



# LAPORTE COUNTY PLAN COMMISSION

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Michael Polan  
Building Commissioner

## LA PORTE COUNTY SPECIAL PLAN COMMISSION MINUTES July 26<sup>th</sup>, 2022

MEMBERS PRESENT: Anthony Hendricks      Adam Koronka  
Rich Mrozinski      Glen Minich  
John Carr      Rita Beaty  
Earl Cunningham      Harold Parker

OTHERS PRESENT: Doug Biege, Attorney; Mike Polan, Recording Secretary; Ashley Kazmucha, Administrative Coordinator; Tony Rodriguez, Director of LaPorte County Community & Economic Development; Mitch Bishop, LaPorte County Planner.

### WORKSHOP

#### Discussion:

- Petitioners Sloane Avenue Land Opportunities, LLC-S RP166 Series represented by Todd A. Leeth and Katie L. Kopf of Hoepfner, Wagner & Evans LLP** respectfully petitions the Plan Commission to rezone from A and R1B to all R1A the property located on the South side of E. State Road 2 between North 350 East and North 450 East, Rolling Prairie, IN. Kankakee Twp., zoned A/R1B. (Parcels 46-07-14-300-001.000-052, 46-07-14-300-003.000-052, 46-07-22-200-003.000-052, 46-07-22-200-004.000-052, 46-07-15-400-011.000-052, 46-07-15-400-012.000-052, 46-07-15-400.013.000-052, 46-07-15-400-016.000-052) Exhibits attached hereto.

Anthony Hendricks stated they are going to open the workshop for the Plan Commission for a rezone request on State Road 2. They will have to speak loud because the microphones in the room aren't on because they are doing ALCO TV. If they can't hear, tell them. This is just a workshop to see what concerns there are. They cannot take any votes or take any action until 6 (six) o'clock. He will first leave it open to their attorney to discuss what this entails for everyone.

Attorney Biege stated one (1) of the members requested this meeting so the remonstrators and petitioners can interact and so there is not misunderstandings as to what is being requested. The official request and presentation does not start until six (6 p.m.) and they cannot take a vote until six (6 p.m.) because that is the date and time of the official notices. Does anybody have any questions about that? Todd can kick it off and give them some basics.

Todd Leeth stated their request is to rezone a hundred and sixty-six (166) acres. As indicated, it is on Highway 2 on the south side. They are all familiar with the project. They were there in February

and the Commissioners in March where they denied the rezone to the R1B zoning classification. They are now coming back with the R1A district. The R1A district lot sizes are fifty percent (50%) larger so their density will be significantly less. They have a conceptual plan that has been shared with staff; he is unsure if it has been shared with the community. It has two hundred and thirty-seven (237) homes on a hundred and sixty-six (166) acres. It is not dense in his opinion at all. That is their request. The concerns that they heard last time and that the Plan Commission heard last time were the farming activity of the adjacent properties. They think that last Plan had buffering and separation between the back of the lots and the adjacent developments. On the west is an existing subdivision. On the south and east are active farms which they heard from those farmers with regard to their activities. They have increased the buffer separations. This is a conceptual plan. They need the ability to have the blessing of the County with the zoning change where they have a reduced number of lots and a significant reduction so they can engineer it and then move forward. As they heard last time, they know and it's important for everyone to recognize that they have a big step to go even if the County does rezone the property and that's called primary plat. They have to go through the platting process. They have to follow the code. They have to have all of the concerns of the public health, safety, and welfare when they plat it out. When they engineer it, they have to design the stormwater. All of the things that the Ordinance provides and all of the protections for the neighboring properties He doesn't believe that the one hundred and sixty-six (166) acres is farm ground; it is densely wooded. That is their request. He isn't sure what the next step is in their process. He knows how a public hearing works, but he is not sure how they want to handle the workshop.

Attorney Biege stated his thought is that the people that are against it are going to have a chance to make their record at the regular meeting, but if they have questions or want to have a discussion, now is the time. This is the guy to ask the questions of.

Todd Leeth stated he will sit in front and take notes.

Anthony Hendricks stated they will welcome anyone to the podium that has any discussion because this is a workshop that is going to be on Public Access as a workshop for LaPorte County Plan Commission. Any questions or discussion, the Plan Commission can ask questions, but they can't make any decisions.

Susan Taylor stated her address is 2191 N. 350 E., Rolling Prairie, IN. Their utilities in that area are crap. They lose electricity or cable at least once a week. Now they are going to add two hundred and thirty-seven (237) more homes to that? They can't even give them utilities in the area and they want to add more. That and they are cutting down a designated forest of trees to put in homes. Aren't they aware of global warming? That's all she has to say.

Anthony Hendricks stated this is an open discussion for the neighborhood to ask questions of the developer and ask their concerns or what they would like to change or what they would request from them if they go forward. Buffer zones or whatever they want.

Richard Stradtner stated his address is 2367 N. 350 E., Rolling Prairie. He has a few concerns. One, being how dense this is going to be. He doesn't care what they say; they don't live in Valpo, they don't live in Chicago, this is dense. They are in the County and it is farm district. He made the effort

to better himself to move out there for his family and his kids to have room to have places to breath. They like shooting guns. They are about to put three hundred (300) more people out there; three hundred houses (300). That's anywhere between seven (7) to a thousand (1,000) more people; that's a city. He doesn't care how small they say it is, it's a problem. They have no say of if there will be wells or septic. They already have plenty of people. They have ground water runoff. They have farms out there. This is farm land. He would like some information of why this is getting brought forward when they also have multiple subdivisions with tons of open land. Why can't they develop those first? The one (1) subdivision in the area has tons of open lots not being developed. Why are they just willing to tear down a classified forest to build more houses? He can't for the life of him try to figure that out. Can anybody else? He can't see it.

Anthony Hendricks stated again this is an open forum.

John Carr asked if they can ask questions too.

Anthony Hendricks stated yes.

John Carr stated he has a question for the attorney. It shows there are six (6) phases of this project. Is that correct?

Todd Leeth stated there are eight (8) phases.

John Carr stated okay. What's the timeline? Do they have a schedule on completing all eight (8) phases by a certain time or is it going to be one (1) phase at a time and see how it goes?

Todd Leeth stated it's not quite that simple. They start with Phase 1 and the market dictates how fast they go. He was watching some national news this morning and there are a lot of concerns about a recession on the horizon. His guess is that if there is a recession coming up in six (6) or eight (8) months that would hit right about the time if they get all the approvals that they would be getting primary plat approval. Phase 1 would go in, but it wouldn't sell as fast as if they didn't have a recession. His crystal ball is not exactly crystal clear right about now because of the uncertainty, but they would anticipate that each phase would go down in the order that they are numbered on there and the market will dictate how fast.

John Carr asked if they could share what the approximate size of the homes are going to be.

Todd Leeth stated they had talked about that when the lots were smaller. The lots are going to be bigger so the size of the home and the size of the lots are directly proportionate. They were talking about three-fifty to four-fifty (\$350,000 - \$450,000) house value.

John Sloane stated roughly. The size of the home is a nice size. It's about two-thousand to two thousand two hundred square feet (2,000<sup>2</sup>' - 2,200<sup>2</sup>'). They are nice homes.

Todd Leeth stated they are going to be quality homes. Again, if they would have asked him what a two thousand to twenty-two hundred square-foot (2,000<sup>2</sup>' - 2,200<sup>2</sup>') home was eighteen (18) months ago, it was a lot less as they all know.

Anthony Hendricks stated for discussion's sake, there is a driveway entrance, but there will be some substantial work to put accel/decel entrance. The sewer is also on the north side of 2 so they will some work there to even get across. The time frame to building one (1) house is a year or two to get across that just to build house one (1).

Todd Leeth stated he would agree.

Matt Wright stated his address is 3139 N. Fairway Ave., Rolling Prairie, IN. He lives in Mulligan Meadows. They will be in his back yard. His understanding was before the lots were going to be about point-two-five (.25) acres the first time they ran it up the hill. Now, his understanding is that it is point-three-three (.33). How is that fifty percent (50%) bigger? When they bought, which they just moved into their brand-new house in March, one (1) of the big factors was how quiet it was and they bought their lot they were told it was zoned Agricultural and nothing would be in their back yard. Now, nothing is ever set in stone, but they were told it was farm land and they won't have to worry about anything coming in behind them. What kind of barriers will there be? With that hearing that nothing was coming in behind them, they build a big house and the entire back of their house is glass looking out at the woods. Are they going to be looking eyeball to eyeball with people in their back yard now? Are they going to be hooked up to the sewer so there won't be septic because that's obviously a lot of septs. Everybody has wells out there for the water. Seems like a lot of people for that little area. Two hundred and thirty-seven (237) lots and in Mulligan Meadows has twenty (20) lots. It was previously said that Sand Ridge across the way has a bunch of lots for sale. When you go in the whole north side of it is for sale; it's probably a dozen lots. There are areas out there for sale. There even may be a one lot left for sale in his subdivision. He doesn't know if there is a massive need for it.

Anthony Hendricks stated it looks like Sand Ridge has about twenty (20) lots left. They're big lots.

Luke Smith stated his address is 3974 E. 350 N., Rolling Prairie, IN. He has a few questions for the petitioner. Are they aware of how long that property has been in classified forests?

Todd Leeth stated he does not know how long it is, but it is no longer.

Luke Smith stated he understands, but the question is was he aware how long it has been apart of the community as a classified forest.

Todd Leeth stated he does not have that information.

Luke Smith stated it was 1956 and 1958. It has been a big, huge part of the community for a long time. He understands it is important to try to preserve what they have there in the community so he wanted to ask that question. Secondly, did they talk with the District 19 Forester to determine if that forest that has been there and protected for almost seventy (70) years, if there are any endangered animals, wildlife in there that needs protected, or allow them to walk the property?

Todd Leeth stated all of those protection, endangered species, all of the environmental ordinance and State statutes and so forth will be followed when they go through the platting process. If they

require permits or there are any habitat studies that are required, like the Indiana Bat Study, they will follow all of those rules to determine that. But the rezoning is not where they do that. That is done through the platting process.

Luke Smith stated he understands that, but it is a big consideration to rezone it because it is Agricultural and part of the community.

Todd Leeth stated they don't get to develop it, even if the zoning is changed, if they do not comply with those laws.

Luke Smith stated he understands that, but this is a big part of their community and it is important to them.

Todd Leeth stated it will be protected if they do not comply with the law.

Luke Smith stated that is retroactive. They want to say they want to proceed forward before they do their homework. That's what he is hearing

Todd Leeth stated no. He is going to do his homework when it is appropriate to do his homework when he has the engineering in order to satisfy the permit requirements that the State requires. He can't just walk into the State and say he wants to develop this subdivision without having plans. He can't develop the plans if he doesn't have the zoning.

Luke Smith stated he understands that, but here as a community and their representatives are here to represent them and protect the investment of their community and number one (1) in that property is the wildlife. Before it can even be considered to get rezoned, it needs to be considered if it is okay to go ahead and tear down that forest.

Todd Leeth stated he would disagree.

Luke Smith stated because they are here for money.

Todd Leeth stated no.

*Luke Smith and Todd Leeth converse over each other.*

Earl Cunningham stated they are on a Zoom meeting and they are also going out to the public. They should actually have somebody ask questions and then Todd Leeth should come to the microphone because ALCO is trying to record this for the public. The only reason the speakers aren't on in the whole complex is because there is another meeting on the other side of the wall. To get it out to the public that is watching, if they would ask the question at the podium and Todd Leeth could approach the microphone to answer is way better for ALCO.

Luke Smith stated that is all he had for his questions.



Jennifer Wright stated her address is 3139 N. Fairway Ave., Rolling Prairie, IN. She lives in Mulligan Meadows. Her question is that the gentleman said that the houses will be about two thousand to twenty-five hundred square feet (2,000<sup>2</sup> – 2,500<sup>2</sup>) per house and if they look at the plans and look at the calculations, that is approximately three (3) houses per acre. Her question is how do they intend to put seventy-five hundred square feet (7,500<sup>2</sup>) worth of housing on a one (1) acre lot safely with wells and septic.

Anthony Hendricks stated for everyone, this has sanitary sewer. The only reason they get by with these size lots is because they have a sanitary sewer hookup.

Jennifer Wright stated then her question would be, how in the heck can three houses at seventy-five hundred square feet (7,500<sup>2</sup>) fit on a one (1) acre lot without being a nuisance to the surrounding area.

Anthony Hendricks asked what size the lots are.

John Sloane stated they are fifteen thousand square feet (15,000<sup>2</sup>); fifty percent (50%) larger.

Anthony Hendricks stated they are ninety feet by one sixty-seven (90' x 167') something. For everyone's information, ninety-foot (90') lots give them fifteen-foot (15') side yards so it would be like a sixty-foot (60') wide house. If they are talking two thousand square feet (2,000<sup>2</sup>) they are talking sixty feet by forty feet (60' x 40') house.

Todd Leeth stated that when he says that the lots are fifty percent (50%) larger, that is their zoning code. In the R1B, the minimum lot size is ten thousand square feet (10,000<sup>2</sup>) lot. So, in R1A their request now is fifteen thousand square feet (15,000<sup>2</sup>) which is fifty percent (50%) larger. That is how they came to that statement.

Jerry Rogers stated his address is 2443 N. 350 E., Rolling Prairie. Since they will be voting on this, have they done their homework on this? Have they gone to the schools and talked to the school about the increase? Are they going to be ready for this? How are they going to prepare for this? They are already maxed out now. What is the fire department going to do? It is a volunteer department. It is understaffed right now as of the last time he talked to the guys. He was on the fire department. He just wants the Plan Commission to go out and do their homework before they agree to something.

Kayleigh Stradtner stated her address is 2367 N. 350 E., Rolling Prairie. Her husband came up earlier. She comes up with more of a voice of concerns rather than questions. As he stated, they chose where they live specifically because they are a young family. She grew up in New Carlisle with a big focus of knowing her neighbors and everyone knowing each other. When it came time for them to start their family, she wanted somewhere where her children would be going to kindergarten, preschool, and high school and having the resources and ability to make lifelong friendships and know who they are living next to. Like Jerry said, her concern is for the school and the quantity of children this is going to be bringing in. The average number of children per household can range from two and a half (2½), one and a half (1½) so if they are adding those extra two hundred and thirty-seven (237) households, which she understands that not every household has

children that are school aged, some are middle aged retirees or their children are in college, but that is where she is coming from. Her concern is having the teachers and having the appropriate staffing. Having the fire department and those accessibilities. Those are her concerns that she thinks should be looked at.

Susan Taylor stated they talked about wildlife. In the two (2) years that she has been there, the wildlife has dropped considerable because of new people moving in with their guns and kill off the deer and wild turkey. Now they are going to tear off the one (1) place they might have to hide for house?

Glen Minich asked if they can hear him.

Anthony Hendricks stated they can't hear him.

ALCO stated they can hear him. He can talk and she will tell him when they are done.

Glen Minich asked Anthony Hendricks if he can hear him.

Adam Koronka asked Glen Minich to hold on.

Anthony Hendricks stated they are trying. ALCO is working on it.

Glen Minich stated he can hear them.

Richard Stradtner stated he actually has a specific question that ties into what Jerry Rogers was saying. How is not doing their homework of seeing if this is even possible and not putting the cart before the horse? Let's say they zone it residential, but then there are protected animals there. The deed is already done; it's zoned residential. Somebody will just come back eventually and say they will put a house there now. How is that not putting the cart before the horse? If there is something there, wouldn't they want to see before they dump a ton of money and waste everybody's time? They have lots of buddies that build houses and he knows that is the first thing to do before they even sign a contract on paper. Can they go out there? Can a well and septic be put there? Is it even possible to build a house? They do that before they even sign a deed or anything. Sounds like they rushed into the deal and now they will do the homework later. He wants to know how that is not a thing. It is in the private community.

Attorney Biege stated he is not advocating for either side, but he wants to explain the process. This is the first step. Then they do the engineering. Then they have what is called a Plat Committee. The Plat Committee has representatives from the Health Department, County Engineer, MS4 which is drainage, and the list goes on and on. They also check with fire and the schools. This is an ongoing process in Plat Committee before it comes back here again for preliminary approval of the subdivision. The zone change has to come first to see if it is possible before the County people and the investors put all their money into it. He has a flow chart from the JZO if anybody would like to see it and see who is there and what steps they go through, but they go through a lot of steps to get to the point where they can even ask for a subdivision. They are not asking for a subdivision yet. He wants to emphasize that. All these things that they are saying they are concerned about are going to

be addressed. Whether they agree with the result or not is something else, but they will all be addressed in the Plat Committee over the period of an average of one to two (1 – 2) years of development. That's usually how long it takes. The trigger doesn't just get pulled and the County does have a Subdivision Control Ordinance which has all the requirements lists and they have to follow all the things in the Subdivision Control Ordinance, which he has if somebody wants to look at that too.

Anthony Hendricks stated he brought up a good point and he's glad the public gets to see it as well as the home viewers because either way, which it doesn't matter if it is this piece or any other piece, if the subdivision changes and they move to the next step, those people will put in hundreds of thousands of dollars and they might run into something like a protected species that they could stop. It happens and it happens more than they understand. Drainage, sewer systems, maybe LaPorte doesn't want their sanitary sewer, maybe there isn't enough water in the ground. He has been in development, engineering, and surveying a long time. Those people spend a lot of money and they could get shut down and not because of the zoning, just because of something they run into and it happens. It's kind of strange that on his private side they run into this and they're stuck. They have spent the money, it's gone, and they can't develop it or they have to lose half their lots or whatever they run into. It's no fun, but that is the risk they take. It's a huge risk. This is the first step if they would consider spending sometimes hundreds of thousands of dollars to go through all the permitting, all the procedures, come back to the Plan Commission, go through the Planner, the Engineer, all the drainage, and if it works out, which honestly, they have done their due diligence and they think it will work out. They're not saying there is a high chance that it won't because they won't spend the money to even sit here today if they haven't done enough preliminary professional work to say that they are willing to take the risk and spend the money and come there and ask for two hundred and thirty-seven (237) lots. There is a lot that goes in before they ever get to put one foundation in the ground. They have to get an entrance to this off of 2; that is Indiana Department of Transportation. They have got the City of LaPorte to let them hook into the sewer line across the street. They have to bore under Highway 2. They have to actually pave some road and put it in because they aren't going to give them a building permit until they have the sewer, the water, and the road ready for people to have access for emergency purposes. It's always huge. He has done this his whole life to understand that. He has been on both sides of the table. Sometimes it doesn't work out. Sometimes they spend all this money and they only can do half the lots. They run into something in the ground. Maybe they run into something in the soil. They have run into stuff in the soil on the Summit up north of town and it shut down five (5) or ten (10) lots. They run into clay or something strange they can't see. Granted, they have done enough due diligence to know they want to be there. They have hired enough professionals. They think there is a good chance that they can get that done. They have looked at enough information that they still want to move forward. Yes or no, there is so much that goes into it after this step. Don't say that it can't be no because more often than not they are moving forward after this step. That is why they are here. They are elected officials and appointed people, if there is something they want from them, come up and tell them. If they want a buffer, less lots, bigger lots; what do they want? It's their neighborhood. We go out and look, they drive by those places.

Glen Minich asked if they can hear him.

Rich Mrozinski asked if they can hear him.



Ashley Kazmucha stated she can't hear Rich either.

Anthony Hendricks stated if there is anything they want, they still have time. Come to the podium and tell them their thoughts.

Matt Wright asked what the barrier is going to be between their subdivision and Mulligan Meadows. His back yard and theirs.

Charlie Ray, Civil Engineer for Duneland Group, stated it depends on the location throughout the subdivision. If they are talking about the subdivision next to this proposed one (1) it is about fifty feet (50') or so and then they don't plan on removing the trees another sixty feet (60') into the property. There will be a lot of trees in between. They are trying to keep as many trees as possible in this particular subdivision to keep it more of a conservation kind of thing. That's why the lots are bigger. The houses will be a little bit bigger.

Anthony Hendricks stated Mulligan Meadows looks like there is no buffer of trees in the back it is just their property line. So, they will be leaving about fifty-foot (50') buffer in the back.

Charlie Ray stated just roughly on this is fifty-three feet (53') between the back of the lot line and the side of the subdivision and in addition to that there will be a big portion of the lot that they will not be removing the trees on. It could go as high as like a hundred and thirty-seven feet (137') of all trees.

John Sloane stated seventy percent (70%) of the lots will be wooded.

Anthony Hendricks asked if that will be put in a deed record or an easement so if somebody buys it, they can't cut those trees down. He is asking either way.

Todd Leeth stated the fifty-three feet (53') is common area so that would be restricted. The rest of that distance would be somebody's back yard. A wooded lot is much more valuable than a cornfield lot. They are going to protect and sell it. Somebody could buy the lot and yes, they could clear cut it, but that doesn't seem very likely because they paid value to have that nice shady lot. Are they going to want to put a pool back there or an out building and clear a little area? That happens over time, but what happens more often is somebody plants a tree in the front yard and a couple more in the back yard. It all evens out, but they think that they will have over a hundred feet (100') of wooded separation. Fifty-three feet (53') of that is common area and would be protected.

Anthony Hendricks stated that's why he was asking. He is sure the people in the back would like to know that somebody, if they bought the lot could clear cut the lot and leave fifty feet (50') and maybe it would make them happier if there was a way that they would not cut the fifty feet (50'). Either way, he isn't discussing it, but that is probably what they are looking at.

Jennifer Wright stated she had a hard time hearing so she wanted to have them repeat how much of the woods they are keeping.

Anthony Hendricks stated they are keeping fifty-feet (50') in common area. The lots are a hundred and sixty-seven feet (167') deep so considering the front setback building line of twenty-five feet (25') and a house of forty feet (40') so they would be keeping anywhere between seventy-five to a hundred feet (75' – 100') that they are not going to clear, but they just said they will not have some sort of environmental easement on it to make them keep it. Somebody could cut the trees down. They could have between fifty and a hundred and twenty-five feet (50' – 125') of greenspace buffer. Could, but it is at least fifty feet (50')

Jennifer Wright stated but the amount of homes that are going on an acre lot, there is no way they are going to be able to keep all the trees that they are saying they are going to keep and still fit three (3) twenty-five hundred square-foot (2,500<sup>2</sup>) homes.

Anthony Hendricks stated if they have a two thousand square-foot (2,000<sup>2</sup>) house and sixty-foot (60') wide so about a sixty-foot by thirty-five-foot (60' x 35') home would total thirty-five feet (35') plus twenty-five feet (25') would equal sixty feet (60') on a hundred and sixty-foot (160') deep lot. They will have thirty-feet (30') between each house and about a hundred feet (100') in the rear.

Jennifer Wright stated thirty feet (30') between each house.

Anthony Hendricks stated that is the code. They would have thirty feet (30') between houses and have about a hundred feet (100') in back yard and fifty feet (50') of buffer. It's fifteen-foot (15') side yard per side. So it's thirty feet (30') between houses, minimum. They could have less.

Earl Cunningham stated they could have more not less.

Anthony Hendricks stated yes, they could have more. It's fifteen-foot (15') side yard for R1A, right Mike?

Michael Polan stated yes. And what Mitch is saying is the confusion is to the edge of the lot line or between the actual houses.

Anthony Hendricks stated it's thirty feet (30') between houses. Fifteen feet (15') and fifteen feet (15'). That's the code. Each person has a fifteen-foot (15') side yard so that's thirty feet (30') between buildings.

Jennifer Wright asked how many feet back.

Anthony Hendricks stated there is a twenty-five-foot (25') building setback from the front of the lot and a thirty-five-foot (35') house which would account for sixty feet (60') on a hundred and sixty-foot (160') lots so there is about a hundred feet (100') of back yard left. He's saying there could be pools or deck.

Jennifer Wright stated they're not fit for pools and decks, but she is going to do her math so that when the next meeting comes, she can have some more passes. She wanted the numbers.

Michael Polan stated the calculation was seventy percent (70%) wooded.

Anthony Hendricks stated what they are getting at is there will be a hundred feet (100') in their back yard and they will guarantee fifty feet (50'). They could have a one hundred and fifty-foot (150') buffer or fifty feet (50').

Michael Polan stated it is fifty feet (50') minimum.

Jennifer Wright stated she moved out there so she didn't have to see the color of people's siding.

Anthony Hendricks stated understandable; he lives in the County too.

Michael Polan stated for Rich and Glen on Zoom, they are working on a technical fix so that they can hear them. If one (1) of them wants to try talking and they'll see if they can hear them.

Rita Beaty stated Glen has been texting her that he wants to talk.

Michael Polan stated he can see Rich talking, but he doesn't hear sound.

Harold Parker asked Rich to say something.

Anthony Hendricks stated there are technical difficulties.

Tony Albertson stated his address is 3992 E. 350 N., Rolling Prairie, IN. One of the fellas back here asked about how this works and how they get somebody that comes in and tells them what they need in their community. Their attorney interpreted that as there are different procedure to go through to get this, but he thinks what the man was asking was how do they get a Chicago investor, a Valparaiso law firm, a Chesterton builder, all this out of County, to tell them what they need in their Rolling Prairie community. He thinks that is what he was saying, but went somewhere else. The house sizes are all set? Are there two options for houses? Three? Four? Are the contractors going to be from around there? Will they be out of town? Do they have their own building crew? How does that work?

Anthony Hendricks asked if they have a specific builder or sell lots and people build on them.

Todd Leeth stated it is not cookie cutter. The answer is that they don't have an answer for every lot. Sometimes they will be selling packages where they will buy a home from them on a lot and other times, they will simply buy a lot and find their own builder and build a custom home or a home from another builder and another builder's package. He thinks that those are really the better communities because they have the diversity of architecture. He represents a lot of developers and they do it all a different way. A lot of times, the developer will be the sole builder within that subdivision and each builder has a unique architecture. If they build every home in the entire community, then the architecture is similar up and down the street and it is visible. In this scenario, they won't have that. There will be a diversity of architecture, diversity of home styles, diversity of building sizes, and so forth. He thinks that is good for the community.

Anthony Hendricks asked if they have an architectural review committee.

Todd Leeth stated they will.

John Carr asked if there will be covenants or a homeowner's association.

Todd Leeth stated absolutely, yes. Because of the density or lack thereof of the community, they have eighty-eight (88) acres of open space, common area, in the development. That fifty-three percent (53%) of the land area is common area. They need somebody to maintain that.

Michael Polan asked Todd Leeth if he could give an estimate in an optimal market on how long it would take to develop the two hundred and thirty-seven (237) houses?

Todd Leeth stated they believe it is ten years.

Michael Polan stated he wanted that to be known. If they get all the approvals they need after this, which is two (2) years for that, such as sewer, INDOT, the water, endangered species, permits, certificates of occupancy, and selling lots, they are looking at a decade if everything goes right before that development is full and before those demands are transferred to the volunteer fire department and schools. That's in optimal market conditions. He wants to make that clear that just because they may approve a rezone tonight and next week there are two hundred (200) more houses because that's not how it works. There's a big thick book, the Joint Zoning Ordinance, with lots of rule, regulations, and procedures that developers need to follow when they are developing land.

Rich Mrozinski stated when this project first came before the Commissioners, he had a lot of questions. In fact, he was the guy that made the motion to shut it down. He didn't like the way it sounded. He didn't like three (3) houses to an acre, which to the lady that keeps saying that, that was the original plan. That has changed. It is one-point-eight (1.8) now; way bigger lots. A big plus is that they can tie into the sewer line in Rolling Prairie. They need more flow for that sewer line; that would be good. Two hundred and thirty-seven (237) homes is huge difference from what they first started off with three hundred (300) and some. He has spoken with these folks a couple of times and he likes the way they want to do it to start off with thirty (30) homes to see how it works. That will not only give them an idea of how things work, but it will give them an idea of whether they can be trusted and they can watch them and make sure that everything is going the way it is supposed to when it gets to that point. They talk about cutting down all the trees; he doesn't see them cutting down all the trees. As far as the issue with the electric, they aren't just going to tie onto the end of the line and hope for the best. That will require Indiana and Michigan Power to redo that line to make sure they have sufficient electricity. They will have electricity, a sewer line, and it will put a lot of folks in the building trades to work. It will be a beautiful addition to that area. As stated, several times, there is a whole lot of stuff to go through before they get to that point before they ever build one (1) house.

Rita Beaty asked Rich to hold on. They are trying to discuss the speaker thing so people can hear him because only the Board can hear him. Unfortunately, the audience couldn't. He is not sure what their anticipation is that they are going to do here. Hold on. She thinks they really need to hear what Rich said.

Earl Cunningham stated in summary, Mr. Mrozinski was opposed to the first proposal, he has heard the changes, he thinks that the Rolling Prairie Sewer District would benefit from it, and he likes the fact that they reduced it from three hundred plus (300+) homes to two hundred and thirty-seven (237). Is that correct?

Rich Mrozinski stated that is correct. He likes the way they are moving. They seem to be very patient and they seem to be moving in the right direction. Like they said when the Commissioners met with them; they have to all get along and do this the way they want it to be done. The developers have been working with them very well. The meetings they have been at together have gone very well.

Glen Minich asked if the Board can hear him.

Rita Beaty stated she can hear him now.

Glen Minich stated they keep talking about this and he understands Rich's point, but this development is within a mile to a mile and a half of three thousand to four thousand (3,000 – 4,000) dairy cows. Those farmers put their waste on the adjoining fields. There are smells and dust. They developer has owned the land since December of 2021. He has no idea what the community is and what he is doing to this community.

Anthony Hendricks stated he did look at Sand Ridge and when it was first platted in 1994 and the last phase was platted in 2005 and there are about twenty-three (23) lots left. That is seventeen (17) years in the last phase. When they say it's going to be ten (10) years, it could be fifteen (15) or twenty (20).

Michael Polan stated for public knowledge, the two (2) Board members that were just speaking, none of the audience got to hear what they said. This workshop is being televised on ALCO so it will be available on ALCO TV online at [accesslaportecounty.org](http://accesslaportecounty.org). Not only should they be able to hear the proceedings as they are taking place in here, but they should be able to get the audio of the two (2) Board members that were speaking because both of them had valuable contributions to the conversations. He would further add that the JZO with all the codes, ordinance, and rules that the developers need to do is also available online on their website for anybody to check out and peruse through for themselves.

Anthony Hendricks asked if they are still selling copies of the book.

Michael Polan stated no, they are not, but it is available online.

Susan Taylor stated she has another question. They say they are going to keep all those trees. Have any of them that are in that development lived in the woods? How many trees are falling down because of the floods, the rains, the close development that is ruining the roots. Every time it storms this year, she loses a tree in her woods. They can't say they are going to leave that many trees because they aren't going to be there. Especially when they are clearing out the property around it.



They will be falling. Plus, their insurance will not let them leave a tree that is ten feet (10') from a house. They will say cut that tree. They aren't leaving as many trees as they are saying they are.

Anthony Hendricks stated Glen Minich was concerned that there are three to four thousand (3,000 – 4,000) cows within a mile of this so the smells, dust, work, and they put manure on the fields out there. Wooo!

Glen Minich asked if the developer has ever developed in that kind of an area. Have they developed in that intense of a farming community before? They have only owned the property since December.

Earl Cunningham stated nobody can hear him.

Luke Smith stated he has a question for the Board. As far as their development plan, which he knows is from 2008, how does this property fall into that. Does it fall into the Town of Rolling Prairie, the requirements of the Urban Development? Where does that fall and shouldn't that be in consideration in rezoning this versus the protection of it being Agricultural.

Anthony Hendricks stated they will leave that to the County Planner.

Mitch Bishop stated that is located in their Comprehensive Plan. It is in a Planned Growth Area. Their Comprehensive Plan is a twenty (20) year plan that was developed in 2008. It gives recommendations of how they would like to see growth occur in their County over a twenty (20) year time frame. It gets updated every twelve to fifteen (12 – 15) years. In this area, it is a planned growth and there are roughly about twelve (12) areas in the County and it is a planned growth area. What that means is they went through the trouble of running infrastructure from the City of LaPorte to Rolling Prairie and this is an area where they want to see growth occur because of that. That is just one (1) reason. The Board bases their decision on the County Land Development Plan which is their Comprehensive Plan. They base the decision on what is that sub area and what are the future plans for that area and being a planned future growth area that is signified in their Comprehensive Plan is one (1) of the eight (8) qualifiers for the decision. There is the County Land Development Plan and Current Conditions. If it's not spot zoning which means, for instance this area is seeking R1A now and next door is a subdivision zoned R1A. If they were going to rezone it to Industrial and there is no Industrial around anywhere adjacent to it, that would be considered spot zoning. They meet that qualification. Any neighborhood plans specific to the area have to be met; there are none for that area. Property Values. Desirable Use so highest and best use. A lot of that deals with assessed valuation. Right now, that area isn't making a lot of tax revenue. Current Conditions. Comprehensive Plan. Desirable Use. Property Values. Responsible Growth. Spot Zoning and Neighborhood Plan. Those are the eight (8) qualifiers that the Board is supposed to make their decision based on.

Glen Minich stated he has been trying to get through. Everybody has a lot of good concerns here, but the biggest concern is that they are building in one (1) of the most intensely farmed areas of LaPorte County. There are three to four thousand (3,000 – 4,000) dairy cows a mile away. The waste is applied in the adjoining areas to this subdivision. There are going to be smells and dust that this developer has never seen before. They just bought the property. They are not a part of the

community. They don't understand what goes on out there. He would like to hear from the developer on that. He would also like to make one (1) comment as to Mitch's statement that it is a Planned Growth Area and he doesn't believe that is true. It is zoned Ag and that's the way they planned it. The only reason that the sewage line is in proximity to this is because they've sent it to Rolling Prairie to help that community because they had septic problems and they needed access to the system. That's why it's there. It's not looking for development from LaPorte along that route; it was just looking to help an area that needed sewage services. He would like to hear from the developer if they have ever developed that close to heavy industrial farming which is what is going on there.

Rich Mrozinski stated as he stated earlier, when this first came before the Board of Commissioners, he had a lot of questions when they talked about the small lots and three (3) houses to an acre. They turned it down. The developer has come back to them. He was met with them two (2) or three (3) more times since then and they have really changed their development plans. They are talking about one-point-eight (1.8) houses to an acre. Something he hadn't thought of that they pointed out is that a lot of people whether they be young or old don't really want a big, big yard to have to take care of. He knows about that. The sewer line was put in to save homes and business in Rolling Prairie. He railroaded that when he was on the Council, but it needs more flow. This would provide a lot more flow and help it out. It is aging before its time right now. To have a lot in the County where it is hooked up to the sewer is a big thing. It will put a lot of people in the building trades to work building homes. They're not going to build them all at once as they stated. They are not going to cut down every tree and they're not going to leave every tree. They get carried away exaggerating with things. He appreciates all of the work that the developer has done and met with them over the past weeks. They are trying to make sure that this is done right. They are trying to please the County and the residents. Glen Minich is right, but he lives in the country and always has. He doesn't live too far from this development himself and he doesn't live too far from the Ekovich farm or other farms; he smells it when they spread manure on the farms, but he grew up that way. He doesn't see anyone coming out here from Chicago or from any other big city, smell that, and still wanting to live there. If they do, great, but that will be up to them. Personally, like his Dad used to say, when you smell manure it smells like money.

Anthony Hendricks stated for everyone, Commissioner Mrozinski is at home since he is quarantined from Covid. He wishes he could be here.

Rich Mrozinski stated he does.

Luke Smith stated he wanted to make another comment about the County Development Plan. What Mitch Bishop is referring to as far as the Urban Expansion, which he understands it could fall under that category, but under towns and villages Rolling Prairie falls in there. They had a discussion before about his interpretation is that it is referring to the actual town, but if you actual read the objectives and the findings, that is not just relevant to the town of Rolling Prairie. Specifically, in that section it says they should not allow subdivision unless they have sewer and water. He is trying to figure out from them how it is up to somebody's interpretation whether it falls under this category or that one (1). All he knows right now is that it is Agricultural and it has been that way for a long time.


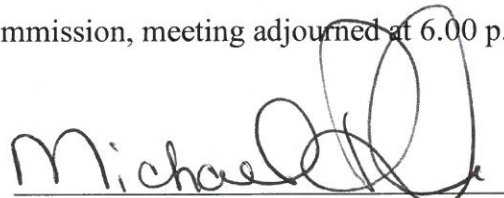
Anthony Hendricks stated the north part of the property is zoned R1B. These are investment choices and decisions and risks, if they wanted to develop the north part of the property in two (2) or three (3) phases, they could probably fit and jam R1B in. They would come forward and move on and hope in years that they would rezone the back. It's not just Ag; some of it is zoned R1B right now.

Michael Polan stated that over the past decades, several farmers have come through to the County and split off their land with road frontage to sell it for residential use. So much so that they have standard form in their office that when they issue building permits that are building on these Ag zoning properties for residential use that they hand it out to them. So, if there are city folk that are moving out there, they can be informed of what smells and activities will be occurring on their Ag zoned land for residential use. This is something new. This isn't some inexperienced panel. This is a process that has been going on before any of them in the room existed. There are procedures in place to deal with this kind of stuff from stormwater management to certificate of occupancy to a whole litany of things.

Todd Leeth stated he wanted to make one (1) comment. They are getting blasted because they aren't from their County and out of town. His client is from Chicago and he develops in Michigan and the City of Chicago. He is not developing for himself. He is not a Chicago developer for a Chicago market; he is a developer who happens to have an address in Illinois, but the product and the peoples whose homes will be in the subdivision will be LaPorte County people. That is who they should be focused on. Not who is putting lines on a piece of paper or who is pounding nails into two by four's (2" x 4"), but the people who are going to be living in the subdivision. It's the people, frankly, that are in this room outside. It's not whose address is on the petition or whose address is on the permits that they are going to be securing as they go forward.

Anthony Hendricks stated they are going to transition and start the regular meeting.

With no further workshop business before the Plan Commission, meeting adjourned at 6.00 p.m.

  
Anthony Hendricks, President  
Michael Polan, Recording Sec.