

# EPPR

ERICKSON • PAPANEK • PETERSON • ROSE

Attorneys at Law

Grant D. Erickson  
Samuel Papanek, III  
Heather J. Rose, II, FL, MN  
Christopher W. Cramer, IL, WI  
Eric J. Scott, IL, OH

1625 Shermer Rd.  
Northbrook, Illinois 60062  
847-272-0800  
Fax 847-272-1472

Julie A. Peterson, MN, IL, CA  
MINNESOTA OFFICE  
350 St. Peter Street, Suite 601  
St. Paul, MN 55102  
651-222-4366  
Fax 651-222-4388

June 19, 2014

**Sent Via Electronic Mail: [john.therriault@illinois.gov](mailto:john.therriault@illinois.gov)**

John T. Therriault, Clerk  
Illinois Pollution Control Board  
James R. Thompson Center, Suite 11-500  
100 W. Randolph Street  
Chicago, IL 60601

Re: Case No. PCB 2014-122  
Ascend R.L.B., Inc. v. IEPA, John Tierney and Vera Tierney

Dear Mr. Therriault:

Attached please find the following for filing:

1. Appearance;
2. Respondents', John and Vera Tierney, Response to Petition for Setback Exception, Agency Response to Petition for Water Well Setback Petition, and Reply to Agency Response to the Petition for Water Well Set Back Exception;
3. Notice of Filing; and
4. Certificate of Service.

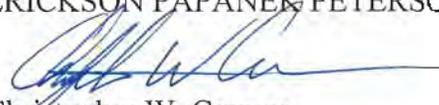
Please return the original file stamped copies in the enclosed stamped, self-addressed envelope.

If you have any questions or concerns please do not hesitate to contact me.

Thank you.

Sincerely,

ERICKSON PAPANEK PETERSON ROSE



Christopher W. Cramer

CWC/pt  
enclosures

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ASCEND R.L.B., INC., an Illinois )  
corporation, )  
 )  
Petitioner, )  
 v. )  
 )  
ILLINOIS ENVIRONMENTAL )  
PROTECTION AGENCY, )  
JOHN TIERNEY AND VERA TIERNEY, )  
 )  
Respondents. )

PCB No. 2014-122  
(Petition for Water Well  
Setback Exception)

APPEARANCE

The undersigned hereby enters his appearance as attorney in the above-title proceeding on behalf of John Tierney and Vera Tierney.

By:   
CHRISTOPHER W. CRAMER

DATED: June 19, 2014  
ERICKSON PAPANЕК PETERSON ROSE  
1625 Shermer Road  
Northbrook, IL 60062  
(847) 272-0800  
Fax: (847) 272-1472  
chrisc@lawep.com

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ASCEND R.L.B., INC., an Illinois corporation,	)	
	)	
	)	
Petitioner,	)	
v.	)	PCB No. 2014-122
	)	(Petition for Water Well
ILLINOIS ENVIRONMENTAL PROTECTION AGENCY,	)	Setback Exception)
JOHN TIERNEY AND VERA TIERNEY,	)	
	)	
Respondents.	)	

**RESPONDENTS', JOHN AND VERA TIERNEY, RESPONSE TO PETITION FOR SETBACK EXCEPTION, AGENCY RESPONSE TO PETITION FOR WATER WELL SETBACK PETITION, AND REPLY TO AGENCY RESPONSE TO THE PETITION FOR WATER WELL SET BACK EXCEPTION**

NOW COMES the Respondents, John Tierney and Vera Tierney (collectively "Tierney"), by and through their attorneys, Erickson Papanek Peterson Rose, by Christopher W. Cramer, and respectfully submits this Response to Petition for Setback Exception, Agency Response to Petition for Water Well Setback Petition, and Reply to Agency Response to the Petition for Water Well Set Back Exception (the "Tierney Response") relating to the Petition for Setback Exception filed by Petitioner, Ascend R.L.B., Inc. (the "Petition"). With respect to the various allegations contained in the Petition, the Agency Response, and the Petitioner's Response, Tierney hereby states as follows:

1. In response to the Petition, the Illinois Environmental Protection Agency (the "Agency") filed its Agency Response to Petition for Water Well Setback Petition (the "Agency Response"), and Petitioner in response to the Agency Response filed Petitioner's Reply to Agency Response to the Petition for Water Well Set Back Exception ("Petitioner's Response"). Tierney hereby objects to the Petition for the reasons stated in this Tierney Response and requests that the Petition and requested waiver be denied.
2. With respect to the purpose of the Petition, the background stated in the Agency Response, and the Petitioner's Response, it does not appear from the record available to Tierney's counsel that the proper notice pursuant to 415 ILCS 5/14.2(b) regarding the requested waiver was provided to Tierney. Pursuant to 415 ILCS 5/14.2(b), a copy of the written request for a waiver identifying the new or proposed potential source or potential route, the possible effect of such potential source or potential route upon the water well (i.e. the well located on the Tierney property (the "Tierney Well")) and any applicable technology-based controls which will be utilized to minimize the potential for contamination, and whether and under what conditions the requester (i.e. Petitioner) will provide an alternative potable water supply. A copy of a letter dated September 16, 2013, from Pearson, Brown & Associated, Inc. ("Pearson Brown") to the Illinois Environmental Protection Agency requesting the waiver was attached to the Petition, but no proof showing delivery of such required notice on Tierney was provided. Tierney requests a copy of the alleged notice purportedly delivered to Tierney be forwarded to

Tierney's counsel for further review and response based upon the contents of such notice of request.

3. Tierney is the owner of the real property located at 36701 North Highway 83, Lake Villa, Illinois 60046 (the "Tierney Property"). The Tierney Well is located on the Tierney Property, and upon information and belief, based upon the drawings and exhibits submitted by Petitioner, is located within approximately One Hundred Thirty (130) feet from the proposed perimeter of the septic system proposed by Petitioner (the "Septic System"). The Tierney Well is within the Two Hundred (200) foot buffer between the Septic System and the Tierney Well required under applicable statutes.
4. Upon information and belief, Petitioner acquired Petitioner's property in 2005, and at the time of acquisition was aware of the potential restrictions on the development of Petitioner's property because of sanitary system restrictions, and may have identified the location of the Tierney Well during Petitioner's investigation of Petitioner's property prior to finalizing the Purchase. The Tierney Well existed in its present location at the time Petitioner purchased Petitioner's property. Despite the potential development limitations because of the existence of the Tierney Well and the lack of municipal sewer services, Petitioner purchased Petitioner's property. As Petitioner apparently did not object to the potential development restrictions at the time of its purchase, it follows that denial of the Petition would not cause unnecessary hardship to Petitioner now as the potential financial risks would have been reviewed and accepted at the time of purchase.
5. Tierney, Petitioner, and Petitioner's consultant have discussed possible alternatives relating to Tierney signing a waiver to the setback requirement in exchange for various improvements and/or concessions to be completed or provided by Petitioner to Tierney. Such discussions, however, have not resulted in a resolution to the waiver request. Petitioner has included the proposed Tierney Waiver Agreement with the Petition, which proposed Tierney Waiver Agreement is insufficient to Tierney to compensate and otherwise attempt to adequately reduce Tierney's risks in having the Septic System located within the required buffer zone. The proposed Tierney Waiver Agreement in essence only provides for the potential upgrade of the existing Tierney Well. It does not, and Petitioner has not otherwise provided, any viable proposed alternate potable water supply for the Tierney Property in the event the Tierney Well is contaminated by Petitioner's Septic System. Further, the easement requested in the Tierney Waiver Agreement by the terms of the proposed Tierney Waiver Agreement is an easement for the benefit of Petitioner's property. The proposed Tierney Waiver Agreement specifically states the easement is required by Lake County "to allow the property to the south ingress and egress" presumably to Highway 83 as Tierney currently has access to Highway 83 from Tierney's property, and Petitioner's property does not have such access. Petitioner's property is located to the south of the Tierney Property. Tierney has not agreed to provide any such easement and Petitioner has not otherwise adequately shown compliance with Lake County's access requirements. Therefore, Petitioner's requested waiver appears moot as Petitioner's proposed development of Petitioner's property may not be permitted without Petitioner securing adequate access to Petitioner's property, and the Petition should be denied.
6. Petitioner alleges that the risk of contamination of the Tierney Well is low because of the soil composition. It is noted that (i) Petitioner acknowledges and agrees that the risk of contamination of the Tierney Well from the proposed Septic System exists, and (ii) that the soil composition only meets the minimum standards adopted by Lake County for the

installation of a Septic System. Petitioner should be required to more definitively identify the soil composition to ascertain whether the same exceeds these minimum requirements to further prevent or otherwise limit the potential contamination of the Tierney Well. Further, Petitioner relies on an email attached to the Petition relating to the testing allegedly performed by Lake County. This email, however, does not provide any detailed descriptions or results relating to actual soil composition, the location tested, confirmation of whether the soil composition is consistent throughout the propose site of the Septic System and in adjoining areas, including the Tierney Property. Such information from qualified accepted experts is necessary to properly evaluate the potential risk to the Tierney Well in the event of a release from the Septic System or other ground contamination. Without such information showing that the composition of the soil is consistent across the Petitioner's property and the Tierney Property to limit potential effluent infiltration, the Petitioner should be denied.

7. Although Petitioner alleges the depth and construction of the Tierney Well reduces the likelihood of contamination from the proposed Septic, the Tierney Well has existed in its current state for a very substantial period of time. Over time the components deteriorate, and although Tierney is not experiencing any problems with the Tierney Well, the potential deterioration of the underground components of the Tierney Well may increase the likelihood of contamination from the proposed Septic System through infiltration of the same. Petitioner has failed to adequately show the alleged limited risk to the Tierney Well, and therefore the Petition should be denied.
8. Petitioner alleges that the proposed use of the Petitioner's property as a commercial center is less risky than a conventional residential use as no food, detergents, laundry soap and other harmful substances will enter the Septic System. Tierney's understanding with respect to the proposed uses of Petitioner's property is that Petitioner may desire to develop the same into a mix of professional offices and commercial retail, specifically a convenience/liquor store. Upon information and belief, Petitioner has not determined the final exact proposed uses of Petitioner's property and has not applied for or obtained specific plan approval from Lake County for the specific proposed uses. As such, those uses may change based upon the final proposals, plans, and tenant mix, as Petitioner's property may be developed for any use permitted under applicable zoning by Lake County, which could result in harmful substances being introduced into the Septic System. Further, even Petitioner's initial proposed uses may result in harmful substances being introduced. Professional offices and a convenience/liquor store will require cleaning and the use of general cleaning chemicals that may be introduced into the septic system through common drains, and occupancy of the Petitioner's property by individuals will undoubtedly bring food waste into Petitioner's premises that may be introduced into the Septic System. In addition, without specific approved building plans and uses, there is no assurance that floor drains may not be present. All such unknowns may contribute to the failure of the proposed Septic System, if permitted on Petitioner's property, resulting in the potential contamination of the Tierney Well and substantial financial loss to Tierney.
9. Petitioner proposes that the Septic System be limited to 500 gallons per day ("gpd"), and has stated that based upon the proposed uses (which uses are not finally determined) that the required sizing must accommodate 435 gpd. Petitioner's estimate use at 435 gpd is very close to the maximum daily usage of Petitioner's proposed Septic System. Slight variations in the use of the Petitioner's property or an unforeseen increase in density at the proposed businesses that will occupy Petitioner's property once developed

could result in the daily flows exceeding the capacity of the Septic System, and greatly increase the risk of contamination of the Tierney Well. Sizing of the proposed Septic System should be based upon the most intense use possible of Petitioner's property. Petitioner has not provided information identifying the most intense possible use. Petitioner states that a shopping center/retail type use is permitted, however. Pursuant to Section 905 of Title 77 of the Illinois Administrative Code, a shopping center use requires sizing of a septic system to handle 250 gpd per 1,000 square feet of space. Based on information and belief the proposed building to be constructed on Petitioner's property is to be approximately 8,000 square feet in size, which would require that the Septic System be sized to allow for a minimum of 800 gpd. Petitioner fails to provide any assurance as to the limitation of the uses supporting Petitioner's sizing estimate through a deed restriction or other recorded instrument identifying the maximum uses by square foot. Failure to provide such restrictions eliminates any potential enforcement of the limited uses, may result in overuse of the Septic System, exceeding its capacity, causing failure of the Septic System and potential contamination of the Tierney Well and substantial financial loss to Tierney.

10. Petitioner states that Petitioner is unaware of any significant contamination problems relating to any other wells within  $\frac{1}{4}$  mile along Highway 83. Petitioner has not provided any information whether there is actual contamination, its extent, if present, the direction of flow of the contamination, etc. The concern is whether the proposed Septic System may contaminate the Tierney Well, and if it does, there is no assurance that another viable uncontaminated water source exists or will exist for Tierney at the Tierney Property or that the costs of any replacement well would not be substantial to Tierney.
11. Petitioner further states that the alternative (i.e. annexation into the Village of Round Lake and utilization of Round Lake's sewer) is cost prohibitive. Petitioner has failed to specifically identify the costs associated with such annexation and sewer extension, failed to account for the potential of recapture from other property owners that may connect at a later date, the potential additional costs of a higher capacity Septic System, if necessary, and failed to adequately identify the prohibited and otherwise permitted uses of the Petitioner's property if such Property was annexed into the Village of Round Lake Beach. Petitioner's exact uses of the Petitioner's property have not been determined, as stated above, and viable alternate uses may be available or variances granted to permit the desired use of Petitioner's property within the Village of Round Lake Beach.
12. Petitioner further, in Petitioner's Response, alleges the cost of annexation is not feasible. Petitioner fails, however, to identify the specific costs through bids and estimates or otherwise of the proposed improvements and other annexation costs, and further fails to specifically identify the conditions required of Round Lake Beach in exchange for the annexation and connection to the municipal sewer system. Petitioner further alleges that the property value is actually decreased if the Property is annexed into Round Lake Beach and connected to the sanitary sewer system. Petitioner provides no substantiation for such allegation, and apparently fails to account for the fact that water service similarly could be included, each of which would permit additional uses of the Petitioner's property as the use restriction because of the sizing of the Septic System would be removed along with the maintenance and repair/replacement costs associated with the Septic System and private well on Petitioner's property. Potential buyers and tenants of the Petitioner's property would undoubtedly see the value of the annexation and municipal services in eliminating the unknown costs and replacing the same with

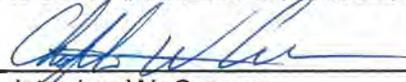
known development costs as well as a reliable sewer and water system for the Petitioner's property.

13. Petitioner identified a location available for a future well at the Tierney Property in the event the Tierney Well is contaminated and needs replacement. Petitioner has not identified whether the proposed site offers viable potable water supply at a reasonable cost to Tierney, whether the proposed site is within the buffer required for any other septic systems or other private sewage systems on adjacent properties, or whether extraordinary conditions exist at the proposed site that would prevent or substantially increase the costs associated with installing a replacement well at the proposed site. The location alone of the proposed site because of the distance to the improvements on the Tierney Property may substantially increase the well installation costs.
14. Petitioner in Petitioner's Response also addresses the value of the Property and provides a comparable property to support Petitioner's claim that the economic benefit to Petitioner in the commercial development of the Petitioner's property is greater than residential development. Petitioner's claim of the property value is incorrect. Yes, certain properties do overlap boundaries, but Petitioner's property would accommodate at least two if not three residential properties. Thus, Petitioner's property, based on Petitioner's comparable has a residential value, before adjusting for the added values of new improvements of approximately \$180,000 to \$270,000. Using the Lake County Assessor information for the real property located across from Petitioner's property on Bernice Drive, specifically 36659 N. Bernice Drive (PIN 0609200036), shows a very different residential value of Petitioner's property. The tax bill identifies this parcel as having a fair market value of approximately \$171,585 for 0.3719 acres of land. This valuation equals a per acre value of approximately \$461,374 with residential improvements. Petitioner's property consists of approximately 1.14 acres of land, which results in a fair market value based on this comparable of approximately \$525,966. See Exhibit A for the tax information relating to 36659 N. Bernice Drive. Similarly, the Lake County real estate tax bill shows a fair market value of the property immediately north of 36659 N. Bernice Drive and across from Petitioner's property as approximately \$203,341 for approximately 0.3719 acres of land. This valuation equals a per acre value of approximately \$546,762 with residential improvements. As a result, Petitioner's property based on this comparable would have a residential improved value of approximately \$623,309. See Exhibit B for the tax information relating to 36667 N. Bernice Drive. Furthermore the commercial zoning and potential income stream for such commercial development would generally result in even increased values for Petitioner's property.
15. Petitioner has stated that they are agreeable to continued monitoring of the Tierney Well. Such proposal is insufficient because (i) the semi-annual testing is insufficient to promptly identify contamination of the Tierney Well if or when it occurs, posing a potentially severe health threat to all users of water from the Tierney Well, (ii) once contaminated, Tierney will be required to incur the cost and expense of replacing the Tierney Well without contribution from Petitioner, and (iii) no viable alternate site for a replacement well may exist when needed at the Tierney Property. Each of the foregoing as well as others may result in substantial financial expenditures and lost property value to Tierney if Petitioner's Petition is granted, resulting in Tierney incurring unreasonable hardship so Petitioner can avoid the costs associated with annexation or pursue alternative development options at Petitioner's property.

Based upon the foregoing, Tierney objects to the Petition, and requests that the same be denied. Petitioner has failed to adequately show that without the waiver Petitioner will suffer unreasonable hardship or that the potential source will not constitute a significant hazard to the Tierney Well. Rather, Petitioner is requesting the waiver in an attempt to save expenses that consist of a small portion of the potential value of the Petitioner's property, especially if annexed into the Village of Round Lake Beach, and is asking that Tierney incur such costs and potential costs in the future without reason.

Respectfully Submitted,

ERICKSON PAPANEK PETERSON ROSE

By:   
\_\_\_\_\_  
Christopher W. Cramer

Dated: June 19, 2014  
ERICKSON PAPANEK PETERSON ROSE  
1625 Shermer Road  
Northbrook, Illinois 60062  
(847) 272-0800

**THIS FILING IS SUBMITTED ON RECYCLED PAPER**

**Exhibit A**

Value Information – 36659 N. Bernice Drive

[See Attached]



# Lake County, Illinois

## Property Tax Assessment Information by PIN

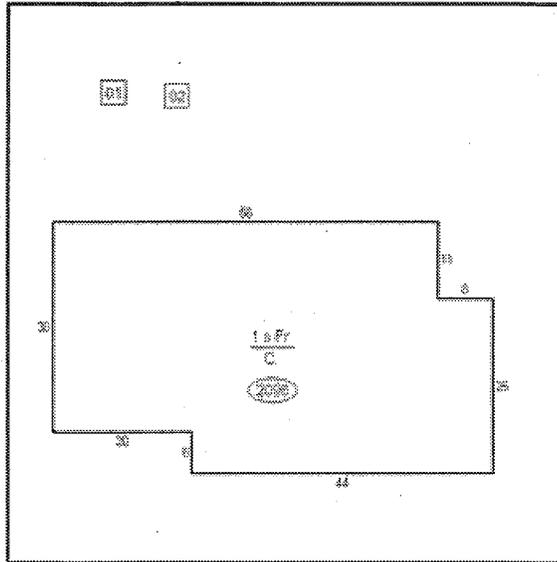
Property Address		Property Characteristics	
Pin:	06-09-200-036	Neighborhood Number:	9530121
Street Address:	36659 N BERNICE DR	Neighborhood Name:	VENETIAN VILLAGE
City:	LAKE VILLA		1 STY
Zip Code:	60046	Property Class:	104
Land Amount:	\$6,286	Class Description:	Residential Improved
Building Amount:	\$50,909	Total Land Square Footage:	16199
Total Amount:	\$57,195	House Type Code:	11
Township:	Lake Villa	Structure Type / Stories:	1.0
Assessment Date:	2013	Exterior Cover:	Wood siding



Multiple Buildings (Y/N):	N
Year Built / Effective Age:	1950 / 1950
Condition:	Average
Quality Grade:	Avg
Above Ground Living Area (Square Feet):	2096
Lower Level Area (Square Feet):	
Finished Lower Level (Square Feet):	
Basement Area (Square Feet):	0
Finished Basement Area (Square Feet):	0
Number of Full Bathrooms:	1
Number of Half Bathrooms:	0
Fireplaces:	1
Garage Attached / Detached / Carport:	0 / 2 / 0
Garage Attached / Detached / Carport Area:	0 / 1248 / 0
Deck / Patios:	0 / 0
Deck / Patios Area:	0 / 0
Porches Open / Enclosed:	0 / 0
Porches Open / Enclosed Area:	0 / 0
Pool:	0

[Click here for a Glossary of these terms.](#)

**Click on the image or sketch to the left to view and print them at full size. The sketch will have a legend.**



Property Sales History

Sale valuation definitions

Date of Sale	Sale Amount	Sales Validation	Compulsory Sale
No Previous Sales Information Found.			

Changes made to the sketch drawings are uploaded to the website every two weeks. The property characteristics appearing on this page show any changes made by an assessor the following day.

Please note that the characteristic information shown above is only a summary of information extracted from the Township Assessor's property records. For more detailed and complete characteristic information please contact your local township assessor. Likewise, any errors/omissions/discrepancies should be discussed with the appropriate township office.

<http://apps01.lakecountyil.gov/spassessor/comparables/ptaipin.aspx?Pin=0609210010>

Print This Page



1st INSTALLMENT PAYMENT COUPON

1

Tax Year 2013 PIN: 06-09-200-036

ROBERT SKIDMORE LAKE COUNTY COLLECTOR

Pin 06-09-200-036

JOHN A & MARY J WOODS 36659 N BERNICE DR LAKE VILLA, IL 60046-9319

Your cancelled check is your receipt



Interest due calculated as of 6/18/2014

\$0.00 DUE

PAYABLE TO LAKE COUNTY COLLECTOR 060920003600000000000000201318



2nd INSTALLMENT PAYMENT COUPON

2

Tax Year 2013 PIN: 06-09-200-036

ROBERT SKIDMORE LAKE COUNTY COLLECTOR

Pin 06-09-200-036

JOHN A & MARY J WOODS 36659 N BERNICE DR LAKE VILLA, IL 60046-9319

Your cancelled check is your receipt



Postmarked on or before 9/5/2014

\$2,137.53 DUE

PAYABLE TO LAKE COUNTY COLLECTOR 060920003600000000213753201326

Property Location:	Tax Year	Pin Number	Tax Code	Acres
36659 N BERNICE DR LAKE VILLA	2013	06-09-200-036	05014	0.3719

Legal Description: PT SE1/4 NE1/4; DAFS, BEG AT SW COR LT 3 BLK 109 IN VENETIAL VILLAGE UNIT NUMBER 9 SUB, E 135' S 120', W 135' N 120 TO POB (FKA LOTS 1 & 2 BLK 109 VENTIAN VILLAGE UNIT# 9 SUB) SECTION 9 TOWNSHIP

Taxing Body	Rate	Land Value	
COUNTY OF LAKE	0.535	\$6,286	
COUNTY OF LAKE PENSION	0.128	+ Building Value	\$50,909
ROAD AND BRIDGE-LAKE VILLA	0.046	x State Multiplier	1.0000
ROAD AND BRIDGE-LAKE VILLA PENSION	0.016	= Equalized Value	\$57,195
LAKE VILLA TOWNSHIP FIRE PROT DIST	0.779	+ Farm Land and Bldg Value	
LAKE VILLA TOWNSHIP FIRE PROT DIST PENSION	0.001	+ State Assessed Pollution Ctrl.	
LAKE VILLA PUBLIC LIBRARY DIST	0.539	+ State Assessed Railroads	
LAKE VILLA PUBLIC LIBRARY DIST PENSION	0.051	= Total Assessed Value	\$57,195
LAKE VILLA SCHOOL DISTRICT #41	4.309	- Fully Exempt	
LAKE VILLA SCHOOL DISTRICT #41 PENSION	0.107	- Senior Freeze	
COLLEGE OF LAKE COUNTY #532	0.296	- Home Improvement	\$12,549
GRAYSLAKE COMM HIGH SCHOOL DIST #127	5.137	- Limited Homestead	\$6,000
GRAYSLAKE COMM HIGH SCHOOL DIST #127 PENSION	0.091	- Senior Homestead	\$5,000
SPECIAL ROAD IMPROVEMENT LAKE VILLA GRAVEL	0.250	- Veterans/Disabled	
FOREST PRESERVE	0.205	- Returning Veteran	
FOREST PRESERVE PENSION	0.013	= Taxable Valuation	\$33,646
TOWNSHIP OF LAKE VILLA	0.184	x Tax Rate	12.706
TOWNSHIP OF LAKE VILLA PENSION	0.019	= Real Estate Tax	\$4,275.06
<b>Totals</b>	<b>12.706</b>	+ Special Service Area	
		+ Drainage	
		<b>= Total Current Year Tax</b>	<b>\$4,275.06</b>

+ Omitted Tax		
+ Forfeited Tax		
<b>= Total Tax Billed</b>		\$4,275.06
+ Interest Due as of	6/18/2014	
+ Cost		
<b>= AMOUNT BILLED</b>		\$4,275.06
Fair Market Value		\$171,585
1st Installment Due	6/5/2014	\$0.00
2nd Installment Due	9/5/2014	\$2,137.53

**Exhibit B**

Value Information – 36667 N. Bernice Drive

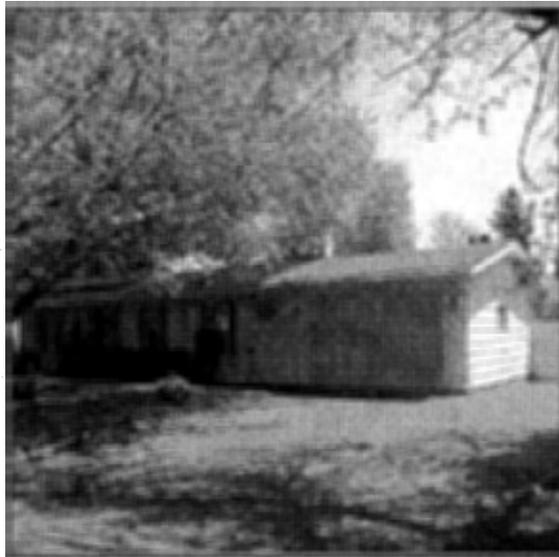
[See Attached]



# Lake County, Illinois

## Property Tax Assessment Information by PIN

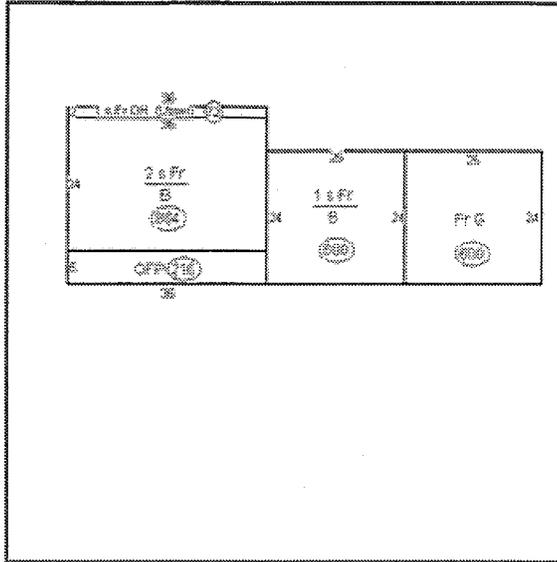
Property Address		Property Characteristics	
Pin:	06-09-210-010	Neighborhood Number:	9530124
Street Address:	36667 N BERNICE DR	Neighborhood Name:	VENETIAN VILLAGE 2
City:	LAKE VILLA		STY W/ 1 ST
Zip Code:	60046	Property Class:	104
Land Amount:	\$3,142	Class Description:	Residential Improved
Building Amount:	\$58,163	Total Land Square Footage:	16198
Total Amount:	\$61,305	House Type Code:	44
Township:	Lake Villa	Structure Type / Stories:	2.0
Assessment Date:	2013	Exterior Cover:	Wood siding



Multiple Buildings (Y/N):	N
Year Built / Effective Age:	1978 / 1978
Condition:	Average
Quality Grade:	Avg
Above Ground Living Area (Square Feet):	2400
Lower Level Area (Square Feet):	
Finished Lower Level (Square Feet):	
Basement Area (Square Feet):	1464
Finished Basement Area (Square Feet):	0
Number of Full Bathrooms:	2
Number of Half Bathrooms:	1
Fireplaces:	1
Garage Attached / Detached / Carport:	1 / 0 / 0
Garage Attached / Detached / Carport Area:	600 / 0 / 0
Deck / Patios:	0 / 0
Deck / Patios Area:	0 / 0
Porches Open / Enclosed:	1 / 0
Porches Open / Enclosed Area:	216 / 0
Pool:	0

[Click here for a Glossary of these terms.](#)

Click on the image or sketch to the left to view and print them at full size. The sketch will have a legend.



**Property Sales History**

Sale valuation definitions

Date of Sale	Sale Amount	Sales Validation	Compulsory Sale
No Previous Sales Information Found.			

Changes made to the sketch drawings are uploaded to the website every two weeks. The property characteristics appearing on this page show any changes made by an assessor the following day.

Please note that the characteristic information shown above is only a summary of information extracted from the Township Assessor's property records. For more detailed and complete characteristic information please contact your local township assessor. Likewise, any errors/omissions/discrepancies should be discussed with the appropriate township office.

<http://apps01.lakecountyil.gov/spassessor/comparables/ptaipin.aspx?Pin=0609210010>

 [Print This Page](#)



**1st INSTALLMENT  
PAYMENT COUPON**

**1**

**Tax Year 2013  
PIN: 06-09-210-010**

ROBERT SKIDMORE  
LAKE COUNTY COLLECTOR

Pin 06-09-210-010

WILLIAM H & DAWNE M KOCH  
36667 N BERNICE DR  
LAKE VILLA, IL 60046-9319

Your cancelled check is your receipt



Interest due calculated as of 6/18/2014

**\$0.00 DUE**

PAYABLE TO LAKE COUNTY COLLECTOR  
060921001000000000000000201316



**2nd INSTALLMENT  
PAYMENT COUPON**

**2**

**Tax Year 2013  
PIN: 06-09-210-010**

ROBERT SKIDMORE  
LAKE COUNTY COLLECTOR

Pin 06-09-210-010

WILLIAM H & DAWNE M KOCH  
36667 N BERNICE DR  
LAKE VILLA, IL 60046-9319

Your cancelled check is your receipt



Postmarked on or before 9/5/2014

**\$3,513.53 DUE**

PAYABLE TO LAKE COUNTY COLLECTOR  
060921001000000000351353201327

<b>Property Location:</b> 36667 N BERNICE DR LAKE VILLA	<b>Tax Year:</b> 2013	<b>Pin Number:</b> 06-09-210-010	<b>Tax Code Acres:</b> 05014 0
--	-----------------------	----------------------------------	--------------------------------

**Legal Description:** VENETIAN VILLAGE UNIT NO. 9  
LOT 3 BLOCK 109

<u>Taxing Body</u>	<u>Rate</u>		
COUNTY OF LAKE	0.535	Land Value	\$3,142
COUNTY OF LAKE PENSION	0.128	+ Building Value	\$58,163
ROAD AND BRIDGE-LAKE VILLA	0.046	x State Multiplier	1.0000
ROAD AND BRIDGE-LAKE VILLA PENSION	0.016	= Equalized Value	\$61,305
LAKE VILLA TOWNSHIP FIRE PROT DIST	0.779	+ Farm Land and Bldg Value	
LAKE VILLA TOWNSHIP FIRE PROT DIST PENSION	0.001	+ State Assessed Pollution Ctrl.	
LAKE VILLA PUBLIC LIBRARY DIST	0.539	+ State Assessed Railroads	
LAKE VILLA PUBLIC LIBRARY DIST PENSION	0.051	= Total Assessed Value	\$61,305
LAKE VILLA SCHOOL DISTRICT #41	4.309	- Fully Exempt	
LAKE VILLA SCHOOL DISTRICT #41 PENSION	0.107	- Senior Freeze	
COLLEGE OF LAKE COUNTY #532	0.296	- Home Improvement	
GRAYSLAKE COMM HIGH SCHOOL DIST #127	5.137	- Limited Homestead	\$6,000
GRAYSLAKE COMM HIGH SCHOOL DIST #127 PENSION	0.091	- Senior Homestead	
SPECIAL ROAD IMPROVEMENT LAKE VILLA GRAVEL	0.250	- Veterans/Disabled	
FOREST PRESERVE	0.205	- Returning Veteran	
FOREST PRESERVE PENSION	0.013	= Taxable Valuation	\$55,305
TOWNSHIP OF LAKE VILLA	0.184	x Tax Rate	12.706
TOWNSHIP OF LAKE VILLA PENSION	0.019	= Real Estate Tax	\$7,027.05
<b>Totals</b>	<b>12.706</b>	+ Special Service Area	
		+ Drainage	
		<b>= Total Current Year Tax</b>	<b>\$7,027.05</b>
		+ Omitted Tax	
		+ Forfeited Tax	

= Total Tax Billed		\$7,027.05
+ Interest Due as of	6/18/2014	
+ Cost		
= AMOUNT BILLED		\$7,027.05
Fair Market Value		\$183,915
1st Installment Due	6/5/2014	\$0.00
2nd Installment Due	9/5/2014	\$3,513.53



# Lake County, Illinois

## Property Tax Assessment Information by PIN

Property Address		Property Characteristics	
Pin:	06-09-210-009	Neighborhood Number:	9530121
Street Address:	36681 N BERNICE DR	Neighborhood Name:	VENETIAN VILLAGE 1 STY
City:	LAKE VILLA	Property Class:	103
Zip Code:	60046	Class Description:	Residential Vacant
Land Amount:	\$3,142	Total Land Square Footage:	16198
Building Amount:	\$0	House Type Code:	
Total Amount:	\$3,142	Structure Type / Stories:	
Township:	Lake Villa	Exterior Cover:	
Assessment Date:	2013	Multiple Buildings (Y/N):	N
		Year Built / Effective Age:	/
		Condition:	
		Quality Grade:	
		Above Ground Living Area (Square Feet):	0
		Lower Level Area (Square Feet):	
		Finished Lower Level (Square Feet):	
		Basement Area (Square Feet):	0
		Finished Basement Area (Square Feet):	0
		Number of Full Bathrooms:	0
		Number of Half Bathrooms:	0
		Fireplaces:	0
		Garage Attached / Detached / Carport:	0 / 0 / 0
		Garage Attached / Detached / Carport Area:	0 / 0 / 0
		Deck / Patios:	0 / 0
		Deck / Patios Area:	0 / 0
		Porches Open / Enclosed:	0 / 0
		Porches Open / Enclosed Area:	0 / 0
		Pool:	0

**NO IMAGE AVAILABLE**

**NO SKETCH AVAILABLE**

[Click here for a Glossary of these terms.](#)

Click on the image or sketch to the left to view and print them at full size. The sketch will have a legend.

### Property Sales History

Sale valuation definitions

Date of Sale	Sale Amount	Sales Validation	Compulsory Sale
No Previous Sales Information Found.			

Changes made to the sketch drawings are uploaded to the website every two weeks. The property characteristics appearing on this page show any changes made by an assessor the following day.

Please note that the characteristic information shown above is only a summary of information extracted from the Township Assessor's property records. For more detailed and complete characteristic information please contact your local township assessor. Likewise, any errors/omissions/discrepancies should be discussed with the appropriate township office.

---

<http://apps01.lakecountyil.gov/spassessor/comparables/ptaipin.aspx?Pin=0609210010>

 Print This Page



**1st INSTALLMENT  
PAYMENT COUPON**

**1**

**Tax Year 2013  
PIN: 06-09-210-009**

ROBERT SKIDMORE  
LAKE COUNTY COLLECTOR

Pin 06-09-210-009

WILLIAM H & DAWNE M KOCH  
36667 N BERNICE DR  
LAKE VILLA, IL 60046-9319

Your cancelled check is your receipt



Interest due calculated as of 6/18/2014

**\$0.00 DUE**

PAYABLE TO LAKE COUNTY COLLECTOR  
060921000900000000000000201314



**2nd INSTALLMENT  
PAYMENT COUPON**

**2**

**Tax Year 2013  
PIN: 06-09-210-009**

ROBERT SKIDMORE  
LAKE COUNTY COLLECTOR

Pin 06-09-210-009

WILLIAM H & DAWNE M KOCH  
36667 N BERNICE DR  
LAKE VILLA, IL 60046-9319

Your cancelled check is your receipt



Postmarked on or before 9/5/2014

**\$199.61 DUE**

PAYABLE TO LAKE COUNTY COLLECTOR  
060921000900000000019961201321

<b>Property Location:</b> 36681 N BERNICE DR LAKE VILLA	<b>Tax Year:</b> 2013	<b>Pin Number:</b> 06-09-210-009	<b>Tax Code Acres:</b> 05014 0
--	-----------------------	----------------------------------	--------------------------------

**Legal Description:** VENETIAN VILLAGE UNIT NO. 9  
LOT 4 BLOCK 109

<u>Taxing Body</u>	<u>Rate</u>		
COUNTY OF LAKE	0.535	Land Value	\$3,142
COUNTY OF LAKE PENSION	0.128	+ Building Value	
ROAD AND BRIDGE-LAKE VILLA	0.046	x State Multiplier	1.0000
ROAD AND BRIDGE-LAKE VILLA PENSION	0.016	= Equalized Value	\$3,142
LAKE VILLA TOWNSHIP FIRE PROT DIST	0.779	+ Farm Land and Bldg Value	
LAKE VILLA TOWNSHIP FIRE PROT DIST PENSION	0.001	+ State Assessed Pollution Ctrl.	
LAKE VILLA PUBLIC LIBRARY DIST	0.539	+ State Assessed Railroads	
LAKE VILLA PUBLIC LIBRARY DIST PENSION	0.051	= Total Assessed Value	\$3,142
LAKE VILLA SCHOOL DISTRICT #41	4.309	- Fully Exempt	
LAKE VILLA SCHOOL DISTRICT #41 PENSION	0.107	- Senior Freeze	
COLLEGE OF LAKE COUNTY #532	0.296	- Home Improvement	
GRAYSLAKE COMM HIGH SCHOOL DIST #127	5.137	- Limited Homestead	
GRAYSLAKE COMM HIGH SCHOOL DIST #127 PENSION	0.091	- Senior Homestead	
SPECIAL ROAD IMPROVEMENT LAKE VILLA GRAVEL	0.250	- Veterans/Disabled	
FOREST PRESERVE	0.205	- Returning Veteran	
FOREST PRESERVE PENSION	0.013	= Taxable Valuation	\$3,142
TOWNSHIP OF LAKE VILLA	0.184	x Tax Rate	12.706
TOWNSHIP OF LAKE VILLA PENSION	0.019	= Real Estate Tax	\$399.22
<b>Totals</b>	<b>12.706</b>	+ Special Service Area	
		+ Drainage	
		<b>= Total Current Year Tax</b>	<b>\$399.22</b>
		+ Omitted Tax	
		+ Forfeited Tax	

= Total Tax Billed		\$399.22
+ Interest Due as of	6/18/2014	
+ Cost		
= AMOUNT BILLED		\$399.22
Fair Market Value		\$9,426
1st Installment Due	6/5/2014	\$0.00
2nd Installment Due	9/5/2014	\$199.61

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ASCEND R.L.B., INC., an Illinois corporation,	)	
	)	
	)	
Petitioner.	)	
v.	)	PCB No. 2014-122
	)	(Petition for Water Well
ILLINOIS ENVIRONMENTAL PROTECTION AGENCY,	)	Setback Exception)
JOHN TIERNEY AND VERA TIERNEY,	)	
	)	
Respondents.	)	

NOTICE OF FILING

Stephanie Flowers  
Assistant Counsel  
IL Environmental Protection Agency  
1021 North Grand Avenue East  
P.O. Box 19276  
Springfield, IL 62794-9276

Mark C. Eiden  
Mark C. Eiden & Associates, PC.  
Suite 4  
611 S. Milwaukee Avenue  
Libertyville, IL 60048

John T. Therriault, Clerk  
IL Pollution Control Board  
James R. Thompson Center  
Suite 11-500  
100 West Randolph  
Chicago, IL 60601

Bradley P. Halloran, Hearing Officer  
IL Pollution Control Board  
James R. Thompson Center  
Suite 11-500  
100 West Randolph  
Chicago, IL 60601

PLEASE TAKE NOTICE that I have today forwarded for filing with the Office of the Clerk of the Illinois Pollution Control Board an APPEARANCE and RESPONDENTS', JOHN AND VERA TIERNEY, RESPONSE TO PETITION FOR SETBACK EXCEPTION, AGENCY RESPONSE TO PETITION FOR WATER WELL SETBACK PETITION, AND REPLY TO AGENCY RESPONSE TO THE PETITION FOR WATER WELL SET BACK EXCEPTION, copies of which are herewith served upon you.

By:   
\_\_\_\_\_ CHRISTOPHER W. CRAMER

DATED: June 19, 2014  
ERICKSON PAPANЕК PETERSON ROSE  
1625 Shermer Road  
Northbrook, IL 60062  
(847) 272-0800  
Fax: (847) 272-1472  
chrisc@lawep.com

**CERTIFICATE OF SERVICE**

I, CHRISTOPHER W. CRAMER, an attorney, do certify that I filed electronically with the Office of the Clerk of the Illinois Pollution Control Board the attached APPEARANCE and RESPONDENTS', JOHN AND VERA TIERNEY, RESPONSE TO PETITION FOR SETBACK EXCEPTION, AGENCY RESPONSE TO PETITION FOR WATER WELL SETBACK PETITION, AND REPLY TO AGENCY RESPONSE TO THE PETITION FOR WATER WELL SET BACK EXCEPTION and will cause the same to be served upon the following persons, by placing a true and correct copy in an envelope addressed to:

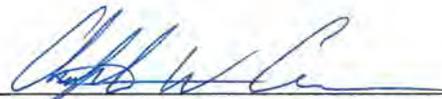
Stephanie Flowers  
Assistant Counsel  
IL Environmental Protection Agency  
1021 North Grand Avenue East  
P.O. Box 19276  
Springfield, IL 62794-9276

Mark C. Eiden  
Mark C. Eiden & Associates, PC.  
Suite 4  
611 S. Milwaukee Avenue  
Libertyville, IL 60048

John T. Therriault, Clerk  
IL Pollution Control Board  
James R. Thompson Center  
Suite 11-500  
100 West Randolph  
Chicago, IL 60601

Bradley P. Halloran, Hearing Officer  
IL Pollution Control Board  
James R. Thompson Center  
Suite 11-500  
100 West Randolph  
Chicago, IL 60601

and mailing it by First Class Mail from Northbrook, Illinois on June 19, 2014 with sufficient postage affixed.

  
\_\_\_\_\_  
CHRISTOPHER W. CRAMER

DATED: June 19, 2014  
ERICKSON PAPANЕК PETERSON ROSE  
1625 Shermer Rd.  
Northbrook, IL 60062  
(847) 272-0800  
Fax: (847) 272-1472  
chrisc@lawep.com