

## Long Run Creek Update: November 2021

On November 30<sup>st</sup> and December 1<sup>st</sup> the following people/agencies were contacted to request an update on the Long Run Creek issues. Their responses are listed below:

William Boyd (IDNR): No Response

Marilyn Sucoe (FEMA): Please contact Mark Hoskins in the state floodway permit section for updates. I have 895 communities, and as much as I would like to, I do not have the time to track every permit violation across the state. Mr. Hoskins was emailed on December 1<sup>st</sup>, no response.

Thomas Gill (Cook County Building & Zoning): No Response

Michael Shackel (Lemont Township): I last spoke with the Cook County Building Inspectors week before last. All the citations are being adjudicated, and the process continues. There was not an update on any findings on the issues.

Colin Smalley (USACOE): No updates from the Corps perspective on the issues raised by the Homer Glen residents. We continue to work with the landowners to resolve the issue. Unfortunately higher priority projects have kept me from issuing final letters to either landowner.

Maureen Durkin (MWRD): No Response

With regard to the three violations that are actually within the Village of Homer Glen's jurisdiction, we have the following updates:

- The property owner that constructed part of a driveway within the floodplain has removed the driveway and related fill from the floodplain. Final inspections will be performed to verify compliance prior to closing out the violation.
- The Cook County property that constructed a berm within the floodplain, within the limits of Homer Glen still has a small portion of the berm that remains to be removed. The Village will continue to monitor and verify final compliance.
- A permit has been issued to the Cedar Road property owner, to address the floodplain violations. However, work to bring the property into compliance has not begun. The Village has contacted the property owner to obtain a schedule for the work and verify no additional fill has been placed in the floodplain. We will continue to monitor the work progress.

## Long Run Creek Update: October 2021

On October 31st and November 1st, the following people/agencies were contacted to request an update on the Long Run Creek issues. Their responses are listed below:

William Boyd (IDNR): One application has been received for the west parcel. It is currently under review.

Marilyn Sucoe (FEMA): As this is a floodway permitting issue, the floodway permitting section is handling discussions with the property owner. I have copied Mark Hoskins on this e-mail. I know the owner has applied for a state permit and they are working with him on what needs to be removed from the floodway. I will let Mark explain where they are in the permitting process. Please note we will not be addressing over all management of the livestock and the site. In general, fencing and floodways are not compatible.

Thomas Gill (Cook County Building & Zoning): No Response

Michael Shackel (Lemont Township): No Response

Colin Smalley (USACOE): No updates – the permit request from Mr. Kotvich is still in the backlog

Maureen Durkin (MWRD): The MWRD will hold a meeting to discuss the status of violations on 11/3. I will be able to provide an update on that day.

With regard to the three violations that are actually within the Village of Homer Glen's jurisdiction, we have the following updates:

- The property owner that constructed part of a driveway within the floodplain has agreed to remove the section of the driveway, within the floodplain limits. A permit has been issued by the Village for the modifications to the driveway, to bring the property into compliance. However, work on the driveway has not begun yet. We will reach out to the property owner to obtain a schedule for the proposed work.
- The Cook County property that constructed a berm within the floodplain, within the limits of Homer Glen removed the majority of the berm within the floodplain. The Village is in the process of contacting the property owner to follow up on the removal of the remaining material that may be still located within the floodplain.
- A permit has been issued to the Cedar Road property owner, to address the floodplain violations. However, work to bring the property into compliance has not begun. We will reach out to the property owner to obtain a schedule for the proposed work.

## Long Run Creek Update: September 2021

On September 30<sup>th</sup>, the following people/agencies were contacted to request an update on the Long Run Creek issues. Their responses are listed below:

William Boyd (IDNR): No Response

Marilyn Sucoe (FEMA): No Response

Thomas Gill (Cook County Building & Zoning): No Response

Michael Shackel (Lemont Township): No Response

Colin Smalley (USACOE): No response.

Maureen Durkin (MWRD): The engineer following this matter is out of the office through 10/8. I will provide an update after he returns to the office.

With regard to the three violations that are actually within the Village of Homer Glen's jurisdiction, we have the following updates that will be included for August:

- The property owner that constructed part of a driveway within the floodplain has agreed to remove the section of the driveway, within the floodplain limits. A permit has been issued by the Village for the modifications to the driveway, to bring the property into compliance. The Village is waiting for the work to commence. The Village will also be performing periodic inspections, to verify compliance.
- The Cook County property that constructed a berm within the floodplain, within the limits of Homer Glen removed the majority of the berm within the floodplain. We will continue to work with the property owner to verify that all remaining remnants of the berm within the Village's jurisdiction have been removed.
- A permit has been issued to the Cedar Road property owner, to address the floodplain violations. The Village is awaiting for the work to commence. The Village will also be performing periodic inspections, to verify compliance.

## Long Run Creek Update: August 2021

On August 30th, the following people/agencies were contacted to request an update on the Long Run Creek issues. Their responses are listed below:

William Boyd (IDNR): We received an application for permit for one of the parcels. They are applying for the roadway crossing (after-the-fact) over Long Run Creek. Tash Real Estate, Inc. This is the western most parcel.

Marilyn Sucoe (FEMA): No Response

Thomas Gill (Cook County Building & Zoning): I don't have any new updates right now. The violations were written on the 2 parcels for all of the structures in the Floodway. I believe the property owners are dealing with IDNR/FEMA.

Michael Shackel (Lemont Township): Thank you for contacting me. I had intended to email, but things got a bit crazy. I contacted Cook County last week. As you are aware, all violations are being run through their offices. All violations are still being adjudicated, the process continues. Cook County has been responsive, and are monitoring the progress

Colin Smalley (USACOE): No response.

Maureen Durkin (MWRD): The MWRD received a response from the third property owner involved in this violation case. He has met with USACE and discussed the actions required to resolve the violation. He is in the process of removing fill from the floodplain. We asked him to provide status to us in mid-September.

With regard to the three violations that are actually within the Village of Homer Glen's jurisdiction, we have the following updates that will be included for August:

- The property owner that constructed part of a driveway within the floodplain has agreed to remove the section of the driveway, within the floodplain limits. They are currently working with the Village to obtain a permit for this work and for the modifications to their driveway.
- The Cook County property that constructed a berm within the floodplain, within the limits of Homer Glen was issued a citation and directed to remove the berm from the floodplain. The property owner attended the July Adjudication Hearing and pled liable. He also agreed to remove the berm from the floodplain. Since that time, the property owner has contacted the Village and has informed us that the majority of the berm has been removed. This has been confirmed via a site inspection by Village Staff. We will continue to work with the property owner to verify that all remaining remnants of the berm within the Village's jurisdiction have been removed.
- The Village has completed our review of the site plan, calculations and easement language with the property owner on Cedar Road, who placed fill within the floodplain. The Village will be issuing the permit shortly and will monitor the work as it progresses to correct the violation, that was previously issued.

## Long Run Creek Update: July 2021

On July 23<sup>rd</sup>, the following people/agencies were contacted to request an update on the Long Run Creek issues. Their responses are listed below:

William Boyd (IDNR): No Response

Marilyn Sucoe (FEMA): No Response

Thomas Gill (Cook County Building & Zoning): Please check that thread, because Sam Banks has sent out a list of all the violations that I have written on Parcels 1,2 & 6. If you have any questions please message or call.

Michael Shackel (Lemont Township): We are in periodic contact with Cook County, and have been in contact with the environmental agencies. As stated before violations have been written on properties. IDNR has no enforcement ability, and has to run their violations through the oval county jurisdictions. Cook Cty has amended their original violations, and added the structures in the flood plain. They are still in their window in which they can comply, and take care of the violations. There is a feeling from Cook Cty that they will "clean up" some of the issues, but will not remove the structures. Then it will move to Admin hearing, and possibly Circuit Court. If they have a Farm Exemption, and can prove it, Cook Cty may not be able to enforce applicable violations. Again, we are subject to the process at this point.

Colin Smalley (USACOE): Sorry for the delayed response. I have made contact with Mr. Tokarz and Mr. Kotvich, and made multiple site visits to both properties. We issued a violation letter to Mr. Kotvich, and we are working with him to resolve the alleged violation. I am copying the Lemont Township supervisor on all of our official letters, so they should also know the status of our reviews. They will be copied on the correspondence officially closing out the investigation on both properties, whenever those are issued. Until then, it's safe to assume our process is still ongoing; these types of things can take a while to resolve.

Samuel Banks (Cook County): Per Cook County Building and Zoning inspector Tom Gill's numerous inspections of this area this is the update from Cook County Building and Zoning:

Parcel 1) 22-32-403-027 Tash Real Estate (Andrew Tokarz) VIOLATIONS WRITTEN UNDER V26353

102-105.3-1.A.1(Permit Required) All of parcel There are a total of 11 structures on the parcel. 5 structures are located in the Floodway & 6 structures are located in the Flood Fringe. NO PERMITS were applied for or granted, for any of the 11 structures. PERMITS ARE REQUIRED for each structure

Parcel 2) 22-32-403-026 VIOLATION WRITTEN UNDER V25931. WE HAVE REQUESTED SAO TO FILE IN CC 13203

Archer Ave. - Igor Kotvich

About 2 weeks ago I wrote 5 violations on this parcel

- Unregistered vehicles
- Maintenance
- Tree Removal
- Permit Required(excavation)
- Fill dumped in creek(D&H)

Parcel 3) 22-33-300-013 CURRENTLY THERE IS A VIOLATION IN CC UNDER V18817 16 M1 403257 FOR A DRIVEWAY/ROAD INSTALLED WITHOUT A PERMIT. NO ADDITIONAL VIOLATIONS FOUND

15082 131st St. - Kathryn Vajdik Trust

- Did not find any violations

Parcel 4) 22-33-300-006 NO ADDITIONAL VIOLATIONS FOUND

15052 131st St. - Kiss Development

- Did not find any violations

Parcel 5) 22-33-301-011 NO ADDITIONAL VIOLATIONS FOUND

Janusz Galdyn - 13500 King Road

- No violations written

Parcel 6) 22-33-301-010 CURRENT VIOLATION IN CC UNDER V19492 18M1401934 ADDITIONAL COUNTS WILL BE ADDED TO THIS CASE\*

13001 Hickory Rd

Parcel 6 will be getting 3-4 violations based on pics below. They have brought in a lot of fill, set up a storage facility & have someone living in a trailer on the parcel.

\*Additional violations have been written on parcel 6 under V26113:

4.4-9D(Commercial vehicles/Trucks) Open parcel - 2 semi truck trailers are on property & being used for storage.

39.2-1(fill/debris) Open parcel - Fill has been brought in without permit

102-105.3-1.A.1(Permit Required) Open parcel - Shed roof has been constructed without a permit

8.72(Trailers/Mobile homes on site) Open parcel - 1 mobile home/trailer has been parked on site & has someone living in trailer

Parcel 7)13203 Archer Ave VIOLATION WRITTEN UNDER V26356

102-105.3-1.A.1(Permit Required) All of parcel. There are 4 structures on the parcel, all 4 structures are located in the Floodway. NO PERMITS were applied for or granted, for any structures. PERMITS ARE REQUIRED for all structures

We have asked the SAO to file all of these cases in Circuit Court.

Maureen Durkin (MWRD): As a follow up to our previous update to you, we have observed progress from two of the property owners but have not received a response from the third property owner so we re-sent the violation report. If we do not receive a response to it, we will make an in-person visit to this property during the second or third week of August.

- The Village has issued two violations to a property, for the construction of a driveway without a permit and for construction of said driveway within the floodplain. The property owner(s) did not show up to our adjudication for the two violations (\$250.00 and \$1,000). They were found liable. The Village has since been in contact with the property owner, who was subsequently out of town. The Village is currently working with the property owner to bring the property into compliance.
- The Village has issued a violation for the property located in Cook County, but constructed a berm, partly in Homer Glen, which is located in a floodplain. The property owner did attend the July adjudication and pleaded liable. The property owner has agreed to remove the berm from the floodplain, located within the Village of Homer Glen. Please note that there are portions of the berm that may be located within the floodplain that are outside of the Village and therefore outside of the Village's jurisdiction. These issues will need to be addressed by the appropriate agencies having jurisdiction.
- The Village is currently working with the property owner on Cedar Road to bring the current violations into compliance, including the placement of fill within the floodplain. A previous violation has been issued to this property owner.

## Long Run Creek Update: June 2021

On June 25<sup>th</sup> & 28<sup>th</sup>, the following people/agencies were contacted to request an update on the Long Run Creek issues. Their responses are listed below:

William Boyd (IDNR): No Response

Marilyn Sucoe (FEMA): No Response

Thomas Gill (Cook County Building & Zoning): I'll be writing the floodplain violations by the end of this week. I am working with Marilyn Sucoe from FEMA to get some info on the floodplain layout. I'll update you when they are filed.

Michael Shackel (Lemont Township): Nothing new since last time. Cook County has issued several violations on 3 properties. IDNR is working with Cook County to issue floodplain violations. MWRD has issued violations. They are in process, and waiting for that to work itself out. As you know, that is not likely to be quickly resolved.

Colin Smalley (USACOE): No Response

Samuel Banks (Cook County): The update to that email is as follows:

Parcel 1) 22-32-403-027

VIOLATIONS TO BE WRITTEN- INSPECTOR TOM GILL WORKING WITH MARILYN SUCOE FROM IDNR TO DETERMINE VIOLATIONS IN THE FLOODWAY

Tash Real estate(Andrew Tokarz)

This parcel will be getting 2 violations:

- Maintenance- multiple piles of misc debris/garbage
- Unregistered Vehicles-at least 2 vehicles that are not running & need to be disposed of.

Parcel 6) 22-33-301-010

CURRENT VIOLATION IN CC UNDER V19492 18M1401934 ADDITIONAL COUNTS WILL BE ADDED TO THIS CASE\*

13001 Hickory Rd

Parcel 6 will be getting 3-4 violations based on pics below. They have brought in a lot of fill, set up a storage facility & have someone living in a trailer on the parcel.

Additional violations have been written on parcel 6 under V26113:

- 4.4-9D(Commercial vehicles/Trucks) Open parcel - 2 semi truck trailers are on property & being used for storage.
- 39.2-1(fill/debris) Open parcel - Fill has been brought in without permit
- 102-105.3-1.A.1(Permit Required) Open parcel - Shed roof has been constructed without a permit
- 8.72(Trailers/Mobile homes on site) Open parcel - 1 mobile home/trailer has been parked on site & has someone living in trailer

Maureen Durkin (MWRD): The Metropolitan Water Reclamation District of Greater Chicago issued a violation report on April 21, 2021 to owners of three properties where apparent violations of the MWRD's Watershed Management Ordinance had taken place. Two of the property owners have made progress in removing items from the floodplain. One has not yet responded to our violation report and we will follow up with this property owner next week.

- The Village has issued two violations to a property, for the construction of a driveway without a permit and for construction of said driveway within the floodplain. The property owner(s) did not show up to our adjudication for the first violation (\$250.00). They were found liable. They were issued a second violation (\$1,000). This will come up at the next adjudication hearing this month.
- The Village has issued a violation for the property located in Cook County, but constructed a berm, partly in Homer Glen, which is located in a floodplain. The violation was sent to the address we were provided, but has bounced back. We will research the property owner information and resubmit the violation.

# Long Run Creek Update: May 2021

Here is a brief summary below of current activity.

1. An inspection was performed by Village staff, of the area along the northern boundary of the Village. Staff has been previously working with a few of the area residents to identify the location of potential fill. During the inspection, a berm was identified, which appears to be located within the floodplain, and therefore is a violation. The property owner is in the process of being issued a violation notice and the Village will pursue the removal of the material from the floodplain.
2. The Village has recently issued a violation to a property owner in the area, for material being placed within the floodplain. As with the above property, the Village will pursue the removal of the material from the floodplain at this location.
3. The Village has been working with a third property owner along Long Run Creek that has placed fill within the floodway and floodplain. A violation notice was issued. The fill material placed within the floodway has since been removed and the Village is continuing to work with the property owner to address the issue of the fill material in the floodplain.
4. Along with the above actions, the Village has contacted Lemont Township, MWRD, IDNR, the USACOE and Cook County Building & Zoning.
  - The MWRD noted that they have inspected the culverts in the area as well as Long Run Creek, and that they did not find any blockages or differentials, and that the creek appears to be flowing ok.
  - The IDNR noted that they, along with Cook County inspectors and sheriff staff met with the property owners with the sheep. They were informed that they need to apply for a state floodway permit and may be required to remove some buildings. They will need to provide a site plan with the floodway identified, along with the location of all buildings and fences. They were also informed that the debris piles and piles of stone need to be removed. The USACOE has issued a violation notice to the property to the east of the sheep property, where there is grading taking place on the property.
  - The USACOE has inspected two of the parcels, and are in touch with the landowners. They are keeping the Lemont Township supervisor copied on any official correspondence related to these parcels.
  - Lemont Township noted that Cook County has issued violations on 3 properties, MWRD has issued violations on 2 properties and they are trying to obtain status from IDNR. They are also trying to get an update from Army Corp of Engineers. They noted that the IDNR was going to work directly with property owners about structures in the floodplain. He also noted that the Cook County Sheriff Dept has indicated that they have a right to shoot on property. He further noted that it doesn't sound like any action can be taken against property owners for the fire because they can't determine where fire started.
5. The Village has also performed a creek clean-up within the area of Jessica Lane and Creekview Drive, via Homer Tree Care, which took place over the last two weeks. Several blockages were removed from the creek, several piles of debris were removed and several unsafe trees were removed.