



## Office of the Will County Board

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FOR IMMEDIATE RELEASE

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# **Board members brief Will County Naperville residents on concrete recycling facility settlement**

*Agreement places tough restrictions on Boughton Materials' concrete crushing operations*

JOLIET, IL- Will County Board members Chuck Maher (R-Naperville) and Suzanne Hart (R-Naperville) along with the Will County State's Attorney's Office, at a Tuesday town hall meeting, provided a formal update on the settlement reached between the county and Boughton Materials, following the company's lawsuit challenging the Board's February 2013 decision to reject its concrete recycling proposal.

"We are here to set the record straight," said Maher. "Boughton Materials was not given a green light to do as it pleases without concern for the welfare of our residents. Although Suzanne and I opposed this settlement agreement that was negotiated by the State's Attorney's Office, it does stipulate tough restrictions on Boughton Materials and its operations that may have not been awarded by a judge or jury. There was very little we could say publicly until the settlement agreement, negotiated by the State's Attorney's Office, was presented to the full Board at the end of 2013, and we appreciate the opportunity to do so here. Please know we stand with you in this fight."

In February 2013, the Board voted 25-0 to reject Boughton Materials' plans to run a concrete crushing operation on 20 acres of its 200 acre quarry located off 111th Street near Naperville and Bolingbrook. Soon after, the company sued the county, the fourth time it has done so over zoning or permitting requests. Boughton Materials previously won court rulings in all of its lawsuits, setting the stage for a possible settlement with this suit. The Board approved the settlement of the litigation and a special use permit with 11 conditions in a 22-3 vote with Maher, Hart and Judy Ogalla (R-Monee) casting the negative votes. To date, 909 residents of 16 neighboring homeowner association groups have signed a petition opposing Boughton Materials' plan.

"We would have certainly liked to see this go to court for a judge or jury to decide the case, and this is why we voted against the settlement and also urged our fellow board members to do the same," said Hart. "We still have concerns about safety, air quality and the simple issue of zoning this area for industrial use. Rest assured we will hold Boughton Materials to this agreement and quickly take the matter to court if it fails to abide by the terms."

Under the terms of the settlement and special use permit approved for Boughton Material's concrete recycling facility, nearly a dozen conditions are stipulated. Among these are that all incoming materials must be prescreened; stockpiles of broken concrete prior to crushing are limited to 20 feet high and must remain out of sight from off the property; for dust mitigation, water spray bars are required and will remain operational when crushing concrete. Also, to prevent potential dust from blowing towards residential neighborhoods, concrete cannot be crushed when the wind is out of the east or southeast, with sustained winds of more than 10 mph.

(more)

There are also limitations as to the time of the year and time of day Boughton Materials can recycle concrete, limiting it to September through November and March through mid-May. Concrete crushing is prohibited on all state and federal holidays, days School District 204 is not in session, and weekends. The only allowable times of operation are between 7am and 3pm.

The amendment to zone the Boughton Materials property for industrial use only allows for the crushing of concrete. The 33 other uses typically allowed under the I-2 zoning designation are not permitted.

"We encourage residents to alert the county if Boughton Materials is not following the stipulations they agreed to in the settlement," said Maher. "It's simply not acceptable for any company to profit while people's lives are put in jeopardy."

Maher and Hart are also working with the land use committee to develop policies and procedures for the county to monitor that Boughton Materials complies and, in turn, help protect residents.

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