

**Village of Downers Grove
Stormwater and Flood Plain Oversight Committee
Wednesday, September 10, 2003
7:00 PM**

**Downers Grove Public Works Facility
Main Conference Room
5101 Walnut Avenue
Downers Grove, Illinois 60515**

Call to Order

Chairman Eckmann called the meeting to order at 7:01 PM.

Roll Call

Committee Members Present: Mr. Bruce Beckman
 Mr. William Bollenberg
 Chairman Donald Eckmann
 Mr. Dave Gorman
 Mr. Marc Lopata
 Mr. William Ponstein
 Mr. Edward Shadrick

Staff Members Present: Mr. Jonathan Hall, Stormwater Administrator
 Ms. Alicia Hightower, Stormwater Engineer
 Ms. Kirsten Coulman, Recording Secretary
 Mr. Michael Millette, Assistant Director of Public Works-Engineering
 Mr. David Van Vooren, Assistant Village Manager

Visitors Present: Mr. Scott Padalik, 4742 Cumnor Road
 Mr. & Mrs. Ronald Padalik, 225 Grant Street
 Mr. Nevin Hedlund, representing 4742 Cumnor Road
 Mr. Bob Meyer, 4726 Cumnor Road

Approval of *March 12, 2003 Minutes*

The minutes from March 12, 2003 were approved without any changes.

There were no further comments regarding the March 12, 2003 minutes.

Mr. Bollenberg moved to accept the March 12, 2003 minutes as presented.

Mr. Lopata seconded the motion.

**Roll Call: AYE: Mr. Beckman, Mr. Bollenberg, Chairman Eckmann, Mr. Gorman, Mr. Lopata,
 Mr. Ponstein and Mr. Shadrick
 NAY: None**

Motion Carried: 7:0

Open Comments

There were no comments.

New Business

Variance request for a building an addition in a flood plain at 4742 Cumnor Road in Downers Grove, Illinois.

Chairman Eckmann suggested that the petitioners should defer the variance to address other issues related to the site. There are significant other problems with the proposed structure relative to the Stormwater ordinance, which require variances.

Mr. Nevin Hedlund, Architect for Petitioner, asked if all the issues could be identified pertaining to the property and then discuss those issues.

Chairman Eckmann stated that the committee would hear the presentation and it would then be up to Mr. Hedlund and the homeowners if they wanted to continue with the variance petition.

Mr. Hall referred to the FEMA floodway map (attachment 1) and a summary of the past variances of the last 11 years (attachment 2). Mr. Hall went over the petition and referred to his memo (attachment 3) and a topographic survey of the site (attachment 4).

Mr. Nevin Hedlund gave a short presentation with regards to what the homeowner wants to do with the property to improve it and be in compliance with the Village of Downers Grove Stormwater Ordinance.

Commissioner Eckmann asked for any public comments.

Mr. Bob Meyer, 4726 Cumnor Road, asked how many square feet the house is and will be with the addition.

Mr. Nevin Hedlund stated that the homeowner was looking to add 1,770 square feet for a total of 3,060 square feet.

Mr. Bob Meyer, 4726 Cumnor Road, stated that all the houses in the neighborhood are small and that's not really small.

Mr. Nevin Hedlund stated that his survey of the community is that they might be a little smaller, but they are all in good shape and have been maintained properly. This is a very large lot compared to the neighbors.

Commissioner Eckmann asked if there were any other comments from the public, hearing none, asked the committee for their comments.

Mr. Ponstein asked if 729.65 is the top of the foundation?

Mr. Nevin Hedlund responded that was correct.

Mr. Ponstein stated that the finished floor must be, according to the plans, is more than three feet above reference points.

Mr. Nevin Hedlund stated that according to staff, the height of the top of the foundation was the issue, but the height above the floodplain is the issue.

Mr. Ponstein asked Mr. Hall for clarification on whether the ordinance states top of floor or top of foundation.

Mr. Hall stated the code reads the measure is the finished floor, usable floor space.

Mr. Ponstein stated that the finished floor is already 6 inches above the top of the foundation.

Mr. Hall stated the basement would be an issue because it's a substantial improvement. The basement is 8 feet below.

Mr. Nevin Hedlund stated that it is an abandoned basement. There is no furniture and no one is sleeping down there. Is that considered not habitable?

Chairman Eckmann stated that is not the case. The first problem is that the building is in the river. It's going to be virtually impossible to ever get approval to build. The second problem is going to be an unusable basement. That means no furnace, no electric, no anything. That's the second problem only if it's not in the river. The drawings are beautiful and it is an improvement.

Mr. Nevin Hedlund asked if the addition could be built straight back on the property.

Chairman Eckmann stated that there could not be any usable floor lower than three feet above the 727 level. That would mean the basement would not be able to have a furnace or anything else down there.

Mr. Gorman stated that he could answer the question. To do an addition on this site with state floodway regulations, state law does not allow any residential additions in that area and there are no variations beyond the initial flood insurance programs, which is FEMA's program to administer. They would look at any substantial improvement like this as being a violation. To make this project happen, the size of the addition needs to be reduced, move it out of the floodway, and then break up the floor of the basement. It goes way beyond the scope of what the homeowner is planning to do.

There discussion with regards to filling in the basement. There were questions about the scaling of the floodway map as well as the differences between the floodway and the flood plain.

Mr. Nevin Hedlund asked if there were steps that could be taken to try and comply with the two hurdles of agreeing with staff where the floodway line is and if the existing building is outside that line, and an addition is done outside that line and then build up the basement of the existing structure. The petitioner could revisit the Committee in the future once the two hurdles have been met. Also, if everyone can agree that the first floor really is the first floor and also comply with the wetland study, then the project could move forward.

Mr. Gorman asked Mr. Hall if the ordinance allowed the petitioner to do a non-substantial improvement in the flood fringe?

Mr. Hall answered that if the floor is 4 inches below then there's a variance issue there. If it's not 4 inches below or it's at or above flood elevation, then there is no variance issue in that case.

Mr. Nevin Hedlund asked if that was true even in the flood plan?

Mr. Hall answered that would be true if it's agreed upon that the elevation is high enough. It's such a substantial improvement, whether you want to make the improvements necessary to get rid of the issue.

Mr. Nevin Hedlund stated that filling in the basement was going to be a substantial improvement.

Mr. Hall commented that he didn't believe construction costs were included when looking at the substantial improvement final cost. There is another phase and that's the permit phase. If the homeowner were to get the variance granted by the Stormwater and Flood Plain Oversight Committee, they would then have to go before the Village Council and they also agree to the variance, then a Stormwater permit must be obtained, but there are still other issues that have been identified tonight such as compensatory storage. There is some flexibility as to how many of those issues you want to be assured of and work out the details before you come back to this forum for a needed variance. If the issues look within the realm of possibility to work out, then the permit does not have to be 100% before a variance is granted.

Mr. Gorman stated that it appears that the top of the foundation 729.65 which is 2.65 feet higher than the 100 year flood elevation. From the picture, it looks like there are window wells and FEMA would say that the first floor really is the basement floor and that would be why the homeowner would turn the basement into a crawl space.

Mr. Nevin Hedlund stated that the home was not going to have window wells.

Mr. Gorman corrected himself stating that it's the existing structure that has window wells. The basement floor would have to be broken up and move all the utilities out of the basement area. It's very costly to reroute all the utilities in the house.

Chairman Eckmann asked if anyone had any other comments.

Mr. Bollenberg asked for the architect to get a copy of the minutes.

Chairman Eckmann asked that a copy of the Stormwater Ordinance be given to Mr. Hedlund.

Mr. Nevin Hedlund thanked the committee for their time.

Mr. Hall asked the Committee if they were going to make a motion regarding the variance.

Chairman Eckmann asked the Committee to table the variance until such time that the petitioner requests it to be removed from future agendas.

Mr. Gorman moved to defer the variance for action for 90 days unless otherwise requested by the petitioner.

Mr. Lopata seconded the motion to defer the variance.

Roll Call: AYE: Mr. Beckman, Mr. Bollenberg, Chairman Eckmann, Mr. Gorman, Mr. Lopata, Mr. Ponstein and Mr. Shadrick
NAY: None

Motion Carried: 7:0

Discussion of New Committee Tasks

Mr. Hall referred to his memo and supporting documents that the committee received in their packets. (attachment 5). Mr. Hall asked for any questions or discussion.

Mr. Beckman asked for a definition of CIP.

Mr. Hall stated that CIP stood for Capital Improvement Program.

Mr. Lopata stated that criteria number 4 on the CIP backlog list needs to be changed or possibly eliminated simply because if something is insignificant enough to be on the list for three years simply because of the longevity it achieves the same status as something that has a high likelihood of property damage. That's one issue; the second issue is criteria number 3, the future CIP maintenance costs. It should be changed to the present value future CIP costs.

Mr. Bollenberg stated that the system should have a numerical ranking or value and that another category should be added so that points can be assigned to other factors like coordination of other projects and outside funding. Mr. Bollenberg went on to give examples of the system.

Mr. Lopata asked if the initial cost of the project is taken into account when it's put on the backlog?

Mr. Hall stated that it is not part of the current prioritization. In the budget there are only x amount of dollars to spend. Once the list is made up, it gets incorporated into a master list that Mike Millette, Director of Engineering, will administer in conjunction with the Finance Department.

Mr. Lopata asked how the projects are ranked and then, is the cost factored in after they are ranked?

Mr. Hall stated that cost is not the basis for the prioritization system.

Mr. Dave Van Vooren, Deputy Village Manager in charge of Finance and Administration, stated that one of the things that the Village struggled with at budget time relative to Stormwater related projects was the cost and benefit of the projects. Mr. Van Vooren went on to explain how the budget works in this municipality, if phasing is an option with some of the projects on the backlog, addressing the benefits for how many homes are affected as well as justifying the projects that are done and why others are not.

Mr. Beckman stated that cost does in fact play a part in the prioritization.

Mr. Lopata stated that the cost of the project needs to be figured in because the committee is trying to make it an objective process, but once the objective part is done, it's still subjective based on the cost. Having been involved with a lot of net present value analysis and is there a way for the Village to assign dollar values to the projects. In some cases it's obvious, but it should be very easy to do an NPV. Figure out what the discount rate is and figure out whether it pays to do the job or not.

Mr. Shadrick stated that it's the difference of doing the project now or later.

Mr. Hall stated that it is something to be considered and not being an expert at cost benefit analysis, but the level of study is so great that the Village may not want to do it for 17 projects that probably won't be done anyway. Maybe that level of analysis should be focused on the bigger projects.

Mr. Dave Van Vooren, Deputy Village Manager in charge of Finance and Administration, stated that it's a math equation and cost always comes into play right, wrong or indifferent. Every project will have to be evaluated on its cost as well as its merits.

Mr. Lopata offered to help with the cost analysis.

Mr. Bollenberg suggested that two priority lists be made, one for big projects and one for little projects. That way more issues can be addressed if the Village does a project from each list. The Village needs to have the Master Plan so that there are goals to achieve.

Mr. Mike Millette, Assistant Director of Public Works – Engineering, stated that there are two types of projects – general maintenance and preventative maintenance projects. Mr. Millette went on to explain various types of projects from each category.

Chairman Eckmann asked if there were any other comments.

Mr. Lopata stated that there is an estimated initial cost for each of the projects, but then went on to ask if Mr. Hall knew what the future maintenance costs were going to be for each of the projects.

Mr. Hall stated that he had no accurate figure for that.

Mr. Dave Van Vooren, Deputy Village Manager in charge of Finance and Administration, asked if Mr. Lopata was asking the cost of maintaining what's there today without fixing it?

Mr. Lopata stated that if the Village were to use the matrix and prioritize all the jobs and develop all the costs. Then the Village goes down the list and below a certain cost, the project just gets done. On the remainder of the projects, a net present value is done to determine the cost next year or five years down the road and compare it to not doing the job. Then an alternative net present value can be made to make a decision on whether or not to do the job now. Mr. Lopata offered again to help with determining the net present value of the projects on the CIP.

Mr. Hall clarified that it's really an estimation of how quickly the pipe or stream bank deteriorate.

Mr. Lopata gave examples of the projects and the alternative costs for the jobs.

Mr. Hall offered to take the Committee to view the sites of the problem areas in the Village or at least bring in pictures to view.

Mr. Dave Van Vooren, Deputy Village Manager in charge of Finance and Administration, explained how the capital budget is created.

Mr. Beckman asked if an allocation is made for Stormwater projects. Does it come down to a new fire truck or a Stormwater project?

Mr. Dave Van Vooren, Deputy Village Manager in charge of Finance and Administration, answered that it is not the way the budget is done. There are a lot of factors that go into the budget process.

Mr. Hall commented on how the only projects that were done this year included outside funding. That's not typical, but it is part of the criteria when it comes down to who has the money to spend on the projects.

Mr. Lopata stated that no matter how much money, not every problem will be solved. People have to know that. If there is a project that needs to be done today and it cost \$5 million and if it's put off for 5 years and it turns into \$10 million, then the Village should borrow the \$5 million to do the job.

Mr. Dave Van Vooren, Deputy Village Manager in charge of Finance and Administration, stated that the Village would like to have allocated resources, but the Village still deals with the reality that it's trying to work within an environment that has some limited resources and has to borrow to do certain projects. It's very important that the Village picks the right projects to be done. The Committee has given Mr. Hall good ideas for fine-tuning the matrix.

Mr. Gorman referred to the Stormwater Utility Exploratory Committee's task of prioritizing the projects.

Mr. Eckmann asked if anyone had any other comments.

Mr. Beckman stated he would like to go on a field trip on a Saturday morning to look at some of the problem areas in the Village.

Mr. Hall also offered to put some slides together for viewing at a future meeting.

Mr. Bollenberg moved to adjourn the meeting.

Mr. Beckman seconded the motion to adjourn.

Roll Call: **AYE: Mr. Beckman, Mr. Bollenberg, Chairman Eckmann, Mr. Gorman, Mr. Lopata, Mr. Ponstein and Mr. Shadrick**
 NAY: None

Motion Carried: 7:0

Meeting adjourned 8:30 pm.

Attachments from the packet for Meeting date September 10, 2003

- 1. Floodway Map**
- 2. Flood Plain Variance History 1992-present**
- 3. Memo to Committee regarding Flood Plain Variance 4742 Cumnor Road**
- 4. Topographical Survey for Flood Plain Variance 4742 Cumnor Road**
- 5. Memo to Committee regarding New Tasks for the Committee**
 - 2003-2004 Prioritization System for Capital Stormwater Projects**
 - 2003-2004 Stormwater Management CIP Project List (by rank)**
 - Sidewalk Priority Classification**
 - Sidewalk Priority Evaluation Matrix**