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Evan K. Summers**Mr. Karamat Mohammed**  
10 George Street  
Bensenville, Illinois  
60106**Re: September 26, 2023 FOIA Request****Dear Mr. Mohammed:**

I am pleased to help you with your September 26, 2023 Freedom of Information Act ("FOIA"). The Village of Bensenville received your request on September 27, 2023. You requested copies of the items indicated below:

*"Copies of "Storm Water Management Certification/Authorization Letter / Copies of Application submitted for Storm Water Management Certification, Surveys, Reports, Plan , and other relate documents submitted along with application. Subject Properties: 761 & 763 Legends Ln. Bensenville IL 60106."*

Enclosed are all the records that were found in response to your FOIA. No redaction have been made.

Please be advised that the enclosed records were provided to the Village by the Engineering firm retained at the time. There were no records found that are listed in their letter dated March 5, 2009.

I advise you to reach out to DuPage County to submit a FOIA to obtain additional records, should they exist within DuPage County.

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



**DUPAGE COUNTY**  
**ECONOMIC DEVELOPMENT & PLANNING**  
 Robert J. Schillerstrom, County Board Chairman

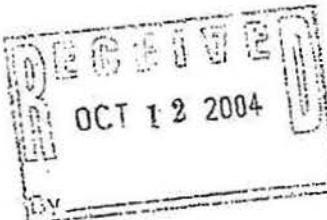
**STORMWATER • TRANSPORTATION & TRAILS • LANDUSE • BUILDING & ZONING • PERMITTING • ECONOMIC DEVELOPMENT**

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 (630) 407-6702 Fax

October 4, 2004



Mr. Robert J. Glees, P.E.  
 Director of Community Development  
 Village of Bensenville  
 12 S. Center Street  
 Bensenville, IL 60106

RE: Certification for Stormwater Management Permit No. 04-05-0001 (EDP Tracking No. T13064)  
 John Court Subdivision, Incorporated Bensenville, DuPage County, Illinois  
**(NOTE: THIS IS NOT A PERMIT – A Building Permit must be picked up prior to any on site work)**

Dear Mr. Glees:

The Stormwater Division of the Department of Economic Development and Planning (EDP) received a stormwater permit application/submittal from Compass Consulting Group, Ltd., on behalf of Sedlacek & Associates, Inc., for the construction of a seven (7) lot single family residential subdivision, complete with utility improvements, roadway construction, and all associated grading and restoration, to be located at 918 John Street, along the west side of John Street, north of South Street (a.k.a. Belmont Avenue), within the corporate limits of the Village of Bensenville, DuPage County, Illinois.

Staff has completed its review of this application and hereby certifies the following documents for compliance with the DuPage County Countywide Stormwater and Flood Plain Ordinance (DCSFPO), for a development within a special management area (floodplain, wetland):

1. DuPage County Stormwater Management Permit Application, as assigned Permit No. 04-05-0001 (EDP Tracking No. T13064).
2. Stormwater submittal package entitled "DuPage County Stormwater Permit Submittal, John Court Subdivision, Village of Bensenville, DuPage County, Illinois," as prepared by Compass Consulting Group, Ltd., with latest revision dated August 26, 2004.
3. Plan set entitled "Final Engineering Plans for John Court Subdivision," as prepared by Compass Consulting Group, Ltd., Project No. 99-060, consisting of fourteen (14) sheets, as identified below:
  - a. Sheets C-1 – C-7, C-9, and C-10, dated May 27, 2004, with latest revision dated August 16, 2004; and,
  - b. Sheet C-8, dated May 27, 2004, with latest revision dated September 28, 2004; and,
  - c. Sheets "1 of 2" and "2 of 2" are **not certified** (please refer to "Note", as identified below); and,
  - d. Sheet 1 of 1, dated May 6, 2004, with latest revision dated August 11, 2004; and,

99-060  
 Permits

October 4, 2004

RE: Certification - SWP #04-05-0001/T13064; John Court Subdivision, Incorporated Bensenville, DuPage County, Illinois

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- e. Sheet 1 of 1, dated May 7, 2004.

Please be advised the Village of Bensenville holds a partial waiver of enforcement status from the DuPage County Countywide Stormwater and Flood Plain Ordinance. As such, the Village of Bensenville is responsible to review and approve applications for stormwater management issues. Therefore, for the above referenced development project, our office has only reviewed and provided certification relating to the special management areas (floodplain, wetland). All approvals pertaining to the stormwater management issues shall be done by the Village of Bensenville, unless requested otherwise.

Based upon our certification of the above referenced documents, our office hereby authorizes the Village of Bensenville to issue permits for the above referenced development. As a reminder, it is the Village of Bensenville's responsibility to enforce the provisions of the DCSFPO, including, but not limited to, the following conditions:

**NOTE:** The grant of easement document entitled "Final Plat of Subdivision, John Court Subdivision," as prepared by Compass Land Surveying and Mapping, dated May 25, 2004, with latest revision dated August 27, 2004, consisting of two sheets labeled "1 of 2" and "2 of 2", as contained within the above referenced plan set, has not been certified by our office at this time. The referenced document must be reviewed and approved by the Village of Bensenville prior to recording with the County Recorders Office in DuPage County, Illinois. In addition, please refer to General Conditions No. 3, as identified below.

#### **GENERAL CONDITIONS:**

1. Per Section 15-116.1 of the DCSFPO, sediment and erosion control devices shall be functional before land is otherwise disturbed on the site. Therefore, the developer shall notify the Village of Bensenville and request/receive a site inspection of all required sediment and erosion control devices, prior to the commencement of construction activities.
2. Per Section 15-133.9 of the DCSFPO, compensatory storage shall be operational prior to placement of fill, structures, or other material in the regulatory flood plain. Therefore, per Section 15-149.2(f) of the DCSFPO, upon completion of mass grading operations and construction of compensatory storage areas, as-built drawings of the site must be submitted to the Village of Bensenville for review and approval. The as-built drawings must be prepared, signed and sealed by an Illinois registered professional engineer, and must include calculations showing the as-built volume of the compensatory storage areas.
3. Per Article 9, Section 15-113.7 of the DCSFPO, "major and minor stormwater systems shall be located within easements or rights-of-way explicitly providing for public access for maintenance of such facilities." Therefore, a Plat of Easement document, which represents **as-built conditions**, must be forwarded to the Village of Bensenville for review and approval. The following should be incorporated into said document:
  - a. Public Utility and Drainage Easements need to be provided over/about the on-site storm sewer system, and over land drainage swales, which are necessary to convey the 100 year storm runoff to stormwater management facilities.
  - b. A Stormwater Management Easement needs to be granted over the limits of the stormwater management facilities.
  - c. A Wetland Conservation Easement needs to be granted over the limits of the wetland, wetland buffer, and wetland mitigation areas, if applicable.

October 4, 2004  
RE: Certification - SWP #04-05-0001/T13064; John Court Subdivision, Incorporated Bensenville, DuPage County, Illinois  
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- d. Public Utility and Drainage Easement provisions need to be incorporated into the Plat.
- e. Stormwater Management Easement provisions need to be incorporated into the Plat.
- f. Wetland Conservation Easement provisions need to be incorporated into the Plat, if applicable.
- g. Maintenance responsibility provisions, for the stormwater management facility, should be provided on the Plat of Subdivision or other recorded document.

4. Per Article 13 "Performance Security", Section 15-176 "General Security Requirements" of the DuPage County Countywide Stormwater and Flood Plain Ordinance, prior to the issuance of a stormwater management permit a development security and sediment and erosion control security must be posted. It is our understanding that the Village of Bensenville will collect and maintain appropriate development securities as required by ordinance for the subject development.
5. Per Section 15-177.3 of the DCSFPO, after approval of record (as-built) drawings and final inspection by the Director or the Administrator, not more than ninety percent (90%) of the security provided (110% of an approved engineer's cost estimate) may be released. A minimum of ten percent (10%) of the security shall be retained for a period of time not to exceed one year for developments that do not involve wetland mitigation, and/or five years for developments that do involve wetland mitigation.

Three (3) copies of the permit submittal, as certified by our office, are enclosed for your use. Please forward two (2) copies of the submittal onto the developer at time of permit issuance.

Respectfully,

*Clayton Heffter - drw*

Clayton C. Heffter  
Stormwater Permitting Manager

CCH:drw

Att-

Cc: Bill Sedlacek, Sedlacek & Associates, Inc., 5348 W. Agatite, Chicago, IL 60630  
Jeffrey C. Miller, P.E., Compass Consulting Group, Ltd., 2631 Ginger Woods Pkwy, Ste. 100, Aurora, IL 60504  
Scott C. Lindebak, P.E., Senior Civil Engineer, DOE  
Jennifer Boyer, Senior Wetland Specialist, EDP  
Kathy Huth-Nicholl, Division Assistant I, EDP  
SWP File #04-05-0001/T13064



DEPARTMENT OF THE ARMY  
CHICAGO DISTRICT, CORPS OF ENGINEERS  
111 NORTH CANAL STREET  
CHICAGO, ILLINOIS 60606-7206

01454

REPLY TO  
ATTENTION OF:

DEC 14 2004

Technical Services Division  
Regulatory Branch  
200400640

SUBJECT: Proposed Construction of Seven Lot Single Residential at 918 John Street in the Village of Bensenville, DuPage County, Illinois (NE Quarter, Sec 24, Twp. 40 North, Rge. 11 East)

Compass Consulting  
Attention: Jeff Miller  
2631 Ginger Woods Parkway, Suite 100  
Aurora, Illinois 60504

Dear Mr. Miller:

This is in response to your permit application for the above-referenced site. The subject project has been assigned number 200400640. Please reference this number in all future correspondence concerning this project.

Following a review of the information you submitted, this office has determined that the subject property contains "waters of the United States". Addison Creek is adjacent to the project site which is a waters of the U.S. A Department of the Army (DA) permit is required for any work involving a discharge of dredged or fill material into waters that fall under the jurisdiction of Section 404 of the Clean Water Act, 33 U.S.C. Sec. 1251 et seq. However, based on our review of the information you furnished, and assuming your project is conducted only as set forth in the information provided, this office has determined that a DA permit will not be required, as your project may be completed without causing a discharge into regulated waters. Please be aware that any unpermitted discharge into an area within the jurisdiction of this office may result in civil or criminal enforcement under the Clean Water Act, 33 U.S.C. Sec. 1319.

The jurisdictional determination decision document for the subject property is enclosed. This determination covers only your project as depicted in the John Court Subdivision Plans dated April 22, 2004, prepared by Compass Consulting Group, Ltd. Measures should be taken to prevent construction materials and/or activities from entering any waters of the United States. Appropriate soil erosion and sediment controls should be

implemented on-site to achieve this end. This determination is valid for 5 years from the date of this letter.

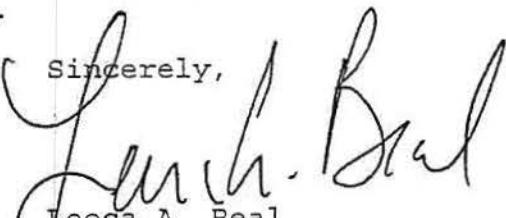
This determination has been conducted to identify the limits of the Corps Clean Water Act jurisdiction for the particular site identified in this request. This determination may not be valid for the wetland conservation provisions of the Food Security Act of 1985, as amended. If you or your tenant are USDA program participants, or anticipate participation in USDA programs, you should request a certified wetland determination from the local office of the Natural Resources Conservation Service prior to starting work.

This letter is considered an approved jurisdictional determination for your subject site. If you object to this determination, please contact this office to obtain the Request for Appeal (RFA) form.

It is your responsibility to obtain any required state, county, or local approvals for impacts to wetland areas not under the Department of the Army jurisdiction. For projects located in DuPage County, please contact the DuPage County Department of Environmental Concerns at (630) 682-6724.

If you have any questions, please contact Ms. Diedra Willis of my staff by telephone at (312) 846-5539 or email at [diedra.l.willis@usace.army.mil](mailto:diedra.l.willis@usace.army.mil).

Sincerely,



Leesa A. Beal  
Chief, East Section  
Regulatory Branch

Enclosures

Copy Furnished w/out Enclosure:

U.S. Fish and Wildlife Service (Rogner)  
Illinois Department of Natural Resources (Schanzle)  
Illinois Department of Natural Resources/OWR (Jereb)  
Illinois Environmental Protection Agency (Yurdin)  
DuPage County DEC (Karen Laskowski)  
Christopher B. Burke Engineering (Julie Gangloff)



01-4656

**DU PAGE COUNTY**  
**ECONOMIC DEVELOPMENT & PLANNING**  
Robert J. Schillerstrom, County Board Chairman

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January 29, 2009

Steve Marshall  
Village of Bensenville  
12 South Center Street  
Bensenville, IL 60106

**Re: Riparian Enhancement Summary for John Court Subdivision  
Stormwater Permit #: 04-05-0001 / 04-T13064  
Date of Inspection: September 3, 2008**

Dear Mr. Marshall:

As part of this DuPage County Stormwater permit, DuPage County is responsible for reviewing the permitted enhancement area once a year for a period of three years. The purpose of these inspections is to ensure the success of the enhancement areas, and to expedite the return of the security bond. When the enhancement area is considered successful by DuPage County, the remainder of the security bond may be returned. If the enhancement area is not considered a success within three years, additional measures will be required to bring the site into compliance.

Following a site inspection on September 3, 2008, it appears that this site is currently not in compliance with the DuPage County Stormwater Permit.

**Reasons the site is not in compliance:**

1. DEC has not received the annual monitoring report for this enhancement area.
2. One of the three most dominant species was Teasel (*Dipsacus lacinatus*), a non-native, invasive species; although at the time of inspection, it appeared to have been recently treated with herbicide.

**Recommendations:**

1. Please provide DEC with a copy of the annual monitoring report.

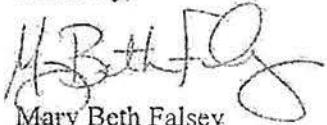
2. Continued management of non-native species may be necessary in order to meet the performance criteria outlined in the permit.

As a reminder, if a Wetland Conservation Easement was required in the permit to be granted over the limits of the wetland, wetland buffer, or wetland mitigation areas, please submit a copy of the Plat, on which those areas should be identified as "Wetland Conservation Easement Hereby Granted".

Please be advised, this is the third notification of non-compliance for the John Court Subdivision. Please notify our office in writing as to what steps are being taken to bring this site into compliance with the DuPage County Countywide Stormwater and Flood Plain Ordinance and the Stormwater Management Permit.

If you have any questions please feel free to contact me at (630) 407-6680.

Sincerely,



Mary Beth Falsey  
Senior Wetland Technician

Cc: Mr. Thomas Casaccio, Pres. Highland Development Co., 1138 Thatcher Lane, Addison, IL 60161  
Jeffrey Miller, Compass Consulting Group, 2631 Ginger Woods Pkwy., Suite 100, Aurora, IL 60504  
Julie Gangloff, CBBEL, 9575 W. Higgins Rd., Suite 600, Rosemont, IL 60018

Q:\(05\Bensenville\2004\04-05-0001 (T13064) John Ct. Sub (name change to- Legends Lane\enhancement\enhancement\enhancement letter 2008.doc



FILE COPY

**CHRISTOPHER B. BURKE ENGINEERING, LTD.**

9575 West Higgins Road Suite 600 Rosemont, Illinois 60018 TEL (847) 823-0500 FAX(847) 823-0520

March 5, 2009

Village of Bensenville  
12 South Center Street  
Bensenville, IL 60106

Attention: Scott Viger, Director of Community Development

Subject: John Court Subdivision – Legends Lane  
Stormwater Permit No. 04-05-0001/04-T13064  
(CBBEL Project No. 07.619.00031)

Dear Scott:

We have reviewed the following documents associated with the aforementioned project:

- Final Engineering Plans prepared by Compass Consulting Group, Ltd. consisting of ten (10) sheets bearing a revision date of August 16, 2004
- Final Plat of Subdivision prepared by Compass Land Surveying and Mapping consisting of two (2) sheets bearing a revision date of August 27, 2004
- Topographic Map prepared by Compass Land Surveying and Mapping consisting of one (1) sheet bearing a revision date of August 11, 2004
- Riparian Mitigation Plan prepared by Compass Consulting Group, Ltd. consisting of one (1) sheet bearing a revision date of May 7, 2004
- DuPage County Stormwater Permit Submittal prepared by Compass Consulting Group, Ltd. bearing a revision date of August 24, 2004
- EDP Certification Letter dated October 24, 2004
- USACOE Letter of Jurisdictional Determination dated December 11, 2004
- EDP Inspection Report dated January 29, 2009

This development was reviewed and approved by the Village staff civil engineer acting as the Stormwater Administrator for Bensenville. Christopher B. Burke Engineering, Ltd. was employed as a sub-consultant to Compass Consulting Group and performed the wetland delineation and prepared the Riparian and Wetland sections of the DuPage County Stormwater Permit Submittal. I have retrieved all of the above documents from our files and enclose them with this record as they are missing from the Village's files.

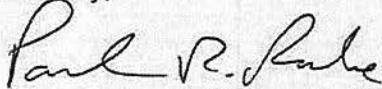
All of the public improvements have been constructed and the developer is seeking release of his remaining security funds from the Village. As you know I have already made inspections of the physical improvements in recent weeks and have forwarded my recommendations under separate cover. After reviewing all of the information provided within the above documents, all of the following items remain to be addressed before

Christopher B. Burke Engineering, Ltd. can recommend release of all of the security amounts. I have incorporated my previous inspection comments into the list below:

1. The Final Plat of Subdivision for the project needs to be recorded with the County, if not already done so, and a copy of the recorded document provided to the Village.
2. An as-built topographic survey of the floodplain compensatory storage area should be prepared, if not already done so, to verify that the required volume was constructed with the development.
3. The developer must submit to the Village and the EDP the required annual maintenance report for the riparian enhancement area as committed to in their Stormwater permit. As the installation is now over three years old, it should be a report of the current condition of the enhancement area and their plan to eradicate the non-native vegetation noted in the recent EDP inspection.
4. The butt joint between the old and new pavement at the John Street and Legends Lane is separating due to differential expansion. Joint should be sealed to prevent water intrusion into the roadway base.
5. There is some surface deterioration along the cold joint in the surface lift through the cul-de-sac bulb in line with the north edge of pavement that should be looked at in the spring.
6. Given the water staining of the surface it appears that the surface lift on the cul-de-sac may have bird baths on it and some elevation shots should be taken to verify that the designed pavement slopes were achieved.
7. It was stated in the Stormwater Permit submittal that the developer would need to obtain a LOMR to construct a home on Lots 6 or 7 if there was a desire to construct a basement. Please review the building file for the home of Lot 6 to see if the LOMR was obtained. If not, one will have to be applied for after the fact from FEMA for the Village to be in compliance with the National Flood Insurance Program and the County Stormwater Ordinance.

Please feel free to contact me should you have any questions.

Sincerely,



Paul R. Bourke, PE  
Assistant Head, Municipal Department

Cc: Paul Quinn, Village of Bensenville w/o encl.  
Marcy Bunch, Village of Bensenville w/o encl  
Liberty Najarro, Village of Bensenville w/o encl.