

KENDALL COUNTY PLANNING, BUILDING & ZONING COMMITTEE
Kendall County Historic Court House
Court Room
110 W. Madison Street, Yorkville, Illinois
6:30 p.m.
Meeting Minutes of December 8, 2025

CALL TO ORDER

The meeting was called to order by Chairman Wormley at 6:33 p.m.

ROLL CALL

Committee Members Present: Brian DeBolt, Dan Koukol, Ruben Rodriguez (Vice Chairman), and Seth Wormley (Chairman)

Committee Members Absent: Elizabeth Flowers

Also Present: Matthew H. Asselmeier, Director, Wanda A. Rolf, Part-Time Office Assistant, Tim O'Brien, Shala Faz, Juan Faz, Joan Soltwisch, Patrick Taylor, Fran Miller, David Shively, Pat Frescura, Boyd Ingmundson, and Vichi Hitihamiradhin

Elizabeth Flowers arrived at this time (6:34 p.m.).

APPROVAL OF AGENDA

Member Rodriguez made a motion, seconded by Member DeBolt, to approve the agenda with the amendment of removing Petition 25-15 from the agenda. With a voice vote of five (5) ayes, the motion carried.

APPROVAL OF MINUTES

Member Koukol made a motion, seconded by Member DeBolt, to approve the minutes of the October 14, 2025, meeting. With a voice vote of five (5) ayes, the motion carried.

PUBLIC COMMENT

Patrick Taylor, a resident near the location of Petition 25-08, expressed concern about some of the noise and air pollution resulting from the activities at the property. Mr. Taylor was also concerned about storm drainage issues and hours of operation. Mr. Taylor felt that barriers and mature trees should be installed to mitigate noise. He was concerned about fuel leaks, gasoline and diesel fuel which would pollute the water. Mr. Taylor noted that children play in the area.

Shala and Juan Faz, owners of 11850 Fox River Drive inquired about a stormwater violation at their property. The matter will be in court in January. The consensus of the Committee was to wait with considering additional citations against the property until the court case in January.

Dave Shively, another resident living near the location of Petition 25-08, spoke about the parking lot that is currently in use; it is noisy and unkempt. Mr. Shively would be in favor of moving some of the operations to the other side of the property where there are no neighbors.

Pat Frescura would like the Petitioner for Petition 25-08 to adjust the hours of closing to between 9:00 p.m. to 7:00 p.m.

Joan Soltwisch, Seward Township Planning Commission, reviewed the Natural Resource Information report that was given to the applicant in 2022. The parcel was located within the Upper Illinois River Watershed and the Minooka Branch of the Aux Sable Creek, sub watershed. The recommendations of the report stated that preservation of open space and the maintenance of wetlands should be employed as a part of the development, including the usage of natural water management to prevent soil from leaving a construction site, protect subsurface drainage, decrease impervious surfaces, reduce areas disturbed by mass grading, preserve views, and treat water as it fell. She stated that the Petitioner proposed to add three hundred twenty-six (326) recreational vehicle and boat storage vehicles to the property. Ms. Soltwisch stated she was not aware if a stormwater permit has been requested by the Petitioner. Ms. Soltwisch felt that an Army Corps of Engineer permit should also be pursued.

Fran Miller, Trustee with Seward Township, stated there were five (5) special use permits for storage that share property lines with residential uses. She felt the Petitioner for Petition 25-08 should install additional fencing and trees. She expressed concerns that the Petitioner will not follow the County's noise regulations.

Expenditure Report

Review of Expenditures from October 2025

The Committee reviewed the Expenditure Report.

Review of Expenditures from November 2025

The Committee reviewed the Expenditure Report.

Review of End of Fiscal Year Escrow Report

The Committee reviewed the Report.

PETITIONS

Petition 25-08 Jeremy M. and Samantha L. Dippold on Behalf of Best Budget Tree, LLC

Mr. Asselmeier summarized the request.

The Petitioners would like to operate a recreational vehicle and boat storage business at the subject property.

Best Budget Tree, LLC has been in existence for over ten (10) years and has operated at the subject property since 2022; forestry is a permitted in use in the A-1 Agricultural District.

The application materials, the original site plan, including the landscaping plan, and the plat of survey were provided.

On November 25, 2025, the Petitioners submitted an amended site plan incorporating the comments received at the Kendall County Regional Planning Commission meeting and Kendall County Zoning Board of Appeals hearing. As of the date of this memo, neither of these boards, nor the Village of Shorewood, Seward Township, nor the Minooka Fire Protection District review the amended proposal. The changes were as follows:

- a. The number of stalls was reduced in Phase I from one hundred sixty-three (163) to one hundred fifty-eight (158) and in Phase II to from one hundred sixty-three (163) to one hundred fifty-four (154) for a total of three hundred twelve (312) spaces.
- b. The fence has been moved from five feet (5') to thirty feet (30') off of the eastern and northern property lines. This causes the tree line to be outside of the fenced area.
- c. A fence will be installed on a line from the western end of the north part of the Arbeiter Road access to the western property line.
- d. The dumpster area has been moved west of the parking area.
- e. A fence has been added west of the existing buildings.
- f. Gates have been added at the western end of the main east-west fence and at the existing southern-most building for the fence west of the existing buildings.
- g. The business sign has been moved to Route 52.
- h. The Arbeiter Road access will be twenty-four feet (24') wide, have a sliding gate with Knox Box at the west end, and will be used for fire access only.

The Petitioners would also like to change the hours of operation to between 6:00 a.m. and 9:00 p.m.

The property is located at 2241 Route 52.

The property is approximately forty-eight (48) acres total with approximately six point five (6.5) acres for the proposed parking area.

The Current Land Use is Agricultural, specifically Forestry.

The County's Future Land Use Map calls for this property to be Rural Residential (Max 0.65 DU/Acre).

The Village of Shorewood's Future Land Use Map calls for this property to be Residential and Commercial.

Route 52 is a State maintained Arterial. Arbeiter Road is a Major Collector Road maintained by Seward Township.

Joliet has a trail planned along Route 52, but the property is on the Shorewood side of the boundary agreement between the two (2) municipalities.

There are no floodplains on the property. There is a wetland near the northwest corner of the property.

The adjacent land uses are Agricultural and Single-Family Residential. The adjacent properties are zoned A-1 and R-3.

The County's Plan calls for this area to be Rural Residential, Suburban Residential, and Commercial.

The Village of Shorewood's Plan calls for this area to be Residential, Commercial, and Institution.

The City of Joliet's Plan calls for this area to be Residential.

Properties within one half (1/2) mile are zoned A-1, A-1 SU, R-1 and R-3.

The A-1 special use permit to the west is for the sale of agricultural products not grown on the premises.

There are nine (9) homes adjoining the subject property.

EcoCAT Report was submitted on June 16, 2025, and indicated the following protected resources:

Aux Sable Creek INAI Site

Greater Redhorse (*Moxostoma valenciennesi*)

On June 16, 2025, the Illinois Department of Natural Resources submitted a letter stating adverse impacts were unlikely and consultation was terminated. This letter was provided.

The application for NRI was submitted as part of the application from 2022. The LESA Score was 210 indicating a medium level of protection. The NRI Report was provided.

Petition information was sent to Seward Township on July 25, 2025.

The Seward Township Planning Commission met on August 5, 2025, and unanimously recommended denial of the proposal. The reasons for the denial were as follows: the

property was never intended to allow for such uses and goes against the forestry use on the property, the access was always supposed to be only from Route 52 and not Arbeiter Road, there will be significant property value decreases to the homes along Arbeiter Road, there are major concerns with the aesthetics of adding this use to the property, drainage concerns, and there is no advantage to the Township or County for allowing this use on the property (i.e. no additional tax revenue). The email with this information was provided.

The Seward Township Board met on August 12, 2025, and unanimously recommended denial of the proposal. The minutes of the meeting were provided.

The amended site plan was sent to Seward Township on November 26, 2025.

Petition information was sent to the Village of Shorewood on July 25, 2025. On August 27, 2025, the Village of Shorewood submitted an email stating they had no objections to this proposal. This email was provided.

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

Petition information was sent to the Minooka Fire Protection District on July 25, 2025.

The Minooka Fire Protection District submitted a letter on August 5, 2025, requesting a Knox gate lock for the gate and that the parking lot conforms to the load of a fire truck and the Petitioner needs to provide a truck turn around analysis plan. This letter was provided.

The amended site plan was sent to the Minooka Fire Protection District on November 26, 2025.

ZPAC reviewed the original proposal at their meeting on August 6, 2025. Discussion occurred regarding the number of employees at the property, the use of Arbeiter Road, and the proposed hours of operations. ZPAC voted to forward the proposal to the Kendall County Regional Planning Commission by a vote of five (5) in favor, zero (0) in opposition, one (1) present, and four (4) absent. The minutes of the meeting were provided.

The Petitioners failed to publish notice fifteen (15) days prior to the September 2, 2025, Zoning Board of Appeals hearing. At the August 27, 2025, Kendall County Regional Planning Commission meeting, prior to the vote to remove the Petition from the agenda, Claire Wilson provided evidence that the current operation was not a forestry business. This information was provided.

The Kendall County Regional Planning Commission did not have a quorum for their meeting on September 24, 2025. The minutes of this gathering are included were provided.

The Kendall County Regional Planning Commission reviewed the original proposal at their meeting on October 22, 2025. Boyd Ingemunson, Attorney for the Petitioners,

stated the Petitioners were agreeable to the conditions as proposed by Staff except condition 5 pertaining to hours of operation; they would like patrons to be able to access the storage area at any time. This time allowance was included in the special use permit for Four Season Storage on County Road near Route 52. The property would not be subdivided. Discussion occurred regarding the weight limit on Arbeiter Road. A letter from the Seward Township Highway Commissioner was read into the record; he favors access from Route 52. The Petitioners were open to the idea of using Route 52 for access, but they did not want to incur the expense of changing their site plan if the amended proposal was going to be rejected. The Petitioners offered to limit storage to boats and campers and not include recreational vehicles, if they are allowed to use Arbeiter Road. Traffic will increase as the farmland is turned into houses and it was noted that recreational vehicles are not frequently hauled during the months with the frost months. Discussion occurred regarding the definition of forestry. Discussion occurred regarding steps the Petitioners would take to monitor leaks on the property; one (1) of the Petitioners is onsite daily. Concerns were raised regarding noise, blowing mulch, odors, the unsightly appearance of the property, conflicts with the current A-1 zoning district and neighboring land uses, lack of tax benefit to Seward Township and the County, the need for the proposed use, and standing water on the property near the subject property's eastern property line. Discussion occurred regarding improvements, such as the installation of an eight foot (8') cedar fence and white pines that were installed on the subject property. Discussion occurred regarding the Right to Farm Clause. It was noted the Petitioners could build taller structures on the property by right. The Kendall County Regional Planning Commission recommended denial of the proposal by a vote of three (3) in favor, five (5) in opposition, and one (1) member absent. Member Wilson voted against the proposal because she did not trust the Petitioners to do what they said they would do. Chairman Landovitz expressed his opposition to the motion because of the weight limit on Arbeiter Road and he felt the proposal was inconsistent with the Residential area noted in the County's Land Resource Management Plan and the existing surrounding uses. The minutes of the meeting were provided.

The Kendall County Zoning Board of Appeals initiated a public hearing on the original proposal on September 29, 2025, and continued the proposal until October 27, 2025. The minutes of the September 29, 2025, hearing were provided.

The Kendall County Zoning Board of Appeals resumed the public hearing on October 27, 2025. Discussion occurred regarding hours of operation. Discussion also occurred regarding placement of similar storage operations in relation to residential uses; at least two (2) of the other outdoor storage special uses backed up to residential uses and at least one (1) had access at all times. The Petitioners' Attorney said the Petitioners were open to changing the access from Arbeiter Road to Route 52; the Petitioners originally did not want to incur the costs of amending the site plan, if the proposal was going to be denied. The Petitioners had no objections to the conditions proposed by Staff. Discussion occurred regarding patrons working on vehicles. Three (3) individuals testified in favor of the proposal; they stated that the Petitioners maintain their building

and property and noted the need for the use in the area. Seward Township Supervisor Tim O'Brien and Seward Township Trustee Fran Miller testified in opposition to the proposal. They noted the proposed access was between two (2) homes, the weight limit on Arbeiter Road, concerns about noise, odors, and unsightly appearance of the property, the proposed business did not fit with the A-1 Zoning District, lack of tax benefit to the public, drainage concerns, concerns about removing contaminated soil, the placement of the fence, and declining property values. It was noted that other agricultural uses could go on the property. The consensus of the Zoning Board of Appeals was that access should be off of Route 52. The Zoning Board of Appeals favored all of the conditions proposed by Staff and added language to condition 8 stating, "Except for battery and tire replacement, no maintenance of vehicles or items parked or stored on the premises shall occur onsite." The Petitioners were agreeable to this change. The Kendall County Zoning Board of Appeals recommended denial by a vote of one (1) in favor, three (3) in opposition, and three (3) absent. Member LeCuyer voted no because he believed the proposal would negatively impact property values of nearby homes. Member Prodehl voted no because she believed the proposal would negatively impact the resale value of nearby homes and she had concerns with patrons accessing the property at anytime without someone onsite. Chairman Mohr voted no because he thought the access should be from Route 52 and the existing fence was inadequate. Member Whitfield disagreed that the proposed use would negatively impact property values. The minutes of the hearing were provided.

Per Section 36-282 (54) of the Kendall County Code, storage facilities can be special uses on A-1 zoned property subject to the following conditions:

1. The business shall be located on, and have direct access to, a State, County or collector highway as identified in the County's Land Resource Management Plan, having an all-weather surface, designed to accommodate loads of at least eighty thousand (80,000) pounds.
2. Unless specifically permitted under a special use permit, all storage shall be in enclosed buildings.

If the County Board approves outdoor storage, the above conditions have been met.

According to the business plan, the Petitioners propose to operate an outdoor storage business at the subject property. The outdoor storage would be limited to recreational vehicles and boats.

According to the original site plan a total of three hundred twenty-six (326) parking stalls were proposed. One hundred sixty-three (163) parking stalls are proposed in Phase I and one hundred sixty-three parking (163) stalls are proposed in Phase II. The amended site plan called for one hundred fifty-eight (158) stalls in Phase I and one hundred fifty-four (154) in Phase II for a new total of three hundred twelve (312) parking stalls. All of the parking stalls would be twelve feet by thirty-five feet (12'X35'). The parking lot would

cover approximately six point five (6.5) acres of the site and would be asphalt grindings. Parking stalls would be numbered with signs at the front of each stall.

According to the business plan, hours of operation would be daily from 7:00 a.m. until 4:30 p.m. The Petitioners would like to change the hours of operation to between 6:00 a.m. and 9:00 p.m.

Other than the Petitioners, the business would not have any employees. Rentals would be arranged online and the parking area would be controlled by gated access with tenants assigned a passcode.

If approved, the Petitioners planned to start operations in the fall of 2025.

Per the site plan, there are two existing buildings on the site, one (1) approximately eleven thousand, five hundred twenty (11,520) square foot building and one (1) approximately thirteen thousand, seven hundred fifty (13,750) square foot building. Both of these buildings are related to the existing forestry operations and no new buildings are planned related to the proposed outdoor storage business.

There are utilities onsite serving the forestry business. No utilities are planned to serve the outdoor storage business area.

One (1) eight foot by twelve foot (8' X 12') dumpster enclosure was shown on the site plan south of the parking area. This enclosure was moved west of the parking area in the amended site plan. No information was provided regarding the type of fence used for the dumpster enclosure.

The property drains to the south and northwest.

There is one (1) wetland located near the northwest corner of the property.

The site plan shows an existing pond on the property and three (3) four inch (4") field tile lines. There is also a gravel area for the forestry business. These items are located south and west from the proposed storage area.

The Petitioners submitted a stormwater permit application. On August 18, 2025, WBK submitted a letter with questions and comments related to applicable permits, the stormwater management report, and engineer plans. This letter was provided.

The amended site plan was sent to WBK Engineering on November 25, 2025.

Per the site plan, the Petitioners originally planned to install one (1) twenty-four foot (24') wide gravel driveway from Arbeiter Road. Arbeiter Road has a ten (10) ton weight limit.

In the amended site plan, the Arbeiter Road access would be twenty-four feet (24') wide and would be used for fire access only. A sliding gate with a Knox Box is proposed at the western end of Arbeiter Road.

On July 25, 2025, Seward Township submitted an email requesting a thirty-three foot (33') deep right-of-way dedication along Arbeiter Road. This email was provided.

According to the amended site plan, the Petitioners plan to install two (2) sixty foot wide (60') driving aisles with parking stalls on both sides of the aisles.

Three (3) pipeline easements exist on the property, but these easements are not in the vicinity of the proposed outdoor storage area.

No lighting is proposed in the outdoor parking and storage area.

According to the amended site plan, one (1) non-illuminated sign is proposed east of entrance off of Route 52. No information was provided regarding sign dimensions or height. Per the Kendall County Code, the total maximum allowable signage is thirty-two (32) square feet of gross surface area.

According to the business plan and amended site plan, an eight foot (8') tall black chain-link fence is proposed around the north, east, and south sides of the storage area. On the east and north sides, the fence will be thirty feet (30') off of the property line. A second gate is proposed west of the existing forestry buildings. The site plan also shows one (1) security access gate at the Arbeiter Road entrance, one (1) security gate at the western end of the main east-west gate, and one (1) security gate west of the southern-most existing building.

According to the business plan and the amended site plan, two (2) rows of evergreens spaced at forty foot (40') centers exist along most of the perimeter of the property.

No information was provided regarding noise control.

No new odors are foreseen by the proposed use.

If approved, this would be the sixth (6th) special use permit for storage of recreational vehicles and boats in unincorporated Kendall County. All five (5) of the existing special use permits allow some form of outdoor storage.

The Findings of Fact were as follows. It should be noted that the Zoning Board of Appeals made these Findings based on the original site plan:

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 establishment, maintenance, or operation of the special use will be detrimental and will endanger the public health, safety, morals, comfort, or general welfare.

Members LeCuyer and Whitfield disagreed with this Finding.

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. A The special use will be injurious to the use and enjoyment of property in the immediate vicinity and will diminish and impair property values. The proposed use does not make adequate provisions for buffers, landscaping, fencing, or other improvements necessary to insure that the proposed use does not adversely impact adjacent uses.

Member Whitfield disagreed with this Finding.

That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. If a stormwater management permit is issued based on the submitted materials, drainage should not be an issue. If Seward Township approves the access from Arbeiter Road, ingress and egress 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. If the County Board approves the outdoor storage request, this is true. No variances are required.

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 proposed use is inconsistent with the purpose and objectives of the Land Resource Management Plan. Also, the Kendall County Regional Planning Commission recommended denial of the Petition.

Chairman Mohr and Member Whitfield disagreed with this Finding.

Staff recommended approval of the special use permit for outdoor storage of recreational vehicles and boats only subject to the following conditions and restrictions:

1. The site shall be developed substantially in accordance with the amended site plan.
2. Items stored outdoors at the subject property related to this special use permit are limited to boats and recreational vehicles. No junk or debris, as defined by the Kendall County Code, shall be stored outdoors on the property.
3. Other than the perimeter trees, fencing, and no junk and debris requirements, the conditions contained in this special use permit shall not extend to the forestry operations conducted on the subject property.
4. Within ninety (90) days of approval of this special use permit, the owners of the

subject property shall dedicate a strip of land along the perimeter of Arbeiter Road thirty-three feet (33') in depth as measured from the center Arbeiter Road to Seward Township. The Kendall County Planning, Building and Zoning Department may grant an extension to this deadline.

5. The hours of operation for the business allowed by this special use permit shall be daily from 7:00 a.m. until 4:30 p.m. Patrons may access the storage area at any time (**Requested Amendment at RPC**).
6. Other than the owners of the business allowed by this special use permit, the business allowed by this special use permit shall have zero (0) employees.
7. None of the vehicles or items parked or stored on premises shall be considered agricultural equipment as they relate to the businesses allowed by the special use permit.
8. All of the vehicles or items stored on the premises shall be maintained in good condition with no deflated tires and shall be licensed if required by law. Except for battery and tire replacement, no maintenance of vehicles or items parked or stored on the premises shall occur onsite. (**Added at ZBA**).
9. The owners of the business allowed by this special use permit shall diligently monitor the property for leaks from vehicles and items stored on the premises and shall promptly clean up the site if leaks occur.
10. 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 the 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.

11. The owners of the business allowed by the special use permit shall secure applicable permits for the parking area and sign near the entrance from Route 52. All of the parking stalls shall have signage identifying their stall number and directional signage may be installed throughout the site. Permits shall not be required for the parking stall signage and any directional signage installed on the

property. None of the signs shall be illuminated.

12. KenCom and other emergency responding organizations shall be provided the access codes to the Knox Boxes (**Added after ZPAC and Amended after ZBA**).
13. The operator(s) of the business allowed by this special use permit acknowledge and agree to follow Kendall County's Right to Farm Clause.
14. The operator(s) of the business allowed by this special use permit shall follow all applicable Federal, State, and Local laws related to the operation of the business allowed by the special use permit.
15. Failure to comply with one or more of the above conditions or restrictions could result in the amendment or revocation of the special use permits.
16. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.
17. This special use permit 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.

The draft ordinance was provided.

Member Koukol made a motion, seconded by Member DeBolt, to recommend approval of Petition 25-08 with the conditions proposed by Staff.

Boyd Ingmunson, Attorney for the Petitioner, stated one (1) of the changes to the site plan was that there will only be emergency vehicles allowed to enter the property from Arbeiter Road. The entrance for the storage facility will be on the far west edge of the property. The Petitioner originally wanted to provide twenty-four (24) hour access to the renters, but he acknowledged that neighbors had concerns about safety. The property will only be accessible between the hours of 6:00 a.m. to 9:00 p.m. The Petitioner will probably limit the hours further in the winter months when renters would have boats and recreational vehicles in storage. Mr. Ingmunson stated the Petitioner was proposing planting evergreens as part of the landscape barrier. These evergreen trees are known for creating quick privacy screens, hedges, and windbreaks. Mr. Ingmunson stated the Petitioner will comply with applicable regulations.

Member DeBolt asked if the petitioner is planning to plant the trees prior to opening the storage business. Mr. Ingmunson stated that the Petitioner will start planting as soon as possible.

Member DeBolt asked if the Petitioner was planning on installing parking lot lighting. Mr. Ingmunson stated that there will be no parking lot lighting.

Member DeBolt asked how the renters will enter and exit the property. Mr. Ingmunson stated there will be a gate on Route 52 that the Petitioner can physically close. Also,

there will be another gate past the current business on the property that will have a key pad for keyless entry.

Member Koukol stated that the Petitioner's current business is clean and well maintained.

Member Koukol noted that the Petitioner is investing a lot of time and money into their new business and wishes them success.

Member Rodriguez visited the site of the new business and noted it was very clean.

Member DeBolt asked when the construction will begin. Mr. Ingemunson stated it would probably begin in the spring.

The votes were as follows:

Yeas (5): DeBolt, Flowers, Koukol, Rodriguez, and Wormley

Nays (0): None

Abstain (0): None

Absent (0): None

The motion carried. The proposal goes to the Kendall County Board on December 16, 2025, on the regular agenda.

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 Regional Planning Commission continued reviewing this proposal at their meeting on November 6, 2025. Nicole Mayer discussed a lack of vegetation along the property line with the existing temple, concerns regarding a lack of privacy and the public looking into her backyard, increased noise, increased traffic, and loss of property values. She presented a petition signed by neighbors expressing opposition to the proposal; the petition is included with the minutes of the meeting. She requested the installation of a wall or privacy fence, 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. Discussion occurred regarding the existing chain link fence on Ms. Mayer's property. It was noted that a place of worship had been on Route 34 since 1986 and the subject property has been zoned B-2 since the 1970s, both of which occurred prior to neighbors moving into their houses. Mary Marquez presented a plat of survey of her property and noted that the common property line did not have any vegetation; the plat is included with the minutes of the meeting. 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 and the number of people at the existing temple. Discussion occurred regarding splitting the cost of constructing a fence. The garden would be open to the public; discussion occurred regarding managing capacity at the property. The Petitioners were agreeable to the conditions proposed by Staff. The Kendall County Regional Planning Commission recommended approval of the proposal by a vote of eight (8) in favor and zero (0) in opposition with one (1) member absent. 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 minutes of meeting 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 Zoning Board of Appeals continued the hearing to November 12, 2025. A representative from the Petitioner discussed the features of the proposed meditation garden and she said the Petitioner would strive to be a good neighbor. Discussion occurred regarding the placement of the proposed meditation garden on the property and that neighbors could be loud. A member of the congregation spoke in favor of the proposal. The Kendall County Zoning Board of Appeals recommended approval of the proposal with the conditions proposed by Staff by a vote of five (5) in favor and

zero (0) in opposition with two (2) members absent. 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 to 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 seating 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 are 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 (15th) special use permit for a place of worship in unincorporated Kendall County.

The Findings of Fact were as follows:

That the establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare. 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:

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.

The draft ordinance was provided.

Chairman Wormley noted that the funding for the meditation center will be provided through donations.

Member Flowers asked if the work will be done in stages. Due to the funding, a spokesperson for the Buddhist Temple stated that the work will have to be done incrementally.

Member Koukol asked if there is someone there all the time. The spokesperson stated that there would be someone onsite at all times.

Member Rodriguez made a motion, seconded by Member DeBolt, to recommend approval of Petition 25-19 with the conditions proposed by Staff.

The votes were as follows:

Yeas (5): DeBolt, Flowers, Koukol, Rodriguez, and Wormley
Nays (0): None
Abstain (0): None
Absent (0): None

The motion carried.

The proposal goes to the Kendall County Board on December 16, 2025, on the consent agenda.

NEW BUSINESS:

Approval of Contract for Engineering Review, Inspection and Consultation Services with WBK Engineering, LLC for a Period of Two Years with Optional Annual Renewals; Related Fees of Initial Escrow Deposits of \$2,500 for Review Services and \$3,500 for Construction Inspection Services Are Unchanged from Current Contract

Mr. Asselmeier summarized the request.

WBK Engineering, LLC has been Kendall County's Stormwater Engineer since 2009.

The current contract was signed in January 2024 and was for a term of two (2) years with optional one (1) year renewals.

The proposed contract is also for two (2) years with optional one (1) year renewals.

The scope of services remains unchanged.

The fees for services also remain unchanged.

Member Flowers made a motion, seconded by Member Koukol, to recommend approval of the proposed contract.

The votes were as follows:

Yeas (5): DeBolt, Koukol, Rodriguez, and Wormley

Nays (0): None

Abstain (0): None

Absent (0): Flowers

The motion carried.

The proposal goes to the Kendall County Board on December 16, 2025, on the consent agenda.

Approval of Notice of Intent for New or Renewal of General Permit for Discharges from Small Municipal Separate Storm Sewer Systems (MS4's)

Mr. Asselmeier summarized the request.

Kendall County's General Permit for Discharges from Small Municipal Separate Storm Sewer Systems recently.

WBK prepared the information for the General Permit. The proposed General Permit is similar to the General Permit approved by the County Board in 2016 and 2021. The County currently undertakes the majority of the items listed in the General Permit.

Member Rodriguez made a motion, seconded by Member Flowers, to recommend approval of the proposed Notice of Intent.

The votes were as follows:

Yeas (5): DeBolt, Flowers, Koukol, Rodriguez, and Wormley

Nays (0): None

Abstain (0): None

Absent (0): None

The motion carried.

The proposal goes to the Kendall County Board on December 16, 2025, on the consent agenda.

Review of 2026 Application Calendar

The Committee reviewed the application calendar.

Member Rodriguez made a motion, seconded by Member DeBolt, to recommend approval of the proposed application calendar

The votes were as follows:

Yeas (5): DeBolt, Flowers, Koukol, Rodriguez, and Wormley

Nays (0): None

Abstain (0): None

Absent (0): None

The motion carried

Request for Guidance Regarding a Stormwater Ordinance Violation at 11850 Fox River Drive; Committee Could Approve Additional Citations

No action was taken on this matter due to the comments made in public comment earlier in the meeting.

Review of Amendments to the Kendall County Stormwater Management Ordinance; Committee Could Vote to Request a Public Hearing of the Proposed Amendments before the Stormwater Management Oversight Committee

Mr. Asselmeier summarized the request.

In 2022, the State updated the Model Floodplain Ordinance. Shortly thereafter, the County decided to review the current Stormwater Management Ordinance against the new Model Floodplain Ordinance, but decided to wait with finalizing any proposals until after codification was completed.

Earlier in 2025, WBK Engineering prepared a redlined version of the proposal, which the Committee reviewed at their February 10, 2025, meeting. This proposal was forwarded to the municipalities for review.

On April 7, 2025, the Committee reviewed the amended proposal which incorporated comments from the municipalities. At that meeting, the Committee also voted to forward the proposal to FEMA.

On September 18, 2025, FEMA submitted their comments to the County and on October 6, 2025, WBK Engineering submitted the County's response to FEMA comments.

Upon conclusion of the government shutdown, FEMA met with the State, County, and WBK Engineering on November 21, 2025, to go over the final unresolved issues.

A list of proposed changes to the Stormwater Management Ordinance and a clean version of the proposal was provided

If the PBZ Committee is agreeable, a public hearing before the Stormwater Management Oversight Committee will be scheduled. Upon completion of the public hearing, the proposal will be forwarded to the County Board.

The County cannot approve amendments to the floodplain regulations without FEMA's approval.

Member Flowers made a motion, seconded by Member DeBolt, to request a public hearing.

The votes were as follows:

Yeas (5): DeBolt, Koukol, Rodriguez, and Wormley

Nays (0): None

Abstain (0): None

Absent (0): Flowers

The motion carried.

Mr. Asselmeier will work with Chairman Kellogg to schedule a Stormwater Management Oversight Committee public hearing.

OLD BUSINESS:

Update on the Comprehensive Plan Update Project

The Committee reviewed updated status of the project.

There will be a special meeting of the Kendall County Regional Planning Commission and Comprehensive Land Plan and Ordinance Committee on December 10, 2025, at 6:00 p.m.

Update on Stormwater Permit at 13039 McKanna Road (PIN: 09-09-100-002) in Seward Township; Committee Could Approve the Issuance of a Citation

Mr. Asselmeier reported that the County issued a stormwater management permit for the property on November 3, 2025. On November 6, 2025, the County met with the owners of the property and the owners provided the County with titles of eleven (11) semis parked at the property. At this time, there is no evidence that the owners are renting stalls at the property and no evidence that employees were reporting to the site for work.

Special Use Enforcement Update

Mr. Asselmeier reported that information will be available at next month's meeting.

REVIEW PRE-VIOLATION AND VIOLATION REPORT:

Review of Report from November 2025

The Committee reviewed the report.

Review of FY24-25 Inspection Report

The Committee reviewed the report.

UPDATE FROM HISTORIC PRESERVATION COMMISSION:

Mr. Asselmeier reported that the historic structure surveys of Seward Township and Na-Au-Say Township are ongoing.

REVIEW PERMIT REPORTS:

October 2025 Permit Report

The Committee reviewed the report.

November 2025 Permit Report

The Committee reviewed the report.

End of Fiscal Year Permit Report

The Committee reviewed the report.

REVIEW REVENUE REPORT:

October 2025 Revenue Report

The Committee reviewed the report.

November 2025 Revenue Report

The Committee reviewed the report.

End of Fiscal Year Revenue Report

The Committee reviewed the report.

Review of FY2011-2025 Revenue Report

The Committee reviewed the report.

Chairman Wormley asked if revenue reports could be provided quarterly. Mr. Asselmeier said yes.

CORRESPONDENCE

None

COMMENTS FROM THE PRESS:

None

EXECUTIVE SESSION

None

ADJOURNMENT:

Member DeBolt made a motion, seconded by Member Koukol to adjourn. With a voice vote of five (5) ayes, the motion carried.

Chairman Wormley adjourned the meeting at 8:00 p.m.

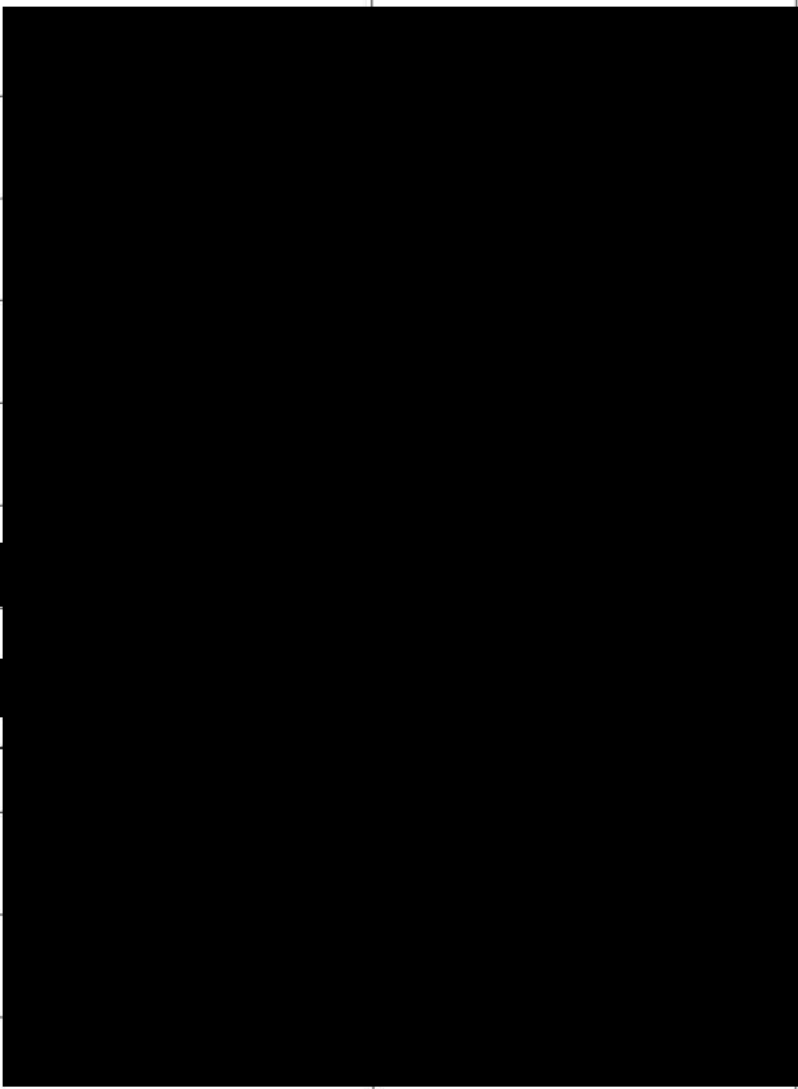
Minutes prepared by Wanda A. Rolf, Part-Time Office Assistant

Encs

**KENDALL COUNTY
PLANNING, BUILDING, & ZONING COMMITTEE
DECEMBER 10, 2025**

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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)
Aim O'Brien		
Shaldon VanFaz		
Joan Satterfield		
Patrick Taylor		
Fren Miller		
DAVID SHIVELY		
Pet Frescurk		
Boyd Ingemanson		
Vichi Hithammarachchi		

PUBLIC TESTIMONY:

KENDALL COUNTY PLANING AND ZONING: MONDAY DECEMBER 9TH 2025

I would like to review with the planning building and zoning committee the Natural Resource Information (NRI) report, number 2202, May 2022, Best Budget Tree Service. This is a 48.59-acre parcel. This parcel is located within the Upper Illinois River watershed and the Minooka Brance Aux Sable Creek, sub watershed. The original zoning described in the Kendall County Soil and Water Conservation District report, was A-1 Agricultural. It was then proposed and later adopted a zoning use of A-1 SU Agricultural with Special Use Permit, Tree Service Business. This report was was given to the applicant, Jeremy Dippold, The Township Planning Commission, and The County Planning and Zoning Department. This report remains in the Kendall County Soil and Water Conservation District Files. The recommendations of this report state that the Watershed and Sub Watershed Plan preserve open space, maintain wetlands, as a part of the development, use natural water management, prevent soil from leaving a construction site, protect subsurface drainage, decrease impervious surfaces, reduce areas disturbed by mass grading, preserve views, and treat water as it falls, to name a few. Many Kendall County Citizens were active in helping create the above recommendations, as documented in the Protect Kendall Now Grant Plan, as well as the Aux Sable Creek Watershed 319 grant plan.

There is a freshwater emergent wetland on the northwest corner of the property. When the latest proposed zoning came before our Seward Township Planning Commission, in August of this year, to add 326 R.V. and boat storage vehicles, which does not seem to fit the forestry use, the engineer John Tebrugge was asked about the storm water plan which was designed for parking on Asphalt Grindings. He stated that the drainage from the parking lot would be discharged into the wetland.

In our area, where many individual homes rely on shallow groundwater wells, the wetland in its original state is particularly valuable. The wetland controls flooding, for the landowner to the West. Wetlands cleanse water by filtering out sediment and other pollutants, like road salt, tar, and oil particulate, coming off the impervious service of the proposed parking area. This would be detrimental to the wetland. The conversation of wetlands, with their sediment trapping and nutrient absorbing vegetation, to biologically barren stormwater detention ponds, can cause addition degradation of water quality in downstream or adjacent areas.

Wetlands are high quality and important. It has been estimated that over 95 percent 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. One acre of wetland can filter 7.3 million gallons of water a year.

The N.R.I. report also mentioned that there are Hydric Soils, on the site, another indication of flooding potential. It is imperative that the drainage tiles remain undisturbed. A damaged subsurface drainage tile may return original hydrologic condition to all the areas that drained through the tile, ranging from less than one acre to many square miles.

We are not aware that a Kendall County Stormwater Management Plan has been secured for this site. This permitted engineering plan would help protect the wetland by installing filter strips, and erosion control measures, after modification of the property. This is a permitted process with professional seals and certifications required. We have not heard, in any of the zoning committees, that this process will take place, before or during the construction project. Pulling a storm water plan will have final inspections and long-term maintenance.

Our question today will be if and when a storm water management plan will be applied for, when the project is approved for this special use zoning. I would also ask why an Army Corps of Engineer permit does not have to be applied for, in the consideration of discharging stormwater into this wetland, as proposed by and discussing the engineering plan?

Sincerely,



Joan Kathry Soltwisch

Seward Township Land Planning Committee, Representing the Aux Sable Creek Watershed.