

Public Involvement Excerpts

Entire document is available online at: www.elkcohw.org/projects/

**FHWA-Indiana Environmental Document
CATEGORICAL EXCLUSION / ENVIRONMENTAL ASSESSMENT FORM
GENERAL PROJECT INFORMATION**

Road Nos./County:	Sunnyside Avenue, Concord Mall Drive and County Road (CR) 13 / Elkhart County
Designation Number(s):	1801913 (Lead), 1900836, 2001723, 2001724, and 2100065
Project Description/Termini:	Elkhart Local Trax Grade Separation (Lead Des. 1801913)/ Sunnyside Avenue from CR 20/Mishawaka Road to CR 13; Concord Mall Drive from CR 20/Mishawaka Road to US 33/Main Street; and CR 13 from Greenwood Boulevard to 280 feet north of US 33/Main Street County Bridge 148, Sunnyside Avenue over US 33/Main Street, Norfolk Southern Railroad (NSRR), and CR 45 (Des. 1900836) / from 0.37 mile northeast of CR 20/Mishawaka Road to 0.45 mile northeast of CR 20/Mishawaka Road County Bridge 151, Concord Mall Drive over Yellow Creek (Des. 2001723) / from 0.07 mile southwest of US 33/Main Street to 0.09 mile southwest of US 33/Main Street County Bridge 150, Sunnyside Avenue over Yellow Creek (Des. 2001724) / from 0.25 mile northeast of CR 20/Mishawaka Road to 0.27 mile northeast of CR 20/Mishawaka Road CR 13 Re-Alignment (Des. 2100065) / CR 13 from CR 45 to Sunnyside Avenue, and CR 45 from CR 13 to 600 feet northwest of CR 13

	Categorical Exclusion, Level 2 – Required Signatories: INDOT DE and/or INDOT ESD
	Categorical Exclusion, Level 3 – Required Signatories: INDOT ESD
X	Categorical Exclusion, Level 4 – Required Signatories: INDOT ESD and FHWA
	Environmental Assessment (EA) – Required Signatories: INDOT ESD and FHWA
	Additional Investigation (AI) – The proposed action included a design change from the original approved environmental document. Required Signatories must include the appropriate environmental approval authority

Approval	N/A	Date: 2022.01.04 <i>Ronald E. Buba</i> 10:56:24 -05'00'
	INDOT DE Signature and Date KARSTIN MARIE CARMANY-GEORGE 1/7/2022	INDOT ESD Signature and Date
	Digitally signed by KARSTIN MARIE CARMANY-GEORGE Date: 2022.01.07 09:18:55 -05'00'	
	FHWA Signature and Date	

Release for Public Involvement	N/A	9/21/2021
	INDOT DE Initials and Date	INDOT ESD Initials and Date

Certification of Public Involvement	<i>Steve Seculoff</i>	11/15/2021
	INDOT Consultant Services Signature and Date	

INDOT DE/ESD Reviewer Signature and Date: Terri Fair 1/4/2022

Name and Organization of CE/EA Preparer: Juliet Port, LPG / Parsons Transportation Group

Indiana Department of Transportation

County Elkhart Routes Sunnyside Avenue, Concord Mall Drive, and CR 13 Des. No. 1801913 (Lead)

Part I – Public Involvement

Every Federal action requires some level of public involvement, providing for early and continuous opportunities throughout the project development process. **The level of public involvement should be commensurate with the proposed action.**

Does the project have a historic bridge processed under the Historic Bridges PA*?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If No, then: Opportunity for a Public Hearing Required?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**A public hearing is required for all historic bridges processed under the Historic Bridges Programmatic Agreement between INDOT, FHWA, SHPO, and the ACHP.*

Discuss what public involvement activities (legal notices, letters to affected property owners and residents (i.e. notice of entry), meetings, special purpose meetings, newspaper articles, etc.) have occurred for this project.

Initial Activities

Notice of Entry letters were mailed to potentially affected property owners near the project area on June 2, 2020 notifying them about the project and that individuals responsible for land surveying and field activities may be seen in the area. Sample copies of the Notice of Entry letters are included in Appendix G-1.

A draft Public Involvement Plan (PIP) was prepared by Parsons early in the project development process, which was approved by Indiana Department of Transportation (INDOT) in August of 2020. The purpose of the PIP was to establish goals and strategies for engaging with the public and key stakeholders in accordance with the current INDOT *Public Involvement Policies and Procedures Manual*. The draft PIP was updated to reflect changes in the project and INDOT policies, and per comments by INDOT Environmental Services Division (ESD) on July 27, 2021; see Appendix G-3 to G-13.

Two public meetings were held in August of 2020. The virtual public open house (virtual meeting) was held on August 10, 2020, and the in-person public open house (open house) was held on August 25, 2020. On August 4, 2020, a Notice of Public Meeting and project map were sent to project stakeholders and local media (Appendix G-14 to G-16). On the same day, a post card advertisement was sent to Postal Routes that overlap the project area: 46516-CO61 (795 residences and 2 businesses) and 46517-CO51 (505 residences and 153 businesses) (Appendix G-17). Elkhart County also advertised the meetings via a flier that was posted on their website and sent to their email list (Appendix G-18). Sixty-nine people attended the virtual meeting (Appendix G-27), and 27 people attended the open house (Appendix G-28 to G-30).

During the public meetings, the project team members provided a handout (Appendix G-31 to G-32), showed poster boards (Appendix G-33 to G-35), and gave a presentation on the project's purpose and need, environmental analyses, and the preliminary alternatives (Appendix G-19 to G-26).

Information about the project and public meetings has been covered in local media. The proposed project was discussed in the *Indiana Economic Digest* on May 12, 2018 (Appendix G-42 to G-43) and on *Inside Indiana Business* on December 13, 2018 (Appendix G-44 to G-46). An editorial about the proposed project and the history of the Concord Mall area was published in an online blog, *The Wrath of Kon* on January 25, 2020 (Appendix G-37 to G-39). The *Elkhart Truth* covered the proposed project and upcoming public meetings on August 6, 2020 and August 11, 2020 (Appendix G-36, and G-40 to G-41). Following the meetings, the *Elkhart Truth* published a front-page article about the open house on August 27, 2020 (Appendix G-47 to G-48). Additionally, local television news *Michiana WSBT 22* covered the project and in-person open house on August 26, 2020 (Appendix G-49 to G-50).

A total of seven comments were received following the public meetings, which are summarized in the Public Comment Log (Appendix G-51). Several attendees asked about the right-of-way (ROW) and relocation process, and/or requested to be added to mailing lists. There were two comments requesting additional through-lanes on the proposed overpass bridge and expressing concerns for the roundabout accommodating buses and emergency vehicles. Two comments opposed closure of the County Road (CR) 13 at-grade crossing. One attendee recommended looking at using the existing "underpass" within the project area (where the Norfolk Southern Railroad (NSRR) crosses over Yellow Creek). One comment requested Dunlap before Hively (a nearby railroad grade separation project). Additionally, one attendee had concerns that the proposed alignment would cause increased use of the at-grade crossing located approximately 1.1 miles southeast of the project area at CR 15/Ferndale Road (near the Meijer store). Copies of the comments are in Appendix G-52 to G-60.

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To meet the public involvement requirements of Section 106, copies of a legal notice of Federal Highway Administration's (FHWA's) finding of "No Historic Properties Affected" were published in the *Elkhart Truth* on June 24, 2021, and in the *Goshen News* on June 26, 2021 offering the public an opportunity to submit comment pursuant to 36 CFR 800.2(d), 800.3(e), and 800.6(a)(4). The public comment period closed 30 days later on July 27, 2021. The text of the public notices and the affidavits of publication appear in Appendix D-100 to D-101. No comments were received.

A series of Kitchen Table Meetings (KTMs) were conducted with landowners who may be impacted by the ROW and relocation acquisition process. Primary concerns included impacts to their properties; changes in access including proposed cul-de-sacs, closure of the existing at-grade crossings, and the proposed roundabout/school buses; drainage; the ROW and relocation process; and, the project schedule. Direct impacts will be addressed through the acquisition process, in accordance with INDOT's *Real Estate Division Manual*. A log of these meetings is provided in Appendix G-62 to G-65.

Public Hearing

This project meets the minimum requirements described in the current INDOT *Project Development Public Involvement Procedures Manual*, which requires the project sponsor to hold a public hearing. Following release of the draft environmental document for public involvement, copies were posted online and placed at the Elkhart Public Library, Elkhart County Highway Department, and INDOT Fort Wayne District Office. A Legal Notice of Public Hearing (Notice) was sent along with a map to project stakeholders on September 28, 2021 (Appendix G-66 to G-68). A postcard advertising the hearing was mailed to the following four postal codes on October 1, 2021: 46516-C042 (697 properties), 46516-0061 (799 properties), 46517-C051 (671 properties), and 46517-C048 (863 properties) (Appendix G-86). The Notice was published twice in both the *Elkhart Truth*, on September 28, 2021 and October 5, 2021, and the *Goshen News*, on September 27, 2021 and October 4, 2021 (Appendix G-69 to G-77). As advertised, the comment period ended on October 28, 2021. Local media coverage included an article about the Elkhart County Commissioners in the *Goshen News* on October 4, 2021, an INDOT news release about the hearing on October 6, 2021, and articles about the upcoming hearing in the *Elkhart Truth* and *Yahoo News* on October 12, 2021 (Appendix G-88 to G-91).

An online presentation was held on October 12, 2021, and a public hearing was held the next day on October 13, 2021 at the Concord High School, adjacent to the project area. Twenty-one people attended the online presentation, and 74 people attended the public hearing (Appendix G-92 to G-98). During these meetings, the project team gave a presentation that covered stakeholders, previous outreach, the project development process, the project's purpose and need, alternatives considered, details about the preferred alternative, maintenance of traffic (MOT), environmental impacts, the right-of-way (ROW) and relocation process, and how to submit public comments (Appendix G-99 to G-113). At the hearing, attendees were provided a welcome letter (Appendix G-114 to G-115), project posterboards and a roundabout video were presented (Appendix G-33, G-34 and G-68), and project team members were available before and after the hearing to answer questions.

A total of 24 public comments were received, which expressed both support and a variety of concerns. A total of 12 of the comments expressed they did not support the project at all (i.e., supported the No Build alternative) and/or they did not support the preferred alternative. Concerns included costs, safety, and the traffic data used to support the preferred alternative (see Capacity, below). A total of three comments expressed support for the preferred alternative, two comments supported the southern alternative, and three comments did not support closing either at-grade crossing. Summaries of the other most common topics and associated responses are provided below. A complete log of the comments and responses is provided in Appendix G-116 to G-125. Copies of the hearing transcript (verbal comments) and written comments are provided in Appendix G-126 to G-131. Additionally, two agency responses were received (Appendix C-74 to C-76); applicable sections of this environmental document have been updated including Early Coordination, Ecological Resources, Threatened and Endangered Species, and Commitments.

CR 13 Footbridge: Five of the comments requested an additional bridge to the three proposed under the preferred alternative: a pedestrian-only "footbridge" at the existing CR 13 at-grade crossing. This section of CR 13, from US 33/Main Street to CR 45, crosses the railroad and has no pedestrian facilities. Therefore, the project team evaluated adding a 10-foot wide, multi-use path and structure to carry pedestrians over the railroad. This structure would need to meet the minimum vertical clearance over the railroad, which is 23 feet. In order to achieve that height with a path of acceptable grades (i.e., not too steep), the structure would either need long approaches, or sufficient footprints to accommodate switchbacks. The estimated cost to design and construct a sufficient pedestrian structure is \$3,000,000 to \$5,000,000 (plus ROW costs). The preferred alternative includes the addition of multiple pedestrian facilities, including sidewalks on all three proposed bridges; see the Project Description (Preferred Alternative) section for further discussion. Due to cost constraints, adding a pedestrian crossing to CR 13 was dismissed from further consideration. Please note, although the preferred alternative includes closing the current CR 13 at-grade crossing, it will not prevent the addition of pedestrian facilities along this stretch of CR 13 in the future.

Capacity: Five comments expressed concerns about capacity and whether the preferred alternative will create congestion and/or negatively impact first responders. The preferred alternative was analyzed in the project's *Traffic Operations Analysis Report*, which is based on existing traffic data and the regional model maintained by the Michiana Area Council of Governments (MACOG)

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(Appendix J-60 to J-63). Traffic volumes were projected for the redistributed network for the current (2023) and design (2043) years, which showed the preferred alternative should be sufficient and will improve access for first responders. Furthermore, portions of Sunnyside Avenue and CR 13 will have an added left-turn only lane, which can be used to accommodate first responders and will also help prevent back-ups from motorists turning in and out of churches, side streets, and private drives.

CR 13 / CR 45 Realignment: Four comments expressed concerns about the need to realign the CR 13 and CR 45 intersection and safety. The existing intersection has a skew angle of approximately 45 degrees. This type of acute angle restricts vehicular turning movements, as well as the driver's line of sight. Per current *Indiana Design Manual*, the angle of intersection should be within 20 degrees of perpendicular. The preferred alternative will improve safety by providing an intersection that meets current design criteria.

Aquifer/Well Water and Storm Water: Four comments expressed concerns about potential impacts to well water and there were four comments related to storm water management. The proposed storm water basins will be vegetated and signed "Well Water Area" and "No Dumping No Spraying". Elkhart County will maintain the vegetated basins, which are not designed to hold water except during storm events. Potential impacts to the aquifer and wells have been minimized through the design and agency coordination process, see the Drinking Water Resources section of this environmental document for further discussion.

Pedestrian Safety / Snow Removal: There were four comments related to pedestrian safety, and three comments about snow and/or sidewalk maintenance. Concerns included how pedestrians will be separated from motor vehicles and snow/ice responsibilities. The sidewalks on the bridges will be raised from the roadway with the use of an 8-inch vertical curb. The sidewalks on the roadways will be separated by traditional curb and gutter in conjunction with a grass strip buffer. Area residents and businesses will be responsible for removing snow and ice on the sidewalk along their properties. Elkhart County will be responsible for roadway and sidewalk maintenance and will provide deicing and snow removal services for the roadways.

Other topics of concern included roundabouts, safety, the right-of-way and relocation acquisition process, cost/funding, lighting, proposed cul-de-sacs and related proposed changes to the residential streets. A complete log of the comments and responses is provided in Appendix G-116 to G-125.

Public Controversy on Environmental Grounds

Discuss public controversy concerning community and/or natural resource impacts, including what is being done during the project to minimize impacts.

At this time, there is no substantial public controversy concerning impacts to the community or to natural resources.

**Elkhart Local Trax Railroad Grade Separation
Des. 180913**

Public Comment and Response Log

No	Date	First	Last	Type	Public Comments	Categories	Response
1	10/4/21	Tim	Koontz	email	Subject: ELKHART LOCAL TRAX RAILROAD GRADE SEPARATION AT SUNNYSIDE AVE./CONCORD MALL DR. AND CR 13; My family just got the mailer about this project and we couldn't be more excited. I have lived in the Concord area my whole life and have always seemed to be "on the wrong side" of the tracks. I hope this goes through smoothly and you can't break ground soon enough! Thanks!	Supports preferred alternative	Thank you for your comment.
2	10/4/21	Chris	Godlewski	email	Subject: Dunlap Overpass; To whom it may concern, Daniel, Elkhart County Planning & Development is in full support of the Dunlap Overpass project as presented. It not only removes cars from traversing a rail crossing but it also allows for another pedestrian and bike access across US 33 (and the rail tracks) where few exist. This makes everybody safer. One question – who maintains the 6-foot sidewalk on the bridge when it snows out? I would believe this will be a path in all seasons which includes school children. Just asking how it would be maintained during inclement weather. Thanks! Best of luck navigating the process with this project.	Supports preferred alternative, sidewalk maintenance (snow removal)	Thank you for your comment. Regarding sidewalk maintenance, Elkhart County will maintain the sidewalks and streets for this project. This includes snow removal and deicing for the roadways. Residents and businesses are responsible for clearing the sidewalks in front of their properties.
3	10/13/21	Ryan	Culp	Hearing - Written	At least (please) put a pedestrian crossing at the CR 13 crossing (or keep crossing open). Thanks!	CR 13 pedestrian bridge, does not support closing CR 13 crossing	A 10-foot wide, multi-use pedestrian bridge along CR 13 over the railroad was considered. This structure would need to meet the minimum vertical clearance over the railroad, which is 23 feet. In order to achieve that height with a path of acceptable grades (i.e., not too-steep), the structure would either need long approaches, or sufficient footprints to accommodate switch-backs. The estimated cost to design and construct a sufficient pedestrian structure would be approximately \$3,000,000 to 5,000,000 (plus right-of-way (ROW) costs). Therefore, it was dismissed from further consideration. Regarding leaving the CR 13 at-grade railroad crossing open, that was evaluated as part of the no build alternative, which was dismissed from further consideration because it would not meet the purpose and need for the project (discussed further in the Other Alternatives Considered section of the environmental document).
4	10/13/21	Carolyn	Goddard	Hearing - Written	Mobility and Safety Issues. Mobility would be maximized most only if both crossings - Sunnyside and CR 13 were left open and the roundabout was put in. There are not many pedestrians from CR 13 onto Sunnyside and across to the mall at the train crossing. Even though the angle of the intersection at CR 13 is awkward - eternal vigilance is the price of freedom. In other words, look both ways twice before crossing. Safety, is not solely the government's responsibility, it is the individual's. If fire engines and/or tankers were needed from the CR 18 fire station to assist on the south side of the tracks - 3 ways would be open if the roundabout was constructed and both crossings were left open.	Does not support closing CR 13, pedestrian use, safety, CR 13/CR 45 intersection *Duplicate comment from same individual as No. 15.	Regarding keeping both crossings open, as discussed in the project's Purpose and Need, the current crossings are dangerous and the trains limit first responder's response times. Leaving both crossings open was evaluated as part of the No Build alternative in the Other Alternatives section of the environmental document. The No Build alternative was dismissed because it would not meet the project's purpose and need. Regarding current pedestrian usage, currently Sunnyside Avenue, Concord Mall Drive, Center Drive, and CR 13 lack pedestrian facilities, which likely impacts current pedestrian use. This project includes the installation of pedestrian facilities, which should improve pedestrian mobility. Regarding the CR 13 and CR 45 intersection realignment, the existing intersection has a skew angle of approximately 45 degrees. This type of acute angle restricts vehicular turning movements, as well as the driver's line of sight. Per current design guidance (IDM 46-1.02), the angle of intersection should be within 20 degrees of perpendicular. The preferred alternative will improve safety by providing an intersection that meets current design criteria.
5	10/13/21	David	Preheim	Hearing - Written	I am in support of this project as designed. While expensive, it is deperately needed. The sooner it can done, the better!	Supports preferred alternative	Thank you for your comment.

No	Date	First	Last	Type	Public Comments	Categories	Response
6	10/13/21	William	Kidder	Hearing - Written	My concern is the trains sitting on tracks and leaking fluids in the water aquifer.	Aquifer/ well water impacts	This project is working with the U.S. Environmental Protection Agency (USEPA) and Indiana Department of Environmental Management (IDEM) regarding protecting the St. Joseph Sole Source Aquifer and the community's private and public drinking water wells that use that resource. The preferred alternative includes the vegetated drainage basins that are part of the storm water design, which will be signed "Well Water Area" and "No Dumping No Spraying". Elkhart County has a Groundwater Protection Ordinance designed to further protect the area's drinking water resources, including spills. Further discussion is in the Drinking Water section of the environmental document.
7	10/13/21		Name Not Provided	Hearing - Written	Why is the bridge not lighted? What is the reason for not extending the sidewalk to connect both sides of the bridge? Why are there no higher barriers between pedestrians, sidewalk and roadway?	Bridge lighting, sidewalk location, sidewalk safety	Regarding lighting, currently there are no plans to light the bypass bridge. There will be street lights near the Concord Mall Bridge as well as the Sunnyside Avenue over Yellow Creek bridge. Lighting can create unintended environmental and human impacts. When the lighting is on elevated structures near trees, there can be negative impacts to federally-protected bat species including the endangered Indiana bat and the threatened northern long-eared bat, which have habitat within and adjacent to the project area. Indiana state law requires all motor vehicles and bicycles to be self-illuminated from dusk to dawn; therefore, lighting is not required. Additionally, lighting incurs added design, construction, and maintenance costs. Regarding sidewalks, all three of the project bridges will have sidewalks on each side of the roadway, including the bypass bridge. Regarding barriers, the sidewalks on the bridges will be raised from the roadway with the use of an 8-inch vertical curb. The sidewalks on the roadway will be separated by traditional curb and gutter in conjunction with a grass strip buffer.
8	10/13/21	Jill	Grubert	Hearing - Written	Why not leave CR 13 alone? How is this bettering CR 13 & CR 45? 28 accidents at 13 & 45 in 5 years; 3 accidents at CR 13 and 45 last year. Still lots of accidents at CR 17 and 18 with them bettering the intersection. Didn't ask residents/taxpayers if we think this will better intersection. We are the ones affected. Will retention ponds have fences?....be mowed?....will trees be cut down when grow up? Our new driveway will allow water to flow into garage. We couldn't even look for property/house as no one will give us an amount. I was reminded Sunday to be content in every situation. It's sad when I know it is a "battle" against my own tax money! Will roundabout be empty in center? Get names of Hwy Board/Pic.	Does not support the preferred alternative, general project opposition, CR 13/CR 45 intersection, purpose and need, CR 17 and CR 18, storm water / drainage basins, roundabout center design	Regarding the CR 13 and CR 45 intersection realignment, the existing intersection has a skew angle of approximately 45 degrees. This type of acute angle restricts vehicular turning movements, as well as the driver's line of sight. Per current design guidance (IDM 46-1.02), the angle of intersection should be within 20 degrees of perpendicular. The preferred alternative will improve safety by providing an intersection that meets current design criteria. Regarding the driveway drainage, all of the storm water from the new roadways will be diverted to the drainage basins via inlets and curb/gutter. Elkhart County will maintain the basins, including regular mowing which should control tree growth. Fences are not proposed for the basins. CR 17 and CR 18 are not within the project area. Regarding the roundabout design, the current plan is to have a maintained, grassy center island.

No	Date	First	Last	Type	Public Comments	Categories	Response
9	10/13/21	Ricardo	Mirabal	Hearing - Verbal	<p>First of all I'd like to thank everybody for giving me the opportunity to express myself. First of all, I think my personal opinion is that it's an expensive disaster. I think it's too complicated, too expensive to support this kind of project. If you look at the picture you have in your hands and you please follow me. Sadly look Mishawaka Road A at the corner of Main and 3. And then look across the train track where the stop sign is. Think for a moment about how simple it would be to bring together traffic from Mishawaka Road to cut across [CR] 13 by just doing two different things that can be done in the same area. Think for a moment about what they did at Indiana Avenue and all that and how easy and simple and cheap it was to get done. And then traffic moved very efficiently. And then look also back in time when in Goshen when they built that overpass many years ago and how easy, how practical for traffic to flow from downtown Goshen to cut across 13. That's an overpass that is really practical. Cheap. Efficient. I propose that that's the kind of idea that could be recommended on this area. If you look carefully at what I mentioned over here; if you put together Mishawaka Road with CR 13, on both sides of the train track, you have plenty of space to branch out left and right. And let traffic flow straight from one road to another and also branch out in both directions on both sides of the train tracks. I think this would be an idea that's a lot cheaper, more practical, more efficient and would do the job and would affect the environment a lot less than this whole idea that is pictured over here. Okay?</p> <p>The second thing, and last, I want to mention is, right there on the corner of Johns Street and CR 13, that's my house right there. See this. There is a cul-de-sac right there. I would like to invite these people to save the money. Please, don't build the cul-de-sac right in front of my house. I don't need that. I'm pretty sure my neighbors don't like that kind of thing over there. A cul-de-sac. Why? Because right there on that corner is where we make the left or right to go to work. Why do you want to make me now that I have to drive 10 or 5 more minutes to ruin the environment just because you are closing, keeping me from having access to cut around CR 13? It's a waste of money. It's a waste of money. I don't agree with having a cul-de-sac right there. Not just because it's my house, just because it's inefficient. It doesn't do anything. It doesn't add any value to the neighborhood, and I think we should just forget about having a cul-de-sac over there. Leave the road open so we can have access to it. The way now, that's no money to do. That's all I wanted to say. Thank you.</p>	Does not support preferred alternative, general project opposition, cost, supports South alternative, cul-de-sac concern	Regarding an alignment along Mishawaka Road to CR 13, this was evaluated as the "South" Alternative, and is discussed in the Other Alternatives Considered section in the environmental document. The South alternative would meet the purpose and need of the project. However, it would have more residential relocations, greater impacts to water resources and suitable summer habitat, hazardous material (hazmat) concerns (gas station relocation), impacts to schools during construction, and it had a higher cost estimate compared to the preferred alternative. Therefore, the South alternative was discarded from further consideration. The preferred alternative proposes a cul-de-sac on John Street because the proposed improvements (re-alignment of CR13 and drainage basin) would create a sight distance safety concern. Since there is a well-developed grid of streets the cul-de-sac was selected as part of the design to avoid the safety concern.
10	10/13/21	George	Kamiotes	Hearing - Verbal	<p>Well good evening, everybody. This is the first time that I'm here to express my true opinions about the project that you guys are going to build. I don't understand for what purpose. It's not helping the community. It's a disaster. I don't know who are the engineers that believe they can afford this project. To me it's like a labyrinth like we call in my country. Which means you're going to get lost out there. It's a disaster. It's not going to help the pedestrians from CR 13 to come all the way to Concord.</p> <p>And it affects me too. I'm a small business operator and I've been here in this area for 33 years and I'm helping the community and everything else. Back in 2007 and 2011, if I remember correctly, we took part of my property on the road to build a better sidewalk. I don't know for what; nobody uses it. Unless if you, now that we have the drive. And it took me about two-and-a-half years to collect \$40,380. But I lost thousands and thousands and thousands of dollars in revenues. And every year the traffic goes up and up and up. And I striving a day, especially after COVID-19, to stay open. And here we have engineers from different states coming to Elkhart County to hear their ideas about how they're going to save and create what? \$30 million project? To do what? So we can destroy the Concord Mall? Concord Mall was beautiful when I came here. Now we destroy everything. This is the management. I thought the Martins moved 40 feet down from where it they was, I don't know the reason. And JoAnn Fabrics going to take over, but before they knew the inside information, the building right next to me, they went here. First they bought it, then they introduced themselves, "Oh yeah, we want to be neighbors." And then they painted and they disappeared. Why? Because they got the inside information that they're going to get some money from the government, whoever is building this project. So they disappeared. Everybody's disappearing. Very soon we're not going to have any restaurants around here. I want you guys to understand. We're going to have ghosts on the highways and you're going to have, of course, not money, because they tried to eliminate that. But it's a disaster. I don't want this project.</p>	General project opposition, does not support the preferred alternative, purpose and need, relocations	We appreciate your comments. The purpose and need of the project is detailed in the environmental document (Purpose and Need section). The need for the project stems from safety and mobility issues for motorists, pedestrians, bicyclists, and trains at the two subject at-grade railroad crossings, the Sunnyside Avenue crossing, and the CR 13 crossing. Trains typically run through these crossings 80 to 90 times a day. Furthermore, the trains regularly stop on the tracks, restricting traffic for extended periods of time and delaying emergency vehicle access to the communities north of the tracks. Existing crash data indicates a high rate of crashes for these types of crossings. Additionally, the area lacks pedestrian facilities. There are no existing sidewalks along Sunnyside Avenue, Concord Mall Drive, nor CR 13. The purpose of this project is to reduce the exposure of motorists and pedestrians to rail traffic, and to increase mobility in this area of Elkhart County. Regarding relocations, the preferred alternative's proposed relocations does not include the Concord Mall, nor the current Martin's Supermarket. The two proposed commercial relocations are vacant buildings that were Goodyear Tire and a strip center south of Concord Mall Drive, the former Martin's Supermarket location.

No	Date	First	Last	Type	Public Comments	Categories	Response
11	10/13/21	Heinz	Grubert	Hearing - Verbal	<p>Hello neighbors. I'm very much concerned about groundwater contamination and these retention ponds, especially that are going to be around my property. They're taking, I'm not really sure exactly, but they're going to be taking quite a few square feet of my property. I own on the other side of Mary Street; I'm right there on CR 13. I don't know if you've noticed the lots have been getting cleaned up over there. And now they're going to come in and take possession of it. And I see these great big retention ponds and I'm concerned about all the wells that are in that area of groundwater contamination. You guys are concerned about the aquifer. I want to know what assessments have been done about people's wells and the groundwater contamination. It's bad enough when they come in and they say, "We're going to take possession of your property." When you get cautioned by them as well to not, really don't protest, because it could get too financially straining on you if you try to litigate something like this. And the old saying is, "You can't fight City Hall." The wisdom, I can understand making some bicycle paths and making pedestrian traffic along here because it is a concerning thing when people are riding their bikes along there and people are traveling from there to go to the park, to go to the bikeway. Those are reasonable considerations. Moving traffic across and maybe making an overpass somewhere. I agree with my neighbors that it should be considered somewhere else. I agree with Ricardo that the cul-de-sacs; how many decades has Sunnyside been there since it was built? And there's been no need for cul-de-sacs. And through traffic, if people are on that road. The one consideration that we could give is maybe closing down that crossing and then you can turn right and you can turn left.</p> <p>And I know you folks might not know Bob Lamude who lived on the corner of Linden and CR 13 on the northeast corner. Well, he wanted to liquidate all his property. And water collects right there at Linden on the northeast corner of Linden, and they could put retention ponds there and Bob would have been happy to liquidate his property to them. I don't know if all these things have been considered carefully and these things concern me. And, as far as compensation, we're in the dark. We don't know what we're going to be compensated. We don't know if it's going to be fair and equitable. We just don't know. We heard that, "Yeah, it will be fair and equitable." I've had some assurances from Kenny Franklin. And he's a believable man. He's a kind man. He's a gentle man. But I still haven't heard anyone coming around say when these things are going to be reached. I'm still not really sure when these subjects are going to be breached. Thank you.</p>	Aquifer /well water impacts, does not support preferred alternative, supports adding sidewalks, cul-de-sac concern, storm water/drainage basins, right-of-way	The project team has been working with the USEPA and IDEM regarding protecting the St. Joseph Sole Source Aquifer and the community's private and public drinking water wells that use that resource. Please refer to the Drinking Water Resources and Hazardous Materials sections of the CE document, as well as the related Appendices (Appendices C-54 to C-71, and E-1 to E-25) for details on the studies that have been conducted. The proposed minimization measures are expected to limit the project's potential to impact the aquifer and related drinking water users. Regarding cul-de-sacs, they are proposed in locations where they are needed due to grade changes and/or to avoid unsafe sight-distance issues. Regarding storm water concerns, the preferred alternative includes the installation of storm water management system which should improve conditions within the residential area where there is no existing storm water management. Regarding the right-of-way process, once the final decision is made on the preferred alternative, and the final environmental document is issued, then the process can proceed and more information (e.g., costs, timing) will be developed and shared.
12	10/13/21	Jill	Grubert	Hearing - Verbal	<p>My main question is, "Why can't you just leave 13 alone?" Close the crossing. Make a left-hand turn and a right-hand turn lane. Linden is a joke and that's going to be a through road? Because there's a 90-degree turn as you're going down toward Oxbow School and Oxbow told us at one time one year, in winter, we couldn't even go down that because it's so narrow. And people, residents, said their mailboxes were being hit. I don't know how this is bettering CR 13 and 45. You said there was a high rate of crashes....How many would that be? Do you have a number? Do you have a number for those highway crashes that you said there were? I have down that there were three last year. To me that's not a high rate. There's still lots of accidents at CR 17 and 18, with them even bettering that intersection. So I don't know if this is going to better 13 or 45.</p> <p>The retention ponds. Will they have fences? Will they be mowed? Will the trees be cut down? Mosquitoes in the summertime? Our new driveway is said to be put on Old 13 because a retention pond is going to be where our driveway is now. So that means water, when it rains, will come down the driveway right into our garage. And what ticks me off is that you guys don't even live here. We couldn't even look for property because those in authority have not said what we can expect from our property.</p> <p>Will the roundabout be empty in the center? Or will there be construction of some kind? Do you know that? Some of them have things in the center and you can't see through it. So that would be a concern.</p>	General project opposition, does not support the preferred alternative, CR 13/CR 45 intersection, Linden Drive, purpose and need, storm water/drainage basins, round about center design	Regarding the CR 13 and CR 45 intersection realignment, the existing intersection has a skew angle of approximately 45 degrees. This type of acute angle restricts vehicular turning movements, as well as the driver's line of sight. Per current design guidance (IDM 46-1.02), the angle of intersection should be within 20 degrees of perpendicular. The preferred alternative will improve safety by providing an intersection that meets current design criteria. Regarding Linden Drive, it will not become a through-road. Linden Drive will be extended north along existing CR 13 to tie into the new CR 13 alignment. Regarding crash data, since 1987, there have been seven train/vehicle accidents, including one fatality at the Sunnyside Avenue crossing. Since 1976, there have been nine train/vehicle accidents, including two fatalities, at the CR 13 crossing. Furthermore, from 2016 to 2019, the intersections of US 33/Main Street and Sunnyside Avenue, CR 45 and Sunnyside Avenue, and the Sunnyside Avenue crossing had a total of 45 accidents. Regarding the storm water basins, they will be maintained, including regular mowing, by Elkhart County. No fencing is proposed. Based on percolation tests, the basins are not expected to hold water except during heavy rain events; therefore, mosquito control issues are not anticipated. Regarding the driveway/garage concern and storm water, all of the stormwater from the new roadways will be diverted to the drainage basins via stormwater inlets and curb/gutter.

No	Date	First	Last	Type	Public Comments	Categories	Response
13	10/13/21	Jim	Weeber	Hearing - Verbal	<p>Good evening, ladies and gentlemen. This thing was bungled from early on when property that was already owned by the county was transferred to the school system for the bus barn. And unfortunately it has resulted in a Rube Goldberg situation. So at this point I guess I just have questions about this situation. You said two, 12-foot lanes and then you would have aprons on either side for pedestrian traffic and I assume bicycles. Is there anything that protects them from the vehicular traffic on your bridge that you will be constructing? So there's a question.</p> <p>What are you going to do with the snow? The roundabout, you mentioned 55-foot vehicles. The standard semi trailer is now 53 feet. And another thing you're doing, my previous fire chief was solicited by the engineering firm to write a letter in support of this particular choice, but you will be taking all of the hazardous materials that normally traverse our major roads into a residential area. And there's a number of semis and large trucks that serve Wilden Avenue. I have no idea how many large trucks a day make it down Wilden Avenue, but it's a high number. And, you know, whatever's in those trucks, some of those are dangerous, hazardous materials.</p> <p>Another issue, Concord Fire Paramedic Service in the month of September, made 187 calls in the Concord Township area. Approximately 80 percent of our calls are medical calls. That means 149 of these calls were likely medical. It's really important that we get where we want to go when we need to get there. The American Heart Association will tell you that today with the technology that we have in a paramedic ambulance, seconds count. And I hope that you never have to spend time in the back of one of those. But I'm telling you, there's a lot of things that happen in that ambulance between the scene of whatever happened and the hospital. So it's pretty important we get where we want to go when we want to get there. This situation, an accident plus this, and then we have to go around to wherever we have to go to get around it. Now we do have that situation with the railroad now, I'll give you that. But so far we've been able to navigate those situations at this point. Now furthermore, if it's a serious accident, it will be shut for hours.</p> <p>And another question, you know your studies indicate two lanes will handle this. But right now there's five lanes here that are functioning and you're going to put all that traffic on two lanes.</p> <p>The other night, when I was crossing the railroad, there were a group probably from the high school. Is cross country running now? Ok a group came from Concord School, were pedestrians at the CR 13 crossing, probably going to Oxbow. Maybe they were going to run on the bike trail, I never see that though. I think they were going to Oxbow. The fact that you have not decided that you're going to put a pedestrian elevated walkway across the railroad here is a big disservice to this community. This needs to go to your engineering people.</p>	General project opposition, does not support preferred alternative, sidewalk safety, snow removal, roundabout safety, capacity, CR 13 pedestrian bridge	Regarding bicycle and pedestrian safety, the sidewalks on the bridges will be raised from the roadway with the use of an 8-inch vertical curb. The sidewalks on the roadway will be separated by traditional curb and gutter in conjunction with a grass strip buffer. Regarding snow removal, Elkhart County is responsible for deicing and snow removal along the roadways and bridges. Regarding hazardous materials (hazmat) vehicles, the preferred alternative is designed to accommodate full-size vehicles, including first responders, school buses, and semi-trailers. Furthermore, potential spills on the roadway will be captured via the proposed storm water system, which includes drainage basins that will be signed "Well Water Area - No Dumping No Spraying". Regarding emergency vehicles response times, this project is intended to improve the response times by eliminating the at-grade railroad crossings and providing an overpass bridge. Regarding capacity, based on the approved Traffic Operations and Analysis Report, for both the current and design years (2043), two lanes on the overpass bridge (one in each direction) is sufficient. Furthermore, portions of Sunnyside Avenue and CR 13 will have an added left-turn only lane, which can be used to accommodate first responders and will also help prevent back-ups from motorists turning in and out of churches, side streets, and private drives. Regarding a pedestrian crossing at CR 13, a 10-foot wide, multi-use pedestrian bridge for CR 13 over the railroad was considered. This structure would need to meet the minimum vertical clearance over the railroad, which is 23 feet. In order to achieve that height with a path of acceptable grades (i.e., not too-steep), the structure would either need long approaches, or sufficient footprints to accommodate switch-backs. The estimated cost to design and construct a sufficient pedestrian structure would be on the order of \$3,000,000 to \$5,000,000 (plus ROW costs). Therefore, it was dismissed from further consideration.
14	10/13/21	Paul	Hapner	Hearing - Verbal	<p>I noticed today that you put down your counters for traffic there at CR 45 and Sunnyside and I'm thinking...you haven't done a study of the traffic in this area? Just like the gentleman said, you're going to put traffic coming from Elkhart on SR 33; the businesses and all the traffic coming from Goshen on SR 33 onto two lanes of traffic, all this traffic going down to CR 13 into a stoplight. Whereas right now they can go across Sunnyside, across CR 13, and get to where they're going. That stoplight's going to create a huge traffic jam from all the traffic going in and out of the subdivisions and neighborhoods. And they're going to be backed up all the way to the bypass because it's not going to be enough to handle everybody. Right now the traffic from CR 45 services partially from Walmart, and Meijer's, and Lowe's and those businesses; that brings it down to CR 13 and they go into their neighborhoods. The other way comes from Elkhart on CR 45 they turn on Sunnyside to go down and it's stop-and-go, but traffic moves. CR 13, once you cross the railroad tracks, it's stop-and-go but traffic moves. When you combine all that traffic onto just two lanes in one spot, traffic is not going to go. It's going to come to a standstill.</p> <p>I would suggest that either build a roundabout at Sunnyside and CR 13 or make it a three-way stop sign and not a stop light so the traffic can keep flowing. And I would suggest you leave the CR 13 crossing the way it is so that we can cross there coming from Walmart, Meijer's, Harden's and all those businesses and then navigate Sunnyside when we get there. That would be my suggestion. Leave it open and then when the trains, and this is convenient for the railroad; don't let anyone fool you; they can park their trains there day after day after day. And it's inconvenient for the citizens in that area that if CR 13 crossing remains where it is, we could go. And if the train is there to block it we can use the bypass. I think it's a good idea.</p>	Capacity, does not support preferred alternative, does not support closing CR 13 crossing	The referenced traffic counters are not associated with this project. This project's Traffic Operations and Analysis Report is based on existing traffic data and regional model maintained by the Michiana Area Council of Governments (MACOG), the local metropolitan planning organization. Traffic volumes were projected for the redistributed network for the current and design years (2043), which showed the preferred alternative should be sufficient and improve access for first responders. Leaving the CR 13 crossing open was evaluated under the No Build alternative in the environmental document. Since the No Build alternative does not meet the purpose and need of the project, it was dismissed from further consideration.

No	Date	First	Last	Type	Public Comments	Categories	Response
15	10/13/21	Carolyn	Goddard	Hearing - Verbal	I'd like to address mobility and safety issues. Mobility can be maximized the most only if both crossings at Sunnyside and CR 13 were left open and a roundabout was put in. There are not many pedestrians from CR 13 onto Sunnyside and across to the mall at the train crossing, so I don't think a sidewalk is necessary there. Even though the angle at the intersection at CR 13 is awkward, eternal vigilance is priceless freedom. In other words, look both ways twice before crossing on foot, on bicycle or whatever vehicle. Safety is not solely the government's responsibility; it is an individual's. If the fire engines, and/or tankers were needed from the CR 18 fire station in the north to assist on the south side of the tracks, three ways would be left open if the roundabout was constructed and both crossings were left open. Thank you.	Does not support closing either crossing, sidewalk location, safety *Duplicate comment from same individual as No. 4.	Thank you for your verbal comment. Your written comment was addressed above - see No. 4
16	10/13/21	Lauren	Whalen	Hearing - Verbal	I am of the benefit that I live in the River Manor area and I'm a little north of this so it's not as important, obviously, as people whose wells and property that is affected. However, I am a Concord parent. I have a child that goes to the high school, and I've seen every day, kids that walk to the high school, kids that walk to CIS and to be honest, this is not a path that they can take to get to school. They are not going to. I mean that is a long way out of the way to walk to school. We do have some busing, but it doesn't work for everybody. This whole area pushes everything so far away from our school that I don't understand why you wouldn't have a pedestrian bridge just for the kids to get to school. Because really, closing all these streets along CR 45 only benefits the railroad. Purely the railroad. We have no benefit from that. I was under the understanding that Hively was going to get an underpass/overpass, whatever they decide there and then we weren't going to touch CR 13 or Sunnyside. So I'm actually finding out today that now we're closing off all of our access here and the part about that that actually has the most residential. Like it's great for Hively, that's Elkhart City. That's not us. For down here, in our residences, we need to be able to get across. There are hundreds and hundreds and hundreds of homes here that have children that go to Oxbow, go to CIS, go to the high school. And, I guess as a parent of a teenage driver who just hit somebody's mailbox (we replaced it), but I am concerned for my child to come out here and go around this roundabout. There's a lot of confusing things and now we're throwing semis in with it because the traffic on Wilden is a problem with the semis because they always cross on Sunnyside. This becomes a danger for younger kids. And I can absolutely see this becoming a one-way bottleneck if an accident happens. Because this is going to freeze over in the winter too. So when this gets bottlenecked here; how high is this going to be as well? Is this going to be like in Goshen where they did the 33 overpass? Because I feel like that ruined the aesthetic of the community. It cut it apart. Like I don't want that for our community. This is a really nice, tight, residential community. We don't have a lot of businesses here. That's why we have referendum issues too. But we're mostly residential and our first concern should be for the kids, the safety of the kids and making sure that our public works can get to where they need to be. Thank you.	General project opposition, does not support the preferred alternative, CR 13 pedestrian bridge, roundabout safety, capacity	A 10-foot wide, multi-use pedestrian bridge along CR 13 over the railroad was considered. This structure would need to meet the minimum vertical clearance over the railroad, which is 23 feet. In order to achieve that height with a path of acceptable grades (i.e., not too-steep), the structure would either need long approaches, or sufficient footprints to accommodate switch-backs. The estimated cost to design and construct a sufficient pedestrian structure would be on the order of \$3,000,000 to \$5,000,000 (plus ROW costs). Therefore, it was dismissed from further consideration. Regarding roundabout safety, this project is designed to accommodate first responders and trucks. As discussed during the hearing, roundabouts improve traffic flow and reduce fatalities and injuries by 82% compared to traditional intersections. Regarding bottlenecks (traffic capacity), based on the approved Traffic Operations and Analysis Report, for both the current and design years (2043), two lanes on the roadways and overpass bridge (one in each direction) is sufficient. Regarding the bridge height and appearance, the top of the bridge deck will be approximately 31 feet above ground level at the railroad. The bridge will have a concrete bridge railing, topped with standard protective fencing (chain-link) extending up to 40 feet above ground level. This project will improve safety by eliminating the at-grade railroad crossings, adding sidewalks and pedestrian crossings, and improving the intersection of CR 13 and CR 45.
17	10/13/21	Jerry	Barrett	Hearing - Verbal	My concern is that you're going to close Sunnyside crossing. You're going to close the CR 13 crossing. And then you're going to put a two-lane road down Sunnyside and across everything there. You're diverting two crossings; you're going to be diverting all this extra traffic over a two-lane road there. And I think it should be a lot wider than just two lanes crossing. That's all I have to say.	Does not support closing either crossing, capacity	Based on the approved Traffic Operations and Analysis Report, for both the current and design years (2043), two lanes on Sunnyside Avenue (one in each direction) are sufficient. Furthermore, portions of Sunnyside Avenue and CR 13 will have added left-turn only lanes, which will help alleviate back-ups from motorists turning in and out of churches, side streets, and private drives.

No	Date	First	Last	Type	Public Comments	Categories	Response
18	10/13/21	Doug	Bechtel	Hearing - Verbal	<p>I have to agree with a lot of you people that's made comments tonight. And I tell you what, I've lived out here my entire life. I've lived on both sides of the tracks and I'll tell you what, this is the biggest joke that's ever been created. I mean, you cannot, ...I live up in River Manor like a lot of the other people here and I'll tell you what, there's mornings that you can sit there forever trying to get out of the subdivision because traffic's backed up. You come down there and you can't go down Sunnyside because there's a train there. You can't go down CR 45 because you can't get to it. So I think you need to relook at everything that you've done.</p> <p>The traffic problem here is just as bad as it was in Goshen. And I tell you, I've rode that overpass in Goshen there and that's a big joke, especially in the morning. Traffic's backed up both ways. You've got the school there and we're going to have the same thing going on out here. People are not going to be able to move where they need to go and where they need to be.</p> <p>Talk about water contamination? I used to own a house right next to Bontrager Pools and I know what contamination is. I had 98 parts/billion of benzene and [inaudible] in my water there. And I got ahold of the county and the state and nobody would do anything about it. So you people that are worried about this, I tell you, you've got a big problem coming because it is out there. And it's going to happen because you're going to have the runoff going in there off the vehicles and everything else. Oil and gas and somebody sitting there and it's dripping out of the bottom of their tank on their car, their oil, whatever, it's going to contaminate the ground. And then what are you going to have to do? You'll have to join the City of Elkhart so that we have water, just like the school did. Over there where they put that bus depot, that's a big waste. You know they needed to have that thing come straight down Mishawaka Road but oh, we can't do that because we've got people that think they've got better ideas than what we do out here. That's lived out here our entire life.</p> <p>They talk about what you're going to get. You'll probably get a nice, big goose egg on a lot of that. My mom lived on 33 and they allowed her so much money, very little for the property. They took 15 foot off the front one time, then they came back and took another 15 foot and got very little. So you people that's worried about what's going to happen to you, it's going to happen. And it's time to stand up and yell at the county and the state about what's happened here. It's over and done with. That's all there is to it. That's all I've got to say.</p>	General project opposition (supports no build), does not support preferred alternative, capacity, aquifer/ well water impacts, right-of-way	Regarding traffic capacity, based on the approved Traffic Operations and Analysis Report, for both the current and design years (2043), two lanes on the overpass bridge is sufficient. Furthermore, portions of Sunnyside Avenue and CR 13 will have an added left-turn only lane, which will alleviate back-ups from motorists turning in and out of churches, side streets, and private drives. Regarding contamination, the project team has been working with the USEPA and IDEM to protect the St. Joseph Sole Source Aquifer and the community's private and public drinking water wells that use that resource. Please refer to the Drinking Water Resources and Hazardous Materials sections of the CE document, as well as the related Appendices (Appendices C-54 to C-71, and E-1 to E-25) for details on the studies that have been conducted. The proposed minimization measures are expected to limit the project's potential to impact the aquifer and related drinking water users. Regarding right-of-way, the acquisition process follows the Uniform Act of 1970, which requires just compensation based on appraisals and negotiations.
19	10/13/21	Stan	Miller	Hearing - Verbal	<p>Good evening. Generally, I'm in favor of roundabouts. I think it moves traffic. It is safer as noted in bureau statistics. Speeds are decreased. I don't know if any of you are familiar with Carmel, Indiana. I have a couple of kids living in Carmel and I think they move a lot of traffic very efficiently. My concern with this roundabout is pedestrian safety. We seem to be funneling all of our pedestrians over the overpass into this roundabout. And as noted, there are pedestrian crossings, but I don't think they're very safe. Because I go into a roundabout, and I've worried about traffic coming from the left. And I'm worried about getting bashed from the rear. The last thing I'm thinking about is a pedestrian walking, crossing my path a little ways away from the actual circle. And so I would really appeal for some safety consideration for pedestrians, especially in that area. Thank you.</p>	Sidewalk safety, roundabout safety	Pedestrian crossings within the roundabout will meet current design standards which are intended to enhance safety. Pedestrians maneuver along the outside of the intersection, and should never enter the roundabout. The pedestrian crossings will be set-back from the vehicle's entrances and exits to allow for better sight lines and avoid conflicts with merging traffic. There will also be pedestrian refuges on the splitter islands so pedestrians will only cross one direction/lane of traffic at a time. Additionally, a flashing beacon is proposed at the westbound leg approach of the roundabout.

No	Date	First	Last	Type	Public Comments	Categories	Response
20	10/13/21	Jim	Weeber	Hearing - Verbal	<p>A couple of short items and then I'll leave you alone. I believe when I was cut off I was talking about the pedestrian elevated walkway across the railroad tracks. I think if you're going to go this way, that's very necessary. To cut our kids off from getting to Oxbow Park for various activities is not a good idea. Additionally, occasionally I'm out running the road at night, being trustee of the township, and kind of looking over what I'm responsible for, it's not uncommon to see pedestrians on CR 13 and you know they cross the railroad tracks. You really want them scooting under the railroad cars that are parked there?</p> <p>One of the reasons you folks aren't getting a lot of satisfaction here is this [Local] Trax money is about shutting those railroad crossings so that they can extend the yard southeast of Elkhart. Now, Warren Buffett does not own the railroad tracks, but he is majority interest of many of those trains that go down the tracks. And there are many vested interests involved here, but I think the interests of the people in Concord Township and Elkhart County have to be the major priority here.</p> <p>Now the last thing I'll say, and I know the folks at Bontrager Pools and NAPA work hard. They pay a lot of taxes. But probably the only way to fix this thing now, and only if they'd be agreeable to being bought out, is to go straight down CR 13. You make the apex of the construction far enough to the north that you can get the slope that you want to get down US 33. And you have left- and right-hand turn lanes and the straight lanes. And I realize that's likely not going to happen, but I was completely appalled when the bus barn was built where it is at because that's where it should have went. And a lot of the property was already owned to do it. So I realize the construction firms pocket a lot of money here. The engineering is 10-15% of the project and the more I learn about politics, the more put out I am. But I think that's all I've got to say for now for what it's worth. But I think you ought to take some of these comments pretty seriously.</p> <p>And the folks in Sunnyside, there's some of you here old enough to remember it. They were blown away during the Palm Sunday tornadoes. They've paid their dues. Now you've got this coming along hammering on some of the prodigy of those folks. And this isn't funny. I've been through this eminent domain thing big time twice and I know what happens when you can't defend yourself. So I'm urging Frank Lucaise to make sure these people are treated properly. And there's books about that, that people who are taken by eminent domain, there was a big study done that they should have 150% of what's considered to be the fair market value of the take. And I think they really ought to happen. Thank you.</p> <p>You know you should not talk when people are speaking eloquently and properly. Because this is a deviated version of divide and conquer, which is as old Caesar. So that's all I've got to say. Thank you very much folks.</p>	CR 13 pedestrian bridge, supports the southern alternative, right-of-way	The comment regarding CR 13 pedestrian bridge was addressed above under your first comments (see No. 13). Regarding an alignment along Mishawaka Road to CR 13, this was evaluated as the "South" alternative, and is discussed in the Other Alternatives Considered section in the environmental document. The South alternative would meet the purpose and need of the project. However, it would have more residential relocations, greater impacts to water resources and suitable summer habitat, hazmat concerns (gas station relocation), impacts to schools during construction, and it had a higher cost estimate compared to the preferred alternative. Therefore, the South alternative was discarded from further consideration. Regarding right-of-way, the acquisition process follows the Uniform Act of 1970, which requires just compensation based on appraisals and negotiations.
21	10/15/21	Marvin and Penny	Olson	email	<p>My family lives on Sunnyside Ave. east of CR 13. My question is: How do the folks who live on East Sunnyside Ave. east of CR 13, have access to CR 13 if a stoplight is put at Sunnyside Ave. and CR 13? Sunnyside jogs to the north when it crosses CR 13. There is no room for us to make a left turn into CR 13 with a light there. Traffic is horrendous on CR 13 now. How on earth are we supposed to turn south or go left on CR 13 with a traffic light only a few feet from East Sunnyside Ave? There has to be a better design. Seems like the Sunnyside area has always got the short end of the stick. Traffic will move from being jammed up at the present 2 railway crossings to the end of my street on CR 13!</p>	Intersection of CR 13 and Sunnyside (new light)	The proposed timing of the new stop light at Sunnyside Avenue and CR 13 is 60 seconds, which should allow traffic to move through the intersection, based on the approved Traffic Operations and Analysis Report. The reconstructed CR 13 and Sunnyside Avenue will have added left-turn only lanes, including at this intersection, which should further promote traffic flow by allowing motorists to safely enter and exit side streets and private drives without impacting through-traffic. Additionally, there is a grid of side streets east of CR 13, which could be used to avoid the new traffic light and/or left turns.

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22	10/15/21	Jim	Unknown	email	Im just writing to you about the proposed overpass in Dunlap/Elkhart Indiana. Im wondering a couple of things. Why wouldn't CR15/Oxbow Road be a better option? Have you reached out to Norfolk Southern to see if they would contribute, if it is a crossing that benefits them also?? I think Sunnyside is a terrible location and will have a steep grade and be dangerous in the winter. Comming off of 33 by Oxbow Park at a angle you would have more options, for a round about or traffic stops. Thanks, Jim	Does not support the preferred alternative, funding	The alternatives analyses conducted for this project did not evaluate a grade-separated railroad crossing at Ferndale Drive, the entrance to Oxbow Park. Ferndale Drive, which is the next at-grade crossing over the railroad between CR 45 and US 33/Main Street, is located approximately 1-mile southeast of the project area (CR 13 crossing). Based on distance, a grade-separated crossing at that location would not meet the purpose of this project, which is to reduce the exposure of motorists and pedestrians to rail traffic, and to increase mobility in this area of Elkhart County [known as Dunlap]. Furthermore, Oxbow Park is a public park that falls under Section 4(f) of the U.S. Department of Transportation Act of 1966, which prohibits the use of certain public and historic lands for federally funded transportation facilities unless there is no feasible and prudent alternative. The law applies to significant publicly owned parks, recreation areas, wildlife / waterfowl refuges, and certain historic properties regardless of ownership. Lands subject to this law are considered Section 4(f) resources. Since this alternative would not meet the purpose and need of the project and would impact a Section 4(f) resource, it was dismissed from further consideration. Regarding funding and Norfolk Southern Railroad, this project is coordinating closely with the railroad. Project funds are a mixutre of local, state and federal sources.
23	10/19/21	Lawrence	Burns	email	Dear Mr. Miller I attended the October 13, 2021 INDOT presentation at Concord High School in Elkhart. Please find below my feedback to the presentation. Comments to the Elkhart Local Trax Grade Separation Project Concord Mall Proposal My comments are focused on two areas of concern: 1. Safety 2. Environmental Safety - A tall physical barrier between sidewalk pedestrians on the bridge and roadway traffic is not included in the engineering plans. A barrier will mitigate pedestrian injuries from vehicles which may go out of control on rain or snow slickened travel lanes. What governmental agency will be tasked to clear snow and ice off the bridges' sidewalks? Currently, lights are not planned for the bridge over US 33. In my opinion, this is a safety hazard for pedestrians or bicyclists who may traverse the bridge after dark. Additionally, it is a potential hazard for motorists who may have to fix a flat on a dark, ice slickened bridge. Environmental - Drainage from the newly constructed bridge and roadway is designed to be collected in the proposed retention ponds. There were no plans expressed to monitor the effect of this surface water on the quality of local groundwater. Best Regards.	Sidewalk safety, snow removal, bridge lighting, aquifer/well water impacts	Regarding barriers, the sidewalks on the bridges will be raised from the roadway with the use of an 8-inch vertical curb. The sidewalks on the roadway will be separated by traditional curb and gutter in conjunction with a grass strip buffer. Regarding sidewalk snow removal, area residents and businesses will be responsible for removing snow/ice on the sidewalk along their lots. Elkhart County will be responsible for roadway and sidewalk maintenance, and will provide deicing and snow removal services for the roadways. Regarding lighting, currently there are no plans to light the bypass bridge. There will be street lights near the Concord Mall Bridge as well as the Sunnyside Avenue over Yellow Creek bridge. Lighting can create unintended environmental and human impacts. When the lighting is on elevated structures near trees, there can be negative impacts to federally-protected bat species including the endangered Indiana bat and the threatened northern long-eared bat, which have habitat within and adjacent to the project area. Indiana state law requires all motor vehicles and bicycles to be self-illuminated from dusk to dawn; therefore, lighting is not required. Additionally, lighting incurs added design, construction, and maintenance costs. Regarding contamination, the project team has been working with the USEPA and IDEM to protect the St. Joseph Sole Souce Aquifer and the community's private and public drinking water wells that use that resource. The vegetated drainage basins are some of the proposed minimization measures that are expected to limit the project's potential to impact the aquifer and related drinking water users. Water quality monitoring is not proposed. See the Drinking Water section of the environmental document for further discussion.

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24	10/25/21	Tammy	Baltimore	email	I have grandkids is this going to be safe its going right next to my house. Is it going to have something so they can't throw their trash in our yard is the retention pond going to contaminate our water, hurt our septic, and what about it over flowing is it going to have something to keep it from over flowing so it don't flood my yard or house. And how are you guys going to keep the mosquitoes down I'm allergic and so is my grandkids and 45 is going to be a race track for people and that's not safe for the kids. There won't be a stop sign at sunny side so that's going to let them fly all the way down to 13. And if anything gets damaged to our property during construction are you guys going to be responsible?	Safety (general), storm water / drainge basins, existing Sunnyside Avenue and CR 45 intersection	The preferred alternative is intended to improve safety by removing the at-grade railroad crossings, adding sidewalks and pedestrian crossings, and other design features such as the roundabout and barriers/fencing along the bypass bridge. Regarding trash, no barriers or fencing is proposed within the residential area. The storm water basins will be signed "Well Water Area - No Dumping No Spraying". Regarding mosquitoes and overflowing, the basins are not designed to hold water. Based on field percolation tests they should only store water during rain events; therefore, mosquito control is not anticipated. All of the stormwater from the new roadways will be diverted to the drainage basins via stormwater inlets and curb/gutter. Regarding the existing intersection of Sunnyside Avenue and CR 45, the current stop signs will remain; no changes to that intersection are proposed. The contractor will be responsible for any damages caused during construction.
25	10/27/21	Sue	Smith	email	I attended the recent meeting you had at Concord High School concerning the overpass, I chose NOT to get up and speak in public, because I do not do that well. However, I wanted to let you know some thoughts I, as well as several others I have talked to, have, concerning your project. I do not agree at all with where you are actually putting the overpass, but it was made fairly clear, that is a done deal. I am hoping that you might reconsider some other factors of your proposed plan. At the meeting it was stated, several times, about how a nice pedestrian and bike sidewalk will be included on the overpass...my first concern is why? and who do you really think is going to use it? Coming off the overpass into a round about?? Pedestrians and bicycles will cause major headaches with the flow of traffic, and that is not really where most people want to cross. There are no sidewalks leading to that area, most of the people who do walk across the tracks do so closer to CR 13 because they are going to one of the two schools, CIS or CHS, or they are going to Flavor Freeze. I know both the boys and the girls Cross Country teams from the High School go across there as well to go to and from Ox Bow Park as a part of their workouts. I think you need to SERIOUSLY consider making a pedestrian and/or bike overpass in the area of CR13. You have a lot of pedestrians and cyclers coming off the Maple Trail that often cross at 13. Unfortunately, whether you put one there or not you ARE going to have people crossing the tracks there which is going to be a safety problem. To help pay for this, leave CR 13 alone. There is absolutely no reason to "straighten" the intersection at 13 and 45. If there are a lot of accidents there I think you can credit people trying to beat the trains the reason for 90% of them. Make the 13, 45 intersection a three way stop. I travel that road several times week and when you come to a stop there, you can quite easily see in all directions necessary concerning oncoming traffic. You do NOT have to have traffic coming together at 45 degree angles in order to see clearly. I hope you will take this, and other comments you have received seriously. Thank you,	Does not support preferred alternative, CR 13 pedestrian bridge, CR 13 and CR 45 intersection	A 10-foot wide, multi-use pedestrian bridge along CR 13 over the railroad was considered. This structure would need to meet the minimum vertical clearance over the railroad, which is 23 feet. In order to achieve that height with a path of acceptable grades (i.e., not too-steep), the structure would either need long approaches, or sufficient footprints to accommodate switch-backs. The estimated cost to design and construct a sufficient pedestrian structure would be approximately \$3,000,000 to \$5,000,000 (plus ROW costs). Therefore, it was dismissed from further consideration. Regarding the CR 13 and CR 45 intersection realignment, the existing intersection has a skew angle of around 45 degrees. This type of acute angle restricts vehicular turning movements, as well as the driver's line of sight. Per current design guidance (IDM 46-1.02), the angle of intersection should be within 20 degrees of perpendicular. The preferred alternative will improve safety by providing an intersection that meets current design criteria.

* Note - The duplicate comment (Nos. 4 and 15) was counted once. Therefore, a total of 24 comments were received.