

**THE PLAT COMMITTEE OF  
THE AREA PLAN COMMISSION OF  
ST. JOSEPH COUNTY, INDIANA**

**MINUTES**

May 20, 2021  
8:30 a.m.

Council Chambers, 4th Floor  
County-City Building, South Bend, IN

MEMBERS PRESENT:  
Sky Medors, P.E.  
Brett Davis by Zoom  
Dave Cherrone by Zoom  
Randy James by Zoom

MEMBERS ABSENT:  
John R. McNamara, P.E., L.S.

ALSO PRESENT:  
Abby Wiles  
Shawn Klein  
Ryan D. Fellows  
Samantha Keultjes

SUBDIVISIONS REQUIRING A PUBLIC HEARING

1. MAJOR SUBDIVISIONS - PRIMARY APPROVAL:

A. Portage Woods Section Three

7217-21-P

SHAWN KLEIN: This Major Primary subdivision is located on the east side of Portage Road immediately north of Adams Road, east of Portage Woods Section 1 and north of Sandy Hill Estates. This subdivision will consist of 6 building lots. The total area is 28 acres. A check of the Agency's maps indicates that no environmental hazard areas or wetlands are present. The rights-of-way are correct as shown. It will be served by private well and private septic. The County Surveyor recommends approval. The County Engineer recommends approval subject to some revisions I'll mention in a moment. The County Health Department recommends approval but based on the submitted information and soil reports on file, Lot 45 A may be restricted to 3-bedrooms/bedroom equivalents. Supplemental information will be considered in making this determination if provided. The subdivision went through Tech Review on April 15, 2021. Staff recommends that this Subdivision be granted Primary Approval, subject to the following: 1) a note stating that when Adams Road is constructed in the future, it is the lot owner's responsibility to relocate their access per St. Joseph County requirements, 2) a note stating that the temporary turn-around shall be constructed per County standards, and 3) access to the retention easement on Lot 4

IN FAVOR

Terry Lang, of Lang, Feeney & Associates, with offices located at 715 S Michigan St., South Bend, IN: This is the completion of the project. We're looking to make Lots 45 and 44 a tad bit larger. The area designated on the plat

shown as outlot A, we're looking to keep that as an option for a purchase by either Lot 43 or by expanding it to 44A. At this point we have no problems with any of the requests that the County Health and also the County Engineering office have and will comply with those.

#### REMONSTRANCE

Mike Daigle, located at 50870 Summit Ridge Trail, South Bend, IN: Portage Woods Three is in our backyard. A couple questions first. The original lots, because now it appears it's six lots going into Portage Woods Phase Three, but the two lots are already in Portage Woods Phase One. Are they being removed from Portage Woods Phase One and moving to Portage Woods Phase Three?

Shawn Klein: Technically they are going to be part of the new Portage Woods Section Three. They are being redesigned as Terry mentioned, 44 and 45 of that former section are being made larger. They're taking a portion of what was originally designated as the original Portage Woods Section Three, but it is all a new Primary Subdivision so in essence, yes they are a part of a new subdivision.

Mike Daigle: So immediately to the southwest, where the new road connects, is that being abandoned as a buildable lot?

Shawn Klein: That's correct. It is being designated as an outlot which is a non-buildable lot.

Mike Daigle: Ok. You mentioned something I had not seen or read before about a restriction on Lot 45A.

Sky Medors: That's a Health Department comment.

Brett Davis: Based on soil reports we have on file from when Portage Woods Section One was platted, there is a layer of clay on Lot 45A and with the drainage easement and drainage tile that cuts through it, it restricts the amount of available space for a house and primary and reserved septic system there. So, it may be restricted to a 3-bedroom just based on not being able to fit the required septic on that lot.

Mike Daigle: Ok, thank you.

Joe Speybroeck, residing at 22154 Alpine Ridge Ct., South Bend, IN: I'm in Portage Woods Subdivision Two. We purchased this a few years back through working with Abonmarche and then the County Engineer. My questions is, on Lot

4, you talked about an easement, is that road going to go through and make a cul-de-sac at the end?

Shawn Klein: It's going to be a temporary turn-around until such time as Adams Road is actually improved.

Sky Medors: Correct.

Joe Speybroeck: So, you can still drive down there at the end?

Sky Medors: When you say the end, what do you mean?

Joe Speybroeck: The cul-de-sac where it's supposed to be. It's something like, 800'

Sky Medors: They can go down and turn around. It's a temporary turn-around so you could drive down, it has to be built per County standards, go in, back in and then turn around if need be.

Joe Speybroeck: I've got it on my plat.

Sky Medors: I don't know what you're talking about then.

Ryan Fellows: There's a turnaround right here and right here.

Joe Speybroeck: No, if you go to Lot 4, where it goes along that line all the way to the left.

Sky Medors: Yeah, it's just to that point. But there will have to be an easement provided for drainage and on the one I have it doesn't so that's why we asked them to add it. The one on mine that we are currently looking at right now at this meeting is the one that's up on the screen.

Joe Speybroeck: Ok, but it's on yours?

Sky Medors: This is the one we have currently up for approval and the approval of this is going to be subject to adding an easement to allow access to the drainage retention easement that's shown on the plat. I noticed it wasn't on mine so that's why I requested that it be put on there.

Joe Speybroeck: Alright.

Eric Wroblewski, residing at 22019 Sandy Hill Lane, South Bend, IN: Is this subdivision going to connect to Sandy Hill Lane through the short street that's already there?

Shawn Klein: Yes, so it will connect potentially in the future through the Birch Drive. If Adams Road is ever improved it will also improve Birch Drive and will connect right here to Sandy Hill Lane.

Eric Wroblewski: So, is the street going to have to be widened? Supposedly, a neighbor across the street called and said they were going to take 15' of each property.

Sky Medors: We would have to look at that in the future if that road was ever extended. There have been times where we've done it both ways in subdivisions. It depends on what we think the traffic may be. There have been times where we haven't widened it.

Eric Wroblewski: So, you're saying in the future it's probably going to happen but it's not happening right now.

Sky Medors: It's not happening now, and it would only happen if Adams Road was extended through that right of way which we currently do not have funding for.

Eric Wroblewski: Oh, you're talking about running it right through there? How do I get a copy of this?

Sky Medors: We can definitely get you a copy.

Shawn Klein: So, this would be Adams Road if they were to ever extend it.

Sky Medors: But that's just right of way that's being dedicated to the County with the hopes of being able to do that in the future. We currently don't have any funding for that or anything at this moment.

Shawn Klein got Eric Wroblewski's email to send a copy of the plat.

Ryan Fellows: I want to suggest that Birch Road already has a dedicated width right now which is 30' and if there were a road built, it would be within that confine.

Sky Medors: I don't know that. That's why I would make an assessment at the time that it was done.

Ryan Fellows: Very good, thank you.

Eric Wroblewski: My only other question is when things like this are decided, will I get another notice in the mail if you're going to extend the street or widen the street or extend the connection between the subdivisions?

Sky Medors: Yes, there would be some notices. And like I mentioned before, we don't have funding and it's not on our five-year plan at the moment so it would be out there a ways.

Theresa Uribe, residing at 22234 Red Rock Way, South Bend, IN: I'm just to the left of Outlot A. My question was, I do have my own plot plan from Lang Feeney & Associates, however, I can't tell with the building setbacks and drainage and utility, where my lot falls and how much of that they might take for that, it looks like what's going to be a turnaround there. I didn't know if anybody could come out and take a look at this, I've got a tree line there, rocks, a fence, sprinkler heads, and I certainly would like to get all that out of the way if any of that is in the way. I'm not sure, the builder built the lot so I'm not sure if any of that is in the way of what's going to be eventually what looks like a turnaround.

Sky Medors: That would all be on the current developer's property and it would be deeded right of way. It should not be on your property.

Shawn Klein: It shouldn't have any impact on your property.

Theresa Uribe: How do I know if, you know there's no road there now, and it looks like you're going to build a turnaround there.

Sky Medors: Yeah, but none of that should be on your property, that is all being deeded over and done on the developer's property.

Theresa Uribe: So, I guess what I'm saying is should I have made the assumption that the builder did the right thing and marked everything off and he is well within my territory and any of those easements aren't going to be taken?

Sky Medors: That's your prerogative, you could hire a surveyor to come out and stake your lot lines to double check but that's entirely up to you.

Theresa Uribe: Ok.

After due consideration, the following action was taken:

Upon a motion by Randy James, being seconded by Brett Davis and unanimously carried 4-0, the Plat Committee finds the evidence adduced at this Plat Committee Hearing supports each element of the Staff Report, and Portage Woods Section Three Subdivision therefore complies with the St. Joseph County Subdivision Control Ordinance and is granted Primary Approval, subject to the following: 1) a note stating that when Adams Road is constructed in the future, it is the lot owner's responsibility to relocate their access per St. Joseph County requirements, 2) a note stating that the temporary turn-around shall be constructed per County standards, and 3) access to the retention easement on Lot 4

Sky Medors – Yes      Brett Davis – Yes  
Dave Cherrone – Yes      Randy James – Yes

B. Woodford Trails at Knollwood

7219-21-P  
(Audio Position: 15:50)

SHAWN KLEIN: This Major Primary subdivision is located on the west side of Clover Road at the Michigan-Indiana state line. This subdivision will consist of 112 building lots. The total area is approximately 85.6 acres. A check of the Agency's maps indicates that no environmental hazard areas or wetlands are present. The rights-of-way are correct as shown. It will be served by a private well and private septic. The County Surveyor recommended approval subject to a second access to the retention basin behind Lots 38-58. This has since been provided between Lots 38 and 39. The County Engineer continues to verify if there is sufficient right-of-way for an accel/deccel lane, but otherwise recommends approval subject to drainage plan approval. The County Health Department recommends approval but notes that the agricultural wells on the property must be abandoned prior to development. It went through Tech Review on April 15, 2021. The professional land surveyor, on behalf of the applicant, request the following waiver: 1) from Section 153.105 (C)(2) to not continue the adjacent Jamie Drive stub street into the subdivision. Staff supports this waiver, as Jamie Drive would enter the subdivision at an unfavorable angle and there is secondary access to the subdivision from the west via Ryan Drive. If the waivers are granted and the County Engineer and County Health Department recommend approval, staff recommends that this Subdivision be granted Primary Approval subject to drainage plan approval.

IN FAVOR

Rob Nichols, of Abonmarche, with offices located at 315 W Jefferson, South Bend, IN: I did want to just address a couple things. There aren't any wells on that site, just a couple pivot points so that was abandoned on the parent parcel.

There is room for that accel/deccel lane. So, this is the last piece of ground along state line there with 112 lots. Also joining us is David Eckrich with Fir Road Holdings, the developer so we'd be happy to answer any questions.

## REMONSTRANCE

After due consideration, the following action was taken:

Upon a motion by Brett Davis, being seconded by Randy James and unanimously carried 4-0, the waiver from 1) from Section 153.105 (C)(2) to not continue the adjacent Jamie Drive stub street into the subdivision was approved.

Sky Medors – Yes      Brett Davis – Yes  
Dave Cherrone – Yes      Randy James – Yes

Upon a motion by Randy James, being seconded by Dave Cherrone and unanimously carried 4-0, the Plat Committee finds the evidence adduced at this Plat Committee Hearing supports each element of the Staff Report, and Woodford Trails at Knollwood Subdivision therefore complies with the St. Joseph County Subdivision Control Ordinance and is granted Primary Approval, subject to the following: drainage plan approval

Sky Medors – Yes      Brett Davis – Yes  
Dave Cherrone – Yes      Randy James – Yes

## SUBDIVISIONS NOT REQUIRING A PUBLIC HEARING

### 1. MAJOR SUBDIVISIONS - SECONDARY APPROVAL:

None for consideration at this time.

### 2. MINOR PLATS:

A. Kretchmer County Line Road 7215-21-M  
(Audio Position: 20:28)

After due consideration, the following action was taken:

Upon a motion by Randy James, being seconded by Dave Cherrone and unanimously carried 4-0, the waiver from 1) from Section 153.135 (H) to allow one 20' opening across the 5' non-access easement for future access onto

County Line Road for Lot 1 and one 20' opening for continued access onto County Line Road for Lot 2 was approved.

Sky Medors – Yes      Brett Davis – Yes  
Dave Cherrone – Yes      Randy James – Yes

Upon a motion by Randy James, being seconded by Dave Cherrone and unanimously carried 4-0, the Plat Committee finds the evidence adduced at this Plat Committee Hearing supports each element of the Staff Report, and Kretchmer County Line Road Subdivision therefore complies with the St. Joseph County Subdivision Control Ordinance and is granted Primary Approval.

Sky Medors – Yes      Brett Davis – Yes  
Dave Cherrone – Yes      Randy James – Yes

B. Nikki Acres Minor

7218-21-M  
(Audio Position: 21:45)

After due consideration, the following action was taken:

Upon a motion by Brett Davis, being seconded by Dave Cherrone and unanimously carried 4-0, the waiver from 1) from Section 153.135 (H) to allow one 20' opening per lot across the 5' non-access easement to provide future access to Pine Road for Lots 1-4 was approved.

Sky Medors – Yes      Brett Davis – Yes  
Dave Cherrone – Yes      Randy James – Yes

Upon a motion by Randy James, being seconded by Dave Cherrone and unanimously carried 4-0, the Plat Committee finds the evidence adduced at this Plat Committee Hearing supports each element of the Staff Report, and Nikki Acres Minor Subdivision therefore complies with the St. Joseph County Subdivision Control Ordinance and is granted Primary Approval.

Sky Medors – Yes      Brett Davis – Yes  
Dave Cherrone – Yes      Randy James – Yes

3. REPLATS:

None for consideration at this time.

4. TYPE II CORRECTIVE PLATS:



None for consideration at this time.

5. MINUTES:

- A. Approval of the minutes from the May 6, 2021 Plat Committee meeting  
(Audio Position: 23:00)

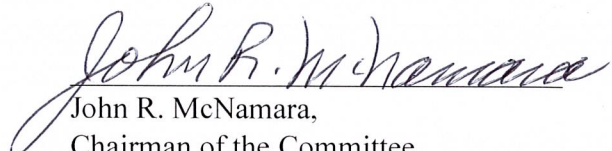
Upon a motion by Dave Cherrone, being seconded by Randy James and unanimously carried 4-0, the minutes from the May 6, 2021 Plat Committee meeting were approved.

Sky Medors – Yes      Brett Davis – Yes  
Dave Cherrone – Yes      Randy James – Yes

6. ADJOURNMENT:

Upon a motion by Brett Davis, being seconded by Dave Cherrone and unanimously carried 4-0, the May 20, 2021 Plat Committee meeting adjourned at 8:54 a.m.

RESPECTFULLY SUBMITTED,

  
John R. McNamara,  
Chairman of the Committee

ATTEST:

  
Abby Wiles,  
Secretary of the Committee