

**Village of Bartlett**

**Plan Commission  
Minutes  
September 8, 2011**

Chairman Deyne called the meeting to order at 7:30 pm.

**Roll Call**

**Present:** R. Deyne, J. Kallas, S. Kane, T. Kunce, J. Lemberg, E. Lesko, D. Negele, S. Cook

**Absent:** M. Hopkins, T. Morse, T. Ridenour

**Also Present:** J. Plonczynski, CD Director; R. Grill, Asst. CD Director; S. Abt, Village Planner

**Approval of Minutes**

A motion was made to approve the minutes of the July 14, 2011 meeting.

**Motioned by:** S. Cook

**Seconded by:** T. Kunce

**Roll Call**

**Ayes:** J. Kallas, S. Kane, T. Kunce, J. Lemberg, D. Negele, S. Cook

**Nays:** None

**Abstain:** E. Lesko

The motion carried.

**Case # 11-13 RANA (550 Spitzer Road) – Second Site Plan Amendment**

Mario DeMarco and Ken Lahner were present on behalf of RANA. The subject site is located at 550 Spitzer Road, Bartlett, IL.

Roberta Grill gave some background information.

**R. Grill** – The Site Plan was before you back in June and was approved by Ordinance # 2011-37. The original amendment was for a 5,768 square foot addition to an existing 100,000 square foot building out in the Brewster Creek Business Park. The petitioners are here tonight requesting an additional change to the Site Plan that would: a) move the flour silos that were originally outdoors on the west side of the addition indoors. As a result, the size of the addition has almost doubled to 11,253 square feet; and b) the mezzanine area is being eliminated with the uses proposed for this area downsized and placed within the first floor of the existing building. The newly expanded addition would match the height of the existing building as well as the color scheme to ensure architectural compatibility. There is still the potential for two silos to remain outside on the site. One would be adjacent to the addition along the west elevation and the other would be located along the south elevation as shown on the Site Plan. *The locations are shown on the map.* There are currently 159 parking spaces on this site. The Zoning Ordinance requires 130 spaces. The Engineering and Landscape Plans are currently being reviewed by Staff. Staff recommends approval of the petitioner’s request subject to the conditions outlined in your Staff Report and the Findings of Fact.

**R. Deyne** – Are there any questions from the Commission members? *No response.* Does the petitioner wish to add anything?

**M. DeMarco** – No.

**S. Cook** – What is being kept in the silos?

**R. Grill** – They would contain CO<sub>2</sub> and Nitrogen.

**S. Cook** – Okay.

**R. Deyne** – Is there anything else?

**A motion was made to approve the petitioner’s request for a Second Site Plan Amendment, along with the recommendations of Staff and Findings of Fact.**

**Motioned by:** J. Kallas  
**Seconded by:** S. Kane

**Roll Call**

**Ayes:** J. Kallas, S. Kane, T. Kunce, J. Lemberg, E. Lesko, D. Negele, S. Cook  
**Nays:** None

**The motion carried.**

**Case # 11-09 Brewster Creek Headwaters Drainage Improvements – Special Use Permit-Special Flood Hazard Area and Wetland Areas – PUBLIC HEARING**

Darren Olson of Christopher B. Burke Engineering, Ltd. and Sara Rothko of DuPage County were present and sworn in.

**The following Exhibits were presented:**

- Exhibit A - Picture of Sign**
- Exhibit B - Mail Affidavit**
- Exhibit C - Notification of Publication**
- Exhibit D - Letter from DuPage County Forest Preserve District**

**Sonya Abt gave some background information.**

**S. Abt** – DuPage County is requesting Special Use Permits for grading and installing storm sewers and appurtenances and a stormwater basin within a Special Flood Hazard Area and Wetland Areas. As you know, back in September 2008 the Village experienced a severe storm event that caused a great deal of flooding throughout the Village. At that time the Village hired Christopher B. Burke Engineering (CBBEL) to evaluate the areas that experienced flooding and make recommendations on how to prevent future flooding. As a result of that evaluation, CBBEL created the Brewster Creek Headwaters Watershed Plan for the Brewster Creek Headwaters area. This plan has been approved by DuPage County Stormwater Management Committee and adopted by the County Board in February 2010. This plan recommends certain drainage improvements that will reduce the flood elevations in the areas surrounding Beaver Pond and in the Wayne Grove Forest Preserve and the Oak Grove Pond area and therefore reduce the chance of flooding on the adjacent roadways and homes. Some of these improvements include: the creation of a flood storage and water quality basin in the Pratt’s Wayne Woods Forest Preserve, located behind the Home Depot store; the installation of a 60 inch relief storm sewer within the Stearns Road right-of-way that connects from Beaver Pond west to the new flood storage and water quality basin; the installation of a 15 inch bypass storm sewer from the Detention Area on the south side of Devon Avenue and through the Wayne Grove Forest Preserve to replace the existing broken field drain tile and it will connect to the storm sewer within the ComEd right-of-way that drains into Beaver Pond.

There are Wetland Areas in all 5 properties that are involved in this project where improvements are being made as well as Special Flood Hazard Area (SFHA) on the Beaver Pond Park site where the new 60 inch relief storm sewer will be installed. According to our Building Code, any grading or construction within a SFHA or Wetland Area requires a Special Use Permit. Therefore, the petitioner is requesting Special Use Permits to disturb those wetland areas and the small portion of the flood plain on Beaver Pond Park. We have exhibits showing where the storm sewers are going and where the grading is happening. Staff has approved the Engineering Plans and recommends approval of the Special Use Permits subject to the conditions and Findings of Fact outlined in your report. Darren Olson from Christopher Burke Engineering is here to answer any of the more technical questions that you might have regarding the project.

**R. Deyne** – Are there any questions from the Commission members to Staff? *No response from the Commissioners.* Does the petitioner wish to add anything to Staff’s comments?

**D. Olson** – No.

**Chairman Deyne opened the Public Hearing.**

**Maryellen Knuth resides at 721 Holly Drive, Bartlett, IL.**

**M. Knuth** – I live right off of Devon Avenue by the Oak Grove Pond. That is in Cook County. Is Cook County involved in this project? That's one question. And, I would like to know what the Forest Preserve said when they got their notice because it affects the wetland behind our property. When we fought many years ago to preserve that piece of property we discovered, through the aerial photos that the wetlands that were there were drained; one of them was drained by the Village of Bartlett, unbeknown to anyone. My observation, walking back there behind Jervey Lane, all the water that should have been in the 2 bodies of water, one of which was drained, was now in the woods behind Jervey Lane. And we were up to our knees in water in the woods. So, the Village changed the wetland and it was not restored backed, which is against the Army Corp. We went through this when we were fighting the wetland. Nothing has ever been done with that. I live off Devon Avenue and by those 2 bodies of water there, but the Village changed the water pattern many years ago and it was not restored. I think part of that is the problem they are having now with water moving. It all flows north of Devon and goes through Oak Grove and goes through Beaver Creek and eventually to Pratt's Wayne. So, my question is, are they going to put that body of water back because maybe that is the problem to start with. And I would like to know what are you going to do my backyard? I couldn't tell anything from the letter that you sent everybody.

**D. Olson** – Regarding the work being done in Cook County, it falls under the jurisdiction of the Village of Bartlett so they have reviewed and approved that portion of the plan. Regarding the overall drainage of that area, the work that will be done is on the Forest Preserve property. They have actually been a very integral partner throughout this project. They are allowing us to do this work on their property. What we are doing is restoring the flow that was provided by the historic drain tile that was there. We are doing that by installing a 15 inch storm sewer from Oak Grove Pond all the way down to the ComEd right-of-way. It will start at Oak Grove Pond, go through the Forest Preserve property and terminate in the ComEd right-of-way just upstream, north of Beaver Pond.

**M. Knuth** – Will the water flow through the pipes, under the wetlands? So, are the wetlands not being disturbed?

**D. Olson** – That is correct. We are staying outside of the wetland and we are restoring the function of that historic drain tile.

**Judi Mills resides at 701 Holly Drive, Bartlett, IL.**

**J. Mills** – I live directly next to the water. I don't know if that is what you are calling Oak Grove Pond or if it is the larger pond across the street. There is water next to my home. What is that called?

**D. Olson** – We have termed that Oak Grove Pond South. The 2 ponds on either side of the street are hydrologically connected. So they really act as one pond. Our storm sewer will start at the southern portion of the southern pond. *He indicates the area on the map.*

**J. Mills** - I am very concerned with this. I have had flood water in my backyard from that pond, as have my neighbors. We are very concerned what is going to happen to our backyards and our basements. When I moved in this home 25 years we never had water problems. I am an original owner. The area

around the small pond was kept very nicely by the Village. It was nicely trimmed. Nothing grew or was overgrown. Now it looks horrible. If a resident let their property go like that, you would be citing the resident. Nobody is keeping up with that property at this time. Children play in there all the time. It is so bad now, there is no in step or step to go into the pond. It just drops off. Right now, a child could play in there and drop in and not be able to get out. I would like to know what plans there are to surround the pond. Will it be gradual? Will it be a step down? Is it all going to drop down? I would like specifics about what this will look like at the conclusion.

**D. Olson** – We are doing very little actual work to the pond itself. All we are doing is providing a new drain for the pond, so that water can leave the pond more efficiently and therefore during storm events it would lower the flood elevation that you have previously experienced. We are doing very little work around the outside of the pond. It will be only the small little area where we are putting in the new storm drain.

**J. Mills** – Then I would like the Village or someone on the Village's behalf to address that issue. What will this look like in the end?

**J. Plonczynski** – It will basically look just like it is now.

**J. Mills** – Would you not go to someone's door if they left their property looking that overgrown?

**J. Plonczynski** – Some of that property is in the Forest Preserve.

**J. Mills** – I understand that. They come through and they have put their pink markers all over. But, a great majority is not marked.

**J. Plonczynski** – We cut the grass on the Oak Grove Pond, but in the back area where it transitions into the Forest Preserve, we let it grow in its natural state. This is what we will continue to do.

**J. Mills** – Do you know that water is a natural attraction for children and the children in the area are there fishing. They are there looking for turtles, which the pond is full of. They are there looking for frogs. It is an unsafe situation that you have families in now and with the overgrowth, you can't see where the children are.

**J. Plonczynski** – I will bring the issue up to the Public Works Department and see if we can cut more, but generally we are leaving it as it is.

**R. Deyne** – I know that we are not here to address that one particular pond, but it is a concern that we all have. I think you might consider attending a Village Board meeting to bring up your concerns about this pond. Part of their meeting allows you to get up and talk about concerns that you may have.

**J. Mills** – It is a big concern that I have. It is immediately next to my home. It concerns me and it concerns my neighbors. I have gone myself to Public Works with pictures and what it used to look like and here is what it looks like now. They took care of it for one summer, but now it has stopped again. And now we are going to have another group come in and start moving water...

**R. Deyne** – Your concerns are much larger and I think you need to express that at a Village Board meeting.

**J. Mills** – Certainly, thank you.

**Tony Krautmann resides at 711 Fairview Lane, Bartlett, IL.**

**T. Krautmann** – My house backs up to the Forest Preserve on Fairview Lane. I have 2 questions that I think that pertain to the pipe that you are putting in. First, to what extent is this pipe or the whole system is going to rectify the problem of the water that ultimately ends up flooding the ComEd area and then backs up toward the north. All of those backyards are a couple of feet underwater, whenever it rains more than just a little. I am wondering if this new pipe system will have any effect on rectifying that problem. And, secondly, we have a fire pit in the woods on our property. And I think the pipe is going to go right on the edge of the property. I just want to know to what extent the construction will destroy or harm any of the growth of the trees and plants.

**D. Olson** – To answer your first question, the pipe we are putting in through Oak Grove Pond, Wayne Grove Forest Preserve and into the ComEd right-of-way will provide significant drainage for that area. We are also putting a stub out into the ComEd right-of-way, a 12 inch storm sewer stub that will also drain the ComEd right-of-way better as well.

**T. Krautmann** – As that drains down at the ComEd right-of-way, these backyards will have less back-up, correct?

**D. Olson** – During the severe storm events, yes.

**T. Krautmann** – With regard to the pipe, what are the construction plans? Are they going to be back there with huge land movers?

**D. Olson** – They will need fairly large equipment in order to install the storm sewers. It is a significant length of storm sewer they have to install. We have contained that to one single access point and then a 30 foot corridor within the Forest Preserve. They are providing us a temporary and also a permanent easement for construction and maintenance for the storm sewer.

**T. Krautmann** – All that is on the Forest Preserve property and not on the private property?

**D. Olson** – That is correct.

**Alan Wawrzyniak resides at 1025 Hudson Court, Bartlett, IL.**

**A. Wawrzyniak** – I haven't lived here very long, but I live near the power line by Route 59 and Hudson Court. What are the plans for that area? Will there be storm sewers that run along the power lines?

**D. Olson** – We won't be putting any storm sewers in at that location. In general, this project provides significant flood relief for the area.

**A. Wawrzyniak** – Along the southern end of Hudson Court, there are woods. My home backs up to those woods. I am just concerned that they will destroy the woods in order to put in sewers.

**D. Olson** – There is no storm sewer involved back in that area.

**A. Wawrzyniak** – Okay, thank you.

**Jerry Suwanski resides at 1132 Thousand Oaks Drive, Bartlett, IL.**

**J. Suwanski** – My house backs up to the Forest Preserve. I would like to know what is going on back there. Is that going to be part of this project? Will it be a retention area? Many years ago they also put in a gas line that has never been utilized. It took down a lot of beautiful trees. What is going to happen? And how is it going to affect my property?

**D. Olson** – There is a flood storage basin that is being constructed that is just behind the Home Depot store and south of Stearns Road. I believe it is on the other side of the Forest Preserve from your property. *The area is located on the map.*

**J. Suwanski** – So, that particular area in back of my home is not going to be effected?

**D. Olson** – No. Your property is way down here.

**J. Suwanski** – Another thing, in my area and some of the other homes in my area have a significant amount of water that transcends onto the property. Will this help in any way?

**D. Olson** – No.

**J. Suwanski** – Alright. Thank you.

**Dennis Shogren resides at 1142 Ancient Oaks Drive, Bartlett, IL.**

**D. Shogren** – Why is the easement so large?

**D. Olson** – That actually shows the area of work. The easement won't be that large. The flood storage basin requires quite a bit of excavation on the Forest Preserve property. Some of the material from that excavation will be stored just south of the flood storage facility.

**D. Shogren** – So, all of the trees go?

**D. Olson** – All of the trees that you see in that footprint there will be taken down. This area was actually identified by the Forest Preserve as having non-high quality trees. It was a previously disturbed site, which is why, in talking with them, we have zeroed in on this site.

**D. Shogren** – Is there anyone from the Forest Preserve here?

**J. Plonczynski** - No, but the Forest Preserve sent a letter in support of the project. And they have been involved in this project since the beginning.

**D. Shogren** – I would like to register a complaint, directed to the Forest Preserve, in that they have managed to disturb all the way around our subdivision for the pipeline.

**R. Deyne** – You are certainly entitled to get a copy of the letter they sent us.

**D. Shogren** – I just want to point out, on the record, that there is a huge hypocrisy and inconsistency in their policies. They could put that pipeline down by the railroad track on an easement and not disturb our environment. But instead, they went around our whole thing. It probably cost Horizon Pipeline \$1 million.

**J. Plonczynski** – Your comments will be in the record.

**Bruce Prokup resides at 705 Holly Drive, Bartlett, IL.**

**B. Prokup** – I have lived in my house since 2003. Since then we have already experienced several incidences where we have had up to 4 feet of water in our backyard. If this project will improve this, I am all for it. Having said that, I called the Village when we got the letter and what they told me was that the lines that will go from the small retention pond will apparently run parallel with the creek and our property lines. And for about 20 to 30 feet from our property lines the area is heavily forested. I am wondering how you will get all your equipment back there and how much you will be disturbing those areas and whether or not you will be encroaching on our property lines in terms of construction and destruction.

**D. Olson** – We are provided a 30 foot easement by the Forest Preserve to construct that pipe on their property. That is all Forest Preserve property. The 30-foot easement allows for us to get the trucks back there to deliver the sewer, excavate the material, place the sewer, restore the ground, and then get out.

**B. Prokup** – Especially toward Judi's end of the line, will there be enough room between her property and the creek for you to get back there, without damaging her property?

**D. Olson** – Yes. We have had our wetland specialist delineate, actually it is a wetland not a creek, the wetland. That delineation has been approved by the county so we know exactly where the water is and exactly where the property lines are and we have planned the sewer to go in between the two.

**B. Prokup** – And, it will fit right through okay?

**D. Olson** – Yes.

**B. Prokup** – Let's say for the sake of conversation, there is some damage on our property, who do we go to?

**D. Olson** – That will all be in the contract documents; with the contractor that gets the project. There will be certain stipulations in there as to where to seek damage relief. It would be something you would probably handle with the county and the Village.

**S. Rothko** – It would be me with the county. Sarah Rothko with DuPage County.

**B. Prokup** – And regarding the trees and such, are they all going to be destroyed or damaged? Especially behind Judi's house?

**D. Olson** – Most trees within that 30 foot corridor will be removed. We have worked very hard with the Forest Preserve. They have been a team member all along on this. We have worked with them to align

that corridor to minimize trees impacts and especially to minimize high quality tree impacts. But there will be tree impacts back there.

**B. Prokup** – When do you perceive the beginning of this project? When does the work start?

**D. Olson** – We would like to start the underground work, which includes the sewer, this winter. The work on Stearns Road would follow next year after April.

**B. Prokup** – When do you anticipate that this will all be completed? When will it be done?

**D. Olson** – We are going to try to complete everything next year.

**B. Prokup** – Okay. Thank you.

**M. Knuth** – So, now the water is going to flow west, behind the properties, instead of flowing into the original wetlands, which was the natural place? Here is my question, I would like to ask the Village of Bartlett why that wasn't restored back to the way it was? When you were caught doing something you shouldn't have done and the Army Corp of Engineers said that the fine was \$300,000 per day for changing a wetland. That is what the Village of Bartlett did. It drained the wetland and the natural flow of water. You heard Judi say that there were no flooding problems until a few years ago. Part of that reason is because that water was moved. The water stands behind Jervey Lane. Yes, those drain tiles were all broken because it was a farm and they weren't effective. But there was water in the two bodies of water in that wetland. But, one was drained. I have maps at home that I would be happy to show you. The red flags in our backyards now, are they marking our lot line or do they show the easement? When the Forest Preserve came to my house and told me to get our playground equipment off of the easement, I told them that wasn't their easement it was my yard. We showed them our plans. My plans; my building plans and he left. Because it wasn't accurate what they had. So, there are orange flags and there is 20 feet beyond that that is easement. So, these tiles and things you are putting in are beyond that? Or is that part of the easement? Is that easement part of my backyard easement? That is what I want to know. It's more than one question, but Village, you are the ones that did this.

**R. Deyne** – Can you answer that question? Are you impacting her property at all?

**D. Olson** – No, the storm sewer line is on the Forest Preserve property.

**M. Knuth** – The Forest Preserve thought their property was my easement. And that is what I want to make sure of.

**S. Abt** – If you want to come in tomorrow, we would be happy to look at plats and talk to you to try to get things straightened out for you concerning your property. Okay?

**M. Knuth** – Okay.

**Sharon Shogren resides at 1142 Ancient Oaks Drive, Bartlett, IL.**

**S. Shogren** – We live south of the retention pond. I really don't understand. Is all of this water going to go to that retention pond? Is that the idea?

**D. Olson** – Yes. The drainage improvements that we are proposing up by Oak Grove Pond through Wayne Grove and Beaver Pond will increase the flow of water. That water will be stored in the flood storage facility that is shown on the Pratt's Wayne Woods Forest Preserve property.

**S. Shogren** – So, how do you get the water to stay there and not flow south of the retention pond?

**D. Olson** – We dig a very large hole and that is where the water stays. We will have a little drain at the bottom of this large facility that lets the water slowly release to Brewster Creek.

**S. Shogren** – You say slowly to Brewster Creek? Because some of us in Charter Oaks do live by Brewster Creek.

**D. Olson** – Right. We are going through permitting processes with DuPage County and with the State of Illinois regarding flow rates. We are held to not increasing the flow rate to any other properties, as far as this project is concerned.

**S. Shogren** – So the flow rate shouldn't increase?

**D. Olson** – That is correct.

**S. Shogren** – The footprint that my husband mentioned is big. Even if they aren't great trees, they are living and you are planning to cut them all away. Now it will be all flat. Are you going to let those wild trees come back again naturally? It is a Forest Preserve, you know.

**D. Olson** – Actually what we are doing there is creating an infiltration basin and a wetland area. So, the water that comes into this flood storage facility will improve water quality throughout the Pratt's Wayne Woods Forest Preserve. This area will grow to be a wetland that infiltrates the water into the groundwater table.

**S. Shogren** – So, you are going to continue to cut, even the wild trees? Is that correct?

**D. Olson** – That would be a decision by the Forest Preserve, but that area, the area you see in blue, will be maintained as a wetland type.

**S. Shogren** – I am referring more to the south of the blue area. That is in the footprint, isn't it?

**D. Olson** – That area will be a stockpile area that will then be replanted with seed mixtures that are specified by the Forest Preserve to meet their long-term plans for the Forest Preserve area.

**S. Shogren** – So, you are destroying the wetland vegetation?

**D. Olson** – No, we are not.

**S. Shogren** – So, you are not going beyond that footprint?

**D. Olson** – No.

**D. Shogren** – Who is responsible for that though? Vegetation-wise?

**D. Olson** – The Forest Preserve.

**Ron Rydosz resides at 724 Fairview Lane, Bartlett, IL.**

**R. Rydosz** – Darren, you had mentioned that the work at the north end for the 15 inch line is going to start this winter. But the work on Stearns Road heading toward the new retention basin wouldn't be started until next year. Is there a concern allowing more volume of water into Beaver Pond without having an exit?

**D. Olson** – We would actually plug the pipes until the whole system is ready.

**R. Rydosz** – Gotcha. Thank you.

**D. Shogren** – The retention pond in the Forest Preserve. How does it compare in size to Beaver Pond?

**D. Olson** – As far as footprint or as far as volume?

**D. Shogren** – Both.

**D. Olson** – The volume of that is approximately 58 acre feet. The volume of Beaver Pond, at its high water level is approximately 150 acre feet, I believe. So, as far as volume is concerned, it will be slightly smaller than Beaver Pond. As far as footprint is concerned, without measuring it, I couldn't give you anything beyond a ballpark figure.

**D. Shogren** – What is the depth at the maximum capacity of the new basin?

**D. Olson** – It will be 6 feet.

**R. Deyne** – Are there any other comments? *No response from the audience.* Are there any other questions from the Commissioners?

**S. Kane** – Once the project is in place, who maintains the pipeline?

**S. Rothko** – The pipeline will be maintained by DuPage County.

**A motion was made to approve the petitioner's request for a Special Use Permit for Grading, Installing Storm Sewers and Appurtenances and a Stormwater Basin within a Special Flood Hazard Area and Wetland Area, along with the recommendations of Staff and the Findings of Fact.**

**Motioned by:** J. Kallas  
**Seconded by:** S. Cook

**Roll Call**

**Ayes:** J. Kallas, S. Kane, T. Kunce, J. Lemberg, E. Lesko, D. Negele, S. Cook  
**Nays:** None

**The motion carried.**

**Chairman Deyne closed the Public Hearing.**

*The Commissioners took a brief recess.*

**Old Business /I New Business**

**J. Plonczynski** – There is no old business. We anticipate having an October meeting.

**T. Kunce** – What is the status of Two Toots Restaurant?

**J. Plonczynski** – They are trying to open by the end of this month.

The meeting adjourned 8:16 pm.