



# LAPORTE COUNTY PLAN COMMISSION

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**ANNEMARIE POLAN**  
Building Commissioner

## LA PORTE COUNTY PLAN COMMISSION MINUTES February 23, 2016

MEMBERS PRESENT:      JOHN CARR                      RITA BEATY KELLY  
                                 MATT BERNACCHI              GLEN MINICH  
                                 ANTHONY HENDRICKS      GENE MATZAT  
                                 HAROLD PARKER

OTHERS PRESENT: Annemarie Polan, Recording Secretary, Doug Biege, Attorney, Cindy Kreske, Secretary.

### PLEDGE OF ALLEGIANCE

### ROLL CALL

Anthony Hendricks asked Cindy Kreske for roll call.

### APPROVAL OF AGENDA

Attorney Biege said that we had a request that the Petition for IU Health be postponed for one month. Attorney Biege said that they had some issues that they had to sort out before the Plan Commission.

Anthony Hendricks asked for a motion to approve the agenda as amended. Harold Parker made a motion to approve as presented. Matt Bernacchi seconded.

All approved. Motion carried 7-0.

### APPROVAL OF MINUTES

Anthony Hendricks asked for a motion to approve the minutes from the last Plan Commission. Rita Beaty Kelly made a Motion to approve the last month's meeting minutes. Glen Minich seconded.

Anthony Hendricks asked if there are any additions, corrects or deletions.

All approved. Motion carried 7-0.

1. Comes now Jeffery D. Pahl, Kimberly K. Bednar and Gregory F. Pahl and submit to the La Porte County Plan Commission the Approval of a three (3) lot minor subdivision the 63.190 acres.

Robert Palm with Palm & Associates, Surveyors. Mr. Palm said that he's here on behalf of Kimberly Bednar, Jeffery Pahl and Gregory Pahl and they're the owners and sub dividers. Mr. Palm said that this is their parent's farm and they're now hoping to divide the property equally between themselves and that's the purpose of the three lot subdivision.

Mr. Palm said that this is at the NW corner of 300 W. and US Highway 20, on 63.186 acres. Mr Palm said that they met before the Plat Committee on February 4<sup>th</sup> and heard no objections at that time that he's aware of. Mr. Palm said that they have met the requirements of the ordinance and would like your approval this evening.

Mr. Palm said that he would be glad to answer any questions.

Anthony Hendricks said that our attorney is checking out notification.

Mr. Palm said that lot 1 has an existing house and farm stead. Lots 2 and 3 (inaudible).

Anthony Hendricks asked about county roads

Mr. Palm said there will be no new county roads. Mr. Palm said that all lots have the required frontage on county road 300 west.

Attorney Biege said notice is adequate.

Anthony Hendricks asked if there are any questions from the board before he opens this up to the floor for anyone from the public.

Anthony Hendricks asked if there is anyone from the public that wishes to speak for or against this petition tonight. Please come to the podium and state your name and address for the record.

**Remonstrators:**

1. Pete Mathis, 5952 N. 300 W. and he just wondered what the intention of this subdivision is.

2. Todd Luther, 423 Hawthorne Street, La Porte. Mr. Luther said that he owns an adjacent property to this subdivision. Mr. Luther said that they have no clue what's going to be put in there. Mr. Luther said that he objects, number one, because he bought land to get away from stuff like this. Mr. Luther said that the grade of his property is much lower than the grade where lot 3 is going to be and he's worried about runoff and drainage from all of the septics. Mr. Luther said that no one could tell him where it's getting paved roads; where is the water going to go during storms. Mr. Luther said that he's worried about the value of his property and what type of housing that is put in. Mr. Luther said that everything is so vague and he just got this in the mail and it doesn't tell him nothing other than we have a meeting for this.

Anthony Hendricks asked if there is anyone else out in the audience for or against this petition.

3. Brett Luther said that he's Todd's brother and one thing that you didn't mention is that he has a creek though his property and several ponds there. Mr. Luther said that is going to be a concern with drainage of the septics and he doesn't know if DNR has been notified because that creek goes to Lake Michigan in Trail Creek.

Anthony Hendricks asked if there are any other remonstrators here for or against this petition.

Mr. Palm said that the intention is simply --- there is no immediate attention to build a house, but there is always a possibility. Mr. Palm said that they're going to be taking ownership of this land. Lot 1 already has a house on it and there would only be maximum of one house per lot. Mr. Palm said that there can't be any more than that. Mr. Palm said that it would be like somebody building out in the county on twenty (20) acres. Mr. Palm said that they aren't seeing any impact as far as drainage. Mr. Palm said that the septic has been looked at by the Health Department and they have approved all lots for mound systems if that time ever comes.

Mr. Palm said other than that, there can't be more than one house on each lot.

Anthony Hendricks said that they had a question on the creeks and ponds. Anthony asked Mr. Palm if it's going to be a substantial distance from those creeks and the ponds.

Mr. Palm said that they're twenty (20) acre lots and they're going to have to stay the distance from the existing wetlands. Mr. Palm said that they will have to build their house in the proximity of the soil test that approved the septic systems. Mr. Palm said that the driveways will have to be approved by the County Highway Department. Mr. Palm said that it's not a multiple lot subdivision, it is simple family homes. Mr. Palm said that there will be two more homes than what's there now and no immediate plans for building right now. They can either build on them, or maybe sell them someday to somebody that wants to build.

Anthony Hendricks said that drainage is not going to be a problem.

Anthony Hendricks asked if any other board members have any questions for Bob.

Anthony Hendricks asked if there are any questions from the board.

Rita Beaty Kelly made a motion to approve the application for the three lot minor subdivision that is existing on the 63.198 acre parcel. Harold Parker seconded.

Anthony Hendricks asked if there are any questions, or concerns.

All approved. Motion carried 7-0.

Anthony Hendricks asked for old business.

Anthony Hendricks asked for new business for the board.

Anthony Hendricks said that the up and coming March meeting will have a Petition from IU Health and potentially a public hearing.

Attorney Biege said that we have a committee meeting on March 3<sup>rd</sup>, 2016 at 9:30 a.m. to have a final run on the changes. Attorney Biege said that after they have that, he wants to make sure that we get that on the website before we have a public hearing. Attorney Biege said once they know they're solid on what the changes are going to be, he will then provide the Plan Commission with a time line at the next meeting. Attorney Biege said that he doesn't think that we're going to have enough time to advertise for the public meeting before the next Plan Commission meeting.

Anthony Hendricks said that we should make it clear to the public tonight that we're not going to do a public meeting about the changes in March.

Attorney Biege said that is correct. Attorney Biege said that the main reason is he wants to make sure that we have a final on the committee changes, get it on the website so the public has an option to review those proposed changes, and then we have our public meeting. Attorney Biege said that he doesn't think that we have enough time to do that and fill the advertisement requirements.

Attorney Biege said that the committee does not have the authority to make any decisions on behalf of the Plan Commission. Attorney Biege said it's simply a working committee to make recommendations to the Plan Commission as to what changes that we're going to make in code.

Anthony Hendricks said that any input the committee could be forwarded to Annemarie and himself to take any information that they can.

Anthony Hendricks asked if there is any other new business from the board.

Gene Matzat said that the next on local government session will be a 2016 legislative session update that is scheduled for Thursday, March 3, 2016 from 10:00 a.m. to noon and they will be hosting that at the extension office for La Porte County. Mr. Matzat said that basically Larry DeBoer who is a Professor of Economics is going to review the short session of the Indiana State Legislature and some of the proposed changes which include farmland assessment, the maximum growth quotient, road funding and more. Mr. Matzat said that there will be plenty to discuss and its impact on local governments and Indiana taxpayers. Mr. Matzat said that he has a few flyers up here and everyone is welcome to see it. Mr. Matzat said March 3<sup>rd</sup>, 10:00 a.m. to noon central time at their office.

Anthony Hendricks asked if there is any other business before the board.

Anthony Hendricks asked if there is a motion to adjourn.

Rita Beaty Kelly made a motion to adjourn. Harold Parker seconded.

All approved. Motion carried 7-0.

There being no further business before the Plan Commission this evening, meeting adjourned at 6:17 p.m.

  
ANTHONY HENDRICKS, President

  
ANNEMARIE POLAN, Rec. Secretary