall be negotiated prior to the commencement of land clearing.

**14. Access Roads**

A. To the extent practicable, access roads shall be designed to not impede surface drainage and shall be built to minimize soil erosion on or near the access roads.

B. Access roads may be left intact during Construction, operation or Deconstruction through mutual agreement of the Landowner and the Facility Owner unless otherwise restricted by federal, state, or local regulations.

C. If the access roads are removed, Best Efforts shall be expended to assure that the land shall be restored to equivalent condition(s) as existed prior to their construction, or as otherwise agreed to by the Facility Owner and the Landowner. All access roads that are removed shall be ripped to a depth of 18 inches. All ripping shall be performed consistent with Section 8.

**15. Weed/Vegetation Control**

A. The Facility Owner shall provide for weed control in a manner that prevents the spread of weeds. Chemical control, if used, shall be done by an appropriately licensed pesticide applicator.

B. The Facility Owner shall be responsible for the reimbursement of all reasonable costs incurred by owners of agricultural land where it has been determined by the appropriate state or county entity that weeds have spread from the Facility to their property. Reimbursement is contingent upon written notice to the Facility Owner. Facility Owner shall reimburse the property owner within 45 days after notice is received.

C. The Facility Owner shall ensure that all vegetation growing within the perimeter of the Facility is properly and appropriately maintained. Maintenance may include, but not be limited to, mowing, trimming, chemical control, or the use of livestock as agreed to by the Landowner.

D. The Deconstruction plans must include provisions for the removal of all weed control equipment used in the Facility, including weed-control fabrics or other ground covers.

**16. Indemnification of Landowners**

The Facility Owner shall indemnify all Landowners, their heirs, successors, legal representatives, and assigns from and against all claims, injuries, suits, damages, costs, losses, and reasonable expenses resulting from or arising out of the Commercial Solar Energy Facility, including Construction and Deconstruction thereof, and also including damage to such Facility or any of its appurtenances, except where claims, injuries, suits, damages, costs, losses, and expenses are caused by the negligence or intentional acts, or willful omissions of such Landowners, and/or the Landowners heirs, successors, legal representatives, and assigns.

**17. Deconstruction Plans and Financial Assurance of Commercial Solar Energy Facilities**

A. Deconstruction of a Facility shall include the removal/disposition of all solar related equipment/facilities, including the following utilized for operation of the Facility and located on Landowner property:

1. Solar panels, cells and modules;
2. Solar panel mounts and racking, including any helical piles, ground screws, ballasts, or other anchoring systems;
3. Solar panel foundations, if used (to depth of 5 feet);

4. Transformers, inverters, energy storage facilities, or substations, including all components and foundations; however, Underground Cables at a depth of 5 feet or greater may be left in place;
5. Overhead collection system components;
6. Operations/maintenance buildings, spare parts buildings and substation/switching gear buildings unless otherwise agreed to by the Landowner;
7. Access Road(s) unless Landowner requests in writing that the access road is to remain;
8. Operation/maintenance yard/staging area unless otherwise agreed to by the Landowner; and
9. Debris and litter generated by Deconstruction and Deconstruction crews.

B. The Facility Owner shall, at its expense, complete Deconstruction of a Facility within twelve (12) months after the end of the useful life of the Facility.

C. During the County permit process, or if none, then prior to the commencement of construction, the Facility Owner shall file with the County a Deconstruction Plan. The Facility Owner shall file an updated Deconstruction Plan with the County on or before the end of the tenth year of commercial operation.

D. The Facility Owner shall provide the County with Financial Assurance to cover the estimated costs of Deconstruction of the Facility. Provision of this Financial Assurance shall be phased in over the first 11 years of the Project's operation as follows:

1. On or before the first anniversary of the Commercial Operation Date, the Facility Owner shall provide the County with Financial Assurance to cover ten (10) percent of the estimated costs of Deconstruction of the Facility as determined in the Deconstruction Plan.
2. On or before the sixth anniversary of the Commercial Operation Date, the Facility Owner shall provide the County with Financial Assurance to cover fifty (50) percent of the estimated costs of Deconstruction of the Facility as determined in the Deconstruction Plan.
3. On or before the eleventh anniversary of the Commercial Operation Date, the Facility Owner shall provide the County with Financial Assurance to cover one hundred (100) percent of the estimated costs of Deconstruction of the Facility as determined in the updated Deconstruction Plan provided during the tenth year of commercial operation.

The Financial Assurance shall not release the surety from liability until the Financial Assurance is replaced. The salvage value of the Facility may only be used to reduce the estimated costs of Deconstruction if the County agrees that all interests in the salvage value are subordinate or have been subordinated to that of the County if Abandonment occurs.

E. The County may, but is not required to, reevaluate the estimated costs of Deconstruction of any Facility after the tenth anniversary, and every five years thereafter, of the Commercial Operation Date. Based on any reevaluation, the County may require changes in the level of Financial Assurance used to calculate the phased Financial Assurance levels described in Section 17.D. required from the Facility Owner. If the County is unable to its satisfaction to perform the investigations necessary to approve the Deconstruction Plan filed by the Facility Owner, then the County and Facility may mutually agree on the selection of a Professional Engineer independent of the Facility Owner to conduct any necessary investigations. The Facility Owner shall be responsible for the cost of any such investigations.

F. Upon Abandonment, the County may take all appropriate actions for Deconstruction including drawing upon the Financial Assurance.

## Concurrence of the Parties to this AIMA

The Illinois Department of Agriculture and olhouse Road Community Energy Init concur that this AIMA is the complete AIMA governing the mitigation of agricultural impacts that may result from the Construction and Deconstruction of the solar farm project in Kendall County within the State of Illinois.

The effective date of this AIMA commences on the date of execution.

**STATE OF ILLINOIS**
**DEPARTMENT OF AGRICULTURE**

[redacted]

By: Jerry Costello II, Director

[redacted]

By Clay Nordsiek, Deputy General Counsel

801 E. Sangamon Avenue,
State Fairgrounds, POB 19281
Springfield, IL 62794-9281

3/28, 2025

**ıoolhouse Road Community Energy Initia**

[redacted]

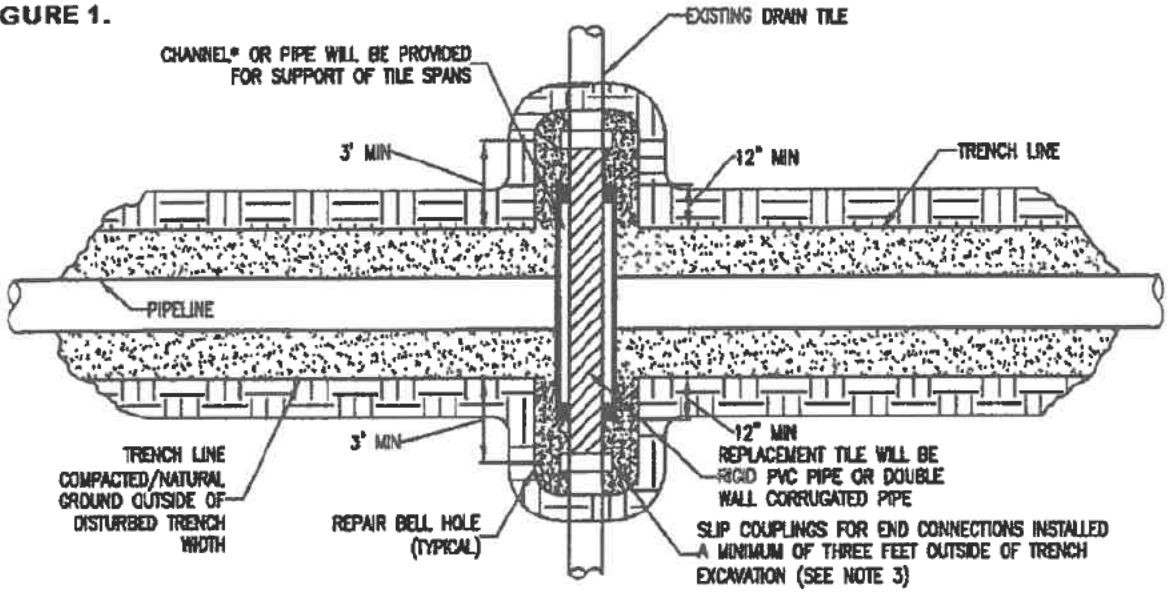
By Todd Fryatt

[redacted]

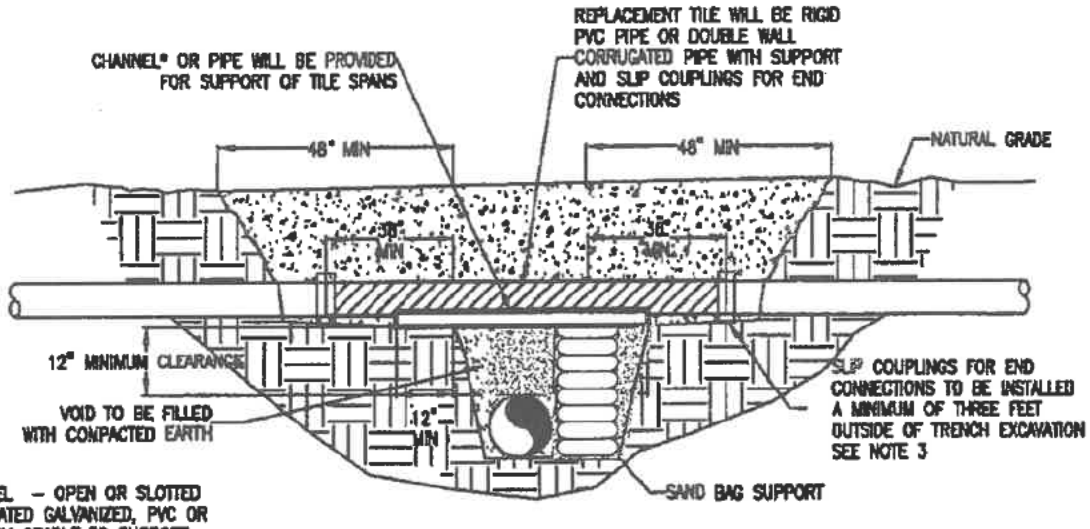
Address

February 24, 2025

**FIGURE 1.**




**PLAN**
N.T.S.




*CHANNEL – OPEN OR SLOTTED CORRUGATED GALVANIZED, PVC OR ALUMINUM CRADLE TO SUPPORT DRAIN TILE.

**CROSS SECTION**
N.T.S.

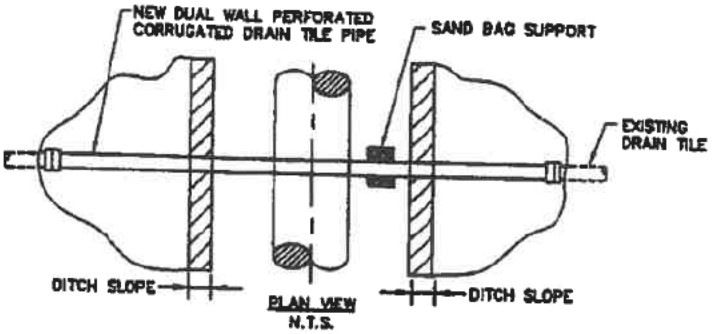
NOTE:

1. IMMEDIATELY REPAIR TILE IF WATER IS FLOWING THROUGH TILE AT TIME OF TRENCHING. IF NO WATER IS FLOWING AND TEMPORARY REPAIR IS DELAYED, OR NOT MADE BY THE END OF THE WORK DAY, A SCREEN OR APPROPRIATE 'NIGHT CAP' SHALL BE PLACED ON OPEN ENDS OF TILE TO PREVENT ENTRAPMENT OF ANIMALS ETC.
2. CHANNEL OR PIPE (OPEN OR SLOTTED) MADE OF CORRUGATED GALVANIZED PIPE, PVC OR ALUMINUM WILL BE USED FOR SUPPORT OF DRAIN TILE SPANS.
3. INDUSTRY STANDARDS SHALL BE FOLLOWED TO ENSURE PROPER SEAL OF REPAIRED DRAIN TILES.

# TEMPORARY DRAIN TILE REPAIR

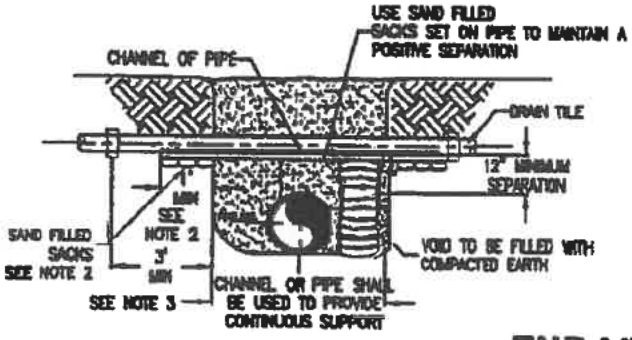
PAGE 1 of 2

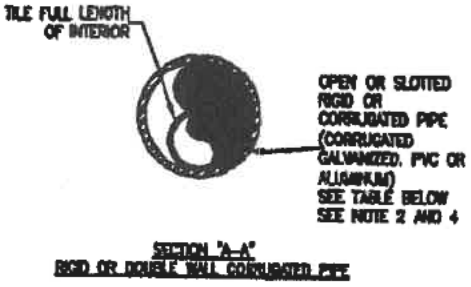
**FIGURE 2.**




PLAN VIEW
N.T.S.

## PLAN VIEW




SECTION "A-A"
RIGID OR DOUBLE WALL CORRUGATED PIPE

## END VIEWS

| MINIMUM SUPPORT TABLE | | | |
|---|---|---|---|
| TILE SIZE | CHANNEL SIZE | PIPE SIZE | |
| 3" | 4" @ 5.4 #/ft | 4" | STD. WT. |
| 4"-5" | 5" @ 6.7 #/ft | 6" | STD. WT. |
| 6"-9" | 7" @ 9.8 #/ft | 8"-10" | STD. WT. |
| 10" | 10" @ 15.3 #/ft | 12" | STD. WT. |

NOTE:

1. TILE REPAIR AND REPLACEMENT SHALL MAINTAIN ORIGINAL ALIGNMENT GRADIENT AND WATER FLOW TO THE GREATEST EXTENT POSSIBLE. IF THE TILE NEEDS TO BE RELOCATED, THE INSTALLATION ANGLE MAY VARY DUE TO SITE SPECIFIC CONDITIONS AND LANDOWNER RECOMMENDATIONS.
2. 1'-0" MINIMUM LENGTH OF CHANNEL OR RIGID PIPE (OPEN OR SLOTTED CORRUGATED GALVANIZED, PVC OR ALUMINUM CRADLE) SHALL BE SUPPORTED BY UNDISTURBED SOIL, OR IF CROSSING IS NOT AT RIGHT ANGLES TO PIPELINE, EQUIVALENT LENGTH PERPENDICULAR TO TRENCH. SHIM WITH SAND BAGS TO UNDISTURBED SOIL FOR SUPPORT AND DRAINAGE GRADIENT MAINTENANCE (TYPICAL BOTH SIDES).
3. DRAIN TILES WILL BE PERMANENTLY CONNECTED TO EXISTING DRAIN TILES A MINIMUM OF THREE FEET OUTSIDE OF EXCAVATED TRENCH LINE USING INDUSTRY STANDARDS TO ENSURE PROPER SEAL OF REPAIRED DRAIN TILES INCLUDING SLIP COUPLINGS.
4. DIAMETER OF RIGID PIPE SHALL BE OF ADEQUATE SIZE TO ALLOW FOR THE INSTALLATION OF THE TILE FOR THE FULL LENGTH OF THE RIGID PIPE.
5. OTHER METHODS OF SUPPORTING DRAIN TILE MAY BE USED IF ALTERNATE PROPOSED IS EQUIVALENT IN STRENGTH TO THE CHANNEL/PIPE SECTIONS SHOWN AND IF APPROVED BY COMPANY REPRESENTATIVES AND LANDOWNER IN ADVANCE. SITE SPECIFIC ALTERNATE SUPPORT SYSTEM TO BE DEVELOPED BY COMPANY REPRESENTATIVES AND FURNISHED TO CONTRACTOR FOR SPANS IN EXCESS OF 20', TILE GREATER THEN 10" DIAMETER, AND FOR "HEADER" SYSTEMS.
6. ALL MATERIAL TO BE FURNISHED BY CONTRACTOR.
7. PRIOR TO REPAIRING TILE, CONTRACTOR SHALL PROBE LATERALLY INTO THE EXISTING TILE TO FULL WIDTH OF THE RIGHTS OF WAY TO DETERMINE IF ADDITIONAL DAMAGE HAS OCCURRED. ALL DAMAGED/DISTURBED TILE SHALL BE REPAIRED AS NEAR AS PRACTICABLE TO ITS ORIGINAL OR BETTER CONDITION.

# PERMANENT DRAIN TILE REPAIR

PAGE 2 of 2

Village of Oswego

*Daniel Di Santo,*
*Village Administrator*

100 Parkers Mill • Oswego, IL 60543 • (630) 554-2360 • Fax: (630) 551-4854
Website: http://www.oswegoil.org

December 12, 2024

Christina Burns
County Administrator
Kendall County
cburns@kendallcountyil.gov

*Subject: ECA Solar's Solar Farm Proposal (PIN 06-09-400-004)*

Dear Ms. Burns,

I am writing to inform you of the Village's position concerning a proposal for a solar farm on the property identified with the PIN 06-09-400-004, situated in unincorporated Kendall County.

The firm ECA Solar approached the Village of Oswego with a request to annex the subject property to facilitate its repurposing from an agricultural farm to a solar farm. For the following reasons, the Village has decided to decline the annexation request:

1. **Lack of Utility Extension**: Unlike typical annexations that involve extending utilities to enable the development of adjacent properties, many proposed solar farms do not include plans for such extensions. This absence could hinder potential future developments in the surrounding areas.

2. **No Contribution to Road Improvements**: Many proposed solar farms do not include provisions for contributing to road improvements, which are usually expected from newly annexed developments to support Village of Oswego infrastructure enhancements.

3. **Reduced Tax Revenue**: The proposed use of the property as a solar farm would generate less tax revenue compared to other potential uses that align with the Village's planning and development goals.

Furthermore, while the site is within our planning area, it is outside of our 1.5-mile extraterritorial jurisdiction. Because of this, the Village declines to annex or pre-annex this property.

Please be advised that the Village of Oswego declines to pre-annex the property, and respectfully requests that Kendall County also decline to support a solar farm at this location. A solar farm in

this area of the Village could negatively impact our ability to grow as planned. We appreciate your attention to this matter and are available for any further discussions if needed.

Thank you for your understanding and cooperation.

Very Truly Yours,

Dan Di Santo



Village Administrator
Village of Oswego

## Gullone, Andy

**From:** ALEC KEENUM <AKEENUM@oswegofire.com>
**Sent:** Tuesday, September 16, 2025 1:16 PM
**To:** Ben Dykema
**Cc:** Gullone, Andy; Colin Walker; Tiffany Grace; Hobart Anderson; Brian Holdiman; DAN SCHIRADELLY
**Subject:** RE: East Schoolhouse Road Solar

Thak you.

At this point, the fire district has no additional comments and all prior have been satisfactorily addressed.

Regards,

Capt. Alec J Keenum
Fire Marshal
Oswego Fire Protection District

**From:** Ben Dykema <[redacted]
**Sent:** Friday, September 12, 2025 4:33 PM
**To:** ALEC KEENUM <AKEENUM@oswegofire.com>
**Cc:** Gullone, Andy <[redacted]>; Colin Walker <[redacted]>; Tiffany Grace <[redacted]>; Hobart Anderson <[redacted]>; Brian Holdiman <bholdiman@kendallcountyil.gov>; DAN SCHIRADELLY <DSCHIRADELLY@oswegofire.com>
**Subject:** Re: East Schoolhouse Road Solar

Captain Keenum,

It was a pleasure meeting you in person a couple of weeks ago and being able to discuss our project and your concerns. Based on those discussions, I have the following responses prepared.

For ease of review, I'm providing your original comments and follow up comments *italicized* and our responses as **bold**. See below:

Comment 1

*The Oswego Fire Protection District operates off of an amended 2021 IFC.*

**Acknowledged.**

Comment 2

*This is an extremely large area for one-way-in and one-way-out, not so much the drive off of Rt 126, but actual access to the gated/fenced site – additional gated access to be considered.*

**Vehicular access will be monitored during construction to avoid two-way traffic. After construction, maintenance vehicles will be onsite 2-3 times a year. The proposed gate is located at the fence surrounding the solar arrays. This will allow the landowner to use the existing gravel road without entering the solar facility.**

*Please note that comment refers to actual ingress & egress to/from that secured area – as-I potential emergency access point from the plan top left corner down to the middle*

**Please see the attached revised site layout. A second Emergency access location has been included.**

Comment 3

*Secured access gates shall be supplied with a Knox gate switch if electronic, or knox padlock if manual.*

**A knox padlock box will be located at the access gate.**

*acknowledged*

Comment 4

*Access routes, both to and within the site, shall be all-weather maintained and able to handle the imposed load of a Fire Department water tender (approx.. 45k lbs).*

**The access roads will be maintained and can support a load of approximately 45,000 lbs.**

*ALL-WEATHER maintained – meaning plowed during the winter, and not pot-holed*

**The proposed gravel access road will be maintained to ensure access to the site under all weather conditions. This includes plowing during winter and making any repairs (including potholes) as soon as practically possible.**

Comment 5

*Access route along the perimeter of the arrays/fence would limit the need to have intermittent routes running parallel within the arrays.*

**A 25-feet of space between the arrays and the fence has been provided and can be used for access to the perimeter of the site.**

*acknowledged*

Comment 6

*A minimum 10' clear brush-free zone is required around the perimeter of the arrays (fence perimeter).*

**There is approximately 25 feet from the solar arrays to the fence perimeter, which will be seeded with a pollinator seed mix.**

*The brush-free zone needs to be a defensible space.... If the pollinator seed mix can dry out and be combustible, it is not brush-free nor defensible*

**The site follows the Illinois Department of Natural Resources (IDNR) guidelines for planting pollinating species as a vegetative cover both under the arrays and in the surrounding areas (up to the fence line). Specific to this site, the majority of the seeding is wildflowers along with native grasses, sedges and rushes. These plantings differ from traditional hays and turf grasses which tend to brown as they dry and remain upright. The pollinator species will instead tend to wilt and collapse, lying closer to the ground. This is in line with the IAFC Wildland-Urban Interface Guide recommendations for fuel mitigation. The maintenance of pollinator vegetation up to the fence perimeter (25-ft from the arrays) will prevent the growth of vegetation that can become ladder fuels and will act similar to a brush-free zone. Please note, it is not recommended to have a completely brush-free zone as this can lead to erosion of the site.**

Comment 7

*A non-combustible gravel base, or maintained vegetative surface, or non-combustible base is required to be installed and maintained under the arrays and associated electrical equipment.*

**The vegetation adjacent to and underneath the arrays will grow to a height of approximately 24" and be maintained in accordance with the Vegetation Management Plan.**

*Not knowing what the "Vegetation Management Plan" is or what it contains, that does not specifically address the issue*

**The site follows the IDNR guidelines for planting pollinating species as a vegetative cover both under the arrays and in the surrounding areas (up to the fence line). Specific to this site, the majority of the seeding is wildflowers along with native grasses, sedges and rushes. These plantings differ from traditional hays and turf grasses which tend to brown as they dry and remain upright. The pollinator species will instead tend to wilt and collapse, lying closer to the ground. This is in line with the IAFC Wildland-Urban Interface Guide recommendations for fuel mitigation and prevents the growth of vegetation that can act as a ladder fuel.**

Comment 8

*Groundcover is allowed to be within the defensible space provided that it does not form a means to enable a fire to transmit from the growth to any structure.*

**The vegetation adjacent to and underneath the arrays will grow to a height of approximately 24" and be maintained in accordance with the Vegetation Management Plan.**

*And the height of the arrays? Again, no idea what the mentioned plan contains (if able to brown/dry out, then it becomes a mean to enable a fire to transmit from the growth to the structures)*

**The pollinator vegetation will reach an average height of 24" and will be maintained by mowing and additional seeding as needed. The racking system proposed at the site will support the solar panels at an expected height of 5-ft (pending final design). The system is designed to tilt the panels towards the sun. This tilt will be most significant during sunrise and sunset (when the sun is closest to the horizon). At these times, the leading edge of the solar panel may be closer to 24" off the ground.**

**It should be noted that the solar panels contain no flammable materials and that the solar panel wiring is at the center of the panel and not the leading edge. Furthermore, efforts to keep the vegetation below the panels are needed as this can interfere with solar panel production by "shading" the panel.**

**Fire transmission is between structure and growth is unlikely due to:**

- **All electrical equipment and wiring is UL listed, have no exposed parts, and will be installed in accordance with the National Electrical Code (NEC)**
- **Only the leading edge of the solar panel may come within 1 foot of the vegetation**
- **As discussed above, the native pollinator is inline with IAFC Wildland Urban Interface Guide for fuel mitigation strategies and will not act as a ladder fuel**

Comment 9

*Whether it be field fire or some other "fault" within the site, it appears that the ability to shut down the system requires travel into the midst of the site – would like to see emergency shut down capabilities within the secured site without need to definitively penetrate the site.*

**The 4th pole north of the street is a pole mounted load break switch that will disconnect the entire system from the grid. The site also will be monitored remotely and will be shut down in case of an emergency without having to access the site.**

*Will this be placarded/identified?*

**This pole will be identified with a placard and labeled as "MAIN PHOTOVOLTAIC SYSTEM DISCONNECT"**

Comment 10

*Emergency Contact Information placards to be permanently posted at access gates.*

**A sign will be placed at the proposed site entrance gate and will display emergency contact information.**

*Acknowledged*

Comment 11

*This location would be considered a Route 126 address rather than "School House Rd" address.*

**Acknowledged.**

Please don't hesitate to reach out with any questions or concerns. Thank you!

**Ben Dykema, P.E.**
**ECA Solar | Director of Civil Engineering**
[redacted] | https://link.edgepilot.com/s/0f4dd1ff/ueYsaXiMNkiuRtL_c3ltVQ?u=http://www.ecasolar.com/ | bd@ecasolar.com

On Thu, Aug 21, 2025 at 2:18 PM ALEC KEENUM <AKEENUM@oswegofire.com> wrote:

Andy,

Thank you for the response.... Please see below in **bold** for comments

Regards,

Capt. Alec J Keenum

Fire Marshal

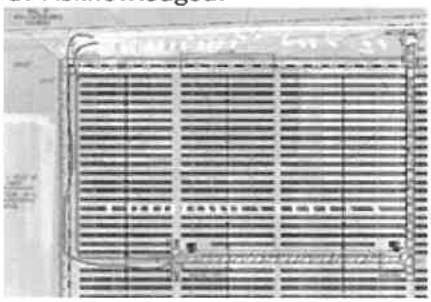
Oswego Fire Protection District

**From:** Gullone, Andy <a[redacted]
**Sent:** Tuesday, August 19, 2025 10:27 AM
**To:** ALEC KEENUM <AKEENUM@oswegofire.com>
**Cc:** Ben Dy[redacted]>; Colin Walker <[redacted]; Tiffany Grace <[redacted]>; Hobart Anderson <[redacted]>
**Subject:** FW: East Schoolhouse Road Solar

Good morning Captain Keenum,

I hope you are well. I am working on the East Schoolhouse Road Solar project and we received comments from you on March 25th. We have been preparing other documents and working with other agencies for the past couple of months but we are ready to reengage with you. Below are your previous comments with our responses in red. Please review and let me know if you have any more comments. I appended the site plan to this email. Thank you,

- The Oswego Fire Protection District operates off of an amended 2021 IFC. Acknowledged.
- This is an extremely large area for one-way-in and one-way-out, not so much the drive off of Rt 126, but actual access to the gated/fenced site – additional gated access to be considered. Vehicular access will be monitored during construction to avoid two-way traffic. After construction, maintenance vehicles will be onsite 2-3 times a year. The proposed gate is located at the fence surrounding the solar arrays. This will allow the landowner to use the existing gravel road without entering the solar facility.



**Please note that comment refers to actual ingress & egress to/from that secured area – as-I potential emergency access point from the plan top left corner down to the middle**

- Secured access gates shall be supplied with a Knox gate switch if electronic, or knox padlock if manual. A knox padlock box will be located at the access gate. **acknowledged**
- Access routes, both to and within the site, shall be all-weather *maintained* and able to handle the imposed load of a Fire Department water tender (approx.. 45k lbs). The access roads will be maintained and can support a load of approximately 45,000 lbs. **ALL-WEATHER maintained – meaning plowed during the winter, and not pot-holed**
- Access route along the perimeter of the arrays/fence would limit the need to have intermittent routes running parallel within the arrays. A 25-feet of space between the arrays and the fence has been provided and can be used for access to the perimeter of the site. **acknowledged**
- A minimum 10' clear brush-free zone is required around the perimeter of the arrays (fence perimeter). There is approximately 25 feet from the solar arrays to the fence perimeter, which will be seeded with a pollinator seed mix.

**The brush-free zone needs to be a defensible space.... If the pollinator seed mix can dry out and be combustible, it is not brush-free nor defensible**

- A non-combustible gravel base, or maintained vegetative surface, or non-combustible base is required to be installed *and maintained* under the arrays and associated electrical equipment. The vegetation adjacent to and underneath the arrays will grow to a height of approximately 24" and be maintained in accordance with the Vegetation Management Plan. **Not knowing what the "Vegetation Management Plan" is or what it contains, that does not specifically address the issue**
- Groundcover is allowed to be within the defensible space provided that it does not form a means to enable a fire to transmit from the growth to any structure. The vegetation adjacent to and underneath the arrays will grow to a height of approximately 24" and be maintained in accordance with the Vegetation Management Plan.

**And the height of the arrays? Again, no idea what the mentioned plan contains (if able to brown/dry out, then it becomes a mean to enable a fire to transmit from the growth to the structures)**

- Whether it be field fire or some other "fault" within the site, it appears that the ability to shut down the system requires travel into the midst of the site – would like to see emergency shut down capabilities within the secured site without need to definitively penetrate the site. The 4th pole north of the street is a pole mounted load break switch that will disconnect the entire system from the grid. The site also will be monitored remotely and will be shut down in case of an emergency without having to access the site. **Will this be placarded/identified?**
- Emergency Contact Information placards to be permanently posted at access gates. A sign will be placed at the proposed site entrance gate and will display emergency contact information. **acknowledged**
- This location would be considered a Route 126 address rather than "School House Rd" address. Acknowledged.

•

**Andrew R. Gullone, P.E.** | *Senior Project Manager*

Civil & Environmental Consultants, Inc.

[redacted]

**direct** 6[redacted] **office** 6[redacted] **mobile** 4[redacted]

https://link.edgepilot.com/s/bbc18c1d/HLeVia1jSUqjdgP4BWtCDw?u=http://www.cecinc.com/

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Personal Business Relationships

**From:** Sarnowski, Matthew <[redacted]>
**Sent:** Wednesday, March 26, 2025 11:05 AM
**To:** Colin Walker <[redacted]>
**Cc:** Ben Dykema[redacted]m) <[redacted]>; Bryan Morrison <[redacted]>; Gullone, Andy <[redacted]>
**Subject:** FW: East Schoolhouse Road Solar

Colin,

Below are the comments I received from the Fire Marshal with Oswego.

Thank you,

**Matthew Joseph Sarnowski** | *Staff Consultant*

Civil & Environmental Consultants, Inc.

[redacted]

**direct** [redacted] **office** [redacted] **mobile** [redacted]

https://link.edgepilot.com/s/bbc18c1d/HLeVia1jSUqjdgP4BWtCDw?u=http://www.cecinc.com/

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Personal Business Relationships

**From:** ALEC KEENUM <AKEENUM@oswegofire.com>
**Sent:** Tuesday, March 25, 2025 1:31 PM
**To:** Sarnowski, Matthew <[redacted]
**Cc:** Matt Asselmeier <masselmeier@kendallcountyil.gov>
**Subject:** RE: East Schoolhouse Road Solar

Mr. Sarnowski,

Thank you for providing the pdf of the site plan. Please see below comments/concerns regarding Oswego Fire's ability to service this site with emergency services:

- The Oswego Fire Protection District operates off of an amended 2021 IFC
- This is an extremely large area for one-way-in and one-way-out, not so much the drive off of Rt 126, but actual access to the gated/fenced site – additional gated access to be considered
- Secured access gates shall be supplied with a Knox gate switch if electronic, or knox padlock if manual
- Access routes, both to and within the site, shall be all-weather *maintained* and able to handle the imposed load of a Fire Department water tender (approx.. 45k lbs)
- Access route along the perimeter of the arrays/fence would limit the need to have intermittent routes running parallel within the arrays
- A minimum 10' clear brush-free zone is required around the perimeter of the arrays (fence perimeter)
- A non-combustible gravel base, or maintained vegetative surface, or non-combustible base is required to be installed *and maintained* under the arrays and associated electrical equipment
- Groundcover is allowed to be within the defensible space provided that it does not form a means to enable a fire to transmit from the growth to any structure

- Whether it be field fire or some other "fault" within the site, it appears that the ability to shut down the system requires travel into the midst of the site – would like to see emergency shut down capabilities within the secured site without need to definitively penetrate the site
- Emergency Contact Information placards to be permanently posted at access gates
- This location would be considered a Route 126 address rather than "School House Rd" address

This is a first blush "overview" based on the limited information available at this time.

Regards,

Capt. Alec J Keenum

Fire Marshal

Oswego Fire Protection District

**From:** Sarnowski, Matthew <[redacted]
**Sent:** Tuesday, March 25, 2025 10:51 AM
**To:** ALEC KEENUM <AKEENUM@oswegofire.com>
**Cc:** Gullone, Andy <[redacted]>; Colin Walker [redacted]; Ben Dykema [redacted]; Matt Asselmeier <masselmeier@kendallcountyil.gov>
**Subject:** RE: East Schoolhouse Road Solar

Mr. Keenum,

Please see the attached PDF of the site plan. This plan was provided as part of our special use permit application, which was submitted to Kendall County on March 18th.

Thank you,

**Matthew Joseph Sarnowski** | *Staff Consultant*

Civil & Environmental Consultants, Inc.

[redacted]

**direct** [redacted] **office** [redacted] **mobile** [redacted]

https://link.edgepilot.com/s/bb4001ce/jNVPNUN2GU66qY5z7tqB0w?u=http://www.cecinc.com/

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Personal Business Relationships

**From:** ALEC KEENUM <AKEENUM@oswegofire.com>
**Sent:** Tuesday, March 25, [redacted]
**To:** Sarnowski, Matthew <[redacted]>
**Cc:** Gullone, Andy <[redacted]>; Colin Walker <[redacted]> Ben Dykema ([redacted]
<[redacted]> Matt Asselmeier <masselmeier@kendallcountyil.gov>
**Subject:** RE: East Schoolhouse Road Solar

Thank you for touching bases. Deputy Chief Gallup took a pic of a site plan that I'm assuming you shared with him yesterday – do you have that in .pdf that you can share with me, it will make it much easier to take a look at and comment.

Also, can you update me on where you are in the "lifespan" of this project.... Still doing due diligence? Moving forward? Preparing to officially submit to Kendall County?

Regards,

Capt. Alec J Keenum

Fire Marshal

Oswego Fire Protection District

**From:** Sarnowski, Matthew <[redacted]>
**Sent:** Monday, March 24, 2025 12:40 PM
**To:** ALEC KEENUM <AKEENUM@oswegofire.com>
**Cc:** Gullone, Andy <[redacted]>; Colin Walker <[redacted]>; Ben Dykema [redacted]
<[redacted]>
**Subject:** East Schoolhouse Road Solar

Hello Mr. Keenum,

After discussions with Dan Gallup regarding the East Schoolhouse Road solar project, Mr. Gallup recommended that I reach out to you with questions I had on the site access roads for the project. We currently have 20-foot wide gravel access roads, with approximately 50-foot long turn-around areas at bends and the end of the road. Does this provide the necessary space to get emergency vehicles on the site? Any guidance you could provide on the layout of the site access roads is greatly appreciated.

I also wanted to see if it would be helpful if we provided any figures or exhibits to show how emergency vehicles might maneuver on the site.

Thank you,

**Matthew Joseph Sarnowski** | *Staff Consultant*

Civil & Environmental Consultants, Inc.

1[redacted]

**direct** [redacted] **office** 6[redacted] **mobile** [redacted]

https://link.edgepilot.com/s/49c704a9/Fctt5o0PIkyJjyxHCx495A?u=http://www.cecinc.com/

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9/22/2025

Kendall County Planning, Building & Zoning
807 West John Street
Yorkville, IL 60560-9249

RE: East Schoolhouse Road Community Energy Initiative
Letter of No Objection

Dear Mr. Matthew H. Asselmeier,

I am an abutter of the proposed Solar Project located on PIN number 06-09-400-004, which is approximately 1,400 feet to the west of the intersection of Schlapp Road and Route 126 in Plainfield, IL 60543. Please allow this letter to serve as support of the development, permitting, construction, operation, and maintenance of such Solar Project, and that I have no objection to this project.

Kindly include this letter in the public record.

Yours,

[redacted]

Greg Dady

[redacted]



# Sound Analysis Report

## East Schoolhouse Road Community Energy Initiative LLC
## Plainfield, Illinois

April 9, 2025 | Terracon Project No. JN257096

**Prepared for:**

East Schoolhouse Road Community
Energy Initiative LLC
C/O ECA Solar LLC
[redacted]

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10841 South Ridgeview Road
Olathe, KS 66061
P (913) 599 68
**Terracon.com**

April 9, 2025

East Schoolhouse Road Community Energy Initiative LLC
C/O ECA Solar LLC
[redacted]

Attn: Ben Dykema, PE
**E:** bd@ecasolar.com

**Re:** East Schoolhouse Road Community Energy Initiative LLC, Plainfield IL – Sound Analysis
Project Number: JN257096

Dear Mr. Dykema:

Terracon is pleased to submit the revised Sound Analysis Report for the above-mentioned project in general accordance with Terracon Proposal No. PJN257096 dated March 19, 2025. This report presents the findings of the noise analysis prepared using the provided conceptual site plans for the proposed East Schoolhouse Road Community Energy Initiative solar project in the Plainfield, Kendall County, Illinois.

We appreciate the opportunity to be of service to you on this project. If you have any questions concerning this report or if we may be of further service, please contact Bill Kaufell (717) 237-2897 or via email at wckaufell@terracon.com.

Sincerely,
**Terracon**

[redacted]
Al Dunay
Senior Scientist -Acoustics Group

[redacted]
Bill Kaufell
Acoustics Group Leader/APR

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Figure 2 – Sound Modeling Locations
Figure 3 – Sound Modeling Contours

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Attachment 1 – RCNM Results
Attachment 2 – Sound Emission Data

# 1.0 Report Summary

| Topic | Overview Statement |
|---|---|
| **Project Description** | The development of the East Schoolhouse Road Community Energy Initiative LLC solar project in Plainfield, Kendall County, Illinois, involves the construction of solar photovoltaic panels and associated equipment on approximately 34 acres of undeveloped agricultural land.<br><br>The proposed solar farm site is being developed on agricultural land in Kendall County, Illinois. The project is bordered by agricultural land and East Schoolhouse Road to the south. The land use in the study area consists primarily of agricultural, businesses and rural residences. The closest residential receptors are approximately 2000' from the project. |
| **Ambient Site Conditions** | Existing sound levels in the project area are primarily influenced by transportation noise associated with traffic on East Schoolhouse Lane. In addition to transportation sources, background sound is also influenced by agricultural activities and environmental background related sources (birds, insects, residential activities) and would vary depending on the time of day and activity. In the absence of noise from agricultural operations, other audible components in the ambient environment would be noise from insects, birds, dogs, and other wildlife and livestock, along with infrequent traffic noise from vehicles on rural roadways. Ambient sound measurements were not conducted in the project area. Daytime ambient sound levels are assumed to vary between 40-45 dB(A) based on the rural nature of the area. |
| **Construction** | Construction of the solar farm will occur during typical work hours, Monday through Friday between 8:00 AM and 6:00 PM. However, some construction activities could also occur on weekends if necessary. Most of the construction equipment would not be operating for the entire construction period but would be phased in and out and moved to different areas within the development site as construction activities progress. The equipment most likely to make the most noise would be the pile driving activities that will occur during the installation of the solar panel arrays. The construction noise levels would be temporary and intermittent. Based on the location of the closest panel arrays to the equestrian facility to the east, it is suggested that property owner coordination is conducted to discuss construction sequencing and foundation installation schedules. While impacts are not anticipated, property owner coordination related to construction activities may alleviate concerns.<br>The only quantifiable operational sound emissions are associated with the inverters and transformers. As the solar generation facility would only generate electricity between sunrise and sunset, sound from solar field inverters and transformers would be limited to daylight hours. The facility will have 2 equipment pads, each containing 12 string inverters and a 2-3.5 MVA pad-mounted liquid cooled transformer. The sound produced by an inverter can be described as a low hum and has roughly the same acoustical output of a household air conditioning unit. |
| **Operational Sound** | Three-dimensional sound modeling of the inverters and transformers was used to analyze the solar farm operations to determined compliance with IPCB standards. The visual results (isopleth) of the sound dispersion model results for the maximum worst-case operating condition scenario is depicted on Figure 3 and illustrate the **acoustical footprint will remain within the property boundary.** Sound level contributions associated with the project at the sensitive modeling locations ranged from 11-25 dB(A), well below background sound levels. All of the receptors analyzed are below 40 dB(A) and the facility will not be audible at these discrete locations based on reductions associated with sound propagation and ambient background conditions. Based on the results of the SoundPLAN analysis, the solar project is not anticipated to have an impact on surrounding community sound levels or sensitive receptors. In addition, the project will **comply with established IPCB noise impact threshold (61 dB(A) equivalent) at the property line.** |

# 2.0 Introduction

This report presents the results of our Sound Analysis services performed for the proposed East Schoolhouse Road Community Energy Initiative LLC solar facility located in Plainfield, Kendall County, Illinois. Proposed site activities include site grading and installation of solar panels and associated equipment. The project site is located approximately 6 miles west of Plainfield, Illinois at latitude 41°36'39.61"N and longitude 88°19'24.84"W (see Figure 1).

The purpose of these services was to provide an estimate of the background, construction, and operational noise conditions related to the solar facility development, including:

- Ambient background sound assumptions
- Construction Noise Estimate
- Operational Noise Estimate

Project plans used to develop sound modeling:

- 9-13-2024 East Schoolhouse Road Community Energy Initiative Site Plan- Drawing No PSD-1.0 (Figure 1)

# 3.0 Fundamentals of Noise

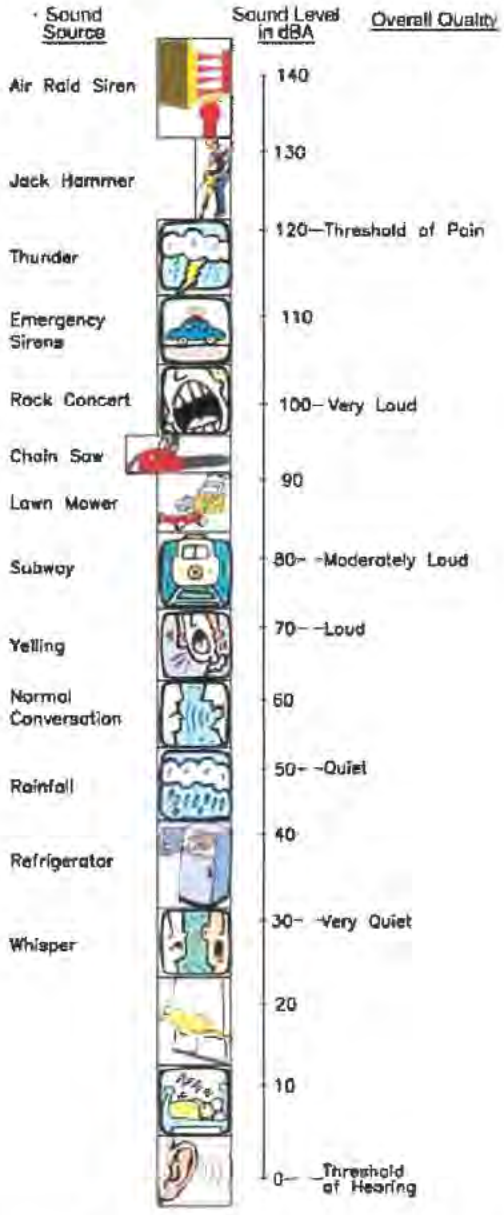
Noise is defined as "unwanted sound." Therefore, it can be considered a psychological phenomenon and not physical. The roar of racecars adds to the excitement of spectators and hence would be considered sound. This same roar may annoy nearby neighbors, thereby becoming noise. Similarly, the roar of a waterfall at 70 dB(A) may be pleasing to the ear and perceived as sound, while sound produced by traffic or industrial activities at that same intensity could justifiably be considered noise. Factors playing a role in the perception of sound include magnitude, amplitude, duration, frequency, source, and receiver. Nevertheless, researchers have established a fair correlation between the measurement of sound, the A-weighted decibel (dB(A)), and its associated perceived human response. The graphic below outlines common noise sources with associated sound levels in dB(A).

Environmental sound levels are generally presented in terms of A-weighted decibels (dB(A)). The decibel (dB) scale is used to measure sound level. However, because the human ear does not respond equally to all frequencies, the A-weighted scale has been developed to place an emphasis on those frequencies which are more detectable to the human ear. This is an adjusted measurement of noise that takes into account the sensitivity of the human ear to the various sound frequencies which we can hear. The A-weighted scale, which has been in existence for over 40 years, is generally used in community and city noise ordinances and is expressed in units of dB(A) (decibels in the A-weighting).

Because sound is actually an energy level, it must be recorded on a logarithmic scale and expressed in logarithmic units called decibels (dB). Given this scale, a doubling of amplitude will result in a three-decibel increase in total level. Typically, a change in sound level between 2 and 3 dB(A) is barely perceptible, while a change of 5 dB(A) is readily noticeable by most people. A 10 dB(A) increase is usually perceived as a doubling of loudness; conversely, noise is perceived to be reduced by one-half when a sound level is reduced by 10 dB(A).

The metric frequently used when evaluating environmental sound levels is the equivalent continuous sound pressure level, or Leq. The Leq represents the average sound level for a given time period that would have the same total sound energy as the fluctuating sound levels over the measured time period. Along with the Leq, another frequently used metric when considering environmental sound levels and their effect on people is the day-night average sound level, the Ldn. The Ldn does not represent the sound level heard at any particular time but represents the average noise level over a 24-hour period, with sound levels

between 10 PM and 7 AM artificially increased by 10 dB before averaging. The Ldn considers that household sound levels are typically lower during the evening and night than in the daytime and any exterior sound levels occurring between 10 PM and 7 AM are perceived to be louder and are more noticeable than the same exterior sound levels would be perceived during the daytime. Other acoustical statistics such as L(90) are generally considered to be representative of the background or ambient level of a noise environment. L(90) is the level exceeded for 90% of the time. For 90% of the time, the noise level is above this level. The maximum sound level (Lmax) was used for this assessment.




As sound waves propagate from a source to a receiver, the sound level changes in magnitude and frequency content. Sound propagates outward spherically from a point source and decreases by 6 dB for each doubling of distance. When the propagation path is close to the ground, ground absorption affects the

attenuation. Acoustically hard sites (pavement) would have minimal ground absorption while a soft site (grass) would further reduce the sound at a rate 1.5 dB per doubling of distance. Additional sound reductions occur as a result of atmospheric effects and shielding (barrier in path of source/receiver).

# 4.0 Regulatory Setting

The project is located in Kendall County, Illinois. Kendall County zoning regulations related to commercial solar facilities are outlined in Section 8-2-5-30: Commercial Solar and Wind Energy Facilities. The following noise related stipulations are included in Section 36-282(17):

> f. Sound limitations for components in commercial solar energy facilities shall follow the sound limitations established by the State Pollution Control Board.

IPCB regulations outlined in Title 35: Environmental Protection Subtitle H: Noise Part 901.102 specifies sound emission standards according to land use classifications. Land use is categorized from A to C based on sensitivity to sound emissions. Class A is the most sensitive while Class C is the least and is not protected in the regulation. The project is being developed on agricultural land and is bordered by rural residential properties and agricultural land. The land use in the study area consists primarily of agricultural with sparse rural residential residences and transportation (rail and roadway).

The IPCB land use classifications adjacent to the project include residential areas (Land Use Code 1100) classified as Land Class A and agricultural (Land Use Code 9100) as Land Class C. The solar facility would also be classified as Land Class C. The IPCB provisions include sound emission thresholds for sound emitted to Class A and Class B lands. Class C land (agricultural) is not included in the IPCB sound regulations. The sound thresholds are presented below for Sound Emitted to Class A Land and the A-weighted summary has been provided as a single value that represents the impact threshold. The regulations stipulate that the sound impact threshold is 61 dBA for noise emitted from a solar facility (Class C) to a residential area (Class A).

> *Section 901.102 Sound Emitted to Class A Land*
> *a) Except as elsewhere provided in this Part, a person must not cause or allow the emission of sound during daytime hours from any property-line noise source located on any Class A, B or C land to any receiving Class A land that exceeds any allowable octave band sound pressure level specified in the following table, when measured at any point within the receiving Class A land. Sound pressure levels must be measured at least 25 feet from the property-line noise source.*

*Allowable Octave Band Sound Pressure Levels (dB) of Sound Emitted to any Receiving Class A Land from:*

| *Octave Band Center Frequency (Hertz)* | ***Land Class C*** | ***Land Class B*** | ***Land Class A*** |
|---|---|---|---|
| *31.5* | *75* | *72* | *72* |
| *63* | *74* | *71* | *71* |
| *125* | *69* | *65* | *65* |
| *250* | *64* | *57* | *57* |
| *500* | *58* | *51* | *51* |
| *1000* | *52* | *45* | *45* |
| *2000* | *47* | *39* | *39* |
| *4000* | *43* | *34* | *34* |
| *8000* | *40* | *32* | *32* |
| **A-Weighted Summary** | **61** | **55** | **55** |

# 5.0 Existing Site Conditions

The proposed solar farm site is being developed on agricultural land in Kendall County, Illinois. The project is bordered by agricultural land and East Schoolhouse Road to the south. The land use in the study area consists primarily of agricultural, businesses and rural residences. The closest residential receptors are located 2000' from the project.

Existing sound levels in the project area are primarily influenced by transportation noise associated with traffic on East Schoolhouse Lane. In addition to transportation sources, background sound is also influenced by agricultural activities and environmental background related sources (birds, insects, residential activities) and would vary depending on the time of day and activity. In the absence of noise from agricultural operations, other audible components in the ambient environment would be noise from insects, birds, dogs, and other wildlife and livestock, along with infrequent traffic noise from vehicles on rural roadways.

The Acoustical Society of America (ASA) through the American National Standards Institute (ANSI) has published a standard with estimates of general ambient sound levels ($L_{eq}$ and $L_{dn}$) for six different land use categories, ranging from very noisy urban residential to very quiet suburban and rural residential. The six land use categories and their corresponding daytime, nighttime, and day-night average estimated sound levels are presented in Table 1.

**Table 1: Representative Existing Conditions Based on Land Use[1]**

| Land Use Category | Typical $L_{dn}$ (dB(A)) | Day Level $L_d$ (dB(A)) | Night Level $L_n$ (dB(A)) |
|---|---|---|---|
| **1, Very noisy urban residential** | 67 | 66 | 58 |
| **2, Noisy urban residential** | 62 | 61 | 54 |
| **3, Urban and noisy suburban residential** | 57 | 55 | 49 |
| **4, Quiet urban and normal suburban residential** | 52 | 50 | 44 |
| **5, Quiet suburban residential** | 47 | 45 | 39 |
| **6, Very quiet suburban and rural residential** | 42 | 40 | 34 |

The existing acoustic environment for the proposed development site and the closest noise sensitive receptors can be estimated using the sound level data presented in Table 1. The development site and the residential development would have similar existing sound levels. Existing sound levels would range from the values in Land Use Category 6. Ambient sound measurements were not conducted in the project area. **Daytime ambient sound levels** are assumed to vary between **40-45 dB(A)** based on the rural nature of the area.

[1] Source: ANSI S12.902013/Part 3.

# 6.0 Construction Noise

Construction of the solar farm will occur during typical work hours, Monday through Friday between 8:00 AM and 6:00 PM. However, some construction activities could also occur on weekends if necessary. Construction noise is expected to cause temporary and short-term adverse impacts to the ambient sound environment within the development site and for noise sensitive receptors near the site. To predict the magnitude of construction noise that will temporarily affect noise sensitive receptors, modeling of construction noise levels was performed.

The U.S. Department of Transportation Federal Highway Administration (FHWA) developed a model for the prediction of construction noise that is based on actual sound level measurements of various equipment types. The FHWA Roadway Construction Noise Model (RCNM) has noise levels for various types of equipment pre-programmed into the software. Therefore, the noise level associated with the equipment is typical for the equipment type and not based on any specific make or model. Some examples of common construction equipment and their measured maximum noise levels at a distance of 50 feet that are used in the RCNM construction noise level predictions are presented in Table 2.

**Table 2: Common Construction Equipment Noise Levels**

| Equipment Description | Actual Measured $L_{max}$ @ 50 feet (dB(A), slow) (Samples Averaged) |
|---|---|
| Backhoe | 78 |
| Compressor (air) | 78 |
| Crane | 81 |
| Dozer | 82 |
| Drill Rig Truck | 79 |
| Dump Truck | 76 |
| Excavator | 81 |
| Front End Loader | 79 |
| Grader | 85 |
| Jackhammer | 89 |
| Pickup Truck | 75 |
| Rock Drill | 81 |
| Scraper | 84 |
| Tractor | 84 |
| Vibratory Pile Driver | 101 |

Most of the construction equipment would not be operating for the entire construction period but would be phased in and out and moved to different areas within the development site as construction activities progress. Based on the RCNM measured noise levels of the equipment to be used during construction, the equipment most likely to make the most noise would be the pile driving activities that will occur during the installation of the solar panel arrays. To predict the worst-case construction noise scenario, equipment associated with solar panel array installation was modeled for varying distances. The equipment used for the RCNM construction noise calculations include a backhoe, crane, dozer, pickup truck, tractor, and vibratory pile driver. Results of the RCNM construction noise calculations for varying distances of the development site are presented in Table 3 as both $L_{eq}$ and $L_{max}$ values. Data from RCNM calculations is located in Attachment 1.

The piledriving activities used to construct the solar panel array are anticipated to be the loudest construction activity that would be experienced. These worst-case construction noise levels would be temporary and intermittent, as it would not be expected to take more than a day or two to construct the nearest solar panel array. As construction noise generating activities will progressively move across the development site during the duration of the construction

phase, the highest noise levels would not be expected to be experienced at a single receptor for more than a day or two, as construction equipment and activities would only be in a single area for a short period of time.

**Table 3: Estimated Construction Noise Levels in dB(A)**

| Equipment | 1,000' | | 2,000' | |
|---|---|---|---|---|
| | Lmax | Leq | Lmax | Leq |
| Backhoe | 52 | 48 | 46 | 42 |
| Dozer | 56 | 52 | 50 | 46 |
| Dump Truck | 50 | 47 | 44 | 41 |
| Crane | 55 | 47 | 49 | 41 |
| Pickup Truck | 49 | 45 | 43 | 39 |
| Tractor | 58 | 54 | 52 | 48 |
| Vibratory Pile Driver | 75 | 68 | 69 | 62 |

# 7.0 Operational Noise

Solar facilities primarily generate sound from three main sources: tracking motors, inverters, and transformers. The solar array for this project will use motorized tracking panels distributed across the site in order to keep the panels facing the sun and optimize output during different times of the day and year. Tracker motors are not in operation continuously and would reposition the arrays several times during daylight hours as well as reposition the arrays once at sunset (resetting array position for the following day). Each individual repositioning would be brief and the frequency at which arrays are repositioned would be anticipated to be limited to a few times each hour or less. The motors used to move the panels are small, brushless DC motors and produce relatively insignificant contributions to the sound emitted onsite and are often inaudible at close range, equating to less than 50 dB(A) at 10 meters.

The only quantifiable operational sound emissions are associated with the inverters and transformers. As the solar generation facility would only generate electricity between sunrise and sunset, noise from solar field inverters and transformers would be limited to daylight hours. The facility will have 2 equipment pads, each containing 12 string inverters and a 2-3.5 MVA pad-mounted liquid cooled transformer. The inverter units have multi-stage fans that cool internal components which operate automatically when cooling is required. The maximum fan power is used when the inverter is at maximum capacity in high ambient temperatures. The sound produced by an inverter can be described as a low hum and has roughly the same acoustical output of a household air conditioning unit. Solectria XGI 1500-250 series 3-phase transformerless inverters are proposed for this project. According to the manufacturer's specifications, the noise emission produced by the inverter is rated at 73 dB(A) at 1 meter when operating at maximum capacity. Sound emission data for the inverters are included from the manufacturer in Attachment 2.

The transformers proposed for each utility pad would produce low levels of sound during facility operations, but, as with the inverters, this sound would primarily occur during daytime hours. A 2-3.5 MVA pad-mounted liquid cooled transformer is proposed for the project. While a manufacturer has not been selected for this equipment, the National Electrical Manufacturers Association (NEMA) specifies audible sound level limits for transformers. Based on the NEMA standards and manufacturer data, project transformers may generate noise levels up to 64 dB(A) at 1 meter for a 3-4 MVA transformer (refer to manufacturer data in Attachment 2). Liquid cooled transformers have higher energy efficiency and produce low sound emissions during operations compared to dry transformers and can be used in close proximity to sound sensitive land uses.

Transformers are likely the largest source of tonal sound since the inverter noise is broadband based. While liquid cooled transformers have tonal components at 120 Hertz, the tonal character of the transformers is not anticipated to be audible outside the property buffer based on the low sound emissions associated with the transformers, distances to sensitive receptors as well as masking associated with ambient sound sources in the vicinity.

**Site Operations and Maintenance**

Anticipated operational maintenance operations will include vegetation management and general solar panel maintenance. The upkeep and small fixes are not anticipated to generate any loud or distinguishable noise from off the site. The other potential component for increasing the ambient noise level around the site would be an increase in traffic into and around the site. The estimated number of vehicles needed to service the solar facility amounts to 1-2 vehicles on days when the panels are serviced.

**Noise Modeling Methodology**

The future operating acoustical environment for the proposed sources was simulated using the SoundPLAN v.5.1 software. SoundPLAN implements International Organization for Standardization (ISO) ISO-9613-2 1996 (Attenuation of sound during propagation outdoors – Part 2: General method of calculation), which is an international standard method for calculating sound during propagation outdoors in order to predict the levels of environmental noise at a distance from a variety of sources. A three-dimensional topographical model was created to assess the sound propagation of the proposed facility. A digital terrain model was created using existing ground elevations and contours obtained from topographic mapping derived from USGS mapping at 1-meter intervals.

SoundPLAN is capable of either predicting A-weighted sound levels at discrete receptors (single locations) or calculating sound contours given the three-dimensional terrain. Sound level projections were calculated for the closest sensitive receptor locations (15 receptors) within approximately 1/2-mile radius of the project boundaries. In addition, sound contour modeling was used for the proposed site to graphically display the future acoustical environment and illustrate the influence of the facility on adjoining properties.

**Noise Modeling Results**

The sensitive receptor modeling locations are located on Figure 2. The operational sound level projections for each of the sensitive receptors outlined on Figure 2 are found in Table 4 – Sound Modeling Results. Sound level contributions associated with the project at the sensitive receptor locations ranged from 11-25 dB(A). All of the receptors analyzed are below 40 dB(A) and the facility will not be audible at these discrete locations based on reductions associated with sound propagation and ambient background conditions.

The visual results (isopleth) of the sound dispersion model results for the maximum worst-case operating condition scenario is depicted on Figure 3 and illustrate the acoustical footprint **will remain within the property boundary**. Sound level contributions associated with the project at the sensitive modeling locations ranged from 11-25 dB(A), well below background sound levels. All of the receptors analyzed are below 40 dB(A) and the facility will **not be audible** at these discrete locations based on reductions associated with sound propagation and ambient background conditions. Based on the results of the SoundPLAN analysis, the solar project is not anticipated to have an impact on surrounding community sound levels or sensitive receptors. In addition, **the project will comply with established IPCB noise impact threshold** (61 dB(A) equivalent) at the property line.

**Table 4: Sound Modeling Results in dB(A)**

| Receiver Number | | Limit Day dB(A)[1] | Sound Level Day dB(A) |
|---|---|---|---|
| 1 | GF | 61 | 24.4 |
| | 2.Fl | | 24.6 |
| 2 | GF | | 16.6 |
| | 2.Fl | | 19.8 |
| 3 | GF | | 16.3 |
| | 2.Fl | | 19.5 |
| 4 | GF | | 18.2 |
| | 2.Fl | | 18.5 |
| 5 | GF | | 17.6 |
| | 2.Fl | | 17.9 |
| 6 | GF | | 23.9 |
| | 2.Fl | | 24.2 |
| 7 | GF | | 16.6 |
| | 2.Fl | | 19.8 |
| 8 | GF | | 22.7 |
| | 2.Fl | | 22.9 |
| 9 | GF | | 25.2 |
| | 2.Fl | | 25.5 |
| 10 | GF | | 23.0 |
| | 2.Fl | | 23.2 |
| 11 | GF | | 17.3 |
| | 2.Fl | | 17.6 |
| 12 | GF | | 16.1 |
| | 2.Fl | | 16.4 |
| 13 | GF | | 15.7 |
| | 2.Fl | | 16.0 |
| 14 | GF | | 12.1 |
| | 2.Fl | | 12.4 |
| 15 | GF | | 11.0 |
| | 2.Fl | | 11.4 |

# Figures

Figure 1 – Conceptual Site Plan
Figure 2 – Sound Modeling Locations
Figure 3 – Sound Modeling Contours

# Attachments

Attachment 1 – RCNM Results
Attachment 2 – Sound Emission Data

Attachment 1 – RCNM Results

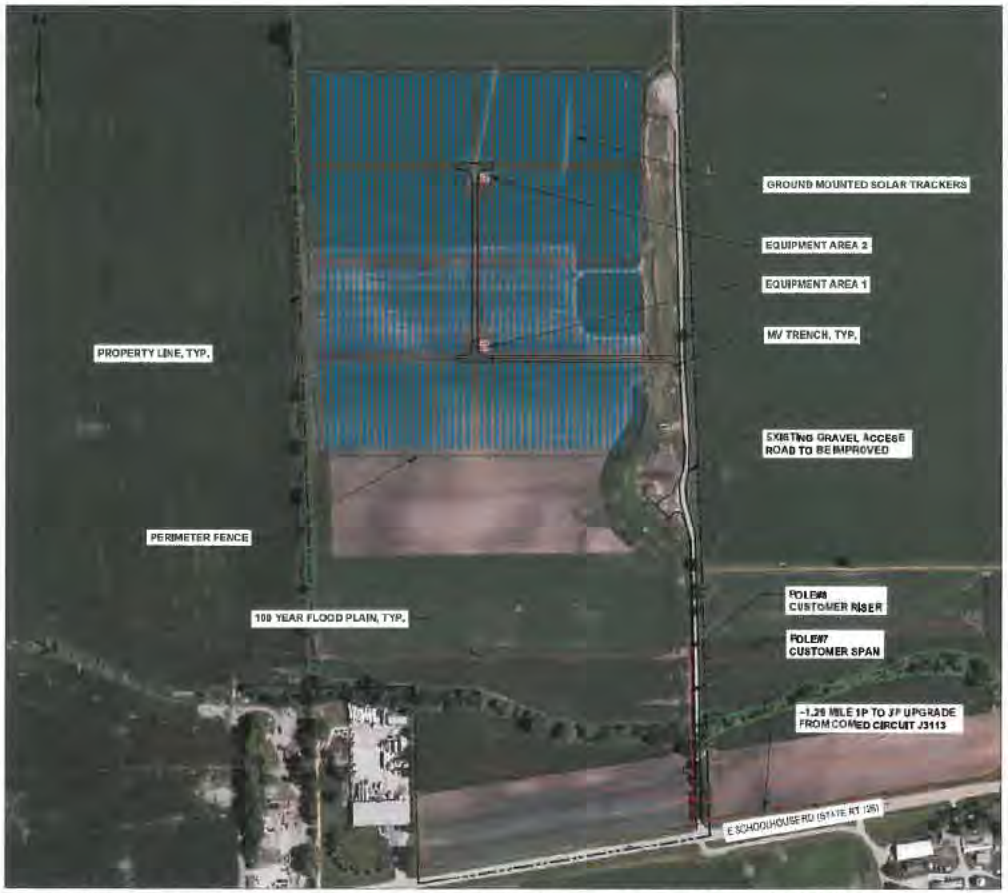
# Attachment 2 – Sound Emission Data

# Figures

Figure 1 – Conceptual Site Plan
Figure 2 – Sound Modeling Locations
Figure 3 – Sound Modeling Contours

# PHOTOVOLTAIC SYSTEM
# TOTAL: 7.4588 MWDC (5.000 MWAC)
# EAST SCHOOLHOUSE ROAD COMMUNITY ENERGY INITIATIVE LLC
# 0 E SCHOOLHOUSE RD PLAINFIELD, IL

| PV SYSTEM DESCRIPTION | |
|---|---|
| MODULE TYPE | JKM585N-72HL4-BDV |
| QUANTITY | 12750 (510 STRINGS OF 25 MODULES) |
| SYSTEM SIZE (DC) | 7.4588 MW |
| SYSTEM SIZE (AC) | 5.000 MW |
| INVERTER | SOLECTRIA XGI 1500-250/250 (250 KW) - 20 QTY |
| MOUNTING SYSTEM | SINGLE AXIS TRACKER |
| TILT ANGLE | +/-60° |
| ARRAY AZIMUTH (SOUTH = 180°) | 180° |




1 PRELIMINARY LAYOUT - EAST SCHOOLHOUSE ROAD COMMUNITY ENERGY INITIATIVE LLC: 7.4588 MWDC (5.000 MWAC) PV SYSTEM
SCALE 1" = 200'




2 LOCUS MAP




3 INTERCONNECTION DETAIL
SCALE 1" = 50'

| NEW | DESCRIPTION OF REVISION | DATE | APPR. |
|---|---|---|---|
| 3 | PRE-APPLICATION | 09/27/22 | MEH |
| 2 | PRE-DA SUBMITTAL | 08/31/22 | MEH |
| 1 | AHJ/UTILITY SUBMITTAL | XX/XX/XX | MK |

eca solar

203 CRESCENT STREET WALTHAM, MA 02453

28 TRAFALGAR SQUARE NASHUA, NEW HAMPSHIRE 03063

SCALE: AS SHOWN | DRAWN BY: MEH | DATE: 09/27/2022 | APPROVED BY: XX | DATE:

EAST SCHOOLHOUSE ROAD COMMUNITY ENERGY INITIATIVE LLC
ECA SOLAR LLC

INTERCONNECTION SITE PLAN

0 E SCHOOLHOUSE RD PLAINFIELD, IL

PSD-1.0
SITE PLAN

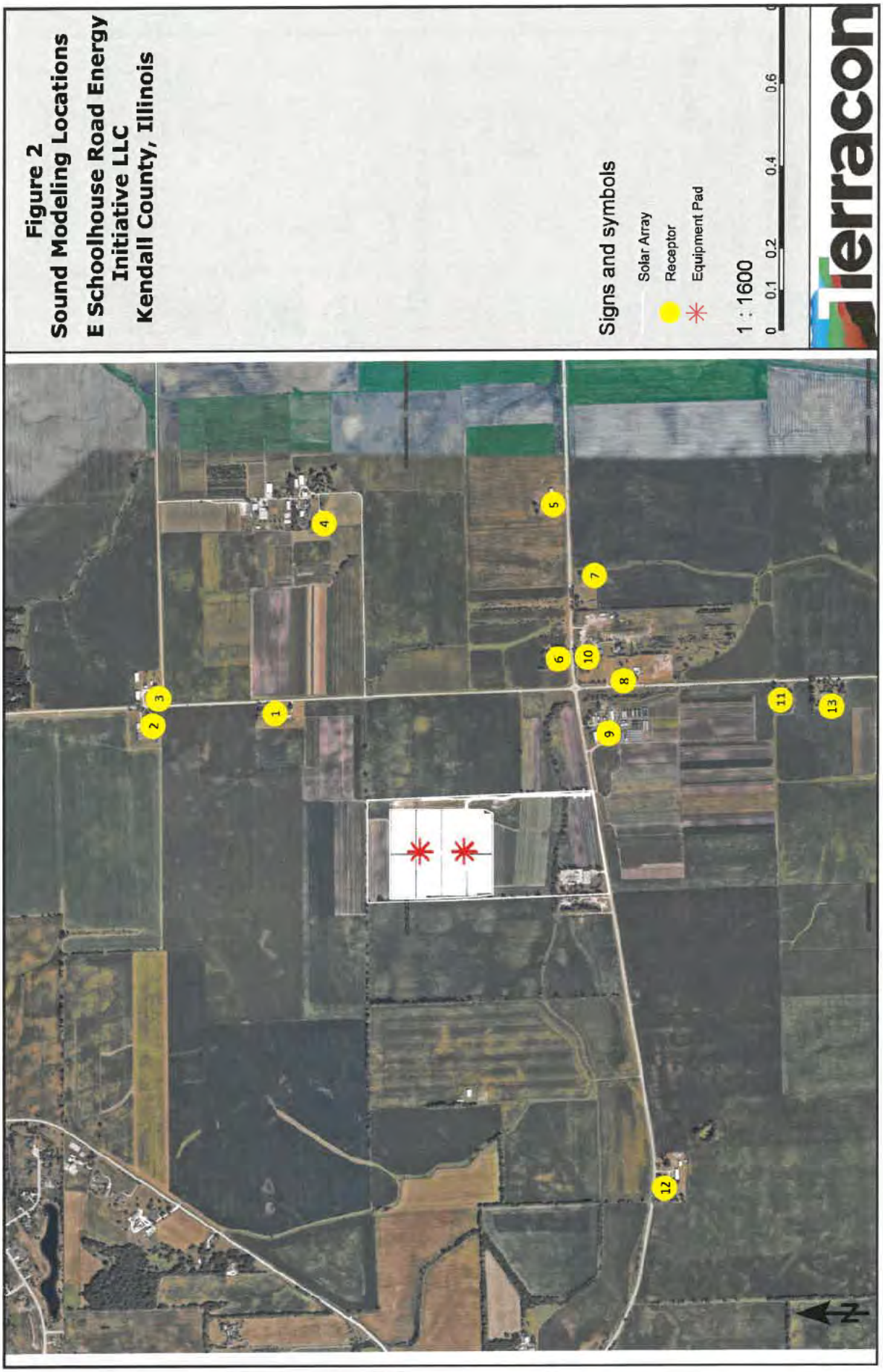

Figure 2
Sound Modeling Locations
E Schoolhouse Road Energy Initiative LLC
Kendall County, Illinois
Signs and symbols
Solar Array
Receptor
Equipment Pad
1 : 1600
0 0.1 0.2 0.4 0.6
Terracon
N
1
2
3
4
5
6
7
8
9
10
11
12
13

Figure 3
Sound Modeling Contours
E Schoolhouse Road Energy Initiative LLC
Kendall County, Illinois
Signs and symbols
Solar Array
Levels in dB(A)
< 45
45 - 47
47 - 49
49 - 51
51 - 53
53 - 55
55 - 57
57 - 59
59 - 61
61 - 63
63 - 65
>= 65
IPCB Equivalent Sound Threshold
1 : 250
0 50 100 200 300 400 feet
Terracon
Imagery ©2025 Airbus, Maxar Technologies
N

# Attachments

Attachment 1 – RCNM Results
Attachment 2 – Sound Emission Data

# Attachment 1 – RCNM Results

Roadway Construction Noise Model (RCNM),Version 1.1

Report date: 04/09/2025
Case Description: E Schoolhouse Road

**** Receptor #1 ****

| Description | Land Use | Baselines (dBA) Daytime | Evening | Night |
|---|---|---|---|---|
| 1000' | Residential | 45.0 | 45.0 | 45.0 |

Equipment

| Description | Impact Device | Usage (%) | Spec Lmax (dBA) | Actual Lmax (dBA) | Receptor Distance (feet) | Estimated Shielding (dBA) |
|---|---|---|---|---|---|---|
| Backhoe | No | 40 | | 77.6 | 1000.0 | 0.0 |
| Dozer | No | 40 | | 81.7 | 1000.0 | 0.0 |
| Dump Truck | No | 40 | | 76.5 | 1000.0 | 0.0 |
| Crane | No | 16 | | 80.6 | 1000.0 | 0.0 |
| Pickup Truck | No | 40 | | 75.0 | 1000.0 | 0.0 |
| Tractor | No | 40 | 84.0 | | 1000.0 | 0.0 |
| Vibratory Pile Driver | No | 20 | | 100.8 | 1000.0 | 0.0 |

Results

| Equipment | Calculated (dBA) Day Lmax | Day Leq | Evening Lmax | Evening Leq | Night Lmax | Night Leq | Noise Limits (dBA) Day Lmax | Day Leq | Evening Lmax | Evening Leq | Night Lmax | Night Leq | Noise Limit Exceedance (dBA) Day Lmax | Day Leq | Evening Lmax | Evening Leq | Night Lmax | Night Leq |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Backhoe | 51.5 | 47.6 | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A |

| | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| Dozer | | | 55.6 | 51.7 | N/A | N/A | N/A | N/A | |
| N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | | |
| Dump Truck | | | 50.4 | 46.5 | N/A | N/A | N/A | N/A | |
| N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | | |
| Crane | | | 54.5 | 46.6 | N/A | N/A | N/A | N/A | |
| N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | | |
| Pickup Truck | | | 49.0 | 45.0 | N/A | N/A | N/A | N/A | |
| N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | | |
| Tractor | | | 58.0 | 54.0 | N/A | N/A | N/A | N/A | |
| N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | | |
| Vibratory Pile Driver | | | 74.8 | 67.8 | N/A | N/A | N/A | N/A | |
| N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | | |
| | | Total | 74.8 | 68.2 | N/A | N/A | N/A | N/A | |
| N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | | |

**** Receptor #2 ****

| Description | Land Use | Baselines (dBA) Daytime | Evening | Night |
|---|---|---|---|---|
| 2000' | Commercial | 45.0 | 45.0 | 45.0 |

Equipment

| Description | Impact Device | Usage (%) | Spec Lmax (dBA) | Actual Lmax (dBA) | Receptor Distance (feet) | Estimated Shielding (dBA) |
|---|---|---|---|---|---|---|
| Backhoe | No | 40 | | 77.6 | 2000.0 | 0.0 |
| Dozer | No | 40 | | 81.7 | 2000.0 | 0.0 |
| Dump Truck | No | 40 | | 76.5 | 2000.0 | 0.0 |
| Crane | No | 16 | | 80.6 | 2000.0 | 0.0 |
| Pickup Truck | No | 40 | | 75.0 | 2000.0 | 0.0 |
| Tractor | No | 40 | 84.0 | | 2000.0 | 0.0 |
| Vibratory Pile Driver | No | 20 | | 100.8 | 2000.0 | 0.0 |

Results

| (dBA) | Noise Limit Exceedance (dBA) | Noise Limits |
|---|---|---|
| | | |

| Equipment | Calculated (dBA) Day Lmax | Day Leq | Evening Lmax | Evening Leq | Night Lmax | Night Leq | Evening Lmax | Evening Leq |
|---|---|---|---|---|---|---|---|---|
| Backhoe | 45.5 | 41.5 | N/A | N/A | N/A | N/A | N/A | N/A |
| Dozer | 49.6 | 45.6 | N/A | N/A | N/A | N/A | N/A | N/A |
| Dump Truck | 44.4 | 40.4 | N/A | N/A | N/A | N/A | N/A | N/A |
| Crane | 48.5 | 40.6 | N/A | N/A | N/A | N/A | N/A | N/A |
| Pickup Truck | 43.0 | 39.0 | N/A | N/A | N/A | N/A | N/A | N/A |
| Tractor | 52.0 | 48.0 | N/A | N/A | N/A | N/A | N/A | N/A |
| Vibratory Pile Driver | 68.8 | 61.8 | N/A | N/A | N/A | N/A | N/A | N/A |
| Total | 68.8 | 62.2 | N/A | N/A | N/A | N/A | N/A | N/A |

Attachment 2 – Sound Emission Data

# SOLECTRIA®
# XGI1500-250-DCG SERIES

## PREMIUM 3-PHASE TRANSFORMERLESS UTILITY-SCALE INVERTERS WITH GROUNDED DC INPUT

### FEATURES

- NEW!
  - XGI 1500-250/250-600-DCG
  - XGI 1500-225-600-DCG
  - XGI 1500-200/200-480-DCG
  - XGI 1500-175-480-DCG
- Grounded DC Input!
  - Compatible with First Solar PV modules
  - Grounded DC input prevents potential-induced-degradation for any PV modules affected
- Industry-leading maximum DC/AC Ratio of 2.0
- Accepts two input PV Source Circuits, with no overcurrent protections
- Made in the USA with global components
- Buy American Act (BAA) compliant
- 99.0% peak efficiency
- Flexible solution for distributed and centralized system architecture
- Advanced grid-support functionality Rule 21/UL1741SB
- Robust, dependable and built to last
- Lowest O&M and installation costs
- Access all inverters on site via WiFi from one location
- Remote diagnostics and firmware upgrades
- SunSpec Modbus Certified
- Tested compatible with the TESLA PowerPack Microgrid System

### OPTIONS

- PV Source Circuit Combiners
- Web-based monitoring
- Extended warranty

Yaskawa Solectria Solar is pleased to introduce the new XGI 1500-DCG series inverters, featuring a grounded DC input, with two models at 600 Vac and two at 480 Vac




The XGI 1500-DCG Series inverters feature SiC technology, high power and high efficiency that places them at the top end of the utility-scale string inverters in the market.

Yaskawa Solectria Solar designs all XGI 1500 utility-scale string inverters for high reliability and builds them with the highest quality components -- selected, tested and proven to last beyond their warranty. The XGI 1500 inverters provide advanced grid-support functionality and meet the latest IEEE 1547 and UL 1741 standards for safety.

The XGI 1500 inverters provide ideal solutions for ground-mounted utility-scale PV systems, with models available for service connections at 600 Vac and 480 Vac. Designed and engineered in Lawrence, MA, the SOLECTRIA XGI inverters are assembled and tested at Yaskawa America's facilities in Buffalo Grove, IL. The XGI 1500 inverters are Made in the USA with global components, and are compliant with the Buy American Act.

YASKAWA
SOLECTRIA SOLAR

**Yaskawa Solectria Solar** 1-978-683-9700 | Email: sales@solectria.com | solectria.com
Document No. FL_XGI1500.08 | 07/19/2023 | © 2021 Yaskawa America, Inc.

# SOLECTRIA® XGI 1500-DCG SERIES TECHNICAL DATA

## SPECIFICATIONS

| PRODUCT SPECIFICATION | | XGI 1500 INVERTER MODEL | | | |
|---|---|---|---|---|---|
| | | XGI 1500 250/250-600-DCG | XGI 1500 225-600-DCG | XGI 1500 200/200-480-DCG | XGI 1500 175-480-DCG |
| DC Inpu | Absolute Maximum Input Voltage | 1500 VDC | | | |
| | Maximum Power Voltage Range (MPPT) | 860-1250 VDC | | 750-1250 VDC | |
| | Operating Voltage Range (MPPT) | 860-1450 VDC | | 750-1450 VDC | |
| | Number of MPP Trackers | 1 MPPT | | | |
| | Maximum Operating Input Current | 296.7 A | 267 A | 237.3 A | 207.6 A |
| | Maximum Operating PV Power | 255 kW | 230 kW | 204 kW | 179 kW |
| | Maximum DC/AC Ratio \| Max Rated PV Power | 2.0 \| 500 kW | 2.22 \| 500 kW | 2.5 \| 500 kW | 2.86 \| 500 kW |
| | Max Rated PV Short-Circuit Current (∑Isc x 1.25) | 800 A | | | |
| AC Output | Nominal Output Voltage | 600 VAC, 3-Phase | | 480 VAC, 3-Phase | |
| | AC Voltage Range | -12% to +10% | | | |
| | Continuous Real Output Power | 250 kW | 225 kW | 200 kW | 175 kW |
| | Continuous Apparent Output Power (kVA) | 250 | 250 225 | 200 | 200 175 |
| | Maximum Output Current ($A_{RMS}$) | 240.6 | XGI 1500-225/225: 216.5<br>225/250: 240.6 | 240.6 | XGI 1500-175/175: 210.5<br>175/200: 240.6 |
| | Fault Current Contribution (1 cycle RMS) | 390 A | 390 A 351 A | 312 A | 312 A 273 A |
| | Conductor Compatibility | 600 kcmil max, Cu or Alum, 1 or 2 conductors with lugs | | | |
| | Nominal Output Frequency | 60 Hz | | | |
| | Power Factor (Unity default) | +/- 0.80 Adjustable | | | |
| | Total Harmonic Distortion (THD) @ Rated Load | < 5% | | | |
| | Grid Connection Type | 3-Ph + N/GND | | | |
| Efficiency | Peak Efficiency | 99.0% | | | |
| | CEC Average Efficiency | 98.5% | | | |
| | Tare Loss | <1 W | | | |
| Temperature | Ambient Temperature Range | -40°F to 140°F (-40°C to 60°C) | | | |
| | De-Rating Temperature | 113°F (45°C) | 127°F (53°C) | 113°F (45°C) | 131°F (55°C) |
| | Storage Temperature Range | -40°F to 167°F (-40°C to 75°C) | | | |
| | Relative Humidity (non-condensing) | 0 - 95% | | | |
| | Operating Altitude | 9,840 ft (3 km) | | | |
| Communications | Advanced Graphical User Interface | WiFi | | | |
| | Communication Interface | Ethernet | | | |
| | Third-Party Monitoring Protocol | SunSpec Modbus TCP/IP | | | |
| | Web-Based Monitoring | Optional | | | |
| | Firmware Updates | Remote and Local | | | |
| | Safety Listings & Certifications | UL 1741, IEEE 1547, UL 1998 | | | |
| Testing & Certifications | Advanced Grid Support Functionality | Rule 21, UL 1741SB | | | |
| | Testing Agency | ETL | | | |
| | FCC Compliance | FCC Part 15 (Subpart B, Class A) | | | |
| Warranty | Standard and Options | 5 Years Standard; Option for 10 Years | | | |
| | Acoustic Noise Rating | 73 dBA @ 1 m ; 67dBA @ 3 m | | | |
| Enclosure | DC Disconnect | Integrated 2-Pole 400 A DC Disconnect | | | |
| | Mounting Angle | Vertical only | | | |
| | Dimensions | Height: 29.5 in. (750 mm) \| Width: 44.3 in. (1125 mm) \| Depth: 15.4 in. (390 mm) | | | |
| | Weight | 290 lbs (131.5 kg) | | | |
| | Enclosure Rating and Finish | NEMA 4X, IEC IP66, Type 3R, Polyester Powder-Coated Aluminum | | | |

ETL LISTED

IT'S PERSONAL

YASKAWA SOLECTRIA SOLAR

Yaskawa Solectria Solar 1-978-683-9700 | Email: sales@solectria.com | solectria.com
Document No. FL.XGI1500.08 | 07/19/2023 | © 2021 Yaskawa America, Inc.

YASKAWA

## Octave band sound data of XGI 1500-250 series inverters (set up inside)

### Method:

1) **Set up(inside/and outside)**
   If inside: Set up in normal running conditions(make sure bay can run full power). Keep Inverter away from anything noisy(power supplies, transformers, other bays that are on)
   If outside: Shut off all INV except one to use for sound measurement.
2) **Baseline measurement**
   Take baseline noise measurement with everything off. Keep that number for later to subtract from actual measurement.
3) **Test**
   Verify INV is running full power. Take measurements from frequencies of 20Hz to 20kHz at a distance of 5' away from front of unit. Repeat test for back of unit.

### Acceptance Criteria:

dBA level shall be under 81dBA at a distance of 5' away from inverter running at full power.

### Test Parameters:

| | | | | | |
|---|---|---|---|---|---|
| Test Date | 11/18/2021 | | | | |
| Max Input Voltage: | 1050 | DC | Max Input Current | 298 | Amps |
| Max Output Current | 240 | Amps | Normal Grid Voltage: | 346 | Volts L-N |
| 100% Operating Watts | 250k | Watts | Grid Phases: | 3 | |
| Temperature | 24 | Celsius | Grid Frequency: | 60 | Hz |

### Equipment Used:

| Description | Mfg. | Model | Serial | Cal Date | Cal Due |
|---|---|---|---|---|---|
| Noise Meter | Rion | NA-28 | NA | 2/1/2021 | 2/1/2022 |

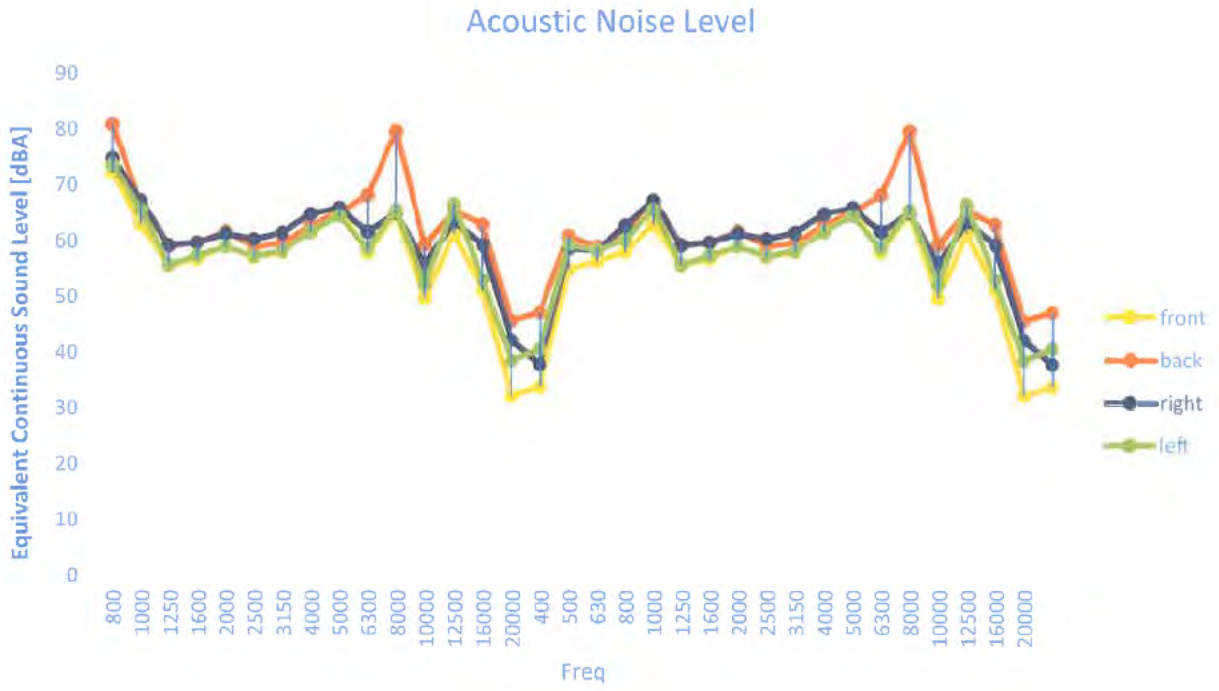
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360 Merrimack Street
Lawrence, MA 01843
solectria.com

1-978-683-9700
Email: inverters@solectria.com

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YASKAWA

## Results:




**Yaskawa Solectria Solar**
360 Merrimack Street
Lawrence, MA 01843
**solectria.com**

1-978-683-9700
Email: inverters@solectria.com

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YASKAWA

# dBA Results

| Distance | DC voltage | Power | Angle[deg | Wind scre | Leq[dBA] Total | Freq[Hz] | 12.5 | 16 | 20 | 25 | 31.5 | 40 | 50 | 63 | 80 | 100 | 125 | 160 | 200 | 250 | 315 | 400 | 500 | 630 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 1M | 1050V | 100% | front | ON | 72.1 | | -4.9 | -0.8 | 4.2 | 13.3 | 17 | 19 | 24.3 | 26.9 | 27.3 | 38.4 | 50.7 | 47.5 | 46.2 | 50 | 49.7 | 54.7 | 56.2 | 57.8 |
| | | | back | | 80.7 | | 2.8 | 7.8 | 11.5 | 15 | 17.3 | 21.4 | 26.2 | 27.5 | 28.2 | 39.7 | 51.1 | 46.3 | 49.4 | 53.2 | 56.1 | 60.7 | 58.8 | 60.5 |
| | | | right | | 74.6 | | -4.8 | -0.1 | 5.1 | 14.3 | 16.1 | 18.7 | 22.3 | 25.6 | 26.7 | 40.3 | 52.6 | 45.4 | 48.1 | 50.2 | 51 | 58.5 | 58.1 | 62.6 |
| | | | left | | 73.4 | | -4.8 | -2.3 | -3.1 | 11.9 | 16.1 | 19 | 23.7 | 29.5 | 28.4 | 38.2 | 50.2 | 49.5 | 47.5 | 49.9 | 51 | 59.2 | 58.1 | 60 |

| Distance | DC voltage | Power | Angle[deg | Wind scre | Leq[dBA] Total | Freq[Hz] | 800 | 1000 | 1250 | 1600 | 2000 | 2500 | 3150 | 4000 | 5000 | 6300 | 8000 | 10000 | 12500 | 16000 | 20000 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 1M | 1050V | 100% | front | ON | 72.1 | | 62.8 | 55.4 | 56.6 | 58.9 | 56.9 | 57.8 | 61.6 | 65.7 | 57.8 | 64.7 | 49.6 | 61.2 | 51 | 32.1 | 33.7 |
| | | | back | | 80.7 | | 66.6 | 58.9 | 59.5 | 61.6 | 58.8 | 59.4 | 62.5 | 64.9 | 68 | 79.5 | 59.1 | 65.2 | 62.7 | 45.5 | 47 |
| | | | right | | 74.6 | | 67.1 | 59.1 | 59.6 | 61.2 | 60.2 | 61.3 | 64.7 | 65.8 | 61.5 | 64.8 | 55.7 | 63.3 | 59.1 | 42.1 | 37.7 |
| | | | left | | 73.4 | | 65.5 | 55.6 | 57.2 | 58.8 | 57.1 | 58 | 61.4 | 64.3 | 58.6 | 65.3 | 52 | 66.4 | 52.9 | 38.4 | 40.5 |

Below are the latest NEMA TR-1 Average decibel ratings as of 2020.

| Self-Cooled, Two Winding kVA Rating | Average Decibels (dB) |
|---|---|
| 45-500 | 56 |
| 501-700 | 57 |
| 701-1000 | 58 |
| 1001-1500 | 60 |
| 1501-2000 | 61 |
| 2001-2500 | 62 |
| 2501-3000 | 63 |
| 3001-4000 | 64 |
| 4001-5000 | 65 |
| 5001-6000 | 66 |
| 6001-7500 | 67 |
| 7501-10000 | 68 |

Maddox Industrial Transformer liquid-filled padmount and substation transformers are built to the latest NEMA, IEEE, ANSI standards, and Department of Energy regulations.

# United States Department of the Interior

FISH AND WILDLIFE SERVICE
Illinois-Iowa Ecological Services Field Office
Illinois & Iowa Ecological Services Field Office
1511 47th Ave
Moline, IL 61265-7022
Phone: (309) 757-5800 Fax: (309) 757-5807

In Reply Refer To:
Project Code: 2025-0001844
Project Name: East Schoolhouse Road Solar

10/04/2024 14:10:08 UTC

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

The attached species list identifies federally threatened, endangered, proposed and candidate species that may occur within the boundary of your proposed project or may be affected by your proposed project. The list also includes designated critical habitat, if present, within your proposed project area or affected by your project. This list is provided to you as the initial step of the consultation process required under section 7(c) of the Endangered Species Act, also referred to as Section 7 Consultation.

Under 50 CFR 402.12(e) (the regulations that implement Section 7 of the Endangered Species Act) **the accuracy of this species list should be verified after 90 days**. This verification can be completed formally or informally. You may verify the list by visiting the ECOSPHERE Information for Planning and Consultation (IPaC) website https://ipac.ecosphere.fws.gov at regular intervals during project planning and implementation and completing the same process you used to receive the attached list.

**Section 7 Consultation**

Section 7 of the Endangered Species Act of 1973 requires that actions authorized, funded, or carried out by Federal agencies not jeopardize federally threatened or endangered species or adversely modify designated critical habitat. To fulfill this mandate, Federal agencies (or their designated non-federal representative) must consult with the U.S. Fish and Wildlife Service (Service) if they determine their project "may affect" listed species or designated critical habitat. Under the ESA, it is the responsibility of the Federal action agency or its designated representative to determine if a proposed action may affect endangered, threatened, or proposed species, or designated critical habitat, and if so, to consult with the Service further. Similarly, it is the responsibility of the Federal action agency or project proponent, not the Service to make "no effect" determinations. If you determine that your proposed action will have no effect on threatened or endangered species or their respective designated critical habitat, you do not need to seek concurrence with the Service.

**Note:** For some species or projects, IPaC will present you with *Determination Keys*. You may be able to use one or

more Determination Keys to conclude consultation on your action.

***Technical Assistance for Listed Species***

1. For assistance in determining if suitable habitat for listed, candidate, or proposed species occurs within your project area or if species may be affected by project activities, you can obtain information on the species life history, species status, current range, and other documents by selecting the species from the thumbnails or list view and visiting the species profile page.

***No Effect Determinations for Listed Species***

1. If there are *no* species or designated critical habitats on the Endangered Species portion of the species list: conclude "no species and no critical habitat present" and document your finding in your project records. No consultation under ESA section 7(a)(2) is required if the action would result in no effects to listed species or critical habitat. Maintain a copy of this letter and IPaC official species list for your records.
2. If any species or designated critical habitat are listed as potentially present in the **action area** of the proposed project the project proponents are responsible for determining if the proposed action will have "no effect" on any federally listed species or critical habitat. No effect, with respect to species, means that no individuals of a species will be exposed to any consequence of a federal action or that they will not respond to such exposure.
3. If the species habitat is not present within the action area or current data (surveys) for the species in the action area are negative: conclude "no species habitat or species present" and document your finding in your project records. For example, if the project area is located entirely within a "developed area" (an area that is already graveled/paved or supports structures and the only vegetation is limited to frequently mowed grass or conventional landscaping, is located within an existing maintained facility yard, or is in cultivated cropland conclude no species habitat present. Be careful when assessing actions that affect: 1) rights-of-ways that contains natural or semi-natural vegetation despite periodic mowing or other management; structures that have been known to support listed species (example: bridges), and 2) surface water or groundwater. Several species inhabit rights-of-ways, and you should carefully consider effects to surface water or groundwater, which often extend outside of a project's immediate footprint.
4. Adequacy of Information & Surveys - Agencies may base their determinations on the best evidence that is available or can be developed during consultation. Agencies must give the benefit of any doubt to the species when there are any inadequacies in the information. Inadequacies may include uncertainty in any step of the analysis. To provide adequate information on which to base a determination, it may be appropriate to conduct surveys to determine whether listed species or their habitats are present in the action area. Please contact our office for more information or see the survey guidelines that the Service has made available in IPaC.

***May Effect Determinations for Listed Species***

1. If the species habitat is present within the action area and survey data is unavailable or inconclusive: assume the species is present or plan and implement surveys and interpret results in coordination with our office. If assuming species present or surveys for the species are positive continue with the may affect determination process. May affect, with respect to a species, is the appropriate conclusion when a species might be exposed to a consequence of a federal action and could respond to that exposure. For critical habitat, 'may affect' is the appropriate conclusion if the action area overlaps with mapped areas of critical habitat and an essential physical or biological feature may be exposed to a consequence of a federal action and could change in response to that exposure.
2. Identify stressors or effects to the species and to the essential physical and biological features of critical habitat that overlaps with the action area. Consider all consequences of the action and assess the potential for each life stage of the species that occurs in the action area to be exposed to the stressors. Deconstruct the action into its component parts to be sure that you do not miss any part of the action that could cause effects to the species or physical and biological features of critical habitat. Stressors that affect species' resources may have consequences even if the species is not present when the project is implemented.
3. If no listed or proposed species will be exposed to stressors caused by the action, a 'no effect' determination may be appropriate – be sure to separately assess effects to critical habitat, if any overlaps with the action

area. If you determined that the proposed action or other activities that are caused by the proposed action may affect a species or critical habitat, the next step is to describe the manner in which they will respond or be altered. Specifically, to assess whether the species/critical habitat is "not likely to be adversely affected" or "likely to be adversely affected."

4. Determine how the habitat or the resource will respond to the proposed action (for example, changes in habitat quality, quantity, availability, or distribution), and assess how the species is expected to respond to the effects to its habitat or other resources. Critical habitat analyses focus on how the proposed action will affect the physical and biological features of the critical habitat in the action area. If there will be only beneficial effects or the effects of the action are expected to be insignificant or discountable, conclude "may affect, not likely to adversely affect" and submit your finding and supporting rationale to our office and request concurrence.
5. If you cannot conclude that the effects of the action will be wholly beneficial, insignificant, or discountable, check IPaC for species-specific Section 7 guidance and conservation measures to determine whether there are any measures that may be implemented to avoid or minimize the negative effects. If you modify your proposed action to include conservation measures, assess how inclusion of those measures will likely change the effects of the action. If you cannot conclude that the effects of the action will be wholly beneficial, insignificant, or discountable, contact our office for assistance.
6. Letters with requests for consultation or correspondence about your project should include the Consultation Tracking Number in the header. Electronic submission is preferred.

For additional information on completing Section 7 Consultation including a Glossary of Terms used in the Section 7 Process, information requirements for completing Section 7, and example letters visit the Midwest Region Section 7 Consultations website at: https://www.fws.gov/office/midwest-region-headquarters/midwest-section-7-technical-assistance.

You may find more specific information on completing Section 7 on communication towers and transmission lines on the following websites:

- Incidental Take Beneficial Practices: Power Lines - https://www.fws.gov/story/incidental-take-beneficial-practices-power-lines
- Recommended Best Practices for Communication Tower Design, Siting, Construction, Operation, Maintenance, and Decommissioning. - https://www.fws.gov/media/recommended-best-practices-communication-tower-design-siting-construction-operation

Tricolored Bat Update

On September 14, 2022, the Service published a proposal in the Federal Register to list the tricolored bat (Perimyotis subflavus) as endangered under the Endangered Species Act (ESA). The Service has up to 12-months from the date the proposal published to make a final determination, either to list the tricolored bat under the Act or to withdraw the proposal. The Service determined the bat faces extinction primarily due to the rangewide impacts of white-nose syndrome (WNS), a deadly fungal disease affecting cave-dwelling bats across North America. Because tricolored bat populations have been greatly reduced due to WNS, surviving bat populations are now more vulnerable to other stressors such as human disturbance and habitat loss. Species proposed for listing are not afforded protection under the ESA; however, as soon as a listing becomes effective (typically 30 days after publication of the final rule in the Federal Register), the prohibitions against jeopardizing its continued existence and "take" will apply. Therefore, if your future or existing project has the potential to adversely affect tricolored bats after the potential new listing goes into effect, we recommend that the effects of the project on tricolored bat and their habitat be analyzed to determine whether authorization under ESA section 7 or 10 is necessary. Projects with an existing section 7 biological opinion may require

reinitiation of consultation, and projects with an existing section 10 incidental take permit may require an amendment to provide uninterrupted authorization for covered activities. Contact our office for assistance.

Other Trust Resources and Activities

***Bald and Golden Eagles***

Although no longer protected under the Endangered Species Act, be aware that bald eagles are protected under the Bald and Golden Eagle Protection Act and Migratory Bird Treaty Act, as are golden eagles. Projects affecting these species may require measures to avoid harming eagles or may require a permit. If your project is near an eagle nest or winter roost area, please contact our office for further coordination. For more information on permits and other eagle information visit our website https://www.fws.gov/library/collections/bald-and-golden-eagle-management.
We appreciate your concern for threatened and endangered species. Please feel free to contact our office with questions or for additional information.

Attachment(s):

- Official Species List
- USFWS National Wildlife Refuges and Fish Hatcheries
- Bald & Golden Eagles
- Migratory Birds
- Wetlands

# OFFICIAL SPECIES LIST

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

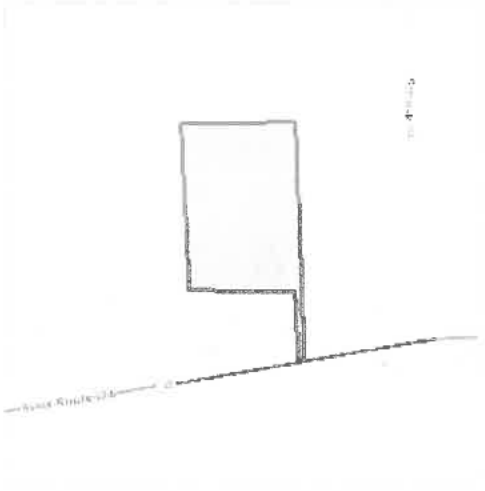
**Illinois-Iowa Ecological Services Field Office**
Illinois & Iowa Ecological Services Field Office
1511 47th Ave
Moline, IL 61265-7022
(309) 757-5800

# PROJECT SUMMARY

Project Code: 2025-0001844
Project Name: East Schoolhouse Road Solar
Project Type: Power Gen - Solar
Project Description: This project is being proposed for a community solar development with associated access and infrastructure.

Project Location:

The approximate location of the project can be viewed in Google Maps: https://www.google.com/maps/@41.6099435,-88.32312450217147,14z



Counties: Kendall County, Illinois

# ENDANGERED SPECIES ACT SPECIES

There is a total of 4 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries[1], as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

---

1. NOAA Fisheries, also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

## MAMMALS

| NAME | STATUS |
|---|---|
| Indiana Bat *Myotis sodalis*<br>There is **final** critical habitat for this species. Your location does not overlap the critical habitat.<br>Species profile: https://ecos.fws.gov/ecp/species/5949 | Endangered |

## BIRDS

| NAME | STATUS |
|---|---|
| Whooping Crane *Grus americana*<br>Population: U.S.A. (AL, AR, CO, FL, GA, ID, IL, IN, IA, KY, LA, MI, MN, MS, MO, NC, NM, OH, SC, TN, UT, VA, WI, WV, western half of WY)<br>No critical habitat has been designated for this species.<br>Species profile: https://ecos.fws.gov/ecp/species/758 | Experimental Population, Non-Essential |

## INSECTS

| NAME | STATUS |
|---|---|
| Monarch Butterfly *Danaus plexippus*<br>No critical habitat has been designated for this species.<br>Species profile: https://ecos.fws.gov/ecp/species/9743 | Candidate |

## FLOWERING PLANTS

| NAME | STATUS |
|---|---|
| Eastern Prairie Fringed Orchid *Platanthera leucophaea*<br>No critical habitat has been designated for this species.<br>Species profile: https://ecos.fws.gov/ecp/species/601 | Threatened |

## CRITICAL HABITATS

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

YOU ARE STILL REQUIRED TO DETERMINE IF YOUR PROJECT(S) MAY HAVE EFFECTS ON ALL ABOVE LISTED SPECIES.

# USFWS NATIONAL WILDLIFE REFUGE LANDS AND FISH HATCHERIES

Any activity proposed on lands managed by the National Wildlife Refuge system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

THERE ARE NO REFUGE LANDS OR FISH HATCHERIES WITHIN YOUR PROJECT AREA.

# BALD & GOLDEN EAGLES

Bald and golden eagles are protected under the Bald and Golden Eagle Protection Act[1] and the Migratory Bird Treaty Act[2].

Any person or organization who plans or conducts activities that may result in impacts to bald or golden eagles, or their habitats[3], should follow appropriate regulations and consider implementing appropriate conservation measures, as described in the links below. Specifically, please review the "Supplemental Information on Migratory Birds and Eagles".

1. The Bald and Golden Eagle Protection Act of 1940.
2. The Migratory Birds Treaty Act of 1918.
3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

There are likely bald eagles present in your project area. For additional information on bald eagles, refer to Bald Eagle Nesting and Sensitivity to Human Activity

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, see the PROBABILITY OF PRESENCE SUMMARY below to see when these birds are most likely to be present and breeding in your project area.

| NAME | BREEDING SEASON |
|---|---|
| Bald Eagle *Haliaeetus leucocephalus*<br>This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities.<br>https://ecos.fws.gov/ecp/species/1626 | Breeds Oct 15 to Aug 31 |

# PROBABILITY OF PRESENCE SUMMARY

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read "Supplemental Information on Migratory Birds and Eagles", specifically the FAQ section titled "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

**Probability of Presence ( )**

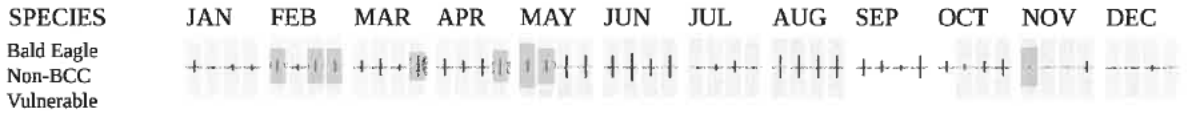
Green bars; the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during that week of the year.

**Breeding Season ( )**
Yellow bars; liberal estimate of the timeframe inside which the bird breeds across its entire range.

**Survey Effort** (|)
Vertical black lines; the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps.

**No Data** (–)
A week is marked as having no data if there were no survey events for that week.

probability of presence breeding season | survey effort – no data




Additional information can be found using the following links:

- Eagle Management https://www.fws.gov/program/eagle-management
- Measures for avoiding and minimizing impacts to birds https://www.fws.gov/library/collections/avoiding-and-minimizing-incidental-take-migratory-birds
- Nationwide conservation measures for birds https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf
- Supplemental Information for Migratory Birds and Eagles in IPaC https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action

# MIGRATORY BIRDS

Certain birds are protected under the Migratory Bird Treaty Act[1] and the Bald and Golden Eagle Protection Act[2].

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats[3] should follow appropriate regulations and consider implementing appropriate conservation measures, as described in the links below. Specifically, please review the "Supplemental Information on Migratory Birds and Eagles".

1. The Migratory Birds Treaty Act of 1918.
2. The Bald and Golden Eagle Protection Act of 1940.
3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, see the PROBABILITY OF PRESENCE SUMMARY below to see when these birds are most likely to be present and breeding in your project area.

| NAME | BREEDING SEASON |
|---|---|
| American Golden-plover *Pluvialis dominica*<br>This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.<br>https://ecos.fws.gov/ecp/species/10561 | Breeds elsewhere |
| Bald Eagle *Haliaeetus leucocephalus*<br>This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities.<br>https://ecos.fws.gov/ecp/species/1626 | Breeds Oct 15 to Aug 31 |
| Black-billed Cuckoo *Coccyzus erythropthalmus*<br>This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.<br>https://ecos.fws.gov/ecp/species/9399 | Breeds May 15 to Oct 10 |
| Bobolink *Dolichonyx oryzivorus*<br>This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.<br>https://ecos.fws.gov/ecp/species/9454 | Breeds May 20 to Jul 31 |
| Cerulean Warbler *Setophaga cerulea*<br>This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.<br>https://ecos.fws.gov/ecp/species/2974 | Breeds Apr 21 to Jul 20 |
| Chimney Swift *Chaetura pelagica*<br>This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.<br>https://ecos.fws.gov/ecp/species/9406 | Breeds Mar 15 to Aug 25 |
| Grasshopper Sparrow *Ammodramus savannarum perpallidus*<br>This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA<br>https://ecos.fws.gov/ecp/species/8329 | Breeds Jun 1 to Aug 20 |
| Henslow's Sparrow *Centronyx henslowii*<br>This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.<br>https://ecos.fws.gov/ecp/species/3941 | Breeds May 1 to Aug 31 |
| Kentucky Warbler *Geothlypis formosa*<br>This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.<br>https://ecos.fws.gov/ecp/species/9443 | Breeds Apr 20 to Aug 20 |

| NAME | BREEDING SEASON |
|---|---|
| King Rail *Rallus elegans*<br>This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.<br>https://ecos.fws.gov/ecp/species/8936 | Breeds May 1 to Sep 5 |
| Lesser Yellowlegs *Tringa flavipes*<br>This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.<br>https://ecos.fws.gov/ecp/species/9679 | Breeds elsewhere |
| Pectoral Sandpiper *Calidris melanotos*<br>This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.<br>https://ecos.fws.gov/ecp/species/9561 | Breeds elsewhere |
| Prothonotary Warbler *Protonotaria citrea*<br>This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.<br>https://ecos.fws.gov/ecp/species/9439 | Breeds Apr 1 to Jul 31 |
| Red-headed Woodpecker *Melanerpes erythrocephalus*<br>This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.<br>https://ecos.fws.gov/ecp/species/9398 | Breeds May 10 to Sep 10 |
| Rusty Blackbird *Euphagus carolinus*<br>This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA<br>https://ecos.fws.gov/ecp/species/9478 | Breeds elsewhere |
| Semipalmated Sandpiper *Calidris pusilla*<br>This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA<br>https://ecos.fws.gov/ecp/species/9603 | Breeds elsewhere |
| Short-billed Dowitcher *Limnodromus griseus*<br>This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.<br>https://ecos.fws.gov/ecp/species/9480 | Breeds elsewhere |
| Upland Sandpiper *Bartramia longicauda*<br>This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA<br>https://ecos.fws.gov/ecp/species/9294 | Breeds May 1 to Aug 31 |
| Wood Thrush *Hylocichla mustelina*<br>This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.<br>https://ecos.fws.gov/ecp/species/9431 | Breeds May 10 to Aug 31 |

# PROBABILITY OF PRESENCE SUMMARY

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read "Supplemental Information on Migratory Birds and Eagles", specifically the FAQ section titled "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

**Probability of Presence ( )**

Green bars; the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during that week of the year.

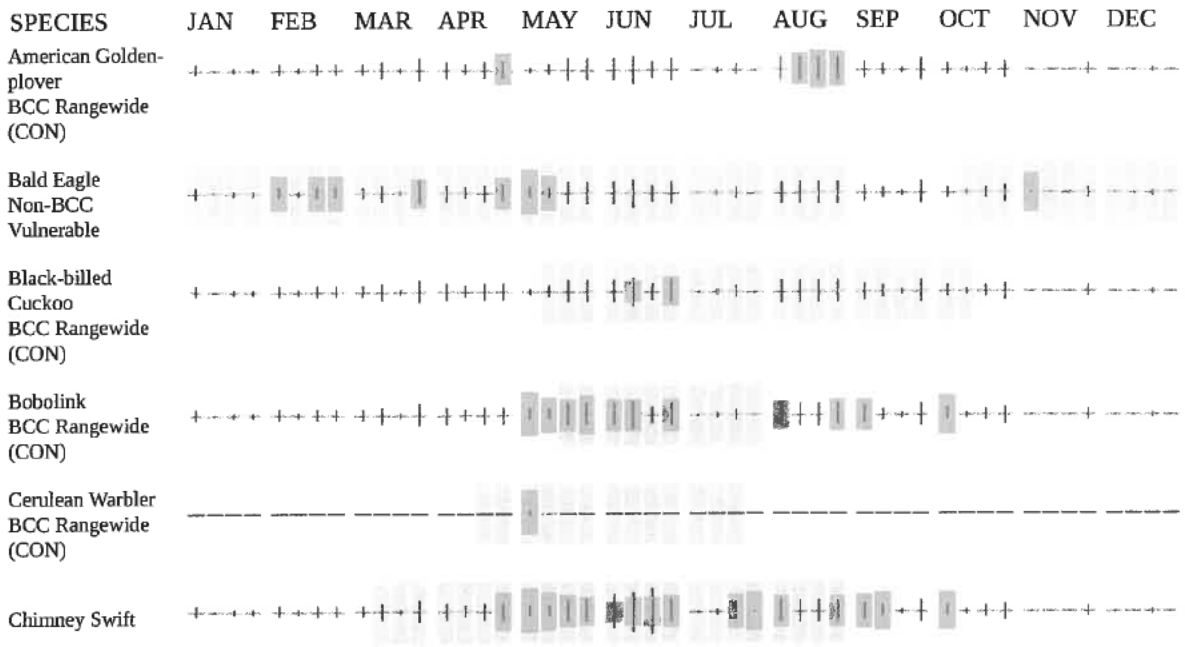
**Breeding Season ( )**
Yellow bars; liberal estimate of the timeframe inside which the bird breeds across its entire range.

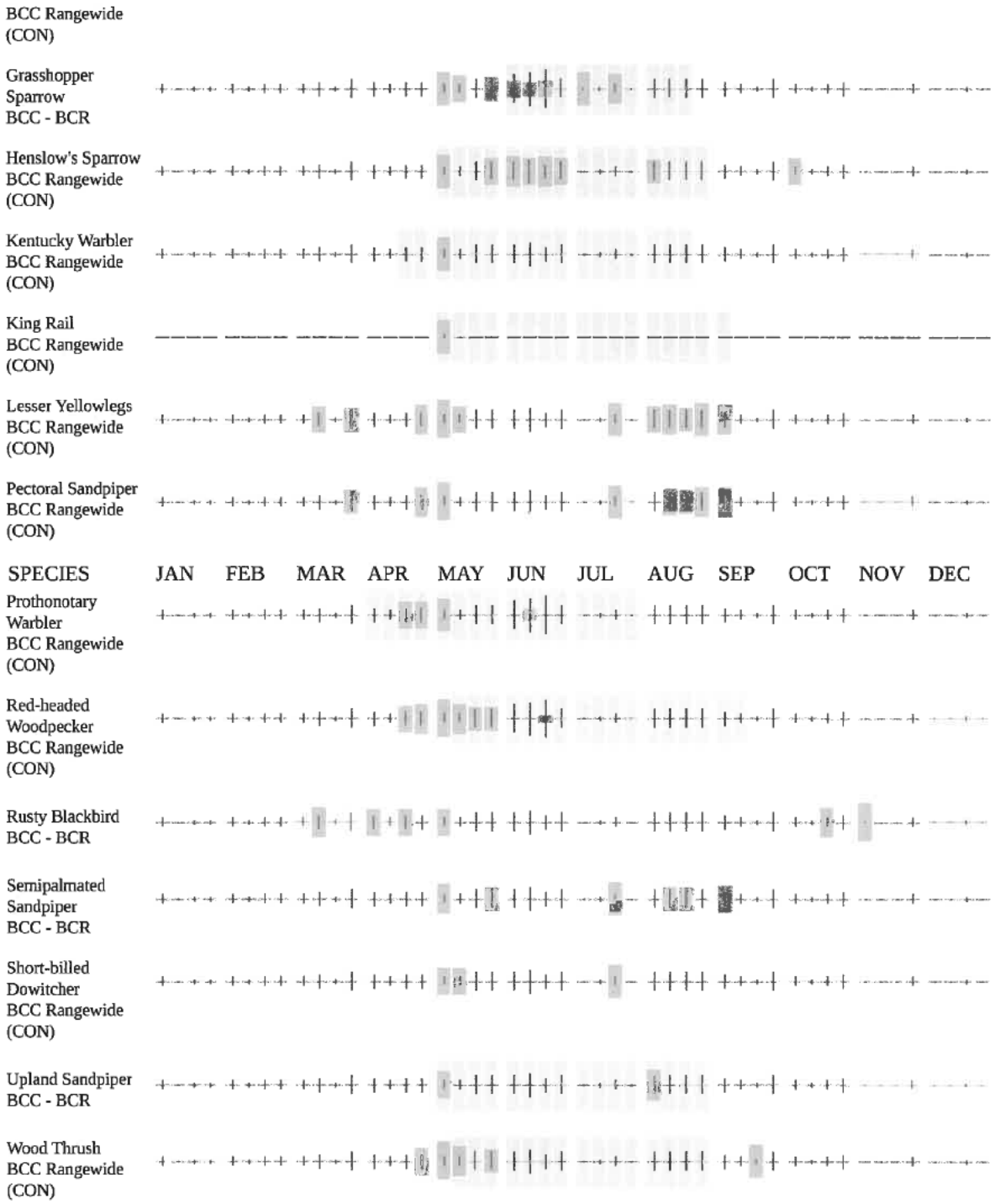
**Survey Effort** (|)
Vertical black lines; the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps.

**No Data** (–)
A week is marked as having no data if there were no survey events for that week.

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probability of presence breeding season survey effort – no data






Additional information can be found using the following links:

- Eagle Management https://www.fws.gov/program/eagle-management

- Measures for avoiding and minimizing impacts to birds https://www.fws.gov/library/collections/avoiding-and-minimizing-incidental-take-migratory-birds
- Nationwide conservation measures for birds https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf
- Supplemental Information for Migratory Birds and Eagles in IPaC https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action

# WETLANDS

Impacts to NWI wetlands and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local U.S. Army Corps of Engineers District.

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

RIVERINE

- R2UBHx

# IPAC USER CONTACT INFORMATION

Agency: SCI Engineering Inc.
Name: Justin Loos
Address: [redacted]
City:
State:
Zip:
Email
Phone:

Illinois Department of Natural Resources

JB Pritzker, Governor • Natalie Phelps Finnie, Director
One Natural Resources Way • Springfield, Illinois 62702-1271
www.dnr.illinois.gov

Kendall County
Plainfield
IL-126, W of Schlapp Rd
Section:9-Township:36N-Range:8E
Section:16-Township:36N-Range:8E
Ineligible Sites: 11KE1418,1419,1420,1421,1422
NPDES, SCI-2024-1651.41
New Construction, Schoolhouse Road Solar

PLEASE REFER TO: SHPO LOG #002101624

June 3, 2025

Bryan Carlo
SCI Engineering, Inc.
[redacted]

The Illinois State Historic Preservation Office is required by the Illinois State Agency Historic Resources Preservation Act (20 ILCS 3420, as amended, 17 IAC 4180) to review all state funded, permitted, or licensed undertakings for their effect on cultural resources. Pursuant to this, we have received information regarding the referenced project for our comment.

Our staff has reviewed the specifications under the state law and assessed the impact of the project as submitted by your office. We have determined, based on the available information, that no significant historic, architectural, or archaeological resources will be affected within the proposed project area.

According to the information you have provided there is no federal involvement in your project. Be aware that the state law is less restrictive than the federal cultural resource laws concerning archaeology. If your project will use federal loans or grants, need federal agency permits, use federal property, or involve assistance from a federal agency then your project must be reviewed under the National Historic Preservation Act of 1966, as amended. Please notify us immediately if such is the case.

This approval remains in effect for two (2) years from date of issuance. It does not pertain to any discovery during construction, nor is it a clearance for purposes of the Illinois Human Remains Protection Act (20 ILCS 3440).

Please retain this letter in your files as evidence of compliance with the Illinois State Agency Historic Resources Preservation Act.

If further assistance is needed, please contact Jeff Kruchten, Principal Archaeologist, at 217/785-1279 or jeff.kruchten@illinois.gov.

Sincerely,

[redacted]

Carey L. Mayer, AIA
Deputy State Historic Preservation Officer

c: Olha Patrick, SCI Engineering, Inc.

# Illinois Department of Transportation

**Office of Highways Project Implementation / Region 2 / District 3**
**700 East Norris Drive / Ottawa, Illinois 61350-1628**

October 17, 2025

[redacted]munity Energy Initiative LLC

**PERMIT APPLICATION**
Route: IL 126
County: Kendall
Type of Work: Commercial entrance

Dear Sir or Madam:

Please execute the attached forms according to the following directions:

1. All signatures must be in ink on all copies.
2. Mailing address to be shown where indicated.
3. Fill in date permit is signed by you in the spaces provided above your signature.
4. Have a disinterested party witness your signature on permit form by signing name in space after printed word "Witness" at the left of form. If the permit is in the city or village's name, an authorized city or village official must sign the permit.
5. If Highway Permit Bond forms are included, **sign all three original copies and have executed by a reputable bonding company**. (**Personal bond or a letter of credit is not acceptable**.) Please attach the name and address of the local agency through which you received the permit bond.
6. If a temporary construction permit is proposed, we will require a letter from the local municipality guaranteeing that occupancy permits from the municipality will **not** be granted until after a permanent entrance permit has been issued.
7. If traffic signals are required as part of this permit, then a city/state agreement is needed for the cost and maintenance of the proposed traffic signals before the permit will be issued by the department.

Sir or Madam
Page Two
October 17, 2025

8. The attached application should be returned to this office for approval by May 1, 2026. To perform work within highway right of way without an approved permit is in violation of state law.

9. **Return all three signed original copies to the address shown above for approval by the Regional Engineer. When approved, the completed permit and permit bond will be forwarded to the applicant**.

10. If the work covered by this permit includes construction of additional lanes, turn lanes, median crossovers or traffic signals on, along or adjacent to a highway under department jurisdiction, the permittee shall use only contractor(s) approved by the Department of Transportation for the performance of said work on the state highway. A contractor currently prequalified by the department in the work rating governing the said work shall be approved. Prior to the commencement of the said work on the state highway, the applicant shall furnish the Regional Engineer a copy of the contractor's current Certificate of Eligibility, or, if the permittee proposes to use a contractor not currently prequalified by the department, information satisfactory to the department evidencing the contractor's qualification and ability to perform the said work. No work on the state highway shall be performed until the department issues an approval of the proposed contractor.

If additional information or clarification is required, please e-mail the Permit Section at DOT.D3.Permits@illinois.gov.

Sincerely,

Trisha Thompson, P.E.
Region Two Engineer



By: Michael A. Short, P.E.
Program Development Engineer

L-18104

Illinois Department of Transportation

# Highway Permit

Whereas, I (We) East Schoolhouse Road Community Energy Initiative LLC

(Name of Applicant) (Application Serial Number)

[redacted] [redacted] [redacted] [redacted]

(Mailing Address) (City) (State) (Zip Code)

hereinafter termed the Applicant, request permission and authority to do certain work herein described on the right-of-way of the State Highway known as IL Route 126 , Section ,

From Station * to Station

Kendall County. The work is described in detail on the attached plan or sketch and/or as follows:

*LOCATION: NORTH SIDE OF IL 126, APPROX. 1,400 FEET WEST OF SCHLAPP RD., PLAINFIELD

Upon approval this permit authorizes the applicant to locate, construct, operate and maintain at the above-mentioned location, twenty-four (24) foot in width, 2.0" HMA Surface Course, and 8" Agg Base Course (CA 6) commercial rural entrance with a fifty-eight (58) foot in length and twenty-four (24) inch diameter, CMP with metal flared end sections and other related non-utility improvements as shown on the attached plans which become a part hereof.

The applicant shall notify Adam Rue, Field Engineer, Phone: 630-553-7337 or the District Permit Section, Phone: 815-434-8490 twenty-four hours in advance of starting any work covered by this permit.

Aggregate material shall be obtained from a state approved stockpile and shall be: Type A, CA 6

The state right of way shall be left in good condition. (No advertising matter shall be placed on the state right of way).

All turf areas which are disturbed during the course of this work shall be restored to the original line and grade and be promptly seeded in accordance with Standard State Specifications.

Whenever any of the work under this permit involves any obstruction or hazard to the free flow of traffic in the normal traffic lanes, plans for the proposed method of traffic control must be submitted to and approved by the Regional Engineer at least 72 hours, and preferably longer, before the start of work.

**(SEE ATTACHED SPECIAL PROVISIONS)**

All work authorized by this permit shall be completed 180 Days after the date this permit is approved, otherwise the permit becomes null and void.

**This permit is subject to the conditions and restrictions printed on the second page of this form.**

This permit is hereby accepted, and its provisions agreed to this ____ day of _____, _____.

| Witness Signature | Date | Applicant Signature | Date |
|---|---|---|---|
| | | | |

| Address | Address |
|---|---|
| | |

| City | State | Zip Code | City | State | Zip Code |
|---|---|---|---|---|---|
| | | | | | |

Sign and Return to: Regional Engineer

| Regional Engineer Signature | Date |
|---|---|
| | |

Approved by Department of Transportation:

**First:** The Applicant represents and warrants that he/she is the party in interest respecting this Permit and that he/she is the agent in fact with authority to bind all parties in interest to the obligations and undertakings agreed to in this Permit. The Applicant represents and warrants that the property lines shown on the attached plan sheet(s) or sketch are true and correct, and that all proposed work is accurately depicted thereon.

**Second:** The proposed work shall be located and constructed to the satisfaction of the Regional Engineer or his/her duly authorized representative. No revision or additions shall be made to the proposed work on the right-of-way without the written permission of the Regional Engineer. The Applicant agrees to complete all work to the standards and specifications identified by the Regional Engineer or his/her authorized representative as a condition of granting this Permit. The Applicant agrees to furnish all labor, equipment and material, portions of the highway right-of-way to the condition satisfactory to the Regional Engineer or his/her authorized representative including, but not limited to, all landscape restoration. The Applicant shall not trim, cut or in any way disturb any trees or shrubbery along the highway without the approval of the Regional Engineer or his/her duly authorize representative. Any and all documents, writings and notes reflecting or identifying the standards, specifications, understandings and conditions applicable to the performance of the permitted work required by the Regional Engineer or his/her authorized representative are hereby incorporated into this Permit by reference as though fully set forth herein.

**Third:** The Applicant shall at all times conduct the work in such a manner as to minimize hazards to vehicular and pedestrian traffic. Traffic controls and work site protection shall be in accordance with the applicable requirements of Part 6 (Temporary Traffic Control) of the Illinois Manual on Uniform Traffic Control Devices and with the traffic control plan if one is required elsewhere in the permit. All signs, barricades, flaggers, etc., required for traffic control shall be furnished by the Applicant. The work may be done on any day except Sunday, New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day. Work shall be done only during daylight hours.

**Fourth:** The work performed by the Applicant is for the bona fide purpose expressed and not for the purpose of, nor will it result in, the parking or serving of vehicles on the highway right-of-way. Signs located on or overhanging the right-of-way shall be prohibited.

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**Sixth:** The State reserves the right to make such changes, additions, repairs and relocations within its statutory limits to the facilities constructed under this permit or their appurtenances on the right-of-way as may at any time be considered necessary to permit the relocation, reconstruction, widening or maintaining of the highway and/or provide proper protection to life and property on or adjacent to the State right-of-way. However, in the event this permit is granted to construct, locate, operate and maintain utility facilities on the State right-of-way, the Applicant, upon written request by the Regional Engineer, shall perform such alterations or change of location of the facilities, without expense to the State, and should the Applicant fail to make satisfactory arrangements to comply with this request within a reasonable time, the State reserves the right to make such alterations or change of location or remove the work, and the Applicant agrees to pay for the cost incurred.

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Other Applicable Requirements

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To ensure the fulfillment of the obligations assumed by the applicant, this permit is bonded by the _____ _____in the amount of ten thousand ($10,000.00) dollars for a period of five years after the date of approval.

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L-18104

Illinois Department of Transportation

# Highway Permit

Whereas, I (We) East Schoolhouse Road Community Energy Initiative LLC

(Name of Applicant) (Application Serial Number)

[redacted] [redacted] [redacted] [redacted]

(Mailing Address) (City) (State) (Zip Code)

hereinafter termed the Applicant, request permission and authority to do certain work herein described on the right-of-way of the State Highway known as IL Route 126, Section ,

From Station * to Station

Kendall County. The work is described in detail on the attached plan or sketch and/or as follows:

*LOCATION: NORTH SIDE OF IL 126, APPROX. 1,400 FEET WEST OF SCHLAPP RD., PLAINFIELD

Upon approval this permit authorizes the applicant to locate, construct, operate and maintain at the above-mentioned location, twenty-four (24) foot in width, 2.0" HMA Surface Course, and 8" Agg Base Course (CA 6) commercial rural entrance with a fifty-eight (58) foot in length and twenty-four (24) inch diameter, CMP with metal flared end sections and other related non-utility improvements as shown on the attached plans which become a part hereof.

The applicant shall notify Adam Rue, Field Engineer, Phone: 630-553-7337 or the District Permit Section, Phone: 815-434-8490 twenty-four hours in advance of starting any work covered by this permit.

Aggregate material shall be obtained from a state approved stockpile and shall be: Type A, CA 6

The state right of way shall be left in good condition. (No advertising matter shall be placed on the state right of way).

All turf areas which are disturbed during the course of this work shall be restored to the original line and grade and be promptly seeded in accordance with Standard State Specifications.

Whenever any of the work under this permit involves any obstruction or hazard to the free flow of traffic in the normal traffic lanes, plans for the proposed method of traffic control must be submitted to and approved by the Regional Engineer at least 72 hours, and preferably longer, before the start of work.

**(SEE ATTACHED SPECIAL PROVISIONS)**

All work authorized by this permit shall be completed 180 Days after the date this permit is approved, otherwise the permit becomes null and void.

**This permit is subject to the conditions and restrictions printed on the second page of this form.**

This permit is hereby accepted, and its provisions agreed to this ____ day of _____, _____.

| Witness Signature | Date | Applicant Signature | Date |
|---|---|---|---|
| | | | |

| Address | Address |
|---|---|
| | |

| City | State | Zip Code | City | State | Zip Code |
|---|---|---|---|---|---|
| | | | | | |

Sign and Return to: Regional Engineer

| Approved by Department of Transportation: | Regional Engineer Signature | Date |
|---|---|---|
| | | |

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L-18104

Illinois Department of Transportation

# Highway Permit

Whereas, I (We) East Schoolhouse Road Community Energy Initiative LLC

(Name of Applicant) (Application Serial Number)

[redacted] [redacted] [redacted] [redacted]

(Mailing Address) (City) (State) (Zip Code)

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| Witness Signature | Date | Applicant Signature | Date |
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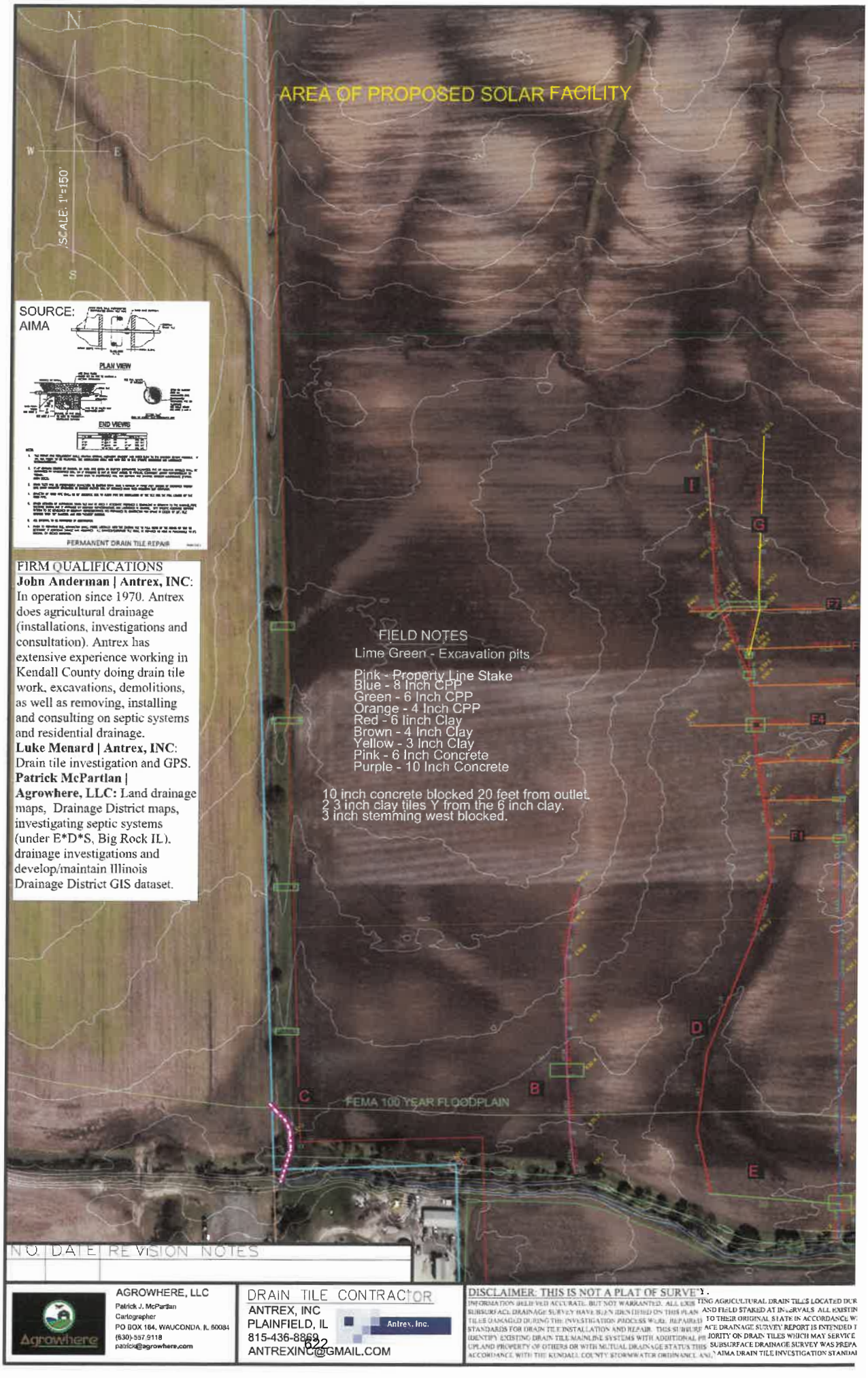
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S
SCALE: 1"=150'
AREA OF PROPOSED SOLAR FACILITY
SOURCE:
AIMA
PLAN VIEW
END VIEWS
PERMANENT DRAIN TILE REPAIR
FIRM QUALIFICATIONS
John Anderman | Antrex, INC: In operation since 1970. Antrex does agricultural drainage (installations, investigations and consultation). Antrex has extensive experience working in Kendall County doing drain tile work, excavations, demolitions, as well as removing, installing and consulting on septic systems and residential drainage.
Luke Menard | Antrex, INC: Drain tile investigation and GPS.
Patrick McPartlan | Agrowhere, LLC: Land drainage maps, Drainage District maps, investigating septic systems (under E*D*S, Big Rock IL), drainage investigations and develop/maintain Illinois Drainage District GIS dataset.
FIELD NOTES
Lime Green - Excavation pits
Pink - Property Line Stake
Blue - 8 Inch CPP
Green - 6 Inch CPP
Orange - 4 Inch CPP
Red - 6 Inch Clay
Brown - 4 Inch Clay
Yellow - 3 Inch Clay
Pink - 6 Inch Concrete
Purple - 10 Inch Concrete
10 inch concrete blocked 20 feet from outlet.
2 3 inch clay tiles Y from the 6 inch clay.
3 inch stemming west blocked.
FEMA 100 YEAR FLOODPLAIN
A
B
C
D
E
F
F1
F2
F4
G
I
NO. DATE REVISION NOTES
AGROWHERE, LLC
Patrick J. McPartlan
Cartographer
PO BOX 184, WAUCONDA, IL 60084
(630)-557.9118
patrick@agrowhere.com
DRAIN TILE CONTRACTOR
ANTREX, INC
PLAINFIELD, IL
815-436-8869
ANTREXINC@GMAIL.COM
DISCLAIMER: THIS IS NOT A PLAT OF SURVEY.
INFORMATION HEREIN IS BELIEVED ACCURATE, BUT NOT WARRANTED. ALL EXISTING AGRICULTURAL DRAIN TILES LOCATED DUR
SUBSURFACE DRAINAGE SURVEY HAVE BEEN IDENTIFIED ON THIS PLAN AND FIELD STAKED AT INTERVALS. ALL EXISTIN
TILES DAMAGED DURING THE INVESTIGATION PROCESS WERE REPAIRED TO THEIR ORIGINAL STATE IN ACCORDANCE W
STANDARDS FOR DRAIN TILE INSTALLATION AND REPAIR. THIS SUBSURFACE DRAINAGE SURVEY REPORT IS INTENDED T
IDENTIFY EXISTING DRAIN TILE MAINLINE SYSTEMS WITH ADDITIONAL PRIORITY ON DRAIN TILES WHICH MAY SERVICE
UPLAND PROPERTY OF OTHERS OR WITH MUTUAL DRAINAGE STATUS. THIS SUBSURFACE DRAINAGE SURVEY WAS PREPA
ACCORDANCE WITH THE KENDALL COUNTY STORMWATER ORDINANCE AND AIMA DRAIN TILE INVESTIGATION STANDAR

BARRETT ENERGY RESOURCES GROUP
10 RIVER RUN | WILLIAMSTOWN, MA 01267 | 339-234-2696
WWW.BARRETTENERGYGROUP.COM

## Technical Memorandum

| | |
|---|---|
| To: | East Schoolhouse Road Community Energy Initiative LLC<br>c/o Hobie Anderson, ECA Solar |
| From: | Stephen Barrett |
| Date: | March 26, 2025 |
| RE: | Glare Study, Solar PV Project, East Schoolhouse Road, Plainfield, IL |

### Executive Summary

East Schoolhouse Road Community Energy Initiative LLC is developing a nominal 5 MW AC ground-mounted solar tracker-type photovoltaic (PV) project off E Schoolhouse Rd in Plainfield, IL. ECA has engaged Barrett Energy Resources Group (BERG) to analyze potential impacts of glare from the project on nearby sensitive receptors.

BERG has utilized the Solar Glare Hazard Analysis Tool (SGHAT) which was developed by the US Department of Energy for the Federal Aviation Administration (FAA) to protect aviation sensitive receptors. For this project, SGHAT has been used to assess glare on receptor with ½ mile of the project site including motorist receptors traveling on E Schoolhouse and S Schlapp Roads, as well as on businesses and residences. Eight receptors, which are representative of expected results from other potential receptors in the area, were selected for analysis.

The modeling report is included in Attachment A. The results show no glare on any of the 8 receptors analyzed. Potential glare is obstructed by vegetated areas to the south of the project. These results support the conclusion that potential glare impacts from the project would be insignificant. This Technical Memorandum describes the project, methodology, and results.

### Project Description

The East Schoolhouse Road Solar Photovoltaic (PV) Project would be located on undeveloped farmland north of E Schoolhouse Rd (Route 126) in Plainfield, IL as shown in **Figure 1**. The project is a ground-mounted single axis tracking facility.

BARRETT ENERGY RESOURCES GROUP
10 RIVER RUN | WILLIAMSTOWN, MA 01267 | 339-234-2696
WWW.BARRETTENERGYGROUP.COM




**Figure 1. East Schoolhouse Road Solar Project Locus**

## FAA Solar Policy

In 2013, the Federal Aviation Administration (FAA) published "Interim Policy, FAA Review of Solar Energy System Projects on Federally-Obligated Airport," which sets forth methods for assessing glare and the standards for determining impact for projects proposed on airport property. It also requires the use of modeling to assess glare and directs project proposers to the Solar Glare Hazard Analysis Tool (SGHAT) which was developed by the US Department of Energy at the request of the FAA. The Policy was issued as Final in May 2021. The US Department of Defense (DOD) also adopted SGHAT and the associated requirements to analyze glare under Instruction (DODI) 4165.57. Given the critical safety issues associated with aviation, the model produces a highly credible result that is being used to evaluate other glare sensitive receptors.

## Glare Methodology and Standard of Impact

Prediction of potential glare occurrence from a solar PV project requires knowledge of the sun position, observer location, and the solar module/array characteristics (e.g., location, extent, tilt, azimuth or orientation, etc.). The path of glare is governed by the law of reflection which

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states that the angle of incidence equals the angle of reflection (see **Figure 2**). Vector algebra is then used to determine if glare would be visible from the prescribed observation points.

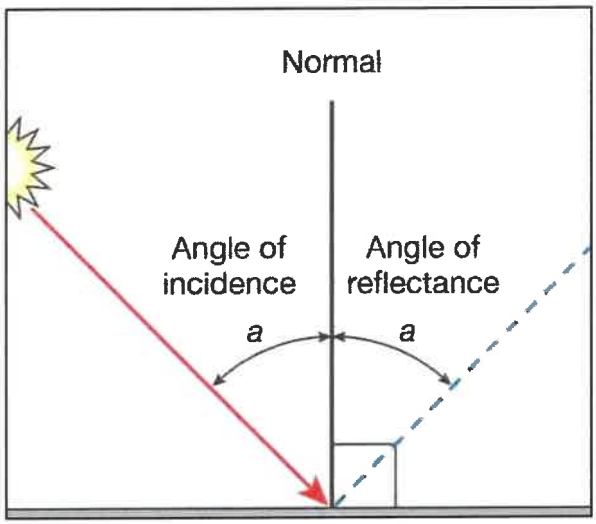



**Figure 2. Law of Reflection**

**Figure 3** provides a simple representation of how the sun can produce glare on an automobile for a specific time and location. In accordance with the Law of Reflection, the angle of the light source from the sun must be equal to the angle of the reflection on a receptor. Therefore, when receptors are close to the ground (like a house or car), a reflection is only possible when the sun is also close to the ground (i.e., near sunrise or sunset). As the sun moves, the incidence of glare ends.

The SGHAT model is a credible tool for predicting glare based on the characteristics of the project and the identified receptor. It produces results including relative glare intensity identified by color based on three categories: green (low potential for an after-image), yellow (potential for an after-image), and red (retinal burn). While these categories apply to the FAA Policy for aviation receptors and are not specified in similar policies and ordinances for non-aviation receptors, it is appropriate to interpret the results, including the time and duration of occurrence, and draw a conclusion as to the significance of potential impact.

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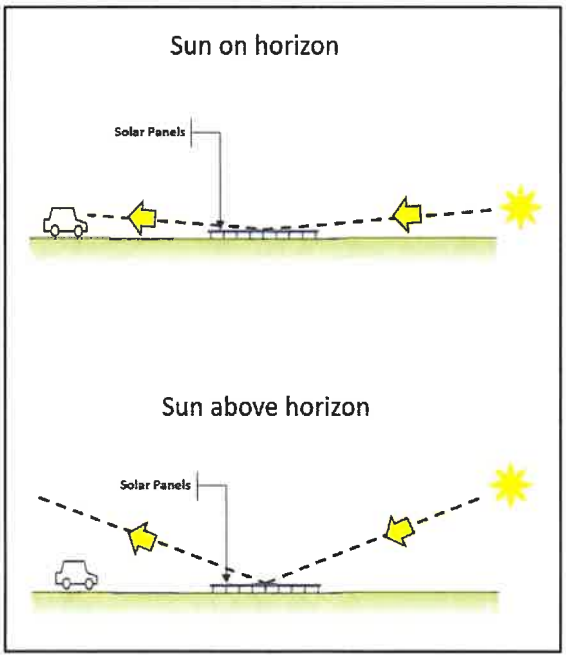



**Figure 3. Geometric Representation of Potential Glare Impacts from the Sun**

## SGHAT Model Setup for Proposed Project

Regardless of the receptor to be analyzed, the model set-up entails locating the solar project, inputting its design characteristics, and identifying sensitive receptors for analysis. The position and movement of the sun throughout the year is built into the model.

For the East Schoolhouse Road Solar Project, BERG used the PV project polygon tool to draw the footprint of the solar array on SGHAT's interactive Google map. The specific attributes of the solar array were then input into the model. As the project proposes a single axis tracking system, SGHAT includes relevant fields for the project characteristics, including for this project design: tracking axis tilt of 0°, tracking axis orientation of 180°, module offset angle of 0°, maximum tracking angle of 60°, and resting/stowage angle of 0° (flat). The maximum top edge panel height of 8 feet above ground level (agl), and a panel surface with anti-reflective coating were input.

Sensitive receptors within ½ mile of the project were selected for analysis. Eight receptors, which are representative of expected results from others nearby, were selected for analysis. The sensitive receptors are motor vehicles associated with E Schoolhouse and S Schlapp Roads, and nearby farms and residences as shown on **Figure 4**. The model's route tool was used to locate the roadway segments for analysis. The observation point tool was used to select individual stationary receptor points located on the Google map. For the motorist analysis, the driver's eye level height above the roadway was set at 4 feet agl. For the stationary receptors, the viewpoint was set at 5 feet agl to represent a person standing on the property. Forested

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areas were programmed into the model and the tree heights set at 30 feet as a conservative estimate.

The glare analysis button was activated, and the model evaluated glare from various sun angles at 1-minute intervals throughout the year to predict if glare could be observed by the sensitive receptors.




**Figure 4. Motorist and Stationary Receptors Analyzed for Glare**

## Glare Model Results

The SGHAT report with model results is provided as Attachments A. They show that there would be no glare on any of the receptors analyzed. Potential glare is obstructed by vegetated areas primarily to the south of the project.

## Conclusions

Barrett Energy Resources Group (BERG) has used the SGHAT modeling tool developed by the US Department of Energy to assess the potential effects of glare from a solar PV project on

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motor vehicles and residence/business receptors near East Schoolhouse Road Community Energy Initiative LLC's proposed project north of E Schoolhouse Rd (Route 126) in Plainfield, IL. Eight receptors, which are representative of expected results from others nearby, were selected for analysis.

The SGHAT results show that there would be no glare on any of the receptors analyzed. Potential glare is obstructed by vegetated areas primarily located south of the project. These results support the conclusion that potential glare impacts from the project would be insignificant.

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# Attachment A

## Glare Modeling Results

## Motor Vehicle and Residential Receptors

# FORGESOLAR GLARE ANALYSIS

Project: **Plainfield Schoolhouse Road Solar Project**
A ground-mounted single axis tracking solar photovoltaic facility

Site configuration: **Preferred**

**Client:** ECA Solar

**Created** 26 Mar, 2025
**Updated** 26 Mar, 2025
**Time-step** 1 minute
**Timezone offset** UTC-6
**Minimum sun altitude** 0.0 deg
**DNI** peaks at 1,000.0 W/m$^2$
**Category** 1 MW to 5 MW
**Site ID** 145173.24509

**Ocular transmission coefficient** 0.5
**Pupil diameter** 0.002 m
**Eye focal length** 0.017 m
**Sun subtended angle** 9.3 mrad
**PV analysis methodology** V2




## Summary of Results No glare predicted

| PV Array | Tilt | Orient | Annual Green Glare | | Annual Yellow Glare | | Energy |
|---|---|---|---|---|---|---|---|
| | ° | ° | min | hr | min | hr | kWh |
| PV Array | SA tracking | SA tracking | 0 | 0.0 | 0 | 0.0 | 12,910,000.0 |

*Total glare received by each receptor; may include duplicate times of glare from multiple reflective surfaces.*

| Receptor | Annual Green Glare | | Annual Yellow Glare | |
|---|---|---|---|---|
| | min | hr | min | hr |
| E Schoolhouse Rd | 0 | 0.0 | 0 | 0.0 |
| Schlapp Rd | 0 | 0.0 | 0 | 0.0 |
| OP 1 | 0 | 0.0 | 0 | 0.0 |
| OP 2 | 0 | 0.0 | 0 | 0.0 |
| OP 3 | 0 | 0.0 | 0 | 0.0 |
| OP 4 | 0 | 0.0 | 0 | 0.0 |
| OP 5 | 0 | 0.0 | 0 | 0.0 |
| OP 6 | 0 | 0.0 | 0 | 0.0 |

# Component Data

## PV Arrays

**Name**: PV Array
**Description**: Ground-mounted single axis tracking solar array
**Axis tracking**: Single-axis rotation
**Backtracking**: Shade
**Tracking axis orientation**: 180.0°
**Max tracking angle**: 60.0°
**Resting angle**: 0.0°
**Ground Coverage Ratio**: 0.5
**Rated power**: 5000.0 kW
**Panel material**: Smooth glass with AR coating
**Reflectivity**: Vary with sun
**Slope error**: correlate with material




| Vertex | Latitude (°) | Longitude (°) | Ground elevation (ft) | Height above ground (ft) | Total elevation (ft) |
|---|---|---|---|---|---|
| 1 | 41.613408 | -88.321418 | 662.04 | 8.00 | 670.04 |
| 2 | 41.610128 | -88.321257 | 640.02 | 8.00 | 648.02 |
| 3 | 41.609711 | -88.321536 | 639.57 | 8.00 | 647.57 |
| 4 | 41.609703 | -88.325430 | 645.00 | 8.00 | 653.00 |
| 5 | 41.610577 | -88.325570 | 648.78 | 8.00 | 656.78 |
| 6 | 41.613376 | -88.325645 | 663.17 | 8.00 | 671.17 |

## Route Receptors

**Name**: E Schoolhouse Rd
**Path type**: Two-way
**Observer view angle**: 50.0°




| Vertex | Latitude (°) | Longitude (°) | Ground elevation (ft) | Height above ground (ft) | Total elevation (ft) |
|---|---|---|---|---|---|
| 1 | 41.604772 | -88.331894 | 650.83 | 4.00 | 654.83 |
| 2 | 41.606870 | -88.315715 | 636.36 | 4.00 | 640.36 |
| 3 | 41.606994 | -88.312883 | 634.33 | 4.00 | 638.33 |

**Name**: Schlapp Rd
**Path type**: Two-way
**Observer view angle**: 50.0°




| Vertex | Latitude (°) | Longitude (°) | Ground elevation (ft) | Height above ground (ft) | Total elevation (ft) |
|---|---|---|---|---|---|
| 1 | 41.619223 | -88.316305 | 673.22 | 4.00 | 677.22 |
| 2 | 41.604559 | -88.315587 | 632.78 | 4.00 | 636.78 |

## Discrete Observation Point Receptors

| Name | ID | Latitude (°) | Longitude (°) | Elevation (ft) | Height (ft) |
|---|---|---|---|---|---|
| OP 1 | 1 | 41.618074 | -88.316514 | 668.94 | 5.00 |
| OP 2 | 2 | 41.607719 | -88.314241 | 639.32 | 5.00 |
| OP 3 | 3 | 41.606596 | -88.314144 | 640.67 | 5.00 |
| OP 4 | 4 | 41.605160 | -88.315130 | 636.58 | 5.00 |
| OP 5 | 5 | 41.606411 | -88.317297 | 637.51 | 5.00 |
| OP 6 | 6 | 41.606700 | -88.325911 | 648.55 | 5.00 |

## Obstruction Components

**Name**: Obstruction 1
**Top height**: 30.0 ft




| Vertex | Latitude (°) | Longitude (°) | Ground elevation (ft) |
|---|---|---|---|
| 1 | 41.606917 | -88.316540 | 631.36 |
| 2 | 41.607795 | -88.317248 | 627.63 |
| 3 | 41.607205 | -88.320467 | 631.03 |
| 4 | 41.606387 | -88.320327 | 637.10 |
| 5 | 41.606347 | -88.320703 | 638.39 |
| 6 | 41.607318 | -88.320735 | 635.98 |
| 7 | 41.608008 | -88.317355 | 632.16 |
| 8 | 41.607631 | -88.316518 | 631.15 |
| 9 | 41.607037 | -88.316325 | 630.69 |
| 10 | 41.606917 | -88.316540 | 631.36 |

**Name**: Obstruction 10
**Top height**: 30.0 ft




| Vertex | Latitude (°) | Longitude (°) | Ground elevation (ft) |
|---|---|---|---|
| 1 | 41.608557 | -88.325565 | 642.09 |
| 2 | 41.608481 | -88.325565 | 641.91 |
| 3 | 41.608477 | -88.325452 | 641.81 |
| 4 | 41.608553 | -88.325452 | 642.09 |
| 5 | 41.608557 | -88.325565 | 642.09 |

**Name**: Obstruction 2
**Top height**: 30.0 ft




| Vertex | Latitude (°) | Longitude (°) | Ground elevation (ft) |
|---|---|---|---|
| 1 | 41.607302 | -88.320725 | 636.01 |
| 2 | 41.607302 | -88.322292 | 636.75 |
| 3 | 41.607631 | -88.323322 | 637.54 |
| 4 | 41.607623 | -88.326176 | 639.18 |
| 5 | 41.607422 | -88.326176 | 640.07 |
| 6 | 41.607455 | -88.323289 | 633.83 |
| 7 | 41.607142 | -88.322324 | 633.50 |
| 8 | 41.607086 | -88.320639 | 635.29 |
| 9 | 41.607302 | -88.320725 | 636.01 |

**Name**: Obstruction 3
**Top height**: 30.0 ft




| Vertex | Latitude (°) | Longitude (°) | Ground elevation (ft) |
|---|---|---|---|
| 1 | 41.607122 | -88.314809 | 634.48 |
| 2 | 41.608249 | -88.314900 | 639.96 |
| 3 | 41.608036 | -88.313865 | 635.29 |
| 4 | 41.607695 | -88.313629 | 634.38 |
| 5 | 41.607266 | -88.313580 | 634.55 |
| 6 | 41.607122 | -88.314809 | 634.48 |

**Name**: Obstruction 4
**Top height**: 30.0 ft




| Vertex | Latitude (°) | Longitude (°) | Ground elevation (ft) |
|---|---|---|---|
| 1 | 41.606805 | -88.314707 | 637.11 |
| 2 | 41.606889 | -88.313752 | 635.07 |
| 3 | 41.606749 | -88.313757 | 639.01 |
| 4 | 41.606701 | -88.314691 | 637.79 |
| 5 | 41.606805 | -88.314707 | 637.11 |

**Name**: Obstruction 5
**Top height**: 30.0 ft




| Vertex | Latitude (°) | Longitude (°) | Ground elevation (ft) |
|---|---|---|---|
| 1 | 41.606342 | -88.317747 | 636.38 |
| 2 | 41.606562 | -88.317421 | 636.05 |
| 3 | 41.606385 | -88.316961 | 634.54 |
| 4 | 41.606307 | -88.317224 | 637.04 |
| 5 | 41.606438 | -88.317255 | 637.17 |
| 6 | 41.606438 | -88.317346 | 637.21 |
| 7 | 41.606263 | -88.317672 | 635.84 |
| 8 | 41.606342 | -88.317747 | 636.38 |

**Name**: Obstruction 6
**Top height**: 30.0 ft




| Vertex | Latitude (°) | Longitude (°) | Ground elevation (ft) |
|---|---|---|---|
| 1 | 41.605497 | -88.330291 | 646.62 |
| 2 | 41.605264 | -88.330269 | 648.10 |
| 3 | 41.605272 | -88.330092 | 648.51 |
| 4 | 41.605517 | -88.330151 | 647.01 |
| 5 | 41.605497 | -88.330291 | 646.62 |

**Name**: Obstruction 7
**Top height**: 30.0 ft




| Vertex | Latitude (°) | Longitude (°) | Ground elevation (ft) |
|---|---|---|---|
| 1 | 41.605870 | -88.330317 | 644.44 |
| 2 | 41.605725 | -88.330296 | 645.28 |
| 3 | 41.605725 | -88.330189 | 645.78 |
| 4 | 41.605878 | -88.330189 | 644.84 |
| 5 | 41.605870 | -88.330317 | 644.44 |

**Name**: Obstruction 8
**Top height**: 30.0 ft




| Vertex | Latitude (°) | Longitude (°) | Ground elevation (ft) |
|---|---|---|---|
| 1 | 41.606194 | -88.330318 | 642.32 |
| 2 | 41.605927 | -88.330283 | 645.00 |
| 3 | 41.605926 | -88.330232 | 644.80 |
| 4 | 41.606193 | -88.330205 | 642.54 |
| 5 | 41.606197 | -88.330327 | 642.17 |

**Name**: Obstruction 9
**Top height**: 30.0 ft




| Vertex | Latitude (°) | Longitude (°) | Ground elevation (ft) |
|---|---|---|---|
| 1 | 41.608220 | -88.325554 | 641.30 |
| 2 | 41.608076 | -88.325549 | 640.94 |
| 3 | 41.608080 | -88.325409 | 640.54 |
| 4 | 41.608204 | -88.325404 | 640.83 |
| 5 | 41.608220 | -88.325554 | 641.30 |

# Glare Analysis Results

## Summary of Results No glare predicted

| PV Array | Tilt | Orient | Annual Green Glare | | Annual Yellow Glare | | Energy |
|---|---|---|---|---|---|---|---|
| | ° | ° | min | hr | min | hr | kWh |
| PV Array | SA tracking | SA tracking | 0 | 0.0 | 0 | 0.0 | 12,910,000.0 |

*Total glare received by each receptor; may include duplicate times of glare from multiple reflective surfaces.*

| Receptor | Annual Green Glare | | Annual Yellow Glare | |
|---|---|---|---|---|
| | min | hr | min | hr |
| E Schoolhouse Rd | 0 | 0.0 | 0 | 0.0 |
| Schlapp Rd | 0 | 0.0 | 0 | 0.0 |
| OP 1 | 0 | 0.0 | 0 | 0.0 |
| OP 2 | 0 | 0.0 | 0 | 0.0 |
| OP 3 | 0 | 0.0 | 0 | 0.0 |
| OP 4 | 0 | 0.0 | 0 | 0.0 |
| OP 5 | 0 | 0.0 | 0 | 0.0 |
| OP 6 | 0 | 0.0 | 0 | 0.0 |

## PV: PV Array no glare found

*Receptor results ordered by category of glare*

| Receptor | Annual Green Glare | | Annual Yellow Glare | |
|---|---|---|---|---|
| | min | hr | min | hr |
| E Schoolhouse Rd | 0 | 0.0 | 0 | 0.0 |
| Schlapp Rd | 0 | 0.0 | 0 | 0.0 |
| OP 1 | 0 | 0.0 | 0 | 0.0 |
| OP 2 | 0 | 0.0 | 0 | 0.0 |
| OP 3 | 0 | 0.0 | 0 | 0.0 |
| OP 4 | 0 | 0.0 | 0 | 0.0 |
| OP 5 | 0 | 0.0 | 0 | 0.0 |
| OP 6 | 0 | 0.0 | 0 | 0.0 |

## PV Array and Route: E Schoolhouse Rd

No glare found

### PV Array and Route: Schlapp Rd

No glare found

### PV Array and OP 1

No glare found

### PV Array and OP 2

No glare found

### PV Array and OP 3

No glare found

### PV Array and OP 4

No glare found

### PV Array and OP 5

No glare found

### PV Array and OP 6

No glare found

# Assumptions

"Green" glare is glare with low potential to cause an after-image (flash blindness) when observed prior to a typical blink response time.
"Yellow" glare is glare with potential to cause an after-image (flash blindness) when observed prior to a typical blink response time.
Times associated with glare are denoted in Standard time. For Daylight Savings, add one hour.
The algorithm does not rigorously represent the detailed geometry of a system; detailed features such as gaps between modules, variable height of the PV array, and support structures may impact actual glare results. However, we have validated our models against several systems, including a PV array causing glare to the air-traffic control tower at Manchester-Boston Regional Airport and several sites in Albuquerque, and the tool accurately predicted the occurrence and intensity of glare at different times and days of the year.
Several V1 calculations utilize the PV array centroid, rather than the actual glare spot location, due to algorithm limitations. This may affect results for large PV footprints. Additional analyses of array sub-sections can provide additional information on expected glare. This primarily affects V1 analyses of path receptors.
Random number computations are utilized by various steps of the annual hazard analysis algorithm. Predicted minutes of glare can vary between runs as a result. This limitation primarily affects analyses of Observation Point receptors, including ATCTs. Note that the SGHAT/ ForgeSolar methodology has always relied on an analytical, qualitative approach to accurately determine the overall hazard (i.e. green vs. yellow) of expected glare on an annual basis.
The analysis does not automatically consider obstacles (either man-made or natural) between the observation points and the prescribed solar installation that may obstruct observed glare, such as trees, hills, buildings, etc.
The subtended source angle (glare spot size) is constrained by the PV array footprint size. Partitioning large arrays into smaller sections will reduce the maximum potential subtended angle, potentially impacting results if actual glare spots are larger than the sub-array size. Additional analyses of the combined area of adjacent sub-arrays can provide more information on potential glare hazards. (See previous point on related limitations.)
The variable direct normal irradiance (DNI) feature (if selected) scales the user-prescribed peak DNI using a typical clear-day irradiance profile. This profile has a lower DNI in the mornings and evenings and a maximum at solar noon. The scaling uses a clear-day irradiance profile based on a normalized time relative to sunrise, solar noon, and sunset, which are prescribed by a sun-position algorithm and the latitude and longitude obtained from Google maps. The actual DNI on any given day can be affected by cloud cover, atmospheric attenuation, and other environmental factors.
The ocular hazard predicted by the tool depends on a number of environmental, optical, and human factors, which can be uncertain. We provide input fields and typical ranges of values for these factors so that the user can vary these parameters to see if they have an impact on the results. The speed of SGHAT allows expedited sensitivity and parametric analyses.
The system output calculation is a DNI-based approximation that assumes clear, sunny skies year-round. It should not be used in place of more rigorous modeling methods.
Hazard zone boundaries shown in the Glare Hazard plot are an approximation and visual aid based on aggregated research data. Actual ocular impact outcomes encompass a continuous, not discrete, spectrum.
Glare locations displayed on receptor plots are approximate. Actual glare-spot locations may differ.
Refer to the Help page at **www.forgesolar.com/help/** for assumptions and limitations not listed here.

Default glare analysis parameters and observer eye characteristics (for reference only):

- Analysis time interval: 1 minute
- Ocular transmission coefficient: 0.5
- Pupil diameter: 0.002 meters
- Eye focal length: 0.017 meters
- Sun subtended angle: 9.3 milliradians

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# REAL ESTATE
# ADJACENT PROPERTY VALUE IMPACT REPORT:

## Site Specific Analysis Addendum Report:
## For the Proposed 5.0 MW East Schoolhouse Road Community Energy Initiative LLC Project
## To Be Located in Kendall County, Illinois

**Prepared For:**

Colin Walker
Development Manager
ECA Solar
[redacted]

**Submitted By:**

CohnReznick LLP
*Valuation Advisory Services*
1 S. Wacker Drive, Suite 3550
Chicago, Illinois 60606
(312) 508-5900

Andrew R. Lines, MAI, CRE
Erin C. Bowen, MAI

**April 4, 2025**

## LETTER OF TRANSMITTAL

April 4, 2025

Colin Walker
Development Manager
ECA Solar
[redacted]

SUBJECT: Addendum - Property Value Impact Report
Proposed 5.0 MW East Schoolhouse Road Community Energy Initiative Solar Project
Kendall County, Illinois

Dear Mr. Walker:

**This letter and associated report are considered an Addendum to the previously prepared property value impact report with an effective date of July 12, 2024 ("Primary Report"). All facts and circumstances surrounding the property value impact report that analyzes existing solar farm and any effect on adjacent property values are contained within the cited Primary Report. This Addendum cannot be properly understood without the cited Primary Report and should be reviewed in unison.**

Per the client's request, we have researched the proposed solar farm on land located in Na-Au-Say Township in Kendall County, Illinois. The proposed solar use is called East Schoolhouse Road Community Energy Initiative Solar Project and will have a capacity of up to 5.0 MW AC (megawatts alternating current).

The purpose of this consulting assignment is to determine whether proximity to a renewable energy use (solar farm) has an impact adjacent property values. The intended use of our opinions and conclusions is to assist the client in addressing local concerns and to provide information that local bodies are required to consider in their evaluation of solar project use applications. We have not been asked to value any specific property, and we have not done so.

The client and intended user for the assignment is East Schoolhouse Road Community Energy Initiative LLC, a project being developed by ECA Solar. The report may be used only for the aforementioned purpose and may not be distributed without the written consent of CohnReznick LLP ("CohnReznick").

The assignment is intended to conform to the Uniform Standards of Professional Appraisal Practice (USPAP), the Code of Professional Ethics and Standards of Professional Appraisal Practice of the Appraisal Institute, as well as applicable state appraisal regulations.

Based on the analysis in the accompanying report, and subject to the definitions, assumptions, and limiting conditions expressed in the report, our findings are as follows.

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## FINDINGS

I. Academic Studies: CohnReznick reviewed and analyzed published academic studies that specifically analyzed the impact of solar facilities on nearby property values. These studies include multiple regression analyses of hundreds and thousands of sales transactions, and opinion surveys, for both residential homes and farmland properties in rural communities, the majority of the data used in various studies indicates that there is no consistent and measurable impact to surrounding property values. We note that some of these studies do show a very small impact to certain homes, in certain locations, at certain distances, but these conclusions are not necessarily indicative of future projects in other locations.

Peer Authored Studies: CohnReznick also reviewed studies prepared by other real estate valuation experts that specifically analyzed the impact of solar facilities on nearby property values. These studies found little to no measurable or consistent difference in value between the Test Area Sales and the Control Area Sales attributed to the proximity to existing solar farms and noted that solar energy uses are generally considered compatible use.

II. CohnReznick Studies: Further, CohnReznick has performed studies in 22 states, of both residential and agricultural properties, in which we have determined that the existing solar facilities have not caused any consistent and measurable negative impact on property values.

For this Project, we have included ten of these studies which are most similar to the subject in terms of general location and size, summarized as follows:

**CohnReznick - Existing Solar Farms Studied**

| Solar Farm # | Solar Farm | County | State | Power Output (MW AC) | Site Area (Acres) |
|---|---|---|---|---|---|
| 1 | 2662 Freeport Solar CSG | Stephenson | IL | 2.00 | 18 |
| 2 | Grand Ridge Solar | LaSalle | IL | 20.00 | 158 |
| 3 | Spring Mill Solar | Lawrence | IN | 1.10 | 9 |
| 4 | Jefferson County Solar | Jefferson | CO | 1.20 | 13.63 |
| 5 | DTE Lapeer | LaPeer | MI | 48.28 | ±365 |
| 6 | Dominion Indy Solar III | Marion | IN | 8.60 | 129 |
| 7 | Sunfish Farm | Wake | NC | 5.00 | 50 |
| 8 | Portage Solar | Porter | IN | 2.00 | 56 |
| 9 | IMPA Frankton Solar | Madison | IN | 1.40 | 13 |
| 10 | Valparaiso Solar | Porter | IN | 1.00 | 28 |

It is noted that proximity to the solar farms has not deterred sales of nearby agricultural land and residential single-family homes, nor has it deterred the development of new single-family homes on adjacent land.

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This report also includes two "Before and After" analyses, in which sales that occurred prior to the announcement and construction of the solar farm project were compared with sales that occurred after completion of the solar farm project, for both adjoining and non-adjoining properties. No measurable impact on property values was demonstrated.

III. Market Participant Interviews: Our conclusions also consider interviews with over 75 County and Township Assessors, who have at least one solar farm in their jurisdiction, and in which they have determined that solar farms have not negatively affected adjacent property values.

With regards to the Project, we specifically interviewed in Illinois:

- In Otter Creek Township, in LaSalle County, Illinois, we spoke with Viki Crouch, the Township Assessor, who she said that *there has been no impact on property values due to their proximity to the* ***Grand Ridge Solar Farm***.
- We spoke with Ken Crowley, Rockford Township Assessor in Winnebago County, Illinois, who stated that he has seen *no impact on property values in his township as an effect of proximity to the* ***Rockford Solar Farm***.
- We spoke with James Weisiger, the Champaign Township Assessor in Champaign County, where the **University of Illinois Solar Farm** is located, and he noted *there appears to have been no impact on property values as a result of proximity to the solar farm*.
- Cindi Lotz of Fayette County, Illinois did indicate that the **Dressor Plains Solar** project *has not had any impact whatsoever on adjacent property values.*
- Angie Dieterman, the Chief County Assessment Officer in Stephenson County where nine solar farms have been constructed since 2020, stated that there has been *no impact on property values due to their proximity to any of the solar farms.*
- Cami Grossenbacher, Stephenson County Deputy Assessor, stated that there has been *no impact on property values due to their proximity to the* ***2662 Freeport Solar CSG*** *project.*

To give us additional insight as to how the market evaluates farmland and single-family homes with views of solar farms, we interviewed numerous real estate brokers and other market participants who were party to actual sales of property adjacent to solar; these professionals also confirmed that solar farms did not diminish property values or marketability in the areas they conducted their business.

IV. Solar Farm Factors on Harmony of Use: In the course of our research and studies, we have recorded information regarding the compatibility of these existing solar facilities and their adjoining uses, including the continuing development of land adjoining these facilities.

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## CONCLUSION

**Considering all of the preceding, the data indicates that no negative trend of property values is evident for properties adjacent to solar facilities.**

If you have any questions or comments, please contact the undersigned. Thank you for the opportunity to be of service.

Very truly yours,

**CohnReznick LLP**

[redacted]

Andrew R. Lines, MAI, CRE
Principal - Valuation Advisory Services
Certified General Real Estate Appraiser

Illinois License No. [redacted]
Expires 9/30/2025
Indiana License No. [redacted]
Expires 6/30/2026

[redacted]

Erin C. Bowen, MAI
Director
Certified General Real Estate Appraiser

Arizona License No. [redacted]
Expires 12/31/2026
Oregon License No. [redacted]
Expires 6/30/2026

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## SCOPE OF WORK

### CLIENT

The client for this assignment is East Schoolhouse Road Community Energy Initiative LLC.

### INTENDED USERS

ECA Solar and East Schoolhouse Road Community Energy Initiative LLC; and the client's legal, public affairs, and site development professionals.

### INTENDED USE

The intended use of our opinions and conclusions is to assist the client in addressing local concerns and to provide information that local bodies are required to consider in their evaluation of solar project use applications. We have not been asked to value any specific property, and we have not done so. The report may be used only for the aforementioned purpose and may not be distributed without the written consent of CohnReznick LLP ("CohnReznick").

### PURPOSE

The purpose of this consulting assignment is to determine whether proximity to the proposed solar facility will result in a perceived impact on adjacent property values.

### DEFINITION OF VALUE

This report utilizes Market Value as the appropriate premise of value. Market value is defined as:

"The most probable price which a property should bring in a competitive and open market under all conditions, requisite to a fair sale, the buyer and seller each acting prudently and knowledgeably, and assuming the price is not affected by undue stimulus. Implicit in this definition are the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:

1. Buyer and seller are typically motivated;
2. Both parties are well informed or well advised, and acting in what they consider their own best interests;
3. A reasonable time is allowed for exposure in the open market.
4. Payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto; and
5. The price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale."[1]

[1] Code of Federal Regulations, Title 12, Chapter I, Part 34.42[h]

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## EFFECTIVE DATE & DATE OF REPORT

April 4, 2025 (Paired sale analyses contained within each study in the Primary Report are periodically updated.)

## PRIOR SERVICES

USPAP requires appraisers to disclose to the client any services they have provided in connection with the subject property in the prior three years, including valuation, consulting, property management, brokerage, or any other services.

We have not previously evaluated the Project site.

## INSPECTION

Andrew R. Lines, MAI, CRE and Erin C. Bowen, MAI have viewed the exterior of all comparable data referenced in this report in person, via photographs, or aerial imagery.

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## IDENTIFICATION AND DESCRIPTION OF THE PROPOSED PROJECT

The East Schoolhouse Road Community Solar Project ("East Schoolhouse Road Solar" or "the Project") is to be located on land in the central portion of the Na-Au-Say Township, in unincorporated Kendall County. The site is bounded by East Schoolhouse Road to the south, west of Schlapp Road, and east of Grove Road.

Based on development plans for a typical solar farm, the proposed solar project will have a capacity of up to 5.0-megawatt and would generally consist of solar photovoltaic arrays, electrical inverters, underground and aboveground collection lines, security fencing, safety lighting, and other axillary infrastructure. The Project will be utilizing bifacial photovoltaic arrays mounted to single-axis trackers, which will be installed on one parcel totaling approximately 87 acres of land, with the solar arrays located within approximately 34 acres of fenced area. The Project will include eight foot fixed knot wire agricultural perimeter fencing designed to meet NESC and IEEE standards.

The Project will be located on approximately 37.5 acres in Na-Au-Say Township within Kendall County, in a rural environment. The Project will be situated on land parcels currently utilized for agricultural purposes and is illustrated by the green outlined polygon in the image on the following page. The Project parcels are bordered by agricultural land and agricultural businesses, and a few rural homesteads.

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Proposed East Schoolhouse Road Community Solar project boundaries
as provided by East Schoolhouse Road Community Energy Initiative LLC

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PHOTOVOLTAIC SYSTEM
TOTAL: 7.4588 MWDC (5.000 MWAC)
**EAST SCHOOLHOUSE ROAD COMMUNITY ENERGY INITIATIVE LLC**
**0 E SCHOOLHOUSE RD PLAINFIELD, IL**




Proposed East Schoolhouse Road Community Solar project layout as provided by
East Schoolhouse Road Community Energy Initiative LLC

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## ZONING REGULATIONS

The Project Area parcel is located in the unincorporated part of Kendall County, Illinois and is zoned within the Agricultural (A1) District. The A district is intended to ensure that lands within the County which are well suited for agricultural production of food and fiber are retained for such production, unimpeded by the establishment of incompatible uses which would hinder farm operations and irretrievably deplete agricultural lands.

In the Agricultural District, commercial solar energy facilities require a special use permit to be authorized by the County Board and subject to the following development standards.

a. All commercial solar energy facilities and test solar energy systems located within one and one-half (1½) 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.

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 | 150 feet from the nearest point on the outside wall of the structure |
| Boundary lines of participating properties | None |
| Boundary lines of nonparticipating properties | 50 feet to the nearest point on the property line of the nonparticipating property |
| Public road rights-of-way | 50 feet 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, State Commerce Commission, Federal Energy Regulatory Commission, and their designees or successors.

c. A commercial solar energy facility's perimeter shall be enclosed by fencing having a height of at least six (6) feet and no more than twenty-five (25) feet.

d. No component of a solar panel as part of a commercial solar energy facility shall have a height of more than twenty (20) feet above ground when the solar energy facility's arrays are at full tilt.

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.

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f. Sound limitations for components in commercial solar energy facilities shall follow the sound limitations established by the State Pollution Control Board.

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.

h. A vegetative screening shall be placed around the commercial solar energy facility.

i. Commercial solar energy facility applicants shall provide the results and recommendations from consultations with the State 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.

j. Commercial solar energy facility applicants shall provide the results of the U.S. Fish and Wildlife Service's information for planning and consulting environmental review or a comparable successor toll that is consistent with U.S. Fish and Wildlife Service land-based wind energy guidelines and any applicable U.S. Fish and Wildlife Service solar wildlife guidelines that have been subject to public review.

k. A facility owner shall demonstrate avoidance of protected lands as identified by the State Department of Natural Resources and the State Nature Preserve Commission or consider the recommendations of the State Department of Natural Resources for setbacks from protected lands, including areas identified by the State Nature Preserve Commission.

l. A facility owner shall provide evidence at the time of application submittal of consultation with the State Historic Preservation Office to assess potential impacts on State-registered historic sites under applicable State law.

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 State Department of Natural Resources' vegetative management plans. The vegetation management plan shall be required at the time of application submittal.

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 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.

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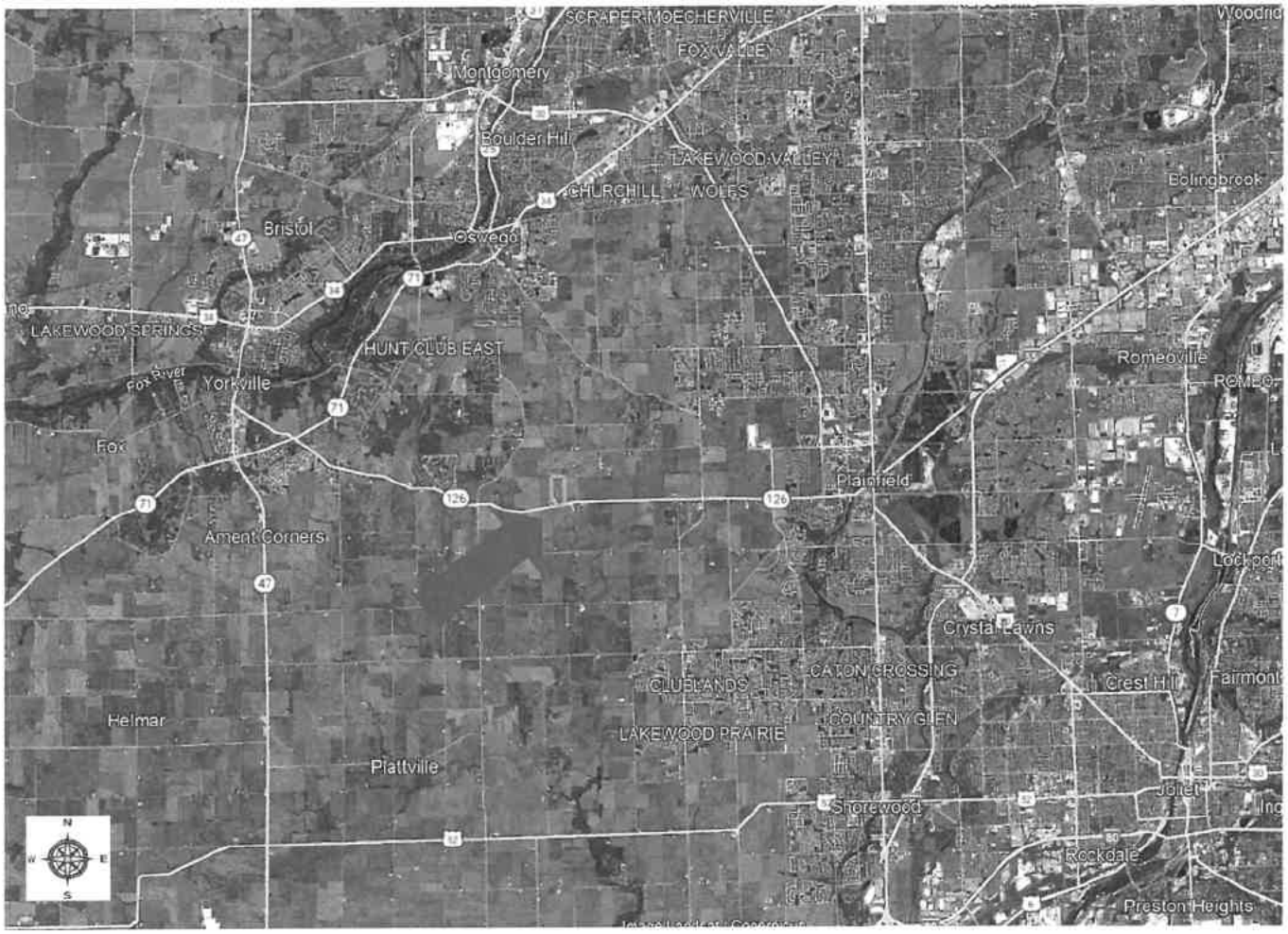
o. The facility owner shall repair or pay for the repair of all damage to the drainage system caused by the construction of the commercial solar energy system within a reasonable time after construction of the commercial solar energy facility is complete. The specific time shall be set in the special use permit.

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## OVERVIEW OF THE SURROUNDING AREA OF THE PROJECT

The Project consists of a community-scale, solar energy use in Kendall County, Illinois known as the 5.0 MW East Schoolhouse Road Community Energy Initiative Solar Project. The Project is in northeastern Illinois in Na-Au-Say Township between the cities of Plainfield, Oswego and Yorkville.




Aerial imagery of site area provided by Google Earth, dated June 2024

## TRAFFIC PATTERNS AND CONNECTIVITY

The East Schoolhouse Road Solar Project is to be located on land in the central portion of the Na-Au-Say Township, in unincorporated Kendall County. The site is bounded by East Schoolhouse Road to the south, west of Schlapp Road, and east of Grove Road.

Local east-west roads include East Schoolhouse Road, which runs along the southern project boundary. Local east-west roads include Cherry Road, Johnson Road, Wheeler Road, Walker Road, and Caton Farm Road.

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Local north-south roads include Grove Road, Schlapp Road, and Ridge Road. The closest interstate to the project is I-55, approximately eight miles to the east of the project.

The nearest major cities to the Project are Joliet, approximately 20 miles southeast, Naperville, approximately 20 miles to the northeast, and Chicago, approximately 45 miles northeast of the Project.

## DEMOGRAPHIC FACTORS

Demographic data is presented below, as compiled by ESRI, which indicates future population and household increasing for the five year period ending in 2029 in the surrounding area. The data indicates that the area is predominantly owner-occupied. Median household income is higher in the local area to the county and the state of Illinois.

| DEMOGRAPHIC PROFILE | | | |
|---|---|---|---|
| | **3 Mile Radius** | **Kendall County** | **Illinois** |
| **Population** | | | |
| 2029 Projection | 3,033 | 149,932 | 12,310,566 |
| 2024 Estimate | 2,261 | 139,977 | 12,544,951 |
| 2010 Census | 1,577 | 114,787 | 12,830,632 |
| Growth 2024 - 2029 | 25.45% | 6.64% | -1.87% |
| Growth 2010 - 2024 | 92.33% | 30.62% | -2.23% |
| Total Land Area | 28 sq. mi. | 322 sq. mi. | 55,499 sq. mi. |
| Population Density | 80/sq. mi | 435/sq. mi | 226/sq. mi |
| **Households** | | | |
| 2029 Projection | 1,021 | 50,732 | 5,052,851 |
| 2024 Estimate | 743 | 46,667 | 5,007,335 |
| 2010 Census | 509 | 38,053 | 4,836,972 |
| Growth 2024 - 2029 | 37.42% | 8.71% | 0.91% |
| Growth 2010 - 2024 | 45.97% | 22.64% | 3.52% |
| 2024 Owner Occupied (%) | 92.15% | 80.73% | 60.35% |
| 2024 Renter Occupied (%) | 7.85% | 19.27% | 39.65% |
| 2024 Med. Household Income | $139,300 | $104,669 | $81,015 |
| 2024 Avg. Household Income | $161,556 | $125,105 | $114,640 |

## CONCLUSION

Land uses in the area surrounding the Project can be categorized as a mix of farmland, single-family residential, and industrial properties. Population growth in the Project Area has been increasing since 2010, and is projected to increase over the next five years, although at a slower rate. Population density still remains low. The factors presented previously indicate that the proposed Project would not be incompatible with surrounding uses and would not negatively impact surrounding properties.

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## ILLINOIS SOIL PRODUCTIVITY AND VALUE TRENDS

### NCCPI PRODUCTIVITY INDEX

Crop yields have been the basis for establishing a soil productivity index, and are used by county assessors, farmers, and market participants in assessing agricultural land. While crop yields are an integral part in assessing soil qualities, it is not an appropriate metric to rely on because "yields fluctuate from year to year, and absolute yields mean little when comparing different crops. Productivity indices provide a single scale on which soils may be rated according to their suitability for several major crops under specified levels of management, such as an optimum level."[2] The productivity index, therefore, not crop yields, is best suited for applications in land appraisal and land-use planning.

The United States Department of Agriculture's (USDA) National Resources Conservation Services (NRCS) developed and utilizes the National Commodity Crop Productivity Index (NCCPI) as a national soil interpreter and is used in the National Soil Information System (NASIS), but it is not intended to replace other crop production models developed by individual states.[3] The focus of the model is on identifying the best soils for the growth of commodity crops, as the best soils for the growth of these crops are generally the best soils for the growth of other crops.[4] The NCCPI model describes relative productivity ranking over a period of years and not for a single year where external influences such as extreme weather or change in management practices may have affected production. At the moment the index only describes non-irrigated crops, and will later be expanded to include irrigated crops, rangeland, and forestland productivity.[5]

Yields are influenced by a variety of different factors including environmental traits and management inputs. Tracked climate and soil qualities have been proven by researchers to directly explain fluctuations in crop yields, especially those qualities that relate to moisture-holding capacity. Except for these factors, "inherent soil quality or inherent soil productivity varies little over time or from place to place for a specific soil (map unit component) identified by the National Cooperative Soil Survey (NCSS)."[6] The NRCS Web Soil Survey website has additional information on how the ratings are determined.

The proposed solar farm will be located in Kendall County, in the northeastern portion of the state. An excerpt of a soil productivity map is presented below as retrieved from the USDA Web Soil Survey, which provides an illustration of the variation in soil productivity across the local area that is based on the NCCPI. The approximate site area for the Project is within the boundary delineated in the following map. Note, that numerical labels correspond to soil type, not productivity index.

---

[2] Bulletin 811: Optimum Crop Productivity of Illinois Soils. University of Illinois, College of Agricultural, Consumer and Environmental Sciences, Office of Research. August 200.
[3] Agricultural land rental payments are typically tied to crop production of the leased agricultural land and is one of the primary reasons the NCCPI was developed, especially since the model needed to be consistent across political boundaries.
[4] Per the User Guide for the National Commodity Crop Productivity Index, the NCCPI uses natural relationships of soil, landscape and climate factors to model the response of commodity crops in soil map units. The present use of the land is not considered in the ratings.
[5] AgriData Inc. Docs: http://support.agridatainc.com/NationalCommodityCropProductivityIndex(NCCPI).ashx
[6] USDA NRCS's User Guide National Commodity Crop Productivity Index (NCCPI)

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## MAP LEGEND

**Area of Interest (AOI)**
- Area of Interest (AOI)

**Soils**

**Soil Rating Polygons**
- Low inherent productivity
- Moderately low inherent productivity
- Moderate inherent productivity
- Moderately high inherent productivity
- High inherent productivity
- Not rated or not available

**Soil Rating Lines**
- Low inherent productivity
- Moderately low inherent productivity
- Moderate inherent productivity
- Moderately high inherent productivity
- High inherent productivity
- Not rated or not available

**Soil Rating Points**
- Low inherent productivity
- Moderately low inherent productivity
- Moderate inherent productivity
- Moderately high inherent productivity
- High inherent productivity
- Not rated or not available

**Water Features**
- Streams and Canals

**Transportation**
- Rails
- Interstate Highways
- US Routes
- Major Roads
- Local Roads

**Background**
- Aerial Photography

## MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:12,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Christian County, Illinois
Survey Area Data: Version 18, Aug 21, 2024

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Jul 10, 2023—Sep 10, 2023

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

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Per the NCCPI, soil productivity is measured on both a numerical scale from 0 to 100, with 0 being the worst and 100 being the best,[7] and by qualitative ratings. The qualitative rating classifications below are determined by the USDA NRCS and provide general comments on the productivity of the soil.

> **High inherent productivity** indicates that the soil, site, and climate have features that are very favorable for crop production. High yields and low risk of crop failure can be expected if a high level of management is employed.
>
> **Moderately high inherent productivity** indicates that the soil has features that are generally quite favorable for crop production. Good yields and moderately low risk of crop failure can be expected.
>
> **Moderate inherent productivity** indicates that the soil has features that are generally favorable for crop production. Good yields and moderate risk of crop failure can be expected.
>
> **Moderately low inherent productivity** indicates that the soil has features that are generally not favorable for crop production. Low yields and moderately high risk of crop failure can be expected.
>
> **Low inherent productivity** indicates that the soil has one or more features that are unfavorable for crop production. Low yields and high risk of crop failure can be expected.

The weighted average soil productivity for the general area was determined to be approximately 83.26. A numerical scale that corresponds to the indicated qualitative ratings above was not available for the NCCPI; however, the soil productivity for this area is in the higher of the range, aligning with the "high inherent productivity" category. According to the qualitative scale above, land with a high inherent productivity classification is very favorable for crop production.

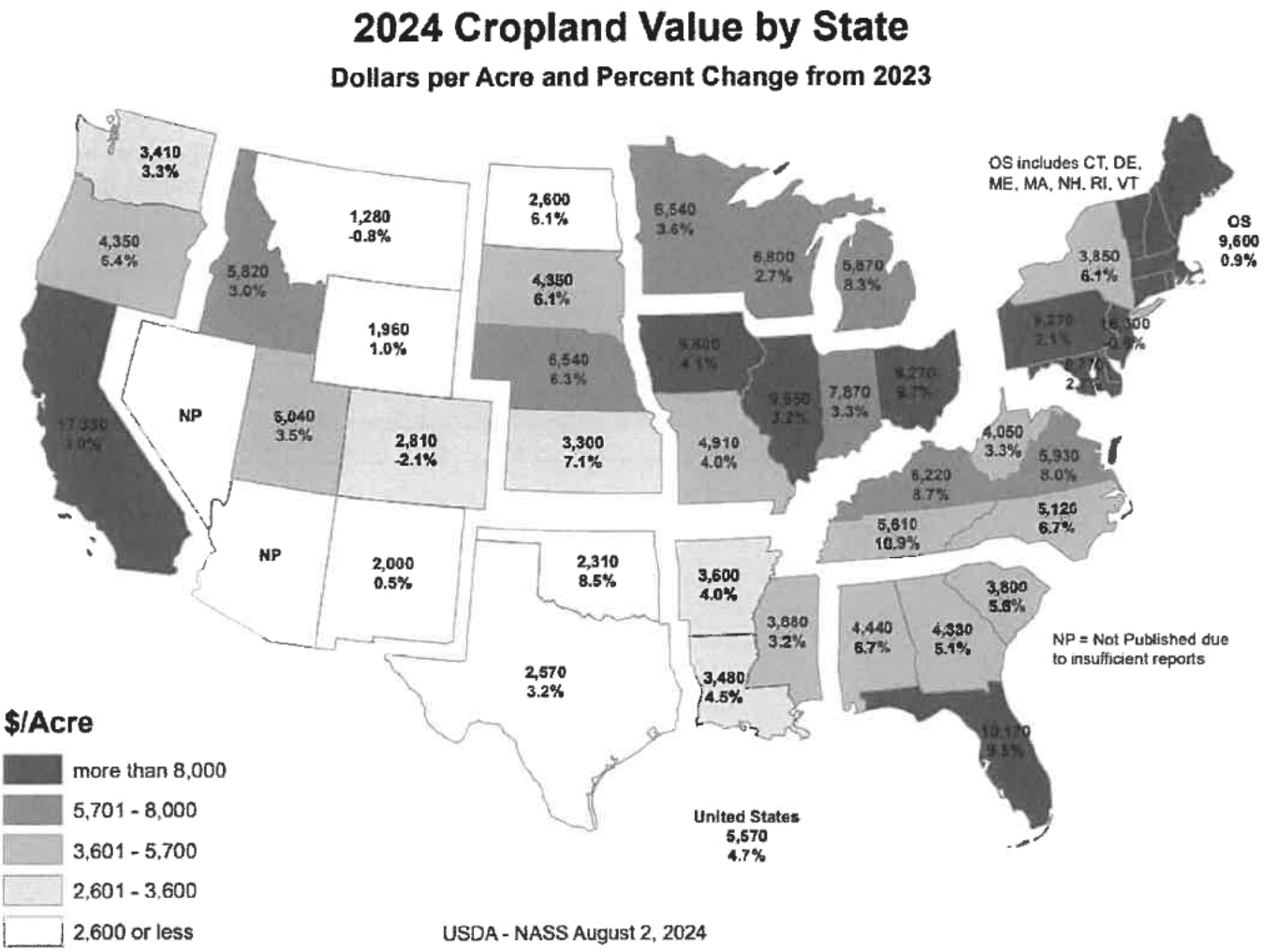
[7] Quantitative ratings are also show in ranges of 0.00 to 1.00. AgriData Inc. presents the NCCPI index rating multiplied by 100 in a range of 0.00 to 100.00 to show up to four significant figures.

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## AREA VALUE TRENDS - CROPLAND

Agricultural land values are heavily influenced by relative crop production yields. The following exhibit compiled by the USDA National Agricultural Statistics Service (NASS) provides an illustration of how regional conditions such as weather conditions, geographies, and soil conditions can affect crop land real estate values.




Per the NASS report, the average value of cropland in Illinois for 2024 is $9,550 per acre, which is an increase of 3.2 percent from 2023. In addition, the report indicated that the average annual growth rate for farmland values in Illinois from 2020 to 2024 was 5.2 percent.[8]

[8] https://downloads.usda.library.cornell.edu/usda-esmis/files/pn89d6567/vh53zm770/sf269z18h/land0824.pdf

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## AREA VALUE TRENDS – RESIDENTIAL HOMES

The proposed Project is to be located in Kendall County, Illinois, in the northeastern portion of Illinois. There is a mix of single-family home types in this area, manufactured homes and homes with one- and two-stories. Based on our research, homes in the area that have recently sold were constructed as early as 1884 and as recently as 2024.

We searched for but did not identify any relevant transactions immediately adjacent to the proposed project boundary lines, however, there has been steady sale activity in the broader study area surrounding the Project area throughout the last year. From April 2024 through March 2025, we identified 95 market transactions of single-family homes that surround the proposed Project Area. The sale price per square foot ranges from $137 per square foot to $342 per square foot of gross living area. The home sales were on the market for between 34 and 191 days with a median of 97 days.

**Home Sales Surrounding Proposed Project Area**
**(April 2024 through March 2025)**

| Single Family Homes | Median Lot Size (Acres) | Median Living Area (SF) | Min. Sale Price | Max. Sale Price | Median Sale Price | Median Sale Price PSF |
|---|---|---|---|---|---|---|
| Na-Au-Say Township | 0.26 | 2,766 | $295,000 | $1,132,500 | $560,000 | $204.00 |

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The following table illustrates residential home value trends for the proposed Project's Kendall County location. The source is the Federal Housing Finance Agency's (FHFA) House Price Index (HPI), which is a weighted, repeat-sales index measuring changes in single-family house prices.

| FHFA House Price Index Kendall County, Illinois | | |
|---|---|---|
| **Year** | **Annual Change (%)** | **HPI** |
| 2004 | - | 292.22 |
| 2005 | 9.43 | 319.79 |
| 2006 | 5.22 | 336.50 |
| 2007 | 0.95 | 339.69 |
| 2008 | -3.98 | 326.16 |
| 2009 | -9.97 | 293.65 |
| 2010 | -10.13 | 263.91 |
| 2011 | -8.07 | 242.61 |
| 2012 | -6.01 | 228.04 |
| 2013 | 2.48 | 233.70 |
| 2014 | 6.18 | 248.16 |
| 2015 | 3.71 | 257.35 |
| 2016 | 4.59 | 269.17 |
| 2017 | 4.90 | 282.37 |
| 2018 | 5.25 | 297.19 |
| 2019 | 2.84 | 305.62 |
| 2020 | 1.41 | 309.93 |
| 2021 | 9.86 | 340.48 |
| 2022 | 15.74 | 394.07 |
| 2023 | 7.95 | 425.38 |
| 2024 | 6.35 | 452.40 |
| **Annual Average Compounded % Change** | **2.33%** | |

Based on the data shown above, the trend in residential home values in Kendall County have increased at an average annual rate of 2.33 percent, over the past twenty years. The housing values in the county grew at a strong rate over the past several years; however, recent macroeconomic conditions have resulted in a market correction based on increases in federal lending rates and general inflation, with a slowing of housing values approaching historical trends.

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## LOCAL LAND DEVELOPMENT TRENDS

Land values can be driven by a site's proximity to the path of development. The closer a property is to the path of development, and without natural barriers to development, the more value a property may have in the future; However, the greater surrounding area has remained generally unchanged over the past 15 years. There has been minimal development surrounding the Project site.




*Aerial Imagery dated October 2007*

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*Aerial Imagery dated May 2024*

According to the images presented on the previous page, there has been limited new development in the local area over the past 15 years. Generally, any undeveloped agricultural land is considered to be an interim use as the intensity of uses grows in step with macroeconomic factors.

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## SUMMARY AND FINAL CONCLUSIONS

The Project is located in a stable area that is predominantly agricultural in nature with some residential homesteads. The population quotient (persons per square mile) for the three-mile radius is 80, which reflects a rural environment. Local development has been relatively stagnant over the past 20 years, with the exception of some new industrial development, and the immediate land parcels have a future land use designation of agricultural. Based on our analysis of real estate taxes in the Primary Report, solar farm uses incur anywhere from 131% to ±1,000% increase in real estate tax revenue for the local area, feeding back into essential services, including public roads and schools. Local land and residential home prices have remained stable over the past five years and are anticipated to align in the future with macroeconomic changes. Overall, the proposed Project is considered a locally compatible use.

The purpose of the Primary Report and this addendum is to determine whether the presence of a solar farm has caused a measurable and consistent impact on adjacent property values. Under the identified methodology and scope of work, CohnReznick reviewed published methodology for measuring impact on property values as well as published reports that analyzed the impact of solar farms on property values. These studies found little to no measurable and consistent difference between Test Area Sales and Control Area Sales attributed to the solar farms.

The chosen existing solar farms analyzed in the Primary Report reflected sales of property adjoining an existing solar farm (Test Area Sales) in which the unit sale prices were effectively the same or higher than the comparable Control Area Sales that were not near a solar farm. The conclusions support that there is no negative impact for improved residential homes adjacent to solar, nor agricultural acreage. This was confirmed with market participants interviews, which provided additional insight as to how the market evaluates farmland and single-family homes with views of the solar farm.

It can be concluded that since the Adjoining Property Sales (Test Area Sales) were not adversely affected by their proximity to the solar farm, that properties surrounding other proposed solar farms operating in compliance with all regulatory standards will similarly not be adversely affected, in either the short or long term periods.

Based upon the examination, research, and analyses of the existing solar farm uses, the surrounding areas, and an extensive market database, we have concluded that ***no consistent negative impact has occurred to adjacent property values that could be attributed to proximity to the adjacent solar farm***, with regard to unit sale prices or other influential market indicators. Additionally, in our workfile we have retained analyses of additional existing solar farms, each with their own set of matched control sales, which had consistent results, indicating no consistent and measurable impact on adjacent property values. This conclusion has been confirmed by numerous county assessors who have also investigated this use's potential impact on property values.

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If you have any questions or comments, please contact the undersigned. Thank you for the opportunity to be of service.

Respectfully submitted,

**CohnReznick LLP**

[redacted]

Andrew R. Lines, MAI, CRE
Principal - Valuation Advisory Services
Certified General Real Estate Appraiser

Illinois License No. [redacted]
Expires 9/30/2025
Indiana License No. [redacted]
Expires 6/30/2026

[redacted]

Erin C. Bowen, MAI
Director
Certified General Real Estate Appraiser

Arizona License No. [redacted]
Expires 12/31/2026
Oregon License No. [redacted]
Expires 6/30/2026

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## CERTIFICATION

We certify that, to the best of our knowledge and belief:

1. The statements of fact and data reported are true and correct.
2. The reported analyses, findings, and conclusions in this consulting report are limited only by the reported assumptions and limiting conditions, and are our personal, impartial, and unbiased professional analyses, findings, and conclusions.
3. We have no present or prospective interest in the property that is the subject of this report and no personal interest with respect to the parties involved.
4. We have performed no services, as an appraiser or in any other capacity, regarding the property that is the subject of this report within the three-year period immediately preceding acceptance of this assignment.
5. We have no bias with respect to the property that is the subject of this report or the parties involved with this assignment.
6. Our engagement in this assignment was not contingent upon developing or reporting predetermined results.
7. Our compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value finding, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this report.
8. Our analyses, findings, and conclusions were developed, and this report has been prepared, in conformity with the requirements of the Code of Professional Ethics and Standards of Professional Appraisal Practice of the Appraisal Institute, which includes the Uniform Standards of Professional Appraisal Practice (USPAP).
9. The use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives.
10. Andrew R. Lines, MAI, CRE and Erin C. Bowen, MAI have viewed the exterior of the Project and of all comparable data referenced in this report in person, via photographs, or aerial imagery.
11. We have not relied on unsupported conclusions relating to characteristics such as race, color, religion, national origin, gender, marital status, familial status, age, and receipt of public assistance income, handicap, or an unsupported conclusion that homogeneity of such characteristics is necessary to maximize value.
12. Joe Ficenec provided consulting assistance to the persons signing this certification.
13. We have experience in reviewing properties similar to the subject and are in compliance with the Competency Rule of USPAP.
14. As of the date of this report, Andrew R. Lines, MAI, CRE, and Erin Bowen, MAI have completed the continuing education program for Designated Members of the Appraisal Institute.

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If you have any questions or comments, please contact the undersigned. Thank you for the opportunity to be of service.

Respectfully submitted,

**CohnReznick LLP**

[redacted]

Andrew R. Lines, MAI, CRE
Principal - Valuation Advisory Services
Certified General Real Estate Appraiser

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## ASSUMPTIONS AND LIMITING CONDITIONS

*The fact witness services will be subject to the following assumptions and limiting conditions:*

1. No responsibility is assumed for the legal description provided or for matter pertaining to legal or title considerations. Title to the property is assumed to be good and marketable unless otherwise stated. The legal description used in this report is assumed to be correct.
2. The property is evaluated free and clear of any or all liens or encumbrances unless otherwise stated.
3. Responsible ownership and competent management are assumed.
4. Information furnished by others is believed to be true, correct and reliable, but no warranty is given for its accuracy.
5. All engineering studies are assumed to be correct. The plot plans and illustrative material in this report are included only to help the reader visualize the property.
6. It is assumed that there are no hidden or unapparent conditions of the property, subsoil, or structures that render it more or less valuable. No responsibility is assumed for such conditions or for obtaining the engineering studies that may be required to discover them.
7. It is assumed that the property is in full compliance with all applicable federal, state, and local and environmental regulations and laws unless the lack of compliance is stated, described, and considered in the evaluation report.
8. It is assumed that the property conforms to all applicable zoning and use regulations and restrictions unless nonconformity has been identified, described and considered in the evaluation report.
9. It is assumed that all required licenses, certificates of occupancy, consents, and other legislative or administrative authority from any local, state, or national government or private entity or organization have been or can be obtained or renewed for any use on which the value estimate contained in this report is based.
10. It is assumed that the use of the land and improvements is confined within the boundaries or property lines of the property described and that there is no encroachment or trespass unless noted in this report.
11. The date of value to which the findings are expressed in this report apply is set forth in the letter of transmittal. The appraisers assume no responsibility for economic or physical factors occurring at some later date which may affect the opinions herein stated.
12. Unless otherwise stated in this report, the existence of hazardous materials, which may or may not be present on the property, was not observed by the appraisers. The appraisers have no knowledge of the existence of such substances on or in the property. The appraisers, however, are not qualified to detect such substances. The presence of substances such as asbestos, urea-formaldehyde foam insulation, radon gas, lead or lead-based products, toxic waste contaminants,

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and other potentially hazardous materials may affect the value of the property. The value estimate is predicated on the assumption that there is no such material on or in the property that would cause a loss in value. No responsibility is assumed for such conditions or for any expertise or engineering knowledge required to discover them. The client is urged to retain an expert in this field, if desired.

13. The forecasts, projections, or operating estimates included in this report were utilized to assist in the evaluation process and are based on reasonable estimates of market conditions, anticipated supply and demand, and the state of the economy. Therefore, the projections are subject to changes in future conditions that cannot be accurately predicted by the appraisers, and which could affect the future income or value projections.

14. Fundamental to the appraisal analysis is the assumption that no change in zoning is either proposed or imminent, unless otherwise stipulated. Should a change in zoning status occur from the property's present classification, the appraisers reserve the right to alter or amend the value accordingly.

15. It is assumed that the property does not contain within its confined any unmarked burial grounds which would prevent or hamper the development process.

16. The Americans with Disabilities Act (ADA) became effective on January 26, 1992. We have not made a specific compliance survey and analysis of the property to determine if it is in conformance with the various detailed requirements of the ADA. It is possible that a compliance survey of the property, together with a detailed analysis of the requirements of the ADA, could reveal that the property is not in compliance with one or more of the requirements of the Act. If so, this fact could have a negative effect on the value of the property. Unless otherwise noted in this report, we have not been provided with a compliance survey of the property. Any information regarding compliance surveys or estimates of costs to conform to the requirements of the ADA are provided for information purposes. No responsibility is assumed for the accuracy or completeness of the compliance survey cited in this report, or for the eventual cost to comply with the requirements of the ADA.

17. Any value estimates provided in this report apply to the entire property, and any proration or division of the total into fractional interests will invalidate the value estimate, unless such proration or division of interests has been set forth in this report.

18. Any proposed improvements are assumed to have been completed unless otherwise stipulated; any construction is assumed to conform with the building plans referenced in this report.

19. Unless otherwise noted in the body of this report, this evaluation assumes that the subject does not fall within the areas where mandatory flood insurance is effective.

20. Unless otherwise noted in the body of this report, we have not completed nor are we contracted to have completed an investigation to identify and/or quantify the presence of non-tidal wetland conditions on the subject property.

21. This report should not be used as a basis to determine the structural adequacy/inadequacy of the property described herein, but for evaluation purposes only.

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22. It is assumed that the subject structure meets the applicable building codes for its respective jurisdiction. We assume no responsibility/liability for the inclusion/exclusion of any structural component item which may have an impact on value. It is further assumed that the subject property will meet code requirements as they relate to proper soil compaction, grading, and drainage.

23. The appraisers are not engineers, and any references to physical property characteristics in terms of quality, condition, cost, suitability, soil conditions, flood risk, obsolescence, etc., are strictly related to their economic impact on the property. No liability is assumed for any engineering-related issues.

*The evaluation services will be subject to the following limiting conditions:*

1. The findings reported herein are only applicable to the properties studied in conjunction with the Purpose of the Evaluation and the Function of the Evaluation as herein set forth; the evaluation is not to be used for any other purposes or functions.

2. Any allocation of the total value estimated in this report between the land and the improvements applies only to the stated program of utilization. The separate values allocated to the land and buildings must not be used in conjunction with any other appraisal and are not valid if so used.

3. No opinion is expressed as to the value of subsurface oil, gas or mineral rights, if any, and we have assumed that the property is not subject to surface entry for the exploration or removal of such materials, unless otherwise noted in the evaluation.

4. This report has been prepared by CohnReznick under the terms and conditions outlined by the enclosed engagement letter. Therefore, the contents of this report and the use of this report are governed by the client confidentiality rules of the Appraisal Institute. Specifically, this report is not for use by a third party and CohnReznick is not responsible or liable, legally or otherwise, to other parties using this report unless agreed to in writing, in advance, by both CohnReznick and/or the client or third party.

5. Disclosure of the contents of this evaluation report is governed by the by-laws and Regulations of the Appraisal Institute has been prepared to conform with the reporting standards of any concerned government agencies.

6. The forecasts, projections, and/or operating estimates contained herein are based on current market conditions, anticipated short-term supply and demand factors, and a continued stable economy. These forecasts are, therefore, subject to changes with future conditions. This evaluation is based on the condition of local and national economies, purchasing power of money, and financing rates prevailing at the effective date of value.

7. This evaluation shall be considered only in its entirety, and no part of this evaluation shall be utilized separately or out of context. Any separation of the signature pages from the balance of the evaluation report invalidates the conclusions established herein.

8. **Possession of this report, or a copy thereof, does not carry with it the right of publication, nor may it be used for any purposes by anyone other than the client without the prior written consent of the appraisers, and in any event, only with property qualification.**

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9. The appraisers, by reason of this study, are not required to give further consultation or testimony or to be in attendance in court with reference to the property in question unless arrangements have been previously made.

10. Neither all nor any part of the contents of this report shall be conveyed to any person or entity, other than the appraiser's client, through advertising, solicitation materials, public relations, news, sales or other media, without the written consent and approval of the authors, particularly as to evaluation conclusions, the identity of the appraisers or CohnReznick, LLC, or any reference to the Appraisal Institute, or the MAI designation. Further, the appraisers and CohnReznick, LLC assume no obligation, liability, or accountability to any third party. If this report is placed in the hands of anyone but the client, client shall make such party aware of all the assumptions and limiting conditions of the assignment.

11. This evaluation is not intended to be used, and may not be used, on behalf of or in connection with a real estate syndicate or syndicates. A real estate syndicate means a general or limited partnership, joint venture, unincorporated association or similar organization formed for the purpose of, and engaged in, an investment or gain from an interest in real property, including, but not limited to a sale or exchange, trade or development of such real property, on behalf of others, or which is required to be registered with the United States Securities and Exchange commissions or any state regulatory agency which regulates investments made as a public offering. It is agreed that any user of this evaluation who uses it contrary to the prohibitions in this section indemnifies the appraisers and the appraisers' firm and holds them harmless from all claims, including attorney fees, arising from said use.

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# ADDENDUM A:
# APPRAISER QUALIFICATIONS

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**Adjacent Property Value Impact Report Addendum:**
**Proposed 5.0 MW East Schoolhouse Road Community Energy Initiative Solar Project**
**Prepared for ECA Solar and East Schoolhouse Road Community Energy Initiative LLC**




# Andrew R. Lines, MAI, CRE
Principal, CohnReznick Advisory

1 S. Wacker Drive, Suite 3550
Chicago, IL 60606
[redacted]
www.cohnreznick.com


Andrew R. Lines, MAI, CRE is a Principal for CohnReznick Advisory's Valuation Advisory Services practice who has been a CohnReznick employee for over twelve years. Andrew has been involved in the real estate business for more than 20 years and has performed valuations on all real estate classes (industrial, commercial, residential, development land). Special-use valuations include affordable housing (as well as market studies), student housing, senior housing, cannabis facilities (indoor/outdoor, processing and dispensaries), landfills, waste transfer stations, golf courses, marinas, hospitals, universities, telecommunications facilities, data centers, self- storage facilities, racetracks, and corridors. Impact Study Reports have also been generated for zoning hearings related to the development of solar facilities, wind powered facilities, landfills, big box retail, waste transfer stations, private mental health clinics, cannabis dispensaries, concert/stadium venues and day care centers. He is also experienced in the valuation of leasehold, leased fee, and partial interests, as well as purchase price allocations (GAAP, IFRS and IRC 1060) for financial reporting.

Valuations have been completed nationwide for a variety of assignments including mortgage financing, litigation, tax appeal, estate gifts, asset management, workouts, and restructuring, as well as valuation for financial reporting including purchase price allocations (ASC 805), impairment studies, and appraisals for investment company guidelines and REIS standards. Andrew has qualified as an expert witness, providing testimony for cases in the states of IL, DC, VA, NY and MD, and for zoning hearings in IL, IN, MI, NY, HI, OH, KY, CO, PA, WI and MO. Andrew has also performed appraisal review assignments for accounting purposes (audit support), asset management, litigation and as an evaluator for a large Midwest regional bank.

Andrew has earned the professional designation of Member of the Appraisal Institute (MAI). He has also qualified for certified general commercial real estate appraiser licenses in AZ, CA, IL, IN, WI, MD, OH, NY, NJ, FL, GA, KY and DC. Temporary licenses have been granted in CT, CO, PA, ID, MS, KS, MT and SC.

## Education

- Syracuse University: Bachelor of Fine Arts
- MAI Designation (Member of the Appraisal Institute)

## Professional Affiliations

- Counselors of Real Estate (CRE)
- Chicago Chapter of the Appraisal Institute
- International Real Estate Management (IREM)
- National Council of Housing and Market Analysts (NCHMA)

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# Erin C. Bowen, MAI

Director – Real Estate Valuation
Valuation Advisory Services

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Erin Bowen, MAI is a Director with CohnReznick in Valuation Advisory Services. Ms. Bowen is based in Phoenix, Arizona, with presence covering the west coast. Ms. Bowen's work in Commercial Real Estate valuation spans over 15 years.

Ms. Bowen specializes in lodging, cannabis, seniors housing, large scale retail and multifamily conversion properties. Lodging work includes all hotel property types and brand segments including limited, full service and resort properties; additionally, Ms. Bowen has appraised numerous hotel to multifamily conversion properties including market rate and affordable housing. Cannabis work includes dispensaries, cultivation facilities including specialized indoor facilities and greenhouse properties, processing and manufacturing facilities. Senior's housing assignments include assisted living, skilled nursing facilities and rehabilitation centers. Retail work spans power centers, lifestyle centers, outlet centers and malls. She has appraised numerous additional properties including multifamily, office, medical office, industrial, churches, and vacant land.

Ms. Bowen has expertise in appraising properties at all stages of development, including existing as is, proposed, under construction, renovations and conversion to alternate use. Valuations have been completed nationwide for a variety of assignments including mortgage financing, litigation, eminent domain, tax appeal, estate gifts, asset management, as well as valuation for financial reporting including purchase price allocations (ASC 805). Impact Study Reports have also been generated for zoning hearings related to the development of solar facilities and wind powered facilities. Ms. Bowen has qualified as an expert witness and provided testimony for zoning and county commission hearings.

### Education

- University of California, San Diego: Bachelor of Arts in Psychology and Theater; College Honors

### Professional Affiliations

- Designated Member of the Appraisal Institute

### Licenses

- Certified General Real Estate Appraiser licensed in New Mexico, Arizona, California, Oregon and Nevada

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## Joe Ficenec
Consultant, Valuation Advisory Services

[redacted]
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Joe Ficenec is a consultant in CohnReznick's Valuation Advisory Services practice and is based in the Sacramento office. Joe specializes in Impact Study Reports, which have been conducted for zoning hearings related to the development of solar facilities and wind powered facilities. He also has experience in assisting with the appraisal multifamily, office, industrial, retail, lodging and mixed-use properties for financing and purchase price allocation purposes.

Joe graduated with honors from the University of California, Davis in May 2017 with a major in managerial economics. Prior to joining CohnReznick, Joe worked as a Real Estate Assessor for a county government and as a consultant for a nationwide real estate firm in San Francisco.

Education

- University of California, Davis – B.S. Managerial Economics

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NC CLEAN ENERGY TECHNOLOGY CENTER

NC STATE UNIVERSITY

# Health and Safety Impacts of Solar Photovoltaics

The increasing presence of utility-scale solar photovoltaic (PV) systems (sometimes referred to as solar farms) is a rather new development in North Carolina's landscape. Due to the new and unknown nature of this technology, it is natural for communities near such developments to be concerned about health and safety impacts. Unfortunately, the quick emergence of utility-scale solar has cultivated fertile grounds for myths and half-truths about the health impacts of this technology, which can lead to unnecessary fear and conflict.

Photovoltaic (PV) technologies and solar inverters are not known to pose any significant health dangers to their neighbors. The most important dangers posed are increased highway traffic during the relative short construction period and dangers posed to trespassers of contact with high voltage equipment. This latter risk is mitigated by signage and the security measures that industry uses to deter trespassing. As will be discussed in more detail below, risks of site contamination are much less than for most other industrial uses because PV technologies employ few toxic chemicals and those used are used in very small quantities. Due to the reduction in the pollution from fossil-fuel-fired electric generators, the overall impact of solar development on human health is overwhelmingly positive. This pollution reduction results from a partial replacement of fossil-fuel fired generation by emission-free PV-generated electricity, which reduces harmful sulfur dioxide ($SO_2$), nitrogen oxides ($NO_x$), and fine particulate matter ($PM_{2.5}$). Analysis from the National Renewable Energy Laboratory and the Lawrence Berkeley National Laboratory, both affiliates of the U.S. Department of Energy, estimates the health-related air quality benefits to the southeast region from solar PV generators to be worth 8.0 ¢ per kilowatt-hour of solar generation..[1] This is in addition to the value of the electricity and suggests that the air quality benefits of solar are worth more than the electricity itself.

Even though we have only recently seen large-scale installation of PV technologies, the technology and its potential impacts have been studied since the 1950s. A combination of this solar-specific research and general scientific research has led to the scientific community having a good understanding of the science behind potential health and safety impacts of solar energy. This paper utilizes the latest scientific literature and knowledge of solar practices in N.C. to address the health and safety risks associated with solar PV technology. These risks are extremely small, far less than those associated with common activities such as driving a car, and vastly outweighed by health benefits of the generation of clean electricity.

This paper addresses the potential health and safety impacts of solar PV development in North Carolina, organized into the following four categories:

(1) Hazardous Materials
(2) Electromagnetic Fields (EMF)
(3) Electric Shock and Arc Flash
(4) Fire Safety

# 1. Hazardous Materials

One of the more common concerns towards solar is that the panels (referred to as "modules" in the solar industry) consist of toxic materials that endanger public health. However, as shown in this section, solar energy systems may contain small amounts of toxic materials, but these materials do not endanger public health. To understand potential toxic hazards coming from a solar project, one must understand system installation, materials used, the panel end-of-life protocols, and system operation. This section will examine these aspects of a solar farm and the potential for toxicity impacts in the following subsections:

(1.2) Project Installation/Construction
(1.2) System Components
- 1.2.1 Solar Panels: Construction and Durability
- 1.2.2 Photovoltaic technologies
  - (a) Crystalline Silicon
  - (b) Cadmium Telluride (CdTe)
  - (c) CIS/CIGS
- 1.2.3 Panel End of Life Management
- 1.2.4 Non-panel System Components

(1.3) Operations and Maintenance

## 1.1 Project Installation/Construction

The system installation, or construction, process does not require toxic chemicals or processes. The site is mechanically cleared of large vegetation, fences are constructed, and the land is surveyed to layout exact installation locations. Trenches for underground wiring are dug and support posts are driven into the ground. The solar panels are bolted to steel and aluminum support structures and wired together. Inverter pads are installed, and an inverter and transformer are installed on each pad. Once everything is connected, the system is tested, and only then turned on.



*Figure 1: Utility-scale solar facility (5 $MW_{AC}$) located in Catawba County. Source. Strata Solar*

# 1.2 System Components

## 1.2.1 Solar Panels: Construction and Durability

Solar PV panels typically consist of glass, polymer, aluminum, copper, and semiconductor materials that can be recovered and recycled at the end of their useful life.[2] Today there are two PV technologies used in PV panels at utility-scale solar facilities, silicon, and thin film. As of 2016, all thin film used in North Carolina solar facilities are cadmium telluride (CdTe) panels from the US manufacturer First Solar, but there are other thin film PV panels available on the market, such as Solar Frontier's CIGS panels. Crystalline silicon technology consists of silicon wafers which are made into cells and assembled into panels, thin film technologies consist of thin layers of semiconductor material deposited onto glass, polymer or metal substrates. While there are differences in the components and manufacturing processes of these two types of solar technologies, many aspects of their PV panel construction are very similar. Specifics about each type of PV chemistry as it relates to toxicity are covered in subsections a, b, and c in section 1.2.2; on crystalline silicon, cadmium telluride, and CIS/CIGS respectively. The rest of this section applies equally to both silicon and thin film panels.

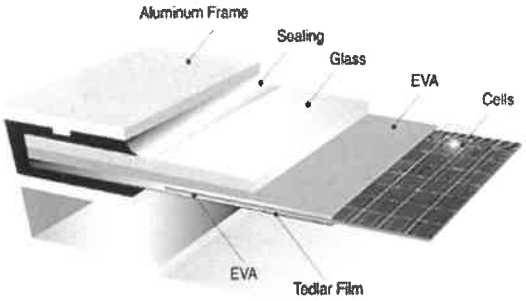



*Figure 2: Components of crystalline silicon panels. The vast majority of silicon panels consist of a glass sheet on the topside with an aluminum frame providing structural support. Image Source: www.riteksolar.com.tw*

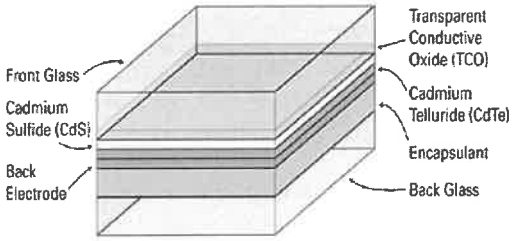



*Figure 3: Layers of a common frameless thin-film panel (CdTe). Many thin film panels are frameless, including the most common thin-film panels, First Solar's CdTe. Frameless panels have protective glass on both the front and back of the panel. Layer thicknesses not to scale. Image Source: www.homepower.com*

To provide decades of corrosion-free operation, PV cells in PV panels are encapsulated from air and moisture between two layers of plastic. The encapsulation layers are protected on the top with a layer of tempered glass and on the backside with a polymer sheet. Frameless modules include a protective layer of glass on the rear of the panel, which may also be tempered. The plastic ethylene-vinyl acetate (EVA) commonly provides the cell encapsulation. For decades, this same material has been used between layers of tempered glass to give car windshields and hurricane windows their great strength. In the same way that a car windshield cracks but stays intact, the EVA layers in PV panels keep broken panels intact (see Figure 4). Thus, a damaged module does not generally create small pieces of debris; instead, it largely remains together as one piece.




*Figure 4: The mangled PV panels in this picture illustrate the nature of broken solar panels; the glass cracks but the panel is still in one piece. Image Source: http://img.alibaba.com/photo/115259576/broken_solar_panel.jpg*

PV panels constructed with the same basic components as modern panels have been installed across the globe for well over thirty years..[3] The long-term durability and performance demonstrated over these decades, as well as the results of accelerated lifetime testing, helped lead to an industry-standard 25-year power production warranty for PV panels. These power warranties warrant a PV panel to produce at least 80% of their original nameplate production after 25 years of use. A recent SolarCity and DNV GL study reported that today's quality PV panels should be expected to reliably and efficiently produce power for thirty-five years..[4]

Local building codes require all structures, including ground mounted solar arrays, to be engineered to withstand anticipated wind speeds, as defined by the local wind speed requirements. Many racking products are available in versions engineered for wind speeds of up to 150 miles per hour, which is significantly higher than the wind speed requirement anywhere in North Carolina. The strength of PV mounting structures were demonstrated during Hurricane Sandy in 2012 and again during Hurricane Matthew in 2016. During Hurricane Sandy, the many large-scale solar facilities in New Jersey and New York at that time suffered only minor damage..[5] In the fall of 2016, the US and Caribbean experienced destructive winds and torrential rains from Hurricane Matthew, yet one leading solar tracker manufacturer reported that their numerous systems in the impacted area received zero damage from wind or flooding..[6]

In the event of a catastrophic event capable of damaging solar equipment, such as a tornado, the system will almost certainly have property insurance that will cover the cost to cleanup and repair the project. It is in the best interest of the system owner to protect their investment against such risks. It is also in their interest to get the project repaired and producing full power as soon as possible. Therefore, the investment in adequate insurance is a wise business practice for the system owner. For the same

reasons, adequate insurance coverage is also generally a requirement of the bank or firm providing financing for the project.

## 1.2.2 Photovoltaic (PV) Technologies

### a. Crystalline Silicon

This subsection explores the toxicity of silicon-based PV panels and concludes that they do not pose a material risk of toxicity to public health and safety. Modern crystalline silicon PV panels, which account for over 90% of solar PV panels installed today, are, more or less, a commodity product. The overwhelming majority of panels installed in North Carolina are crystalline silicon panels that are informally classified as Tier I panels. Tier I panels are from well-respected manufacturers that have a good chance of being able to honor warranty claims. Tier I panels are understood to be of high quality, with predictable performance, durability, and content. Well over 80% (by weight) of the content of a PV panel is the tempered glass front and the aluminum frame, both of which are common building materials. Most of the remaining portion are common plastics, including polyethylene terephthalate in the backsheet, EVA encapsulation of the PV cells, polyphenyl ether in the junction box, and polyethylene insulation on the wire leads. The active, working components of the system are the silicon photovoltaic cells, the small electrical leads connecting them together, and to the wires coming out of the back of the panel. The electricity generating and conducting components makeup less than 5% of the weight of most panels. The PV cell itself is nearly 100% silicon, and silicon is the second most common element in the Earth's crust. The silicon for PV cells is obtained by high-temperature processing of quartz sand ($SiO_2$) that removes its oxygen molecules. The refined silicon is converted to a PV cell by adding extremely small amounts of boron and phosphorus, both of which are common and of very low toxicity.

The other minor components of the PV cell are also generally benign; however, some contain lead, which is a human toxicant that is particularly harmful to young children. The minor components include an extremely thin antireflective coating (silicon nitride or titanium dioxide), a thin layer of aluminum on the rear, and thin strips of silver alloy that are screen-printed on the front and rear of cell..[7] In order for the front and rear electrodes to make effective electrical contact with the proper layer of the PV cell, other materials (called glass frit) are mixed with the silver alloy and then heated to etch the metals into the cell. This glass frit historically contains a small amount of lead (Pb) in the form of lead oxide. The 60 or 72 PV cells in a PV panel are connected by soldering thin solder-covered copper tabs from the back of one cell to the front of the next cell. Traditionally a tin-based solder containing some lead (Pb) is used, but some manufacturers have switched to lead-free solder. The glass frit and/or the solder may contain trace amounts of other metals, potentially including some with human toxicity such as cadmium. However, testing to simulate the potential for leaching from broken panels, which is discussed in more detail below, did not find a potential toxicity threat from these trace elements. Therefore, the tiny amount of lead in the grass frit and the solder is the only part of silicon PV panels with a potential to create a negative health impact. However, as described below, the very limited amount of lead involved and its strong physical and chemical attachment to other components of the PV panel means that even in worst-case scenarios the health hazard it poses is insignificant.

As with many electronic industries, the solder in silicon PV panels has historically been a lead-based solder, often 36% lead, due to the superior properties of such solder. However, recent advances in lead-free solders have spurred a trend among PV panel manufacturers to reduce or remove the lead in their panels. According to the 2015 Solar Scorecard from the Silicon Valley Toxics Coalition, a group that tracks environmental responsibility of photovoltaic panel manufacturers, fourteen companies (increased from twelve companies in 2014) manufacture PV panels certified to meet the European Restriction of

Hazardous Substances (RoHS) standard. This means that the amount of cadmium and lead in the panels they manufacture fall below the RoHS thresholds, which are set by the European Union and serve as the world's de facto standard for hazardous substances in manufactured goods..[8] The Restriction of Hazardous Substances (RoHS) standard requires that the maximum concentration found in any homogenous material in a produce is less than 0.01% cadmium and less than 0.10% lead, therefore, any solder can be no more than 0.10% lead..[9]

While some manufacturers are producing PV panels that meet the RoHS standard, there is no requirement that they do so because the RoHS Directive explicitly states that the directive does not apply to photovoltaic panels..[10] The justification for this is provided in item 17 of the current RoHS Directive: "The development of renewable forms of energy is one of the Union's key objectives, and the contribution made by renewable energy sources to environmental and climate objectives is crucial. Directive 2009/28/EC of the European Parliament and of the Council of 23 April 2009 on the promotion of the use of energy from renewable sources (4) recalls that there should be coherence between those objectives and other Union environmental legislation. Consequently, this Directive should not prevent the development of renewable energy technologies that have no negative impact on health and the environment and that are sustainable and economically viable."

The use of lead is common in our modern economy. However, only about 0.5% of the annual lead consumption in the U.S. is for electronic solder for all uses; PV solder makes up only a tiny portion of this 0.5%. Close to 90% of lead consumption in the US is in batteries, which do not encapsulate the pounds of lead contained in each typical automotive battery. This puts the lead in batteries at great risk of leaching into the environment. Estimates for the lead in a single PV panel with lead-based solder range from 1.6 to 24 grams of lead, with 13g (less than half of an ounce) per panel seen most often in the literature..[11] At 13 g/panel.[12], each panel contains one-half of the lead in a typical 12-gauge shotgun shell.. This amount equates to roughly 1/750$^{th}$ of the lead in a single car battery. In a panel, it is all durably encapsulated from air or water for the full life of the panel..[14]

As indicated by their 20 to 30-year power warranty, PV modules are designed for a long service life, generally over 25 years. For a panel to comply with its 25-year power warranty, its internal components, including lead, must be sealed from any moisture. Otherwise, they would corrode and the panel's output would fall below power warranty levels. Thus, the lead in operating PV modules is not at risk of release to the environment during their service lifetime. In extreme experiments, researchers have shown that lead can leach from crushed or pulverized panels..[15], .[16] However, more real-world tests designed to represent typical trash compaction that are used to classify waste as hazardous or non-hazardous show no danger from leaching..[17], .[18] For more information about PV panel end-of-life, see the Panel Disposal section.

As illustrated throughout this section, silicon-based PV panels do not pose a material threat to public health and safety. The only aspect of the panels with potential toxicity concerns is the very small amount of lead in some panels. However, any lead in a panel is well sealed from environmental exposure for the operating lifetime of the solar panel and thus not at risk of release into the environment.

**b. Cadmium Telluride (CdTe) PV Panels**

This subsection examines the components of a cadmium telluride (CdTe) PV panel. Research demonstrates that they pose negligible toxicity risk to public health and safety while significantly reducing the public's exposure to cadmium by reducing coal emissions. As of mid-2016, a few hundred MWs of

cadmium telluride (CdTe) panels, all manufactured by the U.S. company First Solar, have been installed in North Carolina.

Questions about the potential health and environmental impacts from the use of this PV technology are related to the concern that these panels contain cadmium, a toxic heavy metal. However, scientific studies have shown that cadmium telluride differs from cadmium due to its high chemical and thermal stability..[19] Research has shown that the tiny amount of cadmium in these panels does not pose a health or safety risk..[20] Further, there are very compelling reasons to welcome its adoption due to reductions in unhealthy pollution associated with burning coal. Every GWh of electricity generated by burning coal produces about 4 grams of cadmium air emissions..[21] Even though North Carolina produces a significant fraction of our electricity from coal, electricity from solar offsets much more natural gas than coal due to natural gas plants being able to adjust their rate of production more easily and quickly. If solar electricity offsets 90% natural gas and 10% coal, each 5-megawatt (5 $MW_{AC}$, which is generally 7 $MW_{DC}$) CdTe solar facility in North Carolina keeps about 157 grams, or about a third of a pound, of cadmium *out of* our environment..[22, 23]

Cadmium is toxic, but all the approximately 7 grams of cadmium in one CdTe panel is in the form of a chemical compound cadmium telluride, .[24] which has 1/100$^{th}$ the toxicity of free cadmium..[25]. Cadmium telluride is a very stable compound that is non-volatile and non-soluble in water. Even in the case of a fire, research shows that less than 0.1% of the cadmium is released when a CdTe panel is exposed to fire. The fire melts the glass and encapsulates over 99.9% of the cadmium in the molten glass..[27]

It is important to understand the source of the cadmium used to manufacture CdTe PV panels. The cadmium is a byproduct of zinc and lead refining. The element is collected from emissions and waste streams during the production of these metals and combined with tellurium to create the CdTe used in PV panels. If the cadmium were not collected for use in the PV panels or other products, it would otherwise either be stockpiled for future use, cemented and buried, or disposed of..[28] Nearly all the cadmium in old or broken panels can be recycled which can eventually serve as the primary source of cadmium for new PV panels..[29]

Similar to silicon-based PV panels, CdTe panels are constructed of a tempered glass front, one instead of two clear plastic encapsulation layers, and a rear heat strengthened glass backing (together >98% by weight). The final product is built to withstand exposure to the elements without significant damage for over 25 years. While not representative of damage that may occur in the field or even at a landfill, laboratory evidence has illustrated that when panels are ground into a fine powder, very acidic water is able to leach portions of the cadmium and tellurium,.[30] similar to the process used to recycle CdTe panels. Like many silicon-based panels, CdTe panels are reported (as far back ask 1998.[31]) to pass the EPA's Toxic Characteristic Leaching Procedure (TCLP) test, which tests the potential for crushed panels in a landfill to leach hazardous substances into groundwater..[32] Passing this test means that they are classified as non-hazardous waste and can be deposited in landfills..[33, 34] For more information about PV panel end-of-life, see the Panel Disposal section.

There is also concern of environmental impact resulting from potential catastrophic events involving CdTe PV panels. An analysis of worst-case scenarios for environmental impact from CdTe PV panels, including earthquakes, fires, and floods, was conducted by the University of Tokyo in 2013. After reviewing the extensive international body of research on CdTe PV technology, their report concluded, "Even in the worst-case scenarios, it is unlikely that the Cd concentrations in air and sea water will exceed the environmental regulation values.".[35] In a worst-case scenario of damaged panels abandoned on the ground, insignificant amounts of cadmium will leach from the panels. This is because this scenario is

much less conducive (larger module pieces, less acidity) to leaching than the conditions of the EPA's TCLP test used to simulate landfill conditions, which CdTe panels pass..[36]

First Solar, a U.S. company, and the only significant supplier of CdTe panels, has a robust panel take-back and recycling program that has been operating commercially since 2005..[37] The company states that it is "committed to providing a commercially attractive recycling solution for photovoltaic (PV) power plant and module owners to help them meet their module (end of life) EOL obligation simply, cost-effectively and responsibly." First Solar global recycling services to their customers to collect and recycle panels once they reach the end of productive life whether due to age or damage. These recycling service agreements are structured to be financially attractive to both First Solar and the solar panel owner. For First Solar, the contract provides the company with an affordable source of raw materials needed for new panels and presumably a diminished risk of undesired release of Cd. The contract also benefits the solar panel owner by allowing them to avoid tipping fees at a waste disposal site. The legal contract helps provide peace of mind by ensuring compliance by both parties when considering the continuing trend of rising disposal costs and increasing regulatory requirements.

### c. CIS/CIGS and other PV technologies

Copper indium gallium selenide PV technology, often referred to as CIGS, is the second most common type of thin-film PV panel but a distant second behind CdTe. CIGS cells are composed of a thin layer of copper, indium, gallium, and selenium on a glass or plastic backing. None of these elements are very toxic, although selenium is a regulated metal under the Federal Resource Conservation and Recovery Act (RCRA)..[38] The cells often also have an extremely thin layer of cadmium sulfide that contains a tiny amount of cadmium, which is toxic. The promise of high efficiency CIGS panels drove heavy investment in this technology in the past. However, researchers have struggled to transfer high efficiency success in the lab to low-cost full-scale panels in the field..[39] Recently, a CIGS manufacturer based in Japan, Solar Frontier, has achieved some market success with a rigid, glass-faced CIGS module that competes with silicon panels. Solar Frontier produces the majority of CIS panels on the market today..[40] Notably, these panels are RoHS compliant,.[41] thus meeting the rigorous toxicity standard adopted by the European Union even thought this directive exempts PV panels. The authors are unaware of any completed or proposed utility-scale system in North Carolina using CIS/CIGS panels.

## 1.2.3 Panel End-of-Life Management

Concerns about the volume, disposal, toxicity, and recycling of PV panels are addressed in this subsection. To put the volume of PV waste into perspective, consider that by 2050, when PV systems installed in 2020 will reach the end of their lives, it is estimated that the global annual PV panel waste tonnage will be 10% of the 2014 global e-waste tonnage..[42] In the U.S., end-of-life disposal of solar products is governed by the Federal Resource Conservation and Recovery Act (RCRA), as well as state policies in some situations. RCRA separates waste into hazardous (not accepted at ordinary landfill) and solid waste (generally accepted at ordinary landfill) based on a series of rules. According to RCRA, the way to determine if a PV panel is classified as hazardous waste is the Toxic Characteristic Leaching Procedure (TCLP) test. This EPA test is designed to simulate landfill disposal and determine the risk of hazardous substances leaching out of the landfill..[43,44,45] Multiple sources report that most modern PV panels (both crystalline silicon and cadmium telluride) pass the TCLP test..[46,47] Some studies found that some older (1990s) crystalline silicon panels, and perhaps some newer crystalline silicon panels (specifics are not given about vintage of panels tested), do not pass the lead (Pb) leachate limits in the TCLP test..[48,49]

The test begins with the crushing of a panel into centimeter-sized pieces. The pieces are then mixed in an acid bath. After tumbling for eighteen hours, the fluid is tested for forty hazardous substances that all must be below specific threshold levels to pass the test. Research comparing TCLP conditions to conditions of damaged panels in the field found that simulated landfill conditions provide overly conservative estimates of leaching for field-damaged panels..[50] Additionally, research in Japan has found no detectable Cd leaching from cracked CdTe panels when exposed to simulated acid rain..[51]

Although modern panels can generally be landfilled, they can also be recycled. Even though recent waste volume has not been adequate to support significant PV-specific recycling infrastructure, the existing recycling industry in North Carolina reports that it recycles much of the current small volume of broken PV panels. In an informal survey conducted by the NC Clean Energy Technology Center survey in early 2016, seven of the eight large active North Carolina utility-scale solar developers surveyed reported that they send damaged panels back to the manufacturer and/or to a local recycler. Only one developer reported sending damaged panels to the landfill.

The developers reported at that time that they are usually paid a small amount per panel by local recycling firms. In early 2017, a PV developer reported that a local recycler was charging a small fee per panel to recycle damaged PV panels. The local recycling firm known to authors to accept PV panels described their current PV panel recycling practice as of early 2016 as removing the aluminum frame for local recycling and removing the wire leads for local copper recycling. The remainder of the panel is sent to a facility for processing the non-metallic portions of crushed vehicles, referred to as "fluff" in the recycling industry..[52] This processing within existing general recycling plants allows for significant material recovery of major components, including glass which is 80% of the module weight, but at lower yields than PV-specific recycling plants. Notably almost half of the material value in a PV panel is in the few grams of silver contained in almost every PV panel produced today. In the long-term, dedicated PV panel recycling plants can increase treatment capacities and maximize revenues resulting in better output quality and the ability to recover a greater fraction of the useful materials..[53] PV-specific panel recycling technologies have been researched and implemented to some extent for the past decade, and have been shown to be able to recover over 95% of PV material (semiconductor) and over 90% of the glass in a PV panel. .[54]

A look at global PV recycling trends hints at the future possibilities of the practice in our country. Europe installed MW-scale volumes of PV years before the U.S. In 2007, a public-private partnership between the European Union and the solar industry set up a voluntary collection and recycling system called PV CYCLE. This arrangement was later made mandatory under the EU's WEEE directive, a program for waste electrical and electronic equipment..[55] Its member companies (PV panel producers) fully finance the association. This makes it possible for end-users to return the member companies' defective panels for recycling at any of the over 300 collection points around Europe without added costs. Additionally, PV CYCLE will pick up batches of 40 or more used panels at no cost to the user. This arrangement has been very successful, collecting and recycling over 13,000 tons by the end of 2015..[56]

In 2012, the WEEE Directive added the end-of-life collection and recycling of PV panels to its scope..[57] This directive is based on the principle of extended-producer-responsibility. It has a global impact because producers that want to sell into the EU market are legally responsible for end-of-life management. Starting in 2018, this directive targets that 85% of PV products "put in the market" in Europe are recovered and 80% is prepared for reuse and recycling.

The success of the PV panel collection and recycling practices in Europe provides promise for the future of recycling in the U.S. In mid-2016, the US Solar Energy Industry Association (SEIA) announced that they are starting a national solar panel recycling program with the guidance and support of many

leading PV panel producers..[58] The program will aggregate the services offered by recycling vendors and PV manufacturers, which will make it easier for consumers to select a cost-effective and environmentally responsible end-of-life management solution for their PV products. According to SEIA, they are planning the program in an effort to make the entire industry landfill-free. In addition to the national recycling network program, the program will provide a portal for system owners and consumers with information on how to responsibly recycle their PV systems.

While a cautious approach toward the potential for negative environmental and/or health impacts from retired PV panels is fully warranted, this section has shown that the positive health impacts of reduced emissions from fossil fuel combustion from PV systems more than outweighs any potential risk. Testing shows that silicon and CdTe panels are both safe to dispose of in landfills, and are also safe in worst case conditions of abandonment or damage in a disaster. Additionally, analysis by local engineers has found that the current salvage value of the equipment in a utility scale PV facility generally exceeds general contractor estimates for the cost to remove the entire PV system..[59, 60, 61]

### 1.2.4 Non-Panel System Components (racking, wiring, inverter, transformer)

While previous toxicity subsections discussed PV panels, this subsection describes the non-panel components of utility-scale PV systems and investigates any potential public health and safety concerns. The most significant non-panel component of a ground-mounted PV system is the mounting structure of the rows of panels, commonly referred to as "racking". The vertical post portion of the racking is galvanized steel and the remaining above-ground racking components are either galvanized steel or aluminum, which are both extremely common and benign building materials. The inverters that make the solar generated electricity ready to send to the grid have weather-proof steel enclosures that protect the working components from the elements. The only fluids that they might contain are associated with their cooling systems, which are not unlike the cooling system in a computer. Many inverters today are RoHS compliant.

The electrical transformers (to boost the inverter output voltage to the voltage of the utility connection point) do contain a liquid cooling oil. However, the fluid used for that function is either a non-toxic mineral oil or a biodegradable non-toxic vegetable oil, such as BIOTEMP from ABB. These vegetable transformer oils have the additional advantage of being much less flammable than traditional mineral oils. Significant health hazards are associated with old transformers containing cooling oil with toxic PCBs. Transfers with PCB-containing oil were common before PCBs were outlawed in the U.S. in 1979. PCBs still exist in older transformers in the field across the country.

Other than a few utility research sites, there are no batteries on- or off-site associated with utility-scale solar energy facilities in North Carolina, avoiding any potential health or safety concerns related to battery technologies. However, as battery technologies continue to improve and prices continue to decline we are likely to start seeing some batteries at solar facilities. Lithium ion batteries currently dominate the world utility-scale battery market, which are not very toxic. No non-panel system components were found to pose any health or environmental dangers.

## 1.4 Operations and Maintenance – Panel Washing and Vegetation Control

Throughout the eastern U.S., the climate provides frequent and heavy enough rain to keep panels adequately clean. This dependable weather pattern eliminates the need to wash the panels on a regular basis. Some system owners may choose to wash panels as often as once a year to increase production, but most in N.C. do not regularly wash any PV panels. Dirt build up over time may justify panel washing a few times over the panels' lifetime; however, nothing more than soap and water are required for this activity.

The maintenance of ground-mounted PV facilities requires that vegetation be kept low, both for aesthetics and to avoid shading of the PV panels. Several approaches are used to maintain vegetation at NC solar facilities, including planting of limited-height species, mowing, weed-eating, herbicides, and grazing livestock (sheep). The following descriptions of vegetation maintenance practices are based on interviews with several solar developers as well as with three maintenance firms that together are contracted to maintain well over 100 of the solar facilities in N.C. The majority of solar facilities in North Carolina maintain vegetation primarily by mowing. Each row of panels has a single row of supports, allowing sickle mowers to mow under the panels. The sites usually require mowing about once a month during the growing season. Some sites employ sheep to graze the site, which greatly reduces the human effort required to maintain the vegetation and produces high quality lamb meat..[62]

In addition to mowing and weed eating, solar facilities often use some herbicides. Solar facilities generally do not spray herbicides over the entire acreage; rather they apply them only in strategic locations such as at the base of the perimeter fence, around exterior vegetative buffer, on interior dirt roads, and near the panel support posts. Also unlike many row crop operations, solar facilities generally use only general use herbicides, which are available over the counter, as opposed to restricted use herbicides commonly used in commercial agriculture that require a special restricted use license. The herbicides used at solar facilities are primarily 2-4-D and glyphosate (Round-up®), which are two of the most common herbicides used in lawns, parks, and agriculture across the country. One maintenance firm that was interviewed sprays the grass with a class of herbicide known as a growth regulator in order to slow the growth of grass so that mowing is only required twice a year. Growth regulators are commonly used on highway roadsides and golf courses for the same purpose. A commercial pesticide applicator license is required for anyone other than the landowner to apply herbicides, which helps ensure that all applicators are adequately educated about proper herbicide use and application. The license must be renewed annually and requires passing of a certification exam appropriate to the area in which the applicator wishes to work. Based on the limited data available, it appears that solar facilities in N.C. generally use significantly less herbicides per acre than most commercial agriculture or lawn maintenance services.

# 2. Electromagnetic Fields (EMF)

PV systems do not emit any material during their operation; however, they do generate electromagnetic fields (EMF), sometimes referred to as radiation. EMF produced by electricity is non-ionizing radiation, meaning the radiation has enough energy to move atoms in a molecule around (experienced as heat), but not enough energy to remove electrons from an atom or molecule (ionize) or to damage DNA. As shown below, modern humans are all exposed to EMF throughout our daily lives without negative health impact. Someone outside of the fenced perimeter of a solar facility is not exposed to significant EMF from the solar facility. Therefore, there is no negative health impact from the EMF

produced in a solar farm. The following paragraphs provide some additional background and detail to support this conclusion.

Since the 1970s, some have expressed concern over potential health consequences of EMF from electricity, but no studies have ever shown this EMF to cause health problems.[63] These concerns are based on some epidemiological studies that found a slight increase in childhood leukemia associated with average exposure to residential power-frequency magnetic fields above 0.3 to 0.4 μT (microteslas) (equal to 3.0 to 4.0 mG (milligauss)). μT and mG are both units used to measure magnetic field strength. For comparison, the average exposure for people in the U.S. is one mG or 0.1 μT, with about 1% of the population with an average exposure in excess of 0.4 μT (or 4 mG).[64] These epidemiological studies, which found an association but not a causal relationship, led the World Health Organization's International Agency for Research on Cancer (IARC) to classify ELF magnetic fields as "possibly carcinogenic to humans". Coffee also has this classification. This classification means there is limited evidence but not enough evidence to designate as either a "probable carcinogen" or "human carcinogen". Overall, there is very little concern that ELF EMF damages public health. The only concern that does exist is for long-term exposure above 0.4 μT (4 mG) that may have some connection to increased cases of childhood leukemia. In 1997, the National Academies of Science were directed by Congress to examine this concern and concluded:

> "Based on a comprehensive evaluation of published studies relating to the effects of power-frequency electric and magnetic fields on cells, tissues, and organisms (including humans), the conclusion of the committee is that the current body of evidence does not show that exposure to these fields presents a human-health hazard. Specifically, no conclusive and consistent evidence shows that exposures to residential electric and magnetic fields produce cancer, adverse neurobehavioral effects, or reproductive and developmental effects."[65]

There are two aspects to electromagnetic fields, an electric field and a magnetic field. The electric field is generated by voltage and the magnetic field is generated by electric current, i.e., moving electrons. A task group of scientific experts convened by the World Health Organization (WHO) in 2005 concluded that there were no substantive health issues related to *electric* fields (0 to 100,000 Hz) at levels generally encountered by members of the public.[66] The relatively low voltages in a solar facility and the fact that electric fields are easily shielded (i.e., blocked) by common materials, such as plastic, metal, or soil means that there is no concern of negative health impacts from the electric fields generated by a solar facility. Thus, the remainder of this section addresses magnetic fields. Magnetic fields are not shielded by most common materials and thus can easily pass through them. Both types of fields are strongest close to the source of electric generation and weaken quickly with distance from the source.

The direct current (DC) electricity produced by PV panels produce stationary (0 Hz) electric and magnetic fields. Because of minimal concern about potential risks of stationary fields, little scientific research has examined stationary fields' impact on human health.[67] In even the largest PV facilities, the DC voltages and currents are not very high. One can illustrate the weakness of the EMF generated by a PV panel by placing a compass on an operating solar panel and observing that the needle still points north.

While the electricity throughout the majority of a solar site is DC electricity, the inverters convert this DC electricity to alternating current (AC) electricity matching the 60 Hz frequency of the grid. Therefore, the inverters and the wires delivering this power to the grid are producing non-stationary EMF, known as extremely low frequency (ELF) EMF, normally oscillating with a frequency of 60 Hz. This frequency is at the low-energy end of the electromagnetic spectrum. Therefore, it has less energy than

other commonly encountered types of non-ionizing radiation like radio waves, infrared radiation, and visible light.

The wide use of electricity results in background levels of ELF EMFs in nearly all locations where people spend time – homes, workplaces, schools, cars, the supermarket, etc. A person's average exposure depends upon the sources they encounter, how close they are to them, and the amount of time they spend there..[68] As stated above, the average exposure to magnetic fields in the U.S. is estimated to be around one mG or 0.1 μT, but can vary considerably depending on a person's exposure to EMF from electrical devices and wiring..[69] At times we are often exposed to much higher ELF magnetic fields, for example when standing three feet from a refrigerator the ELF magnetic field is 6 mG and when standing three feet from a microwave oven the field is about 50 mG..[70] The strength of these fields diminish quickly with distance from the source, but when surrounded by electricity in our homes and other buildings moving away from one source moves you closer to another. However, unless you are inside of the fence at a utility-scale solar facility or electrical substation it is impossible to get very close to the EMF sources. Because of this, EMF levels at the fence of electrical substations containing high voltages and currents are considered "generally negligible"..[71, 72]

The strength of ELF-EMF present at the perimeter of a solar facility or near a PV system in a commercial or residential building is significantly lower than the typical American's average EMF exposure..[73, 74] Researchers in Massachusetts measured magnetic fields at PV projects and found the magnetic fields dropped to very low levels of 0.5 mG or less, and in many cases to less than background levels (0.2 mG), at distances of no more than nine feet from the residential inverters and 150 feet from the utility-scale inverters..[75] Even when measured within a few feet of the utility-scale inverter, the ELF magnetic fields were well below the International Commission on Non-Ionizing Radiation Protection's recommended magnetic field level exposure limit for the general public of 2,000 mG..[76] It is typical that utility scale designs locate large inverters central to the PV panels that feed them because this minimizes the length of wire required and shields neighbors from the sound of the inverter's cooling fans. Thus, it is rare for a large PV inverter to be within 150 feet of the project's security fence.

Anyone relying on a medical device such as pacemaker or other implanted device to maintain proper heart rhythm may have concern about the potential for a solar project to interfere with the operation of his or her device. However, there is no reason for concern because the EMF outside of the solar facility's fence is less than 1/1000 of the level at which manufacturers test for ELF EMF interference, which is 1,000 mG..[77] Manufacturers of potentially affected implanted devices often provide advice on electromagnetic interference that includes avoiding letting the implanted device get too close to certain sources of fields such as some household appliances, some walkie-talkies, and similar transmitting devices. Some manufacturers' literature does not mention high-voltage power lines, some say that exposure in public areas should not give interference, and some advise not spending extended periods of time close to power lines..[78]

# 3. Electric Shock and Arc Flash Hazards

There is a real danger of electric shock to anyone entering any of the electrical cabinets such as combiner boxes, disconnect switches, inverters, or transformers; or otherwise coming in contact with voltages over 50 Volts..[79] Another electrical hazard is an arc flash, which is an explosion of energy that can occur in a short circuit situation. This explosive release of energy causes a flash of heat and a shockwave, both of which can cause serious injury or death. Properly trained and equipped technicians and electricians know how to safely install, test, and repair PV systems, but there is always some risk of

injury when hazardous voltages and/or currents are present. Untrained individuals should not attempt to inspect, test, or repair any aspect of a PV system due to the potential for injury or death due to electric shock and arc flash, The National Electric Code (NEC) requires appropriate levels of warning signs on all electrical components based on the level of danger determined by the voltages and current potentials. The national electric code also requires the site to be secured from unauthorized visitors with either a six-foot chain link fence with three strands of barbed wire or an eight-foot fence, both with adequate hazard warning signs.

# 4. Fire Safety

The possibility of fires resulting from or intensified by PV systems may trigger concern among the general public as well as among firefighters. However, concern over solar fire hazards should be limited because only a small portion of materials in the panels are flammable, and those components cannot self-support a significant fire. Flammable components of PV panels include the thin layers of polymer encapsulates surrounding the PV cells, polymer backsheets (framed panels only), plastic junction boxes on rear of panel, and insulation on wiring. The rest of the panel is composed of non-flammable components, notably including one or two layers of protective glass that make up over three quarters of the panel's weight.

Heat from a small flame is not adequate to ignite a PV panel, but heat from a more intense fire or energy from an electrical fault can ignite a PV panel..[80] One real-world example of this occurred during July 2015 in an arid area of California. Three acres of grass under a thin film PV facility burned without igniting the panels mounted on fixed-tilt racks just above the grass..[81] While it is possible for electrical faults in PV systems on homes or commercial buildings to start a fire, this is extremely rare..[82] Improving understanding of the PV-specific risks, safer system designs, and updated fire-related codes and standards will continue to reduce the risk of fire caused by PV systems.

PV systems on buildings can affect firefighters in two primary ways, 1) impact their methods of fighting the fire, and 2) pose safety hazard to the firefighters. One of the most important techniques that firefighters use to suppress fire is ventilation of a building's roof. This technique allows superheated toxic gases to quickly exit the building. By doing so, the firefighters gain easier and safer access to the building, Ventilation of the roof also makes the challenge of putting out the fire easier. However, the placement of rooftop PV panels may interfere with ventilating the roof by limiting access to desired venting locations.

New solar-specific building code requirements are working to minimize these concerns. Also, the latest National Electric Code has added requirements that make it easier for first responders to safely and effectively turn off a PV system. Concern for firefighting a building with PV can be reduced with proper fire fighter training, system design, and installation. Numerous organizations have studied fire fighter safety related to PV. Many organizations have published valuable guides and training programs. Some notable examples are listed below.

- The International Association of Fire Fighters (IAFF) and International Renewable Energy Council (IREC) partnered to create an online training course that is far beyond the PowerPoint click-and-view model. The self-paced online course, "Solar PV Safety for Fire Fighters," features rich video content and simulated environments so fire fighters can practice the knowledge they've learned. www.iaff.org/pvsafetytraining
- Photovoltaic Systems and the Fire Code: Office of NC Fire Marshal
- Fire Service Training, Underwriter's Laboratory

- Firefighter Safety and Response for Solar Power Systems, National Fire Protection Research Foundation
- Bridging the Gap: Fire Safety & Green Buildings, National Association of State Fire Marshalls
- Guidelines for Fire Safety Elements of Solar Photovoltaic Systems, Orange County Fire Chiefs Association
- Solar Photovoltaic Installation Guidelines, California Department of Forestry & Fire Protection, Office of the State Fire Marshall
- PV Safety & Firefighting, Matthew Paiss, Homepower Magazine
- PV Safety and Code Development: Matthew Paiss, Cooperative Research Network

# Summary

The purpose of this paper is to address and alleviate concerns of public health and safety for utility-scale solar PV projects. Concerns of public health and safety were divided and discussed in the four following sections: (1) Toxicity, (2) Electromagnetic Fields, (3) Electric Shock and Arc Flash, and (4) Fire. In each of these sections, the negative health and safety impacts of utility-scale PV development were shown to be negligible, while the public health and safety benefits of installing these facilities are significant and far outweigh any negative impacts.

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NC CLEAN ENERGY TECHNOLOGY CENTER

November 19, 2025

Mr. Matt Asselmeier
Kendall County Planning, Building, & Zoning
807 W. John Street
Yorkville, IL 60560-1498

Subject: East Schoolhouse Road Solar (WBK Project 19-102.CU)

Dear Mr. Asselmeier:

We have received and reviewed the following information for the subject project:

- Stormwater Management Permit prepared by East Schoolhouse Road Energy Initiative LLC dated July 7, 2025 and received October 31, 2025.
- Stormwater Management Report prepared by CEC dated May October 2025 and received October 31, 2025.
- Wetland and Waterbody Delineation Report prepared by SCI dated May 22, 2025 and received October 31, 2025.
- Vegetative Management Plan prepared by CEC dated March 2025 and received October 31, 2025.
- Drain Tile Survey prepared by Antrex, Inc. not dated and received October 31, 2025.
- Decommissioning Report Prepared by CEC dated March, 2025 and received October 31, 2025.

The following comments are offered for the petitioner's consideration and require resolution prior to our recommendation for issuance of a stormwater permit.

Third Party Permits

1. An IEPA NOI is required for construction activities.
2. A permit from IDOT is required for work in IL 126 ROW.

Stormwater Management

1. The soil information is of little value on the existing and proposed drainage exhibits. Remove the shading and soil group notation from these exhibits.
2. Provide clear topographic exhibits for existing and proposed conditions to verify existing and proposed drainage areas.
3. Provide a proposed impervious surface exhibit clearly depicting where 1.11 acres of impervious surface is proposed.
4. Show existing drain tile on all exhibits.
5. Utilize Streamstats to estimate a peak 100 year flow and culvert analysis o determine the water surface elevation at the existing creek crossing for the 100 year event. Provide an exhibit of floodplain limits based on this analysis compared to the FEMA maps.

6. Identify any on-site depressional storage.
7. Identify and quantify off-site areas flowing through this site utilizing Kendall County GIS topography.
8. Provide narrative, justification and calculation for curve numbers utilized in the analysis.

Drain Tile Survey

1. The survey does not appear to cover the entire property. Revise the exhibit to depict the entire property boundary and any drain tiles thereon.

Engineering Plans

1. Provide a drain tile repair detail.
2. Depict the location of the construction entrance and identify the length of the construction entrance.
3. Silt fence shall be located outside proposed landscaped areas.
4. Extend silt fence up east and west sides of the solar field to the north limits of the proposed work.
5. Provide Rip Rap at the ends of the 24 inch CMP along IL 126. Provide a detail for the rip rap.

Vegetative Management Plan

1. Since the vegetation is being utilized as the stormwater management control we are requesting a more robust vegetative management plan including documentation and reporting requirements as part of the stormwater permit. Written performance standards as well as annual reporting shall be submitted to the County for the first five years after planting and germination. The last three years shall meet the required performance standards or reporting shall continue until this condition is satisfied. A sample plan can be forwarded if desired.

The applicant's design professionals are responsible for performing and checking all design computations, dimensions, details, and specifications in accordance with all applicable codes and regulations, and obtaining all permits necessary to complete this work. In no way does this review relieve applicant's design professionals of their duties to comply with the law and any applicable codes and regulations, nor does it relieve the Contractors in any way from their sole responsibility for the quality and workmanship of the work and for strict compliance with the permitted plans and specifications.

If you have any questions or comments, please contact us at (630) 443-7755.

Sincerely,

[redacted]

Greg Chismark PE
WBK Engineering, LLC

**DEPARTMENT OF PLANNING, BUILDING & ZONING**
807 West John Street • Yorkville, IL • 60560
(630) 553-4141 Fax (630) 553-4179

# Petition 25-23
# Robert Velazquez on Behalf of Always Faithful Properties, LLC
# Map Amendment Rezoning Property from A-1 with a Special Use Permit to B-3

**INTRODUCTION**

Robert Velazquez, on behalf of Always Faithful Properties, LLC, is requesting a map amendment rezoning approximately eight more or less (8 +/-) acres from A-1 Agricultural District with a special use permit to B-3 Highway Business District in order to operate a construction sales and service business on the subject property.

A construction sales and service business is a permitted use on B-3 zoned property.

The application materials are included as Attachment 1. The plat of survey is included as Attachment 2. Ordinance 1982-4, which granted a special use permit for agricultural implement services and machine parts sales is included as Attachment 3.

One (1) single-family residential home is located on the property and would become a lawfully non-conforming use if the map amendment is approved.

**SITE INFORMATION**

PETITIONER: Robert Velazquez on Behalf of Always Faithful Properties, LLC

ADDRESS: 9475 Caton Farm Road, Yorkville

LOCATION: Northeast Corner of the Intersection of Caton Farm Road and Route 47




TOWNSHIP: Kendall

PARCEL #: 05-28-400-007

LOT SIZE: 8.0 +/- Acres

EXISTING LAND USE: Agricultural/Farmstead/Single-Family Residential/Special Use for Agricultural Implement Services and Machine Parts Sales

ZONING: A-1 Agricultural District with a Special Use Permit

LRMP:

| | |
|---|---|
| Future Land Use | Transportation Corridor/Commercial |
| Roads | Route 47 is a State maintained Arterial Road. |
| Trails | Yorkville has a trail planned along Route 47 in this area. IDOT has bicycle accommodations planned on the roadway. |
| Floodplain/ Wetlands | There are no floodplains or wetlands on the property. |

REQUESTED ACTION: Map Amendment Rezoning Property from A-1 with a Special Use Permit to B-3

APPLICABLE REGULATIONS: Section 36:42 – Map Amendment Procedures

**SURROUNDING LAND USE**

| Location | Adjacent Land Use | Adjacent Zoning | Land Resource Management Plan | Zoning within ½ Mile |
|---|---|---|---|---|
| North | Landscaping Business | B-3 SU | Transportation Corridor/Commercial | A-1 and B-3 SU |
| South | Agricultural | A-1 | Transportation Corridor/Commercial | A-1 |
| East | Agricultural/Utility | A-1 and A-1 SU | Commercial | A-1 and A-1 SU |
| West | Agricultural | A-1 | Commercial | A-1 |

The B-3 special use permit to the north is for a landscaping business. The A-1 special use permit to the east is for agricultural implement services and machine parts sales. The parcel to the northeast is owned by the Federal Aviation Administration and is used for a communication tower.

The subject property is over two (2) miles from the United City of Yorkville and the Village of Plattville. Yorkville's Comprehensive Plan calls for this area to be Agriculture. Plattville's Comprehensive Plan calls for this area to be Commercial and Parks and Open Space.

**PHYSICAL DATA**

**ENDANGERED SPECIES REPORT**

EcoCAT Report submitted and consultation terminated (see Attachment 1, Page 12).

**NATURAL RESOURCES INVENTORY**

The application for NRI was submitted on October 29, 2025 (see Attachment 1, Page 11).

**ACTION SUMMARY**

**KENDALL TOWNSHIP**

Petition information was sent to Kendall Township on November 14, 2025. The Kendall Township

Planning Commission met on November 17, 2025, and recommended approval of the request. The Kendall Township Board met on November 18, 2025, and recommended approval of the request. An email with this information is included as Attachment 4.

**BRISTOL-KENDALL FIRE PROTECTION DISTRICT**
Petition information was sent to the Bristol-Kendall Fire Protection District on November 14, 2025.

**GENERAL INFORMATION**
The Petitioner desires to rezone the subject property in order to operate a construction sales and service business on the subject property.

**BUILDING CODES**
Any new structures or the remodeling of existing structures would be required to meet applicable building codes.

**UTILITIES**
Electricity is onsite. There is also a well and septic system on the property.

**ACCESS**
The property has access from Route 47 and Caton Farm Road.

**PARKING AND INTERNAL TRAFFIC CIRCULATION**
Any new driveways and parking lots would be reviewed as part of the site plan review processes.

**ODORS**
Any new odors could be addressed as part of the site plan review process

**LIGHTING**
Any new lighting would be reviewed as part of the site plan review process.

**LANDSCAPING AND SCREENING**
Any fencing, landscaping, or screening would be reviewed as part of the site plan review process.

**SIGNAGE**
Any signage would be reviewed as part of the site plan review process.

**NOISE CONTROL**
Any noise would be reviewed as part of the site plan review process.

**STORMWATER**
Stormwater would be reviewed as part of the site plan review process.

**FINDINGS OF FACT**
§36-42 (f) of the Kendall County Code outlines findings that the Zoning Board of Appeals must make in order to recommend in favor of the applicant on map amendment applications. They are listed below in *italics.* Staff has provided findings in **bold** below based on the recommendation:

*Existing uses of property within the general area of the property in question.* **The surrounding properties are used for agricultural purposes, commercial purposes (specifically a landscaping business), or communication purposes.**

*The Zoning classification of property within the general area of the property in question.* **The surrounding properties are zoned A-1, A-1 with a special use permit for agricultural implement services and machine parts sales, and B-3 with a special use permit for a landscaping business.**

*The suitability of the property in question for the uses permitted under the existing zoning classification.* **The property is presently zoned A-1 and would be limited because of its size to do many of the**

**agricultural uses 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 and commercial uses. Commercial uses in the area probably will increase as the Illinois Department of Transportation widens Route 47.**

*Consistency with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies.* **The Future Land Use Map in the Land Resource Management Plan classifies this property as Transportation Corridor and Commercial. The B-3 Highway Business Districts is consistent with the Commercial classification. The Land Resource Management Plan calls for limited B-3 Highway Business District zoned property on lands classified as Transportation Corridor.**

**RECOMMENDATION**

Staff recommends approval of the proposed map amendment because the proposal is consistent with the Land Resource Management Plan.

**ATTACHMENTS**

1. Application Materials (Including the Petitioner's Findings of Fact, NRI Application, and EcoCat)
2. Plat of Survey
3. Ordinance 1982-4
4. November 19, 2025, Email from Kendall Township

**DEPARTMENT OF PLANNING, BUILDING & ZONING**
807 West John Street • Yorkville, IL • 60560
(630) 553-4141 Fax (630) 553-4179

# APPLICATION

**PROJECT NAME** Always Faithful Properties, LLC **FILE #:**_____

**NAME OF APPLICANT (Including First, Middle Initial, and Last Name)**
Always Faithful Properties, LLC, an Illinois Limited Liability Company

**CURRENT LANDOWNER/NAME(s)**
Always Faithful Properties, LLC, an Illinois Limited Liability Company

**SITE INFORMATION**

| ACRES | SITE ADDRESS OR LOCATION | ASSESSOR'S ID NUMBER (PIN) |
|---|---|---|
| 7.9189 acres | 9475 Caton Farm Road, Yorkville, IL | ~~05-28-400-005~~ 05-28-400-007 |

| EXISTING LAND USE | CURRENT ZONING | LAND CLASSIFICATION ON LRMP |
|---|---|---|
| vacant | A-1 | |

**REQUESTED ACTION** (Check All That Apply):

___ SPECIAL USE
X MAP AMENDMENT (Rezone to B3)
___ 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)

| [1]PRIMARY CONTACT | PRIMARY CONTACT MAILING ADDRESS | PRIMARY CONTACT EMAIL |
|---|---|---|
| Daniel J. Kramer | [redacted] | [redacted] |

| PRIMARY CONTACT PHONE # | PRIMARY CONTACT FAX # | PRIMARY CONTACT OTHER #(Cell, etc.) |
|---|---|---|
| [redacted] | [redacted] | |

| [2]ENGINEER CONTACT | ENGINEER MAILING ADDRESS | ENGINEER EMAIL |
|---|---|---|
| John Tebrugge | [redacted] | [redacted] |

| ENGINEER PHONE # | ENGINEER FAX # | ENGINEER OTHER # (Cell, etc.) |
|---|---|---|
| [redacted] | | |

I UNDERSTAND THAT BY SIGNING THIS FORM, THAT THE PROPERTY IN QUESTION MAY BE VISITED BY COUNTY STAFF & BOARD/ COMMISSION MEMBERS THROUGHOUT THE PETITION PROCESS AND THAT THE PRIMARY CONTACT LISTED ABOVE WILL BE SUBJECT TO ALL CORRESPONDANCE ISSUED BY THE COUNTY.

I CERTIFY THAT THE INFORMATION AND EXHIBITS SUBMITTED ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND THAT I AM TO FILE THIS APPLICATION AND ACT ON BEHALF OF THE ABOVE SIGNATURES. **THE APPLICANT ATTESTS THAT THEY ARE FREE OF DEBT OR CURRENT ON ALL DEBTS OWED TO KENDALL COUNTY AS OF THE DATE OF THE APPLICATION.**

**SIGNATURE OF APPLICANT** [redacted] **DATE** 10/29/25

FEE PAID:$_____
CHECK #:_____

[1]*Primary Contact will receive all correspondence from County*
[2]*Engineering Contact will receive all correspondence from the County's Engineering Consultants*

Last Revised:
02.04.25

Date Stamp Here if Checklist Is Complete

# Findings of Fact

1. Route 47 is showing moderate growth for agricultural/other commercial uses in the immediate area. The real property adjoining and contiguous with the subject parcel immediately to the north is a full-scale landscape business. In near proximity on the west side of Route 47 is a large manufacturing facility that was formerly known as Growmark and is now owned by AB Schwartz LLC which serves their tile business as well as a pipeline business. Further north and on the Westside of Route 47 is a commercial venture for sale of semi- tractors and the Illinois Department of Transportation Maintenance Yard. Kendall Township has its headquarters a short distance to the north on Route 47. Further a repair facility is located at the intersection of Walker Road and Route 47. All of these uses need to be on a major Highway that is a Class II Highway that permits all weather traffic.

   Rezoning is being requested to permit a wide variety of wholesale/constructions company users that could sell products that would generate a good bit of sales tax to all of the local taxing bodies and would clean up what had been a deteriorated former Special Use.

2. The Zoning Classifications in the general area range form B-3, M-1, A-1 Special Use, and a continuation of Agricultural pursuits under the Kendall County A-1 Ordinance that are in not impacted in any way by this development.

3. Suitability of the subject property for A-1 Special Use was appropriate when it was a farm implement repair business. However, due to the owner aging and the business primarily being a storage area for parts and distressed vehicles the new clean up and use by the new current owner would be a substantial advancement for Kendall County in terms of real estate tax revenue for all taxing bodies; and would present a much better aesthetic appearance at the door way moving north to the City of Yorkville and south to the City of Morris.

4. The Trend of development is toward more commercial uses on Route 47 between the United City of Yorkville and the City of Morris.

5. The Applicant believes the proposed use is perfectly consistent with the Comprehensive Plan known as the Kendall County Land Resource Management Plan. Further the Applicant is updating the existing buildings but is creating no new

structures that would involve any negative effect on any surrounding property owners.

Brief Justification of the Reasons for the Requested Zoning

The existing commercial buildings were constructed for a poultry farm and an A-1 Special Use for a farm implement repair facility. The Petitioner is seeking a Re-Zoning from A-1 to B-3 for Tenant to store commercial products for sale inside and likely exterior sales display areas for construction equipment. The new business will bring more tax revenue and jobs to Kendall County. The buildings are currently in an extremely deteriorated condition and a new use would bring a much better aesthetic appearance.

# LEGAL DESCRIPTION

For APN/Parcel ID(s): 05-28-400-~~005~~ 007

THAT PART OF SOUTH EAST 1/4 OF SECTION 28, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTH EAST 1/4 FOR THE POINT OF BEGINNING; THENCE NORTH ALONG THE WEST OF SAID 1/4 SECTION, 642.65 FEET THENCE EASTERLY AT RIGHT ANGLES TO SAID WEST LINE, 647.36 FEET; THENCE SOUTHERLY ALONG A LINE FORMING AN ANGLE OF 090 DEGREES, 24 MINUTES, 55 SECONDS (AS MEASURED COUNTER CLOCKWISE) FROM THE LAST DESCRIBED COURSE, 638.57 FEET TO A POINT ON THE SOUTH LINE OF SAID 1/4 SECTION, 652.00 FEET EASTERLY OF THE POINT OF BEGINNING; THENCE WESTERLY ALONG SAID SOUTH LINE, 652.00 FEET TO THE POINT OF BEGINNING,

EXCEPTING

THAT PART OF THE SOUTHEAST QUARTER OF SECTION 28, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, KENDALL COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID SOUTHEAST QUARTER; THENCE NORTH 1 DEGREE 34 MINUTES 49 SECONDS WEST. ON A BEARING REFERENCED TO GRID NORTH OF THE ILLINOIS STATE PLANE COORDINATE SYSTEM, EAST ZONE, 642.65 FEET ON THE WEST LINE OF SAID SOUTHEAST QUARTER TO THE NORTHWEST CORNER OF A TRACT OF LAND DESCRIBED IN DOCUMENT NUMBER 83-2501 IN THE RECORDER'S OFFICE OF SAID COUNTY; THENCE NORTH 88 DEGREES 28 MINUTES 28 SECONDS EAST 54.92 FEET ON THE NORTH LINE OF SAID TRACT; THENCE SOUTH 1 DEGREE 33 MINUTES 05 SECONDS EAST 510.34 FEET; THENCE SOUTH 39 DEGREES 11 MINUTES 17 SECONDS EAST 96.76 FEET; THENCE SOUTH 1 DEGREE 53 MINUTES 30 SECONDS WEST 55.12 FEET TO THE SOUTH LINE OF SAID SOUTHEAST QUARTER; THENCE SOUTH 88 DEGREES 06 MINUTES 51 SECONDS WEST 110.38 FEET TO THE POINT OF BEGINNING.

A PART OF THE SOUTHEAST 1/4 OF SECTION 28, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, KENDALL COUNTY, ILLINOIS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AS A POINT OF REFERENCE AT THE SOUTHWEST CORNER OF THE SOUTHEAST 1/4 OF SAID SECTION 28; THENCE NORTH 642.50 FEET ALONG THE WEST LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 28 (FOR PURPOSES OF THIS DESCRIPTION THE WEST LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 28 IS ASSUMED TO BEAR DUE NORTH); THENCE NORTH 89 DEGREES 59 MINUTES 30 SECONDS EAST 472.42 FEET, ALONG THE NORTH LINE OF LAND DEEDED TO A. DENNIS ASHLEY RECORDED IN THE KENDALL COUNTY RECORDER'S OFFICE ON JUNE 15, 1983 AS DOCUMENT NO 210534, TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH 89 DEGREES 59 MINUTES 30 SECONDS EAST 175.00 FEET ALONG SAID NORTH PROPERTY LINE; THENCE SOUTH 00 DEGREES 24 MINUTES 00 SECONDS EAST 175.00 FEET ALONG THE EAST LINE OF SAID PROPERTY DEEDED TO A DENNIS ASHLEY; THENCE SOUTH 89 DEGREES 59 MINUTES 30 SECONDS WEST 175.00 FEET, THENCE NORTH 00 DEGREES 24 MINUTES 00 SECONDS WEST 175.00 FEET TO THE POINT OF BEGINNING.

# WARRANTY DEED

Statutory (Illinois)

E-RECORDED
ID: 20250002789
County: Kendall
Date: 3/6/25 Time: 3:16 pm

**THE GRANTOR,**
A Dennis Ashley,
A married person
[redacted]

for and in consideration of Ten and 00/100 Dollars in hand paid, **CONVEY AND WARRANT TO**

Always Faithful Properties LLC, an Illinois Limited Liability Company

whose address is: [redacted]

all interest in the following described Real Estate situated in the County of Kendall In the State of Illinois, to wit:

See attached legal description

SUBJECT TO: Existing easements, covenants, and restrictions of record, and 2024 and subsequent years real estate taxes.

hereby releasing and waiving all rights under and by virtue of the Homestead Exemption Laws of the State of Illinois.

Permanent Real Estate Index Number: 05-28-400-005
Address of Real Estate: 9475 Caton Farm Road, Yorkville, Illinois

Dated this 21st Day of February, 2025.

THIS PROPERTY IS NOT HOMESTEAD PROPERTY

25 CSD 221030 Yt
1/2 Cos

Chicago Title Ins. Co.

[redacted]

A. Dennis Ashley

Warranty Deed - Statutory

STATE OF ILLINOIS )
) SS.
COUNTY OF KENDALL )

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

Given under my hand and notarial seal this 21st Day of [redacted], 2025.

[redacted]

Notary Public

OFFICIAL SEAL
CHRISTIAN A GINOCCHIO
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES: 12/29/2026

GRANTEE'S ADDRESS
SEND SUBSEQUENT TAX BILLS TO:
Always Faithful Properties LLC, an Illinois Limited Liability Company
[redacted]

AFTER RECORDING RETURN TO:
THIS DOCUMENT PREPARED BY:
Attorney Daniel J. Kramer
[redacted]

# LEGAL DESCRIPTION

**Order No.:** [redacted]

**For APN/Parcel ID(s): 05-28-400-005**

THAT PART OF SOUTH EAST 1/4 OF SECTION 28, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTH EAST 1/4 FOR THE POINT OF BEGINNING; THENCE NORTH ALONG THE WEST OF SAID 1/4 SECTION, 642.65 FEET THENCE EASTERLY AT RIGHT ANGLES TO SAID WEST LINE, 647.36 FEET; THENCE SOUTHERLY ALONG A LINE FORMING AN ANGLE OF 090 DEGREES, 24 MINUTES, 55 SECONDS (AS MEASURED COUNTER CLOCKWISE) FROM THE LAST DESCRIBED COURSE, 638.57 FEET TO A POINT ON THE SOUTH LINE OF SAID 1/4 SECTION, 652.00 FEET EASTERLY OF THE POINT OF BEGINNING; THENCE WESTERLY ALONG SAID SOUTH LINE, 652.00 FEET TO THE POINT OF BEGINNING,

EXCEPTING

THAT PART OF THE SOUTHEAST QUARTER OF SECTION 28, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, KENDALL COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID SOUTHEAST QUARTER; THENCE NORTH 1 DEGREE 34 MINUTES 49 SECONDS WEST. ON A BEARING REFERENCED TO GRID NORTH OF THE ILLINOIS STATE PLANE COORDINATE SYSTEM, EAST ZONE, 642.65 FEET ON THE WEST LINE OF SAID SOUTHEAST QUARTER TO THE NORTHWEST CORNER OF A TRACT OF LAND DESCRIBED IN DOCUMENT NUMBER 83-2501 IN THE RECORDER'S OFFICE OF SAID COUNTY; THENCE NORTH 88 DEGREES 28 MINUTES 28 SECONDS EAST 54.92 FEET ON THE NORTH LINE OF SAID TRACT; THENCE SOUTH 1 DEGREE 33 MINUTES 05 SECONDS EAST 510.34 FEET; THENCE SOUTH 39 DEGREES 11 MINUTES 17 SECONDS EAST 96.76 FEET; THENCE SOUTH 1 DEGREE 53 MINUTES 30 SECONDS WEST 55.12 FEET TO THE SOUTH LINE OF SAID SOUTHEAST QUARTER; THENCE SOUTH 88 DEGREES 06 MINUTES 51 SECONDS WEST 110.38 FEET TO THE POINT OF BEGINNING.

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*Debbie Gillette*
Kendall County Clerk & Recorder

PLAT ACT AFFIDAVIT OF METES AND BOUNDS

STATE OF ILLINOIS )
)SS
COUNTY OF KENDALL )

Daniel J. Kramer [redacted], being duly sworn on oath, states that affiant resides at [redacted]. And further states that: (please check the appropriate box)

A. [X] That the attached deed is not in violation of 765 ILCS 205/1(a), in that the sale or exchange is of an entire tract of land not being part of a larger tract of land; or

B. [ ] That the attached deed is not in violation of 765 ILCS 205/1(b) for one of the following reasons: (please circle the appropriate number)

1. The division or subdivision of land into parcels or tracts of 5.0 acres or more in size which does not involve any new streets or easements of access;
2. The division of lots or blocks of less than one (1) acre in any recorded subdivision which does not involve any new streets or easements of access;
3. The sale or exchange of parcels of land between owners of adjoining and contiguous land;
4. The conveyance of parcels of land or interests therein for use as right of way for railroads or other public utility facilities and other pipe lines which does not involve any new streets or easements of access;
5. The conveyance of land owned by a railroad or other public utility which does not involve any new streets or easements of access;
6. The conveyance of land for highway or other public purposes or grants or conveyances relating to the dedication of land for public use or instruments relating to the vacation of land impressed with a public use;
7. Conveyances made to correct descriptions in prior conveyances;
8. The sale or exchange of parcels or tracts of land following the division into not more than two (2) parts of a particular parcel or tract of land existing on July 17, 1959, and not involving any new streets or easements of access;
9. The sale of a single lot of less than 5.0 acres from a larger tract when a survey is made by an Illinois Registered Land Surveyor; provided, that this exemption shall not apply to the sale of any subsequent lots from the same larger tract of land, as determined by the dimensions and configuration of the larger tract on October 1, 1973, and provided also that this exemption does not invalidate any local requirements applicable to the subdivision of land;
10. The conveyance is of land described in the same manner as title was taken by grantor(s).

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

SUBSCRIBED AND SWORN TO BEFORE ME

This 21st day of February, 2025.

[redacted]
Signature of Notary Public

[redacted]
Signature of Affiant

"OFFICIAL SEAL"
COLLEEN T HANSON
NOTARY PUBLIC, STATE OF ILLINOIS
COMMISSION NO. 979188
MY COMMISSION EXPIRES 10/6/2027

111 West Fox Street, Yorkville IL 60560-1498
Tel: (630) 553-4104 • Fax: (630) 553-4119 • Email: Dgillette@co.kendall.il.us

# KENDALL COUNTY
# DISCLOSURE OF BENEFICIARIES FORM

1. Applicant Always Faithful Properties LLC, an Illinois Limited Liabiltiy Co

   Address [redacted]

   City Bristol State IL Zip 60512

2. Nature of Benefit Sought Owner

3. Nature of Applicant: (Please check one)
   - ___ Natural Person
   - ___ Corporation
   - ___ Land Trust/Trustee
   - ___ Trust/Trustee
   - ___ Partnership
   - ___ Joint Venture

4. If applicant is an entity other than described in Section 3, briefly state the nature and characteristics of the applicant:

   Illinois Limited Laibilty Company

5. If your answer to Section 3 you have checked letter b, c, 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 |
|---|---|---|
| Robert Velazquez | [redacted] | 100% |
| | | |
| | | |
| | | |
| | | |

6. Name, address, and capacity of person making this disclosure on behalf of the applicant:
   Robert Velazquez, Manager/Member address above

VERIFICATION

I, Colleen Hanson, being first duly sworn under oath that I am the person making this disclosure on behalf of the applicant, that I am duly authorized to make the disclosure, that I have read the above and foregoing Disclosure of Beneficiaries, and that the statements contained therein are true in both substance and fact.

Subscribed and sworn to before me this 29th day of October, A.D. 2025

(seal) [redacted]
Notary Public

[redacted]

"OFFICIAL SEAL"
COLLEEN T HANSON
NOTARY PUBLIC, STATE OF ILLINOIS
COMMISSION NO. 979188
MY COMMISSION EXPIRES 10/6/2027

Kendall County Soil & Water Conservation District

7775A Route 47, Yorkville, Illinois 60560 • (630)553-5821 extension 3

Website: www.kendallswcd.org

# NATURAL RESOURCE INFORMATION (NRI) REPORT APPLICATION

**Petitioner:** Always Faithful Properties LLC **Contact Person:** Attorney Daniel J. Kramer
**Address:** [redacted]
**City, State, Zip:** [redacted]
**Phone Number:** [redacted]
**Email:** [redacted]

Please select: How would you like to receive a copy of the NRI Report? ☑ Email ☑ Mail

**Site Location & Proposed Use**

Township Name Kendall Township 36 N, Range 7 E, Section(s) 28
Parcel Index Number(s) 05-28-400-005
Project or Subdivision Name Always Faithful Properties LLC Number of Acres 7.9189
Current Use of Site _____ Proposed Use _____
Proposed Number of Lots 1 Proposed Number of Structures _____
Proposed Water Supply existing well Proposed type of Wastewater Treatment existing septic
Proposed type of Storm Water Management _____

**Type of Request**

☑ Change in Zoning from A-1 to B-3
☐ Variance (Please describe fully on separate page)
☐ Special Use Permit (Please describe fully on separate page)
Name of County or Municipality the request is being filed with: Kendall County Planning, Building, and Zoning

**In addition to this completed application form, please including the following to ensure proper processing:**

☑ **Plat of Survey/Site Plan** – showing location, legal description and property measurements
☐ **Concept Plan** - showing the locations of proposed lots, buildings, roads, stormwater detention, open areas, etc.
☐ If available: topography map, field tile map, copy of soil boring and/or wetland studies
☑ **NRI fee** (Please make checks payable to Kendall County SWCD)

The NRI fees, as of July 1, 2025, are as follows:

Full Report: $450.00 for five acres and under, plus $25.00 per acre for each additional acre or any fraction thereof over five.
Executive Summary Report: $375.00 (KCSWCD staff will determine when a summary report will be necessary)
Review Letter: $75.00 (KCSWCD staff will determine when a review letter will be necessary)

| | |
|---|---|
| Fee for first five acres and under | $ 450.00 |
| 3 Additional Acres at $25.00 each | $ 75.00 |
| **Total NRI Fee** | $ 525.00 |

**NOTE:** Applications are due by the 1st of each month to be on that month's SWCD Board Meeting Agenda. Applications can be emailed to alyse@kendallswcd.org and checks mailed separately. Once a completed application is submitted, please allow 30 days for inspection, evaluation, and processing of this report.

**I (We) understand the filing of this application allows the authorized representative of the Kendall County Soil and Water Conservation District (SWCD) to visit and conduct an evaluation of the site described above. The completed NRI report expiration date will [redacted]**

[redacted] 10/29/25

**Petitioner or Authorized Agent** **Date**

This report will be issued on a nondiscriminatory basis without regard to race, color, religion, national origin, age, sex, handicap or marital status.

**FOR OFFICE USE ONLY**

NRI# _____ Date initially rec'd _____ Date all rec'd _____ Board Meeting _____
Fee Due $_____ Fee Paid $ _____ Check #_____ Over/Under Payment _____ Refund Due_____

EcoCAT
Ecological Compliance Assessment Tool

| | | | |
|---|---|---|---|
| *Applicant:* | Always Faithful Properties, LLC | *IDNR Project Number:* | 2606123 |
| *Contact:* | ATTORNEY DANIEL J. KRAMER | *Date:* | 10/01/2025 |
| *Address:* | 10744 Route 47<br>A<br>Yorkville, IL 60560 | | |
| *Project:* | Always Faithful Properties LLC | | |
| *Address:* | 9475 Caton Farm Road, Yorkville | | |

*Description:* Rezone property from A-1 to B-3

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

*County:* Kendall

*Township, Range, Section:*
36N, 7E, 28



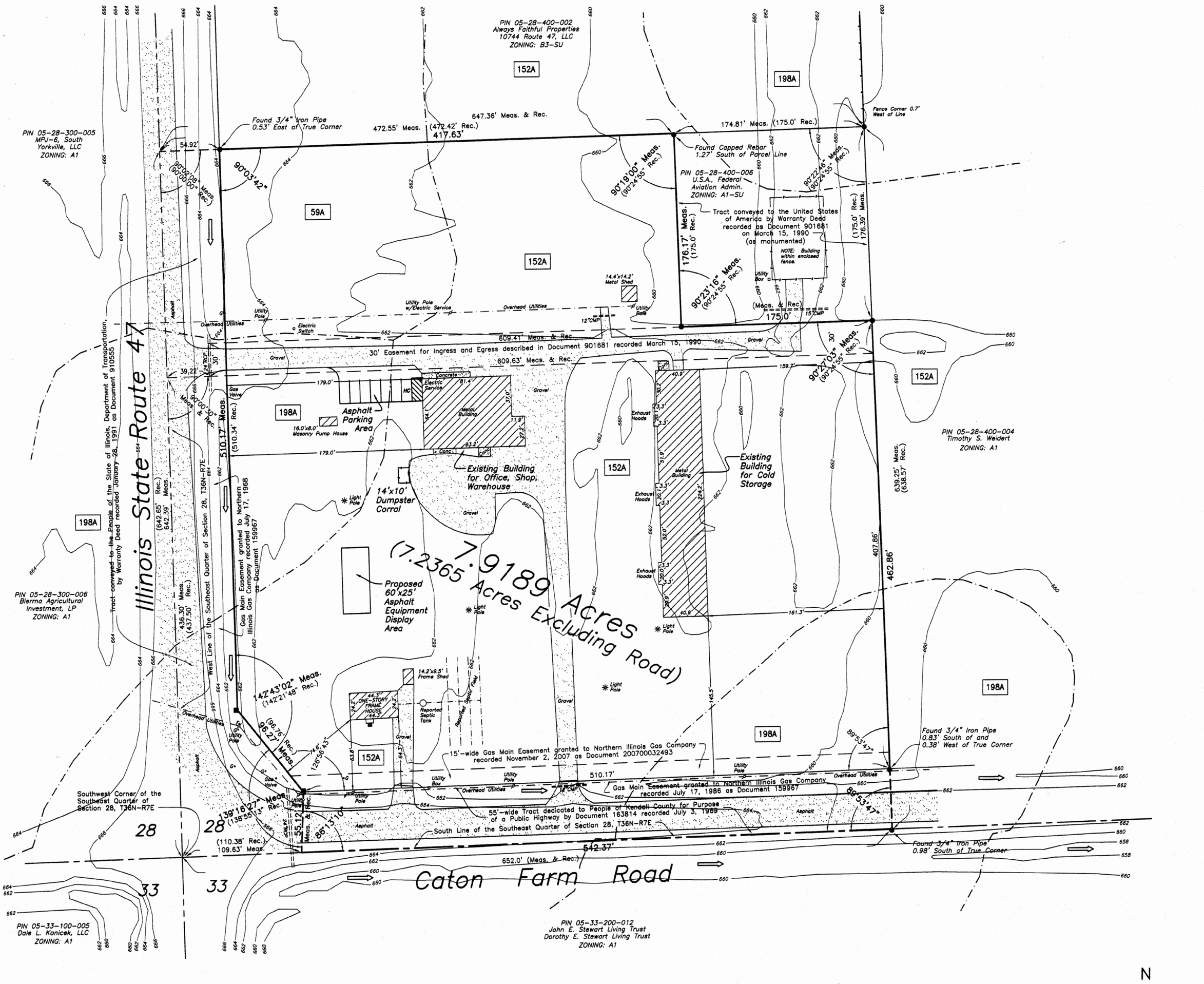
**IL Department of Natural Resources Contact**
Adam Rawe
217-785-5500
Division of Ecosystems & Environment

**Government Jurisdiction**
Kendall Count Planning, Building, and Zoning
Matt Asselmeier
807 W. John Street
Yorkville, Illinois 60560

**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.

# ZONING PLAT OF
# PART OF THE SOUTHEAST QUARTER OF SECTION 28, T36N–R7E, 3rd PM
# KENDALL TOWNSHIP KENDALL COUNTY ILLINOIS




**DEVELOPER:**
Always Faithful Properties, LLC
[redacted]

**PROPERTY LOCATION:**
PIN: 05–28–400–007
9475 Caton Farm Road
Yorkville, Illinois 60560

**TOTAL AREA:**
7.9189 Acres

**AREA TO BE REZONED:**
A1–SU TO B3 = 7.9189 acres

**PRESENT ZONING:**
A1–SU

**PROPOSED ZONING:**
B3

**WETLANDS STATEMENT:**
The National Wetlands Inventory Map depicts no wetlands on the Subject Property as of October 20, 2025.

**FLOODPLAIN STATEMENT:**
The Subject property is located in Zone X (areas of minimal flood hazard determined to be outside the 0.2% annual chance floodplain) as shown on FEMA Flood Insurance Rate Map Panel No. 17093C0125G with an effective date of February 4, 2009.

**ADDITIONAL DEVELOPMENT NOTES:**
1) There will be no additional outside lighting.

- Indicates ROW Monument
- Indicates Iron Stake Found
- Indicates Iron Stake Set
- Indicates Line of Fence
- Indicates Sanitary Sewer
- Indicates Storm Drain
- Indicates Watermain
- Indicates Gas Pipeline Marker
- Indicates Fiber–Optic Cable
- Indicates Contour Elevation
- Indicates Soils Line
- Indicates Utility Pole
- Indicates Utility Box
- Indicates Direction of Drainage
- Indicates Tree Line

**LEGAL DESCRIPTION OF TRACT TO BE REZONED:**

That Part of Southeast Quarter of Section 28, Township 36 North, Range 7 East of the Third Principal Meridian, described as follows:

Commencing at the Southwest Corner of said Southeast Quarter for the point of beginning; thence North along the West Line of said Quarter Section, 642.65 feet; thence Easterly at right angles to said West Line, 647.36 feet; thence Southerly along a line forming an angle of 90°24'55" (as measured counterclockwise) from the last described course, 638.57 feet to a point on the South Line of said Quarter Section, 652.0 feet Easterly of the point of beginning; thence Westerly along said South Line, 652.00 feet to the point of beginning,

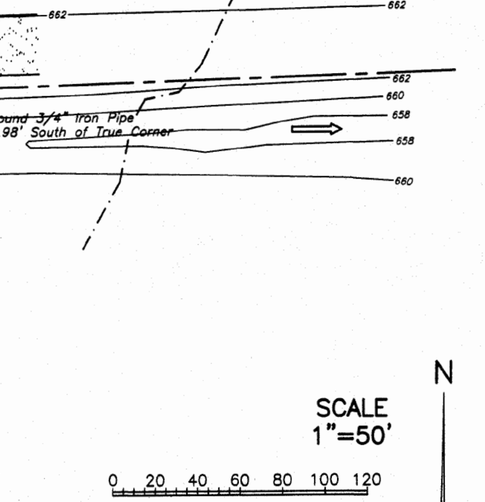
EXCEPTING

That Part of the Southeast Quarter of Section 28, Township 36 North, Range 7 East of the Third Principal Meridian, Kendall County, Illinois, described as follows; Beginning at the Southwest Corner of said Southeast Quarter; thence North 01°34'49" West, on a bearing referenced to Grid North of the Illinois State Plane Coordinate System, East Zone, 642.65 feet on the West Line of said Southeast Quarter to the Northwest Corner of a Tract of Land described in Document Number 83–2501 in the Recorder's Office of said County; thence North 88°28'28" East, 54.92 feet on the North Line of said Tract; thence South 01°33'05" East, 510.34 feet; thence South 39°11'17" East, 96.76 feet; thence South 01°53'30" West, 55.12 feet to the South Line of said Southeast Quarter; thence South 88°06'51" West, 110.38 feet to the point of beginning.

A Part of the Southeast Quarter of Section 28, Township 36 North, Range 7 East of the Third Principal Meridian, Kendall County, Illinois more particularly described as follows: Commencing as a point of reference at the Southwest Corner of the Southeast Quarter of said Section 28; thence North 642.50 feet along the West Line of the Southeast Quarter of said Section 28 (for purposes of this description the West Line of the Southeast Quarter of said Section 28 is assumed to bear due North); thence North 89°59'30" East, 472.42 feet along the North Line of Land deeded to A. Dennis Ashley recorded in the Kendall County Recorder's Office on June 15, 1983 as Document No. 210534, to the point of beginning; thence continuing North 89°59'30" East, 175.0 feet along said North Property Line; thence South 00°24'00" East, 175.0 feet along the East Line of said property deeded to A. Dennis Ashley; thence South 89°59'30" West, 175.0 feet; thence North 00°24'00" West, 175.0 feet to the point of beginning.

**SOILS (From Web Soil Survey)**

| | |
|---|---|
| 59A | Lisbon Silt Loam, 0%–2% slopes |
| 152A | Drummer Silty Clay Loam, 0%–2% slopes |
| 198A | Elburn Silt Loam, 0%–2% slopes |
| 541B | Graymont Silt Loam, 2%–5% slopes |



Location Sketch
(Not to Scale)

November 12, 2025

| | |
|---|---|
| JOB NO. | 25017 |
| JOB NAME | ATTY. KRAMER |
| DWG FILE | 25017B |
| REVISION DATE | |

Phillip D. Young and Associates, Inc.
LAND SURVEYING – TOPOGRAPHIC MAPPING – Lic [redacted]
1107B South Bridge Street
Yorkville, Illinois 60560
Telephone (630)553–1580

Attachment 3

ORDINANCE 82-4

AMENDING KENDALL COUNTY ZONING ORDINANCE AS AMENDED

WHEREAS, Rodney Schobert, Jeff Schobert and Dennis Ashley did petition the Zoning Board of Appeals of Kendall County for a public hearing in the manner required by law and the ordinances of Kendall County, Illinois for a proposed amendment to the Kendall County Zoning Ordinance adopted January 16, 1940; and

WHEREAS, said Zoning Board of Appeals did thereupon publish notice of a hearing on said proposed amendment to said Zoning Ordinance as provided by the Statutes of the State of Illinois, and did then hold a public hearing on said proposed amendment on the 1st day of June, 1982, A.D. on the site described in the petition and at the conclusion of said hearing said Zoning Board of Appeals voted in favor of recommending to the County Board of Kendall County, Illinois that the petition be granted and the Zoning maps and ordinance be amended in the manner required by law; and

NOW THEREFORE, BE IT ORDAINED by the County Board of Kendall County, Illinois that the following described property be and it is hereby rezoned from A1SU for Commercial Chicken Farm to A1SU for Agriculture Implement Services and Machine Parts Sales and that the County Clerk be and she is hereby ordered and directed to change the zoning map, to show the change in zoning classification:

That part of the South 100 acres of the Southeast Quarter of Section 28, Township 36 North, Range 7 East of the Third Principal Meridian described as follows: Commencing at the Southwest corner of said Southeast Quarter for the point of beginning. Thence North along the West line of said Quarter Section, 642.65 feet; thence Easterly at right angles to said West line, 647.36 feet; thence Southerly along a line forming an angle of 90° 24' 55" (as measured counterclockwise) from the last described course, 638.57 feet to a point on the South line of said Quarter Section, 652.00 feet Easterly of the point of beginning; thence Westerly along said South line, 652.00 feet to the point of beginning containing 9.554 acres more or less in the Township of Kendall, Kendall County, Illinois.

BE IT FURTHER ORDAINED that the above special use classification shall be expressly made subject to the following conditions:

1. The Special Use will be limited to the repair, service and sale of used Agricultural equipment and machinery.
2. Non-farm repair and service will not be included as part of the Special Use.
3. The Special Use will not include new equipment or parts franchise dealership.
4. Outside storage of farm equipment will be permitted.
5. A sign will be permitted subject to the restrictions in the Business District.
6. Entrances will meet the standards of the Illinois Department of Transportation on Route 47 and Kendall County Highway Department on Caton Farm Road.

Passed this 8th day of June, 1982.

[redacted]

Chairman, County Board of Kendall County, Illinois

ATTEST: [redacted]

County Clerk

## Matt Asselmeier

**From:** Steve Grebner <sgrebner@kendalltwp.com>
**Sent:** Wednesday, November 19, 2025 8:43 AM
**To:** Matt Asselmeier; Steve Gengler
**Cc:** jakecoopfarms@gmail.com
**Subject:** Re: [External]Re: Kendall County Zoning Petition 25-23

Matt:
At last night's full township board meeting the Petition 25-23 was voted on and the board followed the recommendation of our planning committee to approve the request for the change in the zoning on the subject property from Ag-1 Special Use to B-3.
As always, there is a concern that once the zoning class is changed, the final use of the property is quite broad and the end use may not be as presented for this request. It is our hope this will not be the case and that the county keeps us informed as to the progress on this property.

Steve Grebner, Clerk Kendall Township

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**From:** Matt Asselmeier <masselmeier@kendallcountyil.gov>
**Sent:** Wednesday, November 19, 2025 8:18 AM
**To:** Steve Gengler <sgengler@kendalltwp.com>; Steve Grebner <sgrebner@kendalltwp.com>
**Cc:** jakecoopfarms@gmail.com <jakecoopfarms@gmail.com>
**Subject:** RE: [External]Re: Kendall County Zoning Petition 25-23

Steve:

Did Kendall Township have a recommendation on this Petition?

Thanks,

Matthew H. Asselmeier, AICP, CFM
Director
Kendall County Planning, Building & Zoning
807 West John Street
Yorkville, IL 60560-9249
PH: 630-553-4139
Fax: 630-553-4179

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**From:** Steve Gengler <sgengler@kendalltwp.com>
**Sent:** Tuesday, November 18, 2025 9:00 AM
**To:** Steve Grebner <sgrebner@kendalltwp.com>; Matt Asselmeier <masselmeier@kendallcountyil.gov>
**Cc:** jakecoopfarms@gmail.com
**Subject:** Re: [External]Re: Kendall County Zoning Petition 25-23

Hi Matt,

The planning commission didn't have any issues and approved the request.

**DEPARTMENT OF PLANNING, BUILDING & ZONING**
807 West John Street • Yorkville, IL • 60560
(630) 553-4141 Fax (630) 553-4179

# Petition 25-25
# Brian Kubinski and Sherry Ailsworth
# A-1 Special Use Permit for Kennel and Variance to Setback Requirement from Lots Zoned or Planned as Residential

## INTRODUCTION

The Petitioners would like to operate a kennel on the subject property.

As shown the site plan (Attachment 2), at its closest point, the kennel would be one hundred feet (100') from property planned to be Residential on the County's Future Land Use Map. The Petitioners are request requesting a variance from the requirement that the kennel be setback a minimum two hundred fifty feet (250') from property planned to be Residential on the County's Future Land Use Map.

The application materials, including the business plan, are included as Attachment 1. The site plan, including the landscaping plan, is included as Attachment 2.

## SITE INFORMATION

PETITIONERS: Brian Kubinski and Sherry Ailsworth

ADDRESS: 12076 Ashley Road, Newark

LOCATION: Southeast Corner of the Intersection of Ashley Road and Helmar Road




TOWNSHIP: Lisbon

PARCEL #: 08-02-100-003

LOT SIZE: 5.0 +/- Acres

EXISTING LAND USE: Agricultural/Farmstead

ZONING: A-1

LRMP:

| | |
|---|---|
| Future Land Use | Suburban Residential (Max 1.00 DU/Acre) (County)<br>Low Density Residential (Plattville-Current Future Land Use)<br>Agricultural (Plattville-Proposed Future Land Use) |
| Roads | Ashley Road is Major Collector maintained by Lisbon Township.<br>Helmar Road is Local Road maintained by Lisbon Township. |
| Trails | None |
| Floodplain/ Wetlands | None |

REQUESTED ACTION: Special Use Permit for Kennel

Variance to Allow a Kennel One Hundred Feet (100') from Property Planned to be Residential

APPLICABLE REGULATIONS: Section 36-282 (31) – A-1 Special Uses
Chapter 36, Article II, Division 3 – Special Use Procedures
Section 36-39 – Variance Procedures

**SURROUNDING LAND USE**

| Location | Adjacent Land Use | Adjacent Zoning | Land Resource Management Plan | Zoning within ½ Mile |
|---|---|---|---|---|
| North | Agricultural | A-1 | Countryside Residential (Max 0.33 Du/Acre) (County)<br>Low Density Residential (Plattville) | A-1 |
| South | Agricultural/Farmstead | A-1 | Suburban Residential (Max 1.00 Du/Acre) (County)<br>Low Density Residential (Plattville) | A-1 (County)<br>A-1 (Plattville) |
| East | Agricultural | A-1 | Suburban Residential (County)<br>Low Density Residential/Parks and Open Space (Plattville) | A-1 |

| | | | | |
|---|---|---|---|---|
| West | Agricultural | A-1 | Agricultural (County)<br><br>Low Density Residential/Parks and Open Space (Plattville) | A-1 |

As of the date of this memo, Plattville's proposed Future Land Use Map calls for this area to be Agricultural and Public/Open Space along the drainage area east of the subject property.

There are five (5) homes located within one half (1/2) of a mile from the subject property.

**PHYSICAL DATA**

**ENDANGERED SPECIES REPORT**

EcoCAT Report was submitted on October 29, 2025, and consultation was terminated (see Attachment 1, Page 12).

**NATURAL RESOURCES INVENTORY**

The application for NRI was submitted on November 4, 2025 (see Attachment 1, Page 13).

**ACTION SUMMARY**

**LISBON TOWNSHIP**

Petition information was sent to Lisbon Township on November 19, 2025.

On November 18, 2025, Lisbon Township submitted a request for a ROW dedication along Ashley Road and Helmar Road at a depth of forty-five feet (45') from the centerline. The email is included as Attachment 5.

**VILLAGE OF PLATTVILLE**

Petition information was sent to the Village of Plattville on November 19, 2025.

**BRISTOL KENDALL FIRE PROTECTION DISTRICT**

Petition information was sent to the Bristol Kendall Fire Protection District on November 19, 2025.

**GENERAL INFORMATION**

Per Section 36-282 (31) of the Kendall County Code, kennels can be special uses on A-1 zoned property subject to the following condition:

1. Kennels, provided that the kennels must be located inside and must be located a minimum of two hundred fifty (250) feet from the lot line of lots zoned residential or shown as residential on the Land Resource Management Plan map and one hundred fifty (150) feet from lots zoned other than residential or shown on the Land Resource Management Plan map as nonresidential. The animals must be indoors by sunset, except for the purposes of owners picking up and dropping off pets and regular bathroom breaks until 10:00 p.m.

If the County Board approves the variance, the above condition has been met.

**BUSINESS OPERATION**

According to the information provided to the County in Attachment 1, Pages 3-6, the Petitioners plan to offer kennel services at the subject property. The proposed normal hours of operation shall be Monday through Friday from 7:00 a.m. until 6:00 p.m. and Saturday and Sunday from 8:00 a.m. until 5:00 p.m. Pets experiencing medical emergencies may be tended to outside the hours of operation. If a pet owner has an emergency such as a car accident or illness, they may pick up or drop off pets outside the approved hours of operation.

A maximum of twenty-five (25) pets per building for a total of fifty (50) pets may be kenneled on the subject property at any time.

Per the Kendall County Zoning Code, all animals will be indoors by sunset, except for bathroom breaks until 10:00 p.m.

The maximum number of employees shall be five (5) and at least one (1) employee shall be onsite when animals are kenneled.

The Petitioners may sell ancillary items related to their operations.

**BUILDING AND BUILDING CODES**
As noted in the site plan (see Attachment 2), the Petitioners plan to construct two (2) approximately four thousand (4,000) square foot buildings. Each building would have one (1) approximately nine hundred (900) square play areas and three (3) one hundred (100) square foot dog runs. The play areas and dogs runs would be surrounded by chain link fence and would be grass. The rendering of the buildings is included as Attachment 4. The Petitioners indicated that the second building would be constructed as the business grows; no information was provided regarding which building would be constructed first.

There is one (1) existing approximately one thousand nine hundred (1,900) square foot house on the property. This building is planned to be used as offices.

The Petitioners do not plan to reside on the property.

Applicable building and change of occupancy permits will be required.

**ENVIRONMENTAL HEALTH**
The property is served by a well and septic system. No new wells and septic systems are planned for the business. Patrons and employees would use the restroom facilities inside the existing house.

**STORMWATER**
WBK Engineering is reviewing the need for stormwater permit at the property.

**ROAD ACCESS**
The property has an existing driveway off of Ashley Road.

Lisbon Township is requesting rights-of-way dedications along Ashley and Helmar Roads.

**PARKING**
The Petitioners propose to install an eighteen (18) stall parking lot; two (2) of the spaces would be handicapped accessible.

**LIGHTING**
The Petitioners indicated they might install lighting over the doors. No additional lighting is planned.

**SIGNAGE**
The Petitioners plan to have one (1) monument sign along Ashley Road. The sign shall look substantially like the picture provided as the sign example (Attachment 3). The sign will not be illuminated.

**LANDSCAPING**
Per the site plan included as Attachment 2, the Petitioners plan to install deciduous trees (a mix of oaks and maples) at ten foot (10') intervals along with understory materials and hedging between the trees. The trees shall be planted by July 1, 2026, and will be at least six feet (6') in height at time of planting. The understory will be ornamental grasses and hedge materials at least four feet (4') in height when they bloom.

**NOISE CONTROL**
Noise will be addressed by the installation of trees and berms and having the animals indoors by sunset.

**REFUSE PLAN**
The site plan shows one (1) one hundred twenty (120) square foot dumpster enclosure between the existing house and southern kennel building. The dumpster enclosure will be surrounded by a wood fence.

**RELATION TO OTHER SPECIAL USES**
If approved, this would be the seventh active special use permit for a kennel in unincorporated Kendall County.

**FINDINGS OF FACT-SPECIAL USE PERMIT**
§ 36-119 of the Kendall County Code outlines findings that the Zoning Board of Appeals must make in order to recommend in favor of the applicant on special use permit applications. They are listed below in *italics.* Staff has provided findings in **bold** below based on the recommendation:

*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 operation of the special use will not be detrimental to the public health, safety, morals, comfort, or general welfare. The immediately adjacent properties are also zoned A-1. In addition, the site plan shows trees planted along the eastern property line. a six foot (6') tall fence around the outdoor play area. The proposed building will be soundproofed. The Petitioners do not plan to be open before 7:00 a.m. or after 6:00 p.m. The Petitioners intend to follow the Kendall County Zoning Code as it relates to having all pets inside by dusk except for bathroom breaks.**

*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 Petitioners plan to vegetation along the eastern property line. The Petitioners will have animals indoors by sunset, expect for bathroom breaks. The proposed hours of operation will also prevent injury to neighboring land uses.**

*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. Adequate ingress and egress will be provided off of Ashley Road. The Petitioners will have to secure applicable permits related to stormwater, well, and septic, if required.**

*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.* **If the requested variance related to setback from residentially planned areas is approved, 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.* **True, the proposed use is consistent with an objective found on Page 9-21 of the Kendall County Land Resource Management Plan which calls for "a strong base of agricultural, commercial and industrial uses that provide a broad range of job opportunities, a healthy tax base, and improved quality of services to County residents" through the encouragement ". . . of locally owned businesses."**

**FINDINGS OF FACT-VARIANCE**
§ 36-39 of the Zoning Ordinance outlines findings that the Zoning Board of Appeals must make in order to grant variations. They are listed below in *italics.* Staff has provided findings in **bold** below based on the recommendation:

*That 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 parcel is a corner lot and the properties to the west are planned to Agricultural. No existing residences are located on the adjoining properties planned to Residential.**

*That the conditions upon which the requested variation is based would not be applicable, generally, to other property within the same zoning classification.* **The number of properties zoned A-1 with residentially planned uses in the vicinity is unknown. However, only five (5) existing homes are located within one half (1/2) mile of the subject property.**

*That the alleged difficulty or hardship has not been created by any person presently having an interest in the property.* **The current owner did not plat the lot. The current owner does wish to operate a kennel at the property.**

*That 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.* **The requested variance should not negatively impact any of the neighbors and will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood because conditions can be placed on the special use permit related to hours of operation and number of animals on the property.**

*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.* **Provided the proposed conditions are included in the special use permit, the requested variance will not impair light reaching other properties, cause congestion on any public street, diminish or impair property values, or increase the danger of fire or negatively impact public safety.**

**RECOMMENDATION**
Staff recommends approval of the requested special use permit for a kennel and variance subject to the following conditions and restrictions:

1. The site shall be developed substantially in accordance with the attached site plan (Attachment 2).
2. A variance is granted Section 36-282 (31) of the Kendall County Code reducing the setback for kennels from properties planned to be residential. To that end, the use allowed by this special use permit shall be located a minimum of one hundred feet (100') from the lot line of lots zoned residential or shown as Residential on the Land Resource Management Plan (LRMP) map and one hundred fifty feet (150') from lots zoned other than Residential or shown on the LRMP map as non-residential.
3. Within sixty days (60) days of approval of this special use permit ordinance, the property owners shall convey land to Lisbon Township for Ashley Road and Helmar Road right-of-way at a depth of forty-five feet (45') as measured from the centerlines of each road. The Kendall County Planning, Building and Zoning Department may grant extensions to this deadline.
4. One (1) non-illuminated sign may be installed on the subject property in substantially the location shown on the site plan (Attachment 2). The sign shall look substantially like the picture provided as the sign example (Attachment 3). The owners or operators of the business allowed by this special use permit shall secure applicable permits for this sign. Additional directional and warning signs may be installed on the property without the need to obtain permits.
5. The vegetation shown on the eastern property on the site plan (Attachment 2) shall consist of deciduous trees (a mix of oaks and maples) at ten foot (10') intervals along with understory materials and hedging between the trees. The trees shall be planted by July 1, 2026, and will be at least six feet (6') in height at time of planting. The understory will be ornamental grasses and hedge materials at least four feet (4') in height when they bloom. Damaged or dead vegetation shall be replaced on a timeframe approved by the Kendall County Planning, Building and Zoning Department. The Kendall County Planning, Building and Zoning Department may grant extensions to the deadline for installing the vegetation.
6. A maximum of twenty-five (25) pets per building for a total of fifty (50) pets may be kenneled on the subject property at any time.
7. The animals must be indoors by sunset, except for the purposes of owners picking up and dropping off pets and regular bathroom breaks until 10:00 p.m.
8. The normal hours of operation for the businesses allowed by this special use permit shall be Monday through Friday from 7:00 a.m. until 6:00 p.m. and Saturday and Sunday from 8:00 a.m. until 5:00 p.m. The operator(s) of the business allowed by this special use permit may reduce these hours of operation. Pets experiencing medical emergencies may be tended to outside the hours of operation. If a pet owner has an emergency such as a car accident or illness, they may pick up or drop off pets outside the approved hours of operation.

9. The maximum combined number of employees for the businesses allowed by this special use permit shall be five (5), including the business owners.
10. Refuse shall be removed from the subject property at least one (1) time per week or as necessary to prevent litter or odors from emanating from the subject property.
11. Any construction on the property related to the businesses allowed by this special use permit shall not be considered as agricultural purposes and shall secure applicable permits.
12. Any lighting installed on the property related to the business allowed by this special use permit shall not be considered as agricultural purposes and must follow the lighting regulations contained in the Kendall County Code as they relate to business uses.
13. The operator(s) of the businesses allowed by this special use permit may sell ancillary items related to their operations.
14. The operator(s) of the businesses allowed by this special use permit acknowledge and agree to follow Kendall County's Right to Farm Clause.
15. The operator(s) of the businesses allowed by this special use permit shall follow all applicable Federal, State, and Local laws related to the operation of these types of businesses.
16. 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.
17. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.

**ATTACHMENTS**

1. Application Materials (Including the Business Plan, Petitioner's Findings of Fact, EcoCat)
2. Site Plan (Including the Landscaping Plan)
3. Sign Picture
4. Building Elevations
5. November 18, 2025, Email from Lisbon Township

**DEPARTMENT OF PLANNING, BUILDING & ZONING**
807 West John Street • Yorkville, IL • 60560
(630) 553-4141 Fax (630) 553-4179

# APPLICATION

**PROJECT NAME** _____ **FILE #:** _____

**NAME OF APPLICANT (Including First, Middle Initial, and Last Name)**
Brian Kubinski and Sherry Ailsworth

**CURRENT LANDOWNER/NAME(s)**
Brian Kubinski and Sherry Ailsworth

| SITE INFORMATION ACRES | SITE ADDRESS OR LOCATION | ASSESSOR'S ID NUMBER (PIN) |
|---|---|---|
| 5.0004 Acres | 12076 Ashley Road, Newark, Illinois 60541 | 08-02-100-003 |

| EXISTING LAND USE | CURRENT ZONING | LAND CLASSIFICATION ON LRMP |
|---|---|---|
| Single family home and farm land | A-1 | A-1 |

**REQUESTED ACTION** (Check All That Apply):

- X SPECIAL USE
- ___ MAP AMENDMENT (Rezone to ___)
- X VARIANCE
- ___ ADMINISTRATIVE VARIANCE
- ___ A-1 CONDITIONAL USE for: _____
- ___ SITE PLAN REVIEW
- ___ TEXT AMENDMENT
- ___ PRELIMINARY PLAT
- ___ RPD (___Concept; ___ Preliminary; ___ Final)
- ___ FINAL PLAT
- ___ ADMINISTRATIVE APPEAL
- ___ OTHER PLAT (Vacation, Dedication, etc.)
- AMENDMENT TO A SPECIAL USE ___ Major; ___ Minor)

| [1]PRIMARY CONTACT | PRIMARY CONTACT MAILING ADDRESS | PRIMARY CONTACT EMAIL |
|---|---|---|
| Daniel J. Kramer | [redacted] | [redacted] |

| PRIMARY CONTACT PHONE # | PRIMARY CONTACT FAX # | PRIMARY CONTACT OTHER #(Cell, etc.) |
|---|---|---|
| [redacted] | 630-553-5764 | |

| [2]ENGINEER CONTACT | ENGINEER MAILING ADDRESS | ENGINEER EMAIL |
|---|---|---|
| | | |

| ENGINEER PHONE # | ENGINEER FAX # | ENGINEER OTHER # (Cell, etc.) |
|---|---|---|
| | | |

I UNDERSTAND THAT BY SIGNING THIS FORM, THAT THE PROPERTY IN QUESTION MAY BE VISITED BY COUNTY STAFF & BOARD/ COMMISSION MEMBERS THROUGHOUT THE PETITION PROCESS AND THAT THE PRIMARY CONTACT LISTED ABOVE WILL BE SUBJECT TO ALL CORRESPONDANCE ISSUED BY THE COUNTY.

I CERTIFY THAT THE INFORMATION AND EXHIBITS SUBMITTED ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND THAT I AM TO FILE THIS APPLICATION AND ACT ON BEHALF OF THE ABOVE SIGNATURES. **THE APPLICANT ATTESTS THAT THEY ARE FREE OF DEBT OR CURRENT ON ALL DEBTS OWED TO KENDALL COUNTY AS OF THE DATE OF THE APPLICATION.**

**SIGNATURE OF APPLICANT** X [redacted] **DATE** 11/4/25

FEE PAID:$_____
CHECK #:_____

[1]*Primary Contact will receive all correspondence from County*
[2]*Engineering Contact will receive all correspondence from the County's Engineering Consultants*

Date Stamp Here If Checklist Is Complete

Petitioners are requesting an A-1 Special Use to operate a Dog Day Care Facility. Petitioners are requesting a Variance from the East Property line to allow a 100 foot setback for any new buildings to operate the Dog Care Facility from the Kendall County Zoning Ordinance Requirement of 250 feet from the property line.

**Doggie Daycare Business Plan:**

Our facility is a luxury dog boarding and daycare retreat, set on 4+ acres of peaceful farmland. With cozy, private suites and enriching play in a home-like facility setting, we offer expert care, training, and round-the-clock attention. A safe, happy haven for dogs - just like home, only better.

At our facility, we're passionate about providing a safe, comfortable, and enriching environment where dogs truly feel at home. Inspired by our love for animals and the calming beauty of nature, we've created a retreat that blends expert care with personalized attention. Whether it's playtime in the fresh air, relaxing in a private suite, or enjoying a guided nature walk, every dog is treated like family. Our mission is simple, to give your dog the happiest stay possible.

To keep your dog mentally and physically engaged, we offer a wide variety of enrichment activities, including puzzle games that challenge problem-solving skills, scent-based sniff-and-seek games that engage their natural instincts, and interactive games for bonding and exercise. We also provide agility courses to help build confidence and coordination, treat-dispensing toys for mind stimulation, rewarding play, and guided nature walks around our peaceful property to provide plenty of exercise that encourages calmness and relaxation for rest time.

And, when it's time for your dog to head home, we offer luxurious spa baths so they leave smelling fresh and feeling pampered.

Whether it's a weekend away or an extended vacation, you can trust that our facility will provide your dog with the love, care, and attention they deserve.

**Number of Employees:**

Full-time: 2

Part-time: 2

Proposed Hours of Operation:

**Daycare**: 7am - 6pm

**Boarding**: 1 Team Member On Site 24/7

LAW OFFICES
OF
***Daniel J. Kramer***

DANIEL J. KRAMER

1107A SOUTH BRIDGE STREET
YORKVILLE, ILLINOIS 60560
(630) 553-9500
Fax: (630) 553-5764
DKRAMER@DANKRAMERLAW.COM

KELLY A. HELLAND
D.J. KRAMER

November 14, 2025

Matt Asselmeier
Kendall County Building & Zoning
111 W. Fox St.
Yorkville, IL 60560

Via E-Mail: Masselmeier@kendallcountyil.gov

Re: Ailsworth and Kubinski Special Use and Variance Application
12076 Ashley Road, Kendall County, Illinois

Dear Matt:

I have received your email of November 5, 2025, with 19 additional questions and have the following responses:

1. Hours of operation:
   Mon - Fri 7am - 6pm
   Sat - Sun 8am - 5pm
   We would expect all drop-offs and pickups to be within the stated hours of operation unless an emergency happened such as car accident or customer illness.

2. The proposed maximum number of daycare animals for one building would be 25 and proposed maximum for 2nd building would be another 25 dogs. The proposed total maximum for both buildings would be a total of 50 dogs.

3. There would be 3 full-time employees, which would include 1 of the owners. And additional 2 part-time employees that do not include the owners.

4. The owners would reside off premises. The home would be used as an office, and we would have an employee who would stay on-site when animals are present during hours. Patrons would be allowed to use the bathroom facilities in the residence on site.

5. The existing well servicing the current house and garage as well as the existing septic are adequate to handle the one employee and customers. No new well or septic is anticipated.

6. No bathrooms will be added to either of the proposed animal buildings.

7. There is a possibility of complimentary sales of personal property such as leashes, dog feeding bowls and trays, and the like. However, as to starting the business they do not at present plan on providing retail sales.

8. My clients plan to have dumpster; surrounded by wood fence enclosure.

9. We have provided an elevation of the proposed sign which will not be illuminated.

10. The outdoor play area and dog runs are now shown on the revised Special Use Plan. There is fencing that would be planned for the back (East) side of the building for an outdoor play area. The play area would be about 900 sq ft and it would be all grass.

11. Dumpster will be surrounded by a wood fence. See answer to #8

12. There will be no additional site lighting such as light poles and the like. There likely will be some low-density entry lights next to the doorway for the Doggy Day Care Facility to be built which would be much like an entryway light on a residential home. They will be attached to the building and wall mounted.

13. There is landscaping showing on the east boundary of the property in that the Applicants will install deciduous trees at 10-foot intervals as indicated on the filed Site Plan; and then fill in with understory materials and hedging between the trees.

14. The picture you have is the elevation that the first building will look like and the square footage is correct at 4,000 sq. ft. The second building would be the same elevation if built. It depends on the demand for the services if the second building is necessary

15. Phil Young and Andrew Young adjusted the location of the ADA parking spaces.

16. The dimensions of parking and driveways have been included in the revised Site Plan Attached hereto.

17. The outdoor play area and dog runs are now shown on the revised Special Use Plan. There is fencing that would be planned for the back (East) side of the building for an outdoor play area. The play area would be about 900 sq ft and it would be all grass.

18. Hudson Cabins does incorporate the features we have answered above.

19. We are fine leaving the overpayment in your hands until we hear if you are going to need any stormwater review by Greg Chismark.

We would ask that this point-by-point response to your 19 additional questions as well as the revised drawing be treated as a completed application so we can move ahead with applications at both the County and Township Levels. Please confirm

**Matt Asselmeier**

**From:** Daniel J. Kramer <[redacted]
**Sent:** Saturday, November 15, 2025 11:33 AM
**To:** Matt Asselmeier; Seth Wormley; Christina Burns; Ruben Rodriguez
**Subject:** RE: [External]Re: Ailsworth and Kubinski Application

There will always be an employee or Owner on-site during hours of operation when any animals are present. Animals at no time will be left unattended.

Very Truly Yours,

Daniel J. Kramer
Attorney at Law
1107A S. Bridge Street
Yorkville, IL. 60560
Phone-630.553.9500
Fax-630.553.5764

NOTICE: This communication is covered by the Electronic Communications Privacy Act found at 18 USC 2510 et. seq. and is intended to remain confidential and is subject to the applicable attorney/client and or work product privileges. If you are not the intended recipient of this message, or if this message has been addressed to you in error, please immediately alert the sender by reply e-mail and then delete this message and all attachments. Do not deliver, distribute or copy this message and/or any attachments and do not disclose the contents or take any action in reliance upon the information contained in this communication or any attachments if you are not the intended recipient.

**From:** Matt Asselmeier <masselmeier@kendallcountyil.gov>
**Sent:** Friday, November 14, 2025 2:10 PM
**To:** Daniel J. Kramer <[redacted] Seth Wormley <swormley@kendallcountyil.gov>; Christina Burns <cburns@kendallcountyil.gov>; Ruben Rodriguez <rrodriguez@kendallcountyil.gov>
**Subject:** RE: [External]Re: Ailsworth and Kubinski Application

Dan:

Thank you for the responses.

I have a couple follow-up questions:

1. Regarding item 4, your response says that an employee would be onsite when animals are present during hours. In the original submittal, the business plan says that one team member would be onsite 24/7. Please clarify when a staff member will be onsite. The answer to this question would determine if the buildings need to be sprinkled per Section 18.2 of the Illinois Animal Welfare Act (225 ILCS 605/18.2).
2. Regarding the landscaping, what is the timeline for planting the vegetation? What is the height of the trees at the time of planting? What will the height of the trees be at maximum height?

I need the answers to the above questions for the application to be considered complete.

## Matt Asselmeier

**From:** Daniel J. Kramer <[redacted]
**Sent:** Saturday, November 15, 2025 11:35 AM
**To:** Matt Asselmeier; Seth Wormley; Christina Burns; Ruben Rodriguez
**Subject:** RE: [External]Re: Ailsworth and Kubinski Application

The trees will be planted by July 1, 2026. Normal 3 inch CALIPER NURSERY TREES AT PLANTING(6-8 FEET ) IN HEIGHT. Generally a mix of maple and oak. The maple will grow rapidly to a twenty foot height. Oak much slower but a height in excess of 20 ft. In between understory will be ornamental grasses and hedge materials of 4-8 feet when bloom and as they grow.

Very Truly Yours,

Daniel J. Kramer
Attorney at Law
1107A S. Bridge Street
Yorkville, IL. 60560
Phone-630.553.9500
Fax-630.553.5764

NOTICE: This communication is covered by the Electronic Communications Privacy Act found at 18 USC 2510 et. seq. and is intended to remain confidential and is subject to the applicable attorney/client and or work product privileges. If you are not the intended recipient of this message, or if this message has been addressed to you in error, please immediately alert the sender by reply e-mail and then delete this message and all attachments. Do not deliver, distribute or copy this message and/or any attachments and do not disclose the contents or take any action in reliance upon the information contained in this communication or any attachments if you are not the intended recipient.

**From:** Matt Asselmeier <masselmeier@kendallcountyil.gov>
**Sent:** Friday, November 14, 2025 2:10 PM
**To:** Daniel J. Kramer <[redacted]; Seth Wormley <swormley@kendallcountyil.gov>; Christina Burns <cburns@kendallcountyil.gov>; Ruben Rodriguez <rrodriguez@kendallcountyil.gov>
**Subject:** RE: [External]Re: Ailsworth and Kubinski Application

Dan:

Thank you for the responses.

I have a couple follow-up questions:

1. Regarding item 4, your response says that an employee would be onsite when animals are present during hours. In the original submittal, the business plan says that one team member would be onsite 24/7. Please clarify when a staff member will be onsite. The answer to this question would determine if the buildings need to be sprinkled per Section 18.2 of the Illinois Animal Welfare Act (225 ILCS 605/18.2).
2. Regarding the landscaping, what is the timeline for planting the vegetation? What is the height of the trees at the time of planting? What will the height of the trees be at maximum height?

LEGAL DESCRIPTION:

The Northerly 660 feet of the Westerly 330.14 feet as measured along the West and North Lines, of the Northwest Quarter of Section 2, Township 35 North, Range 7 East of the Third Principal Meridian, in Lisbon Township, Kendall County, Illinois.

202500005932
DEBBIE GILLETTE
RECORDER - KENDALL COUNTY, IL
RECORDED: 05/15/2025 01:56 PM
RECORDING FEE 58.00
RHSP 18.00
PAGES: 4

# WARRANTY DEED
Statutory (Illinois)

**THE GRANTOR,**

Brian Kubinski,
A single person
of the [redacted]
in the
and [redacted]

for and in consideration of Ten and 00/100 Dollars in hand paid, **CONVEYS AND WARRANTS TO:**

Brian Kubinski and Sherry Ailsworth in Joint Tenancy

whose address is: [redacted]

not as Tenants in Common, but in JOINT TENANCY, all interest in the following described Real Estate situated in the County of Kendall In the State of Illinois, to wit:

see attached legal description

SUBJECT TO: Existing easements, covenants, and restrictions of record, and 2024 and subsequent years real estate taxes.

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

Permanent Real Estate Index Number 08-02-100-003-0000
Address of Real Estate: 12076 Ashley Road, Newark, Illinois 60541

Dated this 17 Day of ~~January~~ APRIL, 2025.

[redacted]

Brian Kubinski

Warranty Deed - Statutory

STATE OF ILLINOIS )
) SS.
COUNTY OF ~~KENDALL~~ WILL )

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

Given under my hand and notarial seal this 17 Day of ~~Januar~~ APRIL, 2025.

[redacted]

Notary Public

GRANTEES' ADDRESS
SEND SUBSEQUENT TAX BILLS TO:
Brian Kubinski and Sherry Ailsworth
[redacted]

OFFICIAL SEAL
LORI FREEMAN
NOTARY PUBLIC, STATE OF ILLINOIS
WILL COUNTY
MY COMMISSION EXPIRES 08/04/2025

AFTER RECORDING RETURN TO:
THIS DOCUMENT PREPARED BY:
Attorney Daniel J. Kramer
1107A S. Bridge Street
Yorkville, IL 60560
630-553-9500

This Transaction EXEMPT under provisions of 35ILCS 200/31-45, Par. E.
Dated 04/17/2025
Signed [redacted]

LEGAL DESCRIPTION:

The Northerly 660 feet of the Westerly 330.14 feet as measured along the West and North Lines, of the Northwest Quarter of Section 2, Township 35 North, Range 7 East of the Third Principal Meridian, in Lisbon Township, Kendall County, Illinois.

*Debbie Gillette*
Kendall County Clerk & Recorder

PLAT ACT AFFIDAVIT OF METES AND BOUNDS

STATE OF ILLINOIS )
)SS
COUNTY OF KENDALL )

Daniel J. Kramer, being duly sworn on oath, states that affiant resides at 1107 A. S. Bridge St., Yorkville, IL 60560. And further states that: (please check the appropriate box)

A. [X] That the attached deed is not in violation of 765 ILCS 205/1(a), in that the sale or exchange is of an entire tract of land not being part of a larger tract of land; or

B. [ ] That the attached deed is not in violation of 765 ILCS 205/1(b) for one of the following reasons: (please circle the appropriate number)

1. The division or subdivision of land into parcels or tracts of 5.0 acres or more in size which does not involve any new streets or easements of access;
2. The division of lots or blocks of less than one (1) acre in any recorded subdivision which does not involve any new streets or easements of access;
3. The sale or exchange of parcels of land between owners of adjoining and contiguous land;
4. The conveyance of parcels of land or interests therein for use as right of way for railroads or other public utility facilities and other pipe lines which does not involve any new streets or easements of access;
5. The conveyance of land owned by a railroad or other public utility which does not involve any new streets or easements of access;
6. The conveyance of land for highway or other public purposes or grants or conveyances relating to the dedication of land for public use or instruments relating to the vacation of land impressed with a public use;
7. Conveyances made to correct descriptions in prior conveyances;
8. The sale or exchange of parcels or tracts of land following the division into not more than two (2) parts of a particular parcel or tract of land existing on July 17, 1959, and not involving any new streets or easements of access;
9. The sale of a single lot of less than 5.0 acres from a larger tract when a survey is made by an Illinois Registered Land Surveyor; provided, that this exemption shall not apply to the sale of any subsequent lots from the same larger tract of land, as determined by the dimensions and configuration of the larger tract on October 1, 1973, and provided also that this exemption does not invalidate any local requirements applicable to the subdivision of land;
10. The conveyance is of land described in the same manner as title was taken by grantor(s).

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

SUBSCRIBED AND SWORN TO BEFORE ME

This _____ day of _____, 2025.

Colleen Hanson
Signature of Notary Public

[redacted]
Signature of Affiant

"OFFICIAL SEAL"
COLLEEN T HANSON
NOTARY PUBLIC, STATE OF ILLINOIS
COMMISSION NO. 979188
MY COMMISSION EXPIRES 10/8/2027

111 West Fox Street, Yorkville IL 60560-1498
(630) 553-4104 • Fax: (630) 553-4119 • Email: Dgillette@co.kendall.il.us

Kendall County Soil & Water Conservation District

7775A Route 47, Yorkville, Illinois 60560 • (630)553-5821 extension 3

Website: www.kendallswcd.org

# NATURAL RESOURCE INFORMATION (NRI) REPORT APPLICATION

**Petitioner:** Brian Kubinski and Sherry Ailsowrth
Address: [redacted]
City, State, Zip: [redacted]
Phone Number: [redacted]
Email: sherry.[redacted]

**Contact Person:** Daniel J. Kramer
1107A S. Bridge Street
Yorkville, IL 60560
630-553-9500
[redacted]

Please select: How would you like to receive a copy of the NRI Report? ☐ Email ☐ Mail

**Site Location & Proposed Use**

Township Name Lisbon Township 35 N, Range 7 E, Section(s) 2
Parcel Index Number(s) 08-02-100-003-0000
Project or Subdivision Name _____ Number of Acres 5.004
Current Use of Site house and vacant farmland Proposed Use Dog Daycare
Proposed Number of Lots 1 Proposed Number of Structures 2
Proposed Water Supply existing well Proposed type of Wastewater Treatment existing septic
Proposed type of Storm Water Management none

**Type of Request**

☐ Change in Zoning from _____ to _____
☐ Variance (Please describe fully on separate page)
☑ Special Use Permit (Please describe fully on separate page)
Name of County or Municipality the request is being filed with: Kendall COunty Planning, Building, and Zoning

**In addition to this completed application form, please including the following to ensure proper processing:**

☑ **Plat of Survey/Site Plan** – showing location, legal description and property measurements
☐ **Concept Plan** - showing the locations of proposed lots, buildings, roads, stormwater detention, open areas, etc.
☐ If available: topography map, field tile map, copy of soil boring and/or wetland studies
☑ **NRI fee** (Please make checks payable to Kendall County SWCD)
The NRI fees, as of July 1, 2025, are as follows:
Full Report: $450.00 for five acres and under, plus $25.00 per acre for each additional acre or any fraction thereof over five.
Executive Summary Report: $375.00 (KCSWCD staff will determine when a summary report will be necessary)
Review Letter: $75.00 (KCSWCD staff will determine when a review letter will be necessary)

| | |
|---|---|
| Fee for first five acres and under | $ 450.00 |
| 1 Additional Acres at $25.00 each | $ 25.00 |
| **Total NRI Fee** | $ 475.00 |

**NOTE:** Applications are due by the 1st of each month to be on that month's SWCD Board Meeting Agenda. Applications can be emailed to alyse@kendallswcd.org and checks mailed separately. Once a completed application is submitted, please allow 30 days for inspection, evaluation, and processing of this report.

**I (We) understand the filing of this application allows the authorized representative of the Kendall County Soil and Water Conservation District (SWCD) to visit and conduct an evaluation of the site described above. The completed NRI report expiration date will be 3 years after the date reported.**

X [redacted] 11/4/25
**Petitioner or Authorized Agent** **Date**

This report will be issued on a nondiscriminatory basis without regard to race, color, religion, national origin, age, sex, handicap or marital status.

**FOR OFFICE USE ONLY**

NRI#_____ Date initially rec'd _____ Date all rec'd _____ Board Meeting _____
Fee Due $_____ Fee Paid $ _____ Check #_____ Over/Under Payment _____ Refund Due_____

EcoCAT
Ecological Compliance Assessment Tool

| | | | |
|---|---|---|---|
| *Applicant:* | Sherry Ailsworth and Brian Kubinski | *IDNR Project Number:* | 2606868 |
| *Contact:* | Daniel J. Kramer | *Date:* | 10/29/2025 |
| *Address:* | 12076 Ashley Road<br>Newark, IL 60541 | | |
| *Project:* | Ailsworth & Kubinski | | |
| *Address:* | 12076 Ashley Road, Newark | | |

*Description:* Building a building to operate a dog day care facility

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

*County:* Kendall

*Township, Range, Section:*
35N, 7E, 2
36N, 7E, 35



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

**Government Jurisdiction**
Kendall County Planning, Building, and Zoning
Matt Asselmeier
807 W John Street
Yorkville, Illinois 60560

**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.

Findings of Fact- Special Use

1) The existing use of the property is a house and outbuilding for single family residential use. The Special Use sought under this Application for Special Use and accompanying Setback Variance for the East Property Line would allow construction for one building initially and a second building if the business takes off for operating a doggy daycare. It is intended to allow for clients to drop off their dog during the day while they are at work. It will in no way endanger public health, safety, morals, comfort, or interrupt with the general welfare in that there are no immediate neighbors adjoining the subject real property that are affected by the proposed Special Use. The immediate adjoining property owners are all vacant row crop land. The proposed Special Use fulfills a vital function for the community in that many people need a drop off points for their pets while they are at work.

2) Same answer as above. The property is situated at the intersection of Ashley Road and Helmar Road and serves as a great drop-off point for people working north and east of the City of Morris including commuters to the City of Chicago and other places of improvement.

3) There are adequate utilities. There is adequate electric to service the subject property. The building may or may not be served by gas and may be served by propane. The roadways are adequate for the intended use and there are no other utilities involved. The existing driveway will serve as access to the property.

4) The Proposed Special Use conforms to all Kendall County Zoning Ordinances other than the Special Use designed for bull blown "Dog Kennels" which normally requires a 250-foot setback from adjoining properties if there is residential development or a Comprehensive Plan calls out the adjoining land as future residential. The nearest community is the Village of Platteville which has continually taken an anti-residential position with the County and prospective developers. There are no municipal sanitary sewer or water systems remotely close to the property which indicates that residential development in the intermittent and near future is very unlikely. The adjoining properties are prime farmland which would have a high LESA protection score for agricultural purposes which likewise would negate the possibility of residential development in the intermediate and near future.

5) The Special Use purposed meets with the County's standards for Special Uses.

Finding of Fact- Variance

1. It is an unusual setback requirement imposed under the Special Use for kennels to protect existing and anticipated residential areas. For the reasons outlined on the main Special Use Findings of Fact there is a very slim likelihood of residential development being developed on the eastern property line the 250-foot set back serves no purpose because residential development is extremely unlikely in this prime agricultural area. Further there is the fact that there are no municipal utilities within miles of the subject eastern property militates any residential use in the long term.

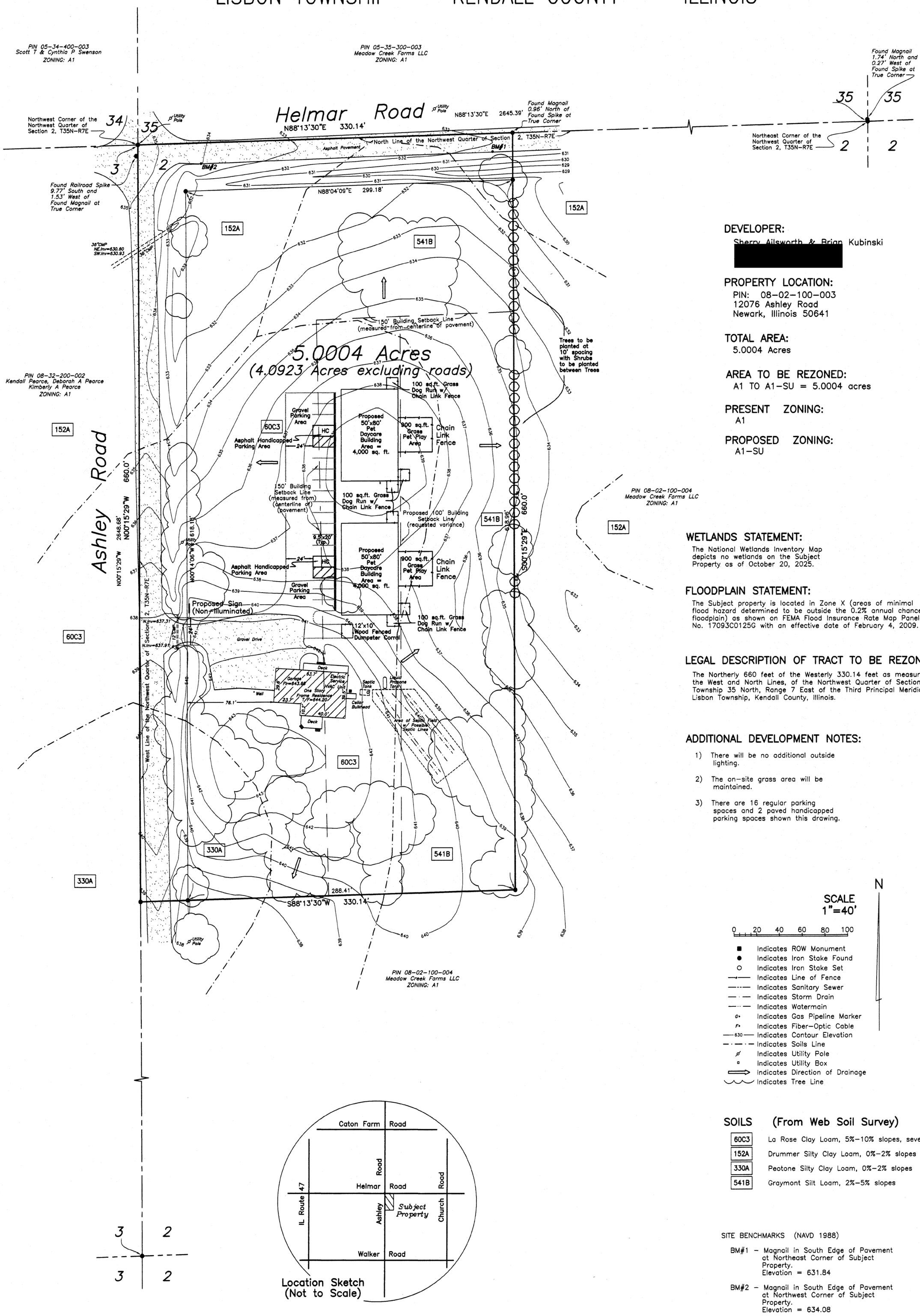
2. The uniqueness of the Variance to the subject property is that the subject property for which the Variance is sought is that it has no residential users next to the property. It is surrounded by vacant row crop farmland not even animal husbandry farmland.

3. It would not be applicable generally. The requested Variance would only be applicable in areas that are primarily zoned agricultural and have no near residential uses. The difficulty is with an Ordinance that is designed to protect residential subdivisions which has no application to the property owned by the Applicant which consists of a house totally surrounded by vacant agricultural property.

4. The granting of the Variance and substantial setbacks on all 4 boundaries on the property protect any future development in the long term and the service of providing doggy day care provides a useful community benefit.

5. There is no effect on the supply of light, air, or increased congestion to surrounding properties. There is no increased danger of fire given the type of building that is being built and there is no endangerment to public safety or diminishment in surrounding agricultural values. In fact, a new nicely constructed commercial type building will enhance surrounding properties.

# ZONING PLAT OF
# PART OF THE NORTHWEST QUARTER OF SECTION 2, T35N–R7E, 3rd PM
# LISBON TOWNSHIP KENDALL COUNTY ILLINOIS




**DEVELOPER:**
Sherry Ailsworth & Brian Kubinski
[redacted]

**PROPERTY LOCATION:**
PIN: 08–02–100–003
12076 Ashley Road
Newark, Illinois 50641

**TOTAL AREA:**
5.0004 Acres

**AREA TO BE REZONED:**
A1 TO A1–SU = 5.0004 acres

**PRESENT ZONING:**
A1

**PROPOSED ZONING:**
A1–SU

## WETLANDS STATEMENT:

The National Wetlands Inventory Map depicts no wetlands on the Subject Property as of October 20, 2025.

## FLOODPLAIN STATEMENT:

The Subject property is located in Zone X (areas of minimal flood hazard determined to be outside the 0.2% annual chance floodplain) as shown on FEMA Flood Insurance Rate Map Panel No. 17093C0125G with an effective date of February 4, 2009.

## LEGAL DESCRIPTION OF TRACT TO BE REZONED:

The Northerly 660 feet of the Westerly 330.14 feet as measured along the West and North Lines, of the Northwest Quarter of Section 2, Township 35 North, Range 7 East of the Third Principal Meridian, in Lisbon Township, Kendall County, Illinois.

## ADDITIONAL DEVELOPMENT NOTES:

1) There will be no additional outside lighting.
2) The on–site grass area will be maintained.
3) There are 16 regular parking spaces and 2 paved handicapped parking spaces shown this drawing.

N

SCALE
1"=40'

0 20 40 60 80 100

- Indicates ROW Monument
- Indicates Iron Stake Found
- Indicates Iron Stake Set
- Indicates Line of Fence
- Indicates Sanitary Sewer
- Indicates Storm Drain
- Indicates Watermain
- Indicates Gas Pipeline Marker
- Indicates Fiber–Optic Cable
- Indicates Contour Elevation
- Indicates Soils Line
- Indicates Utility Pole
- Indicates Utility Box
- Indicates Direction of Drainage
- Indicates Tree Line

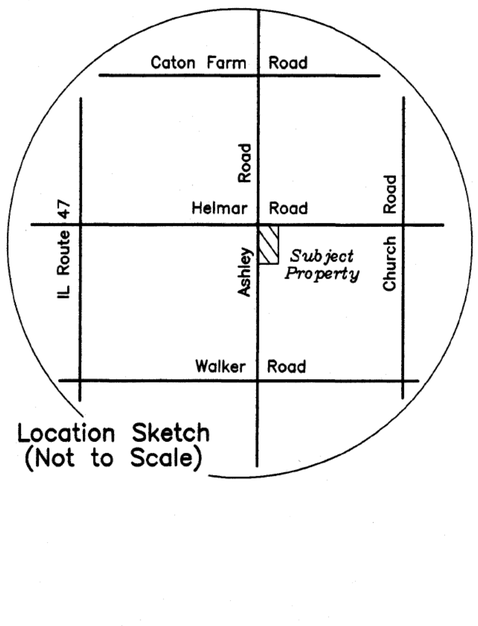
**SOILS (From Web Soil Survey)**

| | |
|---|---|
| 60C3 | La Rose Clay Loam, 5%–10% slopes, severely eroded |
| 152A | Drummer Silty Clay Loam, 0%–2% slopes |
| 330A | Peotone Silty Clay Loam, 0%–2% slopes |
| 541B | Graymont Silt Loam, 2%–5% slopes |

SITE BENCHMARKS (NAVD 1988)

BM#1 – Magnail in South Edge of Pavement at Northeast Corner of Subject Property.
Elevation = 631.84

BM#2 – Magnail in South Edge of Pavement at Northwest Corner of Subject Property.
Elevation = 634.08



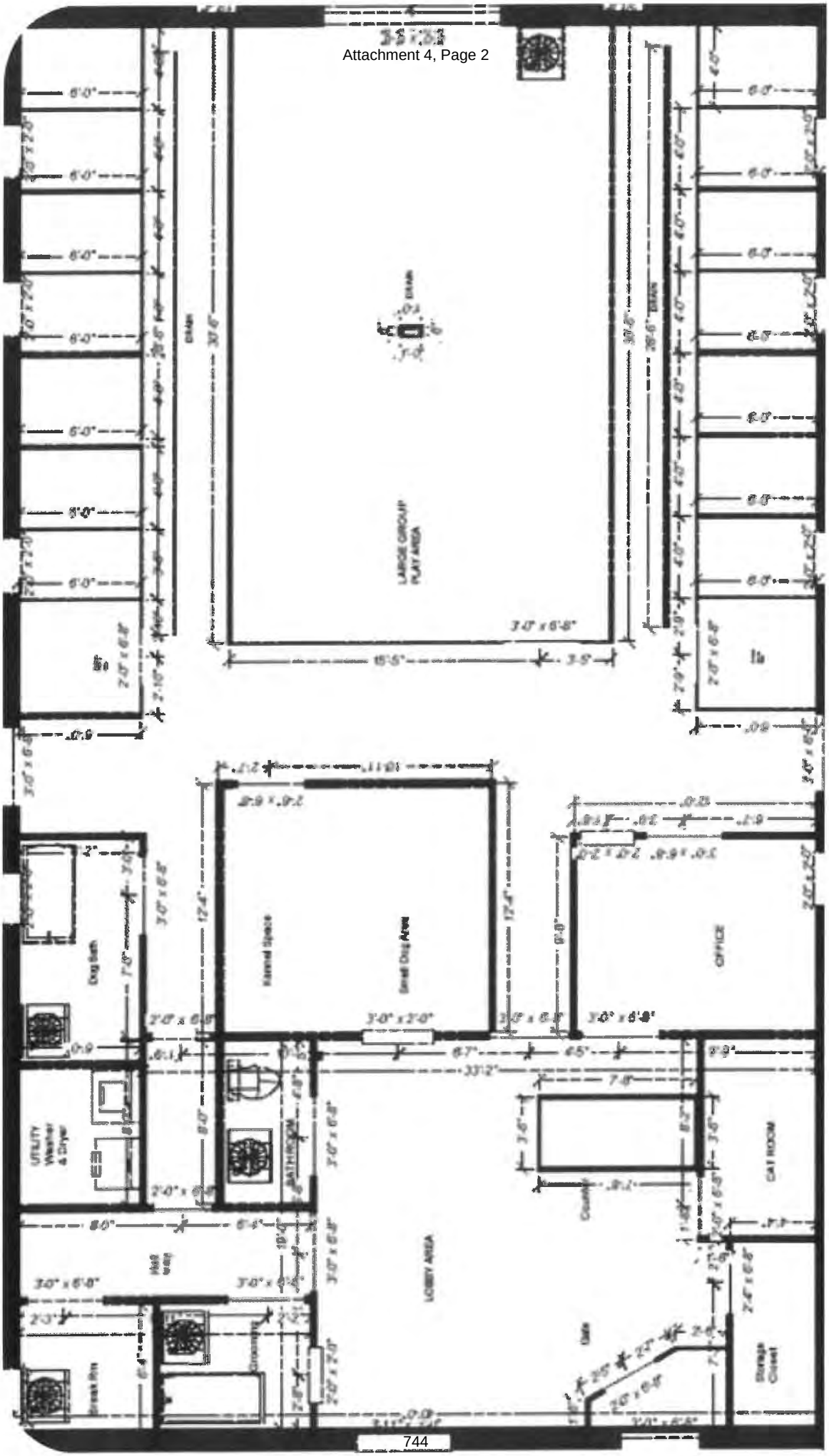

November 13, 2025

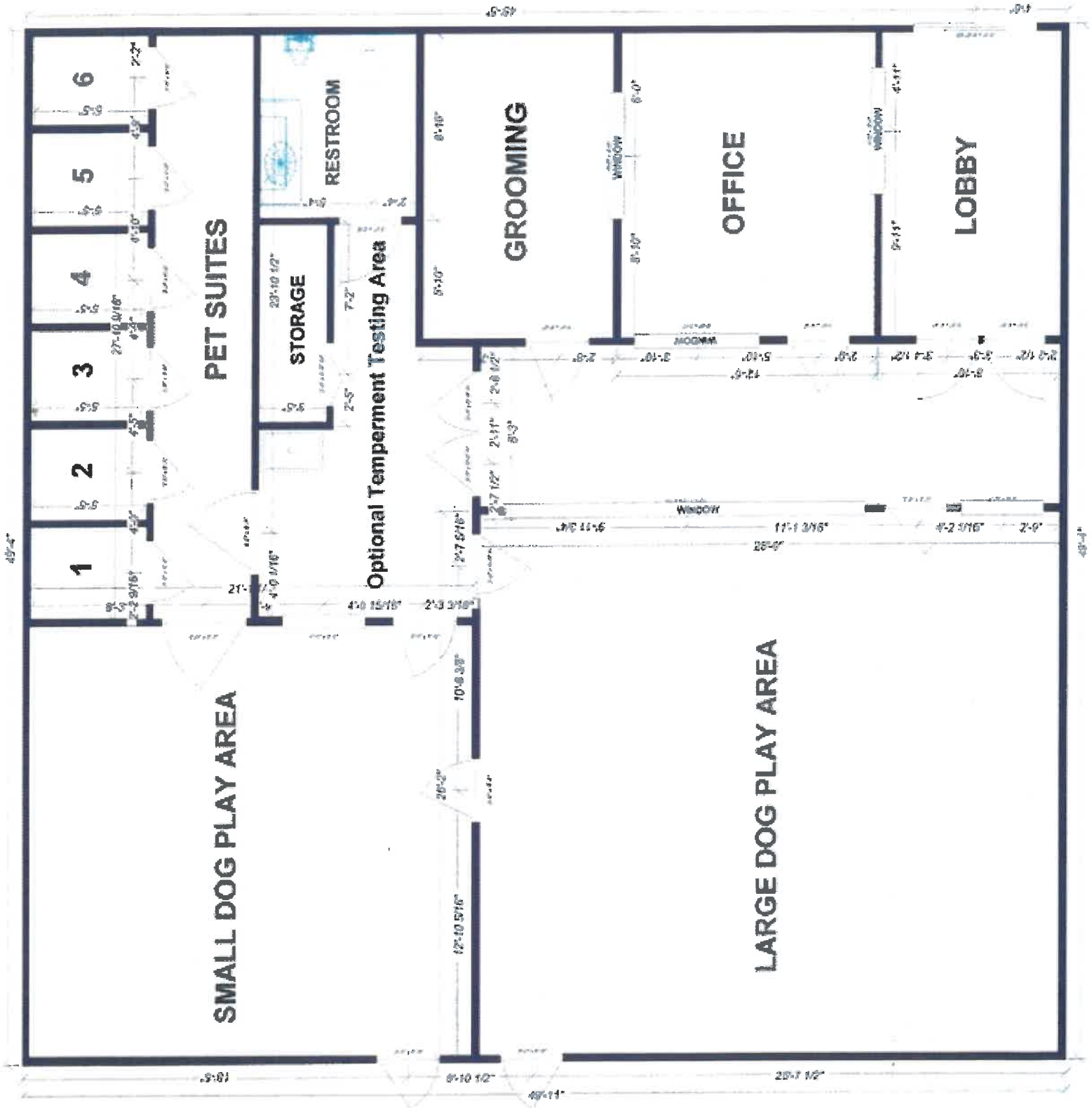
| | |
|---|---|
| JOB NO. | 24147 |
| JOB NAME | ATTY. KRAMER |
| DWG FILE | 24147B |
| REVISION DATE | |

Phillip D. Young and Associates, Inc.
LAND SURVEYING – TOPOGRAPHIC MAPPING – Lic [redacted]
1107B South Bridge Street
Yorkville, Illinois 60560
Telephone (630)553–1580






LARGE GROUP PLAY AREA
OFFICE
LOBBY AREA
CAT ROOM
UTILITY Washer & Dryer
BATHROOM
Kennel Space
Small Dog Area
Dog Bath
Storage Closet


PET SUITES
1
2
3
4
5
6
STORAGE
RESTROOM
Optional Temperment Testing Area
GROOMING
OFFICE
LOBBY
WINDOW
Window
SMALL DOG PLAY AREA
LARGE DOG PLAY AREA

**Matt Asselmeier**

**From:** lisbontownshiphighway@gmail.com
**Sent:** Tuesday, November 18, 2025 1:16 PM
**To:** Matt Asselmeier
**Subject:** RE: [External]Re: 12076 Ashley Road

Yes.


# Matt Anzelc

***Lisbon Township Highway Commissioner***
*15759 State Route 47*
*Newark, IL 60541*
*cell: 815.824.6277*
*LisbonTownshipHighway@gmail.com*


**From:** Matt Asselmeier <masselmeier@kendallcountyil.gov>
**Sent:** Tuesday, November 18, 2025 12:09 PM
**To:** lisbontownshiphighway@gmail.com
**Subject:** RE: [External]Re: 12076 Ashley Road

For both Helmar and Ashley Roads?


Matthew H. Asselmeier, AICP, CFM
Director
Kendall County Planning, Building & Zoning
807 West John Street
Yorkville, IL 60560-9249
PH: 630-553-4139
Fax: 630-553-4179


**From:** lisbontownshiphighway@gmail.com <lisbontownshiphighway@gmail.com>
**Sent:** Tuesday, November 18, 2025 12:08 PM
**To:** Matt Asselmeier <masselmeier@kendallcountyil.gov>
**Subject:** RE: [External]Re: 12076 Ashley Road

HI Matt:

No, there are no near-term widening projects for either of those roads.

Let's go with what we currently maintain. 45' would cover it.

| Group Type | Name | Organization | Position | Email |
|---|---|---|---|---|
| School Districts | Mr. Timothy Ulrch | Newark High School District #18 | Superintendent | tulrich@nchs18.org |
| | Mrs. Demetra Turman | Newark Grade School District #66 | Superintendent | dturman@ncsd66.org |
| | Vacant | Lisbon School District #90 | Superintendent | admin@lisbon.k12.il.us |
| | Dr. Matt Zediker | Yorkville Community Unit School District #115 | Superintendent | mzediker@y115.org |
| | Dr. Andalib Khelghati | Oswego School District #308 | Superintendent | superintendent@sd308.org |
| | Dr. Glenn Wood | Plainfield School District #202 | Superintendent | gwood@psd202.org |
| | Dr. Robert Schiffbauer | Minooka Community Unit School District #111 | Superintendent | rschiffbauer@mchs.net |
| | Dr. Rachel Kinder | Minooka Community Unit School District #201 | Superintendent | rkinder@min201.org |
| | Mr. Ryan Janisch | Sandwich School District #430 | Superintendent | rjanisch@sandwich430.org |
| | Mr. Tracy Thurwanger | Plano School Community Unit School District #88 | Superintendent | tthurwanger@plano88.org |
| | Plano 88 General Email | Plano School Community Unit School District #88 | General Email | adminoffice@plano88.org |
| | Dr. Jessica Sonntag | Hinckley-Big Rock School District #429 | Superintendent | jsonntag@hbr429.org |
| | Dr. Craig Ortiz | Morris School District #101 | Superintendent | cortiz@morrishs.org |
| | Meghan Martin | Kendall-Grundy Regional Office of Education | Superintendent | mmartin@roe24.org |
| Park/Forest Preserve Districts | Mr. Jim Reuter | Oswegoland Park District | Executive Director | jreuter@oswegolandpd.org |
| | Mr. Chad Feldotto | Oswegoland Park District | Director Planning | cfeldotto@oswegolandpd.org |
| | Mr. Jeff Palmquist | Fox Valley Park District Cole Center | Director of Planning | jpalmquist@fvpd.org |
| | Ms. Jen Paprocki | Fox Valley Park District Cole Center | Executive Director | jpaprocki@fvpd.net |
| | Mr. Carlo Capalbo | Plainfield Park District | Executive Director | capalbo@plfdparks.org |
| | Mr. Bob Collins | Plainfield Park District | Director of Planning | Collins@plfdparks.org |
| | Mr. Bill Novicki | Sandwich Park District | Executive Director | bill.novicki.spd@gmail.com |
| | Ms. Antoinette White | Kendall County Forest Preserve District | Acting Executive Director | awhite@kendallcountyil.gov |
| | Mr. Brad Staab | Joliet Park District | Executive Director | bstaab@jolietpark.org |
| Fire Districts | Mr. Fred Kreinbrink | Little Rock-Fox FPD | Chief | fkreinbrink@lrffpd.com |
| | Mr. Jeremy Messersmith | Bristol-Kendall FPD | Chief | jmessersmith@BKFire.org |
| | Mr. Mike Torrence | Bristol-Kendall FPD | Fire Marshall | Mtorrence@BKFire.org |
| | Mr. Josh Flanders | Oswego FPD | Chief | firechief@oswegofire.com |
| | Mr. Derek Hagerty | Sandwich FPD | Chief | dhagerty@sandwichfd.org |
| | Mr. Jeff Mathre | Newark FPD | Chief | jeffmathre@yahoo.com |
| | Newark Fire General Email | Newark FPD | General Email | newarkfire@sbcglobal.net |
| | Mr. Vito Bonomo III | Plainfield FPD | Chief | vbonomo@plainfieldfpd.com |
| | Mr. Paul Pope | Lisbon-Seward FPD | Chief | lisbonsewardfiredepartment@gmail.com |
| | Mr. Thomas P. Meyers, Jr. | Montgomery-Countryside FPD | Chief | Chiefmeyers@montgomeryfire.org |
| | Mr. David McCabe | Aurora Fire Department | Chief | McCabeD@aurora.il.us |
| | Mr. Al Yancey, Jr | Minooka FPD | Chief | yanceya@minookafire.com |
| | Mr. Paul Hertzmann | Troy FPD | Chief | PHertzmann@troyfpd.com |
| | Mr. Jeff Carey | City of Joliet Fire Department | Chief | jcarey@joliet.gov |
| Municipalities | Mr. John Purcell | United City of Yorkville | Mayor | jpurcell@yorkville.il.us |
| | Mr. Bart Olson | United City of Yorkville | Administrator | bolson@yorkville.il.us |
| | Ms. Krysti Barksdale-Noble | United City of Yorkville | Community Development Director | knoble@yorkville.il.us |
| | Mr. Terry D'Arcy | City of Joliet | Mayor | tdarcy@joliet.gov |
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| | Mr. Dustin Anderson | City of Joliet | Community Development Director | duanderson@joliet.gov |
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| | Mr. Ryan Kauffman | Village of Oswego | President | rkauffman@oswegoil.org |
| | Mr. Daniel Di Santo | Village of Oswego | Administrator | DDiSanto@oswegoil.org |
| | Mr. Rod Zenner | Village of Oswego | Development Services Director | rzenner@oswegoil.org |
| | Mr. John Argoudelis | Village of Plainfield | President | jargoudelis@goplainfield.com |
| | Mr. Joshua Blakemore | Village of Plainfield | Administrator | jblakemore@goplainfield.com |
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| | Ms. Jacqueline Kowalksi | Village of Millbrook | President | jkowalski@thevillageofmillbrook.com |
| | Mr. Doug Holley | Village of Millington | Mayor | millington372@icloud.com |
| | Ms. Lenee Kissel | Village of Millington | Clerk | Lenee K <leneedoug1231@gmail.com> |
| | Mr. Paul Pope | Village of Lisbon | Mayor | v-lisbon@att.net |
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| | Mr. Dan Duffy | Village of Minooka | Administrator | dan.duffy@minooka.com |
| | Mr. Gabriel Friend | Village of Minooka | Building & Zoning Officer | gabriel.friend@minooka.com |
| | Mr. Jim Davis | Village of Newark | Village President | President@newark-il.us |
| | Ms. June McCord | Village of Plattville | President | jlmccord6835@aol.com |
| | Ms. Beth Fals | Village of Plattville | Village Clerk | bardaugh1@att.net |
| | Mr. Todd Latham | City of Sandwich | Mayor | tlatham@sandwich.il.us |
| | Mr Geoff Penman | City of Sandwich | City Administrator | gpenman@sandwich.il.us |
| | Mr. Ian Burgin | City of Sandwich | City Building Official | iburgin@sandwich.il.us |
| | Mr. Matt Brolley | Village of Montgomery | President | mbrolley@montgomeryil.org |
| | Ms. Sonya Abt | Village of Montgomery | Director of Community Development | sabt@montgomeryil.org |
| | Mr. Jeff Zoephel | Village of Montgomery | Administrator | jzoephel@montgomeryil.org |
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| | Mr. John Laesch | City of Aurora | Mayor | MayorsOffice@aurora.il.us |
| | Mr. John Curley | City of Aurora | Chief Development Services Officer | curleyj@aurora.il.us |
| | Ms. Shannon Cameron | City of Aurora | Chief of Staff | camerons@aurora.il.us |

| | | | | |
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| | Ms. Tracey Vacek | City of Aurora | Zoning Administrator | vacekt@aurora.il.us |
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| | Ms. Natalie Engel | Village of Shorewood | Economic Development Director | nengel@shorewoodil.gov |
| | Mr. Aaron Klima | Village of Shorewood | Administrator | aklima@shorewoodil.gov |
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| | Mr. Paul Hoss | DuPage County | Planning and Zoning Adminstrator | Paul.Hoss@dupagecounty.gov |
| | Ms. Deborah Conroy | DuPage County | Chairman | chair@dupagecounty.gov |
| | Mr. Don Jensen | LaSalle County | Chairman | djensen@lasallecounty.org |
| | Mr. Brian A. Gift | LaSalle County | Director of Environmental Services & Land Use | bgift@lasallecountyil.gov |
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| | Mr. Joe VanDuyne | Will County | County Board Speaker | jvanduyne@willcounty.gov |
| | Mr. David Dubois | Will County | Land Use Director | DDubois@willcountyillinois.com |
| | Mr. Derek Hiland | DeKalb County | Interim Administrator/Community Development Director | dhiland@dekalbcounty.org |
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| | Ms. Heidi Miller | Grundy County | Director of PBZ | hmiller@grundycountyil.gov |
| | Mr.Alec MacDonald | Grundy County | Director of Community Development | amacdonald@grundycountyil.gov |
| | Mr. Drew Muffler | Grundy County | Chairman | dmuffler@grundycountyil.gov |
| | Ms. Mary Kurharz | Grundy County | County Administrator | mkucharz@grundycountyil.gov |
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| | Mr.David Dibo | City of Aurora | Executive Director | dibod@aurora.il.us |
| | Mr. Patrick Burke | Village of Montgomery | Economic Development Manager | pburke@montgomeryil.org |
| | Ms. Lynn Dubajic Kellogg | Yorkville EDC | Consultant | lynn@dlkllc.com |
| | Mr. Jake Melrose | Village of Plainfield | Economic Development Manager | jmelrose@goplainfield.com |
| | Ms. Paulina Martinez | City of Joliet | Economic Development Director | pmartinez@joliet.gov |
| | Mr. Kevin Leighty | Village of Oswego | Economic Development Director | kleighty@oswegoil.org |
| | Ms. Becky Gwilt | Village of Sugar Grove | Economic Development Assistant | bgwilt@sugargroveil.gov |
| | Mr. Todd Volker | Kendall County | Economic Development Coordinator | tVolker@kendallcountyil.gov |
| | Mr. Jack Guldenbecker | Village of Minooka | Economic Development Officer | jack.guldenbecker@minooka.com |
| | Mr. Don Aleksy | City of Sandwich | Director of Economic Development | daleksy@sandwich.il.us |
| | Ms. Julie Wilkinson | City of Morris | Business Development Director | jwilkinson@morrisil.org |
| | Mr. Cort Carlson | Aurora CVB | Executive Director | cort@enjoyaurora.com |
| | Mr. Adam Schauer | Waubonsee Community College | Dean of Adult and Workforce Education | aschauer@waubonsee.edu |
| | Mr. Dain Meza-Gotto | Joliet Junior College | Director of Workforce Education and Training | dmezagot@jjc.edu |
| **Township Plan Commissions** | **Unknown** | Little Rock Twp | Planning Commission Chairman | littlerocktownship@gmail.com |
| | **No Planning Commission** | **Bristol Twp** | **Plan Commission Chairman** | **N/A** |
| | Mr. James Zimmerman | Oswego Twp. | Plan Commission Chairman | jimzim300@comcast.net |
| | Mr. Steve Knutson | Fox Twp. | Plan Commission Chairman | srk1234@sbcglobal.net |
| | Mr. Jake Cooper | Kendall Twp. | Plan Commisson Chairman | jakecoopfarms@gmail.com |
| | Ms. Ronda Wheeler | Na-Au-Say Twp. | Plan Commisson Chairman | Rern63@aol.com |
| | **No Planning Commission** | **Big Grove Twp.** | **Plan Commisson Chairman** | **N/A** |
| | Mr. Dave Smith | Lisbon Twp. | Plan Commission Chairman | davesmith.machinist@gmail.com |
| | Mr. Peter Fleming | Seward Twp. | Plan Commisson Chairman | marquetteprop@sbcglobal.net |
| **Water/Sanitary District** | Ms. Helen Novak | Illinois American Water | Senior Superintendent Production | Helen.Novak@amwater.com |
| | Mr. Kevin Hillen | Illinois American Water | Senior Operations Manager-Northern Illinois | Kevin.Hillen@amwater.com |
| | Mr. Cyrus W McMains | Yorkville-Bristol Sanitary District | Executive Director | cyrus@ybsd.org |
| | Ms. Karen Clementi | Fox Metro Water Reclamation | Manager | kclementi@foxmetro.org |
| **Other** | Ms. Jenna Siegel | Kendall County Farm Bureau | Manager | manager@kendallgrundyfb.com |
| | Mr. Brook McDonald | The Conservation Foundation | President | bmcdonald@theconservationfoundation.org |
| | Ms. Jessica Mino | The Conservation Foundation | Kane/Kendall Program Director | jmino@theconservationfoundation.org |
| | Mr. Tony Manno | CMAP | | amanno@cmap.illinois.gov |
| | Mr. Michael Short | IDOT – Region 2, District 3 | Engineer | michael.short@illinois.gov |
| | Ms. Kendra Parzen | Landmarks Illinois | Advocacy Manager | kparzen@landmarks.org |
| | Mr. Michael Hoffman | Teska | | MHoffman@TeskaAssociates.Com |
| | Mr. Dan Kramer | | | |
| | Mr. Boyd Ingemunson | | | |
| | Mr. Bill Ashton | Past RPC Chairman | | |
| | Mr. Matthew Prochaska | Kendall County | Kendall County Circuit Clerk | mprochaska@kendallcountyil.gov |
| | Mr. Derek Solberg | Silver Springs State Park | Site Superintendent | derek.solberg@illinois.gov |
| | Mr. Ken Itle | WJE | | kitle@wje.com |
| **ZPAC** | | | | |
| **KCRPC** | | | | |
| **ZBA** | | | | |
| **HPC** | | | | |
| **County Board** | | | | |
| **Township Clerks** | | | | |
| **Township Supervisors** | | | | |
| **wnship Highway Commissioners** | | | | |