AGENDA
PLANNING & ZONING COMMISSION
Tuesday, February 21, 2017
7:00 p.m.
Marengo City Hall

1. Call to Order

2. Roll Call

3. Approval of Minutes: September 19, 2016

4. New Business
   a. Public Hearing-Review and Recommendation of Approval to Grant M-Manufacturing Zoning Classification, with a Special Use Permit for a mining operation on Property Owned by Marengo Lakes LLC (which includes a portion of property formerly owned by VCNA Prairie Aggregate Holdings) for Tax Numbered Parcels 16-10-200-010, 16-10-200-12, 16-10-200-014, 16-10-300-002, 16-10-400-002, 16-10-400-003, 16-10-400-004, 16-10-400-006, 16-10-300-004, 16-15-100-002, 16-15-200-001, 16-15-200-002, and 16-14-100-013; located on the South Side of Pleasant Grove Road and on the West Side of State Route 23

5. Adjournment
City of Marengo
Planning & Zoning Commission Meeting
Council Chambers
132 E. Prairie Street
Marengo, IL 60152
September 19, 2016
7:00 P.M.

CALL TO ORDER
Commission Chairman Mike Bieniek called the Meeting of the Planning & Zoning Commission to order at 7:00 P.M.

PLEDGE OF ALLEGIANCE
Mr. Bieniek led everyone in the Pledge of Allegiance.

ROLL CALL
Present this evening are Commissioners Bieniek, Piwonka, Varney, Hunt, Brackmann, and Gieseke. Also present were City Administrator Gary Boden and Deputy City Clerk Anna Leyrer. Absent this evening is Commission Member Mazuriewicz.

APPROVAL OF MINUTES
Commission member Varney made a motion, seconded by Commission member Gieseke to approve the February 16, 2016 Planning and Zoning Minutes. The motion passed with aye votes from Commission members Bieniek, Piwonka, Gieseke, Varney, Brackmann, and Hunt.

NEW BUSINESS- PUBLIC HEARING
a. Review and Recommendation of Approval to Grant a Special Use Permit to 421 East Grant Highway

Commission member Piwonka made a motion, seconded by Commission member Varney to open the Public hearing. The motion passed with a voice vote.

Commission Chairman Bieniek stated that there was public notification of the Public Hearing, and requested that the verification of mailings that were sent to property owners within 250 feet surrounding the area about this public hearing be submitted for record. Documents were presented to Deputy City Clerk Anna Leyrer for the record.

Pat Shelton, the petitioner and owner of 421 East Grant Highway explained that the purpose of his request is allow the uses currently allowed under zoning class R3, and not restrict use to Insurance or Insurance type business, which is what his current special use has allowed for the last 30 years. By seeking a new special use, it would allow more opportunities to sell his building. He also stated that he would like to change the signage, but would follow the current sign code to ensure it was conforming.
Commissioner Hunt asked if there is currently a potential buyer. Mr. Shelton stated that he has had several inquiries on the property, but no commitment as of yet.

Commission Chairman Bieniek asked what the square footage is. Mr. Shelton stated it is approximately 800 square feet, and has four rooms.

Commissioner Brackmann asked about Mr. Shelton’s question about signage. City Administrator Boden stated that as long as it is a conforming sign, no additional approval from Planning and Zoning would be needed, just a required permit. If the sign request would be non-conforming, then an additional review would be required.

PUBLIC COMMENT
Commission Chairman Bieniek opened the floor for Public Comment. There was none.

Commission member Piwonka made a motion, seconded by Commission member Gieseke to close the Public Comment. The motion passed with a voice vote.

DISCUSSION
Based on the location and property configuration, available parking and square footage, Commission Chairman Bieniek suggested that while professional offices are appropriate, other larger uses under the R-3 special use provisions would not be adequate. The Commissioners agreed.

PLANNING AND ZONING ACTION
Commission member Piwonka made a motion to recommend the approval to grant a special use permit for 421 East Grant Highway with the condition that cemeteries, churches, chapels, temples, and synagogues would not be allowed. Commissioner Gieseke seconded. The motion passed with aye votes from Commissioners Bieniek, Piwonka, Gieseke, Varney, Brackmann, and Hunt.

ADJOURNMENT
Commissioner Hunt made a motion to close the meeting. The motion passed with a voice vote. The meeting adjourned at 7:25 p.m.

Respectfully submitted,
Anna Leyrer
Deputy City Clerk
TO: Planning and Zoning Commission  
C: Mayor and City Council  
FROM: Gary Boden, City Administrator  
DATE: February 14, 2017  
RE: Subject to Annexation, Rezoning from AT- Agricultural Transition to M-Manufacturing (with a Special Use Permit) *Marenco Lakes* Owned by Super Aggregates.

As has been previously reported, Super Aggregates is intending to merge the old Prairie Aggregates quarry with their planned quarry located immediately north of Prairie. About this time last year Super Aggregates gained approval for a 256-acre quarry operation ("Pleasant Grove Lakes") that exited onto Pleasant Grove Road. That approval included a rezoning of the 256 acres to M-Manufacturing with a Special Use Permit that allowed for the quarry's development. That approval included rezoning of 80 acres which was to be annexed into the City. Shortly after City Council approval, the company put a hold on advancing the annexation and development of this quarry, because they began earnest negotiations for the purchase of Prairie Aggregates.

Under the intention of merging the two quarries, Super Aggregates is asking for an amendment to the unexecuted Pleasant Grove Lakes annexation agreement to now include their recent acquisition. More particular to the Plan Commission, they have filed revised annexation and rezoning petitions that would join the former Prairie Aggregates property to the Pleasant Grove Lakes Property.

*Under this new alignment, the Planning Commission is being asked to hold a public hearing, review, and make recommendation on the rezoning of the total holding, thereby redoing the public hearing, review and vote of recommendation of the northern half of the combined property which was approved last year.*

This new plan removed the one major complication from last's year approval – the use of Pleasant Grove Road for the entry point to the quarry. With the merger, the company's plan show that the entry point would come off State Route 23 at Prairie Aggregates current entry location. The company has requested that the Pleasant Grove Road access point be maintained for a future purpose when and if it is needed for the development of the property once the quarrying operation is completed.

Remember the Plan Commission is on Tuesday night, since City Hall closed on Monday for Presidents Day.
PUBLIC HEARING NOTICE

In Compliance with the Marengo Zoning Ordinance a public hearing will be held before Marengo Planning and Zoning Commission on the 21st, February, 2017 at 7:00 p.m. at 132 East Prairie Street, Marengo, Illinois, 60152. The purpose of the hearing is to consider a petition to zone upon annexation approximately 510 acres to M Manufacturing District and to issue a special use permit between the City and Marengo Lakes, LLC (the “owner”) for an unincorporated portion of McHenry County, Illinois in Riley Township west of State Route 23, Marengo, IL (the “Property”).


Property which is the subject of this petition consists of 510 +/- acres currently operated as a sand/gravel quarry and remaining acreage operated as a farm and is located at 8293 IL State Route 23, Marengo, Illinois, in Riley Township.

Property is presently zoned as “A-1” and “A-1C” Agriculture District of McHenry County under the terms of the McHenry County Zoning Ordinance.
Public Notice
Public Hearing Notice

In Compliance with the Marengo Zoning Ordinance a public hearing will be held before Marengo Planning and Zoning Commission on the 21st, February, 2017 at 7:00 p.m. at 132 East Prairie Street, Marengo, Illinois, 60152. The purpose of the hearing is to consider a petition to zone upon annexation approximately 510 acres to M Manufacturing District and to issue a special use permit for earth materials extraction, processing, site reclamation, stock piles generated thereon, operation of a concrete and asphalt plant, landscape material transfer, construction material recycling and transfer, the importation of fill materials, recycling of concrete, asphalt shingles and broken asphalt materials, and related operations between the City and Marengo Lakes, LLC (the “owner”) for an unincorporated portion of McHenry County, Illinois in Riley Township west of State Route 23, Marengo, IL (the “Property”). Legal Description: THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 10, THE SOUTHEAST QUARTER OF SECTION 10 AND THAT PART OF LOTS 4 AND 5 IN THE COUNTY CLERK’S PLAT OF SECTIONS 10 AND 11, ACCORDING TO THE PLAT THEREOF RECORDED MARCH 20, 1901 AS DOCUMENT NO. 10785, IN BOOK 2 OF PLATS, PAGE 16, ALL IN TOWNSHIP 43 NORTH, RANGE 5 EAST OF THE THIRD PRINCIPAL MERIDIAN BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 5 BEING THE SOUTHEAST CORNER OF SAID LOT 4, AND RUNNING THENCE SOUTH ALONG THE EAST LINE OF LOT 5 AFORESAID 99 FEET TO THE SOUTHEAST CORNER OF THE EAST HALF OF THE NORTHEAST QUARTER OF SAID SECTION 10; THENCE WEST TO THE SOUTHWEST CORNER OF THE SAID EAST HALF OF THE NORTHEAST QUARTER, ALSO BEING THE SOUTHWEST CORNER OF SAID LOT 4 IN SECTION 10, AND RUNNING THENCE NORTH ALONG THE WEST LINE THEREOF, 1261.54 FEET; THENCE NORTHEASTERLY ALONG A LINE FORMING AN ANGLE OF 45 DEGREES 39 MINUTES 57 SECONDS TO THE RIGHT OF THE PROLONATION OF THE LAST DESCRIBED COURSE, 1517.15 FEET TO THE CENTERLINE OF PLEASANT GROVE ROAD; THENCE SOUTHEASTERLY ALONG SAID CENTERLINE TO THE EAST LINE OF THE SAID EAST HALF OF THE NORTHEAST QUARTER, BEING THE EAST LINE OF SAID LOT 4; THENCE SOUTH ALONG SAID EAST LINE TO THE PLACE OF BEGINNING. ALSO THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 10, ALSO THE NORTH HALF OF THE NORTHWEST QUARTER OF SECTION 14, ALSO THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 15, TOWNSHIP 43 NORTH RANGE 5 EAST ALSO THE NORTH HALF OF THE NORTHEAST QUARTER OF SECTION 15, ALSO THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 15 (EXCEPTING THEREFROM THAT PART THEREOF DESCRIBED AS FOLLOWS: COMMENCING AT A POINT ON THE NORTH AND SOUTH QUARTER SECTION LINE, 80 RODS NORTH OF THE CENTER OF SAID SECTION AND RUNNING THENCE WEST ALONG THE SOUTH LINE OF THE SAID NORTHEAST QUARTER OF THE NORTHWEST QUARTER 80 RODS TO THE SOUTHWEST CORNER THEREOF; THENCE NORTH ALONG THE WEST LINE THEREOF, 60 RODS; THENCE SOUTHWESTERLY TO A POINT ON THE EAST LINE THEREOF, 60 RODS SOUTH OF THE NORTHEAST CORNER THEREOF AND 20 RODS NORTH OF THE PLACE OF BEGINNING; THENCE SOUTH 20 RODS TO THE PLACE OF BEGINNING, ALSO EXCEPTING THE SOUTH 510.00 FEET OF THE EAST 433.00 FEET OF THE NORTH HALF OF THE NORTHWEST QUARTER OF SECTION 14), ALL IN TOWNSHIP 43 NORTH RANGE 5 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN MCHENRY COUNTY, ILLINOIS.

PIN: 16-10-200-014, 16-10-200-010, 16-10-200-012, 16-10-300-002, 16-10-400-006, 16-10-400-002, 16-10-400-003, 16-10-400-004, 16-10-300-004, 16-15-100-002, 16-15-200-001, 16-15-200-002, 16-14-100-013. Members of the public are welcome to attend the public hearing and provide comments and/or testimony regarding the proposed zoning reclassification and special use.
Public Notice
Public Hearing Notice

Notice is hereby given that a public hearing will be held before the Mayor and the City Council of the City of Marengo on 27th, February, 2017 at 7:00 p.m. at 132 East Prairie Street, Marengo, Illinois, 60152. The purpose of the hearing is to consider a proposed annexation agreement between the City and Marengo Lakes, LLC for an unincorporated portion of McHenry County, Illinois in Riley Township, commonly known as 8293 State Route 23, Marengo, IL. The Property includes PINs 16-10-400-003, 16-10-400-004, 16-10-300-004, 16-15-100-002, 16-15-200-001, 16-15-200-002, 16-14-100-013.

Members of the public are welcome to attend the public hearing and provide comments and/or testimony regarding the proposed annexation agreement.

A copy of the proposed annexation agreement is available for public inspection in the City Hall, 132 East Prairie Street, Marengo, Illinois 60152, during regular business hours.

City Clerk Constance J. Boxleitner, City of Marengo
February 15, 2017

To: The City of Marengo
    Mayor Lockhart
    Marengo City Council
    City Administration
    Planning and Zoning Commission

We have revised Pages 18-34 in our previously submitted Petition Booklet. Please disregard the existing booklet pages 18-34 and insert the enclosed revision. We apologize for any confusion this may have caused.

Thank you.
Super Aggregates

Petition for

Marengo Lakes

Presented to the City of Marengo

Prepared By:

Super Aggregates

A Proven History....

....A Future Commitment

Jack Pease

5435 Bull Valley Road  Suite 330  McHenry, IL 60050

Office: 815-385-8000  Mobile: 815-790-1293
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Request Outline

In reference to 255 acres (Former O'Brien Property) located West of Illinois Route 23, West and Southwest of Pleasant Grove Road, North of Grange Road and East of Blissdale Road. In consideration of the City of Marengo, Super Aggregates would like to request the following:

- Petition for Annexation, Zoning Amendment (M) and Special Use to include the South ½ of the Southeast Quarter of Section 10, Township 43 North, Range 5 East of the Third Principal Meridian. Property is 80 acres more or less, formerly known as the O'Brien property contiguous and adjacent to the boundaries of the City of Marengo. PIN: 16-10-400-003 & 16-10-400-04.

- Petition for a Zoning Reclassification to the Manufacturing (M) District classification and Special Use on 175 Acre property formerly known as the O'Brien property located in the City of Marengo.

- Mass grading permit for mining area.

In reference to 255 acres (Former VCNA Prairie Property) located at 8293 Illinois State Route 23. In consideration of the City of Marengo, Super Aggregates would like to request the following:

- Petition for Annexation, Zoning Reclassification to the Manufacturing (M) District classification and Special Use to include 255 acres more or less, formerly known as the VCNA Prairie property contiguous and adjacent to the boundaries of the City of Marengo.

- Mass grading permit for mining area.
Reclaimed site seeded with prairie grass and planted evergreens.

Photo from Super Aggregates - Waterford, WI.
Current site and equipment. Photo from Super Aggregates - Burgett Lake site.
Photos of proposed Scale House and Monument Sign.

Photo from Super Aggregates - Burgett Lake site.
APPLICATION REQUIREMENTS FOR ZONING AMENDMENT
&
PUBLIC HEARING APPLICATION CHECKLIST

APPLICANT ____________________________  Super Aggregates – Jack Pease

ADDRESS ________________________________  5435 Bull Valley Road  McHenry, IL 60050

TELEPHONE NUMBER Office: 815-385-8000  Cell: 815-790-1293

APPLICATION FOR  Zoning Amendment - Agricultural Transition (AT) to Manufacturing (M)

PART I  Date received

Applicant’s authorization letter from the titleholder of the property  NA

Review fees:
- Zoning text amendment; $500.00
- Subdivision amendment; $400.00 + $10.00/acre
- Site Plan review amendment $400.00 + $10.00/acre

Deposit for reimbursement of fees:
- Zoning text amendment; $5,000.00

Completed application  25 Copies
Survey of property  25 Copies
Legal description of property  25 Copies
Map showing location of property  25 Copies

Trust/Owners disclosure certificate (when in trust)

List of property owners, addresses, and PIN’s within 250 feet
(Streets or alleys do not count as part of the 250 feet).
PIN’s available at the township assessor’s office.
PART II

To be completed after Part I has been submitted to the city and a hearing date has been assigned.

Copy of notification letter sent certified mail or hand delivered to property owners within 250 feet.

Sworn affidavit listing names, addresses, and PIN's of property owners within 250 feet and cate certified letters sent or hand delivered. (Must be notified 15 days before the public hearing.)

Certified mail returned receipts from notices sent to property owners within 250 feet or signatures of property owners indicating receipt of notice.

ATTORNEY AND MISCELLANEOUS FEES

1. Attorney fees. Where the City incurs costs for the services of the corporation counsel in connection with any permit or application, the City shall charge to the applicant the costs of such services.

2. Miscellaneous fees. Where application or petition is made for relief, not otherwise provided for under this code, in connection with the use or development of land, the City shall charge to the applicant or petitioner its actual cost to obtain professional services, including, but not limited to, attorneys, engineers, planners, architects, surveyors, court reporters, and/or traffic, drainage or other consultants, its costs related to any required notices or recordations in connection with any petition or application filed by the applicant or petitioner.

The applicant will be responsible for:

☐ Preparing and publishing the announcement of the public hearing in a local newspaper.

☐ Paying the cost of the notice directly to the newspaper.

☐ Scheduling and paying for a court reporter for the public hearing.
REQUEST FOR ZONING AMENDMENT

Instructions to applicant: To request a change in the Zoning Map, a Request for Zoning Amendment form must be completed and public hearing held. If the Applicant is requesting that his/her property be rezoned, a site plan must be included with the application showing the information listed on the attached sheet. Normally there are only two primary reasons for a change in zoning: (1) the original zoning was in error, (2) the character of the area has changed to such an extent as to warrant rezoning. The burden of providing substantiating evidence rests with the Applicant.

1. Applicant information:

   Name_ Super Aggregates – Jack Pease_ Telephone #_ 815-790-1293_

   Address_ 5435 Bull Valley Rd Suite 330 McHenry, IL 60050_

2. Property interest of applicant:

   (X) Owner  ( ) Contract purchaser

   ( ) Lessee  ( ) Other

3. Name of owner (if other than applicant): (Attach additional sheets if necessary).

   Name_ SAME_ Telephone #_

   Address_ Street_ City_ Zip Code

4. Location of property:

   Street address_ Pleasant Grove Road & 8293 State Route 23, Marengo, IL 60152_

   Legal description (Lot, Block, and Subdivision): Please See Exhibit A

   PIN_ Please see Exhibit A

5. Amendment to Map:

   It is requested that the property described below and shown on the attached site plan be rezoned
   From_ Agricultural Transition (AT)_ to_ Manufacturing (M)_ .

6. Present zoning classification of the area_ Agricultural Transition (AT)_

7. Present use of property (If any uses or buildings on the property are non-conforming, so state):

   Agriculture – Row Crop Farming
Request for zoning amendment continued

8. Reason for amendment:

Request mining and related uses to be allowed on the property.

9. I certify that all the above statements and the statements contained in any papers or plans submitted herewith are true and accurate. I consent to the entry in or upon the premises described in this application by any authorized official for the purpose of inspection as may be required by law.

Signature of applicant: [Signature]
Date: 1/15/2017

Signature of owner (if different from applicant): [Signature]
Date: 

DO NOT WRITE IN THIS SPACE--FOR OFFICE USE ONLY

Date of hearing: 
PIN: 

Notice published on: 
Zoning: 

Newspaper: 
Fee Paid:  
Check #: 

Action by Planning and Zoning Commission: 
Date: 

Denied:  
Approved:  
Approved with modification by Commission: 

Comments: (Indicate other actions such as continuance)

21
**Legal Description (O'Brien Parcel):**


Parcel Identification Numbers: 16-10-200-012, 16-10-200-014, 16-10-300-002, 16-10-400-002, 16-10-400-003, 16-10-400-004, 16-10-400-006

**Legal Description (VCNA Prairie Parcel):**


## Exhibit B - Adjacent Property Owners

<table>
<thead>
<tr>
<th>Name &amp; Address</th>
<th>Property Identification Number</th>
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<tbody>
<tr>
<td>EUGENE &amp; BERTHA MEYER TRUST 6113 MEYER ROAD MARENGO, IL 60152</td>
<td>16-10-200-013 16-10-100-003 16-10-200-001 16-10-200-002</td>
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<tr>
<td>GMT HOLDINGS 22030 PLEASANT GROVE RD. MARENGO, IL 60152</td>
<td>16-10-200-004 16-10-100-009</td>
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<td>LAWRENCE T. OBRIEN 907 JACKSON AVENUE RIVER FOREST IL 60305 Lawrence T. O'Brien Suite 2200 321 North Clark Street Chicago, IL 60654</td>
<td>16-11-100-027 16-11-100-024 16-11-100-026 16-11-300-002 16-10-300-001 16-10-100-001 16-11-300-020</td>
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<tr>
<td>JUDITH KAY GRIEEL 820 STANFORD MARENGO, IL 60152</td>
<td>16-11-300-011</td>
</tr>
<tr>
<td>AR LAND CO. 8407 IL RT 23 MARENGO, IL 60152</td>
<td>16-15-400-021 16-15-200-003 16-14-100-005</td>
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<tr>
<td>GRANGE FARMS LLC 3611 BERRY ST CRYSTAL LAKE IL 60012-1134</td>
<td>16-10-300-003 16-15-300-010 16-15-100-001 16-15-100-003</td>
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<tr>
<td>RILEY TOWNSHIP 8910 S. IL ROUTE 23 MARENGO, IL 60152</td>
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</tr>
<tr>
<td>Name &amp; Address</td>
<td>Property Identification Number</td>
</tr>
<tr>
<td>--------------------------------</td>
<td>--------------------------------</td>
</tr>
<tr>
<td>STANLEY MARTINEK</td>
<td>16-15-400-020</td>
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<tr>
<td>1430 FOWLER RD</td>
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<tr>
<td>BELVIDERE, IL 61008</td>
<td></td>
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<tr>
<td>SANDRA PRESTON</td>
<td>16-14-100-008</td>
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<tr>
<td>366 POPLAR ST.</td>
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<tr>
<td>CRYSTAL LAKE, IL 50014</td>
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<tr>
<td>JEROME KATHLEEN MAJEWSKI</td>
<td>16-11-300-010</td>
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<tr>
<td>8017 S. RT 23</td>
<td></td>
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<tr>
<td>MARENGO, IL 60152</td>
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APPLICATION REQUIREMENTS FOR SPECIAL USE PERMIT
&
PUBLIC HEARING APPLICATION CHECKLIST

APPLICANT: Super Aggregates – Jack Pease

ADDRESS: 5435 Bull Valley Road, Suite 330, McHenry, IL 60050


APPLICATION FOR: Special Use Permit for Mining and related uses

PART I

Applicant’s authorization letter from the titleholder of the property

Special Use review fee paid: residential $750.00; non-residential $1000.00

Deposit for reimbursement of fees: residential $500.00; non-residential $1000.00 per acre, up to $5,000.00.

Completed application: 25 Copies

Survey of property: 25 Copies

Legal description of property: 25 Copies

Map showing location of property: 25 Copies

Trust/Owners disclosure certificate (when in trust)

List of property owners, addresses, and PIN’s within 250 feet (Streets or alleys do not count as part of the 250 feet). PIN’s available at the township assessor’s office.

PART II

To be completed after Part I has been submitted to the City and a Hearing date has been assigned.

Copy of notification letter sent certified mail or hand delivered to property owners within 250 feet.

Sworn affidavit listing names, addresses, and PIN’s of property owners within 250 feet and date certified letters sent or hand delivered.

Certified mail returned receipts from notices sent to property owners within 250 feet or signatures of property owners indicating receipt of notice.
ATTORNEY AND MISCELLANEOUS FEES

1. Attorney fees. Where the City incurs costs for the services of the corporation counsel in connection with any permit or application, the City shall charge to the applicant the costs of such services.

2. Miscellaneous fees. Where application or petition is made for relief, not otherwise provided for under this code, in connection with the use or development of land, the City shall charge to the applicant or petitioner its actual cost to obtain professional services, including, but not limited to, attorneys, engineers, planners, architects, surveyors, court reporters, and/or traffic, drainage or other consultants, its costs related to any required notices or recordations in connection with any petition or application filed by the applicant or petitioner.

The applicant will be responsible for:

- Preparing and publishing the announcement of the public hearing in a local newspaper.
- Paying the cost of the notice directly to the newspaper.
- Scheduling and paying for a court reporter for the public hearing.
REQUEST FOR SPECIAL USE APPLICATION

Instructions to applicant: A special use has unusual operational, physical, or other characteristics which distinguish it from the permitted uses of a district but which may be made compatible with the intended overall development within a district. A special use permit is issued to regulate development of a special use. These may be public service uses which, although generally considered desirable or compatible with other uses in the zoning district, require special review. This review is performed by the Planning and Zoning Commission at a public hearing.

The Applicant should be able to show, by site plan and documentary evidence, that the proposed development will be in harmony with the general purpose and intent of the Zoning Ordinance and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

All information requested below - a site plan as described on the attached sheet and development schedule providing reasonable guarantees for the completion of the construction - must be provided before a hearing will be scheduled. Applicants are encouraged to visit the office of the City Administrator for any assistance needed in completing this application.

1. Applicant information:

<table>
<thead>
<tr>
<th>Name</th>
<th>Super Aggregates – Jack Pease</th>
<th>Telephone #</th>
<th>815-385-8000</th>
</tr>
</thead>
<tbody>
<tr>
<td>Address</td>
<td>5435 Bull Valley Rd, Suite 330</td>
<td>McHenry, IL</td>
<td>60050</td>
</tr>
<tr>
<td>Street</td>
<td></td>
<td>City</td>
<td>Zip Code</td>
</tr>
</tbody>
</table>

2. Property interest of applicant:

- (x) Owner
- ( ) Contract purchaser
- ( ) Lessee
- ( ) Other

3. Name of owner (if other than applicant): (Attach additional sheets if necessary).

<table>
<thead>
<tr>
<th>Name</th>
<th>SAME</th>
<th>Telephone #</th>
</tr>
</thead>
<tbody>
<tr>
<td>Address</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Street</td>
<td></td>
<td>City</td>
</tr>
</tbody>
</table>

4. Location of property:

| Street address | Pleasant Grove Road & 8293 State Route 23 | Marengo, IL | 60152 |

Legal description (Lot, Block, and Subdivision): Please see Exhibit A

PIN: Please See Exhibit A

5. Present zoning classification of the area: Agricultural Transition (AT)

6. Present use of property (If any uses or buildings on the property are non-conforming, so state):

Agriculture – Row Crop Farming
Request for Special Use Continued

7. Special Use request:
State exactly what is intended to be done with the property that requires a Special Use Permit.

Mining and Related Uses

8. I certify that all the above statements and the statements contained in any papers or plans submitted herewith are true and accurate.

Signature of applicant: ___________________________ Date: 1/15/2017

Signature of owner (If different from applicant): ___________________________ Date: ___________________________

DO NOT WRITE IN THIS SPACE--FOR OFFICE USE ONLY

Date of hearing: ___________________________ PIN: ___________________________

Notice published on: ___________________________ Zoning: ___________________________

Newspaper: ___________________________ Fee Paid: __________ Check #: ___________________________

Action by Planning and Zoning Commission: ___________________________ Date: ___________________________

Denied _______ Approved _______ Approved with modification by Commission: ___________________________

Comments: (Indicate other actions such as continuance): ___________________________
Special Use Statements

1. Ownership of land.
   The property is owned by Marengo Lakes, LLC.
   5435 Bull Valley Road Suite 330 McHenry, IL 60050.

2. Minerals to be mined.
   The reserves mined from property are sand and gravel materials.

3. Character and composition of vegetation and wildlife on land to be affected.
   The property and surrounding land is currently agricultural land with row crop farming.

4. The nature, depth and proposed disposition of the overburden.
   The overburden is a sandy and silt loam consistently 1-2 feet in depth throughout the property. The overburden will be used in the construction of berms to aid in noise reduction and visibility screening. Once final grades are achieved, the overburden will be used to reclaim the site.

5. The estimated depth to which the mineral deposit will be mined.
   Reserves are estimated to be 25-50 feet in depth. Please see operations plan for additional information and detail.

6. Estimated type and volume of excavation.
   Mineable sand and gravel reserves are estimated at 40 million tons.

7. The techniques and equipment proposed to be used, as applicable, for;
   A. earth materials extraction;
      Reserves will be extracted using a combination of an excavator, haul trucks, wheel loader and a dredge depending on extraction phase.
   B. earth materials processing;
      Reserves are processed by a combination of screening and crushing techniques. Equipment will consist of a feeder, land conveyors, screening plant, crushing plant, wash plant, stacking conveyors and a wheel loader.
   C. ready-mix plant and hot mix asphalt;
      Extracted materials will be incorporated into mix designs and shipped on market demand.
   D. concrete and asphalt recycling;
      Broken concrete and asphalt will be imported and stock piled until it can be crushed into recycled products. Material will be stock piled and shipped on market demand.
   E. Fill import of topsoil, clay including CCD & USFO;
      Fill import will consist of segregating material, stockpiling and used in continuous reclamation.
F. Landscape waste transfer;
   Materials will be stockpiled, used for compost and shipped once quantities warrant bulk transfer.

G. Construction material recycling and transfer;
   Materials will be segregated, recycled, stockpiled and shipped once quantities warrant bulk transfer.

8. Practices and methods proposed to be used to minimize noise, dust, air contaminants and vibration and to prevent pollution of surface or underground water.
   IEPA standards, enforcement and maintained equipment will assure noise pollution will be below allowable levels for the operator of each machine. These noise levels will guarantee no significant noise will be heard beyond 1,500 feet, well short of the nearest residence located 3,400 feet away. In addition berms will be constructed and seeded with a vegetative cover to add additional noise buffering. Continued row crop farming in areas not affected by mining will also aid in minimizing noise and visibility screening. Dust and air contaminants will be minimized by paving or the use of calcium chloride on all on-site roads. Berms and buffer strips will be planted to suitable vegetation and maintained to prevent pollution of water supply.

9. The method of recycling water used for washing and grading.
   Water used for the processing operations will be drawn from a series of ponds. The ponds constructed on-site will include a fresh water pond, and two deposit ponds. Water used for the washing operation will be drawn from the fresh water pond and pumped into the plant to wash the sand and gravel materials. Water from the washing process is pumped to the first deposit pond allowing coarse clay and silt solids to settle from suspension. Water slowly flows into the second deposit pond allowing the remaining solids to settle. Once fine materials have deposited, the clean water flows back into the fresh water pond for reuse. This is a closed circuit with little or no loss of water from the system.

10. The proposed usage or drainage of excess water.
    All haul roads, stock piles and operational areas will be graded in such a manner as to direct any run-off into the primary settling pond. The deposit ponds will be diked to prevent any overland flow of surface water. All other land not affected by mining operations will be drained naturally and absorbed.

11. Location of existing roads, and anticipated access and haulage roads planned to be used or constructed in conducting surface mining.
    Please see site plan for additional information.

12. Location and names of all streams, creeks and bodies of water within lands to be affected.
    Please see site plan for additional information and detail.
13. Drainage on and away from the lands to be affected, including directional flow of water, natural and artificial drain ways and waterways, and streams or tributaries receiving the discharge.
   Please see site plan for additional information and detail.

14. Proposed days and hours of operation of all excavation, processing and operations on the property.
   Operations — Monday through Friday, 6:00 a.m. to 6:00 p.m.; Saturday, 6:00 a.m. to 2:00 p.m. (excluding New Year’s Day, Memorial Day, Independence Day, Labor Day, Thanksgiving, Christmas Day, and Sundays). The picking up or shipping of materials and the depositing of recyclable materials may occur on a “demand basis” and is not restricted to the aforesaid days and hours. In the event there is a contractual obligation to supply materials for Illinois Tollway, IDOT or McHenry County road building project which would require operations on Sundays or after 10:00 p.m., owner may operate during said hours during the term of the project only.

15. The proposed property reclamation plan.
   Owner will file a reclamation plan for the property in accordance with applicable laws and regulations of the City of Marengo. The reclamation plan shall provide that upon termination of mining activities, that part of the property used for extraction operations shall be allowed to fill with water to form a lake. The shoreline shall be sloped to provide a stable and gradual transition from the surface elevation to the estimated mean water level. Other areas to be restored with topsoil and seeded with a vegetative cover. The planting of all vegetation and the construction of all berms and other landscaping features shall be commenced and completed per reclamation phasing plan.

16. Projected dates of commencement and completion of all excavation, processing and operations on the property.
   Projected commencement is scheduled for March 1, 2017. Completion of excavation, processing and operations is estimated for 12/31/2037.
Exhibit A

Legal Description (O’Brien Parcel):


Parcel Identification Numbers: 16-10-200-012, 16-10-200-014, 16-10-300-002, 16-10-400-002, 16-10-400-003, 16-10-400-004, 16-10-400-006

Legal Description (VCNA Prairie Parcel):


32
<table>
<thead>
<tr>
<th>Name &amp; Address</th>
<th>Property Identification Number</th>
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<tr>
<td>LAWRENCE T. O'BRIEN</td>
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<td>907 JACKSON AVENUE</td>
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<td>RIVER FOREST IL 60305</td>
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<td>Chicago, IL 60654</td>
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APPLICATION REQUIREMENTS FOR ZONING AMENDMENT & PUBLIC HEARING APPLICATION CHECKLIST

APPLICANT  Marengo Lakes, LLC
ADDRESS  5435 Bull Valley Road  McHenry, IL 60050
TELEPHONE NUMBER  Office: 815-385-8000  Cell: 815-790-1293
APPLICATION FOR  Zoning Amendment - Agricultural Transition (AT) to Manufacturing (M)

PART I

Applicant's authorization letter from the titleholder of the property  
Review fees:
- Zoning text amendment: $500.00
- Subdivision amendment: $400.00 + $10.00/acre
- Site Plan review amendment: $400.00 + $10.00/acre
Deposit for reimbursement of fees:
- Zoning text amendment: $5,000.00
Completed application  25 Copies
Survey of property  25 Copies
Legal description of property  25 Copies
Map showing location of property  25 Copies
Trust/Owners disclosure certificate (when in trust)
List of property owners, addresses, and PIN's within 250 feet (Streets or alleys do not count as part of the 250 feet). PIN's available at the township assessor's office.
PART II

To be completed after Part I has been submitted to the city and a hearing date has been assigned.

Copy of notification letter sent certified mail or hand delivered to property owners within 250 feet.

Sworn affidavit listing names, addresses, and PIN’s of property owners within 250 feet and date certified letters sent or hand delivered. (Must be notified 15 days before the public hearing.)

Certified mail returned receipts from notices sent to property owners within 250 feet or signatures of property owners indicating receipt of notice.

ATTORNEY AND MISCELLANEOUS FEES

1. Attorney fees. Where the City incurs costs for the services of the corporation counsel in connection with any permit or application, the City shall charge to the applicant the costs of such services.

2. Miscellaneous fees. Where application or petition is made for relief, not otherwise provided for under this code, in connection with the use or development of land, the City shall charge to the applicant or petitioner its actual cost to obtain professional services, including, but not limited to, attorneys, engineers, planners, architects, surveyors, court reporters, and/or traffic, drainage or other consultants, its costs related to any required notices or recordings in connection with any petition or application filed by the applicant or petitioner.

The applicant will be responsible for:

☐ Preparing and publishing the announcement of the public hearing in a local newspaper.

☐ Paying the cost of the notice directly to the newspaper.

☐ Scheduling and paying for a court reporter for the public hearing.
REQUEST FOR ZONING AMENDMENT

Instructions to applicant: To request a change in the Zoning Map, a Request for Zoning Amendment form must be completed and public hearing held. If the Applicant is requesting that his/her property be rezoned, a site plan must be included with the application showing the information listed on the attached sheet. Normally there are only two primary reasons for a change in zoning: (1) the original zoning was in error, (2) the character of the area has changed to such an extent as to warrant rezoning. The burden of providing substantiating evidence rests with the Applicant.

1. Applicant information:
   Name: Marengo Lakes, LLC
   Telephone #: 815-385-8000
   Address: 5435 Bull Valley Rd, Suite 330, McHenry, IL 60050

2. Property interest of applicant:
   (X) Owner  ( ) Contract purchaser
   ( ) Lessee  ( ) Other

3. Name of owner (if other than applicant):
   (Attach additional sheets if necessary).
   Name: SAME
   Telephone #: ______________
   Address: ____________________
           Street: __________
           City: ______________
           Zip Code: ___________

4. Location of property:
   Street address: Pleasant Grove Road & 8293 State Route 23, Marengo, IL 60152
   Legal description (Lot, Block, and Subdivision): Please See Exhibit A
   PIN: ______________

5. Amendment to Map:
   It is requested that the property described below and shown on the attached site plan be rezoned
   From Agricultural Transition (AT) to Manufacturing (M).

6. Present zoning classification of the area: Agricultural Transition (AT)

7. Present use of property (If any uses or buildings on the property are non-conforming, so state):
   Agriculture – Row Crop Farming
Request for zoning amendment continued

8. Reason for amendment:
   Request mining and related uses to be allowed on the property.

9. I certify that all the above statements and the statements contained in any plans or plans
   submitted herewith are true and accurate. I consent to the entry in or upon the premises described
   in this application by any authorized official for the purpose of inspection as may be required by
   law.

Signature of applicant Date 1/15/2017

Signature of owner (If different from applicant) Date

DO NOT WRITE IN THIS SPACE--FOR OFFICE USE ONLY

Date of hearing PIN
Notice published on Zoning
Newspaper Fee Paid Check #
Action by Planning and Zoning Commission Date
Denied Approved Approved with modification by Commission
Comments (Indicate other actions such as continuance)
Exhibit A

Legal Description (O'Brien Parcel):


Parcel Identification Numbers: 16-10-200-012, 16-10-200-014, 16-10-300-002, 16-10-400-002, 16-10-400-003, 16-10-40C-004, 16-10-400-006

Legal Description (VCNA Prairie Parcel):


### Exhibit B - Adjacent Property Owners

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APPLICATION REQUIREMENTS FOR SPECIAL USE PERMIT
&
PUBLIC HEARING APPLICATION CHECKLIST

APPLICANT: Marengo Lakes, LLC
ADDRESS: 5435 Bull Valley Road, Suite 330, McHenry, IL 60050
APPLICATION FOR: Special Use Permit for Mining and related uses

<table>
<thead>
<tr>
<th>Part I</th>
<th>Date received</th>
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<tr>
<td>Applicant’s authorization letter from the titleholder of the property</td>
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<tr>
<td>Special Use review fee paid: residential $750.00; non-residential $1000.00</td>
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<tr>
<td>Deposit for reimbursement of fees: residential $500.00; non-residential $1000.00 per acre, up to $5,000.00.</td>
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<tr>
<td>Completed application</td>
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<tr>
<td>Survey of property</td>
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<td>Legal description of property</td>
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<td>Map showing location of property</td>
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<td>List of property owners, addresses, and PIN’s within 250 feet (Streets or alleys do not count as part of the 250 feet). PIN’s available at the township assessor’s office.</td>
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| Part II |  |
| To be completed after Part I has been submitted to the City and a Hearing date has been assigned. |  |
| Copy of notification letter sent certified mail or hand delivered to property owners within 250 feet. |  |
| Sworn affidavit listing names, addresses, and PIN’s of property owners within 250 feet and date certified letters sent or hand delivered. |  |
| Certified mail returned receipts from notices sent to property owners within 250 feet or signatures of property owners indicating receipt of notice. |  |

25
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2. Miscellaneous fees. Where application or petition is made for relief, not otherwise provided for under this code, in connection with the use or development of land, the City shall charge to the applicant or petitioner its actual cost to obtain professional services, including, but not limited to, attorneys, engineers, planners, architects, surveyors, court reporters, and/or traffic, drainage or other consultants, its costs related to any required notices or recordations in connection with any petition or application filed by the applicant or petitioner.

The applicant will be responsible for:

- Preparing and publishing the announcement of the public hearing in a local newspaper.
- Paying the cost of the notice directly to the newspaper.
- Scheduling and paying for a court reporter for the public hearing.
REQUEST FOR SPECIAL USE APPLICATION

Instructions to applicant: A special use has unusual operational, physical, or other characteristics which distinguish it from the permitted uses of a district but which may be made compatible with the intended overall development within a district. A special use permit is issued to regulate development of a special use. These may be public service uses which, although generally considered desirable or compatible with other uses in the zoning district, require special review. This review is performed by the Planning and Zoning Commission at a public hearing.

The Applicant should be able to show, by a site plan and documentary evidence, that the proposed development will be in harmony with the general purpose and intent of the Zoning Ordinance and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

All information requested below – a site plan as described on the attached sheet and development schedule providing reasonable guarantees for the completion of the construction - must be provided before a hearing will be scheduled. Applicants are encouraged to visit the office of the City Administrator for any assistance needed in completing this application.

1. Applicant information:

   Name: Marengo Lakes, LLC                Telephone #: 815-385-8000
   Address: 5435 Bull Valley Rd. Suite 330 City: McHenry, IL 60050
   Street:                                Zip Code:

2. Property interest of applicant:

   (x) Owner    ( ) Contract purchaser
   ( ) Lessee    ( ) Other

3. Name of owner (if other than applicant):
   (Attach additional sheets if necessary).

   Name: SAME                Telephone #:
   Address:                  City: Zip Code:
   Street:                   

4. Location of property:

   Street: Pleasant Grove Road & 8293 State Route 23, Marengo, IL 60052
   Legal description (Lot, Block, and Subdivision): Please see Exhibit A
   PIN: Please see Exhibit A

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6. Present use of property (If any uses or buildings on the property are non-conforming, so state):

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Request for Special Use Continued

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State exactly what is intended to be done with the property that requires a Special Use Permit.

**Mining and Related Uses**

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Date

Denied  

Approved  

Approved with modification by Commission

Comments: (Indicate other actions such as continuance)
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   Materials will be stockpiled and shipped once quantities warrant bulk transfer.

8. Practices and methods proposed to be used to minimize noise, dust, air contaminants and vibration and to prevent pollution of surface or underground water.
   IEPA standards, enforcement and maintained equipment will assure noise pollution will be below allowable levels for the operator of each machine. These noise levels will guarantee no significant noise will be heard beyond 1,500 feet, well short of the nearest residence located 3,400 feet away. In addition berms will be constructed and seeded with a vegetative cover to add additional noise buffering. Continued row crop farming in areas not affected by mining will also aid in minimizing noise and visibility screening. Dust and air contaminants will be minimized by paving or the use of calcium chloride on all on-site roads. Berms and buffer strips will be planted to suitable vegetation and maintained to prevent pollution of water supply.

9. The method of recycling water used for washing and grading.
   Water used for the processing operations will be drawn from a series of ponds. The ponds constructed on-site will include a fresh water pond, and two deposit ponds. Water used for the washing operation will be drawn from the fresh water pond and pumped into the plant to wash the sand and gravel materials. Water from the washing process is pumped to the first deposit pond allowing coarse clay and silt solids to settle from suspension. Water slowly flows into the second deposit pond allowing the remaining solids to settle. Once fine materials have deposited, the clean water flows back into the fresh water pond for reuse. This is a closed circuit with little or no loss of water from the system.

10. The proposed usage or drainage of excess water.
    All haul roads, stock piles and operational areas will be graded in such a manner as to direct any run-off into the primary settling pond. The deposit ponds will be diked to prevent any overland flow of surface water. All other land not affected by mining operations will be drained naturally and absorbed.

11. Location of existing roads, and anticipated access and haulage roads planned to be used or constructed in conducting surface mining.
    Please see site plan for additional information.

12. Location and names of all streams, creeks and bodies of water within lands to be affected.
    Please see site plan for additional information and detail.
13. Drainage on and away from the lands to be affected, including directional flow of water, natural and artificial drain ways and waterways, and streams or tributaries receiving the discharge.
   Please see site plan for additional information and detail.

14. Proposed days and hours of operation of all excavation, processing and operations on the property.
   Operations – Monday through Friday, 6:00 a.m. to 6:00 p.m.; Saturday, 6:00 a.m. to 2:00 p.m. (excluding New Year’s Day, Memorial Day, Independence Day, Labor Day, Thanksgiving, Christmas Day, and Sundays). The picking up or shipping of materials and the depositing of recyclable materials may occur on a “demand basis” and is not restricted to the aforesaid days and hours. In the event there is a contractual obligation to supply materials for Illinois Tollway, IDOT or McHenry County road building project which would require operations on Sundays or after 10:00 p.m., owner may operate during said hours during the term of the project only.

15. The proposed property reclamation plan.
   Owner will file a reclamation plan for the property in accordance with applicable laws and regulations of the City of Marengo. The reclamation plan shall provide that upon termination of mining activities, that part of the property used for extraction operations shall be allowed to fill with water to form a lake. The shoreline shall be sloped to provide a stable and gradual transition from the surface elevation to the estimated mean water level. Other areas to be restored with topsoil and seeded with a vegetative cover. The planting of all vegetation and the construction of all berms and other landscaping features shall be commenced and completed per reclamation phasing plan.

16. Projected dates of commencement and completion of all excavation, processing and operations on the property.
   Projected commencement is scheduled for March 1, 2017. Completion of excavation, processing and operations is estimated for 12/31/2057.
Exhibit A

Legal Description (O'Brien Parcel):


Parcel Identification Numbers:16-10-200-012, 16-10-200-014, 16-10-300-002, 16-10-400-002, 16-10-400-003, 16-10-400-004, 16-10-400-006

Legal Description (VCNA Prairie Parcel):


## Exhibit B - Adjacent Property Owners

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<tr>
<th>Name &amp; Address</th>
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<tr>
<td>EUGENE &amp; BERTHA MEYER TRUST</td>
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<td>6113 MEYER ROAD</td>
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<tr>
<td>LAWRENCE T. O'BRIEN</td>
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<tr>
<td>907 JACKSON AVENUE</td>
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<tr>
<td>RIVER FOREST IL 60305</td>
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<tr>
<td>Lawrence T. O'Brien</td>
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<tr>
<td>Suite 2200</td>
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<td>321 North Clark Street</td>
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<tr>
<td>JUDITH KAY GRIEBEL</td>
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