

## A G E N D A

SPECIAL MEETING OF THE PLAN COMMISSION OF THE VILLAGE OF WILLOWBROOK TO BE HELD ON WEDNESDAY, December 16, 2020 AT 7:00 P.M. AT THE WILLOWBROOK POLICE DEPARTMENT, TRAINING ROOM, 7760 QUINCY STREET, WILLOWBROOK, ILLINOIS.

DUE TO THE COVID 19 PANDEMIC, THE VILLAGE WILL BE UTILIZING A CONFERENCE CALL FOR THIS MEETING.

THE PUBLIC CAN UTILIZE THE FOLLOWING CALL IN NUMBER:

Dial in Phone Number: 312-626-6799

Meeting ID: 851 5797 1712

Password: 702297

Written public comments can be submitted by no later than 6:00pm on December 16, 2020 to [planner@willowbrook.il.us](mailto:planner@willowbrook.il.us).

1. CALL TO ORDER
2. ROLL CALL
3. OMNIBUS VOTE AGENDA
  - A. Waive Reading of Minutes (APPROVE)
  - B. Minutes - December 2, 2020
4. PLAN COMMISSION CONSIDERATION: Zoning Hearing Case 20-12: Consideration of a petition to rezone the subject property from the R-1 Single Family Residence District to the R-2 Single Family Residence District, and review and recommendation regarding a Final Plat of Subdivision for 6544 Tennessee Avenue, Willowbrook, Illinois (minor subdivision for a two residential lot subdivision) and approval of a written recommendation regarding a Final Plat of Subdivision for 6544 Tennessee Avenue, Willowbrook, Illinois (minor subdivision for a two residential lot subdivision). The applicant proposes to subdivide the existing R-1 zoned single-family lot into two separate R-2 zoned single-family lots.
  - A. PUBLIC HEARING

**B. DISCUSSION/RECOMMENDATION**

**5. VISITOR'S BUSINESS**

**6. COMMUNICATIONS**

**7. ADJOURNMENT**

MINUTES OF THE REGULAR MEETING OF THE PLAN COMMISSION HELD ON  
WEDNESDAY, DECEMBER 2, 2020 AT THE WILLOWBROOK POLICE DEPARTMENT,  
TRAINING ROOM, 7760 QUINCY STREET, WILLOWBROOK, ILLINOIS

**DUE TO THE COVID19 PANDEMIC THE VILLAGE WILL BE UTILIZING A ZOOM  
CONFERENCE CALL FOR THIS MEETING**

1. CALL TO ORDER

Chairman Kopp called the meeting to order at the hour of 7:00p.m.

2. ROLL CALL

Those physically present at VOW Police station were Chairman Kopp and Commissioner Soukup  
Present Via Zoom at due to COVID -19 Pandemic were Commissioners Remkus, Kaczmarek,  
Kaucky, Walec, Vice Chairman Wagner and Building Official Roy Giuntoli  
Also, present Via Zoom were Planning Consultant Anne Choi and Lisa Shemroske from the  
Village Hall

3. OMNIBUS VOTE AGENDA

The items on the Omnibus Vote Agenda were as follows:

- A. Waive Reading of Minutes (APPROVE)
- B. Minutes – Regular Meeting, November 4,2020

MOTION: Made by Commissioner Remkus seconded by Commissioner Walec to approve  
the Omnibus Vote Agenda as presented.

MOTION DECLARED CARRIED

4. PLAN COMMISSION CONSIDERATION: Continuation of Zoning Hearing Case 20-10  
: Consideration of a petition for a text amendment to amend Sections 9-6-1 (B) and 9-12-  
10 of Title 9-Zoning Title of the Village of the Willowbrook Municipal Code regarding  
the outdoor display of merchandise..

- A. PUBLIC HEARING  
Closed public hearing at 7:29 pm
- B. DISCUSSION/RECOMMENDATION

See Court Reporter Minutes for Discussion and Recommendation

MOTION: The following motion made by Commissioner Remkus and second by Commissioner  
Walec and all in favor

Based on the submitted petition and testimony presented, I move that the Plan Commission recommend to the Village Board approval of the text amendment presented under Option 2 on pages 3 to 5 of the Staff report for PC Case Number 20-10 **as modified by discussion at the public hearing**, to allow the outdoor display of merchandise for automobile service stations by-right, and to allow the outdoor display of merchandise for drugstores with a minimum gross floor area in excess of thirteen thousand five hundred (13,500) square feet as a temporary use permit.

“As modified by discussion” refers to the following modification recommended by the plan Commission: “The sum of all merchandise display areas shall be no larger than one hundred square feet (100SF) in size unless an exception to their provision has been granted by the Village Administrator or his/her designee.”

Roll Call Vote: AYES: Commissioners Remkus, Soukup, Kaczmarek, Kaucky, Walec, Vice Chairman Wanger, and Chairman Kopp NAYS: None

MOTION DECLARED CARRIED

5. VISTOR’S BUSINESS

None

6. COMMUNICATONS

Planner Choi updated the Commissioners on the items for the next two meetings. She also informed them that GW Property Group LLC are still interested in the property at 735 Plainfield road and they still need to get paperwork in and site plans.

Building Official Giuntoli gave up dates on Compass getting their TCO and Carrington Club just received their last Occupancy that all 29 houses were sold. We have permits from Dollar Tree to locate in the Willowbrook Town Center.

7. ADJOURNMENT

MOTION: Made by Commissioner Soukup seconded by Commissioner Kaucky, to adjourn the meeting of the Plan Commission at the hour of 7:39p.m. all in favor

UNANIMOUS VOICE VOTE

MOTION DECLARED CARRIED

PRESENTED, READ, AND APPROVED,

December 16, 2020

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Chairman

Minutes transcribed by Building and Zoning Secretary Lisa J Shemroske



12/2/2020

**CITY OF WILLOWBROOK PROCEEDINGS BEFORE THE  
PLANNING & ZONING COMMISSION OF THE CITY OF  
WILLOWBROOK**

ROBIN HEJNAR



CITY OF WILLOWBROOK  
PROCEEDINGS BEFORE THE  
PLANNING & ZONING COMMISSION  
OF THE CITY OF WILLOWBROOK

WEDNESDAY, DECEMBER 2, 2020

7:00 p.m.

RECORD OF THE PROCEEDINGS VIA ZOOM had at the meeting held before the Planning & Zoning Commission of Willowbrook, on Wednesday, the 2nd day of December 2020, commencing at 7:00 p.m., as reported by Robin Hejnar, a Certified Shorthand Reporter and Registered Professional Reporter and Notary Public in and for the County of DuPage and State of Illinois.

1 APPEARANCES:

2  
3 Daniel Kopp - Chairman

4 John Wagner - Vice-Chairman

5 Lisa Shemroske - Secretary

6 Commissioner Soukup - Member

7 Maciej Walec - Member

8 Catherine Kaczmarek - Member

9 Leonard Kaucky - Member

10 William Remkus - Member

11  
12  
13  
14  
15  
16  
17 Staff Also Present:

18 Ann Choi - Planning Consultant

19 Roy Giuntoli - Building Official

1 CHAIRMAN KOPP: I call to order the regular  
2 meeting of the Plan Commission of the Village of  
3 Willowbrook, and ask the Plan Commissioner Secretary to  
4 call the role.

5 MS. SHEMROSKE: Commissioner Remkus?

6 MR. REMKUS: Here.

7 MS. SHEMROSKE: Commissioner Soukup?

8 MR. SOUKUP: Here.

9 MS. SHEMROSKE: Commissioner Kaczmarek?  
10 Commissioner Kaucky?

11 MR. KAUCKY: Here.

12 MS. SHEMROSKE: Commissioner Walec?

13 MR. WALEC: Here.

14 MS. SHEMROSKE: Vice Chairman Wagner?

15 MR. WAGNER: Here.

16 MS. SHEMROSKE: Chairman Kopp?

17 CHAIRMAN KOPP: Here.

18 MS. SHEMROSKE: Planner Ann Choi?

19 MS. CHOI: I'm here. Lisa, I think  
20 Commissioner Kaczmarek has joined us.

21 MS. KACZMAREK: Yes, I'm here.

22 MS. SHEMROSKE: Okay. Thank you.

23 Building Official Roy Giuntoli?

24 MR. GIUNTOLI: Present via Zoom.

1 MS. SHEMROSKE: And I'm Lisa Shemroske.

2 CHAIRMAN KOPP: Commissioner Remkus just  
3 joined too.

4 MS. SHEMROSKE: He did? I thought I heard  
5 his voice. Okay. Thank you.

6 CHAIRMAN KOPP: Next item on the agenda is  
7 the omnibus vote agenda. Would anybody like an item  
8 removed from the omnibus vote agenda?

9 If not, will someone make a motion to  
10 approve the omnibus vote agenda?

11 MR. REMKUS: Remkus so moved.

12 MR. WALEC: Walec second.

13 MS. SHEMROSKE: Thank you.

14 CHAIRMAN KOPP: All in favor say, Aye.

15 ALL: Aye.

16 CHAIRMAN KOPP: Oppose say Nay. The vote  
17 carries.

18 Next item on the agenda is the continuation  
19 of Zoning Hearing Case 20-10, which is consideration of  
20 a petition for a text amendment to amend Sections 9-6-1B  
21 and 9-12-10 of Title 9 of the Willowbrook Municipal Code  
22 regarding the outdoor display of merchandise.

23 Ann, would you like to continue your  
24 presentation?

1 MS. CHOI: Yes. Thank you, Chairman Kopp.

2 So to briefly recap, the public hearing on  
3 this petition, at their November 4th, 2020, meeting,  
4 just a few weeks ago, there were no members of the  
5 public that came forward with any comments or questions,  
6 and that one was continued, as you stated, to today's  
7 meeting, on December 2nd.

8 Since a consensus -- a definitive consensus  
9 was not reached by members of the Plan Commission, the  
10 majority of the Plan Commission expressed support for  
11 allowing the outdoor display of merchandise by right  
12 with restrictions, and instructed planning staff to look  
13 at alternatives, to change the zoning ordinance to allow  
14 retail displays at gas stations and drugstores by right  
15 for further discussion.

16 So, tonight, the Plan Commission will be  
17 able to listen, review, and discuss the following  
18 options, and then make a motion to approve a  
19 recommendation to the Village Board.

20 I'm going to share my screen. You-all  
21 should have a copy of your staff reports, but I'll just  
22 share my screen for now.

23 Okay. Option one was already presented at  
24 the November 4th hearing, and this option would allow

1 the outdoor display of merchandise through a temporary  
2 use permit at gas stations and drugstores. As a recap,  
3 this permit would be applied for annually with a maximum  
4 fee of 300- to \$400, with subsequent use potentially  
5 costing significantly less once a streamlined permit  
6 process has been established.

7 Currently, temporary use permits are  
8 required by businesses who seek outdoor dining, outdoor  
9 Christmas tree sales, outdoor garden supply sales, or  
10 outdoor display of merchandise in conjunction with a  
11 retail store. The only exception to the annual  
12 temporary use permit is if a business is approved as  
13 part of a planned unit development, and a waiver of this  
14 section of the code was granted. So nearby communities  
15 of Downers Grove and Hinsdale follow this model as  
16 allowing it as a temporary use permit.

17 Option two would allow the outdoor display  
18 of merchandise for automobile service stations with  
19 several restrictions by right, by amending Section  
20 9-6-1, but this option still recommends to allow the  
21 outdoor display of merchandise for drugstores with a  
22 minimum gross floor area of 13,500 square feet with  
23 those previously stated conditions. You can see here,  
24 through a temporary use permit.



1           Planning staff still recommends that  
2 drugstores should be required to apply for a temporary  
3 use permit annually since grocery stores that are not  
4 part of a planned unit development are required to do  
5 so.

6           So this section reads -- everything that's  
7 underlined in red would be the new language.

8           "All business establishments shall be  
9 retail, trade, or service establishments dealing  
10 directly with consumers, and all goods produced on the  
11 premises shall be sold on the premises where produced,  
12 and all business, service stores merchandise display,  
13 and where permitted, repair and processing shall be  
14 conducted wholly within a completely enclosed building  
15 with the following exceptions:"

16           "Off street automobile parking, off street  
17 loading, open sales lots, drive-in facilities, outdoor  
18 activities authorized by Section 9-12-10 of the  
19 Willowbrook Code in districts where they are permitted,  
20 and the display of merchandise, wherein, the principal  
21 use is an automobile service station subject to the  
22 conditions listed in Section 9-6-1B1 below. Goods  
23 shall -- sold shall consist of primarily new  
24 merchandise, except for antique shops."

1           And conditions A through F are listed, and  
2 they are a repeat of what was already discussed at the  
3 last public hearing, so I'm just going to move on to  
4 option three.

5           Option three would amend Sections 9-6-1B,  
6 9-12-2, and 9-12-4 to allow the outdoor display of  
7 merchandise for automobile service stations as an  
8 accessory use. The use of land, buildings, and other  
9 structures are regulated by the listing of permitted and  
10 special uses for each district in our zoning code.

11           In addition to such permitted and special  
12 uses, the Village allows certain accessory uses, and  
13 defines, generally, the type of accessory uses which  
14 would be allowed. Some examples of common accessory  
15 uses are air conditioning units, car ports, garages,  
16 antennas, architectural entry -- these are all listed  
17 here -- landscape planting, laundry drying equipment,  
18 lawn ornaments, et cetera; and these are found on pages  
19 6 and 7 of your staff report.

20           So classifying outdoor retail displays as an  
21 accessory use would be regulated similarly to the way  
22 fences are regulated, in that there are conditions for  
23 fences listed under this section of the code. These  
24 conditions regulate the height, percent openness, and

1 where fences can be located on a site.

2 Similarly, conditions will be added to  
3 regulate the area of the display, the height, where it  
4 can be located, the minimum width of the sidewalk, et  
5 cetera. However, treating the outdoor retail displays  
6 as an accessory use would not require a permit, but  
7 fences are required to go through a permitting process  
8 with the Building Department.

9 So if I scroll -- I just added outdoor  
10 display of merchandise in conjunction with an automobile  
11 service station; and then, as specifically regulated  
12 hereinafter, which would be under Section 9-12-4, which  
13 lists the bulk regulations.

14 So, for example, not too long ago we  
15 reviewed a text amendment for fences and walls, and  
16 there are regulations for the height and the percent of  
17 capacity listed here.

18 We're going to do something similar, as we  
19 scroll further, to add the outdoor display of  
20 merchandise in conjunction with an automobile service  
21 station, according to these conditions.

22 So in this option we still recommend that  
23 the drugstore with the minimum gross floor area of  
24 13,500 square feet be permitted through a temporary use

1 permit since it's similar to a grocery store. Please  
2 note that if the Plan Commission recommends this option,  
3 the third option, three, the public hearing will need to  
4 be rescheduled to a future date to re-notice the hearing  
5 to include the code sections that weren't included in  
6 the original hearing notice, and these are Sections  
7 9-12-2 and 9-12-4.

8 Planning staff still recommends that the  
9 outdoor display of merchandise at gas stations and  
10 drugstores should still be allowed through a temporary  
11 use permit. This way the Village has more oversight as  
12 to what can be installed, and can guarantee a level of  
13 safety that cannot be guaranteed if these retail  
14 displays were allowed by right.

15 When the Plan Commission is ready to make a  
16 motion, several sample motions are provided on page 16  
17 of the staff report, should they wish to use it, and  
18 that concludes my report. I'm available for any  
19 questions.

20 CHAIRMAN KOPP: Thank you. I'll start off  
21 with a couple questions.

22 The drugstores. I hadn't focused on this  
23 before. Why is there the limits of April 1st to  
24 December 15th? What's the logic of that, and for

1 grocery stores too?

2 MS. CHOI: Because, currently, they're  
3 permitted at grocery stores, and this is just the way  
4 the zoning ordinance has these dates; because it's  
5 classified as a temporary use permit, we have to put  
6 dates in there, and this is pretty typical across other  
7 communities. You'll see dates -- similar dates, whether  
8 it goes from March or April through the end of the year,  
9 till November or December.

10 CHAIRMAN KOPP: Okay. And do we have any  
11 grocery stores that are subject to this, or are they all  
12 in PUDs?

13 MS. CHOI: Currently, they're all in PUDs;  
14 and we have one drugstore, which is the Walgreen's at  
15 the corner of Plainfield and Madison, the southwest  
16 corner.

17 CHAIRMAN KOPP: Ann, I assume your  
18 recommendation, that drugstores be subject to -- having  
19 to have a temporary use permit is the same as the  
20 argument that you made for the gas -- or the one you  
21 just stated, that you can police it better?

22 MS. CHOI: Yes.

23 CHAIRMAN KOPP: All right. Do any other  
24 commissioners have any questions of Ann?

1 MS. KAUCKY: Yes, I do, Len Kaucky.

2 I was curious. This hundred square foot  
3 maximum space that they're allowed for products, how do  
4 we come up with a ten by ten-foot area?

5 MS. CHOI: That was just something that Roy  
6 and I had discussed. I think, when I was looking at  
7 other communities, I had seen it at 50 square feet  
8 maximum, which I thought was maybe a little bit too  
9 small for purposes, especially at gas stations, and I  
10 was even thinking it could go up to 250, but there was a  
11 happy medium that we reached.

12 MS. KAUCKY: The only reason I'm asking you  
13 is -- I don't know. I have some experience in retail  
14 myself, and a ten by ten-foot area is awfully small in  
15 my opinion. If you laid down three sheets of 4 x 8  
16 plywood on the ground, that's still less than a hundred  
17 square feet.

18 I don't know, it just seems to me that we  
19 need to look at that amount, I think, especially if we  
20 move into this thing, where we're charging a permit at  
21 some point, a fee. I don't know about this hundred  
22 square feet, and especially when you have larger retail  
23 operations. Some of these gas stations would be bigger  
24 than some of these other businesses; and, also, is that

1 hundred square feet going to be divided up into  
2 50 square feet in one spot and 50 in another, equally a  
3 hundred? I mean, what are the parameters of this?

4 MS. CHOI: It can be, I think, conditioned.  
5 I guess 3A on this page could be rewritten to be more  
6 clear, to say that the sum of all areas can be no larger  
7 than, and then if there's a maximum area that the Plan  
8 Commission could recommend, we can definitely  
9 incorporate it.

10 MS. KAUCKY: I don't know what that figure  
11 is, but I definitely don't feel comfortable with a  
12 hundred square feet. That's my opinion.

13 CHAIRMAN KOPP: So, Ann, this was all  
14 initiated by an owner, right? A gas station owner?

15 MS. CHOI: Yes.

16 CHAIRMAN KOPP: Did he give any input on  
17 that issue?

18 MS. CHOI: No, but I'm sure the more area --  
19 so -- I mean, you have to keep in mind that these --  
20 because we have, on this page anyway, under 3B -- it  
21 says, "All outdoor displays and/or attractions shall be  
22 located immediately adjoining the side or front facade  
23 of the principal building," which is probably the  
24 convenient store, "or underneath a canopy, but not

1 within a required yard."

2 MR. REMKUS: I don't think 10 x 10 -- you  
3 know, a 10 x 10 hundred square foot area is not --

4 THE REPORTER: I'm sorry, who is speaking?

5 MR. REMKUS: -- really out of the realm. I  
6 don't really have a problem with that, but if you put  
7 four panels on the ground, you're almost taking up that  
8 hundred square feet.

9 MS. CHOI: That was Commissioner Remkus.

10 MR. WAGNER: Commissioner Wagner.

11 I think the hundred square feet -- if you  
12 look at the size of a pallet, a pallet -- you can get  
13 about seven pallets in a hundred square feet for your  
14 average pallet. So I don't know whether that's enough  
15 or not enough, but that's approximately what a hundred  
16 square feet will give you.

17 CHAIRMAN KOPP: That seems good to me. I  
18 mean, that seems like a lot to me, since they can go up  
19 to six feet high. So that's 600 cubic feet.

20 MR. REMKUS: Well, pallets are 4 x 4, so a  
21 hundred square feet, you're only going to get four  
22 pallets, because that would be 8 x 8.

23 MS. KAUCKY: Can you hear me?

24 CHAIRMAN KOPP: Yes.



1 THE REPORTER: Can you unshare your screen,  
2 Ann?

3 MS. CHOI: Oh, I'm sorry.

4 MR. KAUCKY: When you drive up to a gasoline  
5 filling station -- at least when I've done this, they  
6 have these skids lined up in a row, and maybe there's --  
7 I think it was in Darien, but I could have sworn it was  
8 more than four pallets next to each other, and maybe in  
9 multiple areas on top of it.

10 I don't know, just from a retail standpoint,  
11 I can't imagine that someone who's operating a business  
12 and wants to be competitive would be happy with four  
13 pallets of product, especially if it's confined to one  
14 10 x 10 foot area. That really troubles me.

15 MR. GIUNTOLI: This is Roy Giuntoli.  
16 Correct me if I'm wrong, Ann, no one's limiting it to an  
17 exact 10 x 10 area. They could do -- again, the  
18 aggregate area of what they want to do needs to be a  
19 hundred square feet, so they just have to represent  
20 themselves in numbers, and the two or three areas can  
21 accumulate up to a hundred square feet.

22 We're not asking one business to designate a  
23 10 x 10 area of their property solely for that display.  
24 Again, it could be -- again, come up with a different

1 dimension with -- 15 feet wide and 3 feet deep works as  
2 well. So, again, no one's locking them into a 10 x 10  
3 square area.

4 CHAIRMAN KOPP: I do think that language  
5 needs to be tweaked, but I understand that's your  
6 intent, because it says it shall be displayed in an  
7 area, so it just needs to be clarified.

8 MS. KAUCKY: Roy, this is Len Kaucky again.  
9 Is this 10 x 10 square foot area plights,  
10 and no matter what size property that this business is  
11 occupying?

12 MR. GIUNTOLI: I believe so. Correct, Ann?

13 MS. KAUCKY: That's the other thing I'm kind  
14 of concerned about. I don't know, I may be looking at  
15 this the wrong way, but I see it as a limiting  
16 regulation for someone who's operating a retail.

17 MR. GIUNTOLI: So we're really talking  
18 about, right now, gas stations that have little  
19 mini-marts that are associated with their gas pumps, per  
20 se; and we -- Willowbrook doesn't currently have any  
21 large scale service station where the mini-mart is  
22 greater than -- and I'm just going to ballpark it by a  
23 couple hundred square feet is the store area, storefront  
24 area. So the area right outside the building with

1 service walks on the front or the side of the building  
2 are pretty small to begin with.

3 So that's why Ann and I came up with this  
4 number. Whereas, it's better than not letting them do  
5 anything, but at the same time, it's not giving them  
6 carte blanche to line every single square foot of  
7 service walk that's surrounding the building with  
8 merchandise.

9 They will likely have to be -- for lack of a  
10 better term -- clever with how they place their items on  
11 the walks; and, again, the other comment, the other  
12 parts of Section 3 there, indicate other parameters,  
13 that they can't block the sidewalk, and still has to  
14 be -- they can't block accessible routes and things.  
15 So, again, Ann and I came up with a hundred square feet.  
16 It's just kind of a happy medium.

17 Now, I understand what you're saying, that  
18 if a store like a Target wanted to do this, but, again,  
19 this doesn't apply to Target, correct, Ann?

20 MS. CHOI: That's correct.

21 MR. GIUNTOLI: So we're really talking about  
22 a small issue, businesses, gas stations that are going  
23 to now just be able to -- for lack of a better term --  
24 legally display some product outside, whether it be soda

1 in the summer, or windshield wiper fluid in the winter;  
2 and, again, I'm just coming up with off the wall  
3 examples, but, again, it doesn't have to lock them into  
4 a 10 x 10 area, but we thought a hundred square feet of  
5 overall space around their building was a good number  
6 above zero.

7 MS. KAUCKY: All right. Thank you.

8 MR. WAGNER: Commissioner Wagner, I refer to  
9 you to staff report document page 13. There's a couple  
10 of pictures there, and one of them is six pallets of  
11 mulch, which is, roughly, a hundred square feet; and  
12 then the typical gas station that we see, they've got  
13 firewood, and typically you'll see washer solvent and  
14 that type of thing.

15 I think if you start going much over a  
16 hundred square feet, you get a whole bunch of stuff  
17 going on.

18 CHAIRMAN KOPP: I personally think it's more  
19 important to give them this right, and let's see if they  
20 come back and tell us that it's not worth it, or it's  
21 too small.

22 MR. WAGNER: The only other question I had  
23 was, what is the reference to the 13,500 square feet for  
24 drugstores, is it to limit it just to Walgreen's?

1 MS. CHOI: I was doing some research on  
2 Walgreen's and drugstore types, and I think the minimum  
3 gross floor area is usually 14,500 square feet, but when  
4 I reviewed the building permit for Walgreen's, they were  
5 actually under that, which is 13,500 hundred square  
6 feet. So that was included to include that Walgreen's.

7 CHAIRMAN KOPP: Any other commissioners have  
8 any questions?

9 MS. KACZMAREK: I don't have a question,  
10 just a comment after everyone's input.

11 I do think that we have to reword it with  
12 the amount of -- the square footage, and like Roy was  
13 saying as well, maybe, because it is so small around  
14 these businesses, I don't -- I mean, I don't know. I  
15 don't foresee someone stacking something six feet high  
16 either, so if we change the wording to a sum of a  
17 hundred square feet, then, of course, they have to  
18 rearrange product around their buildings in a concise,  
19 proper way. So I agree to what you mentioned before  
20 about changing some wording there.

21 MS. CHOI: Thank you.

22 MR. WALEC: Actually, I was just thinking  
23 that, in Section 1 there, F paragraph, it says that no  
24 individual item or stack should exceed six feet unless

1 it was granted by a Village administrator or his/her  
2 designee. Why don't we go ahead and just maybe add that  
3 into the A section of that, the hundred square feet. If  
4 the Village administrator goes out there, looks at it,  
5 and it looks good, allow it; if not, don't allow it.

6 MS. CHOI: Well, I guess, if we're doing  
7 this by right, if that's the recommendation, then  
8 these -- any reference to, "granted by the Village  
9 administrator or his or her designee," probably should  
10 be eliminated.

11 CHAIRMAN KOPP: I don't agree with that,  
12 because we're granting minimum rights. We're granting  
13 six feet high, and we're granting a hundred square feet.  
14 So if the Village administrator thinks more is  
15 warranted, I think that's better than them having to  
16 come back to get the zoning ordinance amended. I like  
17 that suggestion, Commissioner Kaucky.

18 MS. KAUCKY: Well, that wasn't me, that was  
19 someone else that just spoke.

20 MS. CHOI: That was Commissioner Walec.

21 CHAIRMAN KOPP: Sorry.

22 MS. KAUCKY: I do agree that there's going  
23 to be some avenue for someone who proves this case that  
24 he would like more space, that there's some vehicle for

1 him to do that. Is that what I'm hearing?

2 CHAIRMAN KOPP: Yes.

3 MS. KAUCKY: That's good.

4 CHAIRMAN KOPP: I think that's a good  
5 suggestion.

6 What about the second part of this, which we  
7 didn't discuss at all last month, drugstores. Do we  
8 want to treat the lone drugstore differently from the  
9 gas stations? I personally think that a drugstore of  
10 that size is going to be a national chain, and they're  
11 going to be more concerned about their exterior  
12 appearance than the Village is, so I would be inclined  
13 to allow that as of right, but if they're not asking for  
14 it, and Ann's saying we'd have to have a whole new  
15 meeting for that, I guess I would defer that until they  
16 ask for it, personally.

17 All right. Do either of our visitors have  
18 any questions or comments on this particular matter?

19 If not, I will close Zoning Hearing Case --  
20 the public hearing of Zoning Hearing Case 20-10, and  
21 then we will have our discussion and recommendation.

22 So I'm still in favor of this being as of  
23 right, and I'm in favor of everything we talked about,  
24 including Commissioner Walec's suggestion about

1 requirement one, and I guess I'm in favor of the way  
2 staff has presented handling the drugstores separately.

3 Does anybody else want to have a comment or  
4 discussion, or should we just go straight to a vote?

5 MS. CHOI: I say vote.

6 CHAIRMAN KOPP: All right. So I'm going to  
7 read the motion, it's going to be the second one.

8 Will someone make a motion that, based on  
9 the submitted petition and testimony presented, I move  
10 that the Plan Commission recommend to the Village Board  
11 approval of the text amendment presented under option  
12 two on pages 3 to 5 of the staff report, for PC Case No.  
13 20-10, to allow the outdoor display of merchandise for  
14 automobile service stations by right, and to allow the  
15 outdoor display of merchandise by right for drugstores  
16 with a minimum gross floor area in excess of 13,000  
17 square feet as a temporary use permit.

18 I think, actually, that wasn't -- Ann, as I  
19 read that motion, it's inconsistent. It should say to  
20 allow the outdoor display of merchandise for drugstores  
21 with a minimum gross floor area in excess of 13,500  
22 square feet as a temporary use permit. Let me read this  
23 again.

24 Based on the submitted petition and



1 testimony present, I would move that the Plan Commission  
2 recommend to the Village Board approval of the text  
3 amendment presented under option two on pages 3 to 5 of  
4 the staff report for PC Case No. 20-10, as modified by  
5 discussion at the public hearing to allow for the  
6 outdoor display of merchandise for automobile service  
7 stations by right, and to allow the outdoor display of  
8 merchandise for drugstores with a minimum gross floor  
9 area in excess of 13,500 square feet as a temporary use  
10 permit.

11 Will someone make that motion?

12 MR. REMKUS: Remkus, so moved.

13 MR. WALEC: Walec second.

14 CHAIRMAN KOPP: I ask the Plan Commission  
15 Secretary to call the vote.

16 MS. SHEMROSKE: Commissioner Remkus --

17 MS. CHOI: I'm sorry, just to interrupt  
18 here. Just to be clear, when we were talking about the  
19 maximum floor area of these outdoor displays, was there  
20 consensus reached?

21 CHAIRMAN KOPP: I believe so. We'll call it  
22 the Walec amendment, to add the same --

23 MS. CHOI: Okay.

24 CHAIRMAN KOPP: -- same language.

1 I ask the Plan Commissioner Secretary to  
2 call the vote.

3 MS. SHEMROSKE: Commissioner Remkus?

4 MR. REMKUS: Yes.

5 MS. SHEMROSKE: Commissioner Soukup?

6 MR. SOUKUP: Yes.

7 MS. SHEMROSKE: Commissioner Kaczmarek?

8 MS. KACZMAREK: Yes.

9 MS. SHEMROSKE: Commissioner Kaucky?

10 MS. KAUCKY: Yes.

11 MS. SHEMROSKE: Commissioner Walec?

12 MR. WALEC: Yes.

13 MS. SHEMROSKE: Vice Chairman Wagner?

14 MR. WAGNER: Yes.

15 MS. SHEMROSKE: Chairman Kopp?

16 CHAIRMAN KOPP: Yes.

17 (WHICH WERE ALL THE PROCEEDINGS HAD.)  
18  
19  
20  
21  
22  
23  
24

1 STATE OF ILLINOIS )  
2 COUNTY OF DUPAGE ) SS:  
3 )

4 I, ROBIN HEJNAR, a certified shorthand reporter  
5 and registered professional reporter do hereby certify:

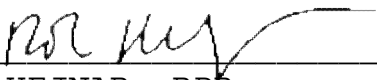
6 That prior to being examined, the witness in  
7 the foregoing proceeding was by me duly sworn to testify  
8 to the truth, the whole truth, and nothing but the  
9 truth;

10 That said proceedings were taken remotely  
11 before me at the time and places therein set forth and  
12 were taken down by me in shorthand and thereafter  
13 transcribed into typewriting under my direction and  
14 supervision;

15 I further certify that I am neither counsel  
16 for, nor related to, any party to said proceedings, not  
17 in anywise interested in the outcome thereof.

18 In witness whereof, I have hereunto subscribed  
19 my name.

20 Dated: December 16, 2020

21  
22  
23   
24 ROBIN HEJNAR, RPR  
CSR No. 084-004689





**Village of Willowbrook**  
Staff Report to the Plan Commission

**Plan Commission Date:** December 16, 2020

**Prepared By:** Ann Choi, Village Planning Consultant

**Case Title:** **Zoning Hearing Case No. 20-12: Pye's Resubdivision and Rezoning**

**Applicant:** David and Lisa Pye

**Action Requested:** Consideration of a petition to rezone the subject property from the R-1 Single Family Residence District to the R-2 Single Family Residence District, and review and recommendation regarding a Final Plat of Subdivision for 6544 Tennessee Avenue, Willowbrook, Illinois (minor subdivision for a two residential lot subdivision) and approval of a written recommendation regarding a Final Plat of Subdivision for 6544 Tennessee Avenue, Willowbrook, Illinois (minor subdivision for a two residential lot subdivision). The applicant proposes to subdivide the existing R-1 zoned single-family lot into two separate R-2 zoned single-family lots.

**Applicable Regulations:** Comprehensive Plan, Zoning Ordinance, Subdivision Regulations

**Location:** 6544 Tennessee Avenue, Willowbrook IL 60527

**PINs:** 09-22-206-020

**Existing Zoning:** R-1 Single Family Residence District

**Proposed Zoning:** R-2 Single Family Residence District

**Existing Land Use:** Low Density Residential (1-2 du/acre)

**Property Size:** 1.36 acres

Surrounding Land Use:	Use	Zoning
North	Single Family Residential	R-2
South	Single Family Residential	R-2/Darien
East	Single Family Residential	R-1
West	Single Family Residential	R-2

**Necessary Action by Plan Commission:** Open Public Hearing, accept testimony, and approve a recommendation to the Village Board.  
**A sample motion can be found on page 7.**



## **Documents Attached:**

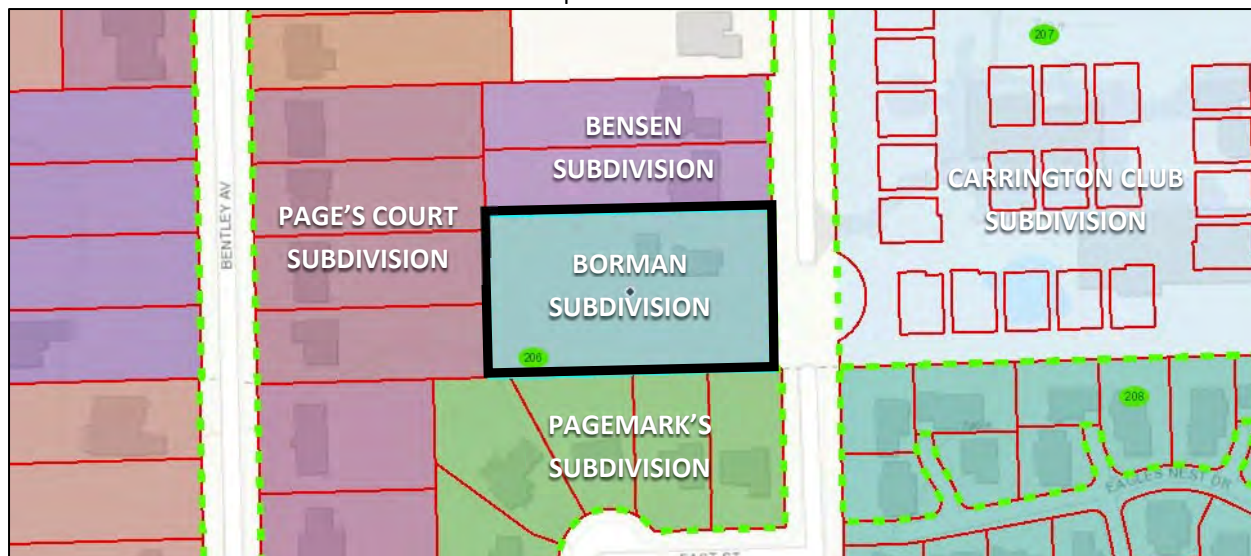
- Attachment 1: Written Findings of Fact – Subdivision Variations
- Attachment 2: Public Hearing Notice
- Attachment 3: Legal Description
- Attachment 4: Plat of Survey
- Attachment 5: Final Plat of Subdivision, bearing the latest revision date of December 7, 2020
- Attachment 6: Engineer's Review Letter (CBBEL), dated November 17, 2020  
Engineer's Review Letter (CBBEL), dated December 3, 2020
- Attachment 7: Wetland Delineation Report

## Background

### Site Description

The 1.36-acre subject property is currently improved with a single-family home. The parcel measures approximately 181' by 326' with a total approximate lot area of 59,257 square feet. The parcel was platted in DuPage County as part of the Borman Subdivision according to the plat recorded on January 24, 1983 as Document No. R83-04642 in DuPage County, Illinois.

**Exhibit 1: Map View of the Subdivisions**



**Exhibit 2: Aerial View of the Subject Property**

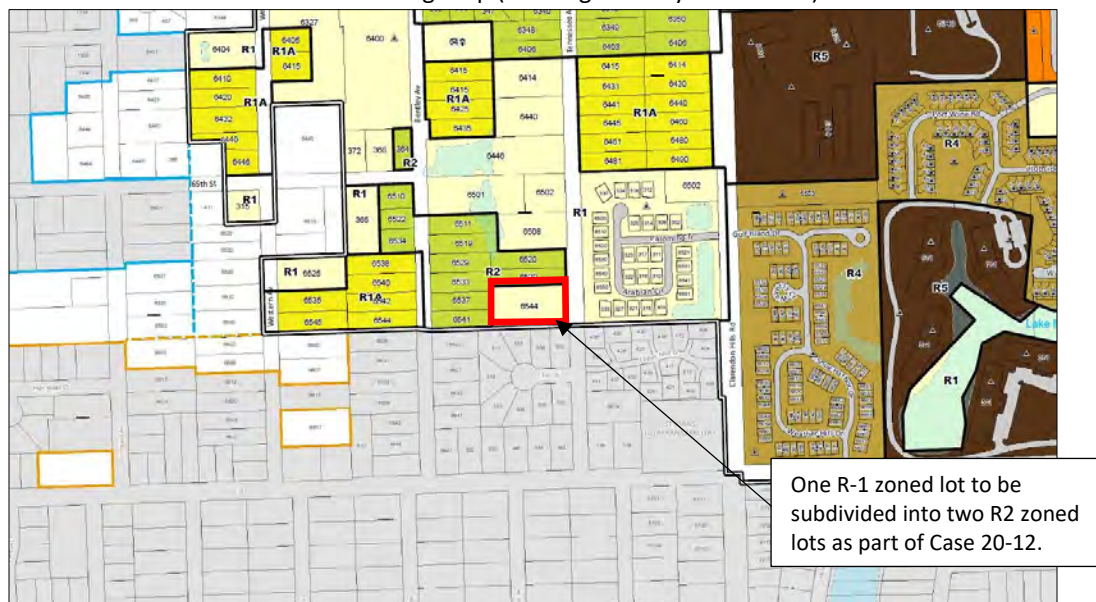


### Development Proposal

The petitioners and property owners, David and Lisa Pye ("Applicant"), is requesting to rezone the property at 6544 Tennessee Avenue from the R-1 Single Family Residence Zoning District to R-2 Single Family Residence Zoning District. The Applicant further proposes to subdivide the property into two buildable lots that comply with the minimum lot requirements of the R-2 Zoning District. The two new lots will comply in all respects with the R-2 zoning district bulk standards without variations.



**Exhibit 3: Zoning Map (R-1 Single-family Residential)**



Pursuant to Section 10-3-4(G) of the Subdivision Regulations, the proposed subdivision qualifies as a minor subdivision and can proceed directly to final plat approval, without a public hearing, but with Plan Commission review and recommendation prior to Village Board consideration. The Plan Commission must also review and make a recommendation for any variations from the Subdivision Regulations without the requirement of a public hearing. A public hearing, however, is required for the rezoning request.

## Staff Analysis

### Appropriateness of Use

Single-family detached homes are permitted uses in the R-2 district. The bulk regulations for the R-2 district are provided in the chart below. Both proposed lots meet these minimum requirements.

Bulk Standard	R-1	R-2	Proposed		Departure
			Lot 1	Lot 2	
Lot Area	30,000 sq. ft.	13,000 sq. ft.	32,532 sq. ft.	26,564 sq.ft.	None.
Lot Width	100 ft.	75 ft.	100 ft.	81.77 ft.	None.
Lot Depth	150 ft.	150 ft.	326 ft.	326 ft.	None.
Front Yard Setback	60 ft.	40 ft.	40 ft.	40 ft.	None.
Interior Side Yard Setback	10% or 15 ft.	10% or 8.5 ft.	10 ft.	8.5 ft.	None.
Exterior Side Yard Setback	50 ft.	40 ft.	Not Applicable.		N/A
Rear Yard Setback	50 ft.	30 ft.	30 ft.	30 ft.	None.

### Subdivision Improvements

Consistent with the development patterns for new development to the north, no subdivision improvements (curb, gutter, sidewalks, streetlights) will be required with development on these lots. The Comprehensive Plan designates Tennessee Avenue as a rural cross section with no need for these improvements.



### Easements

Section 10-4-2(C) of the Village Code includes side and rear yard easement requirements for both interior and perimeter lots within a subdivision. Pursuant to the Subdivision Regulations, five-foot (5') interior side yard easements are required and are reflected in the proposed plat. Additional easement areas are adjacent to the subject property, which are located within the Village corporate limits, and which grant proper easement rights to the Village pursuant to Section 10-4-2(C)2. Therefore, the Applicant is allowed to reduce the peripheral side and rear yard easement areas as reflected in the table below. In no case shall easement areas on any property be reduced below five feet (5').

Location	Code Section	Requirement	Proposed		Departure
			Lot 1	Lot 2	
Interior rear yards	10-4-2(C)2(a)	10 ft.	Not Applicable.		N/A
Peripheral rear yards	10-4-2(C)2(b)	20 ft.	10 ft.		None.
			Page’s Court Subdivision to the west provides a 15’ P.U.E & D.E. and a significant area is dedicated to the wetland and detention easement		
Interior side yards with utilities	10-4-2(C)2(c)	10 ft.	Not Applicable.		N/A
Peripheral side yards	10-4-2(C)2(d)	10 ft.	8 ft. (north lot line)  Bensen Subdivision to the north provides a 10’ P.U.E & D.E. along the south lot line of Lot 2.	15 ft. (south lot line)  Pagemark’s Subdivision to the south (Darien) provides a 10’ P.U.E & D.E. and a 40’ wetland and detention easement.	None.  Combined with adjacent lots:  18 ft. (north lot line) and 25 ft. (south lot line)
Peripheral side yards with utilities	10-4-2(C)2(e)	20 ft.	Not Applicable.		N/A
Interior side yards	10-4-2(C)2(f)	5 ft.	5 ft. (south lot line)	5 ft. (north lot line)	None.

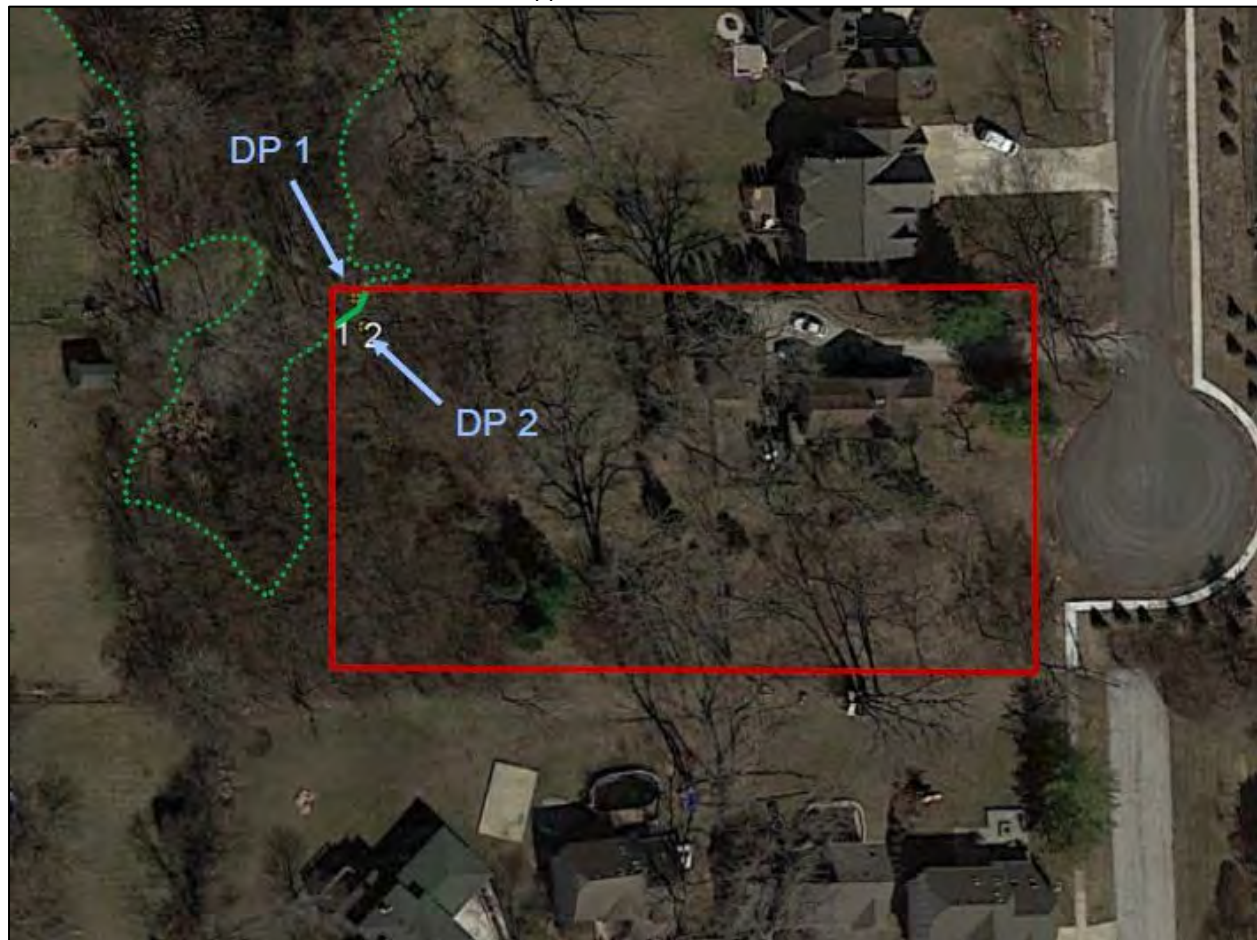
### Wetlands/Storm Water Management

A Wetland Delineation Report was prepared by Engineering Resource Associates and is included as **Attachment 7** of this report. One regulatory wetland was identified within the subject property. The approximate location of the wetland is indicated on **Exhibit 4** in the solid green lines. This area consists of a small corner of a larger wetland complex extending to the west and north of the subject property. The U.S. Fish and Wildlife Service (USFWS) National Wetland Inventory identifies this area as a wooded wetland, and the DuPage County Wetland Map indicates the same to be regulatory. As the wetland is of a small size and



low quality, it provides the following functions at a low level: sediment filtration from upland areas, stormwater storage during and after precipitation events, reducing the impact of urbanization on water quality by filtering and assimilating nutrients discharged from surrounding uplands, and provides a habitat for resting, reproducing, and nesting animals. As this wetland is considered regulatory, a 50-foot buffer is present and consists of turf grass and low-quality volunteer and invasive species.

**Exhibit 4: Approximate Wetland Location**



-  Approximate Wetland Boundary
-  Approximate Offsite Wetlands Boundary
-  Project Study Location
-  Data Point

The Wetland Delineation Report recommends that a stormwater management application should be sought from the DuPage County stormwater department should development be proposed on this property. It also advised to request a jurisdictional determination to determine the presiding authority over this wetland by submitting a jurisdictional request form to the USACE prior to any development occurring within the parcel.

The Wetland Delineation Report has been reviewed by the Village Engineer and a field confirmation of the findings was conducted. The conservation easement is set to encompass the wetland in addition to the required buffer around it to prevent impact to the wetland. The Village Engineer concurs with the report findings and the limits of the proposed Wetlands & Conservation Easement. No further action is required.



## Comprehensive Plan/Compatibility

The Village of Willowbrook's Comprehensive Plan indicates that the R-2 Single-Family zoning is appropriate for this property. Another measure of appropriateness is to compare the new lot sizes with those that exist in the neighborhood. There are some precedents for lots zoned R-2 in the area to the north of the subject property as well as lots zoned R-2 directly to the west. The lot widths of these properties are approximately 75 feet to 83 feet and lot areas of approximately 24,450 square feet (north) and 21,836 square feet (west), comparable to the proposed two lots.

Lot 1 – 32,532 square feet  
Lot 2 – 26,564 square feet

## Staff Recommendation

Staff has no objection to the proposed rezoning and subdivision request. The request complies with the guidelines set forth in the Village's Comprehensive Plan and other land development regulations. The requested zoning and lot configurations should have no negative impacts on surrounding land uses. The proposed lots will be similar or larger than the typical lot size in this neighborhood.

Should the Plan Commission wish to support this request, staff recommends that the following condition be included:

The subdivider shall provide a mylar of the Final Plat of Subdivision with all required signatures (other than those of the Village officials) within sixty (60) days of approval by the Village Board.

Should the Plan Commission wish to support this request, the following variations from the subdivision regulations should be specifically included:

1. That Section 10-7-2(C) of the subdivision regulations related to curb and gutter drainage improvements be waived.
2. That Section 10-7-4(A) of the subdivision regulations related to sidewalks be waived.
3. That Section 10-7-4(D) of the subdivision regulations related to streetlights be waived.

Planning staff would also recommend acceptance of the submitted written findings of fact as to the standards of the variations from the Subdivision Regulations sought, which are included as **Attachment 1** of this report.

## Sample Motion

Based on the submitted petition and testimony provided, I move that the Plan Commission recommend to the Village Board to rezone the property located at 6544 Tennessee Avenue from the R-1 zoning district to the R-2 zoning district; that the Plan Commission has reviewed and recommends approval of the submitted written findings of fact for the standards of the variations sought from the Subdivision Regulations; that the Plan Commission has reviewed the Final Plat of Subdivision for the Pye's Resubdivision and recommends approval of a Final Plat of Subdivision bearing the latest revision date of December 7, 2020, for PC 20-12 for the December 16, 2020 Plan Commission meeting, subject to the conditions of approval and plans listed in the Staff Report prepared for PC 20-12 for the December 16, 2020 Plan Commission meeting.



**Attachment 1**  
Findings of Fact  
Variations from Subdivision Regulations  
Pye's Resubdivision (1 page)

November 6<sup>th</sup>, 2020

Ann Choi  
Attorney at Law

Re: **Pye Resubdivision – 6544 Tennessee Ave., Willowbrook, IL 60527**

Dear Ms. Choi,

As you know, our office is representing the owners in the above referenced resubdivision. This letter is a request for a variation from the subdivision regulations pursuant to Title 10, Chapter 8, Section 6.

There are four criteria that need to be considered in the granting of this variation. I will handle the reasoning for each below:

- A. *That there are special circumstances or conditions affecting said property, such that the strict application of the provisions of this title would deprive the applicant of the reasonable use of his land.* – As we have discussed the property is owned by individual homeowners and not be a developer or builder. It is an onerous burden on the homeowner to have a strict application of all the improvements under the subdivision regulations, particularly when the addition of these improvements would make the property inconsistent with the character of the other properties in the neighborhood. The strict interpretation of this regulation would deprive the owners of the reasonable use of their land considering all the factors.
- B. *That the variation is necessary for the preservation and enjoyment of a substantial property right of the petitioner.* – A strict application of the subdivision regulations would deprive the owners of a substantial property right in that they would be unable to subdivide this property into legal and conforming lots.
- C. *That the granting of the variation will not be detrimental to the public welfare or injurious to other property in the area in which said property is located.* – It is an onerous burden on the homeowner to have a strict application of all the improvements under the subdivision regulations, particularly when the addition of these improvements would make the property inconsistent with the character of the other properties in the neighborhood. Keeping the property consistent with the other properties in the area will be to the benefit of the community.
- D. *The alleged hardship has not been created by any person having a present proprietary interest in the property.* – The hardship is not of the owners making. It is an onerous burden on the homeowner to have a strict application of all the improvements under the subdivision regulations, particularly when the addition of these improvements would make the property inconsistent with the character of the other properties in the neighborhood.

Thank you for your time and attention to this matter.

Sincerely,



Paul B. Garver



**Attachment 2**  
Public Hearing Notice (3 pages)

**NOTICE OF PUBLIC HEARING**  
**ZONING HEARING CASE NO. 20-12**

NOTICE IS HEREBY GIVEN that the Plan Commission of the Village of Willowbrook, DuPage County, Illinois, will conduct a public hearing at a special meeting of the Plan Commission on the 16th of December 2020 at the hour of 7:00 P.M. This meeting would typically take place in the Willowbrook Police Department Training Room, 7760 S. Quincy St, Willowbrook, IL 60527. However, due to the current circumstances concerning Covid-19, this meeting will be held virtually. Internet address and access instructions will be provided on the Village of Willowbrook's Plan Commission website once available:

<https://www.willowbrookil.org/Archive.aspx?AMID=44>

The purpose of this public hearing shall be to consider a petition to rezone the subject property from the R-1 Single Family Residence District to the R-2 Single Family Residence District, and review and recommendation regarding a Final Plat of Subdivision for 6544 Tennessee Avenue, Willowbrook, Illinois (minor subdivision for a two residential lot subdivision) and approval of a written recommendation regarding a Final Plat of Subdivision for 6544 Tennessee Avenue, Willowbrook, Illinois (minor subdivision for a two residential lot subdivision). The Final Plat of Subdivision will create two lots suitable for single-family homes on property legally described as follows:

LOT 2 IN BORMAN SUBDIVISION IN SECTION 22, TOWNSHIP 39 NORTH RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JANUARY 25, 1983 AS DOCUMENT NUMBER R83-04642, IN DUPAGE COUNTY, ILLINOIS.

PINs: 09-22-206-020

ADDRESS: 6544 Tennessee Avenue, Willowbrook, Illinois 60527

The applicants for this petition are David and Lisa Pye, 6544 Tennessee Avenue, Willowbrook, Illinois 60527.

A copy of the Village's petition is on file in the Office of the Village Planner, Village of Willowbrook, 835 Midway, Willowbrook, Illinois, and is available for public inspection.

Any individual with a disability requiring a reasonable accommodation in order to participate in any public meeting held under the authority of the Village of Willowbrook should contact Ann Choi, Village of Willowbrook, 835 Midway, Willowbrook, IL 60527, or call (630) 920-2233, Monday through Friday, between 8:30 A.M. and 4:30 P.M.

All persons desiring to be heard in support or opposition to the application shall be afforded an opportunity and may submit their statements orally, in written form, or both. Written comments may be submitted up to the hour of 6:00pm on December 16, 2020 to [planner@willowbrook.il.us](mailto:planner@willowbrook.il.us). This hearing may be recessed to another date if not concluded on the evening scheduled.

/s/ Brian Pabst  
Village Administrator  
(630) 920-2261

Published in the November 26, 2020 edition of *The Doings* Newspaper.



## Judicial Sales - Real Estate

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS  
COUNTY DEPARTMENT - CHANCERY DIVISION  
WILMINGTON SAVINGS FUND SOCIETY, FSB, AS TRUSTEE FOR UPLAND  
MORTGAGE LOAN TRUST A  
Plaintiff,  
-v-  
BRIAN W ISAKSON, SR., ROY A ISAKSON, SR., CAROL PRZYBYLOWSKI,  
SECRETARY OF HOUSING AND URBAN DEVELOPMENT, UNKNOWN  
HEIRS AND LEGATEES FOR DOROTHY E KORNACKI, IF ANY, UNKNOWN  
OWNERS AND NON-RECORD CLAIMANTS, JOHN LYDON, SPECIAL RE-  
PRESENTATIVE OF THE DECEASED MORTGAGOR, DOROTHY E KORNACKI  
Defendants.  
19 CH 07843

4217 NORTH OTTAWA AVENUE  
NORRIDGE, IL 60706  
NOTICE OF SALE  
PUBLIC NOTICE IS HEREBY GIVEN that pursuant to a Judgment of Fore-  
closure and Sale entered in the above cause on September 24, 2020,  
an agent for The Judicial Sales Corporation, will at 10:30 AM on De-  
cember 7, 2020, at The Judicial Sales Corporation, One South Wacker  
Drive, CHICAGO, IL, 60606, sell at a public sale to the highest bidder, as  
set forth below, the following described real estate:  
Commonly known as 4217 NORTH OTTAWA AVENUE, NORRIDGE, IL  
60706  
Property Index No. 12-13-308-012-0000

The real estate is improved with a yellow brick, one story single family  
home, detached two car garage.  
Sale terms: 25% down of the highest bid by certified funds at the  
close of the sale payable to The Judicial Sales Corporation. No third  
party checks will be accepted. The balance, including the Judicial Sale  
fee for the Abandoned Residential Property Municipality Relief Fund,  
which is calculated on residential real estate at the rate of \$1 for each  
\$1,000 or fraction thereof of the amount paid by the purchaser not to  
exceed \$300, in certified funds or wire transfer, is due within twenty-  
four (24) hours. No fee shall be paid by the mortgagee acquiring the  
residential real estate pursuant to its credit bid at the sale or by any  
mortgagee, judgment creditor, or other lienor acquiring the residential  
real estate whose rights in and to the residential real estate arose  
prior to the sale. The subject property is subject to general real es-  
tate taxes, special assessments, or special taxes levied against said  
real estate and is offered for sale without any representation as to  
quality or quantity of title and without recourse to Plaintiff and in "AS  
IS" condition. The sale is further subject to confirmation by the court.  
Upon payment in full of the amount bid, the purchaser will receive a  
Certificate of Sale that will entitle the purchaser to a deed to the real  
estate after confirmation of the sale.

The property will NOT be open for inspection and plaintiff makes no  
representation as to the condition of the property. Prospective bidders  
are admonished to check the court file to verify all liens and taxes  
prior to the sale. If this property is a condominium unit, the purchaser of the unit at  
the foreclosure sale, other than a mortgagee, shall pay the assess-  
ments and the legal fees required by The Condominium Property  
Act, 765 ILCS 605/9(a)(1) and (a)(4). If this property is a condominium unit  
which is part of a common interest community, the purchaser of the unit at  
the foreclosure sale, other than a mortgagee, shall pay the assess-  
ments required by The Condominium Property Act, 765 ILCS  
605/18.5(a)(1).

IF YOU ARE THE MORTGAGOR (HOMEOWNER), YOU HAVE THE RIGHT  
TO REMAIN IN POSSESSION FOR 30 DAYS AFTER ENTRY OF AN ORDER  
OF POSSESSION, IN ACCORDANCE WITH SECTION 15-170(C) OF THE  
ILLINOIS MORTGAGE FORECLOSURE LAW.  
You will need a photo identification issued by a government agency  
(driver's license, passport, etc.) in order to gain entry into our building  
and the foreclosure sale room in Cook County and the same identifica-  
tion for sales held at other county venues where The Judicial Sales  
Corporation conducts foreclosure sales.

MCCALLA RAYMER LEBERT PIERCE, LLC Plaintiff's Attorneys, One  
North Dearborn Street, Suite 1200, Chicago, IL, 60602. Tel No. (312)  
346-9088.  
THE JUDICIAL SALES CORPORATION  
One South Wacker Drive, 24th Floor, Chicago, IL 60606-4650 (312)  
236-SALE  
You can also visit The Judicial Sales Corporation at [www.jscc.com](http://www.jscc.com) for a  
7 day status report of pending sales.

MCCALLA RAYMER LEBERT PIERCE, LLC  
One North Dearborn Street, Suite 1200  
Chicago IL, 60602  
312-346-9088  
E-Mail: [pleadings@mccalla.com](mailto:pleadings@mccalla.com)  
Attorney File No. 20-043561L-610884  
Attorney ARDC No. 61256  
Attorney Code, 61256  
Case Number: 19 CH 07843  
TJSC#: 40-2345

NOTE: Pursuant to the Fair Debt Collection Practices Act, you are  
advised that Plaintiff's attorney is deemed to be a debt collector at-  
tempting to collect a debt and any information obtained will be used  
for that purpose.  
Case # 19 CH 07843  
13159529  
11/12, 11/19, 11/26/2020 6811853

APARTMENT FOR RENT?  
The search begins here! Many apartment and home hunters check the Classifieds before looking for a new place to live. Advertise your rental units with us to get a jump on the competition! Call 866-399-0537 or visit [placeand.tribunesuburbs.com](http://placeand.tribunesuburbs.com)

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## LEGALIS

### Legal Notices

#### NOTICE OF PUBLIC HEARING ZONING HEARING CASE NO. 20-12

NOTICE IS HEREBY GIVEN that the Plan Commission of the Village of Willowbrook, DuPage County, Illinois, will conduct a public hearing at a special meeting of the Plan Commission on the 16th of December 2020, at the hour of 7:00 P.M. This meeting would typically take place in the Willowbrook Police Department Training Room, 7760 S. Quincey St., Willowbrook, IL 60527. However, due to the current circumstances concerning Covid-19, this meeting will be held virtually. Internet address and access instructions will be provided on the Village of Willowbrook's Plan Commission website once available:

<https://www.willowbrookil.org/Archive.aspx?AMID=44>

The purpose of this public hearing shall be to consider a petition to rezone the subject property from the R-1 Single Family Residence District to the R-2 Single Family Residence District, and review and recommendation regarding a Final Plat of Subdivision for 6544 Tennessee Avenue, Willowbrook, Illinois (minor subdivision for a two residential lot subdivision) and approval of a written recommendation regarding a Final Plat of Subdivision for 6544 Tennessee Avenue, Willowbrook, Illinois (minor subdivision for a two residential lot subdivision). The Final Plat of Subdivision will create two lots suitable for single-family homes on property legally described as follows:

LOT 2 IN BORMAN SUBDIVISION IN SECTION 22, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JANUARY 25, 1983 AS DOCUMENT NUMBER R83-04642, IN DUPAGE COUNTY, ILLINOIS.

PINS: 09-22-206-020

ADDRESS: 6544 Tennessee Avenue, Willowbrook, Illinois 60527

The applicants for this petition are David and Lisa Pye, 6544 Tennessee Avenue, Willowbrook, Illinois 60527.

A copy of the Village's petition is on file in the Office of the Village Planner, Village of Willowbrook, 335 Midway, Willowbrook, Illinois, and is available for public inspection.

Any individual with a disability requiring a reasonable accommodation in order to participate in any public meeting held under the authority of the Village of Willowbrook should contact Ann Choi, Village of Willowbrook, 335 Midway, Willowbrook, IL 60527, or call (630) 920-2233, Monday through Friday, between 8:30 A.M. and 4:30 P.M.

All persons desiring to be heard in support or opposition to the application shall be afforded an opportunity and may submit their statements orally, in written form, or both. Written comments may be submitted up to the hour of 6:00pm on December 16, 2020 to [planner@willowbrook.il.us](mailto:planner@willowbrook.il.us). This hearing may be recessed to another date if not concluded on the evening scheduled.

/s/ Brian Pabst  
Village Administrator  
(630) 920-2261  
11/26/2020 6816830

#### SELL, SELL, SELL Your Stuff!

Placing an ad in the classifieds is the most cost-effective way to sell your home, car or valuables! Call 866-399-0537 or go online to [placeand.tribunesuburbs.com](http://placeand.tribunesuburbs.com) to place your advertisement.

## Legal Notices

#### Police Officer Village of La Grange Park, Illinois

The Village of La Grange Park, Illinois is establishing an eligibility list for the position of Police Officer. To qualify to participate in the examination process, applicants must be:

- Be between the ages of 21 and 35, except as provided by law.
- Be a citizen of the United States
- Possess at the time of application a minimum of 60 college semester credits.
- Be eligible under Illinois law to be appointed as a police officer.
- Possess a valid driver's license.
- Must possess a valid Police Officer Physical Ability Test certification/POWER card and must be within 1 year of issuance.
- Obtain an occupational assessment through Conrad Polygraph, Inc.

The selection process will include a written examination, an intensive background investigation, oral interview, post-offer medical examination, vision screening along with a psychological and polygraph examinations. A detailed position description may be obtained from the La Grange Park Police Department. The starting salary is \$70,456, regardless of prior training or experience. The Village of La Grange Park also provides an excellent benefit and pension package. The written examination will be held on January 16th, 2021, based on the current State of Illinois room occupancy mandates, a location has not been determined and will be subject to the number of applicants. Applicants will be given a notice of location and time(s) of written examination. To Apply: Applications may be picked up between 9 a.m. and 4:30 p.m. Monday thru Friday at the La Grange Park Police Department, 447 North Catherine Avenue, La Grange Park, Illinois. Completed applications meeting the listed requirements must be returned by 4:30 p.m. on December 11th, 2020 there is a \$25.00 fee for the application, non-refundable. The Village of La Grange Park is an Equal Opportunity Employer. Board of Police Commissioners, Village of La Grange Park, Illinois. 11/19, 11/26/2020 6812982

#### Name Change

State of Illinois County of Cook In The Circuit Court For Cook County, Illinois In The Matter of the Petition of Richard Carl Zacharias For Change of Name

Case # 2020-M4-004466  
Notice of Public Hearing  
Public Notice is hereby given that on December 29, 2020, at 9:30 AM being one of the return days in the Circuit Court of the County of Cook, I will file my petition in said court praying for the change of my name from Richard Carl Zacharias to that of Richard Frank Ofenloch, pursuant to the statute in such case made and provided. Dated at Elmhurst, Illinois, October 28, 2020 Signature of Petitioner /s/ Richard Carl Zacharias 11/12, 11/19, 11/26/2020 6796567

#### Public Hearings

An audit has been completed for the period of 5/1/2019 through 4/30/2020 and is available for public inspection at the La Grange Public Library at 10 West Cossitt Ave. It is also available at <https://www.lagrange.org/about/foia-requests>. 11/26/2020 6818408

#### APARTMENT FOR RENT?

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## Public Notices

#### Notice of Availability of Audit Report

Notice is given pursuant to the Public Funds Statement Publication Act of the availability of an audit report for the Indian Prairie Public Library District.

- The audit report:
1. Covers the time period from July 1, 2019 to June 30, 2020;
  2. The audit was conducted by Brian Zabel & Associates P.C., certified public accountants;
  3. The audit report is available for inspection at the Indian Prairie Public Library, 401 Plainfield Road, Darien, Illinois between the hours of 10 a.m. and 5 p.m., Monday through Thursday.

Victoria Suriano  
By the Board of Library Trustees  
Indian Prairie Public Library  
District  
11/26/20 6822824

#### NOTICE OF PUBLIC HEARING FOR THE VILLAGE OF WESTERN SPRINGS FOR FISCAL YEAR 2021 ANNUAL BUDGET (COMMENCING JANUARY 1, 2021 AND ENDING DECEMBER 31, 2021)

The corporate authorities of the Village of Western Springs will conduct a public hearing to consider the tentative Annual Budget for Fiscal Year 2021 (commencing January 1, 2021 and ending December 31, 2021) on December 7, 2020, at 7:15 p.m., in the Village Board Room located at 740 Hillgrove Avenue, Western Springs, Illinois 60558.

This hearing shall be open to the public. Any person desiring to appear at the public hearing and provide comments to the corporate authorities on the tentative Annual Budget for Fiscal Year 2021 will be heard. The tentative Annual Budget for Fiscal Year 2021 has been available for public inspection since November 13, 2020, and has been published in the journal of the proceedings of the corporate authorities and by the Village Clerk in pamphlet form as of November 13, 2020. Copies of the tentative Annual Budget may be inspected by the general public at the Village Clerk's Office located at 740 Hillgrove Avenue, Western Springs, Illinois 60558, phone number: 708-246-1800.

VILLAGE OF WESTERN SPRINGS  
James Horvath  
Acting Village Clerk  
11/26/2020 6817366

#### PUBLIC NOTICE NOTICE OF PUBLIC HEARING FOR THE WESTERN SPRINGS PARK DISTRICT FOR FISCAL YEAR 2021 ANNUAL BUDGET (BEGINNING JANUARY 1, 2021 THROUGH DECEMBER 31, 2021)

The corporate authorities of the Western Springs Park District will conduct a public hearing to consider the tentative Annual Budget for Fiscal Year 2021 (commencing January 1, 2021 and ending December 31, 2021) on December 8, 2020 at 7:15pm, via Zoom Teleconference ID# 789-675-6667, Password 4400.

This hearing shall be open to the public. Any person desiring to appear at the public hearing and provide comments on the tentative Annual Budget for Fiscal Year 2021 to the corporate authorities will be heard. The tentative Annual Budget for Fiscal Year 2021 has been available for public inspection since November 4, 2020. Copies of the tentative Annual Budget may be inspected by the general public at 4400 Central Avenue, Western Springs, Illinois, 60558, phone number 708-246-4225 or [www.wsparks.org/budget](http://www.wsparks.org/budget)

WESTERN SPRINGS PARK DISTRICT  
Matthew Krull  
President  
11/26/2020 6817373

#### NEW AD PLACEMENT

The Classifieds are available for ad placement 24 hours a day, 7 days a week, 365 days a year for your convenience! Visit [placeand.tribunesuburbs.com](http://placeand.tribunesuburbs.com)

## Storage - Legal

1-800-Pack-Rat Zippy Shell  
(IL-Mt. Prospect-5506)  
1751 S. Linneman Rd.  
Mt. Prospect, IL 60056  
877-774-1537

#### Notice of Sale

Tenant: Unit #  
Cooper, Ruth Ann D03321  
Jones, Coprie 801282  
Cooper, Ruth Ann D04966  
Barton, Shmecka 352788  
Bennett, Ronald D51481  
Bennett, Ronald 800437  
Bennett, Ronald D02071  
Contreras, Nicholas ZK3923  
Magrury, Shannon ZM2812  
Ruisse, Deborah 805287  
Seabolt, Jeremy 352721  
Wigsmoen, Amy D05067  
1-800-Pack-Rat Zippy Shell (IL-Mt. Prospect-5506), 1751 S. Linneman Rd., Mt. Prospect, IL 60056, has possessory lien on all of the goods stored in the units above and all these items of personal property are being sold pursuant to the assertion of the lien on 12/7/2020 at 10:00 AM in order to collect the amounts due from you. The sale will take place on [www.acceleratedlisting.com](http://www.acceleratedlisting.com) on 12/7/2020 to 12/14/2020 at 6:00p.m., 11/19/2020, 11/26/2020 6815413

#### Notice of Public Sale of Personal Property Metro Self Storage

Notice is hereby given that the undersigned self storage units will be sold at a public sale by competitive bidding in their entirety to the highest bidder to satisfy the lien of the Lessor, with Metro Storage LLC as managing agent for Lessors for rental and other charges due from the undersigned. The said property has been stored and is located at the respective address below. The sale will be conducted under the guidance of Christopher Rosa (441.002059) on behalf of the facility's management. Units will be available for viewing and bidding five (5) days prior to the sale on [www.StorageTreasures.com](http://www.StorageTreasures.com). The bidding will close on December 16, 2020 beginning at 9:30 AM. The terms of the sale will be cash only to the highest bidder. A 10% buyer's premium will be charged per unit. All sales are final. Metro Self Storage LLC reserves the right to withdraw any or all units, partial or entire, from the sale at any time before the sale or to refuse any bids. The property to be sold is described as "general household items" unless otherwise noted. All contents must be removed completely from the property within 48 hours or sooner.

Metro Self Storage - 60 East Lake St., Northlake, IL 60164, 708-344-3346  
Unit F24 Jose Luis Morales, Unit F24 Jose Morales.

Metro Self Storage - 9501 West Grand Ave., Franklin Park, IL 60131, 847-451-2200  
Unit 488 Catalina Lemon.

Metro Self Storage - 445 N. Des Plaines, Chicago, IL 60654, 312-243-2222  
Unit 4192 Patricia Abney, Unit 4198 Gregory Fear, Unit 4211 Gregory Fear, Unit 5158 Jennifer Richter.

Metro Self Storage - 3220 West Touhy Ave., Skokie, IL 60076, 847-265-1006  
Unit 464 Michael Thomas, Unit 804 Jennifer Chapa, Unit 1062 Daryl Grossman.  
11/19, 11/26/2020 6815218

#### APARTMENT FOR RENT?

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**Attachment 3**  
Legal Description (1 page)

The property contained in this Instrument is legally described as follows:

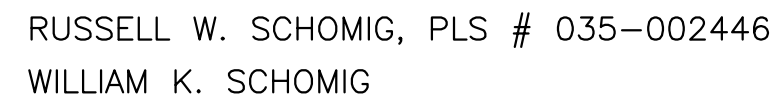
LOT 2 IN BORMAN SUBDIVISION IN SECTION 22, TOWNSHIP 39 NORTH RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JANUARY 25, 1983 AS DOCUMENT NUMBER R83-04642, IN DUPAGE COUNTY, ILLINOIS.

Property Address: 6544 Tennessee Ave, Willowbrook, IL 60527

PIN #: 09-22-206-020-0000

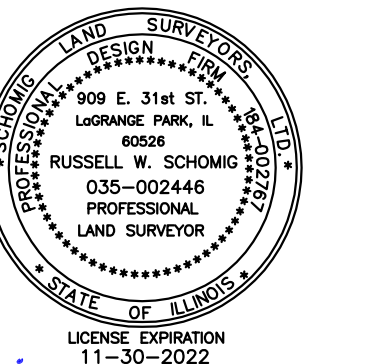


**Attachment 4**  
Plat of Survey (1 sheet)



SCHOMIG LAND SURVEYORS, LTD.  
PLAT OF SURVEY

909 EAST 31ST STREET  
LA GRANGE PARK, ILLINOIS 60526  
SCHOMIG-SURVEY@SBCGLOBAL.NET  
WWW.LAND-SURVEY-NOW.COM  
PHONE: 708-352-1452  
FAX: 708-352-1454



BY: Russell W. Schomig LICENSE 11-3  
PROFESSIONAL ILLINOIS LAND SURVEYOR LICENSE # 035-007446

**LEGEND**

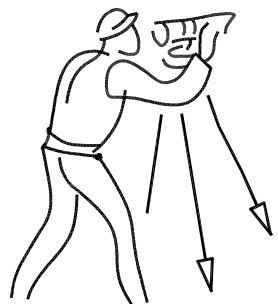
M.	= MEASURED DIMENSION	C	= CENTER LINE
R.	= RECORDED DIMENSION	I.F.	= IRON FENCE —X—X—X—
B.L.	= BUILDING LINES	C.L.F.	= CHAIN LINK FENCE —○—○—○—
P.U.E.	= PUBLIC UTILITY EASEMENT	W.F.	= WOOD FENCE —○—○—○—
D.E.	= DRAINAGE EASEMENT	V.F.	= VINYL FENCE —◇—◇—◇—

V.F. = VINYL FENCE —●—●—●—



**Attachment 5**  
Final Plat of Subdivision (1 sheet)





RUSSELL W. SCHOMIG, PLS  
WILLIAM K. SCHOMIG

• BOUNDARY • TOPOGRAPHICAL • SUBDIVISIONS • ALTA/ACSM • CONDOMINIUMS • SITE PLANS • CONSTRUCTION • FEMA CERTIFICATES •

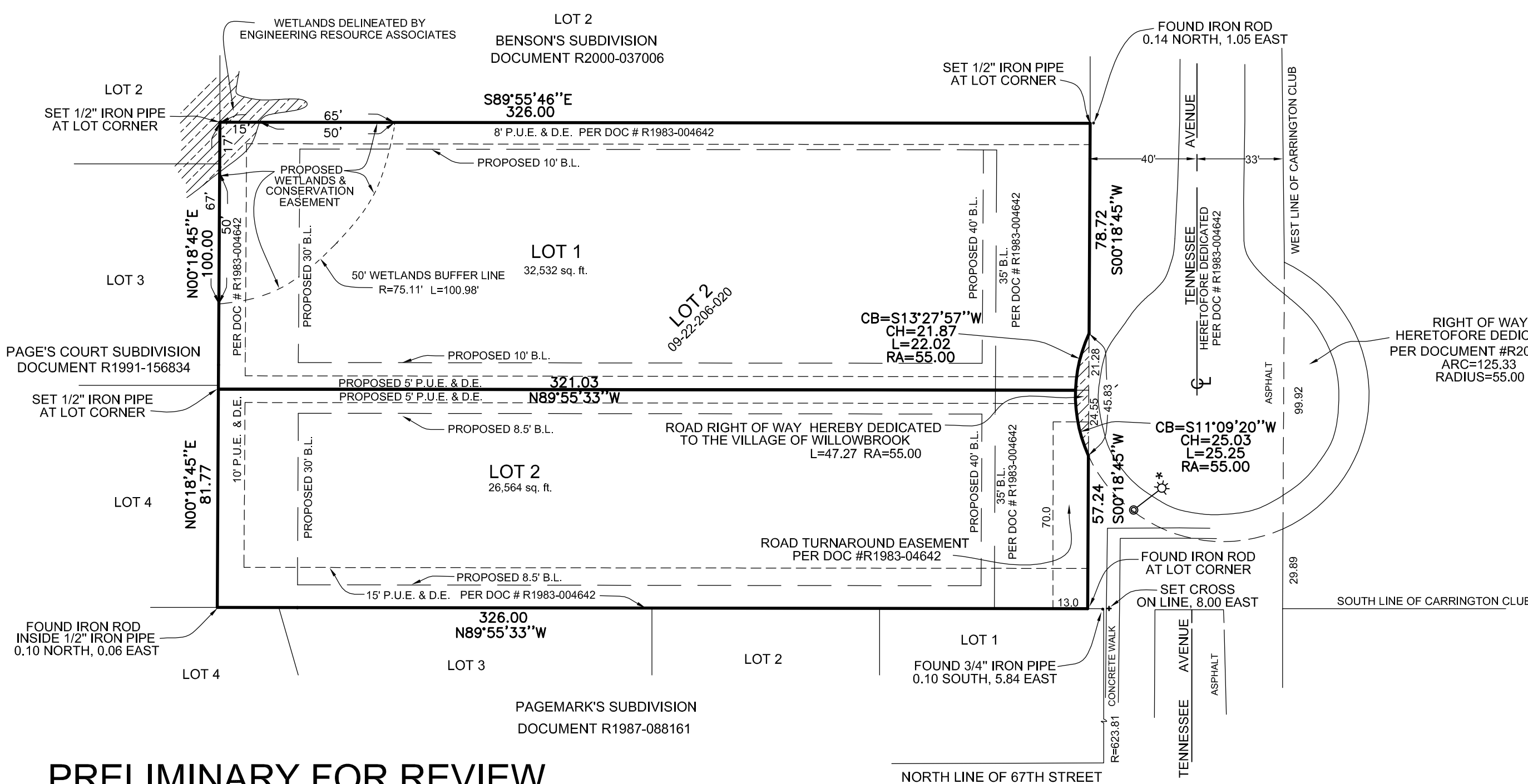
# SCHOMIG LAND SURVEYORS, LTD.

## PYE'S RESUBDIVISION OF

909 EAST 31st STREET  
LA GRANGE PARK, ILLINOIS 60526  
E-MAIL: SCHOMIG-SURVEY@SBCGLOBAL.NET  
WEB: WWW.LAND-SURVEY-NOW.COM  
PHONE: 708-352-1452  
FAX: 708-352-1454

LOT 2 IN BORMAN SUBDIVISION IN SECTION 22, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JANUARY 25, 1983 AS DOCUMENT NUMBER R83-04642, IN DUPAGE COUNTY, ILLINOIS.

COMMON ADDRESS: 6544 TENNESSEE AVENUE, WILLOWBROOK.



FUTURE TAX BILL TO BE SENT TO:

JOHN AND ELIZABETH PYE  
6544 TENNESSEE AVENUE  
WILLOWBROOK, ILLINOIS 60527



**LEGEND**  
M. = MEASURED DIMENSION  
R. = RECORDED DIMENSION  
B.L. = BUILDING LINE  
P.U.E. = PUBLIC UTILITY EASEMENT  
D.E. = DRAINAGE EASEMENT  
C.L. = CENTER LINE  
L. = LENGTH OF CURVE  
R.A. = RADIUS  
C.B. = CHORD BEARING  
C.H. = CHORD  
C.P. = LIGHT POLE WITH ARM  
\*LOCATION SUBJECT TO CHANGE

### EASEMENT PROVISIONS

AN EASEMENT FOR SERVING THE SUBDIVISION AND OTHER PROPERTY WITH ELECTRIC AND COMMUNICATIONS SERVICE IS HEREBY RESERVED FOR AND GRANTED TO:

COMMONWEALTH EDISON COMPANY

AND

AMERITECH COMPANY, GRANTEEES.

THEIR RESPECTIVE SUCCESSORS AND ASSIGNS, JOINTLY AND SEVERALLY, TO INSTALL, OPERATE, MAINTAIN AND REMOVE FROM TIME TO TIME, FACILITIES USED IN CONNECTION WITH UNDERGROUND TRANSMISSION AND DISTRIBUTION OF ELECTRICITY AND SOUNDS AND SIGNALS IN, UNDER, ACROSS, ALONG AND UPON THE SURFACE OF THE PROPERTY SHOWN WITHIN THE DOTTED LINES ON THE PLAT AND MARKED "EASEMENT". THE PROPERTY DESIGNATED IN THE DECLARATION OF CONDOMINIUM AND/OR ON THIS PLAT AS "COMMON ELEMENTS", AND THE PROPERTY DESIGNATED ON THE PLAT AS A "COMMON AREA OR AREAS", AND THE PROPERTY DESIGNATED ON THE PLAT FOR STREETS AND ALLEYS, WHETHER PUBLIC OR PRIVATE TOGETHER WITH THE RIGHT TO INSTALL REQUIRED SERVICE CONNECTIONS UNDER THE SURFACE OF EACH LOT AND COMMON AREA OR AREAS TO SERVE IMPROVEMENTS THEREON, OR ON ADJACENT LOTS, AND COMMON AREA OR AREAS, THE RIGHT TO CUT, TRIM OR REMOVE TREES, BUSHES AND ROOTS AS MAY BE REASONABLY REQUIRED INCIDENT TO THE RIGHTS HEREIN GIVEN, AND THE RIGHT TO ENTER UPON THE SUBDIVIDED PROPERTY FOR ALL SUCH PURPOSES, OBSTRUCTIONS SHALL NOT BE PLACED OVER GRANTEE'S FACILITIES OR IN, UPON OR OVER THE PROPERTY WITHIN THE DOTTED LINES MARKED "EASEMENT" WITHOUT THE PRIOR WRITTEN CONSENT OF GRANTEEES, AFTER INSTALLATION OF ANY SUCH FACILITIES, THE GRADE OF THE SUBDIVIDED PROPERTY SHALL NOT BE ALTERED IN A MANNER SO AS TO INTERFERE WITH THE PROPER OPERATION AND MAINTENANCE THEREOF.

THE TERM "COMMON ELEMENTS" SHALL HAVE THAT MEANING SET FORTH FOR SUCH TERM IN 765 ILCS 805/2, AS AMENDED FROM TIME TO TIME. THE TERM "COMMON AREA OR AREAS" IS DEFINED AS A LOT, PARCEL OR AREA OF REAL PROPERTY, THE BENEFICIAL USE AND ENJOYMENT OF WHICH IS RESERVED IN WHOLE AS AN APPURTENANCE TO THE SEPARATELY OWNED LOTS, PARCELS OR AREAS WITHIN THE PLANNED DEVELOPMENT, EVEN THOUGH SUCH BE OTHERWISE DESIGNATED ON THE PLAT BY TERMS SUCH AS, "OUTLOTS", "COMMON ELEMENTS", "OPEN SPACE", "OPEN AREA", "COMMON GROUND", "PARKING AND COMMON AREA". THE TERMS "COMMON AREA OR AREAS" AND "COMMON ELEMENTS" INCLUDES REAL PROPERTY SURFACED WITH INTERIOR DRIVEWAYS AND WALKWAYS, BUT EXCLUDES REAL PROPERTY PHYSICALLY OCCUPIED BY A BUILDING, SERVICE BUSINESS DISTRICT OR STRUCTURES SUCH AS A POOL OR RETENTION POND, OR MECHANICALLY EQUIPMENT. RELOCATION OF FACILITIES WILL BE DONE BY GRANTEEES AT COST OF GRANTEE/LOT OWNER, UPON WRITTEN REQUEST.

NICOR GAS COMPANY

AN EASEMENT IS HEREBY RESERVED FOR AND GRANTED TO NICOR GAS COMPANY, ITS SUCCESSORS AND ASSIGNS, IN ALL PLATTED "EASEMENT" AREAS, STREETS, ALLEYS, OTHER PUBLIC WAYS AND PLACES SHOWN ON THIS PLAT, SAID EASEMENT TO BE FOR THE INSTALLATION, MAINTENANCE, RELOCATION, RENEWAL AND REMOVAL OF GAS MAINS AND APPURTENANCES FOR THE PURPOSE OF SERVING ALL AREAS SHOWN ON THIS PLAT AS WELL AS OTHER PROPERTY, WHETHER OR NOT CONTIGUOUS THERETO, NO BUILDINGS OR OTHER STRUCTURES SHALL BE CONSTRUCTED OR ERECTED IN ANY SUCH "EASEMENT" AREAS, STREETS, ALLEYS, OR OTHER PUBLIC WAYS OR PLACES NOR SHALL ANY OTHER USE BE MADE THEREOF WHICH WILL INTERFERE WITH THE EASEMENTS RESERVED AND GRANTED HEREBY.

CABLE TELEVISION EASEMENT PROVISIONS

AN EASEMENT IS HEREBY RESERVED FOR AND GRANTED TO A CABLE TELEVISION COMPANY, ITS SUCCESSORS AND ASSIGNS, IN ALL PLATTED "PUBLIC UTILITY AND DRAINAGE EASEMENT" AREAS, STREETS, ALLEYS, OTHER PUBLIC WAYS AND PLACES SHOWN ON THIS PLAT, SAID EASEMENT TO BE FOR INSTALLATION, MAINTENANCE, RELOCATION, RENEWAL AND REMOVAL OF CABLE TELEVISION FOR THE PURPOSES OF SERVING ALL AREAS SHOWN ON THIS PLAT AS WELL AS OTHER PROPERTY, WHETHER OR NOT CONTIGUOUS THERETO.

### UTILITY EASEMENT PROVISIONS

1. UTILITY EASEMENT PROVISIONS - PERPETUAL EASEMENTS FOR PROVIDING UTILITY SERVICES TO THE PROPERTY DESCRIBED AND SHOWN ON THIS PLAT AND OTHER PROPERTY ARE HEREBY RESERVED FOR AND GRANTED TO THE VILLAGE OF WILLOWBROOK, TO THOSE COMPANIES OPERATING FROM TIME TO TIME, FRANCHISE OR LICENSE FROM THE VILLAGE OF WILLOWBROOK, AND TO UNITS OF LOCAL GOVERNMENT PROVIDING SERVICES TO THE PROPERTY, INCLUDING, BUT NOT LIMITED TO, AMERITECH, NORTHERN ILLINOIS GAS COMPANY, COMMONWEALTH EDISON COMPANY, THE HINDSLEY SANITARY DISTRICT, THE COUNTY OF DUPAGE DEPARTMENT OF ENVIRONMENT AND CONSERVATION, AND THEIR SUCCESSORS AND ASSIGNS JOINTLY AND SEVERALLY, IN, OVER, UNDER, ACROSS, ALONG, THROUGH AND UPON THE AREAS BOUNDED BY THE LOT LINES AND DOTTED LINES ON THIS PLAT AND INDICATED AS PUBLIC UTILITY EASEMENT AND/OR PUBLIC UTILITY AND DRAINAGE EASEMENT FOR THE PURPOSES OF THIS PLAT, PROVIDING UTILITY SERVICES SHALL INCLUDE THE RIGHT, BUT NOT THE OBLIGATION, FROM TIME TO TIME, TO INSTALL, CONSTRUCT, RECONSTRUCT, IMPROVE, KEEP, OPERATE, INSPECT, MAINTAIN, REPAIR, REPLACE, ENLARGE, RENEW, RELOCATE, REMOVE AND/OR INCREASE THE SIZE, NUMBER AND/OR TYPE OF FACILITIES USED IN CONNECTION WITH TRANSMISSION AND DISTRIBUTION OF GAS AND WATER, ELECTRICITY AND TELECOMMUNICATIONS AND CABLE TELEVISION SERVICES, SANITARY SEWER AND ANY OTHER FACILITIES USED IN THE TRANSMISSION, DISTRIBUTION AND TRANSPORTATION OF ANY COMMODITY IN A LIQUID OR GASEOUS STATE, INCLUDING ANY AND ALL APPURTENANCES AS MAY BE DEEMED NECESSARY BY SAID VILLAGE, IN, OVER, UNDER, ACROSS, ALONG, THROUGH AND UPON SUCH EASEMENT AREAS, AND THE PROPERTY DESIGNATED ON THE PLAT FOR STREETS AND ALLEYS, TOGETHER WITH THE RIGHT, BUT NOT THE OBLIGATION, TO INSTALL REQUIRED SERVICE CONNECTIONS ON EACH LOT TO SERVE IMPROVEMENTS THEREON, OR IN ADJACENT LOTS, THE RIGHT, BUT NOT THE OBLIGATION, TO CUT, TRIM OR REMOVE TREES, BUSHES AND ROOTS AS MAY BE REASONABLY REQUIRED INCIDENT TO THE RIGHTS HEREIN GIVEN, AND THE RIGHT, BUT NOT THE OBLIGATION, TO ENTER UPON THE PROPERTY FOR ALL SUCH PURPOSES, OBSTRUCTIONS SHALL NOT BE PLACED OVER GRANTEE'S FACILITIES OR IN, OVER, UNDER, ACROSS, ALONG, THROUGH OR UPON SUCH EASEMENT AREAS WITHOUT THE PRIOR WRITTEN CONSENT OF GRANTEEES, AFTER INSTALLATION OF ANY SUCH FACILITIES, THE GRADE OF THE PROPERTY SHALL NOT BE ALTERED IN A MANNER SO AS TO INTERFERE WITH THE PROPER OPERATION AND MAINTENANCE THEREOF OR THE EXERCISE OF GRANTEEES' OTHER RIGHTS. EASEMENTS FOR STORM WATER DRAINAGE, DETENTION AND/OR RETENTION PURPOSES ARE GRANTED UNDER A SEPARATE PROVISION OF THIS PLAT, AND FACILITIES FOR SAID PURPOSES, AND APPURTENANCES THERETO, SHALL BE CONTROLLED BY SAID PROVISION.

### WETLAND AND CONSERVATION AREA PROVISIONS

A COVENANT IS HEREBY ESTABLISHED FOR THE PROTECTION OF UNIQUE AREA SUCH AS, BUT NOT LIMITED TO, WETLANDS, FENS, MARSHES, RIVERS, STREAMS, PONDS, LAKES, WOODS AND PRAIRIES OVER AND UPON THOSE AREAS OF LAND DESIGNATED "WETLAND CONSERVATION AREA" ON THE PLAT HEREIN DRAWN FOR THE FOLLOWING PURPOSES:

1. TO ACCEPT AND CONDUCT SURFACE WATER DISCHARGES FROM ADJACENT UPSTREAM PROPERTY, INCLUDING ANY NECESSARY STORM SEWER PIPES AND APPURTENANCES;  
2. TO PRESERVE SAID LAND IN ITS NATURAL, SCENIC AND OPEN CONDITION, AND;  
3. AUTHORITIES GOVERNING SUCH UNIQUE AREAS SHALL RETAIN THE RIGHT BUT NOT THE DUTY TO ENTER SAID LAND AT ALL REASONABLE TIMES FOR THE PURPOSE OF INSPECTING SAID LAND TO DETERMINE IF THE GRANTOR, OR HIS ASSIGNS, IS COMPLYING WITH THE COVENANTS AND PURPOSES OF THIS GRANT. THE VILLAGE SHALL HAVE THE RIGHT TO PERFORM MAINTENANCE OF SAID FACILITY TO INSURE PROPER FUNCTION THEREOF.

IN FURTHERANCE OF THE FOREGOING AFFIRMATIVE RIGHTS, THE GRANTOR MAKES THE FOLLOWING COVENANTS/RESTRICTIONS ON BEHALF OF HIMSELF, HIS HEIRS AND ASSIGNS, WHICH COVENANTS/RESTRICTIONS SHALL RUN WITH SAID LAND IN PERPETUITY:

1. THERE SHALL BE NO DREDGED OR FILL MATERIAL PLACED UPON SAID LAND;  
2. THERE SHALL BE NO FENCES, BUILDINGS OR STRUCTURES, INCLUDING FENCES, CONSTRUCTED UPON SAID LAND, EXCEPT FOR UTILITIES AND APPURTENANCES THEREOF WHICH HAVE CERTAIN UNDERLYING EASEMENT RIGHTS WITHIN THE UTILITY EASEMENTS GRANTED THEREIN;  
3. THERE SHALL BE NO REMOVAL OR DESTRUCTION OF LIVING TREES AND PLANTS ON SAID LAND, EXCEPT FOR THE INSTALLATION AND MAINTENANCE OF UTILITIES CONSTRUCTED THEREIN;  
4. THERE SHALL BE NO PLOWING OF SAID LAND NOR SHALL THERE BE ANY MINING, REMOVAL OF TOPSOIL, SAND, ROCK, MINERALS OR OTHER MATERIAL FROM SAID LAND, EXCEPT FOR ANY ACTIVITY NECESSARY FOR INSTALLATION OR MAINTENANCE OF UTILITIES CONSTRUCTED THEREIN;  
5. THERE SHALL BE NO GRAZING OR KEEPING OF LIVESTOCK OR DOMESTIC ANIMALS OF ANY KIND ON SAID LAND, AND;  
6. THERE SHALL BE NO OPERATION OF SNOWMOBILES, DUNE BUGGIES, MOTORCYCLES, ALL-TERRAIN VEHICLES, OR ANY OTHER MOTORIZED VEHICLES ON SAID LAND, EXCEPT FOR MACHINERY NEEDED FOR INSTALLATION OF UTILITIES CONSTRUCTED THEREIN;  
7. PERSONS ARE PROHIBITED TO DISCARD RUBBISH OF ANY KIND, INCLUDING CLIPPINGS, IN THE DEDICATED AREA;  
8. PERSONS ARE PROHIBITED TO PLANT OR DISPERSE NATIVE OR NON-NATIVE PLANT SPECIES OR THEIR PARTS INTO THE DEDICATED AREA WITHOUT WRITTEN APPROVAL OF THE HOMEOWNERS ASSOCIATION OR AUTHORIZED AGENT;  
9. PERSONS ARE PROHIBITED TO SPREAD FERTILIZER OR HERBICIDES WITHIN 25 FEET OF THE WETLAND OTHER THAN FOR ATTAINMENT OF SPECIFIC VEGETATION MANAGEMENT GOALS TO MEET AND MAINTAIN PERFORMANCE STANDARDS, IF USED TO CONTROL NOXIOUS WEEDS AND NON-NATIVE SPECIES, HERBICIDES WILL BE APPLIED ONLY UPON CONSULTATION WITH LICENSED HERBICIDE APPLICATOR;  
10. MODIFICATIONS ARE PROHIBITED TO THE HYDROLOGY OF THE RESTRICTED PROPERTY THAT WOULD ALLOW MORE WATER ON, OR THAT WOULD DRAIN WATER AWAY FROM THE RESTRICTED PROPERTY OTHER THAN OUTLINED IN THE PERMITTED ACTION, SUCH MODIFICATIONS INCLUDED, BUT ARE NOT LIMITED TO, DITCHING, CHANGES TO STRUCTURES, REPAIRING OF DRAINAGE TILES OR ALTERATIONS TO ANY NATURALLY OCCURRING STRUCTURES.

SAID "WETLAND CONSERVATION AREA" MAY BE CHANGED, MODIFIED OR ABROGATED ONLY UPON WRITTEN APPROVAL OF SAID GOVERNING AUTHORITIES. EXCEPT AS EXPRESSLY LIMITED HEREIN, THE GRANTOR RESERVES FOR HIMSELF, HIS HEIRS AND ASSIGNS, ALL RIGHTS AS OWNER OF SAID LAND, INCLUDING THE RIGHT OF USE OF SAID LAND FOR ALL PURPOSES NOT INCONSISTENT WITH THIS GRANT. WETLAND CONSERVATION AREA SUBJECT TO THE STORMWATER DETENTION EASEMENT PROVISIONS GRANTED AND DEFINED HEREIN.

### SURVEYOR'S CERTIFICATE

STATE OF ILLINOIS ) ss.  
COUNTY OF COOK )

THIS IS TO CERTIFY THAT I, RUSSELL W. SCHOMIG, AN ILLINOIS LICENSED PROFESSIONAL LAND SURVEYOR NUMBER 035-002446, HAVE SURVEYED AND RESUBDIVIDED THE PROPERTY HEREON DESCRIBED AND AS SHOWN ON THIS PLAT OF RESUBDIVISION, WHICH IS A CORRECT REPRESENTATION OF SAID SURVEY AND RESUBDIVISION, ALL DISTANCE ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF.

I FURTHER CERTIFY THAT THE LAND WITHIN THIS RESUBDIVISION LIES WITHIN THE CORPORATE LIMITS OF SAID VILLAGE OF WILLOWBROOK WHICH HAS ADOPTED A COMPREHENSIVE PLAN AND IS EXERCISING THE SPECIAL POWERS AUTHORIZED BY DIVISION 12 OF ARTICLE 11 OF THE ILLINOIS MUNICIPAL CODE, AS NOW OR HEREAFTER AMENDED.

I FURTHER CERTIFY THAT BASED ON EXAMINATION OF THE NATIONAL FLOOD INSURANCE PROGRAM, FLOOD INSURANCE MAP, MAP PANEL 17044, REVISED AUGUST 1, 2019 THAT THE ABOVE DESCRIBED PROPERTY FALLS IN UNSHADED ZONE "X", WHICH IS DESCRIBED AS AREAS OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.

FURTHERMORE, I DESIGNATE THE VILLAGE OF WILLOWBROOK, OR ITS AGENTS, TO ACT AS MY AGENT, FOR THE PURPOSES OF RECORDING THIS DOCUMENT.

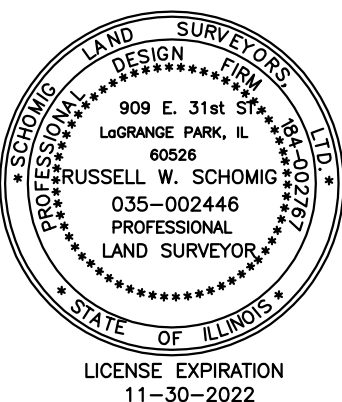
SURVEYED AND RESUBDIVIDED: DECEMBER 11TH, 2019.

GIVEN UNDER MY HAND AND SEAL AT LAGRANGE PARK, COOK COUNTY, ILLINOIS.

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 20 \_\_\_\_.

### PRELIMINARY FOR REVIEW

RUSSELL W. SCHOMIG; PROFESSIONAL ILLINOIS LAND SURVEYOR LICENSE # 035-002446



## PRELIMINARY FOR REVIEW

### OWNER'S CERTIFICATE

STATE OF ILLINOIS ) ss.  
COUNTY OF DUPAGE )

THIS IS TO CERTIFY THAT THE UNDERSIGNED ARE THE OWNERS OF THE LAND DESCRIBED HEREON, AND THAT NO OTHER PERSON HAS ANY RIGHT, TITLE OF INTEREST IN SAID LANDS, AND THAT SAID OWNERS CAUSED THE SAME PROPERTY TO BE SURVEYED AND RESUBDIVIDED, AS INDICATED HEREON, FOR THE USES AND PURPOSES THEREIN SET FORTH, AND TO HEREBY ACKNOWLEDGE AND ADOPT THE SAME UNDER THE STYLE AND TITLE THEREON INDICATED.

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 20 \_\_\_\_.

OWNER: \_\_\_\_\_

OWNER: \_\_\_\_\_

ADDRESS: 6544 TENNESSEE AVENUE, WILLOWBROOK, ILLINOIS, 60521.

### OWNER'S NOTARY CERTIFICATE

STATE OF ILLINOIS ) ss.  
COUNTY OF DUPAGE )

I, \_\_\_\_\_, A NOTARY PUBLIC IN AND FOR THE COUNTY AND STATE AFORESAID, DO HEREBY CERTIFY THAT:

ARE PERSONALLY KNOWN TO ME TO BE THE SAME PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE AFORESAID INSTRUMENT AS SUCH OWNERS, APPEARED BEFORE ME THIS DAY IN PERSON AND ACKNOWLEDGED THAT THEY SIGNED THE ANNEXED PLAT AS THEIR OWN FREE AND VOLUNTARY ACT FOR THE USES AND PURPOSES THEREIN SET FORTH.

GIVEN UNDER MY HAND AND NOTARY SEAL:

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 20 \_\_\_\_.

BY: \_\_\_\_\_ NOTARY PUBLIC

MY COMMISSION EXPIRES: \_\_\_\_\_

### SCHOOL DISTRICT CERTIFICATE

STATE OF ILLINOIS ) ss.  
COUNTY OF DU PAGE )

AS OWNERS OF THE PROPERTY DESCRIBED, WE HEREBY CERTIFY THAT TO THE BEST OF OUR KNOWLEDGE, THE PROPERTY DESCRIBED IS LOCATED WITHIN THE BOUNDARIES OF:

ELEMENTARY SCHOOL DISTRICT: \_\_\_\_\_

HIGH SCHOOL DISTRICT: \_\_\_\_\_

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 20 \_\_\_\_.

BY: \_\_\_\_\_ OWNER

BY: \_\_\_\_\_ OWNER

### SCHOOL DISTRICT NOTARY

STATE OF ILLINOIS ) ss.  
COUNTY OF DU PAGE )

I, \_\_\_\_\_, A NOTARY PUBLIC IN AND FOR SAID COUNTY, IN THE STATE AFORESAID, DO HEREBY CERTIFY THAT:

PERSONALLY KNOWN TO ME TO BE THE SAME PERSON WHOSE NAME IS SUBSCRIBED TO FOREGOING INSTRUMENT, APPEARED BEFORE ME THIS DAY IN PERSON AND ACKNOWLEDGED THAT THEY SIGNED THE RESUBDIVISION PLAT OF THEIR OWN FREE AND VOLUNTARY ACT FOR THE USES AND PURPOSES THEREIN SET FORTH, GIVEN UNDER MY HAND AND NOTARIAL SEAL:

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 20 \_\_\_\_.

BY: \_\_\_\_\_ NOTARY PUBLIC

MY COMMISSION EXPIRES: \_\_\_\_\_

### COUNTY RECORDER'S CERTIFICATE

STATE OF ILLINOIS ) ss.  
COUNTY OF DUPAGE )

THIS INSTRUMENT NUMBER: \_\_\_\_\_ WAS FILED FOR RECORD IN THE RECORDER'S OFFICE OF DUPAGE COUNTY, ILLINOIS ON

THE \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 20 \_\_\_\_.

AT: \_\_\_\_\_ O'CLOCK \_\_\_\_\_ M AND WAS RECORDED AS DOCUMENT

NUMBER \_\_\_\_\_

BY: \_\_\_\_\_ DUPAGE COUNTY RECORDER OF DEEDS

### COUNTY CLERK'S CERTIFICATE

STATE OF ILLINOIS ) ss.  
COUNTY OF DUPAGE )

I, \_\_\_\_\_, COUNTY CLERK OF DUPAGE COUNTY, ILLINOIS, DO HEREBY CERTIFY THAT THERE ARE NO DELINQUENT GENERAL TAXES, NO UNPAID CURRENT GENERAL TAXES, NO UNPAID FORFEITED TAXES, NO DELINQUENT OR UNPAID CURRENT SPECIAL ASSESSMENTS, NO REDEEMABLE TAX SALES AGAINST ANY OF THE LAND INCLUDED ON THIS PLAT OF SUBDIVISION AND NO DEFERRED INSTALLMENTS OF ANY OUTSTANDING UNPAID SPECIAL ASSESSMENTS WHICH HAVE NOT BEEN DIVIDED IN ACCORDANCE WITH THE PROPOSED SUBDIVISION AND DULY APPROVED BY THE COURT THAT CONFIRMED THE SPECIAL ASSESSMENTS. GIVEN UNDER MY HAND AND SEAL AT DUPAGE COUNTY, ILLINOIS.

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 20 \_\_\_\_.

BY: \_\_\_\_\_ COUNTY CLERK

REVISED: DECEMBER 7TH, 2020.

PLAT NUMBER: 120519-R & 200101 & ROLL 109-43 & FC 3041

### BOARD OF TRUSTEES CERTIFICATE

STATE OF ILLINOIS ) ss.  
COUNTY OF DUPAGE )

APPROVED AND ACCEPTED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF WILLOWBROOK, DUPAGE COUNTY, ILLINOIS, AT A PUBLIC MEETING HELD ON:

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 20 \_\_\_\_.

BY: \_\_\_\_\_ PRESIDENT

BY: \_\_\_\_\_ VILLAGE CLERK

### PLAN COMMISSION CERTIFICATE

STATE OF ILLINOIS ) ss.  
COUNTY OF DUPAGE )

THIS IS TO CERTIFY THAT THE MEMBERS OF THE PLAN COMMISSION OF THE VILLAGE OF WILLOWBROOK, DUPAGE COUNTY, ILLINOIS, HAVE REVIEWED AND APPROVED THIS PLAT.

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 20 \_\_\_\_.

BY: \_\_\_\_\_ CHAIRMAN

### SPECIAL ASSESSMENT CERTIFICATE

STATE OF ILLINOIS ) ss.  
COUNTY OF DUPAGE )

I, \_\_\_\_\_, VILLAGE CLERK OF THE VILLAGE OF WILLOWBROOK, ILLINOIS, DO HEREBY CERTIFY THAT THERE ARE NO DELINQUENT OR UNPAID CURRENT OR FORFEITED SPECIAL ASSESSMENTS OR ANY DEFERRED INSTALLMENTS THEREOF THAT HAVE BEEN APPORTIONED AGAINST THE TRACT OF LAND INCLUDED ON THIS PLAT.

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 20 \_\_\_\_.

BY: \_\_\_\_\_ VILLAGE CLERK

### VILLAGE ENGINEER'S CERTIFICATE

STATE OF ILLINOIS ) ss.  
COUNTY OF DUPAGE )

I, \_\_\_\_\_, VILLAGE ENGINEER OF THE VILLAGE OF WILLOWBROOK, ILLINOIS, DO HEREBY CERTIFY THAT THE PUBLIC IMPROVEMENTS FOR THIS SUBDIVISION AS SHOWN BY THE PLANS AND SPECIFICATIONS THEREFORE, MEET THE MINIMUM REQUIREMENTS OF SAID VILLAGE AND HAVE BEEN APPROVED BY ALL PUBLIC AUTHORITIES HAVING JURISDICTION THEREOF.

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 20 \_\_\_\_.

BY: \_\_\_\_\_ VILLAGE ENGINEER

### VILLAGE COLLECTOR CERTIFICATE

STATE OF ILLINOIS ) ss.  
COUNTY OF DUPAGE )

I, \_\_\_\_\_, COLLECTOR FOR THE VILLAGE OF WILLOWBROOK, ILLINOIS, DO HEREBY CERTIFY THAT THERE ARE NO DELINQUENT OR UNPAID CURRENT OR FORFEITED SPECIAL ASSESSMENTS OR ANY DEFERRED INSTALLMENTS THEREOF THAT HAVE BEEN APPORTIONED AGAINST THE TRACT OF LAND INCLUDED ON THIS PLAT.

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 20 \_\_\_\_.

BY: \_\_\_\_\_ VILLAGE CLERK

### SURFACE WATER DRAINAGE CERTIFICATE

STATE OF ILLINOIS ) ss.  
COUNTY OF DUPAGE )

TO THE BEST OF OUR KNOWLEDGE AND BELIEF, THE DRAINAGE OF SURFACE WATERS WILL NOT BE CHANGED BY THE CONSTRUCTION OF SUCH RESUBDIVISION OR ANY PART THEREOF, OR THAT IF SUCH SURFACE WATER DRAINAGE WILL BE CHANGED, REASONABLE PROVISION HAS BEEN MADE FOR COLLECTION AND DIVERSION OF SUCH SURFACE WATERS INTO PUBLIC AREAS OR DRAINS WHICH THE SUBDIVIDER HAS A RIGHT TO USE, AND THAT SUCH SURFACE WATERS WILL BE PLANNED FOR IN ACCORDANCE WITH GENERALLY ACCEPTED ENGINEERING PRACTICES SO AS TO REDUCE THE LIKELIHOOD OF DAMAGE TO THE ADJOINING PROPERTY BECAUSE OF THE CONSTRUCTION OF THE RESUBDIVISION.

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 20 \_\_\_\_.

BY: \_\_\_\_\_ PROFESSIONAL ENGINEER

LICENSE NUMBER: \_\_\_\_\_

BY: \_\_\_\_\_ OWNERS OR DULY AUTHORIZED ATTORNEY

### CERTIFICATE OF DU PAGE COUNTY DEPARTMENT OF PUBLIC WORKS AND OPERATIONS

STATE OF ILLINOIS ) ss.  
COUNTY OF DUPAGE )

I, \_\_\_\_\_, DIRECTOR FOR THE DU PAGE COUNTY DEPARTMENT OF PUBLIC WORKS, DO HEREBY CERTIFY THAT THIS PLAT, AND THE PLANS AND SPECIFICATIONS FOR THE IMPROVEMENTS THEREOF, MEET THE REQUIREMENTS OF THE DU PAGE COUNTY DEPARTMENT OF PUBLIC WORKS.

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 20 \_\_\_\_.

BY: \_\_\_\_\_ DIRECTOR



**Attachment 6**  
Engineer's Review Letters (4 pages)



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

9575 W Higgins Road, Suite 600 Rosemont, Illinois 60018-4920 Tel (847) 823-0500 Fax (847) 823-0520

November 17, 2020

Village of Willowbrook  
835 Midway Drive  
Willowbrook, IL 60527

Attention: Ann Choi

Subject: 6544 Tennessee Ave.  
Pye Resubdivision  
(CBBEL Project No. 900144.H204)

Dear Ann:

As requested by email on November 6, 2020, we have reviewed the following documents:

- Final Plat of Pye's Resubdivision prepared by Schomig Land Surveyors, Ltd and dated December 11, 2019
- Plat of Survey prepared by Schomig Land Surveyors, Ltd. and dated November 3, 2020
- Topographic Survey prepared by Schomig Land Surveyors, Ltd. and dated December 11, 2019
- Wetland Delineation Report prepared by Engineering Resource Associates and dated December 9, 2019

The following comments are submitted for your consideration:

1. The Wetland Delineation Report has been reviewed by CBBEL environmental staff and a field confirmation of the findings was conducted. We concur with the report findings and the limits of the proposed Wetlands & Conservation Easement.
2. It is noted that there is watermain and sanitary sewer on the frontage of this property and no other development is proposed at this time. The proposed subdivision will create one new buildable lot, and all Village code requirements will apply to that lot when a building permit application is submitted.
3. The Utility Easement Provisions on the plat shall be replaced with the Village standard language (copy attached).
4. The Municipal Utility Easement provisions may be removed from the plat.
5. Wetland and Conservation Easement provisions shall be added to the plat.
6. On the plat note for the right of way dedication, add the words "to the Village of Willowbrook"
7. The Du Page County Health Department certificate should be removed from the plat.

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

Sincerely,

A handwritten signature in blue ink, appearing to read "Daniel L. Lynch". The signature is fluid and cursive, with the first name "Daniel" and last name "Lynch" clearly distinguishable.

Daniel L. Lynch, PE, CFM  
Head, Municipal Engineering Department

Cc Roy Giuntoli, Village of Willowbrook



### UTILITY EASEMENT PROVISIONS

PERPETUAL EASEMENTS FOR PROVIDING UTILITY SERVICES TO THE PROPERTY DESCRIBED AND SHOWN ON THIS PLAT AND OTHER PROPERTY ARE HEREBY RESERVED FOR AND GRANTED TO THE VILLAGE OF WILLOWBROOK, TO THOSE COMPANIES OPERATING, FROM TIME TO TIME, UNDER FRANCHISE OR LICENSE FROM THE VILLAGE OF WILLOWBROOK, AND TO UNITS OF LOCAL GOVERNMENT PROVIDING SERVICES TO THE PROPERTY, INCLUDING, BUT NOT LIMITED TO, AMERITECH, NORTHERN ILLINOIS GAS COMPANY, COMMONWEALTH EDISON COMPANY, THE HINSDALE SANITARY DISTRICT, THE COUNTY OF DUPAGE DEPARTMENT OF ENVIRONMENTAL CONCERNS, AND THEIR SUCCESSORS AND ASSIGNS JOINTLY AND SEVERALLY, IN, OVER, UNDER, ACROSS, ALONG, THROUGH AND UPON THE AREAS BOUNDED BY THE LOT LINES AND DOTTED LINES ON THIS PLAT AND INDICATED AS PUBLIC UTILITY EASEMENT AND/OR PUBLIC UTILITY AND DRAINAGE EASEMENT. FOR THE PURPOSES OF THIS PLAT, PROVIDING UTILITY SERVICES SHALL INCLUDE THE RIGHT, BUT NOT THE OBLIGATION, FROM TIME TO TIME, TO INSTALL, CONSTRUCT, RECONSTRUCT, IMPROVE, KEEP, OPERATE, INSPECT, MAINTAIN, REPAIR, REPLACE, ENLARGE, RENEW, RELOCATE, REMOVE AND/OR INCREASE THE SIZE, NUMBER AND/OR TYPE OF FACILITIES USED IN CONNECTION WITH TRANSMISSION AND DISTRIBUTION OF GAS AND WATER, ELECTRICITY AND TELECOMMUNICATIONS AND CABLE TELEVISION SERVICES, SANITARY SEWER AND ANY OTHER FACILITIES USED IN THE TRANSMISSION, DISTRIBUTION OR TRANSPORTATION OF ANY COMMODITY IN A LIQUID OR GASEOUS STATE, INCLUDING ANY AND ALL APPURTENANCES AS MAY BE DEEMED NECESSARY BY SAID VILLAGE, IN, OVER, UNDER, ACROSS, ALONG, THROUGH AND UPON SUCH EASEMENT AREAS, AND THE PROPERTY DESIGNATED ON THE PLAT FOR STREETS AND ALLEYS, TOGETHER WITH THE RIGHT, BUT NOT THE OBLIGATION, TO INSTALL REQUIRED SERVICE CONNECTIONS ON EACH LOT TO SERVE IMPROVEMENTS THEREON, OR IN ADJACENT LOTS, THE RIGHT, BUT NOT THE OBLIGATION, TO CUT, TRIM OR REMOVE TREES, BUSHES AND ROOTS AS MAY BE REASONABLY REQUIRED INCIDENT TO THE RIGHTS HEREIN GIVEN, AND THE RIGHT, BUT NOT THE OBLIGATION, TO ENTER UPON THE PROPERTY FOR ALL SUCH PURPOSES. OBSTRUCTIONS SHALL NOT BE PLACED OVER GRANTEE'S FACILITIES OR IN, OVER, UNDER, ACROSS, ALONG, THROUGH OR UPON SUCH EASEMENT AREAS WITHOUT THE PRIOR WRITTEN CONSENT OF GRANTEE'S. AFTER INSTALLATION OF ANY SUCH FACILITIES, THE GRADE OF THE PROPERTY SHALL NOT BE ALTERED IN A MANNER AS TO INTERFERE WITH THE PROPER OPERATION AND MAINTENANCE THEREOF OR THE EXERCISE OF GRANTEE'S OTHER RIGHTS PROVIDED HEREIN. EASEMENTS FOR STORM WATER DRAINAGE, DETENTION AND/OR RETENTION PURPOSES ARE GRANTED UNDER A SEPARATE PROVISION OF THIS PLAT, AND FACILITIES FOR SAID PURPOSES, AND APPURTENANCES THERETO, SHALL BE CONTROLLED BY SAID PROVISION.

## WETLAND CONSERVATION AREA PROVISIONS

A COVENANT IS HEREBY ESTABLISHED FOR THE PROTECTION OF UNIQUE AREA SUCH AS, BUT NOT LIMITED TO, WETLANDS, FENA, MARSHES, RIVERS, STREAMS, PONDS, LAKES, WOODS AND PRAIRIES OVER AND UPON THOSE AREAS OF LAND DESIGNATED "WETLAND CONSERVATION AREA" ON THE PLAT HEREON DRAWN FOR THE FOLLOWING PURPOSES:

- A. TO ACCEPT AND CONDUCT SURFACE WATER DISCHARGES FROM ADJACENT UPSTREAM PROPERTY; INCLUDING ANY NECESSARY STORM SEWER PIPES AND APPURTENANCES;
- B. TO PRESERVE SAID LAND IN ITS NATURAL, SCENIC AND OPEN CONDITION, AND;
- C. AUTHORITIES GOVERNING SUCH UNIQUE AREAS SHALL RETAIN THE RIGHT BUT NOT THE DUTY TO ENTER SAID LAND AT ALL REASONABLE TIMES FOR THE PURPOSE OF INSPECTING SAID LAND TO DETERMINE IF THE GRANTOR, OR HIS ASSIGNS, IS COMPLYING WITH THE COVENANTS AND PURPOSES OF THIS GRANT. THE VILLAGE SHALL HAVE THE RIGHT TO PERFORM MAINTENANCE OF SAID FACILITY TO INSURE PROPER FUNCTION THEREOF.

IN FURTHERANCE OF THE FOREGOING AFFIRMATIVE RIGHTS, THE GRANTOR MAKES THE FOLLOWING COVENANTS/RESTRICTIONS ON BEHALF OF HIMSELF, HIS HEIRS AND ASSIGNS, WHICH COVENANTS/RESTRICTIONS SHALL RUN WITH SAID LAND IN PERPETUITY:

- A. THERE SHALL BE NO DREDGED OR FILL MATERIAL PLACED UPON SAID LAND;
- B. THERE SHALL BE NO FENCES, BUILDINGS OR STRUCTURES, INCLUDING SIGNS, CONSTRUCTED UPON SAID LAND; EXCEPT FOR UTILITIES AND APPURTENANCES THEREOF WHICH HAVE CERTAIN UNDERLYING EASEMENT RIGHTS WITHIN THE UTILITY EASEMENTS GRANTED THEREIN;
- C. THERE SHALL BE NO REMOVAL OR DESTRUCTION OF LIVING TREES AND PLANTS ON SAID LAND, EXCEPT FOR THE INSTALLATION AND MAINTENANCE OF UTILITIES CONSTRUCTED THEREIN;
- D. THERE SHALL BE NO PLOWING OF SAID LAND NOR SHALL THERE BE ANY MINING, REMOVAL OF TOPSOIL, SAND, ROCK, MINERALS OR OTHER MATERIAL FROM SAID LAND, EXCEPT FOR ANY ACTIVITY NECESSARY FOR INSTALLATION OR MAINTENANCE OF UTILITIES CONSTRUCTED THEREIN;
- E. THERE SHALL BE NO GRAZING OR KEEPING OF LIVESTOCK OR DOMESTIC ANIMALS OF ANY KIND ON SAID LAND, AND;
- F. THERE SHALL BE NO OPERATION OF SNOWMOBILES, DUNE BUGGIES, MOTORCYCLES, ALL-TERRAIN VEHICLES, OR ANY OTHER MOTORIZED VEHICLES ON SAID LAND, EXCEPT FOR MACHINERY NEEDED FOR INSTALLATION OF UTILITIES CONSTRUCTED THEREIN;
- G. PERSONS ARE PROHIBITED TO DISCARD RUBBISH OF ANY KIND, INCLUDING CLIPPINGS, IN THE DEDICATED AREA;
- H. PERSONS ARE PROHIBITED TO PLANT OR DISPERSE NATIVE OR NON-NATIVE PLANT SPECIES OR THEIR PARTS INTO THE DEDICATED AREA WITHOUT WRITTEN APPROVAL OF THE HOMEOWNERS ASSOCIATION OR AUTHORIZED AGENT;
- I. PERSONS ARE PROHIBITED TO SPREAD FERTILIZER OR HERBICIDES WITHIN 25 FEET OF THE WETLAND OTHER THAN FOR ATTAINMENT OF SPECIFIC VEGETATION MANAGEMENT GOALS TO MEET AND MAINTAIN PERFORMANCE STANDARDS. IF USED TO CONTROL NOXIOUS WEEDS AND NON-NATIVE SPECIES, HERBICIDES WILL BE APPLIED ONLY UPON CONSULTATION WITH LICENSED HERBICIDE APPLICATOR;
- J. MODIFICATIONS ARE PROHIBITED TO THE HYDROLOGY OF THE RESTRICTED PROPERTY THAT WOULD ALLOW MORE WATER ONTO, OR THAT WOULD DRAIN WATER AWAY FROM THE RESTRICTED PROPERTY OTHER THAN OUTLINED IN THE PERMITTED ACTION. SUCH MODIFICATIONS INCLUDED, BUT ARE NOT LIMITED TO, DITCHING, CHANGES TO STRUCTURES, REPAIRING OF DRAINAGE TILES OR ALTERATIONS TO ANY NATURALLY OCCURRING STRUCTURES.

SAID "WETLAND CONSERVATION AREA" MAY BE CHANGED, MODIFIED OR ABROGATED ONLY UPON WRITTEN APPROVAL OF SAID GOVERNING AUTHORITIES. EXCEPT AS EXPRESSLY LIMITED HEREIN, THE GRANTOR RESERVED FOR HIMSELF, HIS HEIRS AND ASSIGNS, ALL RIGHTS AS OWNER OF SAID LAND, INCLUDING THE RIGHT OF USE OF SAID LAND FOR ALL PURPOSES NOT INCONSISTENT WITH THIS GRANT. WETLAND CONSERVATION AREA SUBJECT TO THE STORMWATER DETENTION EASEMENT PROVISIONS GRANTED AND DEFINED HEREIN.



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

9575 W Higgins Road, Suite 600 Rosemont, Illinois 60018-4920 Tel (847) 823-0500 Fax (847) 823-0520

December 3, 2020

Village of Willowbrook  
835 Midway Drive  
Willowbrook, IL 60527

Attention: Ann Choi

Subject: 6544 Tennessee Ave.  
Pye Resubdivision  
(CBBEL Project No. 900144.H204)

Dear Ann:

As requested by email on December 1, 2020, we have reviewed the following documents:

- Final Plat of Pye's Resubdivision prepared by Schomig Land Surveyors, Ltd and dated December 11, 2019 (Please note that the plat has been revised but no revision date added. The latest plat reviewed was the one you emailed to me on December 1, 2020)
- Plat of Survey prepared by Schomig Land Surveyors, Ltd. and dated November 3, 2020 (Previously Reviewed)
- Topographic Survey prepared by Schomig Land Surveyors, Ltd. and dated December 11, 2019 (Previously Reviewed)
- Wetland Delineation Report prepared by Engineering Resource Associates and dated December 9, 2019 (Previously Reviewed)

Our previous comments have been addressed and we have no objection to the Village approving this plat. Please note that there are no proposed improvements associated with this subdivision and therefore no development security will be required. The purpose is to split one existing lot into two, to provide one additional buildable lot.

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

Sincerely,

Daniel L. Lynch, PE, CFM  
Head, Municipal Engineering Department

Cc Roy Giuntoli, Village of Willowbrook



**Attachment 7**  
Wetland Delineation Report





**6544 Tennessee Avenue**

Willowbrook, DuPage County, IL



## **Wetland Delineation Report**

ERA Project #191206

### **Prepared for:**

Mr. Paul Garver

December 09, 2019

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## Exhibits

1. Location Map
2. National Wetland Inventory
3. DuPage County Wetland Map
4. Aerial Photograph
5. NRCS Soils Map
6. Topographic Map
7. DuPage County Regulatory Flood Map
8. Approximate Wetland Boundary

## Appendices

- A. Data forms
- B. Floristic Quality Assessment
- C. MDNR
- D. Photographs
- E. IDNR Consultation
- F. USFWS Consultation
- G. High Quality Aquatic Resource Description

## STUDY LOCATION AND LAND USES

The study area is in Willowbrook, DuPage County, IL and is within the Flagg Creek watershed (**Exhibit 1**). The parcel is bound by residential property on all sides with Tennessee Avenue to the east. The site consists of maintained turf and a single-family residence with a wooded area covering the west half of the parcel containing a small corner of a larger wetland system. The U.S. Fish and Wildlife Service (USFWS) National Wetland Inventory (NWI) (**Exhibit 2**) and the DuPage County Wetland Map (**Exhibit 3**) both identify a wetland onsite that is larger than the observed boundaries.

## PURPOSE OF THE FIELD INVESTIGATION

The purpose of the field investigation was to determine the existence, location, and size of any jurisdictional wetlands or Waters of the U.S. within the scope of the project. The United States Army Corps of Engineers (Corps) outlined methods for delineating wetlands in the Corps of Engineers Wetlands Delineation Manual (Manual) dated 1987/Interim Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Midwest Region dated September 2010. These methods were used to delineate any jurisdictional areas. A floristic quality assessment was performed for the wetland by calculating the Coefficient of Conservatism ( $\hat{c}$ ) and Floristic Quality Index (I) using plant species observed in the field and nomenclature given in Plants of the Chicago Region (Swink and Wilhelm 1994). In addition, a wildlife habitat and use assessment was determined using the Modified Michigan Department of Natural Resources Method (MDNR) and evaluation score sheet.

## METHODOLOGY

The Corps Federal Register (1982) and Environmental Protection Agency (EPA) Federal Register (1980) jointly define wetlands as: “Those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions.” Therefore, in order to be considered a jurisdictional wetland, three criteria: soils, hydrology, and vegetation must be met.

The Corps requires data forms and technical information as part of a delineation report to document the three criteria for any area determined to be a wetland. The corresponding data forms for this project are provided in **Appendix A**. A description of the three criteria, field methods, and floristic quality assessment are provided below.

### i. Hydrology:

An area has wetland hydrology if it is inundated or saturated within the root zone and/or within 12” of the surface continuously for at least 5% of the growing season, approximately 9-14 days, in most years.

The Manual defines the growing season as the portion of the year when the soil temperature (measured 20in below the surface) is above biological zero (5°C or 41°F) which can be approximated by the number of “frost free” days (>28°F at a frequency of 5 years in 10).

Recorded data such as: aerial photographs (**Exhibit 4**), stream gage data, planning documents, and federal, state, county, and local agency records were examined prior to the site investigation to determine if hydrology may be present. Primary and secondary indicators were investigated in the field. Inundation, saturation in the upper 12”, water marks, drift lines, sediment deposits, drainage patterns, oxidized root channels in the upper 12”, water-stained leaves, local soil survey data, and the FAC-neutral test are all examples of field indicators. Seasonal factors and professional judgment were also taken into account when hydrology was determined.

## ii. **Soils:**

Hydric soils are those soils that are sufficiently wet in the upper part to develop anaerobic conditions during the growing season. The field indicators of hydric soils in LRR, K, L, M, N, O, P for Illinois were used to determine if hydric soils are present. Natural Resources Conservation Service (NRCS) soil maps were examined prior to the site investigation to determine if hydric soils were present (**Exhibit 5**). Mapped types and/or the presence of field indicators were confirmed by digging soil pits. Soil pits at all data points were dug to a depth of approximately 24”, if able, as field indicators are typically observed within 20-36 inches of the soil surface. Soil colors were determined using the Munsell Soils Color Charts, dated 2000.

## iii. **Vegetation:**

In order to be considered a wetland greater than 50% of the dominant plant species in the community must be hydrophytic. The USFWS published a regional list of plant species occurring in wetlands in 1988. Each species is assigned to a Wetland indicator category based upon its probability of naturally occurring in a wetland (Table 1). According to the Manual, when species that adapt for life in anaerobic soil conditions (OBL, FACW, FAC) immediately exceed 50% of the total dominance for each stratum, hydrophytic vegetation is present.

**Table 1. Plant Indicator Status Categories\* (USFWS 1988)**

INDICATOR CATEGORY	REGION 3 INDICATOR	DEFINITION
Obligate Wetland	OBL	Occur almost always (estimated probability >99%) under natural conditions in wetlands, but which may also occur rarely (estimated probability <1%) in non-wetlands.
Facultative Wetland	FACW	Usually occur in wetlands (estimated probability 67%-99%), but occasionally found in non-wetlands, but occasionally found



---

Facultative	FAC	in non-wetlands (estimated probability 1%-33%). Equally likely to occur in wetlands or non-wetlands (estimated probability 34%-66%).
Facultative Upland	FACU	Usually occur in non-wetlands (estimated probability 67%-99%), but occasionally found in wetlands (estimated probability 1%-33%).
Obligate Upland	UPL	Occur almost always (estimated probability >99%) under natural conditions in non-wetlands in the region specified, but which may also occur rarely (estimated probability <1%) in wetlands.

---

\* The three facultative categories are subdivided by (+) and (-) modifiers.

Several other indicators of hydrophytic vegetation may also be utilized, such as: the FAC neutral test, visual observations of plant species growing in prolonged inundation and/or soil saturation, morphological adaptations, technical literature, and physiological and reproductive adaptations. During the field inspection plant species lists were compiled at each data point and throughout each wetland to determine hydrophytic dominance and floristic quality.

Using the species list compiled in the field, a floristic quality assessment was performed for each wetland by calculating the Coefficient of Conservatism (C), Floristic Quality Index (I), and mean wetness coefficient (both native and including adventives), utilizing nomenclature given in Plants of the Chicago Region (Swink and Wilhelm 1994). The coefficient of conservatism number (C) is based upon the rarity of a species to occur and/or its resiliency to tolerate disturbance. The greater the number of species with a high C number will result in a higher native mean C ( $\bar{C}$ ) or Floristic Quality Index (I). An area may be considered high quality if the  $\bar{C}$  and/or I are equal to or greater than 3.5 and/or 20, respectively. The mean wetness coefficient is calculated utilizing each species indicator status.

## REGULATORY REQUIREMENTS

### i. U.S. Army Corps of Engineers:

Areas under the Corps jurisdiction include navigable waters of the U.S. and most other lakes, rivers, streams, small tributary waterways, natural ponds, and wetlands (bogs, fens, wet meadows, etc.). Ditches for the purpose of drainage, excavated in uplands are not considered jurisdictional waters of the U.S. or wetlands. Section 10 of the Rivers and Harbors Act of 1899 (RHA) authorizes the Corps to regulate structures or work in, over, or under navigable waters of the United States, while, Section 404 of the Clean Water Act (CWA) gives the Corps authority to regulate discharges of dredged or fill material in waters of the U.S., including wetlands.

However, on January 9, 2001 in the U.S. Supreme Court Ruling in *Solid Waste Agency of North Cook County v. U.S. Army Corps of Engineers*, Corps regulatory jurisdiction was restricted under Section 404 of the CWA to navigable waters (i.e. Section 10 of RHA), surface tributaries to such navigable waters, and waters and wetlands that are adjacent to the Section 10 waters and their tributaries. Areas under jurisdiction on the basis of the "Migratory Bird Rule" which extended jurisdiction to include "intrastate waters" that lack a connection to a surface water tributary such as small isolated waters and wetlands like pocosins, prairie potholes, vernal pools and playa lakes, are excluded. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes and the like are "adjacent wetlands."

The Chicago District of the Corps issued a Regional Permit Program (RRP) for activities with minimal impacts for Cook and the surrounding collar counties. The RRP authorizes structures or work in or affecting navigable waters of the U.S. under RHA Section 10 and CWA Section 404. Authorization under RHA Section 10 is required for construction of structures such as piers, decks, breakwaters, jetties, utility lines, and activities such as dredging within, over, or under navigable waters of the United States. While, authorization for the discharge of dredged or fill material within CWA Section 404 Waters of the U.S. is required.

Activities are divided into two categories under the RRP (Category I & II). Projects that impact less than 0.5 acres of waters of the U.S. and do not impact any high-quality aquatic resources are processed under Category I. Compensatory mitigation is not required for impacts under 0.10 acres. Projects that impact between 0.5 and 1.0 acres of waters of the U.S. or impact high-quality aquatic resources are processed under Category II. Compensatory mitigation for impacts over 0.10 acres is required. High-Quality Aquatic Resources (HQARs) are generally considered unsuitable for dredge or fill activities. A description and list of HQARs as described by the Corps in the RRP is provided in **Appendix G**. Impacts to a high-quality aquatic resource or impacts over 1.0 acres require an Individual Permit (IP) as a more thorough examination of the project must be performed, in addition to public comment.

A native upland buffer (or other appropriate vegetation approved by the Corps) adjacent to all created, restored, enhanced or preserved waters of the U.S. and wetlands must be established or enhanced. According to the RRP the following buffer widths are required:

1. For any Waters of the U.S. (e.g. river, stream, creek, etc.), the buffer shall be a minimum of 50 feet from the Ordinary High-Water Mark (OHWM);
2. For any waters of the U.S., including wetlands, over 0.25 acres and up to 0.5 acres in size, the buffer shall be 30 feet wide;
3. For any waters of the U.S. including wetlands, 0.5 acres or larger in size, the buffer shall be 50 feet wide; and
4. For any area determined to be a high-quality resource, the buffer shall be 100 feet wide.

The above requirements do not apply to linear road crossings.

**ii. DuPage County:**

Per Article IV Section 15-40.H of the April 23, 2013 DuPage County Countywide Stormwater and Flood Plain Ordinance (DCSFPO), a stormwater permit is required if the development involves regulatory floodplains, wetlands and wetland buffers. Both isolated and adjacent wetlands are jurisdictional under the (DCSFPO). All wetland determinations and delineations that are conducted in DuPage County are required to use procedures in accordance with the current Federal wetland delineation methodology authorized under Section 404 of the CWA. As such, the above methodology as set forth in the Manual was used. All wetland delineations must be verified by DuPage County or the authorized Ordinance Administrator for all complete waiver communities. The Corps has issued DuPage County Department of Development and Economic Planning a Programmatic General Permit (RP-25), which designates the County as the lead agency to review permits involving wetlands.

All wetlands must be classified as critical or regulatory based on the assessment of certain functions and values. They are as follows:

- The wetland is identified as a critical wetland in the County's wetland inventory.
- The wetland is known to possess a Federal or State listed threatened or endangered species.
- The plant community within the wetland is determined to have a native floristic quality index of 20 or higher during a single season assessment, a native mean C-value of 3.5 or greater, or alternatively a natural area rating index (NARI) value of 35.0 or higher during a spring, summer, and fall assessment, as calculated by the Swink & Wilhelm methodology. If both methods are performed, the NARI value shall prevail as the determining value.
- The initial wildlife quality value using the Modified Michigan Department of Natural Resources Method is 5.0 or higher, or alternatively the mean rated wildlife quality (MWRQ) is determined to be 8.0 or higher, as calculated by the Ludwig wildlife habitat evaluation methodology. If both methods are performed, the Ludwig value shall prevail as the determining value.

Development within or affecting critical wetlands under the DCFSP0 is prohibited, unless documentation is submitted that conclusively proves that the presence of critical wetlands precludes all economic use of the entire parcel, and that no practicable alternative to wetland modification exists. Mitigation for impacts to critical wetlands is required at a minimum proportional rate of three to one (3:1).

All other wetlands that do not meet any of the functions and values described above are considered regulatory. Development within or affecting a regulatory wetland that is equal to or greater than 0.10 acre shall be prohibited unless documentation is submitted that conclusively proves that no practicable

alternative to wetland modification exists. While, development within or affecting a regulatory wetland that is less than 0.10 acre in total size does not require documentation showing that no practicable alternative to wetland modification exists. Mitigation for impacts to regulatory wetlands is required at a minimum proportional rate of one and a half to one (1.5:1).

Development within 50ft of a regulatory wetland and 100ft of a critical wetland must mitigate the natural functions of the buffer to the extent practicable.

## **JURISDICTIONAL WETLANDS AND WATERS OF THE U.S.**

There is one wetland located within the study area. The boundaries of this wetland were staked with pink pin flags with the wording “Wetland Delineation.” Data points were taken both within and outside of the wetland boundaries to support our conclusions. These data points are marked on an aerial photograph with the approximate wetland boundary (**Exhibit 8**). The corresponding data forms are provided in **Appendix A**. The following text characterizes the wetland.

### **i. Wetland 1:**

This area consists of a small corner of a larger wetland complex extending to the west and north of the studied parcel. The U.S. Fish and Wildlife Service (USFWS) National Wetland Inventory (NWI) (**Exhibit 2**) identifies this area as a wooded wetland, and the DuPage County Wetland Map (**Exhibit 3**) indicated this same wetland to be regulatory. Two data points were used to support our findings.

The hydrology is provided by precipitation, surface runoff, and possibly groundwater. Presence of surface saturation, a water table 1” below the soil surface, and water stained leaves in a small depression helped to determine persistent hydrology within the project bounds. Soils are mapped Peotone Silty Clay Loam and hydric soil indicator F6 showed hydric soil was present at the sample site. Dominant vegetation consisted of buckthorn (*Rhamnus cathartica*). Therefore, the sample site satisfies all three criteria and qualifies as a wetland.

The Coefficient of Conservatism (C), Floristic Quality Index (I), and mean wetness coefficient for the wetland was 1.43, 3.78, and -0.43, respectively and are provided in the floristic quality assessment as **Appendix B**. The MDNR Wildlife Assessment score was 3.0, and has been provided in **Appendix C**, as such, this wetland is considered regulatory.

The USFWS and IDNR consultation tools regarding threatened or endangered species were used to determine the likeliness of a T&E species being found on the property. These consultations are provided as **Appendix E & F**.

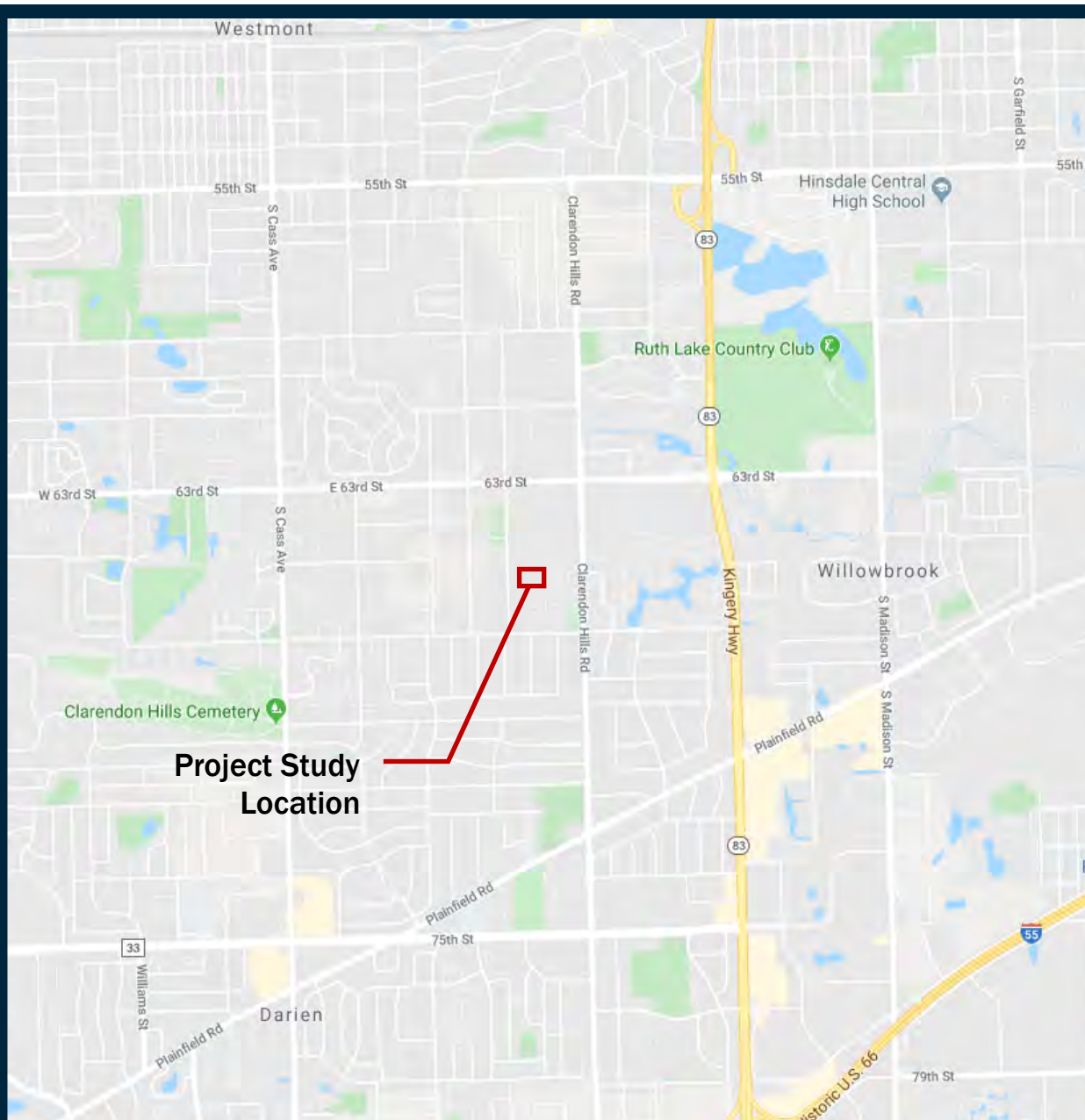
As the wetland is of small size and low quality, it provides functions at a low level. Several functions include: sediment filtration from upland areas, stormwater storage during and after precipitation events, reducing the impact of urbanization on water quality by filtering and assimilating nutrients

discharged from surrounding uplands, and provides a habitat for resting, reproducing, and nesting animals.

As this wetland is considered regulatory, a 50ft buffer is present. The 50ft buffer currently consists of turf grass and low-quality volunteer and invasive species, meaning an extremely limited native buffer is currently present.

## **Recommendations**

Should development be proposed on this property, a stormwater management application should be sought from the DuPage County stormwater department. It also advised to request a jurisdictional determination to determine the presiding authority over this wetland by submitting a jurisdictional request form to the USACE prior to any development occurring within the parcel.



**Project Study  
Location**

### Exhibit 1

#### Location Map

Lat/Long: 41° 46' 07", -87° 57' 29"

— Project Study Location



Client: Mr. Paul Garver  
Project Name: 6544 Tennessee Ave  
ERA Project #: 191206  
Source : Google Maps

**Not to Scale**



**Engineering Resource Associates, Inc.**  
3S701 West Avenue, Suite 150  
Warrenville, IL 60555  
Phone: (630) 393-3060 FAX: (630) 393-2152

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## EXHIBIT 2

**National Wetland Inventory Map**  
 Lat/Long: 41° 46'07", -87° 57'29"

— Project Study Location



Client: Mr. Paul Garver  
 Project Name: 6544 Tennessee Ave  
 ERA Project #: 191206  
 Source : USFWS

Not to Scale



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### EXHIBIT 3

**DuPage County Wetland Map**  
Lat/Long: 41° 46'07", -87° 57'29"

— Project Study Location



Client: Mr. Paul Garver  
Project Name: 6544 Tennessee Ave  
ERA Project #: 191206  
Source : DuPage GIS

Not to Scale



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**Project Study  
Location**

**Exhibit 4**

**Aerial Photo**

Lat/Long: 41° 46'07", -87° 57'29"

— Project Study Location



Client: Mr. Paul Garver  
Project Name: 6544 Tennessee Ave  
ERA Project #: 191206  
Source : Google Maps

**Not to Scale**



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## Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
146A	Elliott silt loam, 0 to 2 percent slopes	1.1	78.9%
232A	Ashkum silty clay loam, 0 to 2 percent slopes	0.3	18.7%
330A	Peotone silty clay loam, 0 to 2 percent slopes	0.0	2.4%
Totals for Area of Interest		1.4	100.0%

### EXHIBIT 5

#### NRCS Soils Map

Lat/Long: 41° 46'07", -87° 57'29"

— Project Study Location



Client: Mr. Paul Garver  
 Project Name: 6544 Tennessee Ave  
 ERA Project #: 191206  
 Source : USDA

Not to Scale



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**EXHIBIT 6**  
**Flood Insurance Rate Map**  
 Lat/Long: 41° 46'07", -87° 57'29"  
 — Project Study Location



Client: Mr. Paul Garver  
 Project Name: 6544 Tennessee Ave  
 ERA Project #: 191206  
 Source : FEMA

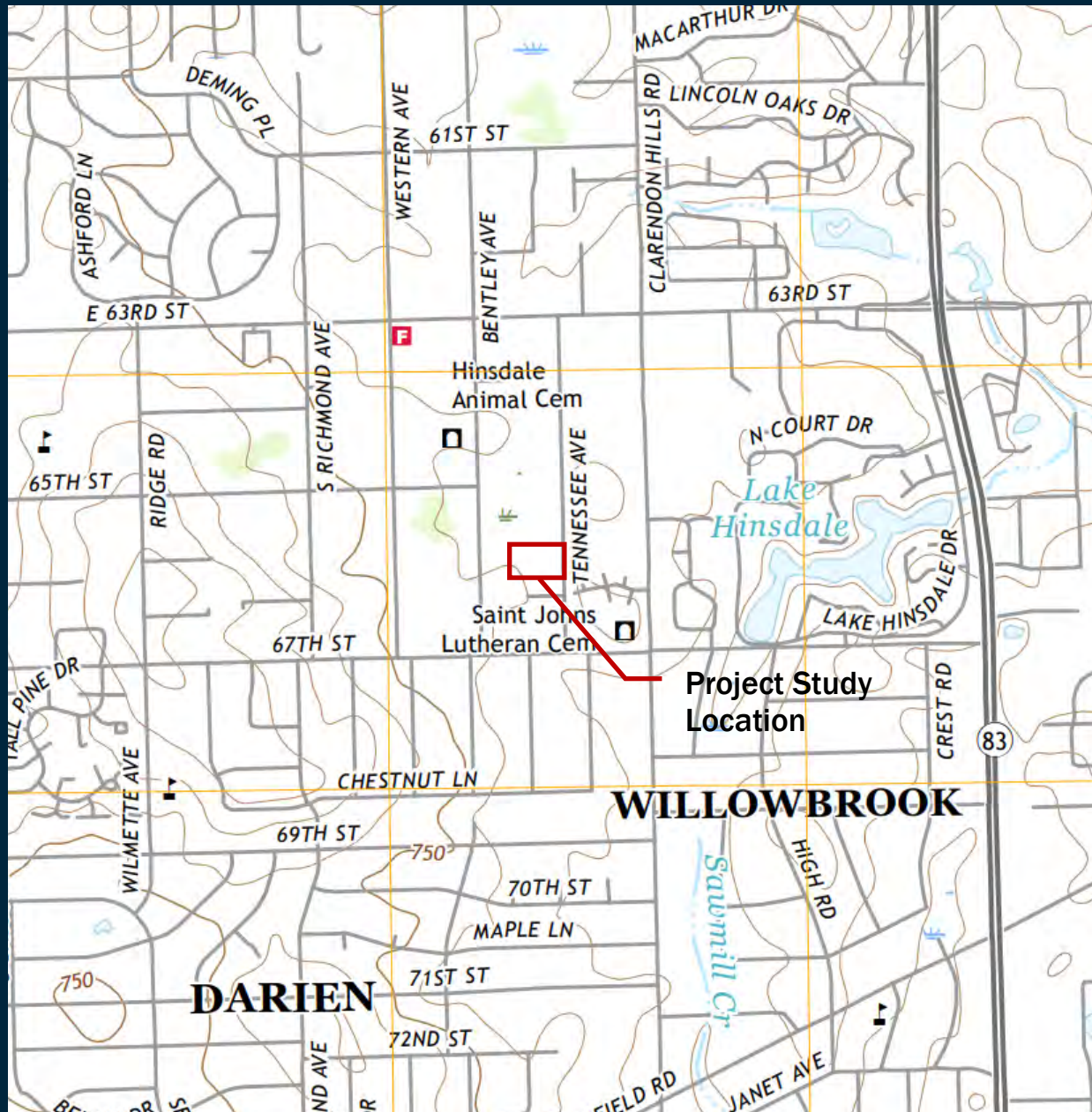
Not to Scale



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### EXHIBIT 7

#### USGS Topographic Map

Lat/Long: 41° 46' 07", -87° 57' 29"

— Project Study Location



Client: Mr. Paul Garver  
 Project Name: 6544 Tennessee Ave  
 ERA Project #: 191206  
 Source : USGS

Not to Scale



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### EXHIBIT 8

#### Approximate Wetland Location

Lat/Long: 41° 46' 07", -87° 57' 29"

-  Approximate Wetland Boundary
-  Approximate Offsite Wetlands Boundary
-  Project Study Location
-  Data Point



Client: Mr. Paul Garver  
Project Name: 6544 Tennessee Ave  
ERA Project #: 191206  
Source : Google Earth

Not to Scale



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## Appendix A.1

**WETLAND DETERMINATION DATA FORM - Midwest Region**

Project/Site 6544 Tennessee Avenue City/County: DuPage Sampling Date: December 04, 2019  
 Applicant/Owner: Mr. Paul Garver State: IL Sampling Point: 1  
 Investigator(s): Brad Earnest Section, Township, Range: S22 T38N R11E  
 Landform (hillslope, terrace, etc.): Closed Depression Local relief (concave, convex, none): Concave  
 Slope (%): 0%-2% Lat: 41°46'08" Long: -87°57'31" Datum: WGS 1984  
 Soil Map Unit Name: 330A Peotone silty clay loam NWI Classification: Wooded Wetland

Are climatic/hydrologic conditions of the site typical for this time of the year? Y (If no, explain in remarks)

Are vegetation           , soil           , or hydrology            significantly disturbed?

Are "normal circumstances"

Are vegetation           , soil           , or hydrology            naturally problematic?

present? Yes

**SUMMARY OF FINDINGS**

(If needed, explain any answers in remarks.)

Hydrophytic vegetation present? <u>Y</u>	<b>Is the sampled area within a wetland?</b> <u>Y</u> If yes, optional wetland site ID: <u>                    </u>
Hydric soil present? <u>Y</u>	
Wetland hydrology present? <u>Y</u>	
Remarks: (Explain alternative procedures here or in a separate report.)	

**VEGETATION -- Use scientific names of plants.**

Tree Stratum	(Plot size: <u>30</u> )	Absolute % Cover	Dominant Species	Indicator Status	<b>Dominance Test Worksheet</b>
1 <u>Rhamnus cathartica</u>		65	Y	FAC	
2 <u>Populus deltoides</u>		10	N	FAC	Total Number of Dominant Species Across all Strata: <u>2</u> (B)
3 <u>Ulmus americana</u>		5	N	FACW	Percent of Dominant Species that are OBL, FACW, or FAC: <u>100.00%</u> (A/B)
4					
5					
		80	= Total Cover		
<b>Prevalence Index Worksheet</b>					
Total % Cover of:					
OBL species <u>0</u> x 1 = <u>0</u>					
FACW species <u>5</u> x 2 = <u>10</u>					
FAC species <u>75</u> x 3 = <u>225</u>					
FACU species <u>0</u> x 4 = <u>0</u>					
UPL species <u>0</u> x 5 = <u>0</u>					
Column totals <u>80</u> (A) <u>235</u> (B)					
Prevalence Index = B/A = <u>2.94</u>					
<b>Hydrophytic Vegetation Indicators:</b>					
<u>          </u> Rapid test for hydrophytic vegetation					
<u>X</u> Dominance test is >50%					
<u>X</u> Prevalence index is ≤3.0*					
<u>          </u> Morphological adaptations* (provide supporting data in Remarks or on a separate sheet)					
<u>          </u> Problematic hydrophytic vegetation* (explain)					
*Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic					
<b>Hydrophytic vegetation present?</b> <u>Y</u>					
Remarks: (Include photo numbers here or on a separate sheet)					

**SOIL**Sampling Point: 1**Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)**

Depth (Inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type*	Loc**		
0-3	2.5Y 2.5/1	100					Clay Loam	
3-12	2.5Y 2.5/1	98	7.5YR 4/6	2	C	M	Clay Loam	

\*Type: C = Concentration, D = Depletion, RM = Reduced Matrix, MS = Masked Sand Grains. \*\*Location: PL = Pore Lining, M = Matrix

**Hydric Soil Indicators:**

- |  |   |
|--|---|
| <input type="checkbox"/> Histisol (A1)                     | <input type="checkbox"/> Sandy Gleyed Matrix (S4)           |
| <input type="checkbox"/> Histic Epipedon (A2)              | <input type="checkbox"/> Sandy Redox (S5)                   |
| <input type="checkbox"/> Black Histic (A3)                 | <input type="checkbox"/> Stripped Matrix (S6)               |
| <input type="checkbox"/> Hydrogen Sulfide (A4)             | <input type="checkbox"/> Loamy Mucky Mineral (F1)           |
| <input type="checkbox"/> Stratified Layers (A5)            | <input type="checkbox"/> Loamy Gleyed Matrix (F2)           |
| <input type="checkbox"/> 2 cm Muck (A10)                   | <input type="checkbox"/> Depleted Matrix (F3)               |
| <input type="checkbox"/> Depleted Below Dark Surface (A11) | <input checked="" type="checkbox"/> Redox Dark Surface (F6) |
| <input type="checkbox"/> Thick Dark Surface (A12)          | <input type="checkbox"/> Depleted Dark Surface (F7)         |
| <input type="checkbox"/> Sandy Mucky Mineral (S1)          | <input type="checkbox"/> Redox Depressions (F8)             |
| <input type="checkbox"/> 5 cm Mucky Peat or Peat (S3)      |   |

**Indicators for Problematic Hydric Soils:**

- |   |
|---|
| <input type="checkbox"/> Coast Prairie Redox (A16) (LRR K, L, R)    |
| <input type="checkbox"/> Dark Surface (S7) (LRR K, L)               |
| <input type="checkbox"/> 5 cm Mucky Peat or Peat (S3) (LRR K, L, R) |
| <input type="checkbox"/> Iron-Manganese Masses (F12) (LRR K, L, R)  |
| <input type="checkbox"/> Very Shallow Dark Surface (TF12)           |
| <input type="checkbox"/> Other (explain in remarks)                 |

\*Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic

**Restrictive Layer (if observed):**Type: \_\_\_\_\_  
Depth (inches): \_\_\_\_\_Hydric soil present? Y

Remarks:

**HYDROLOGY****Wetland Hydrology Indicators:**Primary Indicators (minimum of one is required; check all that apply)

- |  |
|--|
| <input type="checkbox"/> Surface Water (A1)                        |
| <input checked="" type="checkbox"/> High Water Table (A2)          |
| <input checked="" type="checkbox"/> Saturation (A3)                |
| <input type="checkbox"/> Water Marks (B1)                          |
| <input type="checkbox"/> Sediment Deposits (B2)                    |
| <input type="checkbox"/> Drift Deposits (B3)                       |
| <input type="checkbox"/> Algal Mat or Crust (B4)                   |
| <input type="checkbox"/> Iron Deposits (B5)                        |
| <input type="checkbox"/> Inundation Visible on Aerial Imagery (B7) |
| <input type="checkbox"/> Sparsely Vegetated Concave Surface (B8)   |
| <input checked="" type="checkbox"/> Water-Stained Leaves (B9)      |

- |   |
|---|
| <input type="checkbox"/> Aquatic Fauna (B13)                        |
| <input type="checkbox"/> True Aquatic Plants (B14)                  |
| <input type="checkbox"/> Hydrogen Sulfide Odor (C1)                 |
| <input type="checkbox"/> Oxidized Rhizospheres on Living Roots (C3) |
| <input type="checkbox"/> Presence of Reduced Iron (C4)              |
| <input type="checkbox"/> Recent Iron Reduction in Tilled Soils (C6) |
| <input type="checkbox"/> Thin Muck Surface (C7)                     |
| <input type="checkbox"/> Gauge or Well Data (D9)                    |
| <input type="checkbox"/> Other (Explain in Remarks)                 |

Secondary Indicators (minimum of two required)

- |  |
|--|
| <input type="checkbox"/> Surface Soil Cracks (B6)                  |
| <input type="checkbox"/> Drainage Patterns (B10)                   |
| <input type="checkbox"/> Dry-Season Water Table (C2)               |
| <input type="checkbox"/> Crayfish Burrows (C8)                     |
| <input type="checkbox"/> Saturation Visible on Aerial Imagery (C9) |
| <input type="checkbox"/> Stunted or Stressed Plants (D1)           |
| <input type="checkbox"/> Geomorphic Position (D2)                  |
| <input type="checkbox"/> FAC-Neutral Test (D5)                     |

**Field Observations:**

Surface water present?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Depth (inches): <u>&gt;24</u>
Water table present?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Depth (inches): <u>&gt;1"</u>
Saturation present?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Depth (inches): <u>0"</u>

(includes capillary fringe)

Wetland hydrology present? Y

Describe recorded data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

## Appendix A.2

**WETLAND DETERMINATION DATA FORM - Midwest Region**

Project/Site 6544 Tennessee Avenue City/County: DuPage Sampling Date: December 04, 2019  
 Applicant/Owner: Mr. Paul Garver State: IL Sampling Point: 2  
 Investigator(s): Brad Earnest Section, Township, Range: S22 T38N R11E  
 Landform (hillslope, terrace, etc.): Closed Depression Local relief (concave, convex, none): Concave  
 Slope (%): 0%-2% Lat: 41°46'08" Long: -87°57'31" Datum: WGS 1984  
 Soil Map Unit Name: 330A Peotone silty clay loam NWI Classification: None

Are climatic/hydrologic conditions of the site typical for this time of the year? Y (If no, explain in remarks)

Are vegetation           , soil           , or hydrology            significantly disturbed?

Are "normal circumstances"

Are vegetation           , soil           , or hydrology            naturally problematic?

present? Yes

**SUMMARY OF FINDINGS**

(If needed, explain any answers in remarks.)

Hydrophytic vegetation present? <u>Y</u>	<b>Is the sampled area within a wetland?</b> <u>N</u> If yes, optional wetland site ID: <u>                    </u>
Hydric soil present? <u>N</u>	
Wetland hydrology present? <u>N</u>	
Remarks: (Explain alternative procedures here or in a separate report.)	

**VEGETATION -- Use scientific names of plants.**

Tree Stratum	(Plot size: <u>30</u> )	Absolute % Cover	Dominant Species	Indicator Status	<b>Dominance Test Worksheet</b> Number of Dominant Species that are OBL, FACW, or FAC: <u>1</u> (A) Total Number of Dominant Species Across all Strata: <u>1</u> (B) Percent of Dominant Species that are OBL, FACW, or FAC: <u>100.00%</u> (A/B)
1	<u>Rhamnus cathartica</u>	<u>85</u>	<u>Y</u>	<u>FAC</u>	
2	<u>                    </u>	<u>          </u>	<u>          </u>	<u>          </u>	
3	<u>                    </u>	<u>          </u>	<u>          </u>	<u>          </u>	
4	<u>                    </u>	<u>          </u>	<u>          </u>	<u>          </u>	
5	<u>                    </u>	<u>          </u>	<u>          </u>	<u>          </u>	
		<u>85</u>	= Total Cover		<b>Prevalence Index Worksheet</b> Total % Cover of: OBL species <u>0</u> x 1 = <u>0</u> FACW species <u>0</u> x 2 = <u>0</u> FAC species <u>85</u> x 3 = <u>255</u> FACU species <u>0</u> x 4 = <u>0</u> UPL species <u>0</u> x 5 = <u>0</u> Column totals <u>85</u> (A) <u>255</u> (B) Prevalence Index = B/A = <u>3.00</u>
Sapling/Shrub stratum (Plot size: <u>15</u> )					
1	<u>                    </u>	<u>          </u>	<u>          </u>	<u>          </u>	
2	<u>                    </u>	<u>          </u>	<u>          </u>	<u>          </u>	
3	<u>                    </u>	<u>          </u>	<u>          </u>	<u>          </u>	
4	<u>                    </u>	<u>          </u>	<u>          </u>	<u>          </u>	
5	<u>                    </u>	<u>          </u>	<u>          </u>	<u>          </u>	
		<u>0</u>	= Total Cover		
Herb stratum (Plot size: <u>5</u> )					<b>Hydrophytic Vegetation Indicators:</b> <u>      </u> Rapid test for hydrophytic vegetation <u>X</u> Dominance test is >50% <u>X</u> Prevalence index is ≤3.0* <u>      </u> Morphological adaptations* (provide supporting data in Remarks or on a separate sheet) <u>      </u> Problematic hydrophytic vegetation* (explain) *Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic
1	<u>                    </u>	<u>          </u>	<u>          </u>	<u>          </u>	
2	<u>                    </u>	<u>          </u>	<u>          </u>	<u>          </u>	
3	<u>                    </u>	<u>          </u>	<u>          </u>	<u>          </u>	
4	<u>                    </u>	<u>          </u>	<u>          </u>	<u>          </u>	
5	<u>                    </u>	<u>          </u>	<u>          </u>	<u>          </u>	
6	<u>                    </u>	<u>          </u>	<u>          </u>	<u>          </u>	
7	<u>                    </u>	<u>          </u>	<u>          </u>	<u>          </u>	
8	<u>                    </u>	<u>          </u>	<u>          </u>	<u>          </u>	
9	<u>                    </u>	<u>          </u>	<u>          </u>	<u>          </u>	
10	<u>                    </u>	<u>          </u>	<u>          </u>	<u>          </u>	
		<u>0</u>	= Total Cover		
Woody vine stratum (Plot size: <u>30</u> )					<b>Hydrophytic vegetation present?</b> <u>Y</u>
1	<u>                    </u>	<u>          </u>	<u>          </u>	<u>          </u>	
2	<u>                    </u>	<u>          </u>	<u>          </u>	<u>          </u>	
		<u>0</u>	= Total Cover		

Remarks: (Include photo numbers here or on a separate sheet)



## SOIL

Sampling Point: 2

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (Inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type*	Loc**		
0-24	2.5Y 2.5/1	100					Clay Loam	

\*Type: C = Concentration, D = Depletion, RM = Reduced Matrix, MS = Masked Sand Grains. \*\*Location: PL = Pore Lining, M = Matrix

**Hydric Soil Indicators:**

- |  |   |
|--|---|
| <input type="checkbox"/> Histisol (A1)                     | <input type="checkbox"/> Sandy Gleyed Matrix (S4)   |
| <input type="checkbox"/> Histic Epipedon (A2)              | <input type="checkbox"/> Sandy Redox (S5)           |
| <input type="checkbox"/> Black Histic (A3)                 | <input type="checkbox"/> Stripped Matrix (S6)       |
| <input type="checkbox"/> Hydrogen Sulfide (A4)             | <input type="checkbox"/> Loamy Mucky Mineral (F1)   |
| <input type="checkbox"/> Stratified Layers (A5)            | <input type="checkbox"/> Loamy Gleyed Matrix (F2)   |
| <input type="checkbox"/> 2 cm Muck (A10)                   | <input type="checkbox"/> Depleted Matrix (F3)       |
| <input type="checkbox"/> Depleted Below Dark Surface (A11) | <input type="checkbox"/> Redox Dark Surface (F6)    |
| <input type="checkbox"/> Thick Dark Surface (A12)          | <input type="checkbox"/> Depleted Dark Surface (F7) |
| <input type="checkbox"/> Sandy Mucky Mineral (S1)          | <input type="checkbox"/> Redox Depressions (F8)     |
| <input type="checkbox"/> 5 cm Mucky Peat or Peat (S3)      |   |

**Indicators for Problematic Hydric Soils:**

- |   |
|---|
| <input type="checkbox"/> Coast Prairie Redox (A16) (LRR K, L, R)    |
| <input type="checkbox"/> Dark Surface (S7) (LRR K, L)               |
| <input type="checkbox"/> 5 cm Mucky Peat or Peat (S3) (LRR K, L, R) |
| <input type="checkbox"/> Iron-Manganese Masses (F12) (LRR K, L, R)  |
| <input type="checkbox"/> Very Shallow Dark Surface (TF12)           |
| <input type="checkbox"/> Other (explain in remarks)                 |

\*Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic

**Restrictive Layer (if observed):**
 Type: \_\_\_\_\_  
 Depth (inches): \_\_\_\_\_
Hydric soil present?   N  

Remarks:

## HYDROLOGY

**Wetland Hydrology Indicators:**

Primary Indicators (minimum of one is required; check all that apply)

- |  |
|--|
| <input type="checkbox"/> Surface Water (A1)                        |
| <input type="checkbox"/> High Water Table (A2)                     |
| <input type="checkbox"/> Saturation (A3)                           |
| <input type="checkbox"/> Water Marks (B1)                          |
| <input type="checkbox"/> Sediment Deposits (B2)                    |
| <input type="checkbox"/> Drift Deposits (B3)                       |
| <input type="checkbox"/> Algal Mat or Crust (B4)                   |
| <input type="checkbox"/> Iron Deposits (B5)                        |
| <input type="checkbox"/> Inundation Visible on Aerial Imagery (B7) |
| <input type="checkbox"/> Sparsely Vegetated Concave Surface (B8)   |
| <input type="checkbox"/> Water-Stained Leaves (B9)                 |

- |   |
|---|
| <input type="checkbox"/> Aquatic Fauna (B13)                        |
| <input type="checkbox"/> True Aquatic Plants (B14)                  |
| <input type="checkbox"/> Hydrogen Sulfide Odor (C1)                 |
| <input type="checkbox"/> Oxidized Rhizospheres on Living Roots (C3) |
| <input type="checkbox"/> Presence of Reduced Iron (C4)              |
| <input type="checkbox"/> Recent Iron Reduction in Tilled Soils (C6) |
| <input type="checkbox"/> Thin Muck Surface (C7)                     |
| <input type="checkbox"/> Gauge or Well Data (D9)                    |
| <input type="checkbox"/> Other (Explain in Remarks)                 |

Secondary Indicators (minimum of two required)

- |  |
|--|
| <input type="checkbox"/> Surface Soil Cracks (B6)                  |
| <input type="checkbox"/> Drainage Patterns (B10)                   |
| <input type="checkbox"/> Dry-Season Water Table (C2)               |
| <input type="checkbox"/> Crayfish Burrows (C8)                     |
| <input type="checkbox"/> Saturation Visible on Aerial Imagery (C9) |
| <input type="checkbox"/> Stunted or Stressed Plants (D1)           |
| <input type="checkbox"/> Geomorphic Position (D2)                  |
| <input type="checkbox"/> FAC-Neutral Test (D5)                     |

**Field Observations:**

Surface water present?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Depth (inches): <u>  0"  </u>
Water table present?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Depth (inches): <u>  &gt;24"  </u>
Saturation present?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Depth (inches): <u>  &gt;24"  </u>

 (includes capillary fringe)
Wetland hydrology present?   N  

Describe recorded data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

Appendix B

SITE: 6544 Tennessee Avenue  
LOCALE: DuPage County  
BY: B. Earnest  
NOTES: 4-Dec-19

CONSERVATISM-BASED METRICS		ADDITIONAL METRICS	
MEAN C (NATIVE SPECIES)	1.67	SPECIES RICHNESS (ALL)	7
MEAN C (ALL SPECIES)	1.43	SPECIES RICHNESS (NATIVE)	6
MEAN C (NATIVE TREES)	1.00	% NON-NATIVE	0.14
MEAN C (NATIVE SHRUBS)	5.00	WET INDICATOR (ALL)	-0.43
MEAN C (NATIVE HERBACEOUS)	1.00	WET INDICATOR (NATIVE)	-0.50
FQAI (NATIVE SPECIES)	4.08	% HYDROPHYTE (MIDWEST)	1.00
FQAI (ALL SPECIES)	3.78	% NATIVE PERENNIAL	0.86
ADJUSTED FQAI	15.43	% NATIVE ANNUAL	0.00
% C VALUE 0	0.43	% ANNUAL	0.00
% C VALUE 1-3	0.43	% PERENNIAL	1.00
% C VALUE 4-6	0.14		
% C VALUE 7-10	0.00		

SPECIES ACRONYM	SPECIES NAME (NWPL/MOHLENBROCK)	SPECIES (SYNONYM)	COMMON NAME	C VALUE	MIDWEST WET INDICATOR	NC-NE WET INDICATOR	WET INDICATOR (NUMERIC)	HABIT	DURATION	NATIVITY
ACENEG	Acer negundo	Acer negundo var. violaceum	Ash-Leaf Maple		0 FAC	FAC		0 Tree	Perennial	Native
CORSER	Cornus alba	Cornus stolonifera; Cornus baileyi; Cornus sericea	Red Osier		5 FACW	FACW		-1 Shrub	Perennial	Native
GEUCAN	Geum canadense	Geum canadense	White Avens		1 FAC	FAC		0 Forb	Perennial	Native
POPDEL	Populus deltoides	Populus deltoides	Eastern Cottonwood		0 FAC	FAC		0 Tree	Perennial	Native
RHACAT	Rhamnus cathartica	RHAMNUS CATHARTICA	European Buckthorn		0 FAC	FAC		0 Shrub	Perennial	Adventive
ULMAME	Ulmus americana	Ulmus americana	American Elm		3 FACW	FACW		-1 Tree	Perennial	Native
VITRIP	Vitis riparia	Vitis riparia var. syrticola	River-Bank Grape		1 FACW	FAC		-1 Vine	Perennial	Native

## Appendix C

OBSERVER: Brad Earnest

DATE: December 04, 2019

LOCATION: 6544 Tennessee Ave, Willowbrook, DuPage County IL

### WILDLIFE HABITAT/USE EVALUATION SCORE SHEET

To assess the existing and/or potential wildlife habitat use of the subject wetland, the applicant must first complete this score sheet. The attached documentation provides examples of each scoring parameter.

A separate sheet must be completed for each wetland. The wetland system as a whole must be considered. If the wetland extends off-site, aerial photographs, observations from public access areas (roads, etc.) should be considered in the evaluation sheet.

Applicants must document their basis for scoring decisions with field surveys followed by current photographs, and other appropriate information.

#### A. Utilization by Wildlife

<u>Wildlife Use</u>	<u>Score</u>
Significant	3
Evident	2
Low	1
Occasional	0.5
Non-Existent	0
SUB-TOTAL =	0.5

Observations/Notes: \_\_\_\_\_  
Small mammals observed during the site visit  
and there is a high potential for amphibian use  
as well. Use may be higher during warmer  
months.

#### B. Interspersion of Vegetative Cover

<u>Interspersion</u>	<u>Score</u>
High	3
Medium	2
Low	1
SUB-TOTAL=	1

#### % Cover of Each Plant Community Type:

Emergent 10%  
 Scrub Shrub 50%  
 Wet Meadow \_\_\_\_\_  
 Forested 20%  
 Aquatic \_\_\_\_\_  
 Other \_\_\_\_\_

#### C. Vegetative Cover to Open Water

<u>Cover</u>	<u>Score</u>
>95% Cover	0.5
76%- 95% Cover, Peripheral	1.5
76%- 95% Cover, Various	2.5
26%- 75% Cover, Peripheral	2.0
26%- 75% Cover, Patches	3.0
5%- 25% Cover, Peripheral	1.0
<5% Cover	0.5
SUB-TOTAL=	1.5

TOTAL SCORE (A+B+C) = 3.0

## Appendix C

Total score  $\geq 5.00$  wetland receives CRITICAL status

Total score  $< 5.00$  wetland receives REGULATORY status

Wildlife habitat use evaluation of any particular wetland should consider both the actual wildlife uses and an analysis of the habitat values related to wildlife. Habitat evaluation provides consideration of conditions for species of wildlife that may not be currently using a wetland, but preferred habitat for feeding, nesting, rearing of young, or cover is present.

Wildlife habitat/use, ideally, should be analyzed over an entire year and for some wetlands, several years' conditions should be documented. However, obvious time constraints do not allow this. Therefore, if the evaluator does not have personal knowledge of the wetland during other seasons/years and does not have training in wildlife, a degreed wildlife biologist or ecologist should be requested to complete this section of the evaluation.

### A. Utilization by Wildlife

Complete the table on the evaluation form for each wildlife group for the uses listed across the top of the table using the following point system. Consider all seasons of the year in this evaluation.

Use by wildlife group within each habitat is significant in that loss or reduction of the habitat would have an adverse effect (i.e., loss of individuals) on the population of the species or overall wildlife population in the general area (township). **SCORE = 3**







Use by wildlife group within each habitat is evident or probable and loss or reduction of the habitat would have an adverse effect (i.e., loss of individuals) on the local wildlife population (surrounding sections). **SCORE = 2**

Use by wildlife group within each habitat is incidental or low in that loss or reduction of the habitat would have a negligible effect (i.e., loss of individuals) on the local wildlife population. **SCORE = 1**

Use by wildlife group within each habitat is nonexistent at any time during any year. NOTE: Use 0.5 to signify occasional use. **SCORE = 0**

### B. Interspersion of Vegetative Cover

From recent aerial photographs of the wetland, determine which of the following criteria best describes the vegetative forms of the site. Determine from conditions at the peak of the growing season.

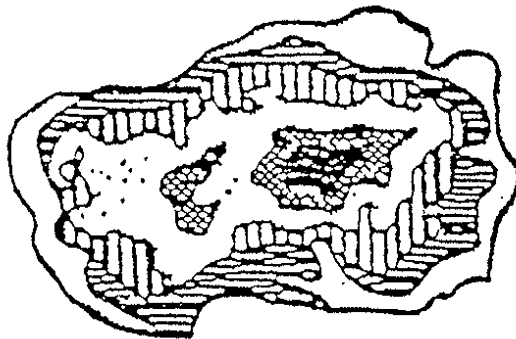
	COMMUNITY TYPE 1
	COMMUNITY TYPE 2
	COMMUNITY TYPE 3
	COMMUNITY TYPE 4
	COMMUNITY TYPE 5
	COMMUNITY TYPE 6

## Appendix C

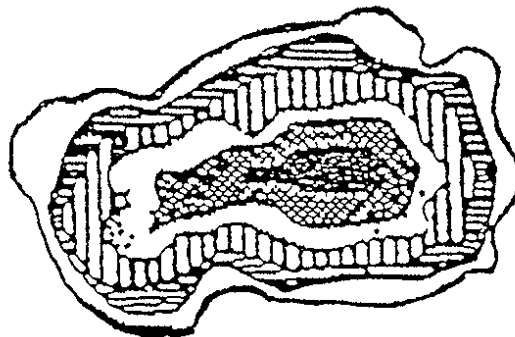
High interspersions of vegetation. Edge is abundant and consists of several species. Life form zones of vegetation are broken into segments of variable size and shape. Subforms of vegetation are small and scattered. **SCORE = 3**



Moderate interspersions of vegetation. Edge is moderate in length and diversity with some irregularity in the distribution of subform stands, but vegetation life forms remain largely intact. **SCORE = 2**



Low interspersions of vegetation. Length and types of edge are at a minimum. The wetland consists of concentric life forms and subforms. Subform stands are large and continuous. **SCORE = 1**



## Appendix C

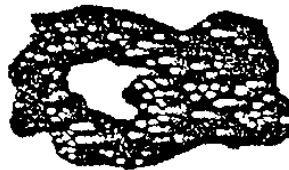
### C. Vegetative Cover to Open Water

From a recent aerial photograph of the wetland, determine which of the following criteria best describes the vegetation/open water characteristics of the wetland. NOTE: Wetland cover types: white areas indicate water (with or without surface plants); black areas indicate emergents, shrubs, or trees.

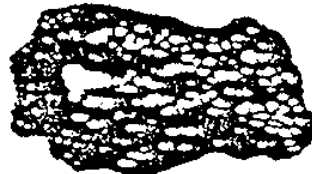
Cover occupies more than 95% of wetland **SCORE = 0.5**



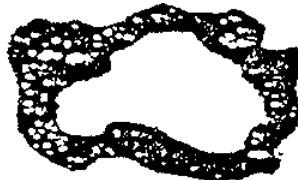
Cover occupies 76 - 95% of wetland occurring in peripheral band **SCORE = 1.5**



Cover occupies 76 – 95% of wetland with scattered open water **SCORE = 2.5**



Cover occupies 26 – 75% of wetland occurring in peripheral band **SCORE = 2.0**



Cover occupies 26 – 75% of wetland occurring in dense patches or diffuse in open stands **SCORE = 3.0**



Cover occupies 5 – 25% of wetland occurring in peripheral band or diffuse in open stands **SCORE = 1.0**



Cover occupies less than 5% of wetland **SCORE = 0.5**

## Appendix C



## APPENDIX D

### **Photo 1**

Site: 6544 Tennessee Avenue

Date: December 04, 2019

Investigator: Brad Earnest

Description: Facing northwest into the wetland area. The property corner stake is identified by a pink ribbon in the photo.



### **Photo 2**

Site: 6544 Tennessee Avenue

Date: December 04, 2019

Investigator: Brad Earnest

Description: Facing northwest outside of the property limits. Standing water can be seen in an area dominated by cottonwood and buckthorn



### **Photo 3**

Site: 6544 Tennessee Avenue

Date: December 04, 2019

Investigator: Brad Earnest

Description: Photo showing a constructed berm along the west property limits.





## APPENDIX D

### **Photo 4**

Site: 6544 Tennessee Avenue

Date: December 04, 2019

Investigator: Brad Earnest

Description: Photo taken facing the opposite direction of Photo #3 showing the berm.



### **Photo 5**

Site: 6544 Tennessee Avenue

Date: December 04, 2019

Investigator: Brad Earnest

Description: Facing southeast out of the wetland into the upland area.



### **Photo 6**

Site: 6544 Tennessee Avenue

Date: December 04, 2019

Investigator: Brad Earnest

Description: Facing into the wetland area from upland.





## APPENDIX D

### **Photo 7**

Site: 6544 Tennessee Avenue

Date: December 04, 2019

Investigator: Brad Earnest

Description: Facing south along the edge of the wooded area. This portion of the woods is dominated by honeysuckle, buckthorn, and features some black locust.



### **Photo 8**

Site: 6544 Tennessee Avenue

Date: December 04, 2019

Investigator: Brad Earnest

Description: Facing north into the adjacent property. Standing water is visible where a drainage path has been excavated leading to a stormwater drain.



**Applicant:** Engineering Resource Associates  
**Contact:** Bradley Earnest  
**Address:** 3S701 West Ave  
Suite 150  
Warrenville, IL 60555

**IDNR Project Number:** 2004741  
**Date:** 12/09/2019  
**Alternate Number:** 191206

**Project:** 6544 Tennessee Ave  
**Address:** 6544 Tennessee Avenue, Willowbrook

**Description:** The land owner would like to divide a large lot into two smaller lots for single-family homes.

### Natural Resource Review Results

*This project was submitted for information only. It is not a consultation under Part 1075.*

The Illinois Natural Heritage Database shows the following protected resources may be in the vicinity of the project location:

St. John Lutheran Prairie INAI Site  
St. John Lutheran Prairie Natural Heritage Landmark

#### Location

The applicant is responsible for the accuracy of the location submitted for the project.

**County:** DuPage

**Township, Range, Section:**  
38N, 11E, 22



#### **IL Department of Natural Resources**

##### **Contact**

Impact Assessment Section  
217-785-5500  
Division of Ecosystems & Environment

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#### **Disclaimer**

The Illinois Natural Heritage Database cannot provide a conclusive statement on the presence, absence, or condition of natural resources in Illinois. This review reflects the information existing in the Database at the time of this inquiry, and should not be regarded as a final statement on the site being considered, nor should it be a substitute for detailed site surveys or field surveys required for environmental assessments. If additional protected resources are encountered during the project's implementation, compliance with applicable statutes and regulations is required.

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## Appendix F: USFWS Consultation

### MEMO

**TO:** Mr. Paul Garver

**FROM:** Bradley Earnest, Wetland Scientist

**DATE:** December 04, 2019

**RE:** Section 7 Endangered Species Act Consultation – 6544 Tennessee Avenue, Willowbrook, DuPage Co, IL - Wetland Delineation ERA Project No. 191206

The study area is in Willowbrook, DuPage County, IL (Exhibit 1) within the Flagg Creek watershed. The parcel is bound by residential single-family homes on all sides with Tennessee Avenue to the east. The site consists of mowed turf and a private residence with wooded area on the west half of the lot that contains a small portion of a larger wetland system. The U.S. Fish and Wildlife Service (USFWS) National Wetland Inventory (NWI) (Exhibit 2) identifies a freshwater stream onsite; while, the DuPage County Wetland Map (Exhibit 3) identifies the same stream to be regulatory.

Engineering Resource Associates carefully reviewed the U.S. Fish and Wildlife technical assistance website on December 09, 2019, for federally listed threatened and endangered species. According to the website, the following species are listed and may be present in DuPage County:

<a href="#">Northern long-eared bat</a> <i>Myotis septentrionalis</i>	Threatened	Hibernates in caves and mines - swarming in surrounding wooded areas in autumn. Roosts and forages in upland forests and woods.	May affect but not likely to adversely affect.
<a href="#">Hine's emerald dragonfly</a> <i>Somatochlora hineana</i>	Endangered	Spring fed wetlands, wet meadows and marshes	No effect
Hine's emerald dragonfly <i>Somatochlora hineana</i>	Critical Habitat Designated	<a href="#">Map and written description of the areas designated as Critical Habitat</a> (PDF)	No effect
<a href="#">Rusty patched bumble bee</a> <i>Bombus affinis</i>	Endangered	Grasslands with flowering plants from April through October, underground and abandoned rodent cavities or clumps of grasses above ground as nesting sites, and undisturbed soil for hibernating queens to overwinter.	No effect
<a href="#">Eastern prairie fringed orchid</a> <i>(Platanthera leucophaea)</i>	Threatened	Moderate to high quality wetlands, sedge meadow, marsh, and mesic to wet prairie	No effect
<a href="#">Leafy-prairie clover</a> <i>(Dalea foliosa)</i>	Endangered	Prairie remnants on thin soil over limestone	No effect

## Appendix F: USFWS Consultation

<a href="#">Mead's milkweed</a> ( <i>Asclepias meadii</i> )	Threatened	Late successional tallgrass prairie, tallgrass prairie converted to hay meadow, and glades or barrens with thin soil	No effect
<a href="#">Prairie bush clover</a> <i>Lespedeza leptostachya</i>	Threatened	Dry to mesic prairies with gravelly soil	No effect

Critical Habitat Designated for the Hines Emerald Dragonfly is NOT located near the project.

This area is not suited for Rusty Patch Bumblebee habitat as it has seen a history of development and disturbance as well as a lack of forbs for the bees to feed on.

It is unlikely that the northern long-eared bat would hibernate or roost in the project area. Caves, karst areas, or abandoned mines are not present near the project site, however, large mature and dead trees were observed onsite that could be used for rest sites.

This location is unsuitable for growth of eastern prairie fringe orchids, leafy-prairie clover, mead's milkweed and prairie bush clover.

## APPENDIX G

### HIGH-QUALITY AQUATIC RESOURCES

#### U.S. Army Corps of Engineers, Chicago District Regional Permit Program

High-quality aquatic resources (HQRs) are aquatic areas considered to be regionally critical due to their uniqueness, scarcity, and/or value, and other wetlands considered to perform functions important to the public interest, as defined in 33 CFR Part 320.4(b)(2). These resources include Advanced Identification (ADID) sites, bogs, ephemeral pools, fens, forested wetlands, sedge meadows, seeps, streams rated Class A or B in the Illinois Biological Stream Characterization study, streamside marshes, wet prairies, wetlands supporting Federal or Illinois endangered or threatened species, and wetlands with a floristic quality index of 20 or greater or mean C-value of 3.5 or greater. The following descriptions of high-quality aquatic resources apply to the Chicago District only.

**Advanced Identification (ADID) sites:** Aquatic sites that have been identified by the District and U.S. Environmental Protection Agency, in advance of specific permit requests, as areas generally unsuitable for disposal of dredged or fill material. ADID sites include various waters of the U.S., including wetlands, identified in Lake and McHenry Counties.

**Bog:** A low nutrient peatland, usually in a glacial depression, that is acidic in the surface stratum and often dominated at least in part by the genus *Sphagnum*.

**Ephemeral pool:** A seasonally inundated depression within a forested wetland or upland community, usually located on a moraine, glacial outwash plain, or in an area shallow to bedrock; also known locally as a “vernal pool.” These areas may not be permanently vegetated.

**Fen:** A peatland, herbaceous (including calcareous floating mats) or wooded, with calcareous groundwater flow.

**Forested wetland:** A wetland dominated by native woody vegetation with at least one of the following species or genera present: *Carya spp.*, *Cephalanthus occidentalis*, *Cornus alternifolia*, *Fraxinus nigra*, *Juglans cinerea*, *Nyssa sylvatica*, *Quercus spp.*, or *Thuja occidentalis*.

**Sedge meadow:** A wetland dominated by at least one of the following genera: *Carex*, *Calamagrostis*, *Cladium*, *Deschampsia*, *Eleocharis*, *Rhynchospora*, *Scleria*, or *Eriophorum*.

**Seep:** A wetland, herbaceous or wooded, with saturated soil or inundation resulting from the diffuse flow of groundwater to the surface stratum.

**Streams rated A or B in the Illinois Biological Stream Characterization study:**

Reference Illinois Environmental Protection Agency's Biological Stream

Characterization (BSC): Biological Assessment of Illinois Stream Quality (latest edition) for a current listing.

**Streamside marsh:** A wetland that is adjacent to, and contiguous with, a body of flowing water or supported by stream baseflow and dominated by herbaceous species.

**Wet prairie:** A wetland dominated by native graminoid species with a diverse indigenous forb component that is seasonally saturated and/or temporarily inundated.

**Wetlands supporting Federal or Illinois endangered or threatened species:** For current state-listed species, reference Illinois Endangered Species Protection Board's “Checklist of Endangered and Threatened Animals and Plants of Illinois” and/or contact the Illinois Department of Natural Resources. For Federally-listed species, reference the U.S. Fish and Wildlife Service's “Endangered and Threatened Wildlife and Plants” list (latest edition) and/or contact the U.S. Fish and Wildlife Service.

**Wetlands with a Floristic Quality Index of 20 or greater or a mean C-value of 3.5 or**

**greater:** Reference Plants of the Chicago Region (F. Swink and G. Wilhelm, 4<sup>th</sup> edition, Indianapolis: Indiana Academy of Science, 1994).

Further information on the areas described above can be found in the U.S. Environmental Protection Agency's Advanced Identification studies for Lake and McHenry Counties, the Chicago Wilderness' Biodiversity Recovery Plan, the Forest Preserve District of Cook County's The Natural Communities of Cook County: An Ecological Classification System for Terrestrial Communities, Swink and Wilhelm's Plants of the Chicago Region, and the Illinois Environmental Protection Agency's Biological Stream Characterization (BSC): Biological Assessment of Illinois Stream Quality (latest edition).