



12 South Center Street
Bensenville, IL 60106

Office: 630.350.3404
Fax: 630.350.3438
www.bensenville.il.us

VILLAGE BOARD

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October 12, 2022

Mr. Mariela Gonzalez
7237 West Devon Avenue
Chicago, Illinois 60631

Re: October 5, 2022 FOIA Request

Dear Ms. Gonzalez

I am pleased to help you with your October 5, 2022 Freedom of Information Act ("FOIA"). The Village of Bensenville received your request on October 5, 2022. You requested copies of the items indicated below:

"Please see attached for the Property located at: 401 Eastern Avenue, Bensenville, Illinois."

After a search of Village files, the following information was found responsive to your request:

- 1) Village of Bensenville Permits Issued to 401 Eastern Avenue Since January 1, 2010. (1 pg.)
- 2) Village of Bensenville Ordinance No. 30-97. (3 pgs.)
- 3) Village of Bensenville Correction Notice for Inspection No. 67120. (1 pg.)

These are all the records found responsive to your request.


In regards underground/aboveground storage tanks and hazardous materials; please check with the Illinois Fire Marshal's Office to conduct a search of their files.

Section 7(1)(b) of FOIA provided that "private information" is exempt from disclosure. "Private information" is defined in FOIA as, "unique identifiers, including a person's social security number, driver's license number, employee identification number, biometric identifiers, personal financial information, passwords, or other access codes, medical records, home or personal telephone numbers, and personal email addresses. Private information also includes home address and personal license plates, except as otherwise provided by law or when complied without possibility of attribution to any person." 5ILCS 140/2(c-5). Consequently, certain identifiers have been redacted from the records being provided.

Pursuant to Section 9 of the FOIA, 5 ILCS 140/9, I am required to advise you that I, the undersigned Freedom of Information Officer, reviewed and made the foregoing determination to deny a portion of your FOIA Request as indicated. Should you believe that this Response constitutes an improper denial of your request, you may appeal such by filing a request for review within sixty (60) days of the date of this letter with the Public Access Counselor of the Illinois Attorney General's Office, Public Access Bureau, 500 South Second Street, Springfield, Illinois 62706; telephone 1-887-299-FOIA; e-mail: publicaccess@atg.state.il.us. You may also have a right of judicial review of the denial under Section 11 of the FOIA, 5 ILCS 140/11.

Do not hesitate to contact me if you have any questions or concerns in connection with this response.

Very truly yours,


Corey Williamsen
Freedom of Information Officer
Village of Bensenville



VILLAGE OF BENSENVILLE

FREEDOM OF INFORMATION ACT

REQUEST FORM

TO: COREY WILLIAMSEN

Freedom of Information Officer
Village of Bensenville
12 S. Center Street
Bensenville, IL 60106

FROM:

Name Mariela Gonzalez

Address 7237 West Devon Avenue

Chicago, Illinois 60631

Phone 773-792-3090

E-Mail mgonzalez@epsenv.com

12175

TITLES OR DESCRIPTION OF RECORDS REQUESTED (Please Include Date of Birth and Case Number for Police Records):

Please see attached for the Property located at:

401 Eastern Avenue, Bensenville, Illinois

PIN: 03-02-206-014

☐

THIS REQUEST IS FOR A COMMERCIAL PURPOSE (You must state whether your request is for a commercial purpose. A request is for a "commercial purpose" if all or any part of the information will be used in any form for sale, resale, or solicitation or advertisement for sales or services. Failure to disclose whether a request is for a commercial purpose is a prosecutable violation of FOIA.)

Would like your request delivered via: ☒ E-Mail ☐ U.S. Mail ☐ Pick-Up*

*Pick-Up is available by appointment at Village Hall Monday thru Friday; between 8:00 a.m. – 5:00 p.m.

I understand that any payment need be received before any documents are copied and/or mailed.

10.05.22

Date

Signature

All FOIA responses are posted on the Village's website. Name and address of the requestor will be made public.

The first fifty (50) pages of the request are free. The fee charge is fifteen (15) cents after the first fifty (50) pages.

Unless otherwise notified, your request for public records will be compiled within five (5) working days.

Unless otherwise notified, any request for commercial purposes will be compiled within twenty-one (21) days working days.

COREY WILLIAMSEN, FREEDOM OF INFORMATION OFFICER

Telephone: (630) 350-3404 Facsimile: (630) 350-3438

E-mail Address: FOIArequest@bensenville.il.us

For Freedom of Information Officer Use Only

10/5/22
Date Request
Received

10/12/22
Date Response
Due

10/19/22
Date Extended
Response Due

HO-
Total Charges

10/12/22
Date Documents
Copied or Inspected

Received by Employee: _____

As required by ASTM Standard Practice E 1527-21 for environmental site assessments, EPS Environmental Services, Inc. requests to obtain information from the following Village/Town/City department(s) in order to ascertain the *historical uses* and/or occupancy of the following property, to determine if any may have had an environmental impact:

**401 Eastern Avenue
Bensenville, Illinois**

PINs: 03-02-206-014

From the Building Department (or similar) –

Any records reflecting the permission to construct, alter or demolish improvements on the Property, and which indicate the **Property's original development** and/or past usage history. Additionally, any records with *environmentally significant information*, such as the **installation or removal of underground storage tanks**, or records of complaints, inspections or permits reflecting air emissions, noise, asbestos or hazardous materials. Certificates of Occupancy.

From the Zoning Department –

The current zoning restrictions; and if available, the historical zoning restrictions on the Property, (i.e., the zoning designation(s) and brief definition(s) only, not the entire ordinance) to determine if the Property's use has changed significantly.

From the Fire Department (Fire Prevention Bureau) –

Any records or inspections on file reflecting the current or previous *storage or use* of hazardous substances or petroleum products, including the **current or historical presence of underground storage tanks** (e.g., *installation, inspection, or removal records*) on the Property, and additionally, any records with **environmentally significant information**, such as hazardous material incidents at or near the property.

From the Water Department -

Any and all records as it pertains to potable or groundwater-monitoring wells located on the Property.

From the Sewer Department -

Any and all records as it pertains to septic systems on the Property

Please forward to the appropriate departments.

Your time and attention to this request are most appreciated.

Thank you,



Mariela Gonzalez
EPS Environmental Services, Inc.
7237 West Devon Avenue
Chicago, Illinois 60631
mgonzalez@epsenv.com
Fax #773.792.3091
Phone #773.792.3090



Location	Municipality	User Status	Application Recv'd	Project/Activity Desc Line 2
401 WEST EASTERN AVENUE	BENSENVILLE	FINALED	06/04/2020	ELECTRICAL WORK
401 WEST EASTERN AVENUE	BENSENVILLE	FINALED	01/11/2021	ROOF RECOVER
401 WEST EASTERN AVENUE	BENSENVILLE	FINALED	09/30/2021	CONCRETE PAD & BOLLARDS FOR TANK STORAGE
401 WEST EASTERN AVENUE	BENSENVILLE	DENIED	10/07/2021	SIGN
401 WEST EASTERN AVENUE	BENSENVILLE	FINALED	03/22/2022	R/R CONCRETE & SEWER ADJUSTMENT
401 WEST EASTERN AVENUE	BENSENVILLE	ACTIVE	09/27/2022	ADD VENTILATION FAN
401 WEST EASTERN AVENUE	BENSENVILLE	CLOSED BY INSPECTOR	04/24/2018	R/R SKYLIGHTS
401 WEST EASTERN AVENUE	BENSENVILLE	CLOSED BY INSPECTOR	06/08/2018	ROOF TOP HEATING / COOLING

**VILLAGE OF BENSENVILLE
700 WEST IRVING PARK ROAD
BENSENVILLE, ILLINOIS 60106**

ORDINANCE NO. 30-97

**AUTHORIZING SPECIAL USE - OUTDOOR STORAGE
AT&T WIRELESS SERVICES
401 EASTERN AVENUE
CDC #071497-04**

**ADOPTED BY THE
VILLAGE BOARD OF TRUSTEES
OF THE
VILLAGE OF BENSENVILLE
THIS 19TH DAY OF AUGUST, 1997**

**Published in pamphlet form by authority of the President and Board of Trustees of the
Village of Bensenville, DuPage and Cook Counties, Illinois this 20th day of August, 1997.**

STATE OF ILLINOIS)
) ss
COUNTIES OF COOK)
AND DUPAGE)

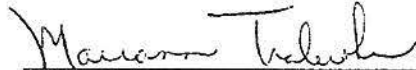
CERTIFICATE

I, Marianne Tralewski, certify that I am the duly elected Municipal Clerk of the Village of Bensenville, DuPage and Cook Counties, Illinois.

I further certify that on August 19, 1997, the Corporate Authorities of such municipality passed and approved Ordinance No. 30-97, entitled Authorizing Special Use - Outdoor Storage, AT&T Wireless Services, 401 Eastern Avenue, CDC #071497-04, which provided by its terms that it should be published in pamphlet form.


The pamphlet form of Ordinance No. 30-97, including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance was posted in the Village Hall, commencing on August 20, 1997 and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the Municipal Clerk.

Dated at Bensenville, Illinois, this 20th day of August, 1997.


Marianne Tralewski
Village Clerk

SEAL

By:


Lynn D. Hutcherson
Deputy Village Clerk

ORDINANCE # 30 -97

AUTHORIZING SPECIAL USE - OUTDOOR STORAGE
AT&T WIRELESS SERVICES - 401 EASTERN AVENUE
CDC #071497-04

BE IT ORDAINED by the President and Board of Trustees of the Village of Bensenville, Counties of DuPage and Cook, Illinois, as follows:

SECTION ONE: That the land legally described as:

LOT 5 IN DEVON-ELLIS RESUBDIVISION NO.1, A RESUBDIVISION OF LOTS 1,2,3,4 AND 5 IN DEVON-ELLIS RESUBDIVISION, BEING A RESUBDIVISION OF THE WEST HALF OF THE NORTHEAST QUARTER AND THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 2, TOWNSHIP 40 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID DEVON-ELLIS RESUBDIVISION NO. 1 RECORDED SEPTEMBER 12, 1989 AS DOCUMENT IN R89-113563, IN DU PAGE COUNTY, ILLINOIS.

Common Address: 401 Eastern Avenue

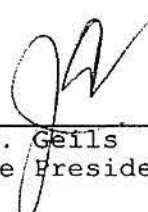
is hereby granted a special use permit to allow for outdoor storage of equipment in the I-2 Zoning District. Further, this special use is granted only to AT&T Wireless Services and only for so long as AT&T Wireless Services uses the referenced property.

FURTHER, AT&T Wireless Services shall provide a letter of credit in such form and amounts as are acceptable to the Village.

SECTION TWO: All ordinances in conflict herewith are repealed to the extent of said conflict.

This ordinance is in full force and effect from and after passage and publication according to law.

PASSED AND APPROVED by the President and Board of Trustees at the Village of Bensenville, this 19th day of August, 1997.



John C. Geils
Village President

ATTEST:



Marianne Tralewski
Village Clerk

AYES: Basso, Krass, Strandt, Walberg, Wanzung, Weber
NAYS: None
ABSENT: None

Published in Pamphlet Form



VILLAGE OF BENSENVILLE
INSPECTIONAL SERVICES
 12 South Center
 Bensenville, IL 60106
 630-350-3413 fax:630-350-3449

Type of Inspection: CORRECTION NOTICE

CORRECTION NOTICE

Address: 401 EASTERN

Unit:

Business name:: WEST EAST CARRIERS

Phone: [REDACTED]

Business Owner: Lyudmila Alekseyuk

Address: [REDACTED]

Inspection Date: 5/8/2019

Inspector: TOM KNIGHT

<u>Checklist #</u>	<u>Violation</u>	<u>Violation comment</u>
005A	ALLOWABLE USE	Truck repair is not an approved use at this location. Discontinue all truck repair activity at this site.
020I	IMPROPER PARKING	Parking is not approved in the drive aisle. Parking is permitted only in the regularly marked spaces. Remove the vehicles from the drive aisle and discontinue practice.

Additional Remarks/Comments:

Reinspection 67121 created on 05/08/2019
 by 6523tkni

THOSE ITEMS LISTED ABOVE ARE VIOLATIONS OF BENSENVILLE'S ADOPTED VILLAGE CODE AND/OR PROPERTY MAINTENANCE CODE. THIS IS YOUR WRITTEN "CORRECTION NOTICE". FAILURE TO CORRECT THE ABOVE LISTED VIOLATIONS WITHIN THE PRESCRIBED TIME CAN RESULT IN A FINE OF UP TO \$750 PER VIOLATION, PER DAY.

You are hereby notified to remedy the conditions as stated above within 7 days from the date of this order. Neither this inspection nor any Certificate of Occupancy issued by the Village of Bensenville shall be considered a complete list of Code or Municipal Ordinances. Our inspection can be substantially limited by access available and stored items or furniture. Some occupancies may require inspections to be completed on individual systems such as heating appliances, roofing, structure or fire protection systems. If you have questions about this inspection, please call 630-350-3448.

DISCLAIMER: The Village of Bensenville does not warrant the condition of any property inspected and disclaims all liability for any claims arising out of the property or condition thereof.

Copy of this report received by/mailed to: Bogdan Potichnyi via email at westeastcarriers@gmail.com

Inspector: Tom Knight Date: 5-8-2019