



**Stormwater Department
CITY OF GOSHEN**

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5/14/2021

**RE: NOTICE OF PUBLIC MEETING—THE CROSSING NEIGHBORHOOD
STORMWATER DRAINAGE (JN: 2006-2057, 2020-0033)**

Dear Property Owner,

The City of Goshen would like to invite your participation in a public meeting on **Thursday, May 27th at 6:00 pm** regarding stormwater drainage issues and planned improvements in The Crossing subdivision and the role of a Homeowners' Association (HOA) in the long-term maintenance of stormwater systems. This public meeting is open to all property owners via Zoom or call-in and will cover the following topics.

1. The current state of stormwater infrastructure in The Crossing and planned drainage improvements in development by the City.
2. Post-Construction Stormwater Management Plan (PCSMP) and the legal responsibilities of individual property owners for maintenance of stormwater infrastructure.
3. The role of an HOA in ensuring long-term maintenance of stormwater infrastructure and protecting homeowners against unexpected costs.

Stormwater infrastructure in The Crossing subdivision is currently private infrastructure. This means storm drains, pipes, retention basins, and swales are not maintained by the City of Goshen at this time (see attached map of current stormwater infrastructure). Maintenance and repairs, and their associated costs, are the responsibility of property owners within The Crossing subdivision.

The legal responsibility to maintain the stormwater infrastructure was assumed by you upon the purchase of your property according to the terms of the PCSMP signed by the original developers, GRC Investments, LLC, on December 17, 2007, and recorded with the Elkhart County Recorder. While GRC Investments is no longer in existence, the agreement remains enforceable against the properties within The Crossing subdivision.

Homeowners' Associations often provide the mechanisms for executing the requirements of a PCSMP by ensuring shared funding between property owners and timely upkeep. No such HOA was ever established by the original developer and The Crossing's stormwater infrastructure has subsequently failed. Under the recorded PCSMP, failed stormwater infrastructure may be repaired

by the City with the incurred costs associated with the repair being assessed to each individual property owner subject to the PCSMP.

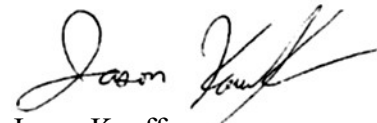
Due to the unusual circumstances of the subdivision and long-standing drainage issues that were never addressed by the original developer, the City of Goshen's Stormwater and Redevelopment Departments are currently working with local partners to improve area drainage systems at no cost to current property owners. This one-time, over a one-half-million-dollar project, will modify and improve portions of the existing stormwater drainage to protect current and future development in The Crossing subdivision and surrounding properties.

After the City's project is complete, all maintenance and repairs of stormwater infrastructure in The Crossing will be at the cost of property owners. An HOA mitigates against repair costs by ensuring routine *maintenance* of infrastructure is performed rather than far more costly *repairs*. To this end, Barak Group, LLC, is currently in the process of establishing an HOA for their new and upcoming development within The Crossing. As a property owner in the subdivision, you have the opportunity to sign on to this HOA. Enclosed you will also find a letter from Tom DeMeester of the Barak Group inviting your participation.

We encourage your attendance at this public meeting and consideration of joining the future The Crossing HOA proposed by the Barak Group, LLC in order to protect yourself as a property owner from future unexpected costs associated with the maintenance and repair of the stormwater infrastructure in your subdivision.

You can find draft covenants for the proposed HOA, more information about what a PCSMP is, a copy of The Crossing's current PCSMP, contact information for pressing questions, and zoom details on our website at www.goshenindiana.org/thecrossing-drainage.

Sincerely,
CITY OF GOSHEN



Jason Kauffman
Stormwater Coordinator



Becky Hutsell
Redevelopment Project Manager

Also Enclosed:

- Letter from Tom DeMeester, representative of Barak Group, LLC
- Map of current stormwater infrastructure

Si necesita comunicaciones en español, comuníquese con el Departamento de Aguas Pluviales para solicitar adaptaciones.