

**BEFORE THE BOARD OF COMMISSIONERS
OF THE METROPOLITAN WATER RECLAMATION
DISTRICT OF GREATER CHICAGO**

Clerk of the District
MAY 10 2021
Metropolitan Water Reclamation
District of Greater Chicago

IN RE: PETITION FOR VARIANCE OF)
VILLAGE OF SCHAUMBURG,) Case No. WMO-VP-21-02
)
Petitioner.) Property Address: 1301-1303 E. Algonquin Rd.
) Schaumburg, IL 60018
) a/k/a 90 North District West Park

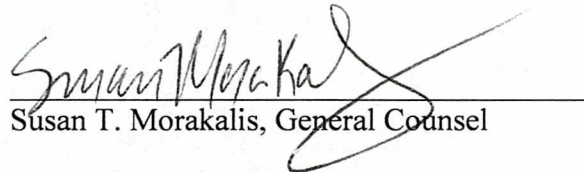
NOTICE OF PROCEDURAL DEFICIENCY

Pursuant to Section 5(H) of the Metropolitan Water Reclamation District of Greater Chicago's ("District") Procedural Rules Applicable to Administrative Proceedings under the Watershed Management Ordinance ("WMO")("Procedural Rules"), the District, by and through its General Counsel Susan T. Morakalis, provides Petitioner Village of Schaumburg ("Petitioner") notice that the Petition for Variance filed with the Clerk of the District on March 1, 2021 ("Petition") has procedural deficiencies. Under Section 5.H.3 of the Procedural Rules, within 14 days of this Notice, the Petitioner must either: (1) cure the deficiencies identified in this Notice; (2) provide evidence that the deficiency was corrected prior to this Notice; or (3) withdraw the petition. **IF THE PETITIONER FAILS TO TAKE ACTION WITHIN 14 DAYS, THE PETITION WILL BE DEEMED WITHDRAWN.** In particular, the Petition is deficient in the following ways:

- 1) The Petition contained a plat of dedication in lieu of a plat of survey of the project site in violation of §1101.3.D;
- 2) Petitioner failed to file a certification of publication within 14 days of filing of the Petition as required by §1102.4; and
- 3) Petitioner failed to file a sworn affidavit that notices were sent to the addresses of nearby property owners as required by §1102.5.

In addition to being identified as a procedural deficiency above, Petitioner's failure to provide the notices and file proof of that notice as required in §1102 of the WMO allows the District to deny any petition for variance under §1102.7 of the WMO.

Further, the WMO explicitly requires the Petitioner to demonstrate that the Petition meets §1103.1 of the WMO, which includes compliance with §501.1.A-C of the WMO. From the District's initial review of the Petition, documentation of compliance with those sections is not contained within the Petition. In the event the Petitioner seeks to cure the deficiencies identified above and file proof of notices required in §1102 of the WMO, the District encourages Petitioner to ensure that the Petition fully documents how the project complies with the Standards set out in §501.1.A-C of the WMO.


Susan T. Morakalis, General Counsel

Metropolitan Water Reclamation District of Greater Chicago
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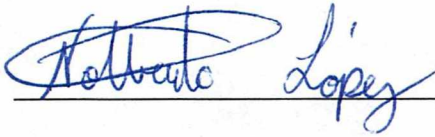
CERTIFICATE OF SERVICE

The undersigned, a non-attorney, certifies that s/he caused a true and correct copy of the Notice of Procedural Deficiency to be served upon:

Donald R. Dressel, P.E.
Christopher B. Burke Engineering, Ltd.
9575 Higgins Road, Suite 600
Rosemont, IL 60018

Village of Schaumburg
101 Schaumburg Court
Schaumburg, IL 60193

by certified mail at the addresses identified above by placing the same with postage pre-paid in a United States Postal Service mailbox at 100 E. Erie St., Chicago, IL 60611, at or before 5:00 p.m. on the 10th of May, 2021.



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District of Greater Chicago**

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