

MINUTES
ELKHART COUNTY PLAT COMMITTEE MEETING
HELD ON THE 10TH DAY OF MARCH 2016 AT 8:30 A.M. IN THE
MEETING ROOM OF THE DEPARTMENT OF PUBLIC SERVICES BUILDING
4230 ELKHART ROAD, GOSHEN, INDIANA

1. The regular meeting of the Elkhart County Plat Committee was called to order by the Chairman, Steven Edwards, with the following members present: Blake Doriot, Roger Miller, Tom Stump, Steven Edwards, and Jeff Burbrink. The following staff members were present: Chris Godlewski, Plan Director; Jason Auvil, Planning Manager; Liz Gunden, Planner; Deb Britton, Administrative Manager; and James W. Kolbus, Attorney for the Board. Mark Kanney, Planner, was absent.

2. A motion was made and seconded (*Doriot/Burbrink*) that the minutes of the last regular meeting of the Elkhart County Plat Committee, held on the 11th day of February 2016, be approved as submitted. The motion was carried with a unanimous vote.

3. A motion was made and seconded (*Burbrink/Doriot*) that the Elkhart County Zoning Ordinance and Elkhart County Subdivision Control Ordinance be accepted as evidence for today's hearings. The motion was carried with a unanimous vote.

4. The application for primary approval of a one-lot minor subdivision to be known as **DIAMOND ACRES**, for Ora D. Lehman & Lorene L. Lehman, Ten. Com. Ea. One-Half Int. (Lf. Est.), represented by Progressive Engineering, Inc., on property located on the south side of CR 18, 1,592 ft. east of CR 29, common address of 16482 CR 18 in Jefferson Township, zoned A-1, was presented at this time.

Ms. Gunden presented the Staff Report / Staff Analysis, which is attached for review as *Case #16482County Road 18-160129-1*.

Brad Cramer, Progressive Engineering, Inc., 58640 SR 15, Goshen, was present on behalf of the petitioners but offered no comments.

The Board examined said request, and after due consideration and deliberation:

Motion: Action: Approve, **Moved by** Roger Miller, **Seconded by** Blake Doriot, that this request for primary approval of a one-lot minor subdivision to be known as **DIAMOND ACRES** be approved in accordance with the Staff Analysis.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 5).

Yes: Blake Doriot, Jeff Burbrink, Roger Miller, Steven Edwards, Tom Stump.

5. The application for primary approval of a three-lot minor subdivision to be known as **NORTHERN HARRIER**, for Slavic Church of Evangelical Christian-Baptists, Inc., represented by Progressive Engineering, Inc., on property located on the north side of CR 23, west of SR 15, in Jefferson Township, zoned A-1, was presented at this time.

Ms. Gunden presented the Staff Report / Staff Analysis, which is attached for review as *Case #CR 23-160129-1*.

Observing the Staff Report's ponding soils comment, Mr. Doriot asked whether the subject site's water table was high and would affect basement feasibility. Brad Cramer, Progressive Engineering, Inc., 58640 SR 15, Goshen, answered that ponding soils are present on lot 3 and that

the north two lots benefit from a west-to-east slope. The site's water table is at a depth of more than 80 in., he said.

Mr. Stump asked whose responsibility it is to challenge a project because of the presence of ponding soils and a high water table. The health department can challenge a project because of septic placement, said Mr. Doriot. While he did not say no to basements onsite, Mr. Doriot did say that notice of the site conditions should be given to those considering building basements, and added that a lot's designation as buildable does not mean a basement is appropriate on it. He further confirmed for Mr. Stump that the plat committee's duty today was to consider the buildability of the subject lots, and clarified for Mr. Miller that the plat committee has the authority to require basement-warning notes on plats. Mr. Burbrink noticed the perimeter drain note on lot 3, itself a warning.

The Board examined said request, and after due consideration and deliberation:

Motion: Action: Approve, **Moved by** Blake Doriot, **Seconded by** Jeff Burbrink, that this request for primary approval of a three-lot minor subdivision to be known as **NORTHERN HARRIER** be approved in accordance with the Staff Analysis.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 5).

Yes: Blake Doriot, Jeff Burbrink, Roger Miller, Steven Edwards, Tom Stump.

6. The application for secondary approval of a five-lot major subdivision known as **BROOKHILLS FIRST REPLAT**, for Seth B. Haines & Laura E. Roggie, Terry E. & Sharon R. O'Dell, and Place Realty, Inc., represented by Lang, Feeney & Associates, Inc., on property located on the northeast corner of Osborn Avenue and Old US 20 (Lexington Ave.), common address of 55412 Priem Rd. in Cleveland Township, zoned R-1, was presented at this time.

Mr. Auvil presented the Staff Report / Staff Analysis, which is attached for review as *Case #55412PriemRd-160120-1*.

No representative was present on behalf of the petitioners.

The Board examined said request, and after due consideration and deliberation:

Motion: Action: Approve, **Moved by** Blake Doriot, **Seconded by** Roger Miller, that this request for secondary approval of a five-lot major subdivision known as **BROOKHILLS FIRST REPLAT** be approved in accordance with the Staff Analysis.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 5).

Yes: Blake Doriot, Jeff Burbrink, Roger Miller, Steven Edwards, Tom Stump.

7. The application for secondary approval of a Detailed Planned Unit Development known as **PREMIER HARDWOODS, LP, D.P.U.D.**, for Premier Hardwoods, LP, represented by Brads-Ko Engineering & Surveying, Inc., on property located on the west side of CR 43, 2,400 ft. north of CR 34, in Clinton Township, zoned DPUD A-1, was presented at this time.

Before presenting the Staff Report / Staff Analysis, Mr. Auvil presented a request for a major/minor change determination. The location of a mound septic system has been changed, causing a building location shift and easement changes, he summarized. The staff has reviewed the changes and found them unsubstantial, and the final plat will reflect the changes if the plat committee agrees that they are minor.

The Board examined the change request, and after due consideration and deliberation:

Motion: Action: Approve, **Moved by** Roger Miller, **Seconded by** Blake Doriot, that the above-

described change to Premier Hardwoods, LP, DPUD be considered a minor change and be approved by the Plat Committee.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 5).

Yes: Blake Doriot, Jeff Burbrink, Roger Miller, Steven Edwards, Tom Stump.

Mr. Auvil at this time presented the Staff Report / Staff Analysis, which is attached for review as *Case #00000CR 43-160129-1*.

Barry Pharis, Brads-Ko Engineering & Surveying, Inc., 1009 S. Ninth St., Goshen, was present on behalf of the petitioner but offered no comments.

The Board examined the request for secondary approval, and after due consideration and deliberation:

Motion: Action: Approve, **Moved by** Jeff Burbrink, **Seconded by** Tom Stump, that this request for secondary approval of a Detailed Planned Unit Development known as **PREMIER HARDWOODS, LP, D.P.U.D.** be approved in accordance with the Staff Analysis.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 5).

Yes: Blake Doriot, Jeff Burbrink, Roger Miller, Steven Edwards, Tom Stump.

8. The application for secondary approval of a Detailed Planned Unit Development known as **HOOVER FEED SERVICE D.P.U.D.**, for Hoover Feed Service, Inc., represented by Brads-Ko Engineering & Surveying, Inc., on property located on the southwest corner of SR 119 and CR 38, common address of 23591 SR 119 in Harrison Township, zoned DPUD A-1, was presented at this time.

Before presenting the Staff Report / Staff Analysis, Mr. Auvil presented a request for a major/minor change determination. A realization of the amount of anticipated truck traffic has resulted in an entrance rerouting to eliminate SR 119 stacking. Bin size has been decreased, but bin number has been increased, he also said. The staff has reviewed the changes and has no problem with them.

Barry Pharis, Brads-Ko Engineering & Surveying, Inc., 1009 S. Ninth St., Goshen, said first that he has insisted that trucks not be allowed to stack on SR 119. The service garage has thus been moved to make way for a road to the receiving area and an area for truck stacking.

He warned also that the new arborvitae at north, which will substitute for neighbor-requested conifers, cannot be planted without removal of existing scrub trees from a currently wooded area, and that the removal might prompt code enforcement calls from neighbors.

Mr. Miller did not know how new trees would help, and neither did Mr. Pharis, as the entire north side of the subject property is thickly wooded. Existing trees are 80 to 100 ft. tall, said Mr. Pharis. But neighbors insisted that new trees be planted, and Mr. Hoover of Hoover Feed Service agreed to their planting, he said. Mr. Miller also understood that the only reason for the planting of new trees was neighbor request, not necessity, and was concerned that the process would in fact result in a more open wooded area. Mr. Pharis said, though, that all the good trees will remain.

Mr. Pharis then clarified for Mr. Doriot that while bin size and number will change, bin phasing is unchanged; initially "three or four bins" will appear, as well as a dust collection system and associated fans.

Mr. Doriot said the changes make the project safer, with Mr. Edwards affirming the elimination of truck stacking.

The Board examined the change request, and after due consideration and deliberation:

Motion: Action: Approve, **Moved by** Roger Miller, **Seconded by** Jeff Burbrink, that the above-described change to Hoover Feed Service D.P.U.D. be considered a minor change and be approved by the Plat Committee.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 5).

Yes: Blake Doriot, Jeff Burbrink, Roger Miller, Steven Edwards, Tom Stump.

Mr. Auvil at this time presented the Staff Report / Staff Analysis, which is attached for review as *Case #2359ISR 119-160129-1*.

Barry Pharis, Brads-Ko Engineering & Surveying, Inc., 1009 S. Ninth St., Goshen, who was present on behalf of the petitioner, offered no further comments.

The Board examined the request for secondary approval, and after due consideration and deliberation:

Motion: Action: Approve, **Moved by** Blake Doriot, **Seconded by** Tom Stump, that this request for secondary approval of a Detailed Planned Unit Development known as **HOOVER FEED SERVICE D.P.U.D.** be approved in accordance with the Staff Analysis.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 5).

Yes: Blake Doriot, Jeff Burbrink, Roger Miller, Steven Edwards, Tom Stump.

9. The application for secondary approval of a one-lot Detailed Planned Unit Development known as **HIDDEN LAKE RESERVE 2ND REPLAT**, for Thomas J. & Karol J. Erlacher represented by Pheasant Ridge Development Co., on property located on the north end of cul-de-sac of Nighthawk Court (private road), east of CR 11, common address of 50742 Nighthawk Court in Osolo Township, zoned DPUD A-1, was presented at this time.

Mr. Auvil presented the Staff Report / Staff Analysis, which is attached for review as *Case #50742NighthawkCt-160215-1*.

No representative was present on behalf of the petitioners.

The Board examined said request, and after due consideration and deliberation:

Motion: Action: Approve, **Moved by** Roger Miller, **Seconded by** Steven Edwards, that this request for secondary approval of a one-lot Detailed Planned Unit Development known as **HIDDEN LAKE RESERVE 2ND REPLAT** be approved in accordance with the Staff Analysis.

Vote: Motion passed (**summary:** Yes = 4, No = 0, Abstain = 1).

Yes: Jeff Burbrink, Roger Miller, Steven Edwards, Tom Stump.

Abstain: Blake Doriot.

10. The meeting was adjourned at 8:55 a.m.

Respectfully submitted,

Daniel Dean, Recording Secretary