

JOHN SCHOFIELD
1125 JEFFERSON AVENUE
DOWNERS GROVE, ILLINOIS 60516

November 10, 2010

Mr. Joel Andersen
PO Box 845
Downers Grove, Illinois 60515

Dear Mr. Andersen:

Thank you for your invitation of October 28th to comment on the proposal to divide the construction of the Nelson Meadow subdivision infrastructure improvements into phases. The following comments are my own and do not represent the views of other neighbors.

The following comments are necessarily tentative and incomplete, because they are based only on the public record plus the two engineering drawings dated August 31st, 2010 that you delivered to me on November 4th, 2010: (a) Geometric Plan (sheet 7 of 11) and (b) Grading Plan (sheet 8 of 11). I have not seen any other 2010 engineering documents.

General comments

1. The 2006 subdivision ordinance defined several requirements as conditions for approval of the subdivision. Examples include payments to the Village for the park district and two school districts, and modification of the design for the proposed eight-inch water main. I believe all requirements of the 2006 subdivision ordinance must be fulfilled immediately, before any other matters are considered. The full list is in the 2006 subdivision ordinance.
2. The 2006 subdivision improvement agreement added and further defined requirements. As a resident of Jefferson Avenue, I expected infrastructure improvements including a newly-paved full-width street with north curb and gutter, improved stormwater management facilities, improved street lighting, the pedestrian/cyclist connection to Carpenter Street, and a new eight-inch water main. The 2006 subdivision improvement agreement requires all such improvements by September 28, 2009. These infrastructure improvements are therefore overdue, and the Village holds no letter of credit or cash bond for their alternative completion. All the requirements in the 2006 subdivision improvement agreement must be addressed before any other matters are considered, and not simply by postponing them without remedy or without payment in full.
3. I believe there was a consensus among all the parties, when the subdivision was approved in 2006, that the full detention pond needed to be built first, in order to protect the neighborhood from flooding and silting during the balance of construction, as required by stormwater regulations. The topography of the Nelson Meadow subdivision had not changed since the subdivision was approved 4½ years ago.
4. Building infrastructure in phases, as now proposed, increases risks to the neighborhood, as infrastructure has to be reworked while continuing to operate safely. It also increases cost because (a) duplicative rework is required and (b) future costs will most likely be higher. The feasibility and specific plan for the safe transition from one phase to another is neither demonstrated nor costed.
5. Neighbors continue to expect that all provisions of the municipal code will be observed, especially with respect to zoning and construction regulation.

Comments on the two engineering drawings dated August 31st, 2010

6. I am happy to see that these 2010 plans continue to respect and document the 32-foot building setback line and the sidewalk easement and rerouting along Carpenter Street, and also continue to provide for the protection of the surviving Carpenter Street parkway trees.

7. On the two 2010 plan sheets, the limits of the shaded area, labeled "indicates limits of Phase II development," are different on the two engineering drawings. Therefore it is impossible to tell unambiguously what is proposed, and when.
8. There is no indication that the proposed eight-inch water main along the south property line has been modified to minimize negative impacts to the trees on the adjacent property, as required by the 2006 subdivision ordinance.
9. On the 2010 Geometric Plan (but not the Grading Plan), the eight-inch watermain is indicated in the shaded area for delayed implementation. I do not see any documentation of how it could be built later, and it appears difficult (if not impossible) to install this watermain later without increasing stormwater risk to the neighborhood during construction, without further imperiling the protected walnut trees near the south property line, and without impeding pedestrian/cyclist traffic between Jefferson Avenue and Carpenter Street. The watermain needs to be completed first, or moved to the north of the stormwater detention pond.
10. The 2010 Grading Plan states that only 0.48 acre-feet of detention is "required." This is misleading, because the 2006 approved plan requires 1.77 acre-feet of stormwater detention. Specifically a large additional up-hill area, shaded on the 2010 plans, drains down to the 744-foot bottom of the proposed smaller 2010 detention pond, but does not appear to be calculated. Does this mean that the proposed smaller pond would overflow its weir more often than originally approved in 2006?
11. I do not see any documentation of how the detention pond would be enlarged later, inside retaining wall built, *etc.*; it appears difficult (if not impossible) to build the detention pond in phases without increasing stormwater risk to the neighborhood during construction, without further imperiling the protected walnut trees near the south property line, and without impeding pedestrian/cyclist traffic between Jefferson Avenue and Carpenter Street.
12. There is no indication that the southerly extent of the stormwater detention pond berm has been moved somewhat to the north to further protect the root structures of the remaining walnut trees near the south property line.
13. As I read the 2010 plans, the eastern and southern berms that contain the stormwater detention pond are proposed to be built in the same places and to the same external shapes and heights as the 2006 approved plan. This being so, there is no plausible reason to postpone landscaping these berms in conformity with the 2006 approved plan, and neighbors deserve fully-landscaped berms at the earliest date.
14. What are the provisions for maintaining the stormwater detention pond in this proposed interim configuration?
15. On the 2010 Grading Plan a steep slope is proposed behind the Carpenter Street lots. Does this meet or violate requirements?
16. In the 2010 phased proposal, when will the Carpenter Street sidewalk across lot #8 be completed? I believe it should be provided as soon as the detention pond is constructed, and before any homes are constructed.
17. I see no provision on the 2010 plans for the construction entrance by which to remove the estimated 400 truckloads of material from the site. The location of the construction entrance on Carpenter Street is an integral part of the 2006 subdivision approval. It is unacceptable to move it to Brookbank Road or Jefferson Avenue, because such a move would impact many more households and would damage much more Village roadway.
18. On November 4th I was told that the construction entrance is now proposed to be routed over the half-built detention pond. But this berm has a steep eastern grade over the

stormwater detention berm. I do not see any documentation of how it could be built at that location later, and it appears difficult (if not impossible) to do without increasing stormwater risk to the neighborhood during construction. Therefore I believe no structure should be built over the location of the construction entrance previously approved in 2006 until all the bulk grading has been completed for the entire subdivision.

19. On the 2010 Geometric Plan (but not the Grading Plan) the pedestrian/cyclist path between Jefferson Avenue and Carpenter Street is indicated in the shaded area for delayed implementation. This path is overdue, and I believe it should be provided now, and then fenced later from construction activity. Among other benefits, this will provide a defined physical buffer to help protect the walnut trees near the south property line from future damage.

20. I do not see a construction fencing plan, a construction parking plan (entirely within the site), a tree protection plan, a parkway tree planting plan, a photometric plan, or a landscape plan for the detention bond and its berm, *etc.* These are all required; are they elsewhere?

Conclusion

The existing 2006 subdivision ordinance and subdivision improvement agreement are the result of extensive public deliberations in 2005-2006, and they represent a complex balancing of public and private interests achieved through the required formal Village process. I believe any proposal that deviates from the 2006 decision, such as this proposal to split the infrastructure construction into phases, needs to follow that same formal Village process; and at a minimum it must satisfy these three requirements:

- a. All provisions of the municipal code, the 2006 approved subdivision ordinance, and the 2006 subdivision improvement agreement are fulfilled in a timely manner.
- b. Feasibility of transitions from one proposed phase to another without stormwater risks or other risks to the neighborhood is convincingly demonstrated and fully documented. Stormwater detention and construction entrance location are particularly important.
- c. The neighborhood is fully protected by a letter of credit and/or cash bond held by the Village for the full cost of all the required infrastructure of all phases, at appropriate future costing – so that the neighborhood is assured that infrastructure will be finished.

As stated earlier, the above comments are my own and do not represent the view of other neighbors. These comments are necessarily tentative and incomplete, because I have incomplete information; and they should not be taken as a complete checklist of items that are required to be addressed.

Thank you again for your invitation to comment.

Sincerely,



John Schofield

cc: James Russ, Jr.
Dave Fieldman
Tom Dabareiner
Jeff O'Brien
<http://neighbors.nelsonmeadow.com>