

May 6, 2008

Mr. James Zay
Chairman, DuPage County Stormwater Committee
421 North County Farm
Wheaton, IL 60187

Dear Mr. Zay:

As residents of the Village of Glen Ellyn, we are seriously concerned with the significant and repeated failures of the Village to implement and enforce the DuPage County Stormwater and Flood Plain Ordinance. The Ackerman Park wetlands, located at E. 800 St. Charles Road, have been and currently are in great danger. Consequently, we are filing a complaint with your committee, as provided by Section 15-57 of the Ordinance. We intend that this letter constitutes such a written complaint. We hope to remedy the past violations of the Ordinance by the Village and prevent any future violations as well.

We have recently received documents from DuPage County through the Freedom of Information Act that detail a history of wetlands violations at Ackerman Park, see attached, Exhibit A. Dating back nearly three years, the Glen Ellyn Park District has dumped dirt and gravel into wetlands on the northeast and northwest corners of Ackerman Park in direct violation of the Ordinance. The documents state that the Ackerman Park wetlands are a protected area. Under Sec. 15-134 and 15-135, the Park District is required to provide certain documentation before beginning any development affecting the Ackerman Park wetlands. Specifically, the Park District was required to provide documentation to "identify the boundaries, extent, function and value, and quality of all wetland areas on the subject property" and 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." Ordinance Sec. 15-134, 135. The Park District has provided no such documentation, therefore it is acting in violation of these sections. Ordinance Sec. 15-166.2. Furthermore, the letters from Mary Beth Falsey, DuPage County Senior Wetland Specialist, indicate that no permits have been issued for this work as required by Sec. 15-166.1. According to the documents we received from the county it was the opinion of Ms. Falsey that these actions impacted the functions of the Ackerman Park wetlands. Ms. Falsey stated that it is "imperative that this site be brought into compliance with the ordinance."

Despite having nearly three years to act the Village has not remedied the problems documented by Ms. Falsey. In fact, the documents we received go on to detail an additional violation by the Village in February 2008. According to the documents the County has not received any response from the Village regarding the 2005 violation, let alone a resolution and remediation of the problem in accordance with the Ordinance. In a Village Board Meeting on April 28, 2008, Stacy Hulesberg, Director of Planning and Development, stated that the 2005 violation was still being worked on and the Village had yet to reach a remediation agreement with the Park District. This is unacceptable. As a full waiver community, Glen Ellyn is responsible for enforcing the Ordinance, but has shown has shown significant and repeated failure to implement and enforce the Ordinance.

Now, the Village and Park District are planning further development impacting other Ackerman Park wetlands with construction starting in June 2008. The project calls for construction within a delineated wetland buffer and removal of over 340 trees from the woods at Ackerman Park. This project also calls for an increase in overland stormwater flow across unincorporated private property. Ms. Hulesberg

also stated at the April 28 meeting that 2005 and 2008 wetland violations at Ackerman Park have no bearing on this project.

To the best of our knowledge the Park District has not secured a permit as required by Sec. 15-166. We submitted to the Village of Glen Ellyn a Freedom of Information Act request on March 11, 2008 and a Freedom of Information Act appeal on April 29, 2008 requesting all permits issued to the Glen Ellyn Park District for Ackerman Park Expansion and to date no permits have been provided to us. It is unacceptable that further development proceeds when previous violations have not been remedied.

We request that the Committee issue a Stop-Work Order under Sec. 15-200 of the Ordinance for the development plans at Ackerman Park. This remedy is available under Sec. 15-200.2(a) and (c). As stated by Ms. Falsey, it is "imperative that this site be brought into compliance with the ordinance." The ensuing tree removal and wetland impacts constitute an imminent hazard of severe harm to the property and the Village is proceeding without a Stormwater Management Permit.

The Village of Glen Ellyn has shown willful disregard for the Ordinance and must be brought into compliance by the Committee.

Thank you for your time and consideration.

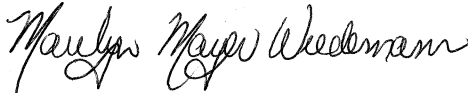
Sincerely,



David Creech
Melissa Creech
697 Saint Charles Road
Glen Ellyn, IL 60137



Allen Gaiden
Kathleen Gaiden
1N-144 Forest Avenue
Glen Ellyn IL 60137



Marilyn Mayer Wiedemann
373 Oak Street
Glen Ellyn, IL 60137



Eleanor Saliamonas
626 Newton Avenue
Glen Ellyn, IL 60137



Jennifer Kinzler
929 N. Newton Avenue
Glen Ellyn, IL 60137



Christine Wilson
537 Phillips Avenue
Glen Ellyn, IL 60137