

SPECIAL MEETING
PUBLIC NOTICE

In accordance with the Statutes of the State of Illinois and the Ordinances of the City of Highland Park, the next special meeting of the Natural Resources Commission of the City of Highland Park is scheduled to be held at the hour of 5:30 p.m. on Wednesday, April 11, 2012 at 25 Lakeview Terrace, Highland Park, Illinois, during which it is anticipated there will be a discussion of the following:

CITY OF HIGHLAND PARK
NATURAL RESOURCES COMMISSION
WEDNESDAY, APRIL 11, 2012
25 LAKEVIEW TERRACE
HIGHLAND PARK, ILLINOIS
5:30 P.M.

MEETING AGENDA

I. Call to Order

II. New Business

A. Tour of a Private Residence Located at 25 Lakeview Terrace Regarding a Request for Commission Consideration of a Proposed Beach Structure Permit Application for Regulated Activities within the Lake Michigan Protection Zone

III. Adjournment

PUBLIC NOTICE

In accordance with the Statutes of the State of Illinois and the Ordinances of the City of Highland Park, the next meeting of the Natural Resources Commission of the City of Highland Park is scheduled to be held at the hour of 6:30 p.m. on Wednesday, April 11, 2012 at 1707 St. John's Avenue, Highland Park, Illinois, during which it is anticipated there will be a discussion of the following:

CITY OF HIGHLAND PARK
NATURAL RESOURCES COMMISSION
WEDNESDAY, APRIL 11, 2012
1707 ST. JOHN'S AVENUE
HIGHLAND PARK, ILLINOIS
6:30 P.M.

MEETING AGENDA

I. Call to Order

II. Roll Call

III. Approval of Minutes: February 8, 2012

IV. Business from the Public

V. New Business

- A. 25 Lakeview Terrace—Consideration of a Beach Structure Permit Application for Regulated Activities in the Lake Michigan Protection Zone
- B. Consideration and Approval of Findings of Fact Recommending City Council Approval of a Beach Structure Permit Application for Regulated Activities in the Lake Michigan Protection Zone at 25 Lakeview Terrace
- C. Status Report on the Braeside School Fourth Grade Class Trout Release and Ravine Education Initiatives
- D. Discussion of Commission Involvement in Chicago River Day on May 12, 2012
- E. Discussion of the Need to Formulate a Recommendation to Establish a Recycling Task Force

VI. Old Business

- A. Status Report on an Upcoming Movie Screening at the Highland Park Library
- B. Status Report on the Green Team
- C. Status Report on the Polystyrene Recycling Pilot Program

VII. Other Business

- A. Commissioner Comments
- B. Administrative Items

VIII. Adjournment

Posted in City Hall on April 4, 2012

**MINUTES OF A REGULAR MEETING OF
THE NATURAL RESOURCES COMMISSION OF THE CITY OF HIGHLAND
PARK, ILLINOIS**

MEETING DATE: February 8, 2012

MEETING LOCATION: Pre-Session Room, City Hall, 1707 St. Johns Avenue, Highland Park, IL

CALL TO ORDER

At 6:35 p.m., Vice Chair Himmelfarb called the meeting to order and the Staff Liaison called the roll.

ROLL CALL

Members Present: Compher, Dennison, Hill, Himmelfarb, Sultan and Meyer

Members Absent: Bogot, Matthews, Naftzger, Beck and Brint

The Staff Liaison declared that there was a quorum of the Commission present.

Staff Present: Staff Liaison Barbara Cates

Also Present: Councilman Mandel

MINUTES

A. Regular Meeting of the Natural Resources Commission— January 11, 2012

Commissioner Compher moved for approval of the presented minutes of the regular meeting of the Natural Resources Commission held on Wednesday, January 11, 2012. Commissioner Sultan seconded the motion.

On a voice vote, Vice Chair Himmelfarb declared that the motion passed 4-0-1, with Commissioner Dennison abstaining due to her absence at the January 11, 2012 meeting.

BUSINESS FROM THE PUBLIC

Vice Chair Himmelfarb noted that there is no business from the public.

NEW BUSINESS

A. Discussion of Upcoming Opportunities to Collaborate with the Park District on Environmental Education

Park District Representative Steve Meyer presented an overview of this Item. Meyer outlined several upcoming local environmental events including: a ravine walk at Millard

Park, Braeside School's release of rainbow trout into the ravines, Chicago River Day, Rosewood Park Workday and Ravine Cleanup Day. Commissioners discussed opportunities for involvement and determined that: at least one Commission representative should attend the Ravine Walk if possible, Commissioner Hill would work with Braeside School to create kiosk posters about the trout release and Staff Liaison Cates would email the City Council to see if a representative could be present for the event and Commissioner Sultan would investigate which publicly-owned ravines are in most need of cleanup. The Commission directed Staff Liaison Cates to explore the costs of mailing postcards to the approximately 800 steep slope property owners in the City to publicize the events and report back at the next meeting.

B. Discussion of Potential Informational Kiosk Display Topics

Commissioner Hill presented an overview of this Item and noted that, after the completion of ISATS, he would work with Park District Natural Areas Manager Rebecca Grill to reach out to Shara Lieberman at Braeside School and begin work on kiosk posters that celebrate the students' work with rainbow trout and ravine habitat.

OLD BUSINESS

A. Status Report on City Sustainability Initiatives

Vice Chair Himmelfarb presented an overview of this Item, noting that the City had recently held a Green Alliance meeting which had been well attended and well received. Himmelfarb discussed the City's top sustainability initiatives and noted that Delta Institute is scheduled to provide the City Council with an update in March. Himmelfarb reported that there is still work that needs to be done to clearly identify the roles of the Commission, the Alliance and City staff. Councilman Mandel noted that he would like to see the Natural Resources Commission get more involved and take a leadership position, and that he is hopeful that the Green Alliance meeting engaged all of the necessary parties and gave the Delta Institute helpful feedback so that they can move forward with the ideas.

Councilman Mandel and Commissioner Sultan discussed recycling opportunities for businesses, and Commissioner Sultan suggested that a *Highlander* article could be written to acknowledge participating businesses. Councilman Mandel discussed the existing recycling drop-off schedule, noted that the City was investigating the possibility of holding quarterly "extravaganza-style" events, and requested the Commission's participation to the extent possible. Commissioner Compher noted that he would like to see the City promote the quarterly events along with the bulk trash collection days. Staff Liaison Cates noted that she would pass the feedback along to the City Manager's Office.

B. Status Report on the Polystyrene Recycling Pilot Program

Councilman Mandel noted that he would get the most recent polystyrene recycling numbers to the Commission via email. In response to a question from Vice Chair Himmelfarb, Councilman Mandel responded that he did not believe that Dart is advertising the polystyrene recycling pilot program to nearby municipalities. Mandel noted that Dart is not paying the City for the recycled polystyrene; they are merely picking it up to reuse it in products such as molding and frames.

C. Status Report on the Green Team

Vice Chair Himmelfarb noted that the Green Team is scheduled to meet in mid-February to discuss the Zero Waste School Initiative, and to further discuss opportunities to work with Climate Cycle to make Highland Park High School a Solar School. Commissioner Dennison reported that it is likely that Jewel will jumpstart the 5 for 5 Program again in the near future.

D. Status Report on Potential Movie Titles for the 2012 Movie Series Screenings

Commissioner Dennison reported that two Sundays have been reserved at the Highland Park Library for 2 p.m. movie screenings: March 18th and May 20th. At the Commission's direction, Staff Liaison Cates noted that she would contact former Commissioner Gene Friedman to see if he would be able to donate a copy of *The Cove* for the March 18th screening. Once a movie has been selected, Cates noted that she would work with the Student Representatives to see if there was an opportunity for extra credit for those students wishing to attend the viewing.

OTHER BUSINESS

Vice Chair Himmelfarb noted that the North Shore Environmental Commissioners Group had recently met and discussed municipal aggregation of electricity. Councilman Mandel noted that the issue is on an upcoming City Council ballot to see if residents wish to give the City the opportunity to negotiate rates. Mandel noted that the City has been working with a number of other municipalities, and that the goal is to provide a green energy option. The Commission discussed smart meter pilot programs.

Staff Liaison Cates reported that Councilman Naftzger is working on a Resolution to encourage residents to use the Yellow Pages' existing opt-out program, and that it is likely that the Commission will be asked to help encourage resident participation in the program.

Staff Liaison Cates reminded Commissioners to complete the required Open Meetings Act online training as soon as possible.

Councilman Mandel stated that the City Council expressed support for the Green Town event, scheduled to be October 18, 2012. The first event planning meeting is scheduled in mid-February, and the efforts will be guided by an Advisory Committee. Councilman Mandel noted that the goal is to have 300 attendees, and that a dynamic keynote speaker is important to generate enthusiasm. Councilman Mandel encouraged the Commission to email speaker ideas to him for the Committee's consideration.

Commissioner Hill noted that he is scheduled to meet with Quebec City Mayor Regis Labeaume in June to discuss Great Lakes St. Lawrence Cities Initiative.

Commissioner Compher discussed issues and regulations regarding coal tar sealants (PAH) and anti-idling restrictions for commercial vehicles. Compher asked Staff Liaison Cates to investigate the City's existing regulations for each topic and report back to the Commission.

Four Commissioners noted that they were unable to attend the March meeting. Staff Liaison Cates noted that she would work with Chairman Bogot to address the situation; the regularly scheduled meeting would likely be cancelled, and if a Special Meeting was necessary to address a pressing issue, she would reach out to determine Commission availability.

ADJOURNMENT

Chairman Bogot adjourned the meeting at 7:50 p.m.

Respectfully Submitted,

Barbara E. Cates, Secretary

MINUTES APPROVED BY THE NATURAL RESOURCES COMMISSION ON _____

- WITH NO CORRECTIONS _____
- WITH CORRECTIONS _____
(SEE MINUTES OF [_____] MEETING FOR CORRECTIONS)



Memorandum

To: Members of the Natural Resources Commission

From: Barbara E. Cates, Planner

Date: April 4, 2012

Re: Agenda Items for the April 11th Meeting of the Natural Resources Commission

NEW BUSINESS:

A. 25 Lakeview Terrace—Consideration of a Beach Structure Permit Application for Regulated Activities in the Lake Michigan Protection Zone

The property owners/applicants, Chuck and Debbie Frank, are requesting Natural Resources Commission and City Council consideration of a Beach Structure Permit Application to allow the following regulated activities on the single-family property at 25 Lakeview Terrace:

- removal of an existing timber and steel seawall;
- removal of an existing concrete modular pier;
- installation of a 165 ft. long and 22 ft. wide quarrystone revetment with steps through it; and,
- construction of a new perched pea gravel and sand wetland above the proposed revetment.

The applicant indicates that the improvements are proposed to alleviate ongoing beach deterioration and eliminate a deteriorating seawall and modular pier. Photographs depicting the existing condition of the seawall proposed to be removed are attached. The applicant notes that the proposed quarrystone revetment has been designed for a 20-year lifespan and will range in elevation from 575 ft. at the toe and 590 ft. at the crest to enable it to function during fluctuating lake levels.

A perched wetland, constructed of pea gravel and sand, is proposed to be installed above the revetment for the purposes of filtering stormwater and reducing the amount of sediment flowing into Lake Michigan. Project Engineer Wayne Brunzell, P.E., has submitted two attached letters, dated March 27, 2006 and March 20, 2012, detailing the specifications of the proposed perched wetland and stating his professional opinion that the system will

function year-round regardless of winter temperatures. A backhoe and crane will be used during construction, and equipment and materials will be delivered to and removed from the site via a barge on Lake Michigan.

Section 150.703.1(E)(4)(a)viii of the Zoning Code requires the applicant to obtain and submit “copies of any and all permits required by the federal, state, and county governments” before the Natural Resources Commission can consider the request for a Beach Structure Permit. Per this requirement, the applicant previously submitted the proposed plans to the U.S. Army Corps of Engineers, the Illinois Environmental Protection Agency, the Illinois Department of Natural Resources and the Illinois Historic Preservation Agency and received the necessary approvals, which are attached for review.

Engineering Division Review

The Engineering Division has reviewed the application materials and submitted the attached memorandum, dated April 4, 2012, for the Commission’s consideration. The Engineering Division notes that an “as-built” plan and the design engineer’s certification that the project complies with the approval document specifications will be required following construction.

Previous Consideration

In 2006, the Lakefront Commission and the City Council considered a Beach Structure Permit Application for the subject property that was materially similar to the one currently proposed. The only difference between the 2006 application and the one currently put forth is that the applicant is now proposing to include the removal of the concrete modular pier within the scope of the project. Following its consideration of the application in 2006, the Lakefront Commission voted (6-0) to recommend City Council approval of the proposed Beach Structure Permit Application. The applicant did not construct the improvements and the permission has since expired; therefore, a new application and approval is required.

Beach Structure Ordinance Policy

The Beach Structure Ordinance regulates and requires permits for all activity in the City’s “Lake Michigan Protection Zone,” an area comprised of all land between Lake Michigan and the toe of the bluff. Prior to the City’s issuance of a permit for any activity in the Lake Michigan Protection Zone, the Natural Resources Commission must consider the matter under the following standards and *forward Findings of Fact to the City Council for final approval*.

Please note that because this matter was previously considered by the Lakefront Commission and the City Council in 2006, I have taken the opportunity to pre-draft Findings of Fact for the Commission’s consideration. If the Commission finds that the proposed improvements meet the following standards at the upcoming meeting and that the drafted Findings of Fact reflect the Commission’s comments and decision, the Commission may elect to vote to approve the draft Findings of Fact and forward them to the City Council for consideration.

Standards

No permit for a Regulated Activity in the Lake Michigan Protection Zone shall be approved unless all of the following standards have been met or satisfied:

(a) The proposed Regulated Activity and/or Structure shall not unreasonably impede access to or pedestrian movement along the beach or to Lake Michigan;

(b) The proposed Regulated Activity and/or Structure shall not unnecessarily impede navigability within Lake Michigan;

(c) The proposed Regulated Activity and/or Structure shall not unreasonably impact the Subject Property or the Adjacent Properties;

(d) The Applicant has proposed appropriate long-term maintenance requirements and plans, as necessary, for the proposed Regulated Activity and/or Structure;

(e) The proposed means and methods of undertaking the Regulated Activity and/or Structure are consistent with appropriate design and aesthetics principles;

(f) The proposed Regulated Activity and/or Structure shall not create new nor amplify existing erosion problems on the Subject Property and on Adjacent Properties;

(g) The proposed Regulated Activity and/or Structure shall be for the purposes of erosion control, water gathering, and/or public access only;

(h) There will not be an unnecessary adverse environmental or ecological impact on the Subject Property or on any of the Adjacent Properties as a result of the proposed Structure and/or the Regulated Activity;

(i) The proposed Structure and/or the Regulated Activity is the least environmentally and ecologically intrusive means of achieving the stated purpose of the Structure; and

(j) The Applicant has properly obtained any and all permits required by the federal, state, and county governments for the Regulated Activity and/or the Structure.

Process

The applicant has met the public notification requirements which require written notice to be provided to the first ten properties located “upwater” and the first ten properties located “downwater” from the subject property. *Please note that a special meeting will be*

held at 25 Lakeview Terrace at 5:30 p.m. prior to the Commission meeting on April 11th to give you the opportunity to inspect the property as a group. Applicant representatives will be on hand, and I urge you to drop by if you are available.

Feel free to contact me if you have any questions regarding this matter, or if you would like to further discuss the Beach Structure Ordinance prior to the meeting. Per the Commission's direction, I will be prepared to deliver a brief presentation summarizing the proposed project. As usual, the above list of Beach Structure Ordinance standards will also be available on the table for the Commission's reference and discussion.

B. Consideration and Approval of Findings of Fact Recommending City Council Approval of a Beach Structure Permit Application for Regulated Activities in the Lake Michigan Protection Zone at 25 Lakeview Terrace

As noted above, because this matter was previously considered by the Lakefront Commission and the City Council in 2006, I have taken the opportunity to pre-draft Findings of Fact for the Commission's consideration. If the Commission finds that the proposed improvements meet the applicable standards and that the drafted Findings of Fact reflect the Commission's comments and decision, the Commission may vote to approve the draft Findings of Fact and forward them to the City Council for consideration.

C. Status Report on the Braeside School Fourth Grade Class Trout Release and Ravine Education Initiatives

Commissioner Hill and Park District Representative Meyer will provide information on this agenda item. As a reminder, the Braeside School Fourth Grade Class' Trout Release event is scheduled to be held at Millard Park on **April 13th at 9:00 a.m.** Due to limited parking, a shuttle will be departing from the parking lot adjacent to City Hall at 8:45 a.m., and you are encouraged to reserve a ride by calling 847-579-4087. Please also mark your calendars for the annual Ravine Walk education event at Millard Park on **April 14th at 10:00 a.m.** For further information, please see: <http://www.pdhp.org/index.aspx?page=21&recordid=163>

D. Discussion of Commission Involvement in Chicago River Day on May 12, 2012

Chairman Bogot will provide information and lead a discussion on this agenda item.

E. Discussion of the Need to Formulate a Recommendation to Establish a Recycling Subcommittee

Chairman Bogot will provide information and lead a discussion on this agenda item.

OLD BUSINESS:

A. Status Report on an Upcoming Movie Screening at the Highland Park Library

Commissioner Dennison will provide an update on this agenda item.

B. Status Report on the Green Team

Vice Chair Himmelfarb will provide an update on this agenda item.

C. Status Report on the Polystyrene Recycling Pilot Program

Chairman Bogot will provide an update on this agenda item.

ATTACHMENTS:

- 25 Lakeview Terrace Beach Structure Permit Application
 - GIS Map
 - Topography (1 Ft. Contours)
 - Aerial Photograph (2010)
 - Memorandum from the City Engineer, dated 4-4-12
 - Submitted Materials
 - Letter from Jon Shabica, dated March 9, 2012
 - Letter from Jon Shabica, dated March 20, 2012
 - Photos of Existing Conditions
 - Plat of Survey, dated February 28, 2001
 - Plan View, latest revision date of August 16, 2011
 - Bluff Toe Revetment & Stormwater Dispersion System Elevation Plans, 2 pages with a latest revision date of March 18, 2006
 - Letter from Wayne Brunzell, dated March 20, 2012
 - Letter from Wayne Brunzell, dated March 27, 2006
 - Letter from the Illinois Historic Preservation Agency, dated August 5, 2011
 - Letter from the Department of the Army, dated November 2, 2011
 - Letter from the Illinois Environmental Protection Agency, dated December 29, 2011
 - Letter from the Illinois Department of Natural Resources, dated January 12, 2012
 - Draft Findings of Fact for 25 Lakeview Terrace



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The GIS Consortium and MGP Inc. are not liable for any use, misuse, modification or disclosure of any map provided under applicable law.







PUBLIC WORKS MEMORANDUM



DATE: April 4, 2012
TO: Barbara Cates, Planner
FROM: John Welch, City Engineer
SUBJECT: 25 Lakeview Terrace Revetment

The plan for the proposed revetment located on the Lake Michigan beach at the above-referenced address has been updated and has been permitted by the Army Corps of Engineer, Illinois Department of Natural Resources and Lake County Stormwater Management Commission. The applicant has addressed the Department of Public Works' comments expressed in 2006 and the engineer for the project has submitted a current plan for construction of the proposed revetment.

The Department of Public Works concludes that the proposed revetment project complies with the City's Code. Please contact me at extension 1145 if there are any concerns or comments that we should address or clarify.

The Department of Public Works requires an "as-built" plan, and certification that the constructed project meets the plan and specifications of the design engineer.



25 Lakeview Terrace Highland Park

**Submittal to
Community Development Department
March 9, 2012**

Prepared By:

**Shabica & Associates, Inc.
Sustainable Coastal Solutions
550 Frontage Road, Suite 3735
Northfield, Illinois 60093
Tel. 847-446-1436
Fax 847-716-200**



Shabica & Associates, Inc.
Sustainable Coastal Solutions

Barbara Cates
City of Highland Park
Community Development Department
1150 Half Day Road
Highland Park, Illinois 60035

Dear Ms. Cates:

March 9, 2012

Thank you for meeting with us regarding the proposed construction of a revetment and perched wetland at 25 Lakeview Terrace, which is owned by Chuck Frank. As discussed, this project was previously approved by the City of Highland Park in 2006 but was never constructed. The project is now being resubmitted for approval given the recent deterioration of the beach. All state and federal permits have been approved for the proposed work (attached in Appendix).

To address the City's Standards for Review:

- a. This project will not impede pedestrian access or movement along the beach or to Lake Michigan
- b. The project will not have any impact on navigability of Lake Michigan
- c. The project will not unreasonably impact any coastal properties
- d. The project has a long-term maintenance plan
- e. The means and methods of construction will not impact design and aesthetics; all work will be completed via marine mobilization
- f. The project will reduce erosion on the subject property, and will not affect adjacent properties
- g. The project addresses erosion control issues noted by the municipality
- h. The proposed structure will not cause unnecessary adverse environmental or ecological impact
- i. The proposed structure is a viable, environmentally-correct means of achieving the stated purpose
- j. All state and federal permits have been approved and are attached

In conformance to the City's Application Guidelines, we offer the following:

- i. The proposed revetment project includes:
 1. removal of a failing timber and steel seawall
 2. removal of a deteriorating Sydney Makepeace Wood concrete modular pier
 3. installation of a quarystone revetment with steps through it to allow access to the beach
 4. construction of a new perched wetland above the revetment, using environmentally-sensitive methods, to reduce scour on the beach and reduce non-point source pollution into Lake Michigan

- ii. Plat of Survey is attached
- iii. Plan View is attached

- iv. Same as Plan in Item iii

- v. Demolition is noted on the attached Plan View

- vi. Cross-sectional drawings are attached

- vii. State and Federal permit approvals are attached

- viii. Engineering details:
 - A. Structure height: 590' (IGLD 1985)
Length: Approximately 165' shore parallel
Width: Approximately 22' from east to west
 - B. This structure runs along the bluff toe; no spacing applicable
 - C. The revetment will be quarried quartzite; the wetland will be pea gravel and clean sand

- ix. As there will be no major earthmoving or grading of the bluff, in-depth geotechnical investigation is not required according to Joe Pasquesi, City Engineer.

- x. The revetment is designed to function during varying lake levels. The toe elevation of 575' (IGLD 1985) will protect the property during low lake levels. The crest elevation of 590' (IGLD 1985) will provide the property during higher lake levels. When this project was submitted to the City of Highland Park in 2006, the sand elevation at the property had reached an equilibrium of about 585' to 586' (IGLD 1985). In the past five years, the sand elevation has deflated on this property and dunes/dune grasses were eroded.

- xi. The proposed revetment has a 20-year design-life, and the stone that will be used will last thousands of years. After construction, if and when the revetment begins to settle, it has been designed to remain functional. Periodic maintenance is recommended as necessary based on biannual visual inspections. Typically, at the time of recommended maintenance, additional stone will be brought in and placed over the existing revetment to bring it back to the original specification.

- xii. All materials and equipment will be delivered to and removed from the site via barge on Lake Michigan. The work will be completed using a backhoe and crane as needed.

- xiii. See the following:
 - A. This system is designed to alleviate the current beach scour that has been deemed unacceptable by the City and which occurs during storm events.
 - B. The environmental impact of this project is that the stormwater will be filtered by the perched wetland. This will reduce sediment and chemical pollution from flowing into Lake Michigan.
 - C. A quarystone revetment is least intrusive to the environment. The natural character of the bluff is glacial clay till containing rocks. As the bluff erodes, these rocks remain at the bluff toe.

The revetment is an engineered free-form structure that moves with nature and doesn't trap water.

- D. The existing forms of shore protection at the subject property are a failing timber and steel seawall that has eroded landward, and a deteriorated Sydney Makepeace Wood concrete modular pier that extends shore perpendicular.

An appendix of attachments is included with this letter. Several of the enclosed attachments are from the 2006 application, including 2006 photos of the site, a 2003 letter from the City of Highland Park requesting that outfall work be performed, a 2006 letter from Engineer Wayne Brunzell, a 2006 notice to the neighbors, and 2006 Building Permit Approvals from the City of Highland Park. The Appendix also includes the current project's Plan View, Cross Sections, Survey, and Federal and State Permit Approvals.

This information addresses the application requirements for submission. Please let us know if you require any further information.

Sincerely,



Jon Shabica
Vice President



Shabica & Associates, Inc.
Sustainable Coastal Solutions

Barbara Cates
City of Highland Park
Community Development Department
1150 Half Day Road
Highland Park, Illinois 60035

Dear Ms. Cates:

March 20, 2012

Thank you for your email dated March 19, 2012 regarding the proposed construction of a revetment and perched wetland at 25 Lakeview Terrace, which is owned by Chuck Frank. As we stated in our letter to you on March 9, 2012, this project was previously approved by the City of Highland Park in 2006 but was never constructed. The project is now being resubmitted for approval given the recent deterioration of the beach. All state and federal permits have been approved for the proposed work.

The proposed revetment project includes:

1. removal of a failing timber and steel seawall
2. removal of a deteriorating Sydney Makepeace Wood concrete modular pier
3. installation of a quarystone revetment with steps through it to allow access to the beach
4. construction of a new perched wetland above the revetment, using environmentally-sensitive methods, to reduce scour on the beach and reduce non-point source pollution into Lake Michigan

The only revision to the original 2006 plan is that Mr. Frank now would like to remove the deteriorated Sydney Makepeace Wood concrete modular pier, as noted above.

Regarding permit approvals, a project of this scope requires approvals from the USACE, IDNR and IEPA. These agencies have already approved the Frank project. Often times, however, the USACE will require additional permit approval from other regulatory agencies. When that is the case, the USACE states it as a provision in their official approval letter. The USACE did not list any additional regulatory permit requirements in their official approval letter for this project. Therefore, we have received all permit approvals required to date, with the exception of the City of Highland Park.

Please let us know if you require any further information.

Sincerely,

Jon Shabica
Vice President

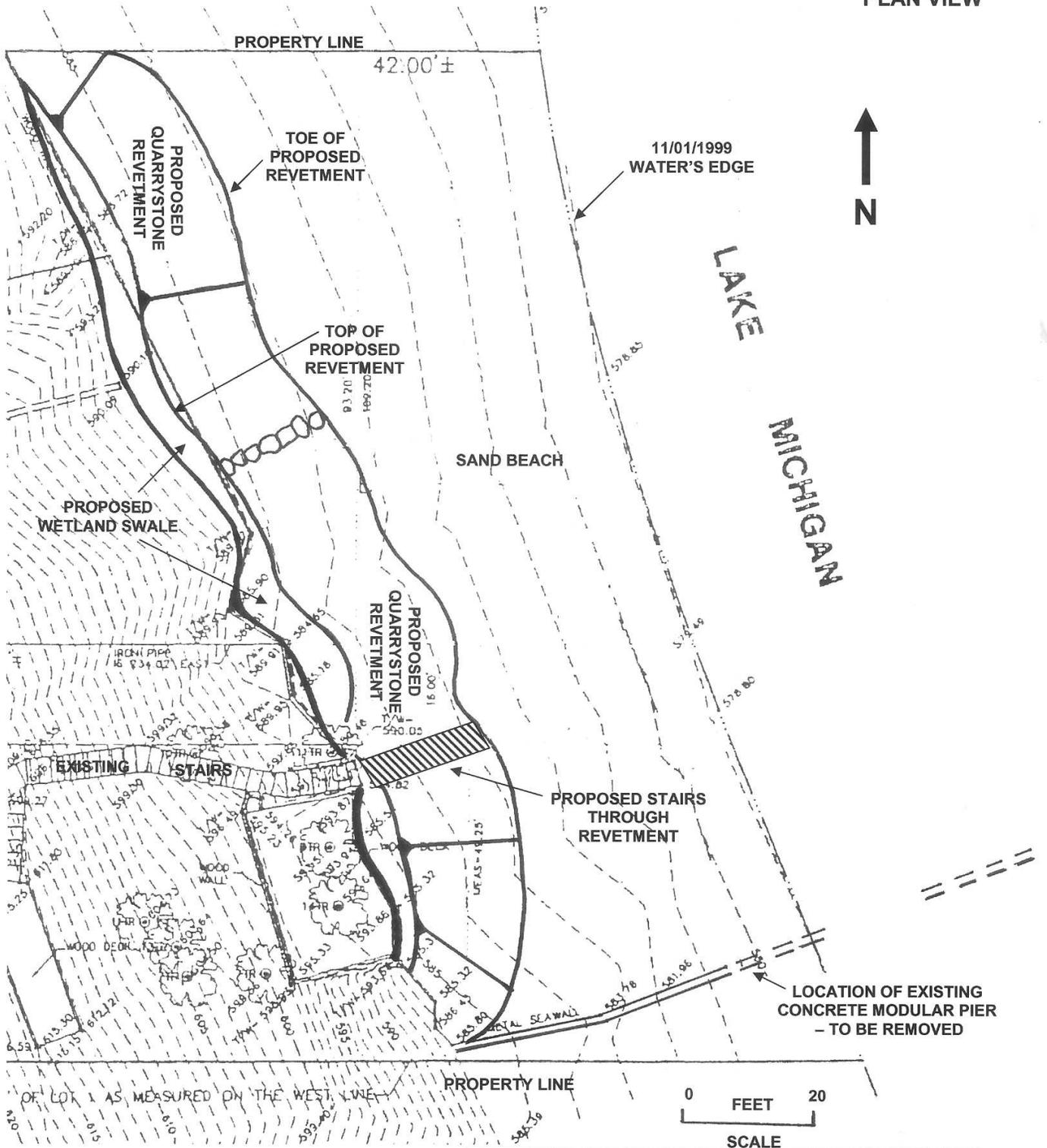


2006 Photo of existing timber and steel seawall. See improperly constructed drain outfall eroding beach.

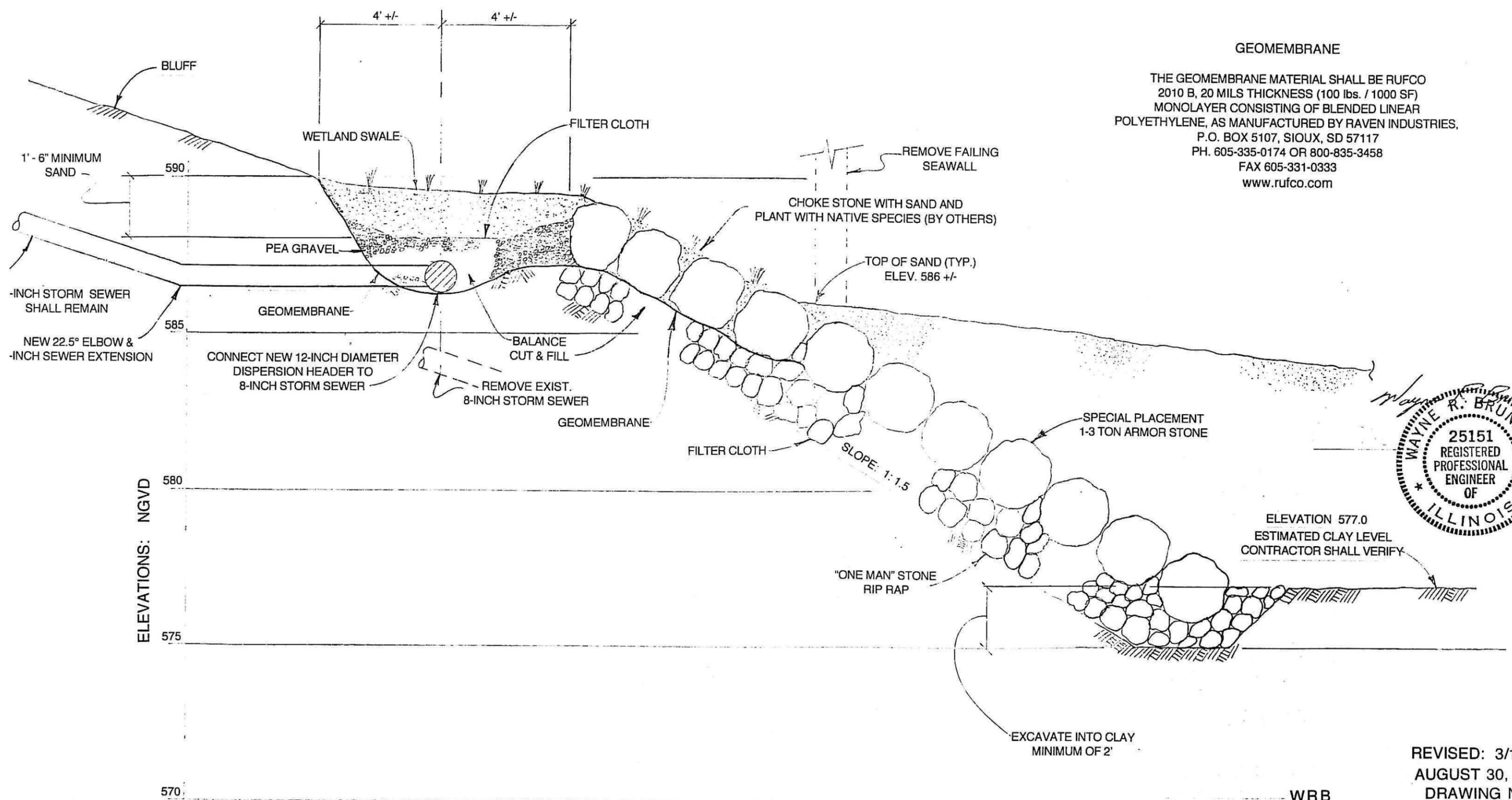


2006 Photo showing landward side of failing seawall showing eroded area at bluff toe.

PLAN VIEW

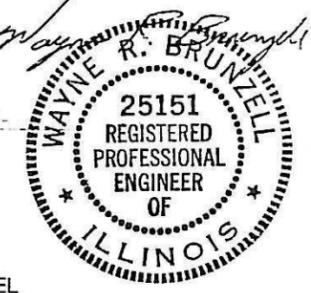


PROJECT NAME: FRANK Revetment 25 LAKEVIEW DRIVE, HIGHLAND PARK	
DATE: 8/17/2005	DRAWN BY: CS
REVISED: 8/16/2011	DRAWING NUMBER: 1
Shabica & Associates, Inc. 550 Frontage Rd, Ste. 3735, Northfield, IL 60093	
PLAN VIEW	



GEOMEMBRANE

THE GEOMEMBRANE MATERIAL SHALL BE RUFECO
 2010 B, 20 MILS THICKNESS (100 lbs. / 1000 SF)
 MONOLAYER CONSISTING OF BLENDED LINEAR
 POLYETHYLENE, AS MANUFACTURED BY RAVEN INDUSTRIES,
 P.O. BOX 5107, SIOUX, SD 57117
 PH. 605-335-0174 OR 800-835-3458
 FAX 605-331-0333
 www.rufco.com



ELEVATIONS: NGVD
 580
 575

ELEVATION 577.0
 ESTIMATED CLAY LEVEL
 CONTRACTOR SHALL VERIFY

**BLUFF TOE REVETMENT &
 STORMWATER DISPERSION SYSTEM**
 SCALE: 1" = 3'-0"

Shabica & Associates, Inc.
 Beach Design & Shore Protection

550 Frontage Road
 Suite 3735
 Northfield, IL 60093

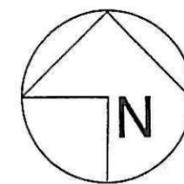
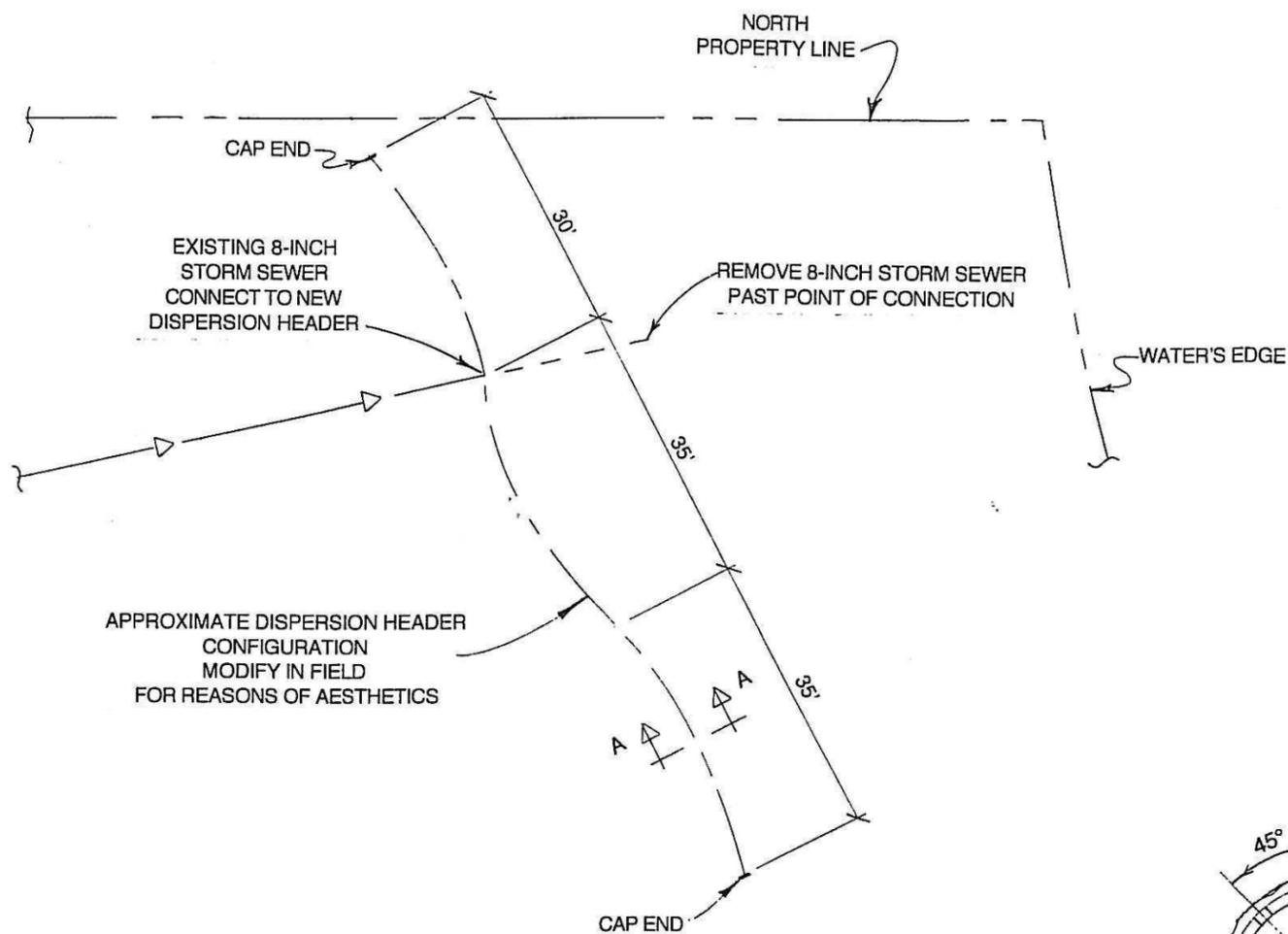
(847) 446-1436
 FAX (847) 446-5976
 www.shabica.com

**NEW BLUFF TOE REVETMENT
 & PERCHED WETLAND**

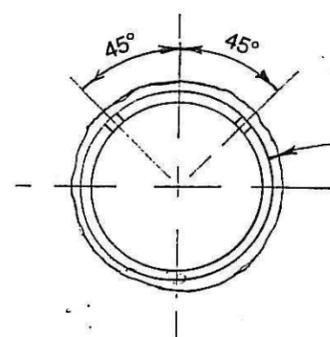
FRANK RESIDENCE
 25 LAKEVIEW TERRACE
 HIGHLAND PARK, ILLINOIS

REVISED: 3/18/06
 AUGUST 30, 2005
 DRAWING No. 1

WRB



SCALE: 1" = 20'



12-INCH DISPERSION HEADER IN SOCK
ASTM 3034, SDR 26
DRILL 1" DIAMETER HOLES @ 45°
ON 12" CENTERS
ALTERNATE LEFT AND RIGHT

SECTION A-A
DISPERSION HEADER
SCALE: 1" = 1'-0"



WRB

AUGUST 30, 2005
DRAWING No. 2

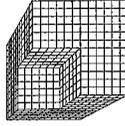
Shabica & Associates, Inc.
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**NEW BLUFF TOE REVETMENT
& PERCHED WETLAND**

FRANK RESIDENCE
25 LAKEVIEW TERRACE
HIGHLAND PARK, ILLINOIS



BRUNZELL ASSOCIATES LTD.

WESTMORELAND BUILDING • 9933 LAWLER AVENUE • SKOKIE, ILLINOIS 60077
(847) 933-1409 FAX (847) 933-1410

March 20, 2012

Mr. Jon Shabica
Managing Director
Shabica & Associates
550 Frontage Road, Suite 3735
Northfield, IL 60093

Re: Perched Wetland Stormwater Dispersion System
Frank Residence
25 Lakeview Terrace, Highland Park, Illinois

Dear Mr. Shabica:

I have extracted File #05130 from the archives of Brunzell Associates and reviewed my position as expressed in a letter to Mr. Joseph Pasquesi, dated March 27, 2006 (attached). With respect to the referenced project in the present day, I stand by my position as stated in that letter.

Also enclosed is the project drawing (No, 1) as revised 3/18/06.

Thank you for the opportunity to assist you and the Frank family in this matter.

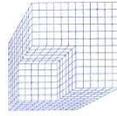
Respectfully submitted,

BRUNZELL ASSOCIATES LTD



Wayne R. Brunzell, P.E.

encls.



BRUNZELL ASSOCIATES LTD.

WESTMORELAND BUILDING • 9933 LAWLER AVENUE • SKOKIE, ILLINOIS 60077
(847) 933-1409 FAX (847) 933-1410

March 27, 2006

Joseph Pasquesi, P.E.
City of Highland Park, DPW
1150 Half Day Road
Highland Park, IL 60035

Re: Perched Wetland Stormwater Dispersion System
Frank Residence, 25 Lakeview Terrace

Dear Mr. Pasquesi:

At a recent meeting with staff members of Shabica & Associates, Inc., concern was expressed over the freezing potential of the perched wetland stormwater dispersion system. While any system or mechanism is subject to problems given a select set of circumstances, I believe that the proposed system will function well year around. It is my opinion that the proposed stormwater dispersion system will not be incapacitated by even extremely cold winter temperatures for the following reasons.

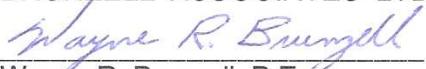
1. The dispersion header is 100 feet long with 100, one-inch diameter holes. The aggregate discharge area is 0.55 sq. ft.
2. The bottom of the 12-inch dispersion header in the wetland swale is 3'-6" below the surface.
3. Even considering the geomembrane, "excess" water will not stand, but will flow over the lip of the catchment. The system has an overflow that is self draining.
4. During extremely cold weather (sub-zero) no water will be flowing from the top of the bluff.
5. The static hydraulic head on the 12-inch header is about 60 feet (26 psi).

Any additional back-up pressure relief system would be subject to freezing and malfunction because it would need to discharge at or above the ground surface.

I would be pleased to discuss this matter with you in greater detail, by telephone or in person if you desire. Thank you for your studied opinion and consideration of my position.

Respectfully submitted,

BRUNZELL ASSOCIATES LTD


Wayne R. Brunzell, P.E.

cc. Ms. Stefanie Nagelbach, Shabica & Associates, Inc.



**Illinois Historic
Preservation Agency**

FAX (217) 782-8161

1 Old State Capitol Plaza • Springfield, Illinois 62701-1512 • www.illinois-history.gov

Lake County
Highland Park

Installation of Quartzite Bluff Revetment and Replacement of Concrete Pier
25 Lakeview Terrace
COEC-200400515
IHPA Log #028051804

August 5, 2011

Jon Shabica
Shabica & Associates, Inc.
550 Frontage Road, Suite 3735
Northfield, IL 60093

Dear Mr. Shabica:

We have reviewed the documentation submitted for the referenced project(s) in accordance with 36 CFR Part 800.4. Based upon the information provided, no historic properties are affected. We, therefore, have no objection to the undertaking proceeding as planned.

Please retain this letter in your files as evidence of compliance with section 106 of the National Historic Preservation Act of 1966, as amended. This clearance remains in effect for two years from date of issuance. It does not pertain to any discovery during construction, nor is it a clearance for purposes of the Illinois Human Skeletal Remains Protection Act (20 ILCS 3440).

If you have any further questions, please contact me at 217/785-5027.

Sincerely,

Anne E. Haaker
Deputy State Historic
Preservation Officer



REPLY TO
ATTENTION OF:

DEPARTMENT OF THE ARMY
CHICAGO DISTRICT, CORPS OF ENGINEERS
111 NORTH CANAL STREET
CHICAGO, ILLINOIS 60606-7206

November 2, 2011

Technical Services Division
Regulatory Branch
LRC-2011-00536

SUBJECT: Proposal to Remove a Deteriorated Modular Pier Located at 25 Lakeview Terrace in Highland Park, Cook County, Illinois

Charles Frank
25 Lakeview Terrace
Highland Park, Illinois 60035

Dear Mr. Frank:

The U.S. Army Corps of Engineers, Chicago District, has completed its review of your notification for authorization under the Regional Permit Program (RPP), submitted on your behalf by Shabica & Associates, Inc. This office has verified that your proposed activity complies with the terms and conditions of Regional Permit 11 and the overall RPP under Category I of the Regional Permit Program dated April 1, 2007. The activity may be performed without further authorization from this office provided the activity is conducted in compliance with the terms and conditions of the RPP.

This verification is valid until the RPP is modified, reissued, or revoked. The RPP is scheduled to be modified, reissued, or revoked prior to April 1, 2012. We will issue a public notice when the Regional Permits are reissued so it is incumbent upon you to remain informed of changes to the RPP when they occur. Furthermore, if you commence or are under contract to commence this activity before the date that the relevant regional permit is modified or revoked, you will have twelve (12) months from the date of the modification or revocation of the RPP to complete the activity under the present terms and conditions of this regional permit.

This verification covers only your activity as described in your notification and as shown on the plans entitled 25 LAKEVIEW DRIVE, HIGHLAND PARK dated 8/17/2005 (Revised 8/16/11) as prepared by Shabica & Associates, Inc. Caution must be taken to prevent construction materials and activities from impacting waters of the United States beyond the scope of this authorization. If you anticipate changing the design or location of the activity, you should contact this office to determine the need for further authorization.

This authorization is contingent upon implementing and maintaining the Corps approved soil erosion and sediment control measures in a serviceable condition throughout the duration of the project. You shall notify this office of any changes or modifications to the approved plan set. Please be aware that field conditions during project construction may require the implementation of additional SESC measures for further protection of aquatic resources.

In addition, the permittee understands and agrees that, if future operations by the United States require removal, relocation, or other alteration of the structure or work authorized herein, or if, in the opinion of the Secretary of the Army or his authorized representative said structure or work shall cause unreasonable obstruction to the free navigation of the navigable water, the permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.

This verification does not obviate the need to obtain all other required Federal, state, or local approvals before starting work. Please note that Section 401 Water Quality Certification has been issued by IEPA for this RP. Enclosed are the IEPA Section 401 Water Quality Certification conditions. If you have any questions regarding Section 401 certification, please contact Mr. Dan Heacock at IEPA Division of Water Pollution Control, Permit Section #15, by telephone at (217) 782-3362.

For a complete copy of the RPP program or any additional information on the RPP program, please access our website: www.lrc.usace.army.mil/co-r. Once you have completed the authorized activity, please sign and return the enclosed compliance certification. If you have any questions, please contact Kate M. Bliss of my staff by telephone at 312-846-5542, or email at Kate.M.Bliss@usace.army.mil.

Sincerely,



Kathy G. Chernich
Chief, East Section
Regulatory Branch

Enclosures

Copy Furnished w/out Enclosures:

Shabica & Associates, Inc. (Stefanie Nagelbach)



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276 • (217) 782-3397

PAT QUINN, GOVERNOR

JOHN J. KIM, INTERIM DIRECTOR

217/782-3362

December 29, 2011

Illinois Department of Natural Resources
Office of Water Resources
Lake Michigan Management Section
Michael A. Bilandic Building
160 N. LaSalle Street, Suite S-700
Chicago, IL 60601

Chicago District Corps of Engineers
Regulatory Branch
111 North Canal Street, 6th Floor
Chicago, IL 60606

Re: Charles Frank – Removal of deteriorated modular pier – Lake Michigan
Permit # 2011-LM-1903
Log # 1903-11
IEPA Log # C-0395-11 [CoE # 2011-536]

Gentlemen:

This Agency received a request on July 20, 2011 from the Charles Frank requesting necessary comments concerning the removal of a deteriorated modular pier in Lake Michigan. We offer the following comments.

Based on the information included in this submittal, it is our engineering judgment that the proposed project may be completed without causing water pollution as defined in the Illinois Environmental Protection Act, provided the project is carefully planned and supervised.

These comments are directed at the effect on water quality of the construction procedures involved in the above described project and are not an approval of any discharge resulting from the completed facility, nor an approval of the design of the facility. These comments do not supplant any permit responsibilities of the applicant toward the Agency.

This Agency hereby issues final determination under Section 39 of the Illinois Environmental Protection Act, subject to the applicant's compliance with the following conditions:

1. The applicant shall not cause:
 - a. violation of applicable water quality standards of the Illinois Pollution Control Board, Title 35, Subtitle C: Water Pollution Rules and Regulations;
 - b. water pollution defined and prohibited by the Illinois Environmental Protection Act;
 - c. violation of applicable provisions of the Illinois Environmental Protection Act; or
 - d. interference with water use practices near public recreation areas or water supply intakes.

Page No. 2
Log No. 1903-11 (C-0395-11)

2. The applicant shall provide adequate planning and supervision during the project construction period for implementing construction methods, processes and cleanup procedures necessary to prevent water pollution and control erosion.
3. Any spoil material excavated, dredged or otherwise produced must not be returned to the waterway but must be deposited in a self-contained area in compliance with all state statutes, regulations and permit requirements with no discharge to waters of the State.
4. The applicant shall implement erosion control measures consistent with the "Illinois Urban Manual" (IEPA/USDA, NRCS; 2010).

This final determination becomes effective when the Illinois Department of Natural Resources, Office of Water Resources, includes the above conditions # 1 through # 4 as conditions of the requested permit issued pursuant to Section 39 of the Illinois Environmental Protection Act (415 ILCS 5/39) and Section 18 of the Rivers, Lakes, and Streams Act (615 ILCS 5/18).

This final determination does not grant immunity from any enforcement action found necessary by this Agency to meet its responsibilities in prevention, abatement, and control of water pollution.

Sincerely,



Alan Keller, P.E.
Manager, Permit Section
Division of Water Pollution Control

SAK:DLH:KAR:1903-11.docx

cc: IEPA, Records Unit
IEPA, DWPC, FOS, Des Plaines
USEPA, Region 5
Binds
Shabica & Associates, Inc.



Illinois Department of Natural Resources

One Natural Resources Way Springfield, Illinois 62702-1271
<http://dnr.state.il.us>

Pat Quinn, Governor
Marc Miller, Director

Office of Water Resources, Michael A. Bilandic Building, 160 N. LaSalle Street, Suite #S-700,
Chicago, IL 60601 Phone: 312/793-3123 Fax: 312/793-5968

January 12, 2012

Mr. Charles Frank
25 Lakeview Terrace
Highland Park, IL 60035

Dear Mr. Frank:

Permission is hereby granted for the construction of an approximately 170 ft. long quarystone revetment in Lake Michigan at 25 Lakeview Terrace, Highland Park, Illinois 60035. This letter of authorization is issued in accordance with all general and special conditions of the enclosed Illinois Department of Natural Resources' General Permit No. 1-LM, "TO AUTHORIZE THE CONSTRUCTION OF PARALLEL SHORELINE PROTECTION PROJECTS IN LAKE MICHIGAN," and in accordance with an application dated July 18, 2011 and specification and plans entitled:

VICINITY MAP, ONE SHEET, UNDATED, RECEIVED, JULY 20, 2011.

FRANK PLAN VIEW, ONE SHEET, UNDATED, LAST REVISED AUGUST 17, 2008, RECEIVED JULY 20, 2011.

NEW BLUFF TOE REVETMENT & PERCHED WETLAND, DRAWING NO. 1, DATED AUGUST 30, 2005, REVISED MARCH 18, 2006, RECEIVED JULY 20, 2011.

This work must also meet special conditions 1-4 of the enclosed IEPA letter dated December 29, 2011. If the work hereby authorized is not completed on or before December 31, 2015, this authorization shall cease and be null and void. Starting work on the authorized construction shall be considered full acceptance by the permittee of all the terms and conditions of this authorization and General Permit No. 1-LM. The proposed removal of the existing deteriorated modular pier will not require an Illinois Department of Natural Resources, Office of Water Resources' Permit.

Please notify this office at (312) 793-5947 when the project is completed so a final inspection can be scheduled.

Sincerely,

Daniel Injerd, Chief
Lake Michigan Management Section

Enclosures

cc: Corps of Engineers (Kathy Chernich)
IEPA (Keith Runge)
Shabica & Associates (Jon Shabica) ✓



Illinois Department of Natural Resources

One Natural Resources Way Springfield, Illinois 62702-1271
<http://dnr.state.il.us>

Pat Quinn, Governor
Marc Miller, Director

Office of Water Resources, Michael A. Bilandic Building, 160 N. LaSalle Street, S-700
Chicago, IL 60601

PH: 312/793-3123 FAX: 312/793-5968

STATE OF ILLINOIS
DEPARTMENT OF NATURAL RESOURCES
OFFICE OF WATER RESOURCES
MICHAEL A. BILANDIC BUILDING
160 N. LASALLE STREET, SUITE S-700
CHICAGO, IL 60601

GENERAL PERMIT NO. 1-LM

TO AUTHORIZE THE CONSTRUCTION OF PARALLEL SHORELINE PROTECTION
PROJECTS IN LAKE MICHIGAN

PURPOSE

The purpose of this General Permit is to expedite the processing of applications for permit for the construction of parallel shoreline protection projects in Lake Michigan which, by being in compliance with the terms and conditions of this permit, are determined to comply with the purpose and intent of the Illinois Department of Natural Resources, Office of Water Resources' rules for construction in rivers, lakes and streams. Subsequent to the effective date of this permit, qualifying parallel shoreline protection projects in Lake Michigan will be authorized by letter from the Office of Water Resources upon receipt of a complete application and plans, unless, in the discretion of the Office, normal permit processing is necessary to insure adequate review.

APPLICABILITY

This permit applies to parallel shoreline protection projects in the Illinois portion of Lake Michigan. However, authorizations will not be granted under this permit for projects which would conflict with a federal, state or local project or improvement, or with any other rule of the Department.

In order to be considered for authorization under this permit, parallel shoreline protection projects in Lake Michigan must meet the following special conditions.

SPECIAL CONDITIONS

1. Bank and shoreline protection shall consist only of rock riprap, sand-filled bags, revetments, permeable or impermeable breakwaters, or bulkheads. Bulkheads must be constructed of steel, wood, or concrete.

2. Except for those structures which must be placed in offshore water in order to be hydraulically effective to control wave action and shore erosion (such as breakwaters, underwater reefs, and similar structures), bank and shoreline protection shall be located as close to the existing bank or bulkheads as feasible.
3. Parallel shore protection structures must be constructed of clean material(s) such as steel, wood, poured or precast concrete, or field stone and shall not exceed 300 feet in length (for each individual property owner). Materials placed behind a bulkhead or revetment must be clean material, i.e., sand, gravel, or rock, etc. If broken concrete is used as backfill, all reinforcing rods must be cut flush with the surface of the concrete. Any clay or dirt placed as backfill must be completely contained by an impermeable bulkhead. No debris, asphalt, toxic material or organic material will be allowed.
4. All work is to be conducted so as to minimize increases in suspended solids.
5. If the proposed work consists of a bulkhead and fill, the bulkhead must be completed prior to placement of the fill.
6. There shall be no dredging of materials below the ordinary high water mark (elevation 581.5 IGLD 1985). Excavation shall be limited to that necessary to place the toe of the structure. Material excavated during the construction of the project shall not be placed in Lake Michigan.
7. No work shall be commenced prior to approval under this permit. Projects begun prior to the issuance of an authorization letter will not be eligible for authorization under this permit.
8. No work under this permit may be performed on or offshore of an adjacent owner's property without written permission of the adjacent owner, or in a man-made harbor, or within a 200 foot reach on either side of the mouth of any waterway that flows into or out of Lake Michigan.
9. If any historical or archeological materials are revealed by activities authorized by this permit, operations shall be suspended and the permittee shall notify the Staff Archeologist, Historic Preservation Agency, One Old State Capitol Plaza, Springfield, IL 62701.
10. There shall be no unreasonable interference with navigation by the existence or use of the structure authorized herein.
11. Multiple projects of adjacent individual owners that may create cumulative detrimental impacts, projects in environmentally sensitive areas, or projects that may have unusual impacts to the lake and/or surrounding areas may be excluded from processing under this General Permit.

12. The Department may impose additional special conditions as deemed appropriate.

In addition, the following general conditions are applicable to all individual authorizations issued under this permit.

GENERAL CONDITIONS

1. This permit is granted in accordance with the Rivers, Lakes, and Streams Act, 615 ILCS 5 (1996 State Bar Edition).
2. The authorization does not convey or recognize title of the Permittee to any submerged or other lands, and furthermore, does not convey, lease or provide any right or rights of occupancy or use of the public or private property on which the proposed project or any part thereof will be located, or otherwise grant to the Permittee any right or interest in or to the property, whether the property is owned or possessed by the State of Illinois or by any private or public parties.
3. The authorization does not release the permittee from any liability for damage to persons or property resulting from the work covered by the authorization, and does not authorize any injury to private property or invasion of private rights.
4. The permittee shall remove all temporary piling, cofferdams, false work, excavation and the material incidental to the construction of the project from Lake Michigan at his own expense. If the permittee fails to remove such structures or materials, the State may have the removal made at the expense of the Permittee.
5. If future need for public navigation by the state or federal governments necessitates changes in any part of the structure or structures, such changes shall be made by and at the expense of the Permittee or his successors as required by the Department of Natural Resources, or other properly constituted agency, within sixty (60) days from receipt of written notice of the necessity from the Department or other agency, unless a longer period of time is specifically authorized.
6. The permittee and his successors shall make no claim whatsoever to any interest or accretion caused by the project.
7. The execution and details of the work hereby authorized shall be subject to the supervision and approval of the Department of Natural Resources, Office of Water Resources. Department personnel shall have right of access to accomplish this purpose.
8. There shall be no deviation from the plans submitted and hereby approved unless the proposed change in plans shall first have been submitted to and approved, in writing, by the State of Illinois acting by and through its Department of Natural Resources.

9. The Department of Natural Resources in issuing the authorization has relied upon the statements and representations made by the permittee; if any statement or representation made by the permittee is found to be false, the authorization may be revoked at the option of the Department; and when an authorization is revoked all rights of the permittee under the authorization are voided.
10. The authorization does not relieve the permittee of the responsibility to obtain other federal, state or local authorizations required for the construction of the permitted activity; and if the permittee is required by law to obtain approval from any federal agency to do the work, the Department's authorization is not effective until the federal approval is obtained.
11. In issuing the authorization, the Department of Natural Resources does not approve the adequacy of the design or structural strength of the structure or improvement.
12. Noncompliance with any of the conditions of this General Permit will be considered grounds for revocation of the authorization.
13. Maintenance and repair of the structures is essential, and is the responsibility of the permittee or successor. In the event lack of maintenance of a structure would adversely affect the rights or interests of the People of the State of Illinois, the navigability, or the natural conditions of the lake, the Department may initiate enforcement proceedings or file appropriate action or actions in a court of competent jurisdiction to require maintenance or removal, or other relief consistent with its obligation under the law.
14. This General Permit shall remain in effect until such time as it is modified, suspended, or revoked by the Department of Natural Resources. Individual authorizations granted under the terms and conditions of this General Permit will expire three (3) years from December 31 of the year in which the authorization is granted-unless previously revoked or specifically extended.

DEFINITIONS

- Breakwater:** A structure protecting a shore area, harbor, anchorage, or basin from wave action.
- Bulkhead:** A structure or partition to retain or prevent sliding of land or to protect the upland against damage from wave action.
- Revetment:** A facing of stone, pre-cast concrete or other non-contaminated material built to protect a bank, shoreline, or shore structure against erosion by wave action or currents.

5

Riprap: A layer, facing or protective mound of stones randomly placed to prevent erosion, scour, or sloughing of a structure, beach, or embankment.

This General Permit was issued on July 13, 1983 and last modified or corrected on March 15, 1999.

APPROVED:

Brent Manning, Director

RECOMMENDED:

Martin J. Stralow, Division Manager
Division of Resource Management

APPROVAL RECOMMENDED:

Donald R. Vonnahme, Director
Office of Water Resources

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FINDINGS OF FACT

For the Natural Resources Commission on April 11, 2012

Findings of Fact in Support of the Approval of a Permit Application for the Removal of an Existing Seawall and Concrete Modular Pier and the Construction of a New Quarrystone Revetment and Perched Wetland in the Lake Michigan Protection Zone at 25 Lakeview Terrace

Sec. 150.703.1(E)(3) Standards .

No permit for a Regulated Activity in the Lake Michigan Protection Zone shall be approved unless all of the following standards have been met or satisfied:

(a) The proposed Regulated Activity and/or Structure shall not unreasonably impede access to or pedestrian movement along the beach or to Lake Michigan;

The Natural Resources Commission finds that the proposed quarrystone revetment and perched wetland will not impede access to or pedestrian movement along the beach or to Lake Michigan because the structure contains stairs, it is primarily located at the toe of the bluff, and it does not extend into Lake Michigan or onto public property.

(b) The proposed Regulated Activity and/or Structure shall not unnecessarily impede navigability within Lake Michigan;

The Natural Resources Commission finds that the proposed quarrystone revetment and perched wetland will not unnecessarily impede navigability within Lake Michigan because the structure is located at the toe of a privately-owned bluff and does not extend into the waters of Lake Michigan.

(c) The proposed Regulated Activity and/or Structure shall not unreasonably impact the Subject Property or the Adjacent Properties;

The Natural Resources Commission finds that the proposed Regulated Activities will not unreasonably impact the Subject Property or Adjacent Properties because the proposed structures have been designed to reduce erosion, naturally cleanse stormwater runoff, and improve the long-term stability of the site.

(d) The Applicant has proposed appropriate long-term maintenance requirements and plans, as necessary, for the proposed Regulated Activity and/or Structure;

The Natural Resources Commission finds that proposed quarrystone revetment and perched wetland system are anticipated to have a 20-year design life, and that the applicant has indicated that the improvements will be inspected on a biannual basis to address periodic maintenance needs.

(e) The proposed means and methods of undertaking the Regulated Activity and/or Structure are consistent with appropriate design and aesthetics principles;

The Natural Resources Commission finds that proposed means and methods of undertaking the proposed improvements are consistent with appropriate design and aesthetics principles and that construction materials and equipment will be brought in via a barge on Lake Michigan so as to not disrupt the bluff Steep Slope Zone.

(f) The proposed Regulated Activity and/or Structure shall not create new nor amplify existing erosion problems on the Subject Property and on Adjacent Properties;

The Natural Resources Commission finds that the proposed project will not create new nor amplify existing erosion problems on the subject property or adjacent properties because the proposed structures have been designed to minimize erosion and prevent disturbance of the glacial clay bluff.

(g) The proposed Regulated Activity and/or Structure shall be for the purposes of erosion control, water gathering, and/or public access only;

The Natural Resources Commission finds that the proposed Regulated Activities are intended to control erosion and eliminate an existing failing seawall and modular pier.

(h) There will not be an unnecessary adverse environmental or ecological impact on the Subject Property or on any of the Adjacent Properties as a result of the proposed Structure and/or the Regulated Activity;

The Natural Resources Commission finds that the proposed Regulated Activities are intended to control erosion and eliminate an existing failing seawall and modular pier and will therefore not have any adverse environmental or ecological impacts on the subject property or adjacent properties.

(i) The proposed Structure and/or the Regulated Activity is the least environmentally and ecologically intrusive means of achieving the stated purpose of the Structure; and

The Natural Resources Commission finds that proposed quarrystone revetment and perched wetland system is the least environmentally and ecologically intrusive means to address ongoing beach deterioration at the subject site. The proposed improvements have been designed to reduce erosion and improve the long-term stability of the site.

(j) The Applicant has properly obtained any and all permits required by the federal, state, and county governments for the Regulated Activity and/or the Structure.

The Natural Resources Commission finds that the applicant has submitted the appropriate documentation from the U.S. Army Corps of Engineers, the Illinois Environmental Protection Agency, the Illinois Department of Natural Resources and the Illinois Historic Preservation Agency, and that the applicant has additionally submitted a letter indicating that these are the only regulatory permits required by the U.S. Army Corps of Engineers.

CONCLUSION

Based on the forgoing, the Natural Resources Commission concludes that the Beach Structure Permit Application submitted for proposed improvements in the Lake Michigan Protection Zone at 25 Lakeview Terrace is consistent with the Beach Structure Ordinance standards and recommends City Council approval of the Permit Application.

DRAFT