



**Michael Polan**  
**Building Commissioner**

October 28<sup>th</sup>, 2025

10-28-2025 1

Steve Holifield stated folks, these are three to five (3 – 5) years out minimum to get a grid sampling so they could have energy and electric. These are not happening. All that is happening right now is rumors and people doing their due diligence as investors, but they are three to five (3 – 5) years out minimum so they will have plenty of time to talk. Currently, their Zoning Ordinance pertain to these and they can only go into an Industrial area right now. As Doug said, they are going to have a workshop regarding a Data Center Ordinance and they will all be allowed to speak then.

Attorney Biege stated if he may add to that, in zoning they have to take certain steps. That is required by Indiana Code. The way their Zoning Code is written now, nobody would slide anything through. There is no way. It doesn't go in front of the BZA unless the Building Commissioner or he sees it. He's telling them right now, nothing is going to be built without at least going to the Board of Zoning Appeals until they have a Data Center Ordinance, but they are completely covered until then and nobody has applied or asked. So, they have plenty of time.

Steve Holifield stated the rumors floating around on Facebook are basically just rumors. Now, he has spoken to several of them in the community already and as he has stated, when they are ready to put their neighborhood together to have a meeting, contact him and he will meet with them and answer every question they have. He wants to make sure that they are aware of that. Thank you.

Rita Beaty stated thank you. Do they have an approval for the minutes from the September 23<sup>rd</sup> meeting.

Ashley Kazmucha stated wait. They didn't finish the agenda.

Rita Beaty stated she's sorry.

James Pressel III asked if Steve wants to change his motion.

Steve Holifield stated yes to just approve it.

Harold Parker seconded the approval of the agenda.

All Approved. Motion carries 9-0.

Rita Beaty asked for approval of the September 23<sup>rd</sup>, 2025 minutes.

Eric Pointon made a motion to approve the minutes as presented.

James Pressel III seconded.

All Approved. Motion carries 9-0.

#### **Petitions:**

- 1. Petitioner Brent Chupp represented by Matt Garritano of C.H.A.A.P.C** respectfully petition the Plan Commission for a proposed minor subdivision of 3 lots to be known as

“Pivotal Acres”. The parent parcel property ID# is 46-09-25-200-004.000-027. The property is located immediately south of 4295 S. 650 W, on County Road 650 West approximately 4,700’ South of the intersection of County Road 650 West and Joliet Road. The parcel is in the Northeast Quarter of Section 25, Township 36 North, Range 4 West, New Durham Twp., LaPorte County, IN. Zoned A consisting of 53.61 total acres. Exhibits attached hereto.

Attorney Biege stated notice is adequate.

Matt Garritano stated he is with Charles Hendricks & Associates Engineering and Land Surveying. What they have here in front of them for Mr. Chupp is a three (3) lot minor. Each of the three (3) lots meets and exceeds the present-day standards for new parcels for a minor subdivision. Minimum two-hundred-foot (200’) frontage; all the lots exceed it. Minimum one (1) acre and all the acreage exceeds. The lots will be serviced by private septic and wells. No disturbance. No new roads. No new infrastructure. No nothing. This one (1) is pretty straight forward. Soil borings are adequate and will take septic. They have approval or design specifications from the LaPorte County Health Department already. All the soil boring area consists of everything west of the vegetation line. He is there to answer any questions the Board may have. This one (1) is pretty straight forward.

Steve Holifield stated the question he has is Lot 3. Is there going to be enough space there between the road and . . . what is that green area there? Is that a wetland or farmland? On the Beacon Map.

Matt Garritano stated that is the NWI Wetland Map.

Steve Holifield stated so that is a wetland.

Matt Garritano stated that is from NWI, but he actually has a letter from their soil scientist that states that he does not believe that it is accurate and is actually further set in the vegetative line and is much smaller if it is even classified wetland as it is. The vegetation in there is not indicative of wetlands. He can provide them a copy of that letter if they would like. Now.

Steve Holifield stated he is just wanting to know if there will be enough area to go back there and it won’t affect septic.

Matt Garritano stated absolutely. It should not because all those brings as he stated before are west of that vegetation line and any disturbance that would be done anywhere what NWI shows on Beacon or anything in that forested area would have to be confirmed with a soil scientist and the Health Department anyway. They have enough adequate room outside of that, not going into the woods, for a septic and a home.

Steve Holifield stated okay.

James Pressel III asked if the Building Department has any issue with the wetland stuff there.

Michael Polan stated they do not. They did convene a Technical Review Committee. He, the County Surveyor, and the County Planner were there. The members that were absent had submitted comments into the review software after the fact so everybody has had a chance to look at it and make comments and review it. He agrees; it is pretty straight forward and they have no issues with it. It will be double checked again before building permits are issued.

Steve Holifield asked if the Army Corps had an issue with this or anything?

Michael Polan stated they have the soil scientist report. The Army Corps will be checked prior to the issuance of any Building Permit.

Steve Holifield stated okay.

No remonstrators present.

Jamse Pressel III made a motion to approve Petitioner Brent Chupp represented by Matt Garritano of C.H.A.A.P. for a proposed minor subdivision of 3 lots to be known as "Pivotal Acres". The parent parcel property ID# is 46-09-25-200-004.000-027. The property is located immediately south of 4295 S. 650 W, on County Road 650 West approximately 4,700' South of the intersection of County Road 650 West and Joliet Road. The parcel is in the Northeast Quarter of Section 25, Township 36 North, Range 4 West, New Durham Twp., LaPorte County, IN. Zoned A consisting of 53.61 total acres.

John Carr seconded.

Steve Holifield stated like Mike said, he won't issue a permit until they check with everything. He has no problem with that then.

All Approved. Motion carries 9-0.

- 2. Petitioner Mark Parkman represented by Matt Garritano of C.H.A.A.P.C** respectfully petition the Plan Commission for a proposed minor subdivision of 3 lots to be known as "5000 800 South Minor Subdivision". The parent parcel property ID# is 46-14-18-200-001.000-056. The property is located immediately east of 5588 W. 800 S., on County Road 800 South approximately 7,000' West of the intersection of Union Mills. The parcel is in the Northeast Quarter of Section 18, Township 35 North, Range 3 West, Noble Twp., LaPorte County, IN. Zoned A consisting of 74 total acres. Exhibits attached hereto.

Attorney Biege stated notice is adequate.

Matt Garritano stated again, he is with Charles Hendricks & Associates located at 512 Lincolnway in LaPorte, IN. This is almost identical to the previous petition. It is a three (3) lot minor. They have adequate soil borings and they will also see on the GIS most likely almost that same similar NWI Wetland thing. All the borings for each of the three (3) lots are so far uphill that they would be nowhere near any wetland situation in the lower area on Tract 3. They also have received this week satisfactory design specification sheets from the Health Departments.

This ground is all capable of taking septic. The only difference from these lots and the last lots is the frontage which is shown on the eleven by seventeen (11" x 17") that they have provided.

Steve Holifield asked if Lot 3 will be the balance of the parcel?

Matt Garritano stated Lot 3 will be the balance of the parent.

Steve Holifield stated okay. And all the access is off of 800.

Harold Parker stated wait a minute, somebody is shaking their head.

Steve Holifield stated oh, it does not because there is Madura Road.

Matt Garritano stated okay. So, there will be. . .

Steve Holifield stated that parcel will be bigger than the rest of them.

Matt Garritano stated yes. Bigger than all three (3) of the lots. That is correct.

Steve Holifield stated six-point-seven (6.7); the other ones are about two (2) acres.

Matt Garritano stated what will be east of here will be what will be cultivated so they will not be going into that.

Steve Holifield stated right past Madura Road, okay. All access will come off 800 South?

Matt Garritano stated that is correct.

No remonstrators present.

Joseph Tuholski made a motion to approve Petitioner Mark Parkman represented by Matt Garritano of C.H.A.A.P.C for a proposed minor subdivision of 3 lots to be known as "5000 800 South Minor Subdivision". The parent parcel property ID# is 46-14-18-200-001.000-056. The property is located immediately east of 5588 W. 800 S., on County Road 800 South approximately 7,000' West of the intersection of Union Mills. The parcel is in the Northeast Quarter of Section 18, Township 35 North, Range 3 West, Noble Twp., LaPorte County, IN. Zoned A consisting of 74 total acres.

Eric Pounton seconded.

All Approved. Motion carries 9-0.

*The above mention parcel was split prior to the minor subdivision approval, but after the initial filing resulting in Parcel ID 46-14-18-200-004.000-056 with 19.238 acres.*

Michael Polan stated on major subdivisions, there is a primary and secondary plat approvals. Since, this is a minor, there are no roads, no infrastructure, they would like to have it in the record that they are waiving the secondary for these subdivisions.

Rita Beaty asked if they need a motion to waive the secondary.

Attorney Biege stated yes. It would be better if they voted on it.

Steve Holifield made a motion to waive the secondary plat approvals and approve the subdivisions.

Eric Pointon seconded.

Steve Holifield asked if any building permits have been applied for with these?

Michael Polan stated no.

Steve Holifield stated they were waiting for the hearing tonight.

Michael Polan stated right. Again, when building permits are applied for, they will require a site plan, and everything is checked again. They will make sure that there are soil boring reports, that the Health Department has approved septic, if there are State Releases required, if there is MS4 Stormwater wetlands sign off, all of that stuff is checked again before they issue any permits.

Steve Holifield stated okay.

All Approved. Motion carries 9-0.

Rita Beaty asked for any old business.

Rita Beaty asked for any new business. They can discuss the Workshop.

James Pressel III asked if they need to set a date for their Workshop tonight?

Attorney Biege stated he thinks that would be the right move to make.

James Pressel III asked if they can do that prior to their next meeting or does it need to be a separate night?

Attorney Biege stated sure. He thinks it would be better if it was a separate night because they don't want to have any time constraints really.

Steve Holifield stated he will check with Diane tomorrow about the availability for this building.

Rita Beaty stated they will have to have Ashley kind of check schedules too for all the other meetings that go on so that they have a time frame.

Harold Parker asked if it will be an evening meeting.

Steve Holifield stated yes. It's easier for the public to get here. He will make sure they have Room 2 also; have them take the wall out and set the chairs up.

Ashley Kazmucha stated it looks like November 10<sup>th</sup> should be okay, but they can double check that tomorrow.

Attorney Biege stated he cannot make it November 10<sup>th</sup>.

Ashley Kazmucha stated okay, he can't make it November 10<sup>th</sup>.

Rita Beaty stated that's a problem.

Steve Holifield stated and November 11<sup>th</sup> is Veteran's Day so they can't have it then.

Attorney Biege stated well November 10<sup>th</sup> is the Marine Corps Birthday, but that's not why.

Ashley Kazmucha asked what about the 12<sup>th</sup>?

Steve Holifield stated okay. The 12<sup>th</sup>; he will check with that tomorrow.

Ashley Kazmucha stated it is a Wednesday.

Steve Holifield stated okay, it's in between their two (2) Commissioner meetings.

Rita Beaty stated they have that steering committee meeting for environmental soon too.

Steve Holifield stated yes. So, 6 p.m., he will make sure. Ashley will check on that.

Rita Beaty stated 6 p.m. on the 12<sup>th</sup> as a tentative plan for right now so for those in attendance this evening they will plan on November 12<sup>th</sup> at 6 p.m. at this location.

Ashley Kazmucha stated she is going to draft an agenda for that either way and it will be online. It will be on the Plan Commission page when the meeting is.

Attorney Biege stated if he may clarify for the public what they are doing. The purpose of a workshop is for the Plan Commission members to initiate and discuss what they may or may not do on data centers. There will be no public comment that night. That doesn't mean they can't comment, but they can't comment until they actually have a document and this is the start of having a document, okay.

Steve Holifield stated they will have plenty of time to speak when the time comes because they have to have a drafted ordinance first. They have a template for one (1) and he spoke with a couple other counties that had the same issues and things they wished they had done or done differently, so

there will be quite a bit to discuss that night. Currently, like Doug spoke earlier, currently their zoning does address this issue and treats it as a warehouse and it can only put into an Industrial zoned area. It cannot be going on farmland or Ag ground. The new ordinance will take care of that. They are also talking about them in the Comp Plan. They are putting together the twenty (20) year Comp Plan so it is being addressed during those meetings.

Rita Beaty stated if they have anything they would need to comment on or would like to have them discuss on November 12<sup>th</sup>, they are more than welcome to call Steve and discuss it.

Steve Holifield stated call him up. They have his number and email. He's not scared. He wants their input in this. They're the citizens who will be living around this area. They want to make sure.

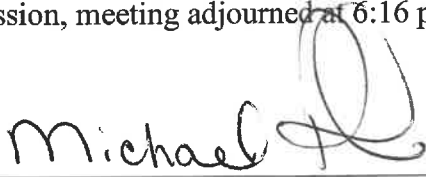
Rita Beaty stated just let them know. They are there if anybody needs to comment or something because they will be up here discussing it November 12<sup>th</sup> at 6 p.m. Okay.

John Carr made a motion to adjourn.

Steve Holifield seconded.

There being no further business before the Plan Commission, meeting adjourned at 6:16 p.m.

  
Rita Beaty, President

  
Michael Polan, Recording Sec.