

**ELKHART COUNTY PLAT COMMITTEE MEETING
HELD ON THE 8TH DAY OF SEPTEMBER 2022 AT 9:00 A.M. IN THE
MEETING ROOM OF THE ADMINISTRATION BUILDING
117 N. 2ND ST., GOSHEN, INDIANA**

1. The regular meeting of the Elkhart County Plat Committee was called to order by the Chairman, Lori Snyder. The following staff members were present: Chris Godlewski, Plan Director; Jason Auvil, Planning Manager; Mae Kratzer, Planner; Danny Dean, Planner; and Don Shuller, Attorney for the Board.

Roll Call.

Present: Phil Barker, Steve Edwards, Steve Warner, Lori Snyder, Tom Stump.

2. A motion was made and seconded (*Edwards/Barker*) that the minutes of the last regular meeting of the Elkhart County Plat Committee, held on the 11th day of August 2022, be approved as submitted. The motion was carried with a unanimous vote.

3. A motion was made and seconded (*Edwards/Barker*) 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 1-lot minor subdivision to be known as GREAT PLACE #2 MINOR SUBDIVISION, for Randall & Amy Vollmar represented by Land & Boundary LLC, on property located on the North side of the easement, east of CR 24, 1,590 ft. north of CR 24, 2,600 ft. East of Ash Rd., in Baugo Township, zoned A-1, was presented at this time.

Mae Kratzer presented the Staff Report/Staff Analysis, which is attached for review as *Case #MI-0616-2022*.

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

Motion: Action: Approve, Moved by Steve Warner, Seconded by Steve Edwards that this request for primary approval of a 1-lot minor subdivision to be known as GREAT PLACE #2 MINOR SUBDIVISION be approved in accordance with the Staff Analysis. The motion was carried with a unanimous vote.

5. The application for primary approval of a 1-lot minor subdivision to be known as FAIRVIEW EAST, for Josephine L. Miller and Timothy C. Miller, co-trustees of the LaVern J. Miller Credit Shelter Trust represented by Advanced Land Surveying of Northern Indiana, Inc., on property located on the north side of CR 34, 1,200 ft. west of CR 29, common address of 17025 CR 34 in Elkhart Township, zoned A-1, was presented at this time.

Danny Dean presented the Staff Report/Staff Analysis, which is attached for review as *Case #MI-0620-2022*.

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

Motion: Action: Approve, Moved by Phil Barker, Seconded by Steve Edwards that this request for primary approval of a 1-lot minor subdivision to be known as FAIRVIEW EAST be approved in accordance with the Staff Analysis. The motion was carried with a unanimous vote.

6. The application for primary approval of a 1-lot minor subdivision to be known as HARTSON HOMESTEAD, for Judy A. Woldruff represented by Jones Petrie Rafinski, on property located on the north side of CR 38, 2,440 ft. west of CR 3, in Olive Township, zoned A-1, was presented at this time.

Danny Dean presented the Staff Report/Staff Analysis, which is attached for review as *Case #MI-0606-2022*.

Mr. Barker stated this is one of the worst ideas he has seen as the soils are terrible, there is 1-2 foot for ground water. He continued to say where they want to put the house there is less than that until they hit ground water. He asked what they will do with the water, because it will be wet all the time. He stressed he can't believe this got a favorable review from planning and Tech Committee. Mr. Stump asked if Tech Committee has to approve. Mr. Barker responded yes, and his comments then were that this was a terrible idea. He continued to say they will have to do something with the ground water, even if this is a mound system for septic. He went on to say Olive Township Ditch to the east and Baugo Township Ditch to the west, and they will need to get an easement for a perimeter drain one way or the other. He stressed he hasn't seen a permit for this come through his office. Mrs. Snyder asked if the septic could get denied when they apply for permits from the health department. Mr. Dean responded that is correct. Mrs. Snyder asked if the Board should ask for further investigation from the Environmental Health Department before allowing this to go further. Mr. Warner stated the septic would have to be approved prior to their approval. Mrs. Kratzer responded that generally, Bill Hartsuff, onsite system supervisor for the Environmental Health Department, reviews the plans before the Tech meeting to verify it is plausible for the site. She went on to explain that, if this primary is approved, Bill won't sign off on the secondary unless they prove the septic will work on site. If the septic isn't approved, then the secondary won't move forward for this to become a subdivision. Mr. Barker stated these issues were noted at the Tech meeting, but JPR hasn't addressed all of the elements that need to be dealt with. Further, he stated the plans did show the soil borings, but not a reserve area, or what kind of system they were proposing. He stressed he doesn't want something like this to be approved and then, at a later date, the property owners ask for a bail out, because the issues are too great. Mr. Dean reiterated that a subdivision can't happen without the secondary approval. Mr. Auvil stressed a lot of times with the primary application there are things still in the works, and they get fixed by the time the secondary application comes around. Attorney Shuller stated that for primary approval they have to meet the requirements for the subdivision control ordinance in order to even get to the secondary. He continued to say that prior to secondary approval, the issues will have to be addressed. Mr. Barker stressed his motion would be to table this and have the surveyor come back with the items they should have addressed to begin with. He continued to say at the Technical Committee level, they are asked if can they address the issues, and at the first meeting that was asked and nothing has been addressed. Mrs. Snyder stressed these concerns will be addressed at the next step for the secondary approval.

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

Motion: Action: Approve, Moved by Lori Snyder, Seconded by Steve Edwards that this request for primary approval of a 1-lot minor subdivision to be known as HARTSON HOMESTEAD be approved in accordance with the Staff Analysis.

Vote: Motion passed (summary: Yes = 3, No = 2, Abstain = 0).

Yes: Lori Snyder, Steve Edwards, Steve Warner.

No: Phil Barker, Tom Stump.

7. The application for primary approval of a 2-lot minor subdivision to be known as EVERETT WOODS MINOR SUBDIVISION , for London N. Martinez represented by Land & Boundary LLC. , on property located on the northwest corner of CR 6 & Higgins Blvd. 1, 280 ft. east of Johnson St. , common address of 25771 CR 6 in Osolo Township, zoned R-2, was presented at this time.

Mae Kratzer presented the Staff Report/Staff Analysis, which is attached for review as *Case #MI-0615-2022*.

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

Motion: Action: Approve, Moved by Steve Warner, Seconded by Phil Barker that this request for primary approval of a 2-lot minor subdivision to be known as EVERETT WOODS MINOR SUBDIVISION be approved in accordance with the Staff Analysis. The motion was carried with a unanimous vote.

8. The application for primary approval of a 3-lot minor subdivision to be known as LINCOLNWAY INDUSTRIAL PARK MINOR SUBDIVISION, for M S Investment Corp represented by Lang, Feeney- Wightman Team, on property located on the north side of old US 33, 1,660 ft. west of CR 3, in Baugo Township, zoned M-2, was presented at this time.

Danny Dean presented the Staff Report/Staff Analysis, which is attached for review as *Case #MI-0527-2022*.

Terry Lang, Lang, Feeney-Wightman Team, 715 S. Michigan St., South Bend, was present representing this petition. Mr. Lang stated the reason this application was tabled last month, because the developer was approached by someone and there was a debate as to whether they would do 2 or 3 lots. He continued to say they are moving forward with the 3 lots that was originally submitted. Mr. Barker asked if the three retention areas will be sized to handle run-off from each parcel. Mr. Lang responded yes.

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

Motion: Action: Approve, Moved by Steve Edwards, Seconded by Steve Warner that this request for primary approval of a 3-lot minor subdivision to be known as LINCOLNWAY INDUSTRIAL PARK MINOR SUBDIVISION be approved in accordance with the Staff Analysis. The motion was carried with a unanimous vote.

9. The meeting was adjourned at 9:18 A.M.

Respectfully submitted,

Amber Weiss, Recording Secretary