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November 28, 2005

Joel Anderson  
4509 Oakwood St.  
Downers Grove, Illinois 60515

RE: Silt Fence at Nelson Meadow Subdivision

Dear Mr. Anderson,

It is my understanding that you have requested a waiver from Village regulations in order to leave the silt fence located on the property at 5737 Brookbank in place for additional time. I have carefully considered your requested and I have reviewed the actions of the Village in respect to the property in questions as well as considered our prior conversations. Unfortunately, I am unable to grant your request and the silt fence must be removed prior to Monday, December 5, 2005, or you will be subject to the applicable fines.

As you are aware, the Director of Code Services, Don Rosenthal, sent you a letter dated August 3, 2005 indicating that the silt fence violates Section 28-1301 (g) of the Village of Downers Grove Zoning Ordinance and requesting that the silt fence be removed no later than August 9, 2005. I received your letter dated August 11, 2005 responding to Mr. Rosenthal's letter of August 3 and as you may recall that you, Enza Petrarca and I discussed this issue during a phone call on the week of August 15. Specifically, I indicated that the silt fence could remain in place on a *temporary* basis while the Plan Commission considered your request to subdivide the property. In addition, it was noted that should there be any delay in the Plan Commission acting, the silt fencing would likely need to be removed. Further, we discussed your position that the fence reduces the likelihood of trespassing on the property and would provide security of the property and maintain the safety of the neighborhood.

The Plan Commission review of your proposed subdivision has taken much longer than expected. It appears that the Village Council will not consider this subdivision request until January, 2006 at the earliest. This timeline suggests that any development of the site would not take place until February. Further, the fence has not been well maintained. Portions of the fence have fallen down and there is at least one large gap in the fence near the driveway entrance to the site. It appears that the fence is not providing security of the property and maintaining the safety of the neighborhood.



As indicated in a letter from Don Rosenthal dated November 8, 2005, the silt fence was to be removed no later than November 23, 2005. Please accept this letter as final notice of the violation to Section 28-1301 (g) of the Village of Downers Grove Zoning Ordinance. To comply with Village Codes and Ordinances, the silt fence must be removed no later than Monday, December 5, 2005. Failure to remove the fence by this time will result in further action by the Village including the issuance of a citation and a notice to appear before the DuPage County Circuit Court.

I appreciate your cooperation on this issue and I hope you understand that we are unable to grant any further waiver of the Village regulations. Please let me know if you have any questions or comments. I can be reached at 630-434-5526.

Sincerely,



David Fieldman  
Deputy Village Manager

C. Cara Pavlicek  
Enza Petrarca  
~~XXXXXXXXXX~~  
Keith Sbiral