

December 5, 2017

Warren Goetsch & Doug Owens
Illinois Dept of Agriculture
P.O. Box 19281, Springfield, IL 62794-9281

Dear Mr. Goetsch and Mr. Owens:

This letter is in response to the September 18, 2017, letter submitted to the Department by Frank & West regarding the Memory Lane Acres, LLC project and, specifically, Isabel Memorial Park.

I have included an affidavit with this letter to provide evidence of past use of the park. This notarized affidavit has been signed by the property owner, Craig Porter, to demonstrate the historical usage of the park as a recreational gathering place prior to the application date on the Memory Lane Acres, LLC NOITC. Furthermore, this property will continue to be used by local residents and visitors in the future.

In our group's opinion, this evidence along with all the letters I have submitted to your department regarding Isabel Memorial Park reinforces the need for the applicant to resubmit a setback map that makes the necessary correction listing Isabel Memorial Park as a gathering place located within the setback area before its application is deemed complete. Furthermore, when that is done, it will become clear to the Department that the proposed site cannot comply with the setback distances required by law and other siting criteria. We respectfully request that the Department deny the application based on these facts.

Respectfully submitted,

Concerned Citizens of Isabel Township
Tracy Tomm, Representative
14002 E Back Road, Lewistown, IL 61542
309-338-1520 E-mail: ttomm68@gmail.com

CC: Attorney General Lisa Madigan, Sen. Jil Tracy, Rep. Norinne Hammond, Sen. Dave Koehler, Rep. Cheri Bustos, Nick Tinsman (Barnhart-Tinsman-Lane Law Office)

APPENDIX A: AFFIDAVIT VERIFYING SITE OF COMMUNITY PARK

STATE OF ILLINOIS,)
COUNTY OF FULTON) ss.

WITNESETH: I, Craig Porter, being first duly sworn under oath, state my personal knowledge that:

1. I am the owner of land at 8839 North US Highway 24, Lewistown, IL 61542 and the land south-adjacent to 8839 North US Highway 24, for more than ten (10) years; and

2. I ATTEST that the land south-adjacent to 8839 N US Highway 24 has been used as a community gathering place and park for more than ten (10) years. The park is commonly called Isabel Memorial Park but is aka Bob Harn Memorial Park, (“PARK”).

3. I have requested the tenants who live adjacent to the “PARK,” Pat and Laura Ebert, to use and to supervise other people’s use of the “PARK” since 2002; and

4. Whereas, the “PARK” is located less than 3520 feet from the site of a proposed hog confinement as shown on the Intent to Construct Setback Map on file with IDOA for Memory Lane Acres, LLC: and,

5. I severally ATTEST that I have witnessed more than 50 persons using the park during the following events, but not limited to, picnics, weddings, church outings, holiday festivals such as Memorial Day, July 4th, and Labor Day as well as during the weekends of the Spoon River Scenic Drive. I have not kept rosters of the names of those attending these events in the past.

6. I ATTEST that the tenants, Pat and Laura Ebert, have had the park open in 2017 for the months of June, July, and August, and for other times when there are scheduled events (e.g., Spoon River Scenic Drive in October). They have kept a roster of the names of all people who use the park during this past summer.

WITNESS my hand and seal this _____ day of _____, 2017

CRAIG PORTER, Affiant

SUBSCRIBED AND SWORN TO Signed before me, a Notary Public, this _____, day of _____, 2017.

Notary Public