



## **Board of Public Works & Safety and Stormwater Board**

Regular Meeting Agenda

**2:00 p.m. October 5, 2020**

Goshen Police & Court Building, 111 East Jefferson Street, Goshen, Indiana

*To access online streaming of the meeting, go to <https://goshenindiana.org/calendar>*

Call to Order by Mayor Jeremy Stutsman

Approval of Minutes – Sept. 28

Changes to Agenda

- (1) Water & Sewer Unpaid Final Accounts  
(Saenz)
- (2) Change Order 7: Main St. Improvements from Madison St. to Pike St., JN: 2016-0038  
(Sailor)
- (3) Post-Construction Plan: Elkhart Market Centre Retail Outlots D & E, JN: 2016-2021  
(Sailor)
- (4) Variance Request: Gravel Parking Surface at 1313 & 1323 S. 9<sup>th</sup> St.  
(Doug Steury)

PRIVILEGE OF FLOOR

APPROVAL OF CLAIMS

*Adjournment*



## MINUTES of September 28, 2020 Regular Meeting

### Board of Public Works & Safety and Stormwater Board

Held 2:00 p.m. Goshen Police & Court Building, 111 East Jefferson Street, Goshen, Indiana

Present: Member Mike Landis, Member Mary Nichols

Absent: Chair Jeremy Stutsman

Minutes of Sept. 21 were presented.

**Nichols/Landis moved to approve minutes of Sept. 21, 2020 as presented.** *[Clerk's Note: Motion was misstated as approval of Sept. 14 minutes. Minutes of Sept. 14 were presented and approved on Sept. 21; it was the Sept. 21 minutes that were presented and approved on Sept. 28.]* **Passed 2-0.**

**Landis/Nichols moved to add Item #10: Request for Extension of Indiana Avenue Lane Restriction to Nov. 9. and approve agenda as amended. Passed 2-0.**

#### Rock Run Sewer Improvements Work Outside Normal Hours, JN: 2019-0025C

Director of Public Works Dustin Sailor presented per packet memo.

Landis asked whether they have already been dewatering and whether sound would be similar. Sailor stated the drilling rig would be 18 feet below the surface so not a lot of noise was expected. Noted that there would be continuous activity at the site including a generator and flood lights.

**Nichols/Landis moved to authorize work by Selge Construction to install casing pip under State Road 15 via "jack and bore" outside of the normal working hours of 7:00 a.m. to 10:00 p.m. between the dates of Sept. 28 and Oct. 9, 2020. Passed 2-0.**

#### Parking Lot Use for Outdoor Movie Oct. 12

Jesse Sensenig, representing Goshen Brewing Company, attended remotely via Zoom. Due to technical difficulty in the meeting chambers only the video but not the audio was working for Mr. Sensenig. Clerk-Treasurer Adam Scharf summarized the request from the packet memo. After motion, Sensenig gave a "thumbs up" via video that the discussion and motion were suitable.



**Nichols/Landis moved to approve half of the parking lot adjacent to Goshen Brewing Company for an outdoor movie from 5-9pm Oct. 12 provided that required permits are obtained. Passed 2-0.**

Agreement for Installation of Accessible Pedestrian Signal w/ Hawk Enterprises, Inc.

Legal Compliance Administrator Shannon Marks presented per the packet memo.

**Nichols/Landis moved to approve and execute the agreement with Hawk Enterprises, Inc. Passed 2-0.**

Early Retirement Agreement with Jolinda Lung

Marks presented per the packet memo.

**Nichols/Landis moved to approve and execute the Early Retirement Agreement with Jolinda Lung. Passed 2-0.**

Agreement for Roof Replacement at Fire Station #3 with Horner Roofing & Siding, LLC

Scharf presented per the packet memo.

**Nichols/Landis moved to approve the one-page Home Improvement Contract with Horner Roofing & Siding, LLC for the full replacement of the shingle roof at Fire Station #3, 1203 College Ave., for the amount of \$20,583.74 and authorize the Clerk-Treasurer to sign the contract. Passed 2-0.**

Agreement with Peterson Consulting, Inc. for Assistance with Capital Asset Reporting

Scharf explained that this is an annual renewal with a consultant who has a "running start" on the City's program.

**Nichols/Landis moved to approve and executive the Agreement for Assistance with Reporting Requirements of GASB Statement No. 34 with Peterson Consulting, Inc. in the amount of \$5,150 for capital asset reporting for fiscal year 2020. Passed 2-0.**



Resolution 2020-29: Special Purchase of Street Sweeper and Approve Disposal of Surplus Property

Sailor presented per the packet memo.

**Nichols/Landis moved to approve Jack Doheny Company's offer of the demonstration street sweeper model as a substantial savings to the City in accordance with Indiana Code 5-22-10-5, and further move to declare the City's 2021 Swartz street sweeper as surplus property making it eligible for trade to Jack Doheny for \$40,000. The final street sweeper price will be \$224,500. Passed 2-0.**

**Landis/Nichols moved to approve Resolution 2020-29. Passed 2-0.**

Variance Request: Gravel Parking Area at 4345 Midway Rd.

Property owner Charles Koonce proposed to place gravel alongside his garage to provide additional parking due to the fact that his children are all of driving age and they need additional space.

City Planner Rhonda Yoder noted that the request meets Planning Department requirements.

**Nichols/Landis moved to approve the 15' x 28' gravel parking area at 4345 Midway Rd. Passed 2-0.**

Goshen Utilities Hydrant Flushing

Water & Sewer Superintendent Kent Holdren informed the board and public that annual hydrant flushing will begin Oct. 5<sup>th</sup> and provided further details per the packet memo.

Request for Extension of Indiana Ave Lane Restrictions to Nov. 9

Sailor explained that Lassus Oil has encountered utility locate issues and is requesting an extension of previously-approved lane restrictions. Sailor stated that High St. should be completed but that Indiana Ave. work would be extended.

**Nichols/Landis moved to approve the extension of travel restrictions on Indiana Ave. and High St. through Nov. 9. Passed 2-0.**



PRIVILEGE OF FLOOR: No one spoke.

**Landis/Nichols moved to approve civil city and utility claims and to adjourn. Passed 2-0.**

*Adjournment at 2:24 p.m.*

APPROVED

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Jeremy Stutsman, Chair

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Michael Landis, Member

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Mary Nichols, Member

ATTEST

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Adam Scharf, Clerk-Treasurer

**\*\*\*REQUEST\*\*\***

**DATE: Monday, October 5, 2020**

**TO: GOSHEN BOARD OF WORKS**

**FROM: GOSHEN WATER & SEWER  
KELLY SAENZ**

**RE: UNPAID FINAL ACCOUNTS**

The original amount of unpaid final Water/Sewer accounts for this period was **\$5,053.35**  
Collection letters were sent out and payments of **\$1,465.07** had been collected.

The uncollected amount equals **\$3,588.28**

Therefore I am requesting to move our uncollected finalized accounts from active to Collection,  
Sewer Liens and Write offs.

These are accounts for the most part were finalized thru **Monday, August 3, 2020**

<b>WATER:</b>	<b>\$2,550.24</b>
<b>SEWER:</b>	<b>\$1,038.04</b>

**TOTALS 3-2020**

REPORT TOTAL		\$5,053.35
BPS TOTAL	<b>\$2,525.27</b>	\$2,528.08
COUNTY TOTAL	<b>\$1,034.57</b>	\$1,493.51
W-WRITE OFF	<b>\$24.97</b>	\$1,468.54
S-WRITE OFF	<b>\$3.47</b>	\$1,465.07
PAYMENT TOTAL	<b>\$1,465.07</b>	\$0.00
AGREEMENT TOTAL		

## PAYMENTS 3/2020

<b>ACCOUNT #</b>	<b>CUSTOMER NAME</b>	<b>AMOUNT PD.</b>
235-0660-03	MICHAEL A MCCREARY	\$164.75
280-1300-03	CYNTHIA L RAZA-RODRIGUEZ	\$76.96
311-3880-07	ECM LEASING	\$23.37
311-5580-02	CHARLES A POE	\$130.52
316-1150-11	HEATHER M HENDRICKS	\$7.38
400-0150-03	LORI A DEBOARD	\$109.26
403-0930-03	ROGER STROUD	\$19.15
403-0990-02	JENNY L KINNEY	\$47.14
404-0080-01	ANITA SHANNON	\$55.68
405-1700-03	TREVA J HUMPHRIES	\$116.27
405-1930-04	ANGEL BROOKE BLOOD	\$147.88
419-0020-11	TRAVIS L KEETER	\$77.97
420-1230-10	ALEXANDER V NIGRO	\$100.36
443-1650-04	NICOLE M GAYLOR	\$165.13
446-1540-07	EBONY N DAVIS	\$122.89
445-3020-08	JORGE L RIVERA RAMOS	\$100.36

**TOTAL PAYMENTS: \$1,465.07**



## COUNTY ACCOUNTS 3/2020

<u>ACCOUNT #</u>	<u>CUSTOMER NAME</u>	<u>AMOUNT PD.</u>
280-2120-08	RONALD DAVIDHIZAR	\$146.90
309-0080-08	DENNIS J & DEBORAH MCCARTHY	\$421.55
313-1260-07	YES COMPANIES EXP FRED LLC	\$210.06
313-1820-01	YES COMPANIES EXP FRED LLC	\$135.85
317-1100-08	MARIA NAVARRO	\$120.21

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**TOTAL: \$1,034.57**

## BUSINESS PROFESSIONAL SERVICES 3/2020

Account #	Customer	ADDRESS	City	State	Zip	Last Charge	Amount Due	DOB	S.S.N	PHONE
235-0660-03	MICHAEL A MCCREARY	319 W OAKRIDGE AVE	GOSHEN	IN	46526	6/6/2020	\$97.41		4740	903-8099
235-1170-01	PAUL R STEPHENS	409 QUEEN ST	GOSHEN	IN	46526	7/13/2020	\$246.41		3957	238-4575
280-1300-03	CYNTHIA L RAZA-RODRIGUEZ	1202 WILSON AVE	GOSHEN	IN	46526	6/16/2020	\$50.86	5/3/1981	6094	575-9037
280-2120-08	RICARDO LUJAN-RECEDEZ	907 1/2 S MAIN ST	GOSHEN	IN	46526	6/4/2020	\$111.59	7/28/1992	0061	524-5722
309-0080-08	DENNIS MCCARTHY	819 LINCOLNWAY EAST	GOSHEN	IN	46526	6/23/2020	\$25.25			
311-5580-02	CHARLES A POE	1735 LINCOLNWAY EAST	GOSHEN	IN	46526	7/8/2020	\$93.57	12/18/1963	3436	219-296-8059
313-1260-07	ANGEL M BUTLER	228 WINCHESTER TRL	GOSHEN	IN	46526	6/4/2020	\$113.46	2/6/1987	8134	349-0939
313-1820-01	TARA HICKMAN	196 WINCHESTER TRL	GOSHEN	IN	46526	6/9/2020	\$81.96	12/30/1989	4938	535-8078
317-1100-08	SARAH ANN ESTEP	118 S 8TH ST	GOSHEN	IN	46526	6/9/2020	\$78.07	1/9/1988	3204	551-1507
400-0150-03	LORI A DEBOARD	315 GARDEN ST	GOSHEN	IN	46526	7/6/2020	\$78.52	3/7/1973	6288	364-5073
400-0240-01	MA DOLORES SERRANO	707 AREHART ST	GOSHEN	IN	46526	6/1/2020	\$108.37	6/11/1973	2180	
403-0930-03	ROGER STROUD	412 N 8TH ST	GOSHEN	IN	46526	7/6/2020	\$182.03			322-0607
403-0990-02	JENNY L KINNEY	414 SUMIT ST	GOSHEN	IN	46526	6/12/2020	\$58.91		8843	538-9338
404-0080-01	ANITA SHANNON	708 E LINCOLN AVE	GOSHEN	IN	46526	6/19/2020	\$51.58			
404-0400-03	BETH BROWNING	205 OLIVE ST	GOSHEN	IN	46526	7/31/2020	\$301.15	10/11/1986	2975	349-1082
405-1700-03	TREVA J HUMPHRIES	106 S 24TH ST	GOSHEN	IN	46526	7/2/2020	\$124.82	11/11/1977	9829	260-366-3787
420-1230-10	ALEXANDER V NIGRO	308 E PLYMOUTH AVE	GOSHEN	IN	46526	6/8/2020	\$130.72	4/15/1988	5255	
439-0170-03	ANTHONY DARRIN GREENFIELD	412 WESTFIELD AVE	GOSHEN	IN	46526	7/13/2020	\$329.87			
443-1650-04	NICOLE M GAYLOR	818 COLONIAL MANOR DR	GOSHEN	IN	46526	7/21/2020	\$111.87	1/25/1982	7895	
446-1540-07	EBONY N DAVIS	134 TULIP BLVD	GOSHEN	IN	46526	7/22/2020	\$84.83	8/30/1990	1362	320-1621
445-3020-08	JORGE L RIVERA RAMOS	223 TANGLEWOOD DR APT C	GOSHEN	IN	46526	7/1/2020	\$64.02	3/4/1982	7481	

**TOTAL: \$2,525.27**

## WATER WRITE OFF 3/2020

ACCOUNT #	CUSTOMER NAME	WATER AMOUNT
284-3700-00	ANGEL SANCHEZ	\$3.82
316-1150-11	HEATHER M HENDRICKS	\$4.60
419-0020-11	TRAVIS L KEETER	\$16.55

**TOTAL:        \$24.97**

**\*\* Accounts that have a balance of \$25.00 or less, bankruptcy, deceased and agreements\*\***

## SEWER WRITE OFF 3/2020

ACCOUNT #	CUSTOMER NAME	SEWER AMOUNT
284-3700-00	ANGEL SANCHEZ	\$3.47

**TOTAL:        \$3.47**

**\*\* Accounts that have a balance of \$25.00 or less, bankruptcy, deceased and agreements\*\***



**Engineering Department  
CITY OF GOSHEN**

204 East Jefferson Street, Suite 1 • Goshen, IN 46528-3405

Phone (574) 534-2201 • Fax (574) 533-8626 • TDD (574) 534-3185  
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## MEMORANDUM

TO: Board of Works and Safety and Stormwater Board

FROM: Dustin Sailor, P.E., Director of Public Works

RE: **MAIN STREET IMPROVEMENTS FROM MADISON ST. TO PIKE ST.  
CHANGE ORDER NO. 7 (JN: 2016-0038)**

DATE: September 29, 2020

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Attached please find Change Order No. 7 for \$1,523.60

The original contract amount was \$929,657.60; Change Order No. 1, 2, 3, 4, 5 and 6 decreased the total contract by \$63,782.42. Change Order No. 7 increased the total contract by \$1,523.60 for a revised contract amount of \$867,398.78, which is a decrease of 6.70 percent.

Please review and consider approval of this change order by signing the attached copies.

<b>Original Contract Amount</b>	<b>\$929,657.60</b>
Change Order No. 1	\$0.00
Change Order No. 2	\$14,072.80
Change Order No. 3	(\$6,600.00)
Change Order No. 4	\$1,650.00
Change Order No. 5	(135,961.22)
Change Order No. 6	\$63,056.00
Change Order No. 7	\$1,523.60
<b>Revised Contract Amount</b>	<b>\$867,398.78</b>

**Requested Motion:** Move to Approve Change Order No. 7 for \$1,523.60. The revised project amount of \$867,398.78 is a 6.70 percent decrease from the original contract amount of \$929,657.60.

**CHANGE ORDER FORM**

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Change Order No. 7  
Date: 9/29/2020

**CITY OF GOSHEN, INDIANA  
OFFICE OF THE CITY ENGINEER  
204 E. Jefferson Street, Suite 1  
Goshen, IN 46528**

OWNER: City of Goshen  
PROJECT NAME: Main St. Improvements from Madison St. to Pike St.  
PROJECT NUMBER: 2016-0038  
CONTRACTOR: Niblock Excavating, Inc.

**I. DESCRIPTION OF WORK INVOLVED (Use additional sheets if needed)**

Change Order 7: Revised Balancing Change Order for Change Order No. 6.

CO6.3	Concrete curb Removal (Note: This balances the line item out)	-210.00 LFT	@ \$10.00	-----	-\$2,100.00
CO6.4	Concrete Curb Replacement (Note: This balances the line item out)	-210.00 LFT	@ \$33.00	-----	-\$6,930.00
CO6.5	4" Sidewalk Removal (Note: This balances the line item out)	131.92 SYD	@ \$15.00	-----	\$1,978.80
CO6.6	4" Sidewalk Replacement (Note: This balances the line item out)	131.92 SYD	@ \$65.00	-----	\$8,574.80
				Subtotal -	\$1,523.60

## CHANGE ORDER FORM

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Change Order No. 7

### II. ADJUSTMENTS IN AMOUNT OF CONTRACT

1. Amount of original contract	\$929,657.60
2. Net ( <del>Addition</del> /Reduction) due to all Previous Contract Supplements Numbers 1 to <u>6</u>	(\$63,782.42)
3. Amount of Contract, not including this supplement	\$865,875.18
4. <del>Addition</del> /Reduction to Contract due to this supplement	\$1,523.60
5. Amount of Contract, including this supplemental	\$867,398.78
6. Total ( <del>Addition</del> /Reduction) due to all Change Orders (Line 2 + Line 4)	(\$62,258.82)
7. Total percent of change in the original contract price Includes Change Order No. 1 to <u>7</u> (Line 6 divided by Line 1)	-6.70%

### III. CONTRACT SUPPLEMENT CONDITIONS

1. The contract completion date established in the original contract or as modified by previous Contract Supplement(s) is hereby extended/reduced by 0 calendar days, making the final completion date N/A.
2. Any additional work to be performed under this Contract supplement will be carried out in compliance with the specifications included in the preceding Description of Work Involved, with the supplemental contract drawing designed as \_\_\_\_\_, and under the provisions of the original contract including compliance with applicable equipment specifications, general specifications and project specifications for the same type of work.
3. This Contract Supplement, unless otherwise provided herein, does not relieve the contractor from strict compliance with the guarantee provisions of the original contract, particularly those pertaining to performance and operation of equipment.
4. The contractor expressly agrees that he will place under coverage of his Performance and Payment Bonds and contractor's insurance, all work covered by this Contract Supplement. The contractor will furnished to the owner evidence of increased coverage of this Performance and Payments bonds for the accrued value of all contract supplements, which exceed the original contract price by twenty (20) percent.

CHANGE ORDER FORM

RECOMMENDED FOR ACCEPTANCE

*Dustin K. Sailor*

\_\_\_\_\_  
Dustin Sailor, P.E.  
Director of Public Works

**ACCEPTED:** BOARD OF PUBLIC WORKS AND SAFETY  
CITY OF GOSHEN, INDIANA

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Member

\_\_\_\_\_  
Member

**ACCEPTED:** REDEVELOPMENT  
CITY OF GOSHEN, INDIANA

BY: \_\_\_\_\_  
Mark Brinson, Community Development

**ACCEPTED:** CONTRACTOR

\_\_\_\_\_  
Niblock Excavating, Inc.

BY: \_\_\_\_\_  
Signature of authorized representative of Contractor





Jason Kauffman, CESSWI, Stormwater Coordinator  
STORMWATER DEPARTMENT, CITY OF GOSHEN  
204 East Jefferson Street, Suite 1 • Goshen, IN 46528-3405

Phone (574) 534-2201 • Fax (574) 533-8626  
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## MEMORANDUM

TO: Board of Works and Safety and Stormwater Board

FROM: Dustin Sailor

RE: **POST-CONSTRUCTION PLAN APPROVAL  
Elkhart Market Center Retail Outlots D & E (JN: 2016-2021)**

DATE: October 5, 2020

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The developer of Elkhart Market Center Retail Outlots D & E, affecting one (1) or more acres of land, has submitted a sufficient post-construction plan that is compliant with Ordinance 4329, "Uniform Requirements for Post-Construction Stormwater Management."

The Stormwater Department requests the Stormwater Board's acceptance of the plan.

**Requested Motion: I move that we accept the post-construction stormwater management plan for Elkhart Market Center Retail Outlots D & E as it has been found to meet the requirements of City Ordinance 4329.**

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Following plan acceptance, please sign the attached documents where denoted.

**Post-Construction Stormwater Management Plan (PCSMP)**

**Elkhart Market Center Retail**

**4026 & 4028 Elkhart Road, City of Goshen, Indiana**

This Post-Construction Stormwater Management Plan (PCSMP) is accepted by the Stormwater Utility Board of the City of Goshen, Indiana, on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

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**Mayor – Signed**

**Jeremy Stutsman**  
**Mayor**

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**Member – Signed**

**Mary Nichols**  
**Member**

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**Member – Signed**

**Michael Landis**  
**Member**

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### **Table of Exhibits**

- Exhibit 1** – Topographic Survey (Building D)
- Exhibit 2** – Topographic Survey (Building E)
- Exhibit 3** – Location Map (Building E and Building D)
- Exhibit 4** – Post-Construction Stormwater Maintenance Agreement
- Exhibit 5** – Elkhart Market Center – Building E: Sheet C600
- Exhibit 6A** – Elkhart Market Center – Building E: Sheet C300
- Exhibit 6B** – Elkhart Market Center – Building D: Sheet C300
- Exhibit 7** – Elkhart Market Center – Building E: Sheet EXH-P
- Exhibit 8** – Typical Storm Structure Warning Stamp
- Exhibit 9A** – Elkhart Market Center – Building E: Sheet C301
- Exhibit 9B** – Elkhart Market Center – Building D: Sheet C301
- Exhibit 10** – Elkhart Market Center – Building E: Sheet C304
- Exhibit 11** – Inspection Form
- Exhibit 12** – SWPPP Approval

## **1.0 Introduction**

Per Indiana Administrative Code 327-15-13-16, "Stormwater Quality Management Plan Post-Construction Stormwater Runoff Control MCM" municipalities and urbanized areas are required to implement planning procedures to promote improved water quality within their jurisdiction. The City of Goshen, Indiana, has implemented its post-construction stormwater management requirements through Ordinance 4329, which became effective January 25, 2006.

## **2.0 Development Description and Location**

The proposed development (referred to hereafter as "Building E") consists of demolition of approximately 0.412 acres of existing parking facilities and the construction of a 2,060 square foot commercial retail building with associated parking, utilities and stormwater management facilities.

This post-construction stormwater management plan also incorporates the improvements from a recently constructed 10,367 square foot mixed-use commercial building with associated parking, utilities, and stormwater management facilities (referred to hereafter as "Building D").

Improvements to the stormwater conveyance system (as part of the development of Buildings D and E), includes the replacement and cleaning of a section of existing storm sewer outfall to the existing retention basin, cleaning of the existing retention basin, construction of new storm sewer to convey runoff generated by the site, and a catch basin structure with 4 foot sumps will be installed.

### **A general materials list for the development follows:**

#### **Building D (Existing):**

- Catch basins (stormwater inlets) with 4 foot sumps (2)
- Clean out (1)
- 48" Storm manholes (4)
- 12 inch ADS N-12 storm pipe (134 linear feet)
- 12 inch RCP storm pipe (210 linear feet)
- 15 inch RCP storm pipe (153 linear feet)
- 6 inch PVC roof drain (80 linear feet)
- 15 inch ADS end section (1)

#### **Building E:**

- Catch basins (stormwater inlets) with 4 foot sumps (1)
- 60" Storm manholes (1)
- 24 inch RCP storm pipe (138 linear feet)

The development is located in part of the Northwest Quarter of Section 36, Township 37 North, Range 5 East, in Elkhart County, Indiana.

- A topographic survey for Building D is provided as Exhibit 1.**
- A topographic survey for Building E is provided as Exhibit 2.**

The development is located at 4026 & 4028 Elkhart Road in Goshen, Indiana.

- A location map for Building D and E is provided as Exhibit 3.**

## **3.0 Binding Requirements**

HK NEW PLAN ERP PROPERTY HOLDINGS, LLC is bound by an enforceable maintenance agreement approved by the City of Goshen, Indiana, and Will be recorded in the Office of the Recorder of Elkhart County, Indiana as a part of this Post-Construction Stormwater Maintenance Plan (PCSMP). The maintenance agreement is provided as

**Exhibit 4.** The maintenance agreement designates HK NEW PLAN ERP PROPERTY HOLDINGS, LLC as the responsible party for the operation, maintenance, and repair of all installed or required stormwater management facilities. The maintenance agreement also designates funding provisions for the required maintenance.

#### **4.0 Responsible Parties Duties**

Under the requirements of Ordinance 4329, non-exempt real estate is required to:

1. Maintain any stormwater measures and practices identified in the construction plans that are to remain in place after construction activities have been completed.
2. Install and maintain each post-construction stormwater quality measure approved as part of the construction plans.
3. Provide the Department of Stormwater Management with a narrative description of the maintenance guidelines for all post-construction stormwater quality measures to facilitate their proper and long-term function and identify the entity or entities responsible for long-term maintenance. It is an obligation of the development owners and their successors in interest to provide these narrative descriptions to future parties who acquire interest in any portion of the real estate or who assume responsibility for the operation and maintenance of the post-construction stormwater quality measures.
4. Maintain all drainage systems and stormwater storage facilities in good working order.
5. Maintain natural drainage for any portion of the real estate not served by a constructed drainage system.
6. Maintain all erosion and sediment control systems installed on the real estate or identified as part of the construction plans unless such systems were temporary measures only intended to be in place during construction.
7. Maintain all drainage swales installed or identified as part of the construction plan so they do not cause erosion in the receiving channel or at the outlet.
8. Protect natural features such as wetlands and sinkholes from stormwater runoff pollutants.
9. Annually inspect stormwater management facilities to insure compliance with this Ordinance and provide for the removal of silt, litter, grass cuttings, vegetation, and other debris from all catch basins, inlets, and stormwater retention areas.
10. Annually inspect all landscaping to insure compliance with the provisions of the management plan.
11. The party responsible for the operation and maintenance of the stormwater management facilities shall make and maintain records for all installation, maintenance, and repairs of all the systems, structures, and measures. Stormwater system maintenance records must be maintained for a minimum of five (5) years and made available to the Department of Stormwater Management at all reasonable times.'

#### **5.0 Potential Pollutant Sources**

Building E will be used for general retail purposes when completed.

The current use of Building D is mixed-use commercial.

Potential stormwater runoff pollutants generated by the development entering the stormwater system may include the following:

<b><u>Pollutant Type</u></b>	<b><u>Source</u></b>
Vehicular hydrocarbons, Grease, Antifreeze, Brake fluid, Brake dust, Rubber, Glass, Metal, De-icing materials	Trucks, Delivery vehicles, Maintenance vehicles
Sediments & Solids	Sand/gravel storage Construction sites Unpaved areas
Cleaning solutions & solvents, HVAC equipment leaks, Roof drainage grit, Aggregate & rubber fragments from roof drainage	Building
Asphalt grit, Bituminous compounds, De-icing materials, Pavement paint fragments, Concrete fragments, Warm stormwater runoff	Parking Lot
Fertilizers, Soils, and Organic material (Leaves, Mulch, etc.)	Lawn and landscaping areas
Litter	Trash enclosure Visiting customers/patrons

## **6.0 Post-Construction Pollution Control Measures**

The development will utilize both structural and non-structural pollution control measures to minimize the transport of pollutants to local waterways.

### **6.1 Structural Pollution Control Measures**

#### **Building D:**

Two (2) catch basin structures with 4-foot sumps exist on-site and are labeled as structure 1.1 & 1.3 on sheet C300 on the Building D Civil Set. The catch basins collect stormwater runoff from the paved parking areas tributary to the catch basin structures. The stormwater runoff will be directed via sheet flow to the inlet structures. Building runoff will be directed via roof drains to the inlet structures.

The provided sumps will capture heavier sediments and debris transported in the stormwater runoff from the parking area and building. The inlet will be directed to the retention basin via 153 linear feet of 18-inch RCP storm pipe. The 18-inch pipe will receive an end section. The end section is located within the retention basin.

#### **Building E:**

One (1) catch basin structure with a 4-foot sump will be installed in the parking stall area along the east side of the building labeled as structure 1.3 on sheet C300 of the Building E Civil Set. An existing catch basin structure will be reused and cleaned as part of the development. The two (2) catch basins will collect stormwater runoff from the paved parking areas tributary to the catch basin structures. The stormwater runoff will be directed via sheet flow to the inlet structures. Building runoff will be directed via roof drains to the inlet structures.

The provided sumps will capture heavier sediments and debris transported in the stormwater runoff from the parking area and building. The inlet will be directed to the retention basin via the existing 24" storm pipe that will be reused during development.

**A detail for the catch basin structures is provided as Exhibit 5. The location of the inlet structures and the storm pipes are shown on Exhibit 6.**

An existing retention basin (*wet bottom now, wet bottom after construction*) at the development will be cleaned from debris and protected from sediment and debris contamination during construction. There are four (4) existing outlets in the retention basin.

**The retention basin and existing outlets are shown on Exhibit 7. The exhibit provides limited contours for the retention basin.**

Per the post-construction stormwater maintenance agreement for HK NEW PLAN ERP PROPERTY HOLDINGS, LLC, HK NEW PLAN ERP PROPERTY HOLDINGS, LLC, shall have a best management practice inspection conducted by a qualified professional once every five (5) years. Any maintenance or repair work identified by the report (inspection) shall be completed within 60 days of the report (inspection). The expense of the inspection shall be borne by HK NEW PLAN ERP PROPERTY HOLDINGS, LLC.

**A copy of the report (inspection) must be filed with the Goshen City Department of Stormwater Management.**

The City of Goshen or its designee is authorized to access the real estate HK NEW PLAN ERP PROPERTY HOLDINGS, LLC as the City or designee deems necessary to conduct inspections of the stormwater management practices, facilities, structures, operations, or drainage easements to determine that proper maintenance is occurring.

## **6.2 Nonstructural Pollution Control Measures**

Nonstructural measures for the development include sweeping paved areas. Additionally, the collection of lawn wastes (grass clippings, leaves, etc.) will reduce pollution in the stormwater runoff. Trash collection/containment will also reduce pollution within the development. Newly installed catch basins and storm structures (8) at the site will have stormwater warnings cast into the castings.

**A detail for a typical warning stamp appears on Exhibit 8.**

The following subsections provide minimum best management practices for building maintenance, outdoor loading/unloading area maintenance, parking maintenance, spill containment, landscape maintenance, trash collection, and grease interceptor/trap maintenance.

### **a. Building Maintenance**

1. Properly collect and dispose of water when pressure washing buildings, rooftops, and other objects.
2. Properly dispose of wastes generated during building maintenance.
3. Store toxic materials under cover when not in use and during periods of precipitation.
4. Properly prepare work area prior to the commencement of building maintenance activities.
5. Do not dump any toxic substances or liquids onto hard surfaces, onto the ground, into the retention basin, or into stormwater inlets.
6. Employ erosion control and stabilization measures when areas of earth are disturbed within the development boundaries during maintenance.
7. Switch to non-toxic chemicals for maintenance, when possible.



**b. Outdoor Loading/Unloading Areas**

1. Check loading/unloading areas for leaked fluids, spilled materials, and debris; clean as needed. Absorbents are to be used on fluids and used absorbents must be disposed of according to local rules and regulations.
2. Conduct loading/unloading during dry conditions when possible.
3. Loading/unloading area to be located as far from stormwater inlets as possible.

**c. Parking Maintenance**

1. Conduct regular cleanings (sweeping) of the paved areas of the development (recommended to be performed biannually, spring after trees are done flowering, fall after trees have lost leaves).
2. Pre-heat, transfer, or load hot bituminous material away from stormwater inlets when conducting surface repairs.
3. Cover inlets and seal (waterproof) prior to placing a seal coat on paved areas. Leave covers in place until job is complete.
4. Surface repairs are to be conducted during dry weather conditions only.

**d. Spill Prevention and Cleanup**

1. Chemicals are to be kept in their original containers, if feasible.
2. Containers containing chemicals are to have their contents labeled.
3. Label containers containing potentially hazardous products as “Hazardous” and designated the hazard (fire, explosive, corrosive, etc.).
4. All excess chemicals are to be disposed of at a hazardous waste collection facility.

**e. Landscape Maintenance**

1. Over watering of “green” areas within the development are to be avoided.
2. Fertilizers, pesticides, and herbicides are not to be applied within 48 hours of an expected rain event.
3. Spills of fertilizer are to be cleaned up. Dry products should be returned to the container. Liquid spills should be collected using an absorbent and disposed of properly.
4. All grass clippings, leaves, and other vegetation is to be collected and disposed of a permitted landfill.
5. Clippings are to be removed immediately from hard surfaces within the development boundaries during mowing and trimming activities to avoid stormwater pollution and possible additional cleanings of catch basins.
6. Future plantings within the development are to be native species.

**f. Trash Collection/Containment**

1. Trash containers (dumpsters, trashcans, etc.) are to be inspected on a regular basis; leaking containers are to be replaced immediately.
2. Trash containment areas are to be placed as far away as possible from all stormwater inlets (catch basins, inlets) and retention basins.
3. Trash containment areas and containers should be covered when possible. Trash container lids should be closed at the end of each business day and before any rain or snow event.
4. Signs are to be posted in trash containment areas warning users that no hazardous materials are to be disposed of in the containers.
5. Trash containment areas are to be protected from wind dispersal at all times.
6. A weekly collection of trash and debris is to occur within the development boundary. The collection must include removing trash from the retention basins, stormwater inlets, and paved parking/drive areas. Trash and debris includes items such as fast food containers, plastic bottles, plastic bags, smoking waste products, bottles, cans, diapers, and related materials.

**g. Grease Interceptor/Trap Maintenance**

1. Properly collect wastes containing grease within a grease trap/interceptor prior to discharging to the sanitary sewer.
2. Grease interceptors/traps must be maintained in good working order at all times, and inspected on a quarterly basis.
3. Grease interceptors are to be placed as far away as possible from stormwater inlets (catch basins, inlets) and retention basins.
4. Outdoor grease interceptors are to be water tight so they do not collect stormwater,
5. Solids and grease shall not exceed thirty-three percent (33%) of the capacity of the interceptor. Waste shall be disposed of in the proper manner, either as solid waste or in an approved disposal facility.

**6.3 Location of Structural Control Measures**

Refer to **Exhibits 9 and 10** for the location of all structural stormwater pollution control measures for the development. Measures being implemented includes:

**Building D (Existing):**

- Catch basins (stormwater inlets) with 4 foot sumps (2)
- Clean out (1)
- 48" Storm manholes (4)
- 12 inch ADS N-12 storm pipe (134 linear feet)
- 12 inch RCP storm pipe (210 linear feet)
- 15 inch RCP storm pipe (153 linear feet)
- 6 inch PVC roof drain (80 linear feet)
- 15 inch ADS end section (1)

**Building E:**

- Catch basins (stormwater inlets) with 4 foot sumps (2)
- 60" Storm manholes (1)
- 24 inch RCP storm pipe (138 linear feet)

**7.0 Installation of Structural Control Measures**

The post-construction pollution control measures will be installed during the development's construction. Upon completion of construction at the development, all identified structural control measures will be installed and operational.

**8.0 Inspection and Maintenance Guidelines for the Stormwater Pollution Control Measures**

**8.1 Inspection**

All stormwater management facilities must undergo, **at the minimum, an annual inspection** to document maintenance, repair needs, and insure compliance with the requirements of the maintenance agreement and maintenance covenant (**Exhibit 4**). Additionally, a Best Management Practice Inspection Report must be completed of the site by a qualified professional once every five (5) years.

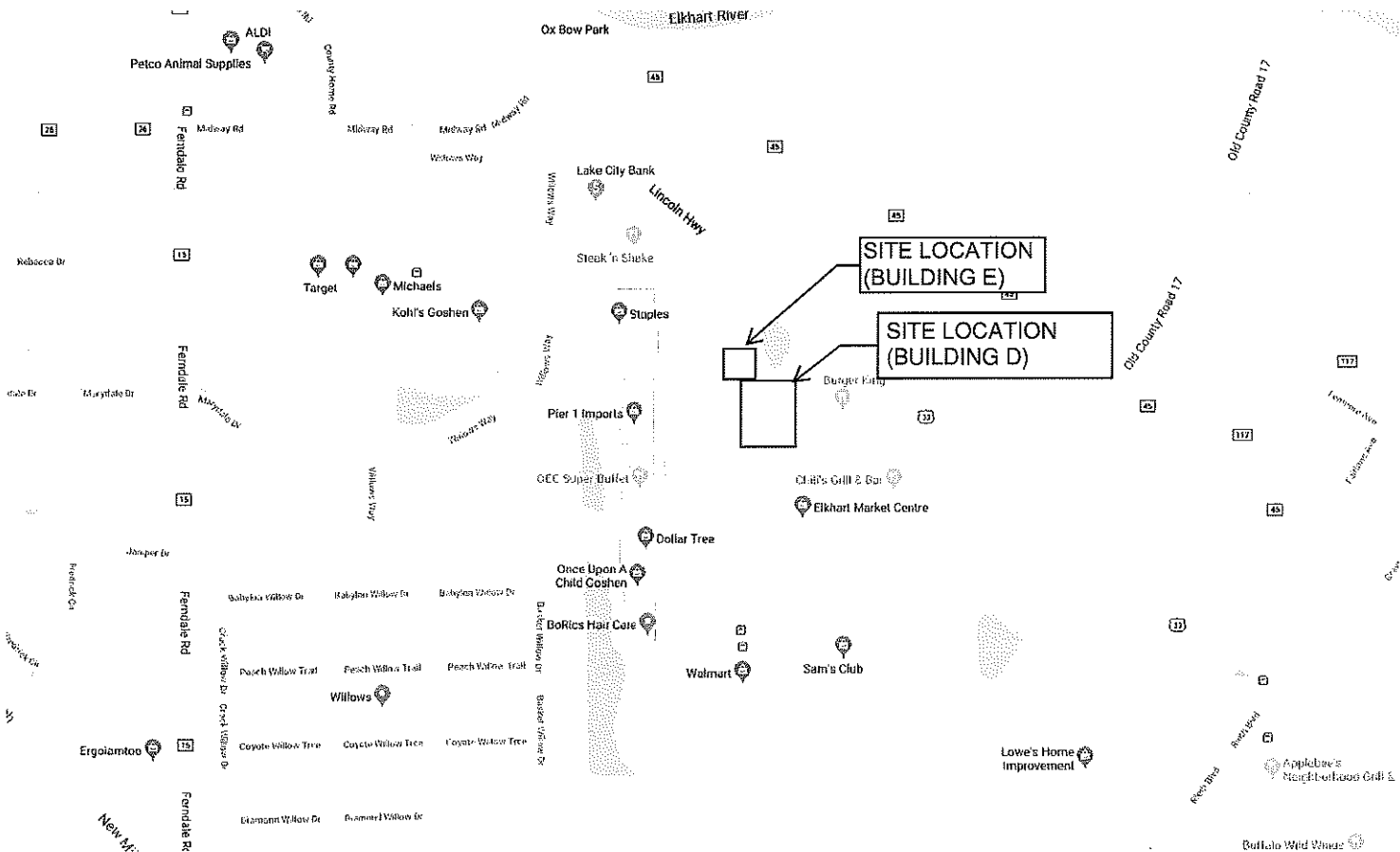
**The report (inspection) must be filed with the Goshen City Department of Stormwater Management.**

**Note: Any repairs or maintenance identified by the report (inspection) must be made or completed within 60 days of the report.**





**EXHIBIT 3  
LOCATION MAP**



**POST-CONSTRUCTION STORMWATER MAINTENANCE AGREEMENT**

This Post-Construction Stormwater Maintenance Agreement, hereinafter referred to as "Agreement," is entered into by and between HK New Plan ERP Property Holdings, LLC and any successor in interest to HK New Plan ERP Property Holdings, LLC, hereinafter collectively referred to as "Owner," and the City of Goshen, through its Board of Stormwater Management, hereinafter referred to as "City."

RECITALS

WHEREAS, the Subject Real Property is subject to the zoning and development jurisdiction of the City of Goshen; and

WHEREAS, Owner agrees to comply with Ordinance 4329, as effective on the date of this Agreement, which requires Owner to install and maintain stormwater management practices on the Subject Real Property in accordance with the requirements of Ordinance 4329, and in accordance with approved plans submitted to Goshen Stormwater Department and permit conditions issued by City; and

WHEREAS, any changes to the Subject Real Property made in the future, that are not part of this Agreement, will require compliance with Ordinance 4329, in its form effective on the date of such changes, and a new or revised Post-Construction Stormwater Management Plan;

WHEREAS, this Agreement is executed to ensure that Owner, or its successors in interest, implements in perpetuity all structural and non-structural pollution control measures as identified in the Post-Construction Stormwater Management Plan.

NOW THEREFORE, the Owner and City agree as follows:

1. REAL ESTATE The Subject Real Property consists of certain real estate located at 4028 Elkhart Road, Goshen, Elkhart County, State of Indiana, and more particularly described as follows:

THAT PART OF THE NORTHWEST QUARTER OF SECTION 36, TOWNSHIP 37 NORTH, RANGE 5 EAST OF THE SECOND PRINCIPAL MERIDIAN, IN ELKHART COUNTY, INDIANA, (ALL REFERENCES TO DEEDS, MICROFICHE, PLATS, SURVEYS, ETC. REFER TO THE RECORDS OF THE ELKHART COUNTY RECORDER'S OFFICE, UNLESS OTHERWISE NOTED) MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A CONCRETE MONUMENT WITH A COPPER PIN FOUND AT THE SOUTHEAST CORNER OF THE NORTHWEST QUARTER OF SECTION 36, TOWNSHIP 37 NORTH, RANGE 5 EAST OF THE SECOND PRINCIPAL MERIDIAN, IN ELKHART COUNTY, INDIANA;

THENCE ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 36, BEING A LINE CONNECTING THE CONCRETE MONUMENT WITH A COPPER PIN REFERENCED ABOVE AND THE HARRISON MONUMENT FOUND AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 36, NORTH 89 DEGREES 33 MINUTES 40 SECONDS WEST, A DISTANCE OF 774.56 FEET; THENCE NORTH 00 DEGREES 26 MINUTES 20 SECONDS EAST, A DISTANCE OF 1586.66 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION;

THENCE NORTH 00 DEGREES 06 MINUTES 54 SECONDS WEST, A DISTANCE OF 199.00 FEET;  
THENCE NORTH 89 DEGREES 53 MINUTES 06 SECONDS EAST, A DISTANCE OF 171.17 FEET;  
THENCE SOUTHEASTERLY, 39.27 FEET ALONG AN ARC TO THE RIGHT AND HAVING A RADIUS OF 25.00 FEET, SUBTENDED BY A LONG CHORD HAVING A BEARING OF SOUTH 45 DEGREES 06 MINUTES 54 SECONDS EAST AND A LENGTH OF 35.36 FEET;  
THENCE SOUTH 00 DEGREES 06 MINUTES 54 SECONDS EAST, A DISTANCE OF 149.00 FEET;  
THENCE SOUTHWESTERLY, 39.27 FEET ALONG AN ARC TO THE RIGHT AND HAVING A RADIUS OF 25.00 FEET, SUBTENDED BY A LONG CHORD HAVING A BEARING OF SOUTH 44 DEGREES 53 MINUTES 06 SECONDS WEST AND A LENGTH OF 35.36 FEET;  
THENCE SOUTH 89 DEGREES 53 MINUTES 06 SECONDS WEST, A DISTANCE OF 171.17 FEET TO THE POINT OF BEGINNING; CONTAINING 0.89 ACRES MORE OR LESS;  
THE BEARINGS IN THIS DESCRIPTION ARE BASED UPON THE INDIANA STATE PLANE COORDINATE SYSTEM EAST ZONE, NAD83

The described real estate shall be referred to throughout this Agreement as the "Subject Real Property." A map showing the site location is attached as Exhibit 1.

2. POST-CONSTRUCTION STORMWATER MANAGEMENT PLAN

A. The Post-Construction Stormwater Management Plan, hereinafter referred to as "PCSMP," was filed by Owner with the City of Goshen Stormwater Department. The PCSMP was approved by the City of Goshen Stormwater Utility Board and is available for copying and/or review in the City of Goshen's Stormwater Department. The PCSMP is specifically incorporated into this Agreement by reference, and made a part hereof.

B. The Owner is responsible for implementing and funding the PCSMP. If a third party other than a grantee of the Subject Real Estate assumes these responsibilities, the Subject Real Property owner shall notify the City of Goshen's Stormwater Department prior to the transfer of responsibility.

3. MAINTENANCE PLAN

A. The PCSMP establishes the maintenance plan for the Subject Real Property.

B. Owner, or its successors in interest, shall timely and properly implement all post-construction pollution control measures identified in the PCSMP, or otherwise ensure that all post-construction pollution control measures identified in the PCSMP are properly implemented.

C. Owner, or its successors in interest, shall perform all routine and extraordinary maintenance of stormwater management practices identified in the PCSMP, or otherwise ensure that all routine and extraordinary maintenance of stormwater management practices identified in the PCSMP are performed in a timely and workman-like manner.

D. If for any reason Owner, or its successors in interest, fails to fulfill the obligation to implement all post-construction pollution control measures identified in the PCSMP or fails to timely or properly maintain any stormwater facility, structure or

operation identified in the PCSMP, the City of Goshen's Stormwater Department may elect to assess the real estate owner with an assessment of sufficient size to fund the proper maintenance of all pollution control measures and stormwater structure, facility and operation as identified in the PCSMP until Owner, or its successors in interest, resumes such responsibility. Owner, or its successors in interest, shall have no right to rely on the City of Goshen's Stormwater Department assuming such obligation under the terms of this section, nor will Owner, or its successors in interest, be released from any obligation to implement such measures or continue such maintenance if City elects to collect assessments or provide maintenance under the terms of this section.

4. INSPECTION, REPAIRS AND CORRECTIVE ACTIONS

A. Once every five (5) years Owner, or its successors in interest, shall at their own expense have a "best management practice inspection," as defined in 327 IAC 15-13-5(1), conducted by a qualified professional. A copy of the inspection report shall be filed with City's Department of Stormwater Management. Any needed maintenance or repair work identified in the report shall be completed within sixty (60) days of the report.

B. The City, or its designee, is authorized to access the Subject Real Property as City deems necessary to conduct inspections of the stormwater management practices, facilities, structures, operations or drainage easements to determine if the facilities are being maintained in accordance with applicable laws and the PCSMP.

C. Upon notification by Goshen's Department of Stormwater Management of violations of applicable laws or the PCSMP which require repairs or other correctable action, Owner, or its successors in interest, shall complete such repairs or corrective action within sixty (60) days.

D. If Owner, or its successors in interest, does not believe any such repairs or corrective action identified by Goshen's Department of Stormwater Management are warranted, Owner, or its successors in interest, may appeal the determination to the Board of Stormwater Management by filing a written appeal with the presiding officer of the Board of Stormwater Management within twenty (20) days of the receipt of the notice of the need to make repairs or take corrective action.

E. If Owner, or its successors in interest, association fails to make any such repairs or take corrective action within sixty (60) days and fails to appeal the need to make such repairs or take such corrective action to the Board of Stormwater Management within twenty (20) days, City is authorized to make the needed repairs or take such corrective action and charge the cost of the repairs and/or correction action to Owner, or its successors in interest. If Owner, or its successors in interest, association fail to pay the costs billed, City may take any action necessary to have the unpaid costs assessed against Owner, or its successors in interest, collected with the real estate taxes as a special charge against the real estate. City may take legal action to force Owner, or



its successors in interest, to make the needed repairs or to take corrective action without making the needed repairs or taking the correction action if City so elects.

5. REAL ESTATE OWNERS' RESPONSIBILITIES To the extent that the following duties are not carried out by Owner, the Subject Real Property owner, or some other third party, the owner of the Subject Real Property shall be responsible for each of the following:

A. Maintenance of each post-construction stormwater quality measure located on or used to benefit the owner's real estate in accordance with the applicable laws and the PCSMP.

B. Informing any entity taking title to a portion of the Subject Real Property with a narrative description of the maintenance guidelines for all post-construction stormwater quality measures required by applicable laws or the PCSMP prior to the transfer of title to the new owner.

C. Maintenance of all stormwater maintenance facilities and drainage systems in accordance with the applicable laws and the PCSMP.

D. Maintenance of all natural drainage for any portion of the owner's real estate not served by stormwater maintenance facilities or drainage systems in accordance with applicable laws and the PCSMP.

E. Maintenance of all erosion sediment control systems installed on the owner's real estate in accordance with applicable laws and the PCSMP unless such systems were temporary measures only intended to be in place during construction.

F. Maintenance of all drainage swales on the owner's real estate in accordance with applicable laws and the PCSMP so the swales do not cause erosion in the receiving channel or at the outlet.

G. Protection of all natural features such as wetlands and sinkholes on owner's real estate from stormwater runoff pollution in accordance with applicable laws and the PCSMP.

6. AGREEMENT RUNNING WITH REAL ESTATE This Agreement shall run with the Subject Real Property and be binding upon all successors in interest and assigns. In the event of the sale of real estate by Owner, or its successors in interest, Owner, or its successors in interest, may seek release of its liability under any obligation created by this Agreement, so long as Owner has complied with all requirements created by this Agreement, and City shall not unreasonably withhold such release of liability after inspection reveals compliance with all obligations created by this Agreement.

7. DEED COVENANTS Every deed executed to transfer any portion of the Subject Real Property shall contain a covenant providing for the maintenance of stormwater facilities and for pollution control measures in the following form.

This real estate is subject to the City of Goshen Post-Construction Stormwater Ordinance ("PCSO"). The owner of this real estate and any successors in interest to the owners of the real estate are responsible for the

operation, maintenance and repair of all pollution control measures on or affecting the real estate in accordance with the PCSO and for the operation, maintenance and repair of all stormwater maintenance facilities, structures or operations described in the Post-Construction Storm Water Management Plan applicable to this real estate ("PCSMP") and filed with and approved by the City of Goshen Stormwater Department. City of Goshen is granted an access and maintenance easement over the real estate to inspect and maintain the stormwater facilities located on the real estate.

In the event the owner of this real estate fails to maintain the stormwater facilities, structures or operations in accordance with the PCSO and PCSMP or fails to properly carry out any pollution control measures applicable to the real estate under applicable law, and after notice to the real estate owner, the owner of the subject real property shall perform any required repairs or other correctable action identified in the notice, within sixty (60) days of such notice. If Owner, or its successors in interest, does not believe any such repairs or corrective action identified by Goshen's Department of Stormwater Management are warranted, Owner, or its successors in interest, may appeal the determination to the Board of Stormwater Management by filing a written appeal with the presiding officer of the Board of Stormwater Management within twenty (20) days of the receipt of the notice of the need to make repairs or take corrective action. If Owner, or its successors in interest, association fails to make any such repairs or take corrective action within sixty (60) days and fails to appeal the need to make such repairs or take such corrective action to the Board of Stormwater Management within twenty (20) days, City is authorized to make the needed repairs or take such corrective action and charge the cost of the repairs and/or correction action to Owner, or its successors in interest. If Owner, or its successors in interest, association fail to pay the costs billed, City may take any action necessary to have the unpaid costs assessed against Owner, or its successors in interest, collected with the real estate taxes as a special charge against the real estate. City may take legal action to force Owner, or its successors in interest, to make the needed repairs or to take corrective action without making the needed repairs or taking the correction action if City so elects.

8. MISCELLANEOUS

A. Owner, or its successors in interest, agrees that upon the sale of any portion of the Subject Real Property, Owner, or its successors in interest, will advise each prospective purchaser of this Agreement in writing prior to the sale.

B. This Agreement shall be construed and enforced in accordance with the

laws of the State of Indiana. The venue for any action brought by either party relating to or arising out of this Agreement shall be in Elkhart County, State of Indiana.

C. If it becomes necessary for any party to this Agreement to institute litigation in order to enforce or construe the terms and provisions of this Agreement, the prevailing party shall be entitled to recover its reasonable attorney's fees and costs incurred in such litigation from the non-prevailing party.

D. No remedy conferred upon any party in this Agreement is intended to be exclusive of any other remedy provided or permitted by law, but each remedy shall be cumulative and shall be in addition to any other remedy given under the terms of this Agreement or existing at law or equity. Every power or remedy provided in this Agreement may be exercised concurrently or independently and as often as deemed appropriate.

E. This Agreement contains the entire agreement between the parties respecting the matters set forth.

IN WITNESS WHEREOF, the parties have executed this Agreement on this, the \_\_\_\_\_ day of \_\_\_\_\_, 2020 by the City, and the 31 day of July, 2020 by the Owner.

\_\_\_\_\_  
Board of Stormwater Management

\_\_\_\_\_  
Jeremy Stutsman, Mayor

\_\_\_\_\_  
Michael Landis, Member

\_\_\_\_\_  
Mary Nichols, Member

HK NEW PLAN ERP PROPERTY HOLDINGS,  
LLC, a Delaware limited liability company

By: 

Name: John Hendrickson

Its: Executive Vice President  
President – Midwest Region

STATE OF INDIANA    )  
  ) SS:  
COUNTY OF ELKHART )

Before the undersigned, a Notary Public, personally appeared Jeremy Stutsman, Michael Landis, and Mary Nichols, the Mayor and members, respectively, of the City of Goshen Board of Stormwater Management and acknowledged the execution of the foregoing instrument this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Notary Public (Signature and Seal)

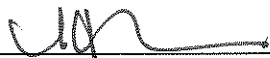
\_\_\_\_\_  
Printed Name

County of Residence: \_\_\_\_\_

My Commission Expires: \_\_\_\_\_

STATE OF ILLINOIS )  
                                  ) SS:  
COUNTY OF DUPAGE )

Before the undersigned, a Notary Public, personally appeared John Hendrickson, the Executive Vice President of HK NEW PLAN ERP PROPERTY HOLDINGS, LLC, and acknowledged the execution of the foregoing instrument this 31 day of July, 2020.

  
\_\_\_\_\_  
Notary Public (Signature and Seal)

Heather Burns  
Printed Name

County of Residence: Dupage

My Commission Expires: 6/22/22



CERTIFICATE OF PROOF – Board of Stormwater Management

\_\_\_\_\_  
Witness Signature

\_\_\_\_\_  
Witness Name

**PROOF:**

STATE OF INDIANA

COUNTY OF \_\_\_\_\_

Before me, a Notary Public in and for said County and State, on \_\_\_\_\_, personally appeared the above named WITNESS to the foregoing instrument, who, being by me duly sworn, did depose and say that he/she knows \_\_\_\_\_ to be the individual(s) described in and who executed the foregoing instrument; that said WITNESS was present and saw said \_\_\_\_\_ the same; and that said WITNESS at the same time subscribed his/her name as a witness thereto.

\_\_\_\_\_  
Notary Public (Signature and Seal)

\_\_\_\_\_  
Printed Name

County of Residence: \_\_\_\_\_

My Commission Expires: \_\_\_\_\_

CERTIFICATE OF PROOF - OWNER

S. P.  
Witness Signature

Sandy Roa  
Witness Name

**PROOF:**

STATE OF ILLINOIS  
COUNTY OF DUPAGE

Before me, a Notary Public in and for said County and State, on July 31, 2020, personally appeared the above named WITNESS to the foregoing instrument, who, being by me duly sworn, did depose and say that he/she knows Sandy Roa to be the individual(s) described in and who executed the foregoing instrument; that said WITNESS was present and saw said Sandy Roa the same; and that said WITNESS at the same time subscribed his/her name as a witness thereto.



[Signature]  
Notary Public (Signature and Seal)

Heather Burns  
Printed Name

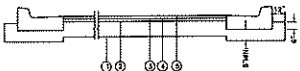
County of Residence: Dupage

My Commission Expires: 6/22/22

This instrument was prepared by (HK New Plan ERP Property Holdings, LLC, 8700 W Bryn Mawr Ave., Suite 1000S, Chicago, IL 60631; 847-562-4123

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each social security number in this document, unless required by law (HK New Plan ERP Property Holdings, LLC.)

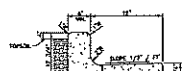
**EXHIBIT 5  
ELKHART MARKET CENTER - BUILDING E, SHEET C600**



- 1 SURGRADE CONSTRUCTION
- 2 AGGREGATE BASE (12" COURSE - LIGHT DUTY) (12" COURSE - HEAVY DUTY) INCLUDING UNDER AND 1" BEYOND CURB.
- 3 REINFORCED CONCRETE FINISH COURSE, CLASS 1 TYPE 2 (1.5" COURSE MIN. - LIGHT DUTY) (1.5" COURSE MIN. - HEAVY DUTY)
- 4 TACK COAT @ 0.33 TO 0.10 GAL/SY
- 5 REINFORCED CONCRETE SURFACE COURSE, CLASS 1 TYPE 2 (1.5" COURSE MIN. - LIGHT DUTY) (1.5" COURSE MIN. - HEAVY DUTY)

PAVEMENT SECTION DETAIL  
MS

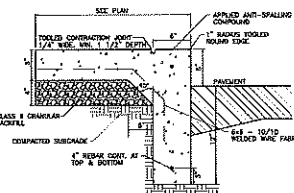
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- 1 CURB AND GUTTER
- 2 4" REBAR COAT, 1/2" TOP & BOTTOM
- 3 2" CONCRETE JOINTS TO BE PLACED @ 10' MAXIMUM

BARRIER CURB AND GUTTER DETAIL  
MS

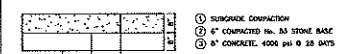
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- 1 CONTRACTION JOINTS TO BE A MINIMUM OF 1/2" DEEP
- 2 CONTRACTION JOINTS EVERY 4'-0" MAX. EXPANSION JOINTS EVERY 25'-0" MAX.
- 3 1/2" EXPANSION JOINTS TO BE SEALED WITH GULFLEX PER SPECIFICATIONS

INTERIOR SIDEWALK AND CURB DETAIL  
MS

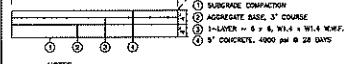
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- 1 SURGRADE CONSTRUCTION
- 2 4" COMPACTED NO. 53 STONE BASE
- 3 8" CONCRETE, 4000 PSI @ 28 DAYS

CONCRETE PAVEMENT DETAIL  
MS

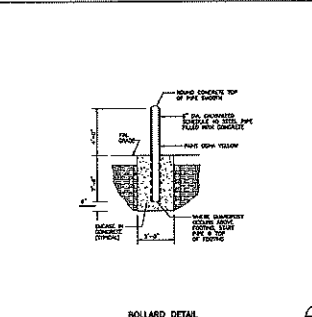
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- 1 SURGRADE CONSTRUCTION
- 2 AGGREGATE BASE, 12" COURSE
- 3 3-LAYER 6" x 6" W1.4 W1.4 W1.4 REINFORCING
- 4 8" CONCRETE, 4000 PSI @ 28 DAYS

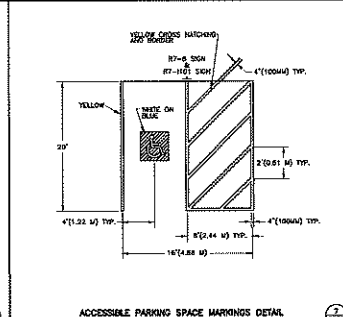
CONCRETE SIDEWALK DETAIL  
MS

2/200



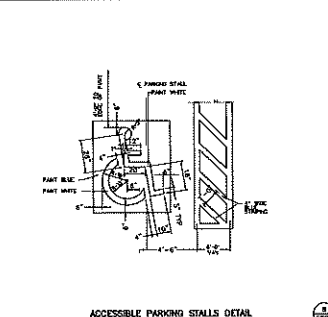
BOLLARD DETAIL  
MS

2/200



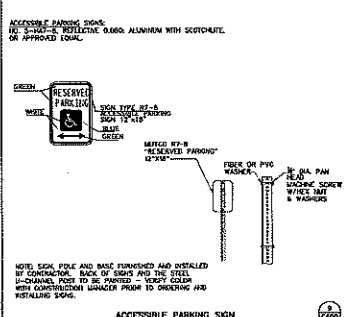
ACCESSIBLE PARKING SPACE MARKINGS DETAIL  
MS

2/200



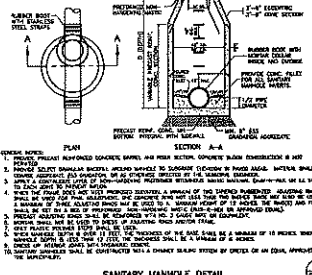
ACCESSIBLE PARKING STALLS DETAIL  
MS

2/200



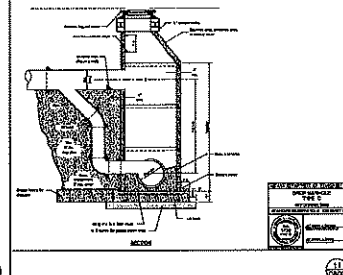
ACCESSIBLE PARKING SIGN  
MS

2/200



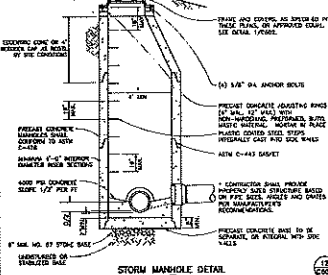
SANITARY MANHOLE DETAIL  
MS

2/200



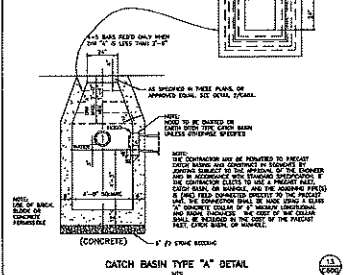
STORM MANHOLE DETAIL  
MS

2/200



STORM MANHOLE DETAIL  
MS

2/200



CATCH BASIN TYPE "A" DETAIL  
MS

2/200

REVISION

No.	DATE	DESCRIPTION

PROJECT No. 03/07/02  
 CLIENT: ELKHART MARKET CENTER  
 DESIGNER: WOODLPERT  
 DRAWN BY: J. WOODLPERT  
 CHECKED BY: J. WOODLPERT  
 DATE: 03/07/02

1815 South Myrtle Road  
 Suite 100  
 Elkhart, Indiana 46517  
 TEL: 765/291-1111  
 FAX: 765/291-1111

**WOODLPERT**  
 CONSULTING ENGINEERS

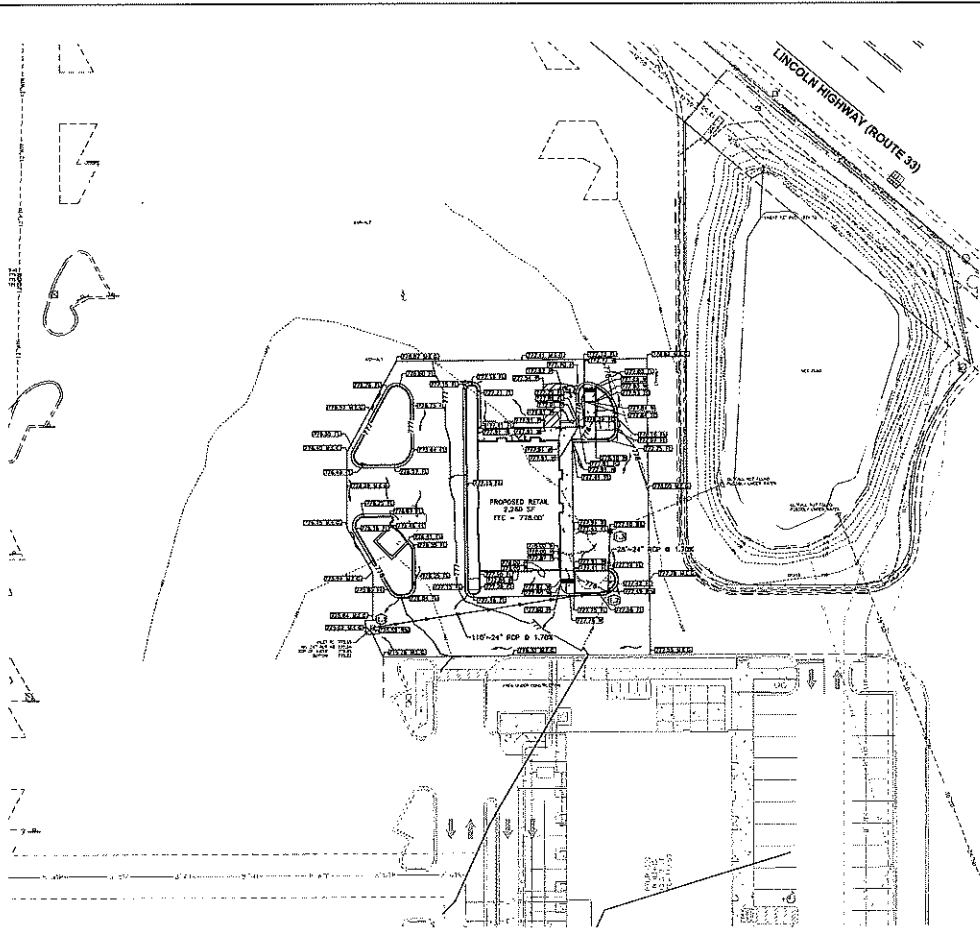
**SITE IMPROVEMENT PLANS  
 ELKHART MARKET CENTER - BUILDING E**  
 CONSTRUCTION

DETAILS

SHEET NO. **C600**



Note: See sheets C300, C301, C302, C303, C304, C305, C306, C307, C308, C309, C310, C311, C312, C313, C314, C315, C316, C317, C318, C319, C320, C321, C322, C323, C324, C325, C326, C327, C328, C329, C330, C331, C332, C333, C334, C335, C336, C337, C338, C339, C340, C341, C342, C343, C344, C345, C346, C347, C348, C349, C350, C351, C352, C353, C354, C355, C356, C357, C358, C359, C360, C361, C362, C363, C364, C365, C366, C367, C368, C369, C370, C371, C372, C373, C374, C375, C376, C377, C378, C379, C380, C381, C382, C383, C384, C385, C386, C387, C388, C389, C390, C391, C392, C393, C394, C395, C396, C397, C398, C399, C400, C401, C402, C403, C404, C405, C406, C407, C408, C409, C410, C411, C412, C413, C414, C415, C416, C417, C418, C419, C420, C421, C422, C423, C424, C425, C426, C427, C428, C429, C430, C431, C432, C433, C434, C435, C436, C437, C438, C439, C440, C441, C442, C443, C444, C445, C446, C447, C448, C449, C450, C451, C452, C453, C454, C455, C456, C457, C458, C459, C460, C461, C462, C463, C464, C465, C466, C467, C468, C469, C470, C471, C472, C473, C474, C475, C476, C477, C478, C479, C480, C481, C482, C483, C484, C485, C486, C487, C488, C489, C490, C491, C492, C493, C494, C495, C496, C497, C498, C499, C500, C501, C502, C503, C504, C505, C506, C507, C508, C509, C510, C511, C512, C513, C514, C515, C516, C517, C518, C519, C520, C521, C522, C523, C524, C525, C526, C527, C528, C529, C530, C531, C532, C533, C534, C535, C536, C537, C538, C539, C540, C541, C542, C543, C544, C545, C546, C547, C548, C549, C550, C551, C552, C553, C554, C555, C556, C557, C558, C559, C560, C561, C562, C563, C564, C565, C566, C567, C568, C569, C570, C571, C572, C573, C574, C575, C576, C577, C578, C579, C580, C581, C582, C583, C584, C585, C586, C587, C588, C589, C590, C591, C592, C593, C594, C595, C596, C597, C598, C599, C600, C601, C602, C603, C604, C605, C606, C607, C608, C609, C610, C611, C612, C613, C614, C615, C616, C617, C618, C619, C620, C621, C622, C623, C624, C625, C626, C627, C628, C629, C630, C631, C632, C633, C634, C635, C636, C637, C638, C639, C640, C641, C642, C643, C644, C645, C646, C647, C648, C649, C650, C651, C652, C653, C654, C655, C656, C657, C658, C659, C660, C661, C662, C663, C664, C665, C666, C667, C668, C669, C670, C671, C672, C673, C674, C675, C676, C677, C678, C679, C680, C681, C682, C683, C684, C685, C686, C687, C688, C689, C690, C691, C692, C693, C694, C695, C696, C697, C698, C699, C700, C701, C702, C703, C704, C705, C706, C707, C708, C709, C710, C711, C712, C713, C714, C715, C716, C717, C718, C719, C720, C721, C722, C723, C724, C725, C726, C727, C728, C729, C730, C731, C732, C733, C734, C735, C736, C737, C738, C739, C740, C741, C742, C743, C744, C745, C746, C747, C748, C749, C750, C751, C752, C753, C754, C755, C756, C757, C758, C759, C760, C761, C762, C763, C764, C765, C766, C767, C768, C769, C770, C771, C772, C773, C774, C775, C776, C777, C778, C779, C780, C781, C782, C783, C784, C785, C786, C787, C788, C789, C790, C791, C792, C793, C794, C795, C796, C797, C798, C799, C800, C801, C802, C803, C804, C805, C806, C807, C808, C809, C810, C811, C812, C813, C814, C815, C816, C817, C818, C819, C820, C821, C822, C823, C824, C825, C826, C827, C828, C829, C830, C831, C832, C833, C834, C835, C836, C837, C838, C839, C840, C841, C842, C843, C844, C845, C846, C847, C848, C849, C850, C851, C852, C853, C854, C855, C856, C857, C858, C859, C860, C861, C862, C863, C864, C865, C866, C867, C868, C869, C870, C871, C872, C873, C874, C875, C876, C877, C878, C879, C880, C881, C882, C883, C884, C885, C886, C887, C888, C889, C890, C891, C892, C893, C894, C895, C896, C897, C898, C899, C900, C901, C902, C903, C904, C905, C906, C907, C908, C909, C910, C911, C912, C913, C914, C915, C916, C917, C918, C919, C920, C921, C922, C923, C924, C925, C926, C927, C928, C929, C930, C931, C932, C933, C934, C935, C936, C937, C938, C939, C940, C941, C942, C943, C944, C945, C946, C947, C948, C949, C950, C951, C952, C953, C954, C955, C956, C957, C958, C959, C960, C961, C962, C963, C964, C965, C966, C967, C968, C969, C970, C971, C972, C973, C974, C975, C976, C977, C978, C979, C980, C981, C982, C983, C984, C985, C986, C987, C988, C989, C990, C991, C992, C993, C994, C995, C996, C997, C998, C999, C1000.



- ### GRADING LEGEND
- PROPOSED BOUNDARY
  - EXISTING 5' CONTOUR
  - PROPOSED 5' CONTOUR
  - PROPOSED 1' CONTOUR
  - PROPOSED 3' CONTOUR
  - PROPOSED STORM DRAIN
  - EDGE OF PAVEMENT LIMITS
- DIRECTION OF FLOW
  - PROPOSED SPOT SHOT ELEVATION
  - EXISTING ELEVATION AT TOP OF CURB
  - PROPOSED ELEVATION AT CURB FLOW LINE
  - EXISTING ELEVATION AT TOP OF PAVEMENT
  - EXISTING ELEVATION AT GRADE
  - EXISTING ELEVATION AT TOP OF SLAB
  - EXISTING ELEVATION AT TOP OF WALK
  - EXISTING ELEVATION TO MATCH EXISTING GRADE
  - PROPOSED DRAIN CUT
  - PROPOSED CURB BUILT
  - PROPOSED CATCH BASIN
  - PROPOSED STORM MANHOLE
  - BENCHMARK
  - PROPOSED CURB AND GUTTER
  - PROPOSED STORM STRUCTURE CALOUT

- ### GRADING NOTES
- CONTRACTOR SHALL NOTIFY ALL UTILITY COMPANIES HAVING UNDERGROUND UTILITIES ON SITE 60 DAYS PRIOR TO COMMENCEMENT. CONTRACTOR SHALL CONTACT UTILITY LOCATING COMPANY AND LOCATE ALL UTILITIES PRIOR TO GRADING START.
  - THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL UNDERGROUND OR SURFACE UTILITIES EXISTING WHICH THEY MAY NOT BE SHOWN ON THE PLAN. ANY UTILITY THAT IS DAMAGED DURING CONSTRUCTION SHALL BE REPAIRED TO THE SATISFACTION OF THE ENGINEER AND THE OWNER, OR REPLACED.
  - SOIL GRADING SHALL NOT PROCEED UNTIL EROSION CONTROL MEASURES HAVE BEEN INSTALLED.
  - CONTRACTOR SHALL FIELD VERIFY SITE CONDITIONS, ELEVATIONS, SIZES, AND MATERIALS OF ALL EXISTING UTILITIES WHICH ARE TO BE TAPPED OR EXTENDED ON SITE. ANY DISCREPANCIES SHALL BE REPORTED TO THE ENGINEER AS SOON AS POSSIBLE. DISCREPANCIES SHALL BE CORRECTED PRIOR TO THE START OF CONSTRUCTION OF THIS IMPROVEMENT. SHOULD THE CONTRACTOR DISCOVER ANY DISCREPANCIES, HE WILL ASSUME ALL RESPONSIBILITY OF THE WORK NECESSARY TO CORRECT THE PROBLEMS.
  - ALL TOP OF CURB ELEVATIONS FOR PROPOSED CURB AND GUTTER SECTIONS TO BE 6 INCHES ABOVE FINISH ELEVATIONS, UNLESS NOTED OTHERWISE. ALL TOP OF CURB ELEVATIONS FOR MANUAL CURB AND SIDEWALK SECTIONS TO BE 6 INCHES ABOVE PAVEMENT ELEVATIONS, UNLESS NOTED OTHERWISE.

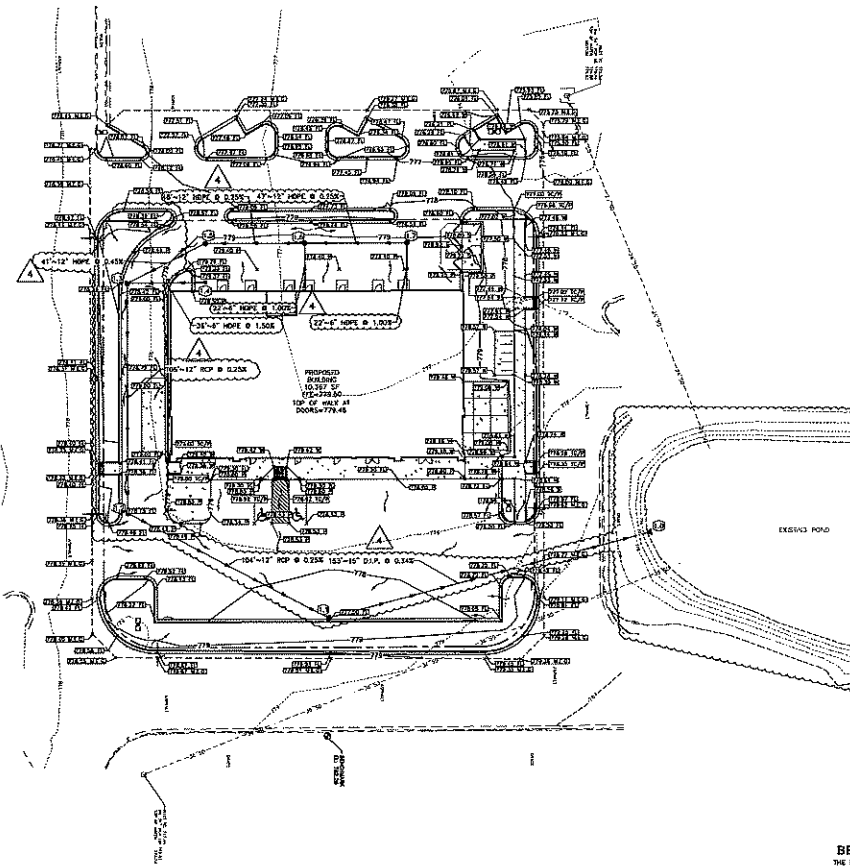
STORM STRUCTURE TABLE			
STRUCTURE ID	DESCRIPTION	RIM/GRADE	INVERT
1.1	STORM CATCH BASIN	775.58	24" = 770.24 (5)
1.2	MANHOLE BY CURB INLET CASTING	777.49	24" = 768.97 (6) 24" = 769.97 (6)
1.3	CATCH BASIN	777.10	24" = 768.50 (5) 24" = 768.10 (5)

**EXHIBIT 6A**  
**ELKHART MARKET CENTER - BUILDING E, SHEET C300**



PROJECT NO. <b>1515 South Wayne Road</b>	DATE <b>02/02/2020</b>	SHEET NO. <b>001</b>	TOTAL SHEETS <b>003</b>	PROJECT NAME <b>ELKHART MARKET CENTER - BUILDING E</b>	ENGINEER <b>WOLPERT</b>	FAC. ENGINEER <b>WOLPERT</b>
	DATE <b>02/02/2020</b>					
<p style="text-align: center;"><b>INDIANA</b> Engineering &amp; Construction Call us at 661-661-6611</p>						
SHEET NO.				<b>C300</b>		

**EXHIBIT 6B**  
**ELKHART MARKET CENTER - BUILDING D, SHEET C300**



**GRADING LEGEND**

- EXISTING BOUNDARY
- - - - - PROPOSED BOUNDARY
- - - - - EXISTING 1' CONTOUR
- - - - - EXISTING 5' CONTOUR
- - - - - PROPOSED 1' CONTOUR
- - - - - PROPOSED 5' CONTOUR
- - - - - PROPOSED STORM DRAIN
- - - - - EDGE OF PAVED SURF

**GRADING NOTES**

1. CONTRACTOR SHALL NOTIFY ALL UTILITY COMPANIES HAVING UNDERGROUND UTILITIES ON SITE OR IN ADJACENT AREAS PRIOR TO EXCAVATION. CONTRACTOR SHALL CONTACT UTILITY LOCATING COMPANY AND LOCATE ALL UTILITIES FROM TO GRADING STAGE.
2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL UNDERGROUND OR SURFACE UTILITIES EVEN THOUGH THEY MAY NOT BE SHOWN ON THE PLAN. ANY UTILITY THAT IS DAMAGED DURING CONSTRUCTION SHALL BE REPAIRED TO THE SATISFACTION OF THE ENGINEER AND THE OWNER OR REPLACED.
3. SITE GRADING SHALL NOT PROCEED UNTIL ENGINEER CONVEYANCE NEEDS HAVE BEEN MET.
4. CONTRACTOR SHALL FIELD VERIFY SITE CONDITIONS, ELEVATIONS, SIZES, AND MATERIAL OF ALL EXISTING UTILITIES WHICH ARE TO BE TAPPED OR EXTENDED ON SITE, AND SHALL ADVISE THE ENGINEER PRIOR TO THE START OF CONSTRUCTION ON THAT APPROXIMATE LOCATION FROM WHICH WORK WILL BE UNDERTAKEN. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL UTILITIES. HE WILL ASSUME ALL RESPONSIBILITY OF THE WORK NECESSARY TO COMPLETE THE PROJECT.
5. ALL TOP OF CURB ELEVATIONS FOR PROPOSED CURBS AND OUTER SECTIONS TO BE 6 INCHES ABOVE FLOW LINE ELEVATIONS, UNLESS NOTED OTHERWISE. ALL TOP OF CURB ELEVATIONS FOR INTERNAL CURBS AND SECTIONS TO BE 8 INCHES ABOVE FLOWLINE ELEVATIONS, UNLESS NOTED OTHERWISE.

**STORM STRUCTURE TABLE**

STRUCTURE NO.	DESCRIPTION	RUN/GRATE	INVERT
1.0	18" CONCRETE FEED		15' = 774.22 (5)
1.1	CATCH BASIN	774.45	15' = 774.22 (5) 15' = 774.33 (6)
1.2	48" STORM MANHOLE	778.14	12' = 778.58 (6) 15' = 778.58 (6)
1.3	CATCH BASIN	778.33	8' = 778.07 (6) 12' = 778.84 (6) 15' = 778.84 (6)
1.4	CLEAN OUT	778.43	8' = 778.54 (6)
1.5	48" STORM MANHOLE	778.15	12' = 778.11 (6) 15' = 778.02 (5)
1.6	48" STORM MANHOLE	778.16	12' = 778.26 (6) 15' = 778.22 (5) 8' = 778.39 (6)
1.7	48" STORM MANHOLE	778.16	15' = 778.34 (6) 8' = 778.45 (6)

**BENCHMARK:**  
 THE BASIS OF ELEVATIONS HEREON IS - 4000 B.M.  
 CURB BOX ON THE LIGHT POLE BASE - SEE DRAWING FOR LOCATION.  
 ELEVATION = 782.28



**PROJECT NO.** 11-0207  
**DATE** 11/20/20  
**REVISION**

**CLIENT** WOLPERT  
**PROJECT** ELKHART MARKET CENTER RETAIL  
**ADDRESS** 400 S. MARKET ST., ELKHART, IN 46517  
**PHONE** 317.437.7171  
**FAX** 317.437.7171  
**EMAIL** INFO@WOLPERT.COM

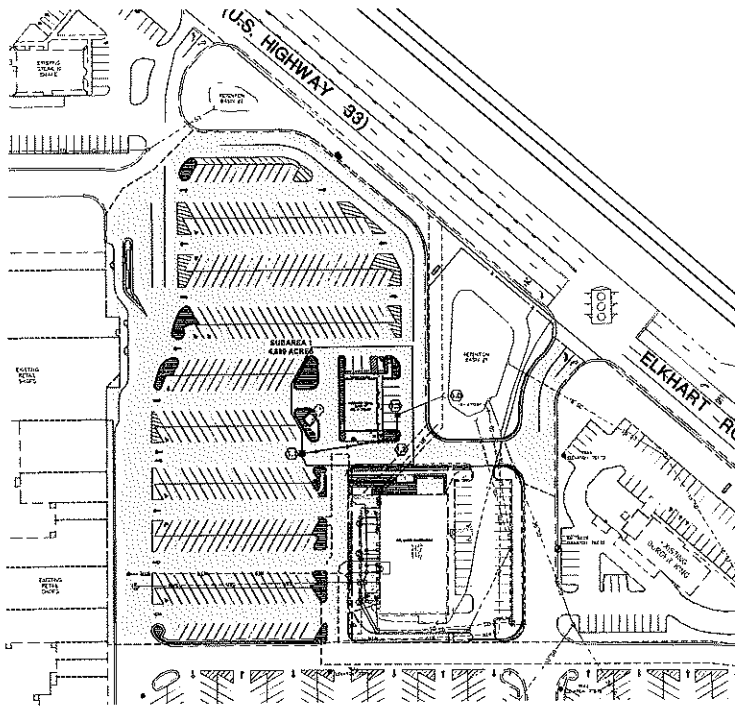
**WOLPERT**  
 CIVIL ENGINEERS & ARCHITECTS, INC.  
 400 S. MARKET ST., ELKHART, IN 46517  
 317.437.7171

**SHEET NO.** C300

**GRADING PLAN**

EXHIBIT 6B - ELKHART MARKET CENTER - BUILDING D, SHEET C300  
 DATE: 11/20/20  
 DRAWN BY: J. WOLPERT  
 CHECKED BY: J. WOLPERT  
 PROJECT NO.: 11-0207

EXHIBIT 7  
ELKHART MARKET CENTER - BUILDING E, EXH-P



**SITE LEGEND**

- [Symbol] INDICATES PERVIOUS AREAS
- [Symbol] INDICATES IMPERVIOUS AREAS
- [Symbol] INDICATES EXISTING STORM STRUCTURE
- [Symbol] PROPERTY BOUNDARY
- [Symbol] TRIBUTARY AREA BOUNDARY (APPROXIMATE)

**SITE DATA**

SUBAREA 1 PERVIOUS AREA	8,436 ACRES
TOTAL EXISTING PERVIOUS AREA	8,307 SQ. FT.
TOTAL EXISTING IMPERVIOUS AREA	294,754 SQ. FT.
TOTAL PROPOSED PERVIOUS AREA	7,834 SQ. FT.
TOTAL PROPOSED IMPERVIOUS AREA	295,537 SQ. FT.
NET PERVIOUS AREA	1,431 SQ. FT.



PROJECT: 140-00000000 - MARKET CENTER - EXHIBIT 7 - SITE PLAN - EXHIBIT 7 - SUBAREA 1 - SURFACE 4,000 ACRES - PERVIOUS AREAS - EXHIBIT 7 - SUBAREA 1 - SURFACE 4,000 ACRES - PERVIOUS AREAS - EXHIBIT 7 - SUBAREA 1 - SURFACE 4,000 ACRES - PERVIOUS AREAS - EXHIBIT 7 - SUBAREA 1 - SURFACE 4,000 ACRES - PERVIOUS AREAS

REV. NO.	DATE	DESCRIPTION
1	11/16/2018	ISSUE FOR PERMITS
2	01/23/2019	REVISED PERMITS
3		
4		
5		
6		

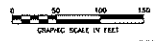
**PROJECT INFO:**  
PROJECT NO: 140-00000000  
DATE: 11/16/2018  
SUBAREA: 1  
SUBAREA 1 - SURFACE 4,000 ACRES  
SUBAREA 1 - SURFACE 4,000 ACRES

**OWNER:**  
1145 South Myers Road  
Box 100  
Elkhart, Indiana, L 05191  
WOODPERT  
812.424.9140  
FAC 812.424.9371

**SITE IMPROVEMENT PLAN**  
ELKHART MARKET CENTER - BUILDING E  
SUBAREA 1 - SURFACE 4,000 ACRES  
GENERAL NOTES

**TRIBUTARY AREAS - PROPOSED CONDITION**

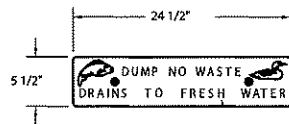
SHEET NO: **EXH-P**



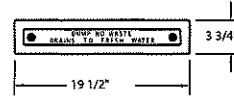
Note: When specifying/ordering grates, refer to "Choosing the Proper Inlet Grate" on pages 125-126. **TYPICAL STORM STRUCTURE WARNING STAMP**  
 For a complete listing of FREE OPEN AREAS and WEIR PERIMETERS of all NEENAH grates, refer to pages 327-332.

**R-3000 Series  
 EnviroNotice Plates**

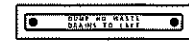
Catalog No.	Type
R-3000-A	Cast into Curb
R-3000-B	Surface Mount
R-3000-C	Cast into Curb
R-3000-D	Surface Mount
R-3000-E	Cast into Curb



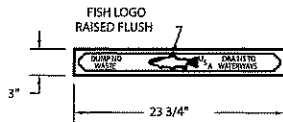
3000-A



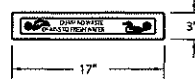
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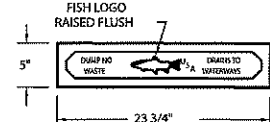
ALSO AVAILABLE



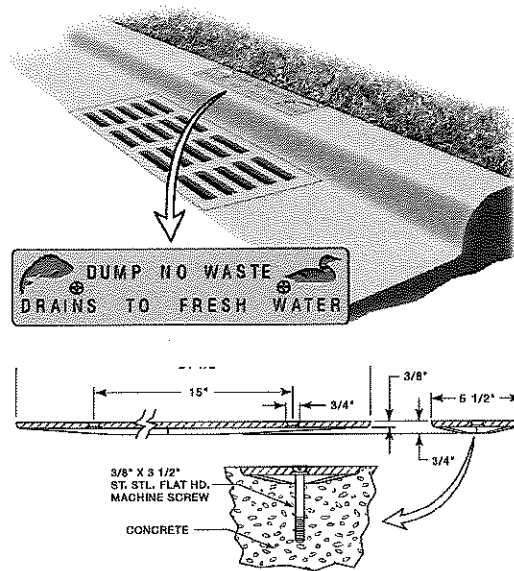
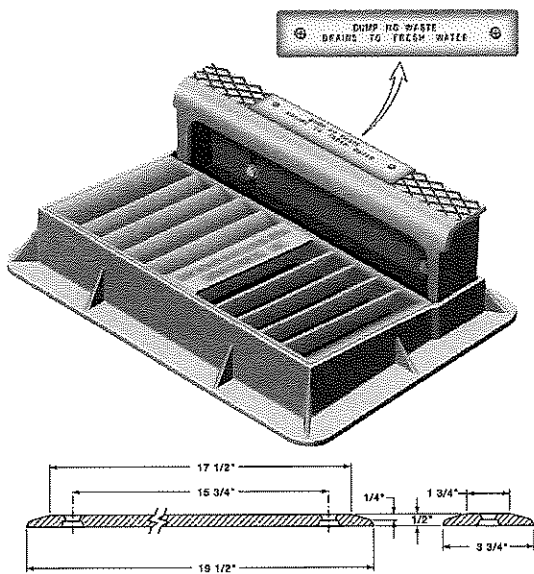
3000-C



3000-D

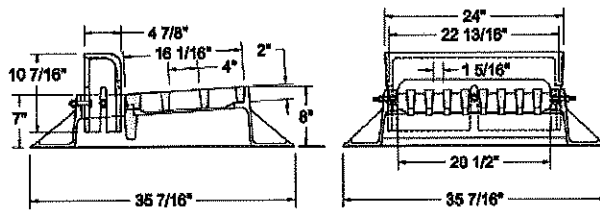
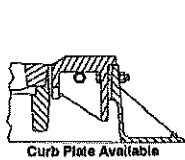


3000-E

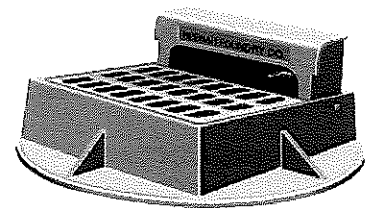


**R-3010  
 Combination Inlet Frame, Grate, Curb Box**

Heavy Duty

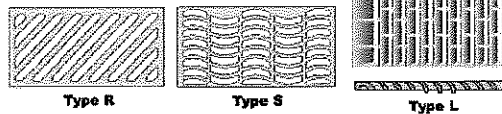


Curb box adjustable 5" to 8".



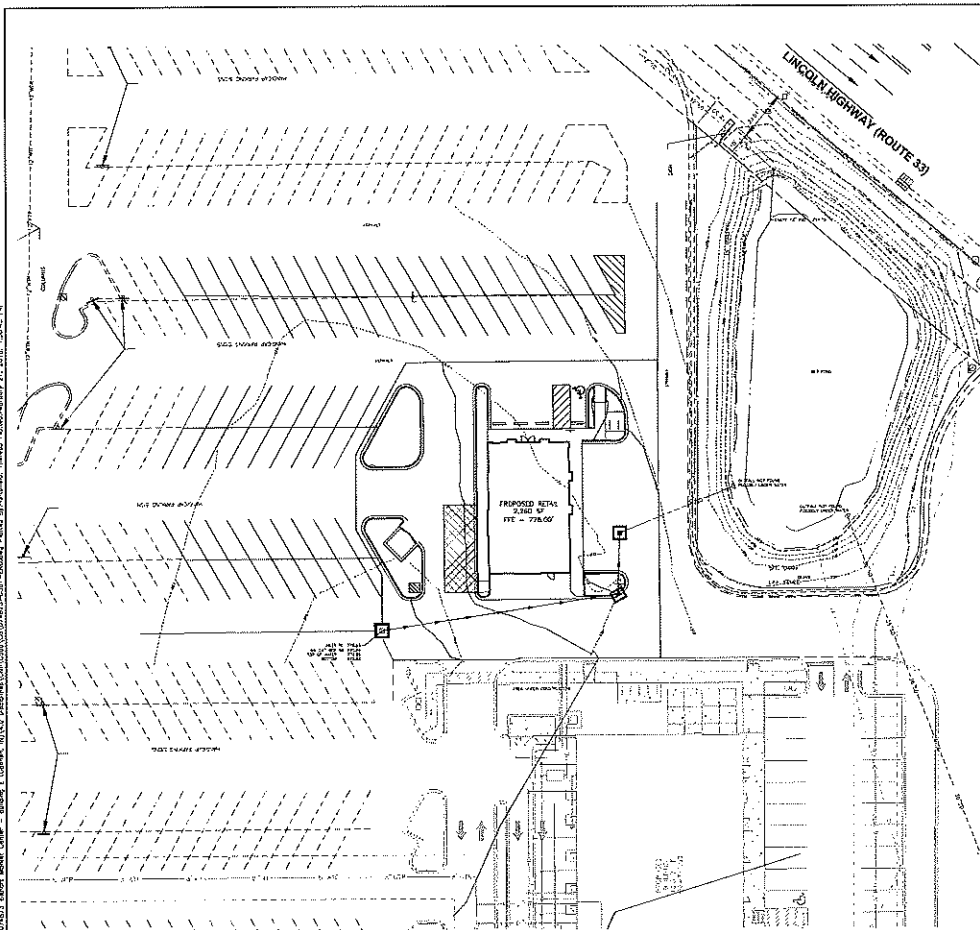
Standard Grate (shown): Type A  
 Alternate Grate(s):

CATALOG NUMBER	GRATE TYPE	SQ. FT. OPEN	WEIR PERIMETER LINEAL FEET
R-3010	S	1.0	4.6
R-3010	A	1.0	4.6
R-3010	L	0.9	4.6
R-3010	R	1.1	4.6



Available Curb Boxes: 1-1/2" Radius Open (standard), 3" Radius Open, 1-1/2" Radius Barred, 6" Radius Open  
 Enviro-Curb Boxes and Enviro-Curb Plates available, see above and p. 129.

Date: 08/11/2011 10:45 AM  
 User: jason@wildenet.com  
 Project: ELKHART MARKET CENTER - BUILDING E, SHEET 301  
 Drawing: EROSION CONTROL PLAN  
 Scale: 1/8" = 1'-0"  
 Author: J. G. WILSON  
 Checker: J. G. WILSON  
 Date: 08/11/2011 10:45 AM  
 Project: ELKHART MARKET CENTER - BUILDING E, SHEET 301  
 Drawing: EROSION CONTROL PLAN  
 Scale: 1/8" = 1'-0"  
 Author: J. G. WILSON  
 Checker: J. G. WILSON  
 Date: 08/11/2011 10:45 AM



- EROSION CONTROL LEGEND**
- TEMPORARY CONSTRUCTION ENTRANCE (EXISTING PAVEMENT TO BE REPAIRED)
  - CONCRETE WASHOUT AREA (SEE DETAIL 4/C/300)
  - SILT PROTECTION (SEE DETAIL 3/C/300)
  - SILT FENCE

**SITE SUMMARY**  
 DISTURBED AREA = 8412 ACRES  
 PRE-CONSTRUCTION PEAK DISCHARGE: 1.15 CFS (100-YEAR, 100 EVD)  
 POST-CONSTRUCTION PEAK DISCHARGE: 1.05 CFS (100-YEAR, 100 EVD)

- TYPICAL SEQUENCE OF MAJOR CONSTRUCTION ACTIVITIES**
1. INSTALLATION OF SILT FENCE AND SEDIMENT CONTROL S/S/S MEASURES
  - 1.1. SILT FENCE INSTALLATION
  - 1.2. CONSTRUCTION FENCING AROUND AREAS NOT TO BE DISTURBED
  - 1.3. STABILIZED CONSTRUCTION ENTRANCE
  2. TREE REMOVAL WHERE NECESSARY (CLEAR & GRASS)
  3. STRIP TOPSOIL, STRIP PAVEMENT, STOCKPILE TOPSOIL AND PAVEMENT, AND GRADE SITE
  4. INSTALL EXTERIOR SEWER, SANITARY SEWER, WATER AND ASSOCIATED PILE & OUTLET PROTECTION
  5. TEMPORARILY STABILIZE ALL AREAS INCLUDING LOTS THAT HAVE REACHED TEMPORARY GRADE
  6. INSTALL PARKING LOT
  7. PERMANENTLY STABILIZE DISTURBED AREAS
  8. REMOVE ALL TEMPORARY S/S/S MEASURES AFTER THE SITE IS STABILIZED WITH VEGETATION
- SOIL EROSION AND SEDIMENT CONTROL MEASUREMENTS MUST OCCUR ANNUALLY AND AFTER EVERY 3 INCH OR GREATER RAINFALL EVENT.



**EXHIBIT 9A**  
**ELKHART MARKET CENTER - BUILDING E, SHEET 301**



NO.	DATE	REVISION
1	08/11/2011	ISSUE FOR PERMIT

PROJECT NO.	11100000000000000000
DATE	08/11/2011
DRAWN BY	J. G. WILSON
CHECKED BY	J. G. WILSON
DATE	08/11/2011
PROJECT	11100000000000000000
DATE	08/11/2011

1115 South Mayfield Road  
 Suite 800  
 Elkhart, Indiana 46515  
 413-424-8888  
 FAX: 413-424-8888

**WILSON**  
**WOODBERT**  
 ENGINEERS, ARCHITECTS  
 AND PLANNERS

**SITE IMPROVEMENT PLANS**  
**ELKHART MARKET CENTER - BUILDING E**  
 DISTRICT, INDIANA

**EROSION CONTROL PLAN**

SHEET NO. **C301**



**UNIFORM REQUIREMENTS FOR POST-CONSTRUCTION STORM WATER MANAGEMENT (CITY OF GOSHEN ORDINANCE 4129)**

**1.0. POST-CONSTRUCTION POLLUTION CONTROL MEASURES**  
 THE DEVELOPMENT WILL UPHOLD BOTH STRUCTURAL AND NON-STRUCTURAL POLLUTION CONTROL MEASURES TO ENSURE THE TRANSPORT OF POLLUTANTS TO LOCAL WATERWAYS.

**1.1. STRUCTURAL POLLUTION CONTROL MEASURES**  
 TWO (2) CATCH BASIN STRUCTURES WITH 4'-3" STUMPS WILL BE INSTALLED ON-SITE, ADJACENT TO AREAS OF PAVED PARKING. THE CATCH BASINS WILL COLLECT STORMWATER RUNOFF FROM THE PAVED PARKING AREAS. STUMPS AND DEBRIS TRANSPORTED IN THE STORMWATER RUNOFF FROM THE PARKING AREAS TO THE CATCH BASIN STRUCTURES IS PROVIDED ON SHEET C300. ALL STORMWATER RUNOFF WILL BE DIRECTED TO AN EXISTING 24" RICH STUMP DRAIN, WHICH EVENTUALLY DISCHARGES INTO AN EXISTING STORMWATER BASIN NEAR THE QUARRY BEHAL CENTRE DEVELOPMENT. THIS EXISTING RETENTION BASIN WILL BE CLEANED AS PART OF THE DEVELOPMENT.

A TOTAL OF 3,817 SQUARE FEET OF NEW PAVED AREA WILL BE CONSTRUCTED AS PART OF THE DEVELOPMENT. THIS IS AN IMPROVEMENT OVER THE EXISTING CONDITIONS AS THE SITE, IN ITS PRESENT STATE, IS A PAVED PARKING AREA. THE PROPOSED LANDSCAPING IMPROVEMENTS WILL PROVIDE A LEVEL OF STORMWATER RETENTION THAT WAS NOT PRESENT IN THE EXISTING CONDITIONS. THE PROPOSED LANDSCAPING IMPROVEMENTS WILL ALSO DECREASE THE TYPICAL POLLUTION OF THE STORMWATER RUNOFF OF A PAVED AREA NOT PRESENT IN THE EXISTING CONDITIONS. PLEASE REFER TO SHEETS C300 AND C300 FOR THE LOCATIONS OF PAVED AREAS AND PROPOSED LANDSCAPING IMPROVEMENTS.

THE CITY OF GOSHEN OR ITS PERSONS IS AUTHORIZED TO ACCESS THE REAL ESTATE DEVELOPMENT AS THE CITY OR PERSONS DEEM NECESSARY TO CONDUCT INSPECTIONS OF THE STORMWATER MANAGEMENT PRACTICES, FACILITIES, STRUCTURES, OPERATIONS, OR DRAWINGS, INCLUDING TO DETERMINE THAT PROPER MAINTENANCE IS OCCURRING.

IF, IN THE PUBLIC INTEREST, THE INFRASTRUCTURE OF THE DEVELOPMENT IS ACCEPTED BY THE CITY'S BOARD OF BOARD AND SAFETY, THE CITY WILL:

- 1. PROVIDE A WEARY CLEANLINESS OF THE TWO (2) NEWLY INSTALLED STORM STRUCTURES, PROMOTE TELEVISION AND CLEANING OF THE NEWLY INSTALLED STORM SEWER LINES ON AN AS NEEDED BASIS.

**1.2. NONSTRUCTURAL POLLUTION CONTROL MEASURES**  
 NONSTRUCTURAL MEASURES FOR THE DEVELOPMENT INCLUDE SWEEPING PAVED AREAS. ADDITIONALLY, THE COLLECTION OF LEAKY WASHED GRADES (WASHING, LEAKS, ETC.) WILL REDUCE POLLUTION IN THE STORMWATER RUNOFF. TRASH COLLECTION/CONTAINMENT WILL ALSO REDUCE POLLUTION FROM THE DEVELOPMENT. TRASH SHOULD BE PLACED IN A TRASH BIN OR TRASH CONTAINER. STORMWATER RUNOFF SHOULD BE DIRECTED TO THE CATCH BASIN STRUCTURES AS PROVIDED ON SHEET C300.

THE FOLLOWING BEST MANAGEMENT PRACTICES FOR BUILDING MAINTENANCE, OUTDOOR LANDSCAPING AND MAINTENANCE, PARKING MAINTENANCE, SPILL CONTAINMENT, LANDSCAPE MAINTENANCE, AND TRASH COLLECTION.

**BUILDING MAINTENANCE**  
 PROPERLY COLLECT AND DISPOSE OF WATER WHICH PRESSURE WASHING BUILDINGS, ROOFTOPS, AND OTHER SURFACES.  
 PROPERLY DISPOSE OF WASTES GENERATED DURING BUILDING MAINTENANCE.  
 COVER TRUCKS, TRAILERS OR OTHER EQUIPMENT WHEN NOT IN USE AND DURING PERIODS OF INOPERATION.  
 PROPERLY PREPARE WORK AREAS PRIOR TO THE COMMENCEMENT OF BUILDING MAINTENANCE.  
 DO NOT POUR ANY TOXIC SUBSTANCES OR OILS INTO PAVED SURFACES, ONTO THE GROUND, INTO THE STORMWATER BASIN, OR INTO STORMWATER VALETS.  
 EXPLAIN EROSION CONTROL AND STABILIZATION MEASURES WHEN AREAS OF DRAIN ARE EXPOSED WITHIN THE DEVELOPMENT. STORMWATER MANAGEMENT MEASURES SHOULD BE SWITCHED TO NON-TOXIC CHEMICALS FOR MAINTENANCE, WHEN POSSIBLE.  
 PROPERLY COLLECT WASTES CONTAINING GREASE WHEN A GREASE TRAP PRIOR TO DISCHARGING TO THE SANITARY SEWER.

**OUTDOOR LANDSCAPING/MAINTENANCE**  
 CHECK LEAKING/IRREGULAR AREAS FOR LEAKED FLUIDS, SPILLED MATERIALS, AND DEBRIS. CLEAN AS NECESSARY. ASSURMENTS ARE TO BE USED ON FLUIDS AND USED ASSURMENTS MUST BE DISPOSED OF ACCORDING TO LOCAL RULES AND REGULATIONS.  
 CONDUCT LANDSCAPING/MAINTENANCE DURING DRY WEATHERS WHEN POSSIBLE.  
 LANDSCAPING/MAINTENANCE ARE TO BE LOCATED AS FAR FROM STORMWATER VALETS AS POSSIBLE.

**PARKING MAINTENANCE**  
 CONDUCT REGULAR CLEANINGS (SWEEPING) OF THE PAVED AREAS OF THE DEVELOPMENT. DISCONTINUE TO BE PERFORMED MANUALLY, SWEEPING AFTER TREES ARE DONE FLOWERING, FALL WITHIN THEIR FOLIAGE LOSS PERIOD.  
 PINE-NEEDLE, HANGERS, OR LEAFY MATERIALS AWAY FROM STORMWATER VALETS.  
 COVER VALETS AND SEAL INTERSECTIONS PRIOR TO PLACING A SEAL COAT ON PAVED AREAS.  
 SURFACE REPAIRS ARE TO BE CONDUCTED DURING DRY WEATHER CONDITIONS ONLY.

**SPILL PREVENTION AND CLEANUP**  
 CONTAINERS ARE TO BE KEPT IN THEIR ORIGINAL CONTAINERS, IF FEASIBLE.  
 CONTAINERS CONTAINING CHEMICALS ARE TO HAVE THEIR ORIGINAL LABELS.  
 LABEL CONTAINERS CONTAINING POTENTIALLY HAZARDOUS PRODUCTS AS HAZARDOUS AND DESIGNATED THE HAZARD (FLAMMABLE, CORROSIVE, ETC.).  
 ALL EXCESS CHEMICALS ARE TO BE DISPOSED OF AT A HAZARDOUS WASTE COLLECTION FACILITY.

**LANDSCAPE MAINTENANCE**  
 OVER WATERING OF GREEN AREAS WITHIN THE DEVELOPMENT ARE TO BE AVOIDED.  
 FERTILIZERS, PESTICIDES, AND HERBICIDES ARE NOT TO BE APPLIED WITHIN 48 HOURS OF AN EXPECTED RAIN EVENT.  
 BAGS OF FERTILIZER ARE TO BE CLEANED UP, ANY PRODUCTS SHOULD BE COVERED WHEN POSSIBLE.  
 LEAKS ARE TO BE REPAIRED IMMEDIATELY. TRASH CONTAINMENT AREAS SHOULD BE MAINTAINED. HAZARDOUS MATERIALS ARE TO BE DISPOSED OF IN THE CONTAINERS.  
 TRASH CONTAINMENT AREAS ARE TO BE PROTECTED FROM WIND DISPERAL AT ALL TIMES.  
 A REGULAR COLLECTION OF TRASH AND DEBRIS IS TO OCCUR WITHIN THE DEVELOPMENT. DISCHARGES DURING WINDY AND WARMING PERIODS TO AVOID STORMWATER POLLUTION AND POSSIBLE ADDITIONAL CLEANING OF CATCH BASINS.  
 FUTURE PLANTINGS WITHIN THE DEVELOPMENT ARE TO BE NURSERY SPECIES.

**TRASH COLLECTION/CONTAINMENT**  
 TRASH CONTAINERS (COMPOSTERS, TRASHCANS, ETC.) ARE TO BE INSPECTED ON A REGULAR BASIS. LEAKING CONTAINERS ARE TO BE REPLACED IMMEDIATELY.  
 TRASH CONTAINMENT AREAS ARE TO BE PLACED AS FAR AWAY AS POSSIBLE FROM ALL STORMWATER VALETS, CATCH BASINS, AND RETENTION BASINS.  
 TRASH CONTAINMENT AREAS AND CONTAINERS SHOULD BE COVERED WHEN POSSIBLE.  
 LEAKS ARE TO BE REPAIRED IMMEDIATELY. TRASH CONTAINMENT AREAS SHOULD BE MAINTAINED. HAZARDOUS MATERIALS ARE TO BE DISPOSED OF IN THE CONTAINERS.  
 TRASH CONTAINMENT AREAS ARE TO BE PROTECTED FROM WIND DISPERAL AT ALL TIMES.  
 A REGULAR COLLECTION OF TRASH AND DEBRIS IS TO OCCUR WITHIN THE DEVELOPMENT. DISCHARGES DURING WINDY AND WARMING PERIODS TO AVOID STORMWATER POLLUTION AND POSSIBLE ADDITIONAL CLEANING OF CATCH BASINS.  
 FUTURE PLANTINGS WITHIN THE DEVELOPMENT ARE TO BE NURSERY SPECIES.

**1.3. LOCATION OF STRUCTURAL CONTROL MEASURES**  
 REFER TO SHEETS C300, C300, C300, AND C300 FOR THE LOCATION OF ALL STRUCTURAL STORMWATER POLLUTION CONTROL MEASURES FOR THE DEVELOPMENT. MEASURES BEING IMPLEMENTED INCLUDE (1) CATCH BASINS WITH 4'-3" STUMPS, RETENTION BASIN CLEANING, SECTIONS OF STUMP PILE, AND REDUCE SITE IMPERVIOUS AREA.

**1.4. INSTALLATION OF STRUCTURAL CONTROL MEASURES**  
 THE POST-CONSTRUCTION POLLUTION CONTROL MEASURES WILL BE INSTALLED DURING THE DEVELOPMENT'S CONSTRUCTION. UPON COMPLETION OF CONSTRUCTION AT THE DEVELOPMENT, ALL IDENTIFIED STRUCTURAL CONTROL MEASURES WILL BE MAINTAINED AND OPERATIONAL.

**1.5. INSPECTION AND MAINTENANCE GUIDELINES FOR THE STORMWATER POLLUTION CONTROL MEASURES**  
**1.5.1. INSPECTION**  
 ALL STORMWATER MANAGEMENT FACILITIES MUST UNDERGO, AT THE LEAST, AN ANNUAL INSPECTION TO DETERMINE MAINTENANCE, REPAIR NEEDS, AND INSURE COMPLIANCE WITH THE REQUIREMENTS OF THE MAINTENANCE AGREEMENT AND MAINTENANCE CONTRACT. ADDITIONALLY, A BEST MANAGEMENT PRACTICE INSPECTION REPORT MUST BE COMPLETED BY THE DATE BY A QUALIFIED PROFESSIONAL.

INSPECTION DOCUMENTATION SHALL BE MADE FOR THESE POLLUTION CONTROL MEASURES UNDER DESIGNATED CONTROL OF THE RESPONSIBLE PARTY FOR THE DEVELOPMENT. THE YEAR REGULAR ANNUAL INSPECTION INCLUDE THE CATCH BASINS (1), RETENTION AREA (1), IMPROVED LANDSCAPING (2), AND OUTLET LOCATED WITHIN THE RETENTION BASIN (1). A FORM FOR DOCUMENTING THE INSPECTIONS WILL BE PROVIDED UNDER SEPARATE COVER.

**1.5.2. MAINTENANCE PROCEDURES**

- (1) STORMWATER MANHOLES, CLEAN CUTS, CATCH BASINS & VALETS:  
 INSPECT MANHOLES, CATCH BASINS AND VALETS & REMOVE SILT-UP TRASH AND DEBRIS - CURRENTLY AND AFTER EACH STORM EVENT OCCURRING MORE THAN 3 INCHES.  
 REMOVE ROOT INTERUSIONS - AS NEEDED.  
 REMOVE BRUSHED GRASSES - AS NEEDED.  
 SEDIMENT MANAGEMENT - REFER TO FOLLOWING SECTION.

- (2) CATCH BASIN MAINTENANCE AND CLEANING:  
 SEDIMENT IS TO BE REMOVED FROM THE CATCH BASIN SWAMP AREAS WHEN SEDIMENT DEPOSIT REACH A LEVEL EQUAL TO ONE-THIRD THE ORIGINAL SWAMP HEIGHT OR TO THE PRESENT OF THE LOWEST PIPE OR OPENING OUT OF THE BASIN. THE CATCH BASINS MUST BE CLEANED BY HAND, VACUUM TRUCK, OR OTHER SUITABLE MECHANISM. ALL CLEANING MUST BE PERFORMED BY A QUALIFIED PROFESSIONAL.

- (3) PAVED LANDSCAPING:  
 INSPECT FOR BARE OR ERODED AREAS AND REPAIR THE SAME - ANNUALLY AND AFTER EACH STORM EVENT GREATER THAN 2 INCHES.  
 MOW IS REQUIRED DURING GROWING SEASON (A LENGTH OF 3-4 INCHES MAXIMUM SHOULD BE MAINTAINED) - AS NEEDED.  
 REMOVE GRASS CUTTINGS AND RELATED VEGETATIVE MATERIALS AS SOON AS MOWING IS COMPLETE - AFTER EACH MOWING.

- (4) OUTLETS:  
 INSPECT OUTLETS IN RETENTION BASIN FOR CLOGGING - ANNUALLY.  
 INSPECT OUTLETS IN RETENTION BASIN FOR ANNUAL INTERUSIONS AND ROOT INTERUSIONS - ANNUALLY.

- (5) CHANGE INTERUSIONS:  
 SOLIDS AND GARBAGE SHALL NOT EXCEED TWENTY-TWO PERCENT (22%) OF THE CAPACITY OF THE INFILTRATION. BARRIERS OF ROOTS OTHER THAN SOFT WOOD OR TO AN APPROVED DISPOSAL FACILITY.  
 HAZARD PER SCHEDULE SET FORTH BY CITY OF GOSHEN, INSPECT QUARTERS.

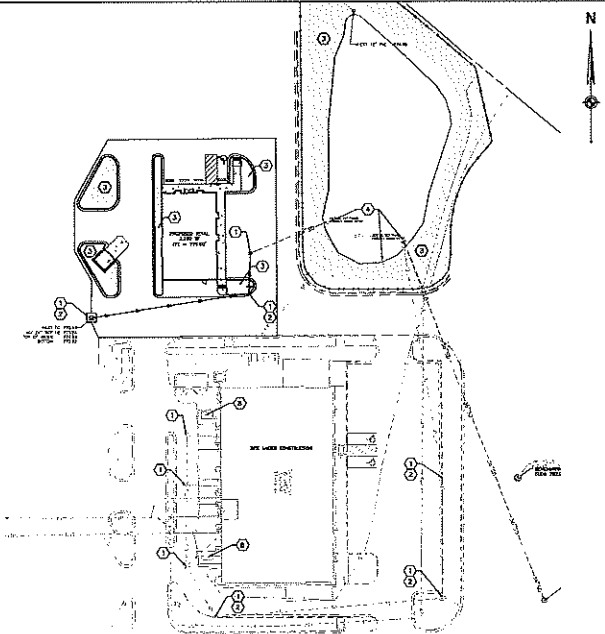


EXHIBIT 10  
 ELKHART MARKET CENTER - BUILDING E, SHEET C304



REVISIONS	NO.	DATE	BY	CHKD.
PROJECT NO.	02/21/23	DATE	02/21/23	DRAWN BY
	02/21/23		02/21/23	
	02/21/23		02/21/23	
	02/21/23		02/21/23	
PROJECT NAME	SITE IMPROVEMENT PLANS			
	ELKHART MARKET CENTER - BUILDING E			
CLIENT	1818 South Myers Street			
	GOSHEN, INDIANA 47326-1611			
DESIGNER	WOOD LPERT			
	P.O. BOX 983701			
SCALE	AS SHOWN			
	GRAPHIC SCALE IN FEET			
SHEET NO.	C304			
	POST-CONSTRUCTION PLAN			

**UNIFORM REQUIREMENTS FOR POST-CONSTRUCTION STORM WATER MANAGEMENT (CITY OF GOSHEN ORDINANCE 423)**

**A.1. POST-CONSTRUCTION POLLUTION CONTROL MEASURES**  
 THE DEVELOPER SHALL PROVIDE BOTH STRUCTURAL AND NON-STRUCTURAL POLLUTION CONTROL MEASURES TO REDUCE THE TRANSPORT OF POLLUTANTS TO LOCAL WATERWAYS.

**A.1.1. STRUCTURAL POLLUTION CONTROL MEASURES**  
**RETENTION BASIN:** ONE (1) CATCH BASIN STRUCTURE WITH 4"-3" GRAP SHALL BE INSTALLED ON-SITE, ADJACENT TO PAVED PARKING AREAS.  
**RETENTION BASIN:** ONE (1) CATCH BASIN STRUCTURE WITH 4"-3" GRAP SHALL BE INSTALLED ON-SITE, ADJACENT TO PAVED PARKING AREAS. ONE (1) EXISTING STRUCTURE WILL BE UTILIZED AS PART OF THE DEVELOPMENT.

**THE CATCH BASIN WILL COLLECT STORMWATER RUNOFF FROM THE PAVED PARKING AREAS ADJACENT TO THE CATCH BASIN STRUCTURE. THE PROVIDED SHADES WILL CONTAIN WEEDS, ROCKS AND OTHER DEBRIS FROM THE DEVELOPMENT. THE CATCH BASIN SHALL BE MAINTAINED AS A DETENTION AREA FOR THE CATCH BASIN STRUCTURE IS PROVIDED ON SHEET 304. ALL CATCHBASIN RUNOFF WILL BE DISCHARGED TO THE EXISTING STORM DRAINAGE BASIN (LOCALLY IDENTIFIED WITH AN EXISTING RETENTION BASIN WITHIN THE EXISTING UTILITY CENTER DEVELOPMENT). THIS EXISTING RETENTION BASIN WILL BE CLEANED AT THE END OF THE DEVELOPMENT.**

**A.1.2. NON-STRUCTURAL POLLUTION CONTROL MEASURES**  
**RETENTION BASIN:** ONE (1) CATCH BASIN STRUCTURE WITH 4"-3" GRAP SHALL BE INSTALLED ON-SITE, ADJACENT TO PAVED PARKING AREAS. ONE (1) EXISTING STRUCTURE WILL BE UTILIZED AS PART OF THE DEVELOPMENT.

**TRASH CONTAINMENT AREAS:** TRASH CONTAINMENT AREAS ARE TO BE PLACED AS FAR AWAY AS POSSIBLE FROM ALL STORMWATER SHEETS (CATCH BASINS, SLEETS) AND RETENTION BASINS. TRASH CONTAINMENT AREAS AND CONTAINERS SHOULD BE COVERED WHEN POSSIBLE. SLEETS ARE TO BE PROTECTED BY HIGH CONSTRUCTION AREA BARRIERS SUCH THAT NO MAINTENANCE MATERIALS ARE TO BE DEPOSITED IN THE CONTAINERS. A WIDELY COLLECTED OF TRASH AND DEBRIS IS TO OCCUR WITHIN THE DEVELOPMENT. THE COLLECTION SLEETS INCLUDE STORMWATER TRASH FROM THE RETENTION AREAS, TORNISHED PALLETS AND PAVED AREAS/ROADS. TRASH AND DEBRIS INCLUDES ITEMS SUCH AS PAINT CONTAINERS, PLASTIC BOTTLES, PLASTIC BAGS, BROWN GLASS BOTTLES, BOTTLES, CANS, DRUMS, AND RELATED MATERIALS.

**A.1.3. LOCATION OF STRUCTURAL CONTROL MEASURES**  
 REFER TO SHEETS 300A, 300B, 301A, AND 302B FOR THE LOCATION OF ALL STRUCTURAL POLLUTION CONTROL MEASURES FOR THE DEVELOPMENT. MEASURES SHALL INCLUDE: (1) CATCH BASINS WITH 4"-3" GRAP, (2) CATCH BASINS WITH 4"-3" GRAP, (3) CATCH BASINS WITH 4"-3" GRAP, (4) CATCH BASINS WITH 4"-3" GRAP, (5) CATCH BASINS WITH 4"-3" GRAP, (6) CATCH BASINS WITH 4"-3" GRAP, (7) CATCH BASINS WITH 4"-3" GRAP, (8) CATCH BASINS WITH 4"-3" GRAP, (9) CATCH BASINS WITH 4"-3" GRAP, (10) CATCH BASINS WITH 4"-3" GRAP.

**A.2. INSTALLATION OF STRUCTURAL CONTROL MEASURES**  
 THE POST-CONSTRUCTION POLLUTION CONTROL MEASURES WILL BE INSTALLED DURING THE DEVELOPMENT CONSTRUCTION. FROM COMPLETION OF CONSTRUCTION AT THE DEVELOPMENT, ALL IDENTIFIED STRUCTURAL CONTROL MEASURES WILL BE INSTALLED AND OPERATIONAL.

**A.3. INSPECTION AND MAINTENANCE SCHEDULES FOR THE STORMWATER POLLUTION CONTROL MEASURES**

**A.3.1. INSPECTION**  
 ALL STORMWATER MANAGEMENT FACILITIES MUST UNDERGO, AT THE MINIMUM AN ANNUAL INSPECTION TO DETERMINE MAINTENANCE, REPAIR, CLEANING AND REPAIR REQUIREMENTS. THE RESULTS OF THE MAINTENANCE INSPECTION AND MAINTENANCE SCHEDULE, ADDITIONALLY, A BEST MANAGEMENT PRACTICE INSPECTION REPORT MUST BE COMPLETED BY THE SITE BY A QUALIFIED PROFESSIONAL.

**INSPECTION SCHEDULES SHALL BE MADE FOR THOSE POLLUTION CONTROL MEASURES UNDER DEVELOPMENT CONTROL. MAINTENANCE, REPAIR, CLEANING AND REPAIR REQUIREMENTS SHALL BE PROVIDED UNDER SEPARATE COVER.**

**A.3.2. MAINTENANCE SCHEDULES**

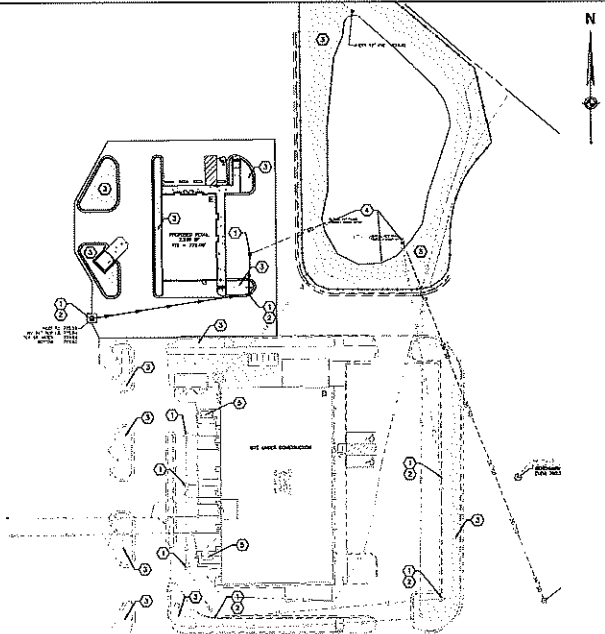
**(1) STORMWATER MANHOLES, CLEAN OUTS, CATCH BASINS & SLEETS:**  
 INSPECT MANHOLES, CATCH BASINS AND SLEETS & REMOVE BUILT-UP TRASH AND DEBRIS - QUARTERLY AND AFTER EACH STORM EVENT GREATER THAN 3 INCHES.  
 REMOVE ROOT INTRUSIONS - AS NEEDED.  
 REPAIR BARRIER COVERS - AS NEEDED.  
 SCHEDULED MAINTENANCE - REFER TO FOLLOWING SECTION.

**(2) CATCH BASIN MAINTENANCE AND CLEANING:**  
 SEDIMENT IS TO BE REMOVED FROM THE CATCH BASIN SUMP AREAS WHEN SEDIMENT DEPOSITS REACH A LEVEL EQUAL TO ONE-FOURTH THE ORIGINAL SUMP DEPTH TO THE INLET OF THE BASIN. THE CATCH BASINS MAY BE CLEANED BY HAND, VACUUM TRUCK, OR OTHER SUITABLE MEANS. ALL CLEANINGS MUST BE PERFORMED BY A QUALIFIED PROFESSIONAL.

**(3) PROPOSED LANDSCAPING:**  
 INSPECT FOR BARE OR ERODED AREAS AND REPAIR THE SAME - ANNUALLY AND AFTER EACH STORM EVENT GREATER THAN 2 INCHES.  
 MOW AS REQUIRED DURING GROWING SEASON (A LENGTH OF 3-4 INCHES SHOULD BE MAINTAINED) - AS NEEDED.  
 REPAIR GRADE CUTSLOPES AND RELATED WEEDATIVE MATERIALS AS SOON AS WEEDING IS COMPLETE - AFTER EACH MOWING.

**(4) OUTLETS:**  
 INSPECT OUTLETS IN RETENTION BASIN FOR LOGGING - ANNUALLY.  
 INSPECT OUTLETS IN RETENTION BASIN FOR ANNUAL, NETWORKING AND ROOT INTRUSIONS - ANNUALLY.

**(5) GARAGE INTERCEPTIONS:**  
 SOLIDS AND GREASE SHALL NOT EXCEED THIRTY-THREE PERCENT (33%) OF THE DEPTH OF THE INTERCEPTION. DISPOSE OF WASTE OTHER AS SOLID WASTE OR AS AN APPROVED DISPOSAL FACILITY.  
 MAINTAIN PER SCHEDULE SET FORTH BY CITY OF GOSHEN, RESPECT QUARTERLY.



**A.3.3. MAINTENANCE SCHEDULES FOR THE STORMWATER POLLUTION CONTROL MEASURES**

**A.3.3.1. INSPECTION**  
 ALL STORMWATER MANAGEMENT FACILITIES MUST UNDERGO, AT THE MINIMUM AN ANNUAL INSPECTION TO DETERMINE MAINTENANCE, REPAIR, CLEANING AND REPAIR REQUIREMENTS. THE RESULTS OF THE MAINTENANCE INSPECTION AND MAINTENANCE SCHEDULE, ADDITIONALLY, A BEST MANAGEMENT PRACTICE INSPECTION REPORT MUST BE COMPLETED BY THE SITE BY A QUALIFIED PROFESSIONAL.

**INSPECTION SCHEDULES SHALL BE MADE FOR THOSE POLLUTION CONTROL MEASURES UNDER DEVELOPMENT CONTROL. MAINTENANCE, REPAIR, CLEANING AND REPAIR REQUIREMENTS SHALL BE PROVIDED UNDER SEPARATE COVER.**

**A.3.3.2. MAINTENANCE SCHEDULES**

**(1) STORMWATER MANHOLES, CLEAN OUTS, CATCH BASINS & SLEETS:**  
 INSPECT MANHOLES, CATCH BASINS AND SLEETS & REMOVE BUILT-UP TRASH AND DEBRIS - QUARTERLY AND AFTER EACH STORM EVENT GREATER THAN 3 INCHES.  
 REMOVE ROOT INTRUSIONS - AS NEEDED.  
 REPAIR BARRIER COVERS - AS NEEDED.  
 SCHEDULED MAINTENANCE - REFER TO FOLLOWING SECTION.

**(2) CATCH BASIN MAINTENANCE AND CLEANING:**  
 SEDIMENT IS TO BE REMOVED FROM THE CATCH BASIN SUMP AREAS WHEN SEDIMENT DEPOSITS REACH A LEVEL EQUAL TO ONE-FOURTH THE ORIGINAL SUMP DEPTH TO THE INLET OF THE BASIN. THE CATCH BASINS MAY BE CLEANED BY HAND, VACUUM TRUCK, OR OTHER SUITABLE MEANS. ALL CLEANINGS MUST BE PERFORMED BY A QUALIFIED PROFESSIONAL.

**(3) PROPOSED LANDSCAPING:**  
 INSPECT FOR BARE OR ERODED AREAS AND REPAIR THE SAME - ANNUALLY AND AFTER EACH STORM EVENT GREATER THAN 2 INCHES.  
 MOW AS REQUIRED DURING GROWING SEASON (A LENGTH OF 3-4 INCHES SHOULD BE MAINTAINED) - AS NEEDED.  
 REPAIR GRADE CUTSLOPES AND RELATED WEEDATIVE MATERIALS AS SOON AS WEEDING IS COMPLETE - AFTER EACH MOWING.

**(4) OUTLETS:**  
 INSPECT OUTLETS IN RETENTION BASIN FOR LOGGING - ANNUALLY.  
 INSPECT OUTLETS IN RETENTION BASIN FOR ANNUAL, NETWORKING AND ROOT INTRUSIONS - ANNUALLY.

**(5) GARAGE INTERCEPTIONS:**  
 SOLIDS AND GREASE SHALL NOT EXCEED THIRTY-THREE PERCENT (33%) OF THE DEPTH OF THE INTERCEPTION. DISPOSE OF WASTE OTHER AS SOLID WASTE OR AS AN APPROVED DISPOSAL FACILITY.  
 MAINTAIN PER SCHEDULE SET FORTH BY CITY OF GOSHEN, RESPECT QUARTERLY.

**A.3.3.3. MAINTENANCE SCHEDULES FOR THE STORMWATER POLLUTION CONTROL MEASURES**

**A.3.3.3.1. INSPECTION**  
 ALL STORMWATER MANAGEMENT FACILITIES MUST UNDERGO, AT THE MINIMUM AN ANNUAL INSPECTION TO DETERMINE MAINTENANCE, REPAIR, CLEANING AND REPAIR REQUIREMENTS. THE RESULTS OF THE MAINTENANCE INSPECTION AND MAINTENANCE SCHEDULE, ADDITIONALLY, A BEST MANAGEMENT PRACTICE INSPECTION REPORT MUST BE COMPLETED BY THE SITE BY A QUALIFIED PROFESSIONAL.

**INSPECTION SCHEDULES SHALL BE MADE FOR THOSE POLLUTION CONTROL MEASURES UNDER DEVELOPMENT CONTROL. MAINTENANCE, REPAIR, CLEANING AND REPAIR REQUIREMENTS SHALL BE PROVIDED UNDER SEPARATE COVER.**

**A.3.3.3.2. MAINTENANCE SCHEDULES**

**(1) STORMWATER MANHOLES, CLEAN OUTS, CATCH BASINS & SLEETS:**  
 INSPECT MANHOLES, CATCH BASINS AND SLEETS & REMOVE BUILT-UP TRASH AND DEBRIS - QUARTERLY AND AFTER EACH STORM EVENT GREATER THAN 3 INCHES.  
 REMOVE ROOT INTRUSIONS - AS NEEDED.  
 REPAIR BARRIER COVERS - AS NEEDED.  
 SCHEDULED MAINTENANCE - REFER TO FOLLOWING SECTION.

**(2) CATCH BASIN MAINTENANCE AND CLEANING:**  
 SEDIMENT IS TO BE REMOVED FROM THE CATCH BASIN SUMP AREAS WHEN SEDIMENT DEPOSITS REACH A LEVEL EQUAL TO ONE-FOURTH THE ORIGINAL SUMP DEPTH TO THE INLET OF THE BASIN. THE CATCH BASINS MAY BE CLEANED BY HAND, VACUUM TRUCK, OR OTHER SUITABLE MEANS. ALL CLEANINGS MUST BE PERFORMED BY A QUALIFIED PROFESSIONAL.

**(3) PROPOSED LANDSCAPING:**  
 INSPECT FOR BARE OR ERODED AREAS AND REPAIR THE SAME - ANNUALLY AND AFTER EACH STORM EVENT GREATER THAN 2 INCHES.  
 MOW AS REQUIRED DURING GROWING SEASON (A LENGTH OF 3-4 INCHES SHOULD BE MAINTAINED) - AS NEEDED.  
 REPAIR GRADE CUTSLOPES AND RELATED WEEDATIVE MATERIALS AS SOON AS WEEDING IS COMPLETE - AFTER EACH MOWING.

**(4) OUTLETS:**  
 INSPECT OUTLETS IN RETENTION BASIN FOR LOGGING - ANNUALLY.  
 INSPECT OUTLETS IN RETENTION BASIN FOR ANNUAL, NETWORKING AND ROOT INTRUSIONS - ANNUALLY.

**(5) GARAGE INTERCEPTIONS:**  
 SOLIDS AND GREASE SHALL NOT EXCEED THIRTY-THREE PERCENT (33%) OF THE DEPTH OF THE INTERCEPTION. DISPOSE OF WASTE OTHER AS SOLID WASTE OR AS AN APPROVED DISPOSAL FACILITY.  
 MAINTAIN PER SCHEDULE SET FORTH BY CITY OF GOSHEN, RESPECT QUARTERLY.

**A.3.3.3.3. MAINTENANCE SCHEDULES FOR THE STORMWATER POLLUTION CONTROL MEASURES**

**A.3.3.3.3.1. INSPECTION**  
 ALL STORMWATER MANAGEMENT FACILITIES MUST UNDERGO, AT THE MINIMUM AN ANNUAL INSPECTION TO DETERMINE MAINTENANCE, REPAIR, CLEANING AND REPAIR REQUIREMENTS. THE RESULTS OF THE MAINTENANCE INSPECTION AND MAINTENANCE SCHEDULE, ADDITIONALLY, A BEST MANAGEMENT PRACTICE INSPECTION REPORT MUST BE COMPLETED BY THE SITE BY A QUALIFIED PROFESSIONAL.

**INSPECTION SCHEDULES SHALL BE MADE FOR THOSE POLLUTION CONTROL MEASURES UNDER DEVELOPMENT CONTROL. MAINTENANCE, REPAIR, CLEANING AND REPAIR REQUIREMENTS SHALL BE PROVIDED UNDER SEPARATE COVER.**

**A.3.3.3.3.2. MAINTENANCE SCHEDULES**

**(1) STORMWATER MANHOLES, CLEAN OUTS, CATCH BASINS & SLEETS:**  
 INSPECT MANHOLES, CATCH BASINS AND SLEETS & REMOVE BUILT-UP TRASH AND DEBRIS - QUARTERLY AND AFTER EACH STORM EVENT GREATER THAN 3 INCHES.  
 REMOVE ROOT INTRUSIONS - AS NEEDED.  
 REPAIR BARRIER COVERS - AS NEEDED.  
 SCHEDULED MAINTENANCE - REFER TO FOLLOWING SECTION.

**(2) CATCH BASIN MAINTENANCE AND CLEANING:**  
 SEDIMENT IS TO BE REMOVED FROM THE CATCH BASIN SUMP AREAS WHEN SEDIMENT DEPOSITS REACH A LEVEL EQUAL TO ONE-FOURTH THE ORIGINAL SUMP DEPTH TO THE INLET OF THE BASIN. THE CATCH BASINS MAY BE CLEANED BY HAND, VACUUM TRUCK, OR OTHER SUITABLE MEANS. ALL CLEANINGS MUST BE PERFORMED BY A QUALIFIED PROFESSIONAL.

**(3) PROPOSED LANDSCAPING:**  
 INSPECT FOR BARE OR ERODED AREAS AND REPAIR THE SAME - ANNUALLY AND AFTER EACH STORM EVENT GREATER THAN 2 INCHES.  
 MOW AS REQUIRED DURING GROWING SEASON (A LENGTH OF 3-4 INCHES SHOULD BE MAINTAINED) - AS NEEDED.  
 REPAIR GRADE CUTSLOPES AND RELATED WEEDATIVE MATERIALS AS SOON AS WEEDING IS COMPLETE - AFTER EACH MOWING.

**(4) OUTLETS:**  
 INSPECT OUTLETS IN RETENTION BASIN FOR LOGGING - ANNUALLY.  
 INSPECT OUTLETS IN RETENTION BASIN FOR ANNUAL, NETWORKING AND ROOT INTRUSIONS - ANNUALLY.

**(5) GARAGE INTERCEPTIONS:**  
 SOLIDS AND GREASE SHALL NOT EXCEED THIRTY-THREE PERCENT (33%) OF THE DEPTH OF THE INTERCEPTION. DISPOSE OF WASTE OTHER AS SOLID WASTE OR AS AN APPROVED DISPOSAL FACILITY.  
 MAINTAIN PER SCHEDULE SET FORTH BY CITY OF GOSHEN, RESPECT QUARTERLY.

**A.3.3.3.3.3. MAINTENANCE SCHEDULES FOR THE STORMWATER POLLUTION CONTROL MEASURES**

**A.3.3.3.3.3.1. INSPECTION**  
 ALL STORMWATER MANAGEMENT FACILITIES MUST UNDERGO, AT THE MINIMUM AN ANNUAL INSPECTION TO DETERMINE MAINTENANCE, REPAIR, CLEANING AND REPAIR REQUIREMENTS. THE RESULTS OF THE MAINTENANCE INSPECTION AND MAINTENANCE SCHEDULE, ADDITIONALLY, A BEST MANAGEMENT PRACTICE INSPECTION REPORT MUST BE COMPLETED BY THE SITE BY A QUALIFIED PROFESSIONAL.

**INSPECTION SCHEDULES SHALL BE MADE FOR THOSE POLLUTION CONTROL MEASURES UNDER DEVELOPMENT CONTROL. MAINTENANCE, REPAIR, CLEANING AND REPAIR REQUIREMENTS SHALL BE PROVIDED UNDER SEPARATE COVER.**

PROJECT NO.	220107
DATE	08/20/2024
DRAWN BY	W. WOOLBERT
CHECKED BY	W. WOOLBERT
SCALE	AS SHOWN
CITY	GOSHEN, INDIANA
SHEET NO.	304
TITLE	POST-CONSTRUCTION PLAN
CLIENT	ELKHART MARKET CENTER - BUILDING E
LOCATION	1515 South Wayne Road, Elkhart, Indiana 46516
CONTACT	WOODBERT ENGINEERING, INC. PHONE: 606-684-8900 FAX: 606-684-8751



**EXHIBIT 10  
 ELKHART MARKET CENTER - BUILDING D+E, SHEET 304**

**C304**



EXHIBIT 11

INSPECTION REPORT

**PROJECT: ELKHART MARKET CENTER RETAIL  
4026 & 4028 ELKHART ROAD, CITY OF GOSHEN INDIANA**

THE DEVELOPMENT IS A PART OF THE NORTHWEST 1/4 OF SECTION 36, TOWNSHIP 37 NORTH, RANGE 5 EAST OF THE 2<sup>ND</sup> PRINCIPAL MERIDIAN, ELKHART TOWNSHIP, ELKHART COUNTY, INDIANA.

DATE: \_\_\_\_\_ TIME: \_\_\_\_\_  
INSPECTOR'S NAME: \_\_\_\_\_  
INSPECTOR'S ADDRESS: \_\_\_\_\_  
INSPECTOR'S: PHONE NUMBER: \_\_\_\_\_

<u>INSPECTION CHECKLIST</u>		
<u>MAINTENANCE ITEM</u>	<u>SATISFACTORY (S)/ UNSATISFACTORY (US)</u>	<u>COMMENTS</u>
<b>DEBRIS CLEANUP (ANNUALLY &amp; AFTER EACH STORM EVENT GREATER THAN 3 INCHES)</b>		
<b><u>ENTIRE SITE</u></b> - TRASH AND DEBRIS COLLECTED AND DISPOSED OF IN A PROPER MANNER? TRASH CONTAINERS COVERED TO PREVENT DISPERSAL OF TRASH? TRASH CONTAINERS LEAK FREE?		
<b><u>STORMWATER SYSTEM</u></b> – RETENTION BASIN, OUTLETS IN BASIN, SWALES (GRASS & STONE), BERMS, CATCH BASINS, AND OUTFALLS CLEAR OF ALL ACCUMULATED TRASH & DEBRIS?		
<b>VEGETATION</b>		
MOWING DONE AS NEEDED DURING GROWING SEASON? A HEIGHT OF 3-4 INCHES		

MINIMUM TO BE MAINTAINED IN GRASS-LINED SWALES.		
ENTIRE DEVELOPMENT HAS DENSE AND EVEN VEGETATIVE COVER? BARE AREAS AND AREAS SHOWING SIGNS OF EROSION ARE RE-SEEDED WITH PERMANENT SEEDING.		
CLIPPINGS, TRIMMINGS AND RELATED MATERIALS COLLECTED, REMOVED, AND DISPOSED OF IN A PROPER MANNER? NO PILES OF CLIPPINGS AND RELATED TO BE LOCATED NEARER THAN 50 FEET TO THE RETENTION BASIN, SWALES, AND CATCH BASINS.		
<b>SEDIMENT REMOVAL – RETENTION BASIN (5 YEAR)</b>		
SEDEMENTATION VISIBLE? DO ACCUMULATIONS REQUIRE REMOVAL?		
SEDIMENT REMOVAL TO BE PERFORMED BY A QUALIFIED CONTRACTOR – NO SEDIMENT FLOWS ARE TO BE ALLOWED TO LEAVE THE SITE DURING CLEANING.		
AS SEDIMENT REMOVAL OCCURS, SEDIMENT TO BE DISPOSED OF IN A PROPER METHOD (CLASSIFIED AS HAZARDOUS MATERIAL) AND ALL DISTURBED AREAS ARE TO BE STABILIZED IMMEDIATELY WITH VEGETATION OR RIP RAP		
<b><u>OUTLETS IN RETENTION BASIN (ANNUALLY &amp; AFTER EACH STORM EVENT GREATER THAN 3 INCHES)</u></b>		
GOOD CONDITION? OUTLETS UNDAMAGED? REPAIR IF NEEDED AND NOTE TYPE OF REPAIR.		
NO EVIDENCE OF EROSION ADJACENT TO OUTLETS? IF VISIBLE, STABILIZE AREAS USING RIPRAP OR PERMANENT SEEDING		

<p>VEGETATIVE GROWTH IMPEDING FLOW OF STORMWATER FROM OUTLETS? REMOVE AND STABILIZE ALL DISTURBED AREAS</p>		
<p><b><u>STRUCTURAL REPAIR (ANNUALLY &amp; AFTER EACH STORM EVENT GREATER THAN 3 INCHES)</u></b></p>		
<p>RIPRAP APRONS STABLE WITH NO EVIDENCE OF EROSION? ERODED AREAS REPAIRED AND ADDITIONAL RIP RAP REPLACED?</p>		
<p>OUTFALLS ARE IN GOOD REPAIR? VEGETATION WHICH MAY IMPEDE FLOW IS TO BE REMOVED</p>		
<p>RETENTION BASIN STABILIZED WITH NO EVIDENCE OF EROSION? STABILIZE ALL ERODED AREAS AS NEEDED WITH RIP RAP OR PERMANENT SEEDING. ANY SIGNS OF PETROLIUM BASED PRODUCTS WITHIN BASIN? MEASURES ARE TO BE TAKEN IMMEDIATELY TO REMOVE ANY PETROEUM BASED POLLUTANTS</p>		
<p>CATCH BASINS FREE FROM OBSTRUCTIONS? SUMPS HAVE AVAILABLE STORAGE CAPACITY? GRATES FREE FROM OBSTRUCTIONS &amp; DEBRIS? GRATES ARE IN GOOD REPAIR?</p>		



Inspection documentation shall be made for those pollution control measures under designated control of the responsible party. For HK NEW PLAN ERP PROPERTY HOLDINGS, LLC, the items requiring annual inspection include the catch basins (4), storm manholes (5), clean out (1), retention area, and the outlets located within the retention basin (4). A form for documenting the inspections is included as **Exhibit 11**.

## **8.2 Maintenance Procedures**

### **a. Retention Basin:**

1. Seed or sod to restore dead or damaged ground cover on banks - **annually or as needed**
2. Removal of all collected trash and debris – **monthly and after each storm event greater than 3 inches**
3. Note signs of hydrocarbon (oil and related petroleum products) build-up and deal with appropriately – **annually and after each storm event greater than 3 inches**
4. Monitor for sediment accumulation – **annually**
5. Is outlet pipe free from debris and operational? If not repair – **annually and after each storm event greater than 3 inches**
6. Sediment management – **remove sediment (5 year cycle)**

### **b. Stormwater Catch Basins:**

1. Inspect catch basins and sumps & remove built-up trash and debris - **quarterly and after each storm event greater than 3 inches**
2. Remove root intrusions – **as needed**
3. Repair broken grates – **as needed**
4. Sediment management – **refer to Section b.1 following**

#### **b.1. Catch Basin Maintenance and Cleaning:**

Sediment is to be removed from the catch basin sump areas when sediment deposits reach a level equal to one-third the original sump depth to the invert of the lowest pipe or opening out of the basins. The catch basins may be cleaned by hand, vector truck, or other suitable machinery. **All cleanings must be performed by a qualified professional.**

**A detail of a typical catch basin is provided as Exhibit 5.**

### **c. Outlets:**

1. Inspect outlets in retention basin for damage and clogging – **annually**
2. Inspect outlets in retention basin for animal intrusions and root intrusions – **annually**
3. Inspect area adjacent to outlets for erosion and correct as needed (additional riprap, etc.) – **annually and after each storm event greater than 3 inches**
4. Remove vegetative overgrowth – **annually**

Doug Steury, RR4-LLC.  
19728 County Road 142  
New Paris, In 46553

September 25, 2020

City of Goshen Board of Public Works and Safety  
204 East Jefferson Street, Suite 1  
Goshen, IN 46528

RE: 1313 & 1323 South 9TH Street, Goshen, In 46526  
20-11-15-309-017.000-015 & 20-11-15-309-018.000-015  
GOSHEN COLLEGE LOTS 49 & 51

Members of the City of Goshen Board of Public Works and Safety,

I respectfully request the City of Goshen Board of Public Works and Safety grant relief from the design standards and specifications for parking and driveway surfaces for the property at 1313 and 1323 South 9<sup>th</sup> Street. According to the standards, a request for relief may be granted only if the Board finds that one of four conditions exist to justify the approval. Items B. and C. of those standards are applicable to this request.

B. The area is **residential** and the **surround driveways are not a durable, hard surface**. In addition, there is a strong likelihood such surrounding driveways will not be construct of durable, hard surface in the future.

C. requiring parking areas of a durable, hard surface for all of some of the parking area would be unrealistic, excessive and **inconsistent** with the aesthetic appeal of the development.

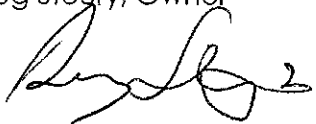
The two properties at 1313 and 1323 South 9<sup>th</sup> Street are small multi-family homes with a total of 10 units (5-each). 1323 South 9<sup>th</sup> Street was built in 1960 and 1313 South 9<sup>th</sup> Street was built in 1962. There had been a gravel parking area in the front of the property along 9<sup>th</sup> Street that served the unit's tenants. During the reconstruction project of 9<sup>th</sup> Street in 2019, this parking area was removed. The property owner installed a gravel lot in the rear of the property with access off the alley to replace this parking without realizing that an application for relief of design standards was needed.

A review of surrounding properties indicate that gravel drives and parking areas are common in the neighborhood. Attached are several pages of representative photos.

Thank you for your review of this request.

---

Sincerely,  
Doug Steury, Owner

 9-25-2020

- ### GENERAL NOTES
- Current Zoning: "R-3" Residential
  - Existing Land Use: Apartments / Rental Units
  - The project is currently serviced by existing sanitary sewer and water.
  - Setbacks shall conform to City of Goshen Zoning Ordinance unless the proper variances have been approved.
  - The proposed parking lot expansion drainage shall be managed onsite by an existing and expanded below grade drainage system.
  - Proposed parking areas shall be gravel and privately owned.
  - All radii dimensions are to edge of gravel unless otherwise noted.
  - All landscaping, lighting, and signage shall be in accordance with the City of Goshen Zoning Ordinance unless the proper variances are obtained.

### TABULATED SITE DATA

Site Area = 0.303 Acres±

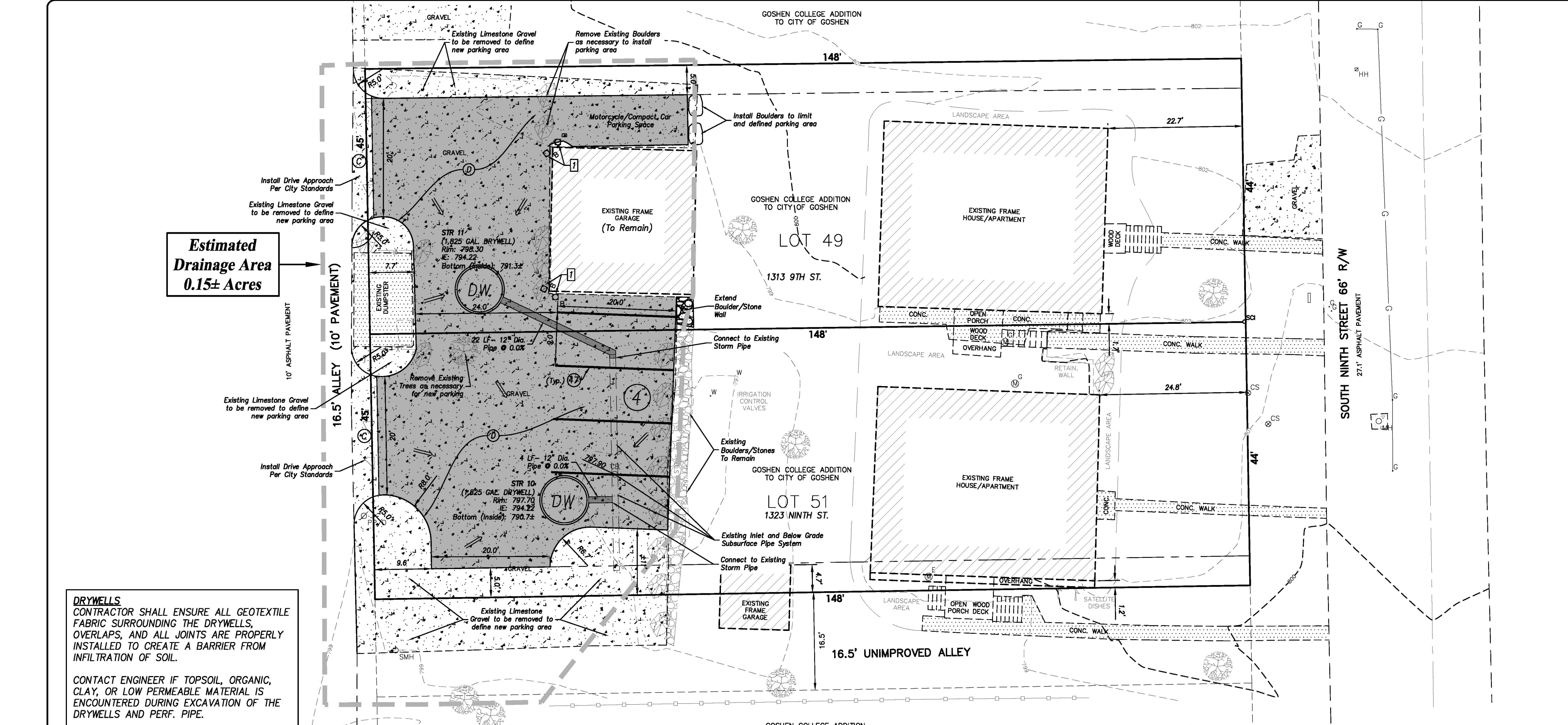
Proposed Land Coverage	Area (Acres)	Percentage
Existing Building	0.055	18.2
Existing Parking, Drives, Sidewalk	0.0	0.0
Proposed Parking	0.10	33.0
Lawn / Open Area	0.148	48.8
	0.303±	100%

### PAVEMENT RECOMMENDATIONS

CONTRACTOR SHALL FOLLOW 2018 INDOT SPECIFICATION FOR ALL PAVEMENT MATERIALS AND INSTALLATION PROCEDURE.

RESIDENTIAL DRIVE APPROACH (PER CITY STANDARDS)  
 6" Class "A" Concrete  
 6" Compacted INDOT #53 Aggregate Base

- ### KEYNOTE LEGEND
- Ⓢ Number of Parking Spaces
  - Ⓒ Concrete Drive Approach (Per City Standards)
  - Ⓓ Limestone Parking Surface (To Remain)
  - Ⓔ Parking Delineation Line - 4" Paint Line (Color By Owner)
  - Ⓜ Proposed 6" Steel Bollard (Color By Owner)
  - ⒸS Existing Water Shutoff
  - Ⓞ SMH Existing Sanitary Sewer Manhole
  - Ⓒ Existing Gas Line
  - Ⓞ HH Existing Hand Hole
  - Ⓞ G Existing Gas Meter
  - Ⓞ E Existing Electric Meter
  - Ⓜ Existing Mailbox
  - Existing Pole Anchor
  - Ⓞ X Existing Chain Link Fence
  - Ⓞ Existing Wood Privacy Fence
  - ➔ Drainage Direction



Estimated Drainage Area  
 0.15± Acres

**DRYWELLS**  
 CONTRACTOR SHALL ENSURE ALL GEOTEXTILE FABRIC SURROUNDING THE DRYWELLS, OVERLAPS, AND ALL JOINTS ARE PROPERLY INSTALLED TO CREATE A BARRIER FROM INFILTRATION OF SOIL.  
 CONTACT ENGINEER IF TOPSOIL, ORGANIC, CLAY, OR LOW PERMEABLE MATERIAL IS ENCOUNTERED DURING EXCAVATION OF THE DRYWELLS AND PERF. PIPE.

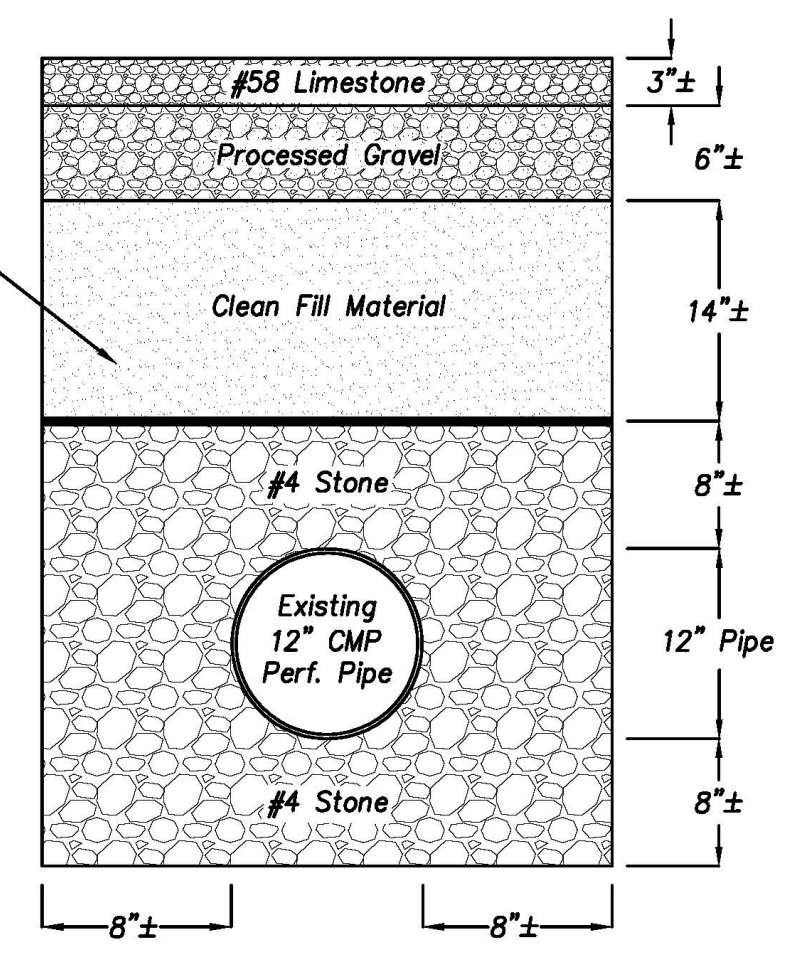
### DRAINAGE CALCULATIONS

The existing/proposed parking for the property was analyzed to determine the drainage area and storage volume required to meet the City of Goshen Stormwater Drainage Policy and Technical Review Requirements for a 3-inch rainfall, which closely represents a 100 year, 1 hour storm event.

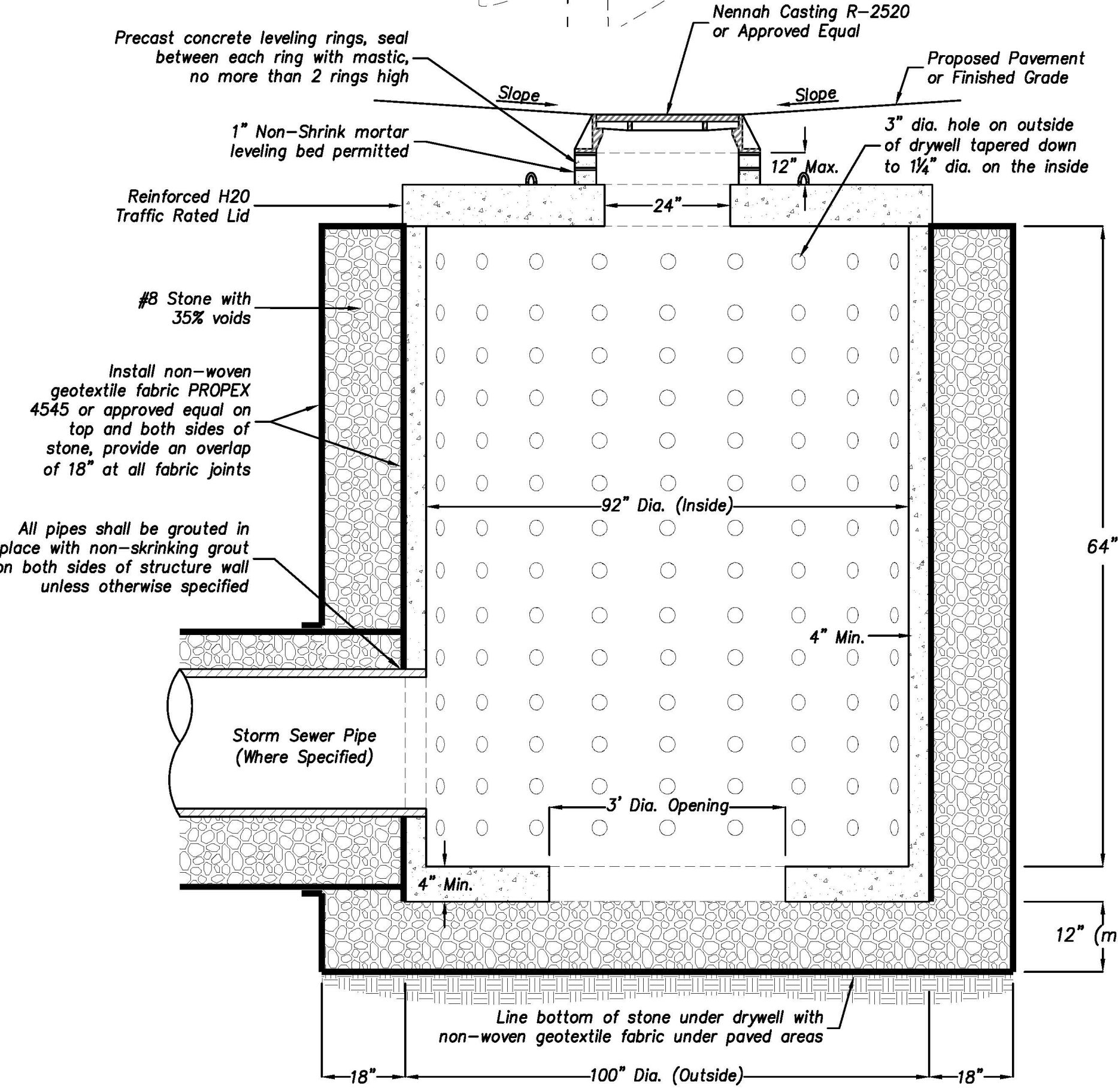
For the drainage calculations, the design spreadsheet and published storm intensities contained in the 2017 Elkhart County "Guidelines and Standards for Design and Public Improvement - Street Standards" were used to determine the detention storage required for a 100 year, 1 hour storm event to comply with the City's Drainage Policy for a 3-inch rainfall.

ESTIMATED DRAINAGE AREA - 0.15± Acres

BUILDING / HARD SURFACE / LAWN	MODIFIED RUNOFF COEFFICIENT CALCULATIONS
Building (C=1.00) = 0.02 Acres	$(0.02 \times 1.00) + (0.02 \times 0.95) + (0.07 \times 0.75) + (0.04 \times 0.30)$ 0.15± Acres
Hard Surface (C=0.95) = 0.02 Acres	
Limestone Parking (C=0.75) = 0.07 Acres	
Lawn (C=0.30) = 0.04 Acres	
<b>Total</b> = 0.15± Acres	<b>Cmod = 0.70</b>



EXISTING 12" PERFORATED PIPE TRENCH DETAIL  
 PROVIDED BY OWNER'S SITE CONTRACTOR  
 (NOT TO SCALE)



TYPICAL PRECAST 1,825 GALLON DRYWELL DETAIL  
 (NOT TO SCALE)

### DETENTION CALCULATIONS

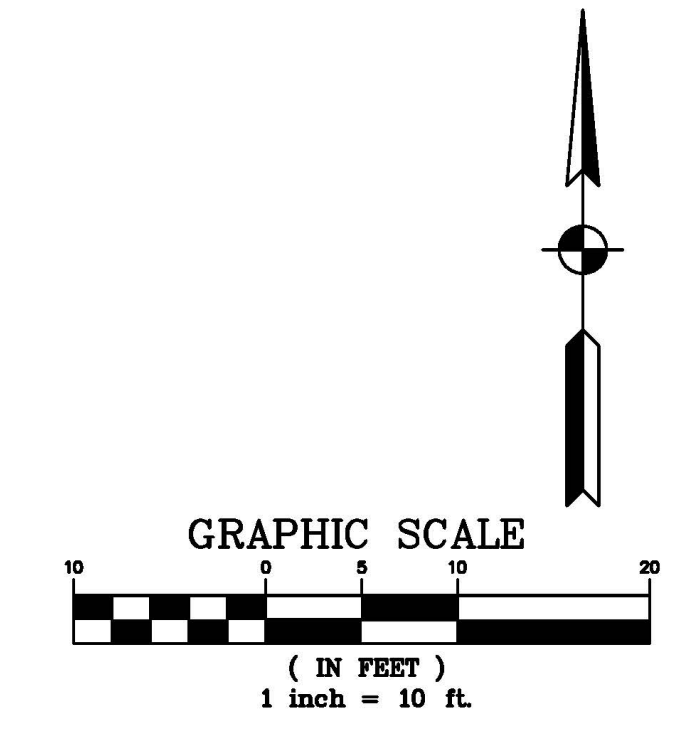
#### SUBSURFACE SYSTEM (DRYWELLS AND PERFORATED PIPE)

Design Return Period	100 years	Drywell Size	1825 gal
Watershed Area	0.15 acres	Permeability	6.0 in/hr
Developed Runoff Coefficient	0.70	Permeability	6.0 in/hr
Release Rate:		Permeability	6.0 in/hr
Perforated Pipe Diameter	12 in	Permeability	6.0 in/hr
Permeability	6.0 in/hr (Estimated From County Soil Survey)	Permeability	6.0 in/hr
Exfiltration Rate	0.00014 feet/sec	Exfiltration Rate	0.00014 feet/sec
Exfiltration Area per ft	4.7 sq/ft	Exfiltration Area per Drywell	179 sq/ft
Length of Perforated Pipe	40 ft (Provided by Contractor)	Number of Drywells	2 ea
Exfiltration Area, Total	187 sq ft	Exfiltration Area, Total	357 sq ft
Perf Pipe Discharge Rate	0.03 cfs	Drywell Discharge Rate	0.05 cfs
			*1/2 Height
<b>Total Release Rate</b>	<b>0.08 cfs</b>		

Storm Duration (hrs)	100-Year Intensity (in/hr)	Inflow Rate (cfs)	Release Rate (cfs)	Storage Rate (cfs)	Required Storage (acre-feet)	Storage w/ Silt. Factor (1.06)	Required Storage (cft)
0.25	6.47	0.68	0.08	0.40	0.01	0.01	581
0.5	3.96	0.12	0.08	0.34	0.01	0.01	655
0.75	2.71	0.28	0.08	0.21	0.01	0.01	603
1	1.98	0.21	0.08	0.13	0.01	0.01	509
2	1.55	0.16	0.08	0.09	0.01	0.01	471
3	1.14	0.12	0.08	0.04	0.01	0.01	510
4	0.92	0.10	0.08	0.02	0.01	0.01	324
5	0.77	0.08	0.08	0.04	0.00	0.00	102
6	0.67	0.07	0.08				
7	0.59	0.06	0.08				
8	0.53	0.06	0.08				
9	0.48	0.05	0.08				
10	0.44	0.05	0.08				
15	0.32	0.03	0.08				
20	0.25	0.03	0.08				
24	0.22	0.02	0.08				

REQUIRED STORAGE (3" RAINFALL): 509 cft

AVAILABLE STORAGE:	Drywell
Perforated Pipe	1825 gal
Storage per foot	246 cft/ft
Agg void rate	35%
Agg around pipe	81 cft/ea
Length of Pipe	2 ea
Total	653 cft
Storage from Basin	0 cft
<b>Total Available Storage</b>	<b>728 cft</b>





SE Franklin Street



1626 8<sup>th</sup> Street





NW Franklin Street



Franklin Street and 8th



1624 8<sup>th</sup> Street



1624 8<sup>th</sup> Street



1619 9<sup>th</sup> Street



1610 8<sup>th</sup> Street



1409 9<sup>th</sup> Street



1407 9<sup>th</sup> Street



1401 9<sup>th</sup> Street



1320 8<sup>th</sup> Street



1311 9<sup>th</sup> Street



1206 8<sup>th</sup> Street



1123 9<sup>th</sup> Street



1108 8<sup>th</sup> Street



1103-1121 9<sup>th</sup> Street



1103 9<sup>th</sup> Street





1101-1103 9<sup>th</sup> Street



1013 9<sup>th</sup> Street



10119<sup>th</sup> Street



715 New York



623 9<sup>th</sup> Street



523 Douglas



523 Douglas – alley



514 New York



514 New York



512 E. Franklin



509 Plymouth



509 E. Lafayette



506 Lafayette



SW Franklin Street

## **DESIGN STANDARDS AND SPECIFICATIONS FOR PARKING AND DRIVEWAY SURFACES**

WHEREAS the City of Goshen intends to require all new or expanded parking areas, driving aisles and driveways in residential, commercial and industrial areas to be constructed of durable, hard surfaces; and

WHEREAS the standards established below shall be part of the Board of Public Works and Safety Design Standards and Specifications which are included as an appendix to the Goshen City Code.

NOW, THEREFORE, BE IT RESOLVED by the Goshen Board of Public Works and Safety that:


1. All new or expanded parking areas, driving aisles and driveways serving residential, commercial and industrial real estate within the developmental jurisdictional limits of the City of Goshen shall be constructed with a durable, hard surface.
2. If a commercial or industrial parking area is expanded by fifty percent (50%) or more, whether such increase occurs at one time or in successive stages, all existing parking areas, driving aisles and driveways must be improved to a durable, hard surface in addition to the new construction. Any residential driveway or parking improvements which increase the overall area of a driveway and/or parking outside the City's right-of-way must be improved to a durable, hard surface.
3. If a commercial or industrial primary building is expanded by more than thirty-three percent (33%), whether such increase occurs at one time or in successive stages, all proposed and existing parking areas, driving aisles and driveways serving the building must be improved to a durable, hard surface. If any residential building, including a garage, is expanded by more than thirty-three percent (33%), all proposed and existing parking areas, driving aisles and driveways must be improved to a durable, hard surface.
4. Areas used for outside storage or inventory storage in commercial or industrial zoned areas are not considered parking areas for the purpose of these standards and specifications.
5. Durable, hard surface for residential use shall be all-weather paving materials such as asphalt, concrete or paving brick capable of carrying a wheel load of four thousand (4,000) pounds without damaging the surface.
6. Durable, hard surface for commercial or industrial use for employee and customer parking shall be all-weather paving materials such as asphalt, concrete or paving brick capable of carrying a wheel load of four thousand (4,000) pounds without damaging the surface.

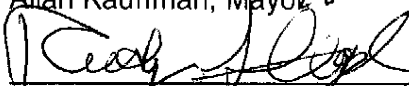


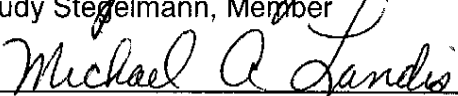
Durable, hard surface for commercial and industrial vehicle use shall be constructed with a hard surface adequate to support the weight of the vehicle and maneuvering of vehicles without damaging the surface.

7. All parking areas, driving aisles and driveways shall be properly maintained including immediate repair of any damaged areas.
8. Applications for relief from these standards and specifications may be made in writing to the Board of Public Works and Safety. Any modification of the standards and specifications by the Board of Public Works and Safety shall contain all conditions upon which modification is granted. The Board of Public Works and Safety may grant the relief only if the Board finds that:
  - a. The parking area is overflow parking or infrequently used and exceeds the minimum parking standards of the Goshen Zoning Ordinance;
  - b. The area is residential and the surrounding driveways are not a durable, hard surface. In addition, there is a strong likelihood such surrounding driveways will not be constructed of a durable, hard surface in the future;
  - c. The land is zoned Agricultural A-1 and used principally for agricultural or another use for which requiring parking areas of a durable, hard surface is not reasonable or practical;  
or
  - d. Requiring parking areas of a durable, hard surface for all or some of the parking area would be unrealistic, excessive and inconsistent with the aesthetic appeal of the development.

PASSED and ADOPTED on June 21, 2010.

  
\_\_\_\_\_  
Allan Kauffman, Mayor

  
\_\_\_\_\_  
Rudy Stegelmann, Member

  
\_\_\_\_\_  
Michael Landis, Member

ORDINANCE NUMBER 3713

AN ORDINANCE TO ESTABLISH DESIGN STANDARDS AND CONSTRUCTION SPECIFICATIONS FOR THE CITY OF GOSHEN, INDIANA

WHEREAS, the City of Goshen Engineering Department has updated the design standards and construction specifications for all streets, cul-de-sacs, concrete pavements, residential and industrial drives, joint location details, sidewalks, curbs, gutters, etc. in the City of Goshen, Indiana;

WHEREAS, the City of Goshen Design Standards and Construction Specifications are attached hereto as Exhibit A;

NOW, THEREFORE, be it ordained by the Common Council of the City of Goshen, Indiana, that:

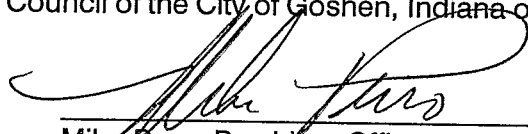
This ordinance hereby approves and establishes the design standards and construction specifications for all areas throughout the city as described and illustrated in the City of Goshen Design Standards and Construction Specifications booklet;

All ordinances or parts of ordinances in conflict with the City of Goshen Design Standards and Construction Specifications are hereby repealed only to the extent of such conflict.

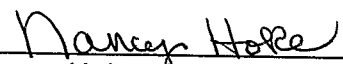
This ordinance shall be in full force and effect from and after it's passage, approval and publication as required by law.

PASSED AND ADOPTED by the Common Council of the City of Goshen, Indiana on the 9th day of <sup>14th</sup> April, 1996.

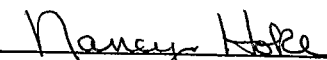
<sup>May</sup>

  
Mike Puro, Presiding Officer

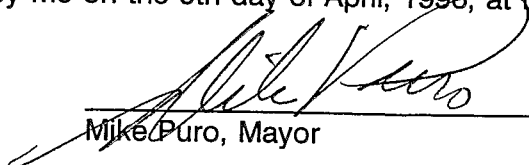
Attest:

  
Nancy Hoke, Clerk-Treasurer

Presented by me to the Mayor of the City of Goshen, Indiana on the <sup>14th</sup> 9th day of <sup>May</sup> April, 1996, at the hour of 7:00 p.m.

  
Nancy Hoke, Clerk-Treasurer

This ordinance, approved and signed by me on the <sup>14th</sup> 9th day of <sup>May</sup> April, 1996, at the hour of 7:00 p.m.

  
Mike Puro, Mayor