



12 South Center Street
Bensenville, IL 60106

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

VILLAGE BOARD

July 30, 2024

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Mr. David Hespen
2240 South Grace Street #306
Lombard, Illinois 60148

Re: July 26, 2024 FOIA Request

Dear Mr. Hespen:

I am pleased to help you with your July 26, 2024 Freedom of Information Act ("FOIA"). The Village of Bensenville received your request on July 26, 2024. You requested copies of the items indicated below:

"For 811 E Grand Avenue, Bensenville please provide any information regarding: Copies of permits for installation or removal of tanks (if any) any activity or use limitations (SULs) on the property."

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

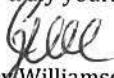
- 1) Village of Bensenville Ordinance No. 33-2019. (7 pgs.)

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.

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

BENSENVILLE
VILLAGE CLERK'S OFFICE

TO: COREY WILLIAMSEN

FROM:

Name David Hespen

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

16360

Address 2240 S Grace St. #306
Lombard, IL 60148
Phone 440-759-9830
E-Mail Hespemd@gmail.com

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

For 811 E Grand Avenue, Bensenville please provide any information regarding:

- Copies of permits for installation or removal of tanks (if any)
- Any Activity or Use Limitations (AULs) on the property

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.

7/26/2024

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

7/26/24
Date Request Received

8/2/24
Date Response Due

8/4/24
Date Extended Response Due

\$0 -
Total Charges

7/30/24
Date Documents Copied or Inspected

Received by Employee: _____

**VILLAGE OF BENSENVILLE
12 S. CENTER STREET
BENSENVILLE, ILLINOIS 60106**

Ordinance No. 33-2019

**Limited Area Groundwater Ordinance Prohibiting the Use of Groundwater as a
Potable Water Supply by the Installation or Use of Potable Water Supply Wells or
by any Other Method on a Designated Area Near 811 E. Grand Avenue (Commonly
Known as the Old Legends Site) in the Village of Bensenville, Illinois**

**ADOPTED BY THE
VILLAGE BOARD OF TRUSTEES
OF THE
VILLAGE OF BENSENVILLE
THIS 28th DAY OF MAY 2019**

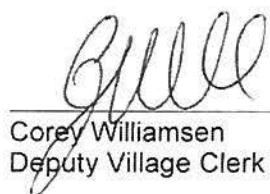
Published in pamphlet form by authority of the President and Board of Trustees of the Village of Bensenville, DuPage and Cook Counties, Illinois this 29th day of May, 2019

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

I, Corey Williamsen, do hereby certify that I am the duly appointed Deputy Village Clerk of the Village of Bensenville, DuPage and Cook Counties, Illinois, and as such officer, I am the keeper of the records and files of said Village; I do further certify that the foregoing constitutes a full, true and correct copy of Ordinance No. 33-2019 entitled Limited Area Groundwater Ordinance Prohibiting the Use of Groundwater as a Potable Water Supply by the Installation or Use of Potable Water Supply Wells or by any Other Method in a Designated Area Near 811 E. grand Avenue (Commonly Known as the Old Legends Site) in the Village of Bensenville, Illinois.

IN WITNESS WHEREOF, I have hereunto affixed my official hand and seal on this
29th day of May, 2019.




Corey Williamsen
Deputy Village Clerk

ORDINANCE NUMBER 33-2019

LIMITED AREA GROUNDWATER ORDINANCE PROHIBITING THE USE OF GROUNDWATER AS A POTABLE WATER SUPPLY BY THE INSTALLATION OR USE OF POTABLE WATER SUPPLY WELLS OR BY ANY OTHER METHOD IN A DESIGNATED AREA NEAR 811 E. GRAND AVENUE (COMMONLY KNOWN AS THE OLD LEGENDS SITE) IN THE VILLAGE OF BENSENVILLE, ILLINOIS

WHEREAS, certain properties in the Village of Bensenville, Illinois ("Village") have been used over a period of time for commercial/industrial purposes; and

WHEREAS, because of said use, concentrations of certain chemical constituents in the groundwater beneath the Village of Bensenville may exceed Class I groundwater quality standards for potable resource groundwater as set forth in 35 Illinois Administrative Code 620 or Tier I remediation objectives as set forth in 35 Illinois Administrative Code 742; and

WHEREAS, the Village of Bensenville desires to limit potential threats to human health from groundwater contamination while facilitating the redevelopment and productive use of properties that are the source of said chemical constituents on land within the area depicted in Exhibit A attached hereto and made a part hereof which is adjacent to certain property near 811 E. Grand Avenue (commonly known as the Old Legends site) in the Village of Bensenville; and

WHEREAS, the land which comprise the area which is depicted on Exhibit A is described on Exhibit B attached hereto and made a part hereof.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Bensenville, Counties of DuPage and Cook, Illinois, duly assembled at a regular meeting, as follows:

SECTION ONE: The recitals set forth above are incorporated herein and made a part hereof.

SECTION TWO: The Village regulates the use of groundwater as a potable water supply as follows:

1. Use of Groundwater as a Potable Water Supply Prohibited. Except for such uses or methods in existence prior to the effective date of this Ordinance, the use or attempt to use as a potable water supply groundwater inside the designated area within the corporate limits of the Village of Bensenville depicted on Exhibit A and legally described in Exhibit B, by the installation or drilling of wells or by any other method is hereby prohibited. This prohibition expressly includes the Village of Bensenville.
2. Penalties. Any person violating the provisions of this ordinance shall be subject to a fine of up to Seven Hundred Fifty 00/100 Dollars (\$750.00) for each violation.
3. Definitions. "Person" is any individual, partnership, co-partnership, firm, company, limited liability company, corporation, association, joint stock company, trust, estate, political subdivision, or any other legal entity, or their legal representatives, agents or assigns. "Potable water" is any water used for human or domestic consumption, including, but not limited to, water used for drinking, bathing, swimming, washing dishes, or preparing foods.
4. Severability. If any provision of this ordinance or its application to any person or under any circumstances is adjudged invalid, such adjudication shall not affect the validity of the ordinance as a whole or of any portion not adjudicated invalid.

SECTION THREE: That the Village Clerk of the Village be and is directed hereby to publish this Ordinance in pamphlet form, pursuant to the statutes of the State of

Illinois.

SECTION FOUR: That this Ordinance shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

PASSED AND APPROVED by the President and Board of Trustees of the Village of Bensenville, this 28th day of May, 2019.

APPROVED:



Frank DeSimone, Village President

ATTEST:



Nancy Quinn, Village Clerk

AYES: Carmona, Franz, Frey, Lomax, Panicola, Perez

NAYES: None

ABSENT: None

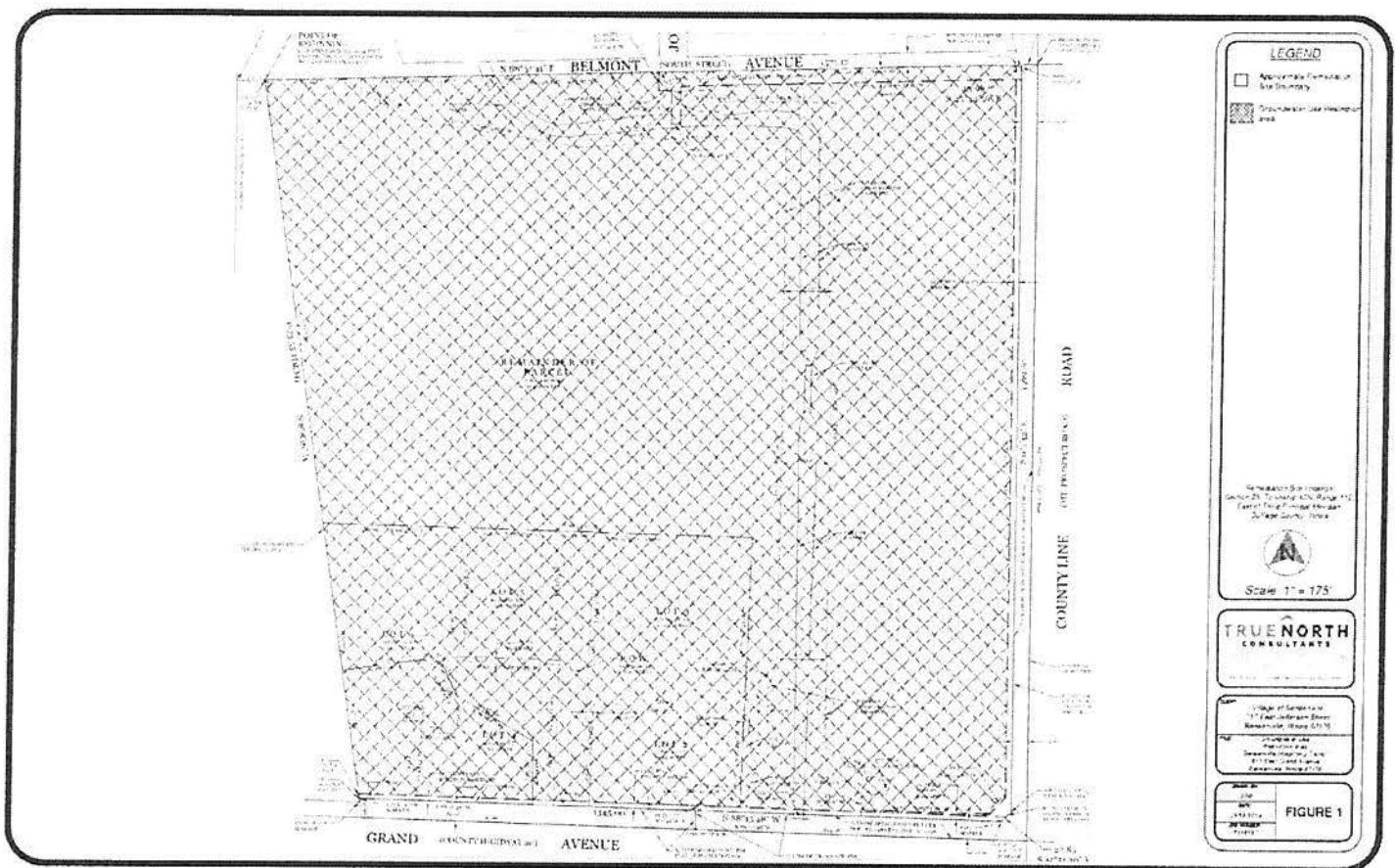


EXHIBIT B

LEGAL DESCRIPTION OF AREA SUBJECT TO RESTRICTION

Those properties which are within an area described as follows:

THAT PART OF THE NORTHEAST $\frac{1}{4}$ OF SECTION 25, TOWNSHIP 40 NORTH, RANGE II, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED BY COMMENCING IN THE NORTH LINE OF SAID SECTION AT A POINT 1019.04 FEET EAST OF THE NORTHWEST CORNER OF SAID NORTHEAST $\frac{1}{4}$ AS A POINT OF BEGINNING, THENCE SOUTHEASTERLY ALONG THE NORTHEASTERLY LINE OF PROPERTY DESCRIBED IN DOCUMENT NUMBER 338417, 1573.55 FEET TO THE CENTER LINE OF GRAND AVENUE; THENCE EASTERLY ON THE CENTER LINE OF GRAND AVENUE 1392.28 FEET TO THE EAST LINE OF SAID NORTHEAST $\frac{1}{4}$; THENCE NORTHERLY ALONG THE EAST LINE OF SAID NORTHEAST $\frac{1}{4}$ 1641.55 FEET TO THE NORTHEAST CORNER OF SAID NORTHEAST $\frac{1}{4}$; THENCE WESTERLY ALONG THE NORTH LINE OF SAID NORTHEAST $\frac{1}{4}$ 1614.80 FEET TO THE POINT OF BEGINNING (EXCEPT THAT PART OF THE NORTHEAST $\frac{1}{4}$ OF SECTION 25, TOWNSHIP 40 NORTH, RANGE II, EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED AND DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE NORTH LINE OF SAID NORTHEAST $\frac{1}{4}$ AND THE WESTERLY RIGHT OF WAY LINE OF 66-FOOT WIDE MT. PROSPECT ROAD. THENCE SOUTH ALONG SAID WESTERLY RIGHT OF WAY LINE 10.0 FEET; THENCE NORTHWESTERLY TO A POINT OF SAID NORTH LINE, SAID POINT BEING 10.0 FEET WEST OF THE POINT OF BEGINNING, THENCE EAST ALONG SAID NORTH LINE TO THE POINT OF BEGINNING). IN DUPAGE COUNTY, ILLINOIS.