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David Preissig

**AGENDA****STORMWATER COMMITTEE**

**Tuesday, May 10th, 2016**

**7:00 p.m.**

**Department of Public Works  
451 Commerce Street**

- 1) CALL TO ORDER**
- 2) ROLL CALL**
- 3) APPROVAL OF FEBRUARY 8, 2016 SPECIAL MEETING MINUTES**
- 4) APPROVAL OF FEBRUARY 9, 2016 MINUTES**
- 5) DISCUSSION REGARDING MONITORING AND MAINTENANCE OF WETLANDS (WATERVIEW ESTATES AND STONE CREEK ESTATES)**
- 6) DISCUSSION REGARDING NPDES STORMWATER PERMIT FOR MS4'S**
- 7) UPDATE REGARDING BUCKTRAIL ESTATES SUBDIVISION - SCHEDULE FOR CONSTRUCTION**
- 8) UPDATE REGARDING SPECTRUM SENIOR LIVING STORMWATER PERMIT**
- 9) UPDATE REGARDING ST. MARK COPTIC CHURCH EXPANSION AND COORDINATION WITH PINE TREE LANE RESIDENTS**
- 10) UPDATE REGARDING DRAINAGE CONCERNS AT CARRIAGE WAY CONDOMINIUMS**
- 11) AUDIENCE DISCUSSION**
- 12) ADJOURNMENT**



## M E M O

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**To:** Chairperson Guy Franzese  
Members of the Village of Burr Ridge Stormwater Committee

**From:** David Preissig, P.E., Director of Public Works & Village Engineer

**Date:** May 6, 2016

**Subject:** Agenda Summary for Stormwater Committee Meeting on May 10, 2016

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**1) CALL TO ORDER**

**2) ROLL CALL**

**3) APPROVAL OF MINUTES FROM THE FEBRUARY 8, 2016 STORMWATER COMMITTEE - SPECIAL MEETING**

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Please see attached minutes for consideration.

**4) APPROVAL OF MINUTES FROM THE FEBRUARY 9, 2016 STORMWATER COMMITTEE MEETING**

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Please see attached minutes for consideration.

**5) DISCUSSION REGARDING MONITORING AND MAINTENANCE OF WETLANDS (WATERVIEW ESTATES AND STONE CREEK ESTATES)**

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The Village has received notices from DuPage County that two developments with wetland enhancements constructed as part of their improvements require additional measures to bring these sites into compliance and close out the original DuPage County stormwater permits. Since Burr Ridge is a “partial-waiver” community, DuPage County reviews these permitted enhancement areas once a year for a period of three years to ensure their success as required by a Stormwater Management Permit Certification. The County has performance standards that all wetlands, buffers, or natural area developments must meet, which include assessment of native vegetation growth and survival rates of trees or shrubs. If an enhancement area does not meet these criteria within three years, additional measures will be required.

DuPage County staff conducted site inspections in July 2015 for Waterview Estates (Waterview Court at 15W621 83rd Street) and in October 2015 for Stone Creek Estates (91st

Street at northwest corner of County Line Road). The required enhancement sites were found not in compliance for reasons including: 1) native planting areas not established, 2) wetland areas being mowed, 3) enhancement areas dominated by non-native, weedy species, 4) dead and missing trees and shrubs, or 5) County not receiving an annual vegetation monitoring report. Village Engineer met with County staff in February 2016 to discuss requirements and schedules for these sites.

As part of the final approval and release of permit bonds and securities, a Stormwater Permit Certification holder (developer) shall provide annual monitoring reports documenting progress towards meeting the performance standards. The monitoring reports shall include relevant data and observations taken during the growing season and shall be submitted to the County no later than January 31st of the following year until the performance standards are met and accepted. If permit requirements are met early and it appears that the cessation of the maintenance and monitoring period will not jeopardize the area's continuing compliance, the County may consider granting early signoff when requested.

If property ownership is changed during the management and monitoring period, the developer is required to notify the County and transfer the permit to the next property owner. The current certification holder must notify the future owner(s) of their obligations, maintenance and monitoring requirements, submit written confirmation from the receiving party accepting these responsibilities.

The Village, on behalf of the County, has the right to retain a minimum of ten percent (10%) of the security for the length of the required monitoring period. This should not be less than one (1) year from the completion of the initial restoration or mitigation activities, to ensure the satisfactory establishment of any vegetated areas required by the Permit Certification.

In the case of both Waterview Estates and Stone Creek Estates, changes to property ownership were the primary issues. The County had not been notified and securities were allowed to expire. The wetland enhancement areas were un-monitored and improperly maintained; therefore these areas require re-establishing the necessary vegetation to bring these sites into compliance and close out the original DuPage County stormwater permits.

The Village is working with the Waterview Estates homeowners' association, and will be contacting Stone Creek Estates property owners to bring these wetland enhancements into compliance. Waterview Estates work will be concurrent with construction of two homes in that development, while a schedule for Stone Creek Estates will be determined soon.

Monitoring reports will be performed as needed by a qualified consultant at the expense of the Village. The estimated cost for consulting services is approximately \$1,000 per year for each development being monitored. Adequate funds are available in the Stormwater Fund account.



## 6) DISCUSSION REGARDING NPDES STORMWATER PERMIT FOR MS4'S

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As reported in previous meetings of this Committee, the Village submits its annual report for the General Storm Water Permit for Small Municipal Separate Storm Sewer Systems (MS4) to the Illinois Environmental Protection Agency (IEPA) by June 1st of each year. This is to comply with the National Pollutant Discharge Elimination System (NPDES) Phase II program.

The Illinois EPA's new statewide Permit was issued on February 10, 2016, with an effective date of March 1, 2016. All agencies have 90 days (June 1) to file their Notice of Intent (NOI), then must comply with new provisions within 180 days (September 1) and include modifications pursuant to the NPDES in its Annual Report.

Significant changes have been made since Illinois EPA was required to include new language by USEPA for minimum program requirements. Changes are noted in a memo issued by the IEPA with highlighted text showing impacts to the Village (*See attached "Modifications to General NPDES Permit ILR40"*). The full text of the new permit is available from the IEPA website: <http://www.epa.illinois.gov/Assets/iepa/water-quality/surface-water/storm-water/ms4/general-ms4-permit.pdf>. Some of the most substantial changes include:

- IEPA has identified pollutants of concern for the Des Plaines River and set regulated levels for Total Maximum Daily Loading (TMDL) in the waterway. IEPA could soon require each tributary MS4 agency to take action to cause measureable improvements.
- Municipalities must consider incorporating green infrastructure concepts into their storm water program.
- Municipalities shall develop and implement several monitoring, assessment, enforcement, and documentation programs that must include measurable goals, to evaluate each of the six minimum control measures (Public Education and Outreach, Public Participation/Involvement, Illicit Discharge Detection and Elimination, Construction Site Runoff Control, Post-Construction Runoff Control, and Pollution Prevention/Good Housekeeping for Municipal Operations).
- Annual training is required for municipal staff (PW and Engineering) and contractors on pollutant discharges and housekeeping practices.

The Illinois EPA publicly stated in their Response to Comments issued February 9, 2016, that it appreciates concerns regarding the cost of implementation to local governments, and further stated that it recommends partnering with nearby MS4 communities to share costs of monitoring, educational guidance, staff training, etc.

As previously discussed, it will be advantageous to participate in this process with approximately thirty other municipalities and nine township highway districts as cooperating permit holders in a DuPage County countywide local qualifying effort as recommended by the IEPA Division of Water Pollution Control Permit Section. Cook and DuPage Counties are shared responsibilities for meeting the Phase II program requirements by working jointly with other municipalities or governmental entities. DuPage County has been meeting bi-weekly with municipal engineers to discuss the potential for aggregating regional programs to satisfy



IEPA requirements. Cook County, through MWRD, is also working with local agencies in its Chicago Area Waterways Chloride Initiative work group with to create technical reports supporting discharger petitions for a variance from the TMDL standards (chlorides). In the near future, intergovernmental agreements (IGA) may be proposed by either agency to provide assistance with new requirements, including.

- Public outreach
- Inspections
- Maintenance
- Training
- Recordkeeping
- Reporting to IEPA

Engineering staff is currently preparing the NOI forms as required. Staff will continue to look for cost-saving measures that could share responsibility for some of the new IEPA requirements with DuPage County and/or Cook County.

## **7) UPDATE REGARDING BUCKTRAIL ESTATES - CONSTRUCTION SCHEDULE**

The proposed Bucktrail Estates subdivision improvements were discussed at the February 8, 2016, Special Meeting of this Committee. The Bucktrail Estates subdivision is 5.03 acres at the south end of Bucktrail Drive, and includes five single-family residential lots, a cul-de-sac, sidewalk, utility services, storm sewer, and a stormwater detention basin along the eastern property line. Proposed drainage of the site will be collected and routed to the basin by the proposed storm sewers. Detention and volume control requirements have been provided substantially above the minimum requirements of the MWRD Watershed Management Ordinance (WMO) methodology. Outfall of the basin is in a 12" pipe to a storm sewer in Lots 9 and 10 of Cross Creek. The basin walls are 6" higher than required, and a perforated drain tile will be installed under the east-side wall of the basin to intercept some sub-surface water before it crosses into private property.

Public Works staff met with the developer on April 20, 2016, and again on May 6, 2016, to discuss construction staging, schedule of work, tree removal, erosion control, protection and restoration of adjacent private property, utility inspection requirements, and established emergency communication protocols.

Tree protection and building demolition is scheduled to begin the week of May 9, 2016. This work will be followed by tree removal and installation of erosion control fence (silt fence) for the entire perimeter of the property. Excavation for the detention area and installation of the pipe outflow through Crosscreek properties will be a staged operation to avoid runoff into adjacent Burr Oaks Glen properties. Sediment basins will be constructed within the detention pond to slow stormwater outflows and contain, to the extent practical, any silt run-off.

Public Works staff will conduct thorough site inspections as the work progresses. The developer and his contractors will also be required to attend periodic coordination meetings with Public Works staff at critical junctures of the development's construction.



## **8) UPDATE REGARDING SPECTRUM SENIOR LIVING STORMWATER PERMIT**

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The proposed stormwater design, wetland impacts, and permitting requirements for the Spectrum Senior Living development located at Illinois Route 83 and 91st Street were discussed at this Committee's February 9, 2016 meeting. The Spectrum Senior Living development includes 190 dwelling units in a continuing care retirement community consisting of independent living, assisted living and memory care accommodations. Three commercial outlots are proposed along IL 83. A wetland would be impacted entirely by the development, and DuPage County has jurisdiction for permit review of these proposed impacts.

The County has reviewed the developer's Project Alternatives Analysis and now concurs with the developer's premise that this wetland is a low-quality regulatory wetland, but it is not a Critical or High-Quality Aquatic Resource. The developer will not need to request a Village variance from its Countywide Stormwater & Floodplain Ordinance. The developer will now be required to complete the final engineering plans and a full permit submittal for review by the Village and County.

The developer's engineer anticipates a first submittal to the Village the week of May 16, 2016.

## **9) UPDATE REGARDING ST. MARK COPTIC CHURCH EXPANSION AND COORDINATION WITH PINE TREE LANE RESIDENTS**

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At this Committee's November 2015 meeting, an update was provided regarding the residents of Pine Tree Lane, its homeowners association, and the Village working closely with the owners, engineers, and builders for the addition and site modifications to St. Mark Coptic Church, 15 W. 455 79th St. Landscaping and drainage enhancements include working within a wide Pine Tree HOA drainage easement, adjusting irrigation lines, providing a better drainage swale, and modifying the landscape plans as had been requested, designed, and approved in October 2015.

The owners and builders are on schedule to complete this landscaping work by early June, as promised to the Pine Tree Lane residents. Precise grading will be required in the swale that is proposed to drain to the detention facility from the west and southeast sides of the landscaped berm adjacent to the Pine Tree Lane residents. Village engineering staff will coordinate with the landscapers that are performing this work and will provide confirming elevations and assistance when needed.



## **10) UPDATE REGARDING DRAINAGE CONCERNS AT CARRIAGE WAY CONDOMINIUMS**

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At this Committee's November 2015 meeting, an update was provided that the Carriage Way Condos drainage swale had been modified earlier that year. Included in this work was plastic pipes conveying roof drains toward the drainage swale in Carriage Way Club, flowing over large stones and into a closed sewer systems.

Since meeting with the Carriage Way Club HOA in October 2015, Public Works staff been monitoring the area after significant rainfall events. No problems have occurred and the Department has not received any complaints from either the Carriage Way Club or the Carriage Way Condominiums. Industrial properties along Tower Drive have also replaced the entire length of a broken fence abutting the Carriage Way Club HOA.

Village staff will continue to monitor work in the Carriage Way Condominiums and as well as any re-development that may occur with adjacent Tower Drive industrial properties that could provide some method of stormwater relief for the Carriage Way Club HOA.

## **ATTACHMENTS**

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*Minutes, Stormwater Management Committee Special Meeting, February 8, 2016*

*Minutes, Stormwater Management Committee Meeting, February 9, 2016*

*Modifications to General NPDES Permit ILR40*



**MINUTES  
STORMWATER MANAGEMENT COMMITTEE  
SPECIAL MEETING  
February 8, 2016**

**CALL TO ORDER**

Chairperson Guy Franzese called the meeting to order at 8:22 PM

**ROLL CALL**

Present: Chairman Guy Franzese, Trustee Tony Schiappa, Trustee Al Paveza, Nancy Montelbano, Alice Krampits

Absent: Wil Wilcox

Also Present: Village Administrator Steve Stricker, Public Works Director/Village Engineer David Preissig, Community Development Director Doug Pollock, Residents Michael & Nancy Koren, Residents Larry & Linda Inzano, Resident Dr. David Holt, Developer Bill McNaughton and Developer's Engineer Jon Green

Chairperson Guy Franzese welcomed everyone to the meeting and explained that the purpose of the meeting was to allow residents to gain a better understanding of the proposed stormwater improvements for the Buck Trail Estates Subdivision.

**PROPOSED BUCKTRAIL ESTATES SUBDIVISION STORMWATER IMPROVEMENTS**

Bill McNaughton, developer of the Buck Trail Estates Subdivision, provided a brief overview of the proposed stormwater improvements for his subdivision. Mr. McNaughton stated that he has been working with Staff over the last 3-4 months, along with his engineer, to develop a stormwater plan for this property. He stated that the proposed improvements exceed the Village's and the MWRD's Stormwater Regulations. He stated that some additions to the project include a 12" overflow drain pipe, which would be extended south of the property instead of east, to increase the volume of the pond to make it 6" higher, to install a drain tile on the east side of the berm to catch any water that may leech through the berm to the east and catch it before it enters private property and to reduce the flow rate beyond normal requirements. He stated that it is a fully committed project, with buyers ready to build on the lots, once they are improved. He stated that at least two of the property owners who will live in this subdivision are currently Burr Ridge residents and that the owners are currently finalizing their architectural designs. Mr. McNaughton wanted to make it clear that this was not a spec project, but a committed project, and that four of the five lots will be built immediately.

In response to a question from Chairperson Franzese, Mr. McNaughton stated that he plans to start the subdivision improvements on March 20, weather permitting. He stated that he hoped to have the subdivision completed and construction started on the new homes so that they will be under roof throughout the winter and that the new property owners will be in



their homes by this time next year. He stated that they would try hard to get the landscaping in prior to the end of the season.

### **RESIDENT QUESTIONS AND COMMENTS**

In response to a question from Mr. Koren regarding how the plans may have changed since the last time he reviewed them, Mr. Preissig stated that, since Mr. Koren reviewed the plans, there was one additional set of comments and one additional submittal, and that the developer made all the changes that Village Staff had required.

Mrs. Linda Inzano asked how far off the property line the berm for the detention basin would be located. In response, Mr. Green, the developer's Engineer, stated that it would be 17 feet. Mrs. Inzano stated that, even though the detention will collect water that now runs onto her property, she was concerned that some of that water will leech through the berm onto her property. In response, Mr. Green stated that, in order for that not to happen, an additional swale and French drain will be installed to catch any water that may leech through the berm. He stated that this improvement is not a requirement of the Stormwater Ordinance, but something that the owners agreed to do.

Mrs. Inzano stated her concerns that it may not work. In response, Mr. Green stated that he is a registered Engineer, that he developed the stormwater improvements using normal standards and that he felt that the improvements will work as designed. Mr. Green stated that the developer was asked to go above and beyond by Chairperson Franzese to ensure that there would be no runoff onto the neighbors' properties under normal conditions and that is why the under drain was included in the plans. He stated that this was a "belt and suspenders" approach to the problem to ensure that there would be no runoff onto the neighbors' properties to the east.

Mr. McNaughton stated that, in an effort to ensure that the stormwater improvements will definitely improve the situation for the residents to the east, \$100,000 in extra improvements have been included in the plan to further protect the residents. Mr. McNaughton stated that he could not help what had occurred in the past, but wanted the residents to be assured that the proposed improvements will definitely be a benefit to their property.

In response to a question from Dr. Holt, Mr. McNaughton stated that the detention basin will be a dry detention basin. In further response to Dr. Holt, Mr. McNaughton stated that there will be a 12-inch overflow pipe that will be directed to the south.

In response to a question from Trustee Paveza, Mr. Greene stated that the overflow pipe will work, because the alternate location of the water will be the creek, which is 8-10 feet lower than this property.

Mrs. Koren asked who would be responsible to maintain the stormwater improvements. In response, Mr. McNaughton stated that a Homeowners' Association would be created and the

five homeowners collectively would be responsible for the maintenance, just like any other Homeowners' Association in the Village.

Mrs. Inzano stated that she had spent close to \$50,000 on repairing her property, due to severe storm events, and wanted to know who would be responsible to pay for damage on her property if the improvements fail. Trustee Paveza stated under normal conditions he was confident that the improvements will work as they are designed. Mr. McNaughton stated that, if the project did not occur, water from this property would continue to run off unabated onto the properties to the east. He stated that the fact that the subdivision is being constructed with stormwater improvements is definitely an improvement for the residents. Mrs. Inzano also stated that she is also concerned about the stormwater runoff from the Cross Creek Subdivision. In response, Mr. Preissig stated that he checked the situation and he felt that the swale that was designed and installed is working as expected. He stated that he would continue to watch it throughout the wet spring months. Mr. Preissig also stated that, to ensure that the property owners to the east would not be affected, he will instruct the developer to build the pond first, before heavy spring rains occur.

Once again, Mrs. Inzano insisted that she be told who would be responsible to pay for any future damages on her property. In response, Chairperson Franzese stated that this is a three-step process. There is the design phase, the installation phase and the maintenance phase. He stated that, if the design is faulty, the Inzanos have the recourse to sue the engineer. If the installation is improper and leads to property damages, then Mrs. Inzano has recourse to sue the developer. If the stormwater improvements, once constructed, are not maintained properly by the Homeowners' Association, Mrs. Inzano has recourse to sue the Homeowners' Association. Mrs. Inzano stated that she felt that it was not fair that she would be forced to have to sue someone and wanted the Village to take responsibility for any future damages on her property. She stated that she felt that the Village should be responsible for the fact that they left the stone in the path that was left when the asphalt path was removed in the back of her property and that this is still causing a drainage problem on her property.

Mr. Koren stated that he has reviewed these plans thoroughly and feels that it will be an improvement. He stated that he understood that the responsibility to maintain the stormwater improvements will be with the Homeowners' Association and that he did appreciate the additional overflow pipe that will lead to the south.

In response to a question regarding potential clogged pipes, Mr. Green stated that the fact that the pond will be built 6" higher will help if the restrictor is ever clogged. He stated that the overflow pipe will work as designed and lead the excess water into the creek. He stated that, in the absolute worst case scenario, the existing pipe that leads from the back of the homes on Shag Bark Lane to the street would still be available.

In response to a question from Mr. Koren regarding the specifications for a non-woven fabric around the French drain to catch any leeching from the detention pond, Mr. Green stated that he was asked by the Village to add a different non-woven fabric, which has now been included in the plans.

Mr. Koren asked how much water that currently flows to the west and south will flow in that direction after the development of the property. In response, Mr. Green stated that all the stormwater emanating from this property will be directed into the subdivision pond, as required by law. He stated that there are pipes that are located around the subdivision behind each of the properties that will collect the stormwater and send it to the pond.

Mr. Koren stated again that he that this project would be a benefit to the property owners to the east.

In response to a question from Dr. Holt, Village Engineer David Preissig stated that, when the overflow pipe is installed that will run into the Cross Creek Subdivision and into the creek farther south, they will ask the developer to deepen the swale when the pipe is installed.

Chairperson Franzese asked if there were any last questions of the property owners. In response, Mrs. Inzano once again stated that she would like to have something in writing to let her know who would be responsible if she incurs any property damage in the future. Chairperson Franzese stated that the Village Attorney would not allow the Village to provide such a letter, but that the minutes of this meeting will be recorded and should include what was explained at the meeting.

Mr. McNaughton stated that there will be Homeowners' Association covenants, which will require them to properly maintain the stormwater improvements, as well as the other subdivision improvements. He stated that the agreement will be signed and recorded on each property. He stated that he also would not provide a letter to Mrs. Inzano. Mr. McNaughton stated once again that he felt that his company and the owners he represents are going above and beyond what is normally required to help alleviate the situation for the property owners to the east.

Mr. Green stated that all of the stormwater improvements will be located in easements and that the Village has the right to correct any problems that may exist if the Homeowners' Association does not act fast enough.

Committee member Nancy Montelbano asked Mrs. Inzano if her home is lower than her backyard. Mrs. Inzano stated that it is and, in response, Ms. Montelbano stated that she could also be getting water that comes toward her house that could actually be from her own backyard.

Trustee Tony Schiappa stated that the Village has done its due diligence in reviewing the plans and will be on the jobsite to ensure that the improvements are properly installed. He stated that the developer will be required to provide a letter of credit, which the Village can draw upon to fix any problems if necessary.

Village Administrator Steve Stricker stated that the final plan for the proposed subdivision will be placed on the next meeting agenda for approval.

**ADJOURNMENT**

There being no further business, a **motion** was made by Trustee Al Paveza to adjourn the meeting. The motion was **seconded** by Trustee Tony Schiappa and **approved** by a vote of 5-0. The meeting was adjourned at 9:36 p.m.

Respectively submitted,

A handwritten signature in black ink, appearing to read 'Steve Stricker', with a stylized, cursive script.

Steve Stricker  
Village Administrator

SS:bp

**MINUTES**  
**STORMWATER MANAGEMENT COMMITTEE MEETING**  
**February 9, 2016**

**CALL TO ORDER**

Chairman Guy Franzese called the meeting to order at 7:05 PM

**ROLL CALL**

Present: Chairman Guy Franzese, Trustee Tony Schiappa, Trustee Al Paveza, Nancy Montelbano, Alice Krampits

Absent: Wil Wilcox

Also Present: Village Administrator Steve Stricker, Public Works Director/Village Engineer David Preissig

**APPROVAL OF MINUTES**

A **motion** was made by Trustee Al Paveza to approve the minutes of November 10, 2015. The motion was **seconded** by Trustee Tony Schiappa and **approved** by a vote of 5-0.

**SPECTRUM SENIOR LIVING STORMWATER PERMIT**

Public Works Director David Preissig presented the Committee with an overview of the stormwater management plan for the Spectrum Senior Living Development Project. He stated that a problem has come up dealing with a small wetland area totaling .58 acres, located at the central north portion of the proposed commercial area, close to Route 83. He stated that this wetland is likely manmade and of low quality, but yet, mitigation of this wetland falls under the jurisdiction of the DuPage County Stormwater and Flood Plain Ordinance. He stated that the process to convince DuPage County to allow for the mitigation of the wetland is a very difficult process and will hold up this development for several months. He stated that the developer is in the process of preparing the necessary studies to submit to the County for approval. He stated that, in the worst case scenario, the developer could always request a waiver from the requirements of the Village's Stormwater Ordinance.

Village Administrator Steve Stricker state that that should be considered the avenue of last resort, since the Village certainly does not want to set a precedent to allow future developers to think that the Village will grant them a variation from the Ordinance. He stated that the Village has never granted a variation of this type and that it would be frowned upon by the County if we did so. He suggested that the developer would have to exhaust all of their possible remedies with the County before the Village should take on this question and that the developer understands the Village's position in regard to this matter.



**ABROGATING RIDGE FARM SUBDIVISION DRAINAGE & DETENTION EASEMENT (17 RIDGE FARM ROAD, PERMIT #15-220)**

Public Works Director Preissig stated that the residents at 17 Ridge Farm Road have proposed to add a pool and deck to the rear of their house, but unfortunately the majority of their backyard is encumbered by a drainage and detention easement. Although they have a plan to mitigate the impact of encroaching into the easement, the approval of the homeowners in the subdivision, as well as the Village, is required before he could move forward. Mr. Preissig stated that the owner of the property is not happy with the situation, but understands that it would be extremely difficult, if not impossible to obtain all of the signatures. With this in mind, Mr. Preissig learned today that the contractor for the homeowner is looking to change the location of the pool and deck to stay out of the drainage easement.

**AMENDING MWRD WATERSHED MANAGEMENT ORDINANCE**

Public Works Director Preissig stated that the Metropolitan Water Reclamation District contacted the Village recently, requesting that the Village amend its Ordinance to add language that the Village will approve any future amendments that the MWRD may set forth. He stated that, after speaking with the MWRD, they have backed off of this requirement and have agreed to allow the Village to amend its Ordinance as changes to the Ordinance are adopted by the MWRD.

Administrator Stricker stated that he objected to this request and asked Mr. Preissig to contact the MWRD to inform them of our objection. He stated his concern that he did not want the Stormwater Ordinance to be unilaterally changed without Village knowledge and/or input.

**MWRD INFILTRATION / INFLOW CONTROL PROGRAM**

Public Works Director Preissig stated that the new Cook County Stormwater Ordinance addresses the reduction of excess stormwater inflow and ground water infiltration into the sanitary sewer system. He stated that the Village received a grant 30 years ago to assist in allowing the Village to come into compliance with regulations that existed at that time regarding infiltration and inflow, but that the new provisions will require the Village to step up its I & I (Inflow & Infiltration) program. He stated that the sewer budget this year includes the purchase of smoke testing equipment, which will help determine if there are legal connections to the sanitary sewer system. He stated that residents will be notified in advance with a full explanation of the program.

**UPDATE REGARDING DUPAGE COUNTY WATER QUALITY GRANT**

Public Works Director Preissig stated that this is a follow up to a question from Committee member Nancy Montelbano at the November 2015 meeting regarding grants from DuPage County. He stated that DuPage County each year has a water quality improvement grant for projects saying they are improving the quality of the County streams and rivers. He stated that communities and organizations may apply for funding of up to 25%. He stated that, last

year, DuPage County received requests for 16 projects and awarded \$1.3 million in grant funding. He stated that future funding for this program remains in doubt, but that, if the program continues, he will investigate possible future stormwater improvements that could be partially funded through this program.

#### **UPDATE REGARDING NPDES GENERAL STORMWATER PERMIT FOR MS4'S**

Public Works Director Preissig stated that he was going to submit his annual report to the General Stormwater Permit for Municipal Separate Storm Sewer Systems to the Illinois Environmental Protection Agency, but that he just recently learned that the Village could participate with approximately 30 other municipalities and townships in DuPage County in a County-wide permit. He stated that he would continue to look into this matter and make a recommendation. In the meantime, the Village is still compliant with the IEPA's requirements.

#### **PRESENTATION OF THE FY 2016-17 STORMWATER BUDGET**

Administrator Stricker stated that the Stormwater Fund was created a few years ago to separate stormwater permit revenues from other revenues and allocate it toward stormwater projects. He stated that the Fund has been building up over time and that it will have approximately \$107,000 in the budget prior to the end of the fiscal year. He stated that there is a relatively small amount of revenue that comes in every year and expenditures are simply miscellaneous drainage projects that may come up. He stated that the current draft of the Budget shows a deficit, but that he will correct that to show a balanced budget in all years.

#### **OTHER BUSINESS**

The Committee briefly discussed the discussion from the previous night's meeting regarding the Buck Trail Estates Subdivision.

#### **ADJOURNMENT**

There being no further business, a **motion** was made by Trustee Al Paveza to adjourn the meeting. The motion was **seconded** by Trustee Tony Schiappa and **approved** by a vote of 5-0. The meeting was adjourned at 7:40 p.m.

Respectively submitted,



Steve Stricker  
Village Administrator

SS:bp

## Modifications to General NPDES Permit ILR40

The following modifications have been made to the new General NPDES Permit ILR40 from the previously issued permit:

1. Part I.C.2 was modified to allow the Illinois EPA to exclude discharges that may not be appropriately covered by this general permit or that introduce new or increased pollutant loading that may be a substantial contributor of pollutants to the receiving stream.
2. Part I.C was modified by the insertion of items 4 and 5 to **include discharge prohibition and dewatering language** from NPDES General Permit ILR10.
3. Part I.D.2 has been modified to require submission of a new NOI within 30 days of a change in the operator.
4. Part I.D.3 was modified for clarity.
5. Part II.A.2 has been modified to clarify NOI submission requirements allowing previously submitted MS4 Permit Applications to be accepted without resubmission of the application and requiring new NOI submissions within 90 days of the effective date of the permit. All permittees must comply with any new provisions within 180 days of the effective date of the permit and include modifications pursuant to the NPDES in its Annual Report.
6. Part II.B.2 has been modified to require submission of the name and address of the party responsible for implementing the MS4 permit.
7. Part II.B.3 was modified to require permittees to specify if the stream segment(s) which the **MS4 is discharging to are in an approved TMDL or other water quality plan**. An electronic link to Illinois EPA's TMDL webpage and to Illinois EPA's water quality mapping tool has been added.
8. Part III.C.8 has been clarified to indicate monitoring shall be continued "until two continuous NPDES Permit cycles" verify waste load allocations are being met.
9. Part III.C.9 was added to the permit to specify that other general or individual permits which include **project implementation pursuant to a TMDL or other approved watershed management plan shall supersede Part III.C**. In addition, this part has been modified to include a link to Illinois EPA's TMDL webpage.
10. Part III.D was added to require MS4s that **perform deicing activities which can cause or contribute to a violation of an applicable State chloride standard participate in any watershed group** organized to implement control measures which will reduce chloride concentrations in any receiving stream within the watershed.
11. Part III.E was revised to maintain consistency with administrative continuance language contained in other NPDES General Permits.



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12. Part IV.B introductory paragraphs were added to Part IV.B. for each of the 6 Minimum Control Measures. A requirement that the permittee shall **include an evaluation of each of the 6 Minimum Control Measures in the Annual Report** was added to each of the 6 Minimum Control Measures.
13. Part IV.B.1.a has been modified to **include information on the potential effects on storm water due to climate change**. This part has also been modified to require educational materials concerning non-storm water discharges to the public education BMP and has been expanded to include specific examples of topics to be discussed in the public education portion of the minimum controls. In addition, an electronic link to USEPA's climate change webpage has been added.
14. Part IV.B.2.c has been added to **require a minimum of one public meeting per year**.
15. Part IV.B.2.d now requires the permittee to identify environmental justice areas within its jurisdiction and include appropriate public involvement/participation. An electronic link to USEPA's environmental justice webpage has been added.
16. Part IV.B.3.b was modified to **require updating of the permittee's sewer system map**.
17. Part IV.B.3.h has been modified to **require inspections under dry weather conditions**. It has also been modified to allow the permittee to prioritize areas and outfalls to be inspected.
18. Part IV.B.4.a.ii has been revised to specify that the construction site owner/operator is responsible for design, installation, and maintenance of storm water controls.
19. Part IV.B.4.a.ii has been revised to include requirements pursuant to 40 CFR 450 and NPDES General Permit No. ILR10.
20. Part IV.B.4.a.iii has been revised to include requirements pursuant to 40 CFR 450 and NPDES General Permit No. ILR10.
21. Part IV.B.4.a.iv now references the Illinois Urban Manual, 2014.
22. Part IV.B.4.a.vii now requires enforcement of ordinance provisions.
23. Part IV.B.5.b has been modified to include consideration of potential impacts and effects of climate change on storm water controls and an electronic link to USEPA's climate change webpage was added. In addition, this section now specifies that it applies at a minimum to sites of greater than or equal to one acre.
24. Part IV.B.5.c requirements in Part IV.B.5.b of the previous permit have been moved to Part IV.B.5.c. This section requires the permittee to **develop a long term operation and maintenance plan**.

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25. Part IV.B.5.e.ii.C has been added to include consideration of potential impacts and effects of climate change with regard to BMP implementation.
26. Part IV.B.5.f has been added to specify circumstances where infiltration practices should not be used.
27. Part IV.B.5.h has been modified to reference the Illinois Urban Manual, 2014.
28. Part IV.B.5.k has been added to require **assessment of the water quality impacts of all existing and new flood control projects** associated with the permittee or that discharge to the MS4 area. This part also includes a requirement to consider impacts and effects of climate change on flood management projects.
29. Part IV.B.6.a now **requires an annual training component for municipal staff** and contractors.
30. Part IV.B.6.b has been added to specify **pollution prevention requirements for the storage, handling, and usage of chemicals, including pesticides, herbicides, and deicing materials**.
31. Part IV.B.6.c has been added to include **storage requirements for fertilizer, pesticides, other chemicals, and deicing materials**. It includes language to allow two years for the construction of permanent storage for de-icing materials. In addition, this section has been revised to require the permittee to minimize pollutant runoff from storage areas rather than prohibit such runoff.
32. Part IV.B.6.d. has been clarified by the addition of a definition of “flood management project” in Part VI of this permit.
33. Part IV.D.1.c has been revised to recommend written agreements between permittees and entities with shared responsibilities rather than requiring such agreements.
34. Part IV.E. has been modified to require that the **Annual Report must address compliance with applicable TMDLs or other watershed management plan**.
35. Part IV.E.1 has been modified to provide a link to Illinois EPA’s TMDL webpage.
36. Part IV.E.2.c has been modified to specify that changes to existing ordinances, relative to the Storm Water Management Program, must be at least as stringent as NPDES General Permit ILR40.
37. Part IV.E.3.d. has been moved to the introductory paragraph of Part IV.E.3.
38. Part V.A requires the **development and implementation of a monitoring and assessment program**. **Permittees may develop the program from a menu of alternative monitoring and assessment programs**. Permittees have 180 days to develop a program.

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39. Part V.B has been clarified by a sentence identifying what documents are considered to be permit records. It has also been revised to require compliance with applicable Freedom of Information Act requirements.
40. Part V.C has been modified to specify that Annual Reports must be maintained on the permittee's website for 5 years.
41. Part V.C.7 has been modified to require that **monitoring results will be used to evaluate the effectiveness of the permittee's program.**
42. Part VI has been modified to include the following definitions: "environmental justice," "environmental justice area," "flood management project," and "pollutants of concern."
43. Throughout the document the word "you" or "your" has been replaced with "permittee."
44. General: various edits and grammar modifications.

Modifications 2/9/2016