

MINUTES
ELKHART COUNTY BOARD OF ZONING APPEALS MEETING
HELD ON THE 17th DAY OF NOVEMBER 2011 AT 8:30 A.M.
MEETING ROOM – DEPARTMENT OF PUBLIC SERVICES BUILDING
4230 ELKHART ROAD, GOSHEN, INDIANA

1. The regular meeting of the Elkhart County Board of Zoning Appeals was called to order by the Chairperson, Randy Hesser with the following board members present: Robert Homan, Doug Miller, Tony Campanello, and Meg Wolgamood. Staff members present were: Chris Godlewski, Plan Director; Ann Prough, Zoning Administrator; Robert Nemeth, Planner; Kathy Wilson, Office Administrator, and James W. Kolbus, Attorney for the Board.

2. A motion was made and seconded (*Wolgamood/Miller*) that the minutes of the regular meeting of the Board of Zoning Appeals held on the 20th day of October 2011 be approved. A roll call was taken, and with a unanimous vote, the motion was carried.

3. A motion was made and seconded (*Miller/Wolgamood*) that the legal advertisements, having been published on the 5th day of November, 2011, in the Goshen News and The Elkhart Truth, be approved as read. A roll call vote was taken, and with a unanimous vote, the motion was carried.

4. A motion was made and seconded (*Homan/Campanello*) that the Board accepts the Zoning Ordinance, Subdivision Control Ordinance and Staff Reports as evidence into the record and the motion was carried with a unanimous roll call vote.

5. There were no postponements of business items.

6. The application of *Nelson & Esther Lehman (co-owners) and Daniel & Ruby Bontrager (co-owners)* for an amendment to a site plan for an existing Special Use for a home workshop/business for a bakery and coffee shop (Specifications F - #45) and for a Developmental Variance to allow the total square footage of accessory structures to exceed the total square footage in the primary structure on property located on the West side of CR 31, 550 ft. South of CR 36, common address of 64091 CR 31 in Elkhart Township, zoned A-1, came on to be heard.

Photos of the property were submitted to the Board by the staff *[attached to file as Staff Exhibit #1]*.

Mrs. Prough presented the Staff Report/Staff Analysis, which is attached for review as *Case #64091CR 31-111024-1*. Special Use Commitment #2 was amended to read as follows: "To be operated by the owner/occupant of the residence on site." Also amended was Condition #2 of the Developmental Variance which should read, "The Board of Zoning Appeals approval" rather than "The Hearing Officer".

There were six (6) neighboring property owners notified of this request.

Blake Doriot, B. Doriot and Associates, P.O. Box 465, New Paris, was present representing the petitioners. Mr. Doriot explained that the Lehman's are currently living in the home on site with the bakery attached. This petition was originally approved in 2010 on six acres. Mr. Lehman called Mr. Doriot and said he wanted to try and do this on three acres, but in the process, they found out the Special Use had expired. The petitioners hadn't realized it was

expired. The parcel to the southeast will be transferred to the Lehman's son because his livestock is in the building. That will give the petitioners the funds to build the bakery/coffee shop on site. Mr. Doriot noted they are in agreement with the Staff Analysis.

Mr. Homan questioned how they get around the owner/occupant part of the home workshop definition.

Mr. Doriot indicated they could build a long breezeway if required, but the owner is occupying the site. He pointed out on the aerial photo where the petitioners' son currently resides and where the petitioners live. He explained that the bakery is in the north half of the southern parcel and they want to build a separate building approximately 50 feet from their home.

Mrs. Wolgamood then noted there is a photograph of the residence included in the staff photos. She questioned if the petitioners have been operating out of the attached garage and Mr. Doriot said yes.

The petitioner's representative indicated they have no issues with the conditions/commitments and they will be working on those within the next two weeks.

There were no remonstrators present.

Mr. Homan questioned what the actual square footage difference would be for the Developmental Variance as there was an error on the application.

Mr. Doriot said that was a mistake on his part, but he believes it is 500 square feet.

Mrs. Prough indicated that the Developmental Variance size did not change and it is the same as what was approved before.

The public hearing was closed at this time.

Mr. Hesser noted that a couple of times the questionnaire refers to the previous request being denied and he asked why that was not in the Staff Report. Mr. Doriot explained that it was an error on his part as he used an old application questionnaire. Mrs. Prough added that the previously denied application was on the other parcel as there was no house there when they applied for a home workshop/business. It was not included in the Staff Report because it did not pertain to the parcel in question. She confirmed that an old questionnaire was copied for this petition.

The Board examined said request, and after due consideration and deliberation, a motion was made and seconded (*Homan/Miller*) that the Board adopt the Staff Analysis (as amended by the Staff and the Board) as the Findings of the Board, and based upon these Findings, this request for an amendment to a site plan for an existing Special Use for a home workshop/business for a bakery and coffee shop (Specifications F - #45) be approved with the following conditions imposed:

1. The existing bakery business currently located in the attached garage to be relocated in the new accessory structure within thirty (30) days of completion of the structure.
2. The Elkhart County Advisory Board of Zoning Appeals approval shall not be effective until the Commitment form has been executed, recorded and returned to the Elkhart County Advisory Board of Zoning Appeals staff within sixty (60) calendar days after BZA action on the petition for placement in the petition file.

Also imposed were the following commitments:

1. Approved in accordance with the site plan submitted and as represented in the petitioner's application and testimony.
2. To be operated by the owner/occupant of the residence on site.

3. All required permits and inspections to be obtained.

The motion further reflects that in accordance with the amended Staff Analysis, the request for a Developmental Variance to allow the total square footage of accessory structures to exceed the total square footage in the primary structure be approved with the following conditions imposed:

1. A variance from the developmental standards of the Zoning Ordinance is void unless an Improvement Location Permit is taken out within ninety (90) calendar days from the date of the grant and construction work completed within one (1) year from the date of the issuance of the building permit (where required), unless specific permission for additional time is granted by the Elkhart County Advisory Board of Zoning Appeals.
2. The Board of Zoning Appeals approval shall not be effective until the Commitment form has been executed, recorded and returned to the Elkhart County Advisory Board of Zoning Appeals staff within sixty (60) calendar days after BZA action on the petition for placement in the petition file.

The following commitment was also imposed:

1. Approved in accordance with the site plan submitted and as represented in the petitioner's application and testimony.

A roll call vote was taken and the motion was carried unanimously.

7. The application of **Loren M. & Miriam Borkholder** for a renewal and amendment to the site plan and existing Special Use for an indoor/outdoor archery range with retail sales (Specifications F -#11) on property located on the West side of CR 17, 2,200 ft. South of CR 56, common address of 72945 CR 17 in Union Township, zoned A-1, came on to be heard.

Photos of the property were submitted to the Board by the staff *[attached to file as Staff Exhibit #1]*.

Mrs. Prough presented the Staff Report/Staff Analysis, which is attached for review as *Case #72945CR 17-111024-1*.

There were five (5) neighboring property owners notified of this request.

Present on behalf of this request was Loren Burkholder, 72945 CR 17, Milford. Due to the economy, he said they have slightly reduced their hours and they have eliminated the target range. Other than those changes, he said he would like to continue operating this business.

Mr. Homan asked if it is an indoor target range and Mr. Burkholder said yes, which is what the new addition was for.

Mr. Homan then asked if the sign has changed, but the petitioner said he believes it is the same.

Mrs. Wolgamood questioned the reason for reducing the size of the property from 19 acres to four acres. Mr. Burkholder responded that the downsizing was a result of the economy. It was also clarified that everything is now going to be on the east side of Turkey Creek.

There were no remonstrators present.

Mr. Burkholder was then advised by Mr. Homan that a commitment form will need to be recorded at the Recorder's Office and then returned to the staff, which is different from when the original Special Use was granted.

The public hearing was closed at this time.

The Board examined said request, and after due consideration and deliberation, a motion was made and seconded (*Homan/ Wolgamood*) that the Board adopt the Staff Analysis as the Findings of the Board, and based upon these Findings, this request for a renewal and amendment

to the site plan and existing Special Use for an indoor/outdoor archery range with retail sales (Specifications F -#11) be approved with the following condition imposed:

1. The Elkhart County Advisory Board of Zoning Appeals approval shall not be effective until the Commitment form has been executed, recorded and returned to the Elkhart County Advisory Board of Zoning Appeals staff within sixty (60) calendar days after BZA action on the petition for placement in the petition file.

The following commitments were also imposed by the Board:

1. Approved for the owner/ occupant for the residence on site.
2. All parking to be maintained on the petitioner's property.
3. Days and hours of operation to be Tuesday through Thursday, 1 p.m.to 7 p.m., Friday; noon to 4 p.m., and Saturday 10 a.m. to 2 p.m.
4. No employees outside of those who live in the residence on site.
5. One 36" x 36" double face non-illuminated existing sign currently on site.
6. Approved in accordance with the site plan submitted and as represented in the petitioner's application.
7. Special Use renewed for an indefinite period of time unless a valid complaint is received by the County.

A roll call vote was taken and the motion was carried unanimously.

8. The application of ***Jimmie J. & Lynne E. Houston*** for a Special Use to allow for an agricultural use (storage of farm equipment) on property containing three acres or less (Specifications F - #1) on property located on the East side of Walnut Street, 250 ft. South of 1st Street, and South of CR 46, common address of 68632 Walnut St. in Jackson Township, zoned A-1, came on to be heard.

Photos of the property were submitted to the Board by the staff *[attached to file as Staff Exhibit #1]*.

Mrs. Prough presented the Staff Report/Staff Analysis, which is attached for review as *Case #68632WalnutSt-111012-1*. She then indicated that the petitioners' contractor has information to present regarding the two issues mentioned in the Staff Report.

There were 13 neighboring property owners notified of this request.

Since there is a staff recommendation of tabling this request, Mr. Homan asked if the Board wants to hear testimony today without a complete Staff Analysis. Mrs. Wolgamood also asked the Staff if they have had the opportunity to review what is being submitted to the Board today.

Mrs. Prough informed the Board that she just received these documents from the contractor this morning. There is an authorized copy from a representative and the cemetery is giving the petitioners permission to cross the property, but she said it does not indicate what the representative's position is with the cemetery. She also said that an application has been submitted to the DNR with regard to obtaining a permit to build. DNR's requirement is 100 ft. from the cemetery line, but the petitioner wants to build 60 ft. from that line. In addition, she said she asked him to bring in everything required to go through that DNR process, which the contractor did this morning.

During discussion, Mr. Homan said he wants to see a complete Staff Analysis and Mr. Hesser agreed. If there are people present who want to speak, Mr. Hesser felt they should have an opportunity to do so without having to come back next month.

When Mr. Homan asked the contractor if he wants to give his testimony today or next month if they table the request, he indicated that it did not matter to him either way.

There were no remonstrators present.

In reviewing some of the information, Mrs. Prough said the DNR has 60 days to review this project and she's not sure the petitioner will have anything back from them within 30 days. She pointed out that this project was not going to be started until next spring and the contractor said that is correct. He explained, however, that there is some land clearing that needs to be done and the petitioner wants to do that now in preparation for next spring.

Mrs. Prough said the staff recommendation will most likely include a condition that the petitioner obtain DNR approval.

A motion was made by Mr. Homan that this request be tabled to be brought back to the Board at the December 15, 2011, Board of Zoning Appeals meeting with the Staff Report. The motion was seconded by Mr. Miller and was carried with a unanimous roll call vote.

9. Mrs. Prough submitted for the record a certificate of residency for Bill Kuhns *[attached as Staff Exhibit #1]* who has been appointed to the Board of Zoning Appeals as the Alternate Citizen Board Member by the County Commissioners.

Mrs. Wolgamood asked if this means that if one of the Board members is absent that Mr. Kuhns will be able to cover for them. Mr. Kolbus responded that Mr. Kuhns can only cover for a board member that has been appointed by the Commissioner's office.

10. At this time, Attorney Kolbus informed the Board that Attorney Loren Sloat had filed an appeal on behalf of Kevin Martin. Mr. Kolbus had a phone conference with the presiding Judge on November 14th where he, in effect, granted the Petitioner a temporary stay and set the Petition for a hearing in January. The Judge thought he should be allowed to continue to operate under that permit until he makes a ruling, but he also indicated that the Board will be allowed to enforce any violations of that original permit. Mr. Kolbus wanted Board members to know that they will be receiving a packet in the near future. At this point, he said the presiding Judge did not ask for a bond.

11. The application of **Anubis, Inc.** for a Special Use for a crematorium (Specifications F - #6) on property located on the West side of Violet Road, 300 ft. North of Woodland Avenue, 1,600 ft. East of CR 9, common address of 54125 Violet Rd. in Osolo Township, zoned M-2, came on to be heard.

Photos of the property were submitted to the Board by the staff *[attached to file as Staff Exhibit #1]*.

Mrs. Prough presented the Staff Report/Staff Analysis, which is attached for review as *Case #54125VioletRd-111024-1*.

There were fifteen (15) neighboring property owners notified of this request.

Brad Billings, the owner of Billings Funeral Home, 414 East Jackson Boulevard, Elkhart, was present on behalf of this request. Mr. Billings explained they would like to put in their own crematory. He has been in business for sixteen years at his location on Baldwin Street in Elkhart and approximately half of his business now is cremation. He uses a company now out of Laporte, Indiana, so it's a little far away. They would like to keep everything in house and handle their own affairs. Mr. Billings noted he has been a Funeral Director for about 30 years.

Mr. Hesser questioned if Cassopolis Street was to the west of his location and the petitioner indicated yes.

Mrs. Wolgamood asked whether an access onto Woodlawn Avenue was off of Jackson Street. Mr. Billings said yes, it is right on the corner.

There were no remonstrators present.

Mrs. Prough asked the petitioner what type of permits he is required to obtain from the State of Indiana to provide this service. The petitioner said he has those with him today and he has a license from the State of Indiana to operate as a crematory. He also had a letter from the Secretary of State verifying the name of the business.

Mr. Billings feels this is a perfect location for the crematory. CMW Excavating is at the end of the road and other than that, this area is rather isolated.

Mrs. Wolgamood noted that there is a gate on Violet Road and asked if he accesses this gate. Mr. Billings said that gate is there due to vandalism at Roger's Trucking Company, but he noted the gate is closed at 5:00 p.m. each day.

Mr. Billings then submitted a copy of their Crematorium License *[attached to file as Petitioner Exhibit #1]*.

The public hearing was closed at this time.

The Board examined said request, and after due consideration and deliberation, a motion was made and seconded (*Hesser/Wolgamood*) that the Board adopt the Staff Analysis as the Findings of the Board, and based upon these Findings, this request for a Special Use for a crematorium (Specifications F - #6) be approved with the following conditions imposed:

1. A copy of all required local and state permits to be submitted to the Staff for the file prior to the operation of the crematorium.
2. The Elkhart County Advisory Board of Zoning Appeals approval shall not be effective until the Commitment form has been executed, recorded and returned to the Elkhart County Advisory Board of Zoning Appeals staff.

The motion further reflects that the following commitment be imposed:

1. Approved in accordance the site plan submitted and as represented in the petitioner's application.

A roll call vote was taken and the motion was carried unanimously.

12. The application of ***Alliance Industries (buyer) and Sommers Farm, LLP (seller)*** for a Special Use for installation of solar panels (Specifications F - #31.50) on property located on the West side of CR 19, 750 ft. South of CR 50, common address of in Jackson Township, zoned A-1, came on to be heard.

Photos of the property were submitted to the Board by the staff *[attached to file as Staff Exhibit #1]*.

Mrs. Prough presented the Staff Report/Staff Analysis, which is attached for review as *Case #CR 19-111024-1*.

There were eight (8) neighboring property owners notified of this request.

Present on behalf of this request was Bob Adle, who indicated he is representing Alliance Industries and Gemini Power Solutions, 922 South 500, Markle. Mr. Adle noted he works for Star Distributive Energy and they are asking to build a solar farm on the property in question. He explained that the panels plug together and then tie into an inverter and transformer. There is some wiring that takes it to a switch gear, at which point it goes from the switch gear and interconnects with the power company.

Mr. Adle feels this is an ideal location for a solar farm as it is a flat piece of program and it is located very close to a substation. There are also distribution lines that run along SR 19. The farm and residence would be to the south, so there would only be one residence right next to the project.

The petitioner's representative indicated there were setbacks shown on the site plan, but they may not have shown up very well. Mrs. Prough said there were some setbacks, but they were confusing to the staff. There was a 75 ft. setback shown in one location and another 15 ft. setback shown in another location, but the staff wasn't sure which locations those pertained to.

Mr. Adle explained that the 15 ft. was the width of the gravel driveway. Mrs. Prough noted that wasn't indicated on the site plan.

Mrs. Prough questioned if all of the panels will be located 75 ft. from the centerline of the road and Mr. Adle said yes, at a minimum. He noted they won't have any issues complying with the setbacks.

Mrs. Prough pointed out there was a 5 ft. setback shown to the north. Mr. Adle said the 5 ft. setback was the distance between the fence and the setback line. Everything is within the setback. Mrs. Prough noted that everything should be clearly defined on the site plan.

When Mrs. Prough asked if the 15 ft. was the width of the driveway, the petitioner's representative said yes.

Mr. Hesser questioned if the site plan was an overhead photo and the staff indicated yes. Mrs. Prough noted they would've liked a more professional drawing.

Mr. Adle said he thought that the next step in permitting would be to have a more detailed site plan. He was looking to get today's approval before putting together an engineered site plan.

Mr. Hesser questioned whether they have to take the site plan in as part of the public hearing for it to be considered and Mr. Kolbus said yes. Mr. Hesser said procedurally, in order to receive a revised site plan, they have to do that as part of the public hearing and they can't take action until the public hearing is closed.

Mr. Homan indicated the setbacks are hard to read, but he would like to know about the power purchase interconnect agreement and how that happens. He also questioned what "decommission of the project" means.

Mrs. Prough explained that decommission is what happens with the solar panels after the project is finished.

Mr. Homan asked what the lifespan of the project is and Mrs. Prough said those are the things the staff would like to know as well. She noted that this is new to the staff, but they have a little bit of knowledge because they have met with another company that is going to be making application and they have addressed a lot of those issues. That company said their panels were good for 15 years. The staff would like to know what happens when the lifespan is over. She noted the staff would also like to know how long the agreement is with the utility companies. The other company she spoke to has entered into a 15 year agreement.

Mr. Adle said this is the Nipsco program, so there is a formal and very rigorous process of them looking at this and making sure it is designed property before it is interconnected with their system. They have to be very careful about fluctuation and other things on their system.

He explained that the lifespan of the equipment is 20 to 25 years. He would assume that at the end of the lifespan of this equipment, they would look at replacing it depending on the viability of the project at that time.

Also present was Kent Sommers, 21218 CR 50, New Paris, representing Sommers Farm LLP. Mr. Sommers explained he has traveled to Dayton, Ohio to see a solar farm and was impressed with the fact that it was not obvious and not an eyesore. The Sommers were approached due to their proximity to the substation in area. Mr. Sommers indicated he has a daughter that is soon to graduate from college and she is interested to come back to the farm. This would give them some help in the next generation to stay on the farm.

There were no remonstrators present.

A motion was made and seconded (*Hesser/Homan*) that in accordance with the Staff Analysis, this request be tabled until the December 15, 2011, Board of Zoning Appeals, with the public hearing remaining open, to allow the petitioner to provide the following:

1. Detailed site plan showing setbacks, equipment, size and number of panels, drainage and compliance with Rule 5.
2. Submit copies of the power purchase and interconnection agreement with the utility company.
3. Address the decommissioning of the project.
4. Address glare.

With a unanimous roll call vote, the motion was carried.

Mrs. Prough advised the Petitioner and Board that the staff needs this information by November 28, 2011, so they can prepare another Staff Report.

* (*It is noted that Mr. Hesser stepped down from the Board at this time due to a potential conflict of interest*).

13. At this time, Mrs. Prough submitted a letter [*attached to file as Staff Exhibit #1*] from Ben Tonagel, Principal of Fairfield junior/senior high school, requesting a minor change to their Special Use and site plan for Fairfield Community Schools. They would like to replace their existing press box with a larger and safer press box at their junior/senior high school campus, located on the northeast corner of US 33 and CR 31 in Benton Township. They have submitted a letter regarding the replacement and it included a copy of a construction design release, which they have already received from the state of Indiana, along with a site plan showing the location and size of the structure. They have also submitted elevation drawing and signatures from two adjoining property owners located to the north stating that they have no opposition to the replacement of the press box. The new press box will be 20 ft. x 60 ft and will be two stories. The lower level will be cement block construction and will be used for storage, and the upper level will be wood frame with metal siding and will be used for the press box. The school is requesting that the Board consider this a minor change to their existing Special Use and site plan.

Mrs. Prough submitted their official request to the Board at this time, as well as a blown up site plan [*attached to file as Staff Exhibit #1 and 2*]. The existing building is 12 ft. x 60 ft. and the new replacement will be 20 ft. x 60 ft. The press box was never shown on any site plan before, but it is been there forever. She pointed out the new location for the press box, which is right next to the field.

Mrs. Wolgamood asked if the original one was meant to be temporary, but Mrs. Prough indicated it has been there since they built the school and is in bad shape.

A motion was made and seconded (*Wolgamood/Campanello*) that this request be considered a minor change and it be accepted as presented. The motion was carried with a unanimous roll call vote.

* (*It is noted that Mr. Hesser returned to the Board at this time*).

14. The application of *E & C LLC (lessor) and Agdia, Inc. (lessee)* for an amendment to a site plan and conditions of an existing Special Use for an agricultural diagnostic lab on property located on the South side of CR 6, 490 ft. West of Old Farm Road, ½ mile West of CR 10, common address of 30380 CR 6 in Cleveland Township, zoned A-1, came on to be heard.

Photos of the property were submitted to the Board by the staff [*attached to file as Staff Exhibit #1a & 1b*].

Mrs. Prough presented the Staff Report/Staff Analysis, which is attached for review as *Case #30380CR 6-111024-1*. She then submitted a petition in remonstrance to this request [*attached to file as Staff Exhibit #2*] that was received from Susan Spahn on November 10, 2011. Included with this petition were numerous photos of the subject property.

There were 27 neighboring property owners notified of this request.

Chet Sutula, of 11026 Birch Lake Drive, Granger, was present on behalf of this request. Mr. Sutula indicated they also own property located at 53201 Old Farm Road, which adjoins the property in question. He submitted a narrative of his presentation to the Board at this time [*attached to file as Petitioner Exhibit #1*]. Attached to this narrative is a list of employees, an aerial photo illustrating parking locations on the site, and a photo showing the location of a proposed sign.

Mr. Sutula explained they are requesting to add up to 50 employees at this location, additional parking spaces and additional landscaping to buffer the area. They would also like permission to place a single faced sign at the northwest corner of the property.

Mr. Hesser questioned if they currently have a sign on site and Mr. Sutula said no. They have operated only with letters on a mailbox for 25 years and while that is certainly doable, they are often asked what time the services start. They feel it is time to make that identification a little stronger.

In the material he presented to the Board, Mr. Sutula explained page two shows the detail on the employees they currently have at the site. Agdia currently has 55 employees, but they are arranged in a variety of locations. The main one is the property in question, in which they have 44 employees. They also lease space at the Elkhart exit near Menards on the toll road. At that location, they house their marketing group and eight employees. They also have three part-time employees. Of the 44 employees they currently have, they will require about 39 parking spaces because not everybody drives. They also hire family couples, so some people come to work together.

On the following page, Mr. Sutula explained there is an aerial view of their location with a very explicit picture of the parking lot and in little squares of blue, it shows the total number of parking spaces that are currently available. At the main parking lot, there are 18 on the south side and 17 on the north, which totals 35. They have three visitor parking spaces and all together, it brings the number of parking spots to 42. They can easily add spaces in the areas shaded in yellow and they could accommodate eight to ten spaces on the south side.

Agdia has been a very successful company and this has been a very successful Special Use. At the time when the company made their proposal before the Board of the Zoning Appeals

about 25 years ago, the Board recognized there was a potential for that and it turned out to be so. They are now a worldwide leading company and they go to 120 countries with their product. Agdia has a very special in United States agriculture because they help growers identify crops that do not have disease. When they have that knowledge, then they can use that as the plan for additional seed and it gives them confidence to spend lots of money planting that kind of crop. This kind of approach to agriculture in the last 25 years has literally transformed every kind of crop that you grow. Agdia has been a proud partner of that particular revolution.

Mr. Hesser asked who their customers. Mr. Sutula explained they are institutions who regulate the flow of crops across the borders, USDA research stations, high bio-tech companies and also people who run small operations. They work with an entire spectrum of customers all around the world. They not only make these products and sell them as kits, but they are allowed to bring in plant tissue in which they test and send reports out.

Agdia does not believe they inconvenience anyone as they have always kept good relationships with their neighbors. Their neighbors have never come over to their property and said they didn't like something that they were doing.

Mr. Sutula feels they substantially serve the public convenience and welfare as Agdia now has a payroll approaching four million dollars a year and the average annual employee compensation, which includes taxes, approximates \$74,000 per employee. He feels that puts them in a very special position in the overall employee market in Elkhart County. In addition, Agdia has taken the Elkhart address all around the world and has made it a focus of interest as well as scientific excellence. He noted that the County recognized this in 2001/2002 and gave Agdia the Chamber Small Business Award.

Throughout the course of a normal business day, Mr. Miller asked if there are a lot of clients coming to and from the facility. Mr. Sutula said no, they have essentially no street traffic because people only come to their location by appointment. The people who do come tend to be people such as a staff member from the USDA Secretary of Agriculture, or Vice Presidents of research positions. At the same time, it may be someone from Michigan bringing in a bunch of tomato samples that he wants tested, but usually that is by appointment.

Mr. Campanello questioned the normal delivery schedules for UPS or FedEx. The petitioner said they depend very much on FedEx, so there are usually one or two trucks per day. There is usually one for delivery and then one in the afternoon for pickup. The UPS frequency is almost the same frequency, but DHL is not that prominent anymore. They also have some big trucks coming on site a couple days a week.

Mrs. Wolgamood asked if they are widening their entryway and Mr. Sutula said no. There will be no facility expansion. They are only asking to add parking spaces.

She also questioned the sign and Mr. Sutula said a 3 ft. x 12 ft. lighted sign was the maximum size that he feels they could accommodate there. They would just be putting their logo on the sign.

When Mrs. Wolgamood asked why the sign needs to be lighted, Mr. Sutula said just at nighttime so people can actually see.

Mr. Hesser questioned if they are open at night and the petitioner said no. Mr. Sutula pointed out that they've been without it for 25 years and they don't have to put a sign up.

Mr. Hesser asked what the nearest north/south county road would be and Mrs. Wolgamood pointed out this is east of Ash Road. It is also about half a mile from CR 10, which angles towards Nappanee Street.

Matthew Moseng, 53076 Old Farm Road, Elkhart, was present in favor of this request. Mr. Moseng explained he lives just to the east of property in question. He is not opposed to this request. He has lived at his property for six years and up until the last two years, he didn't even know what went on there.

Mr. Hesser asked if his property is adjacent and Mr. Moseng said no, he lives on Old Farm Road across the street. He can see the property from his home.

Mr. Moseng said he thought it was a church or a bank. He feels Agdia has a good mind on what they are doing at this property. If you came to this property and looked, it does not look like a factory property, it looks like a park. He feels it is very well maintained and groomed, and they seem to be very caring people by the trees that they've planted over the lifetime that they have occupied this property. He said they are usually greeted with friendly hands and smiles. Mr. Moseng feels that what they are doing would not cause any more impact to the neighbor just by adding a few parking spaces. They are very concerned about what their neighbors think. He also feels they are very concerned about the environment. Mr. Moseng feels that granting this request and adding employees would be a benefit to all of Elkhart County.

At this time, Mr. Sutula submitted a copy of email dated November 7, 2011, from Thomas Thompson in support of his request *[attached to file as Petitioner Exhibit #2]*. He resides at 53237 Old Farm Road, Elkhart, and was unable to attend the meeting. In his email, Mr. Thomson indicates that he and his wife are in full agreement with the proposal to increase employees, parking, and add signage.

Appearing in opposition to this request were Mark and Linda Hipshear, 30477 Cobus Oak Drive. Mr. Hipshear pointed out their property on the aerial photo at this time. They purchased their home in 1980 and he noted that when the original Special Use was granted, he didn't have any opposition to it. He feels it has grown out of control. When he sits in his backyard, he sees nothing but parking lot, cars coming and going and security lights. He feels Agdia has outgrown their facility and he asked that the Board not approve today's request. He does not want to look at a bigger parking lot or a sign.

Mrs. Hipshear then submitted pictures showing the view of the company from her property *[attached to file as Remonstrator Exhibit #1]*. She also noted they have not maintained a buffer on site. The lighting from the property also shines into their bedroom window. She feels they have outgrown this location.

Also present in opposition to this request was John Iavagnillo, 53125 Cobus Oak Drive, Elkhart. Mr. Iavagnillo explained he lives right across the street from the previous remonstrators. He moved into the neighborhood 20 years ago and had he been at this location 25 years ago, he would have been in favor of the original Special Use request. They have become very successful and he would wish them as much success in the next 25 years as they have in the last 25 years. He feels they have outgrown this location as they started out with a few employees and are now up to 50. Mr. Iavagnillo suggested that the company look into expanding and growing in a business zoned location. He feels this area is too residential for this type of large business.

Mr. Hesser asked if the area to the east is residential and Mr. Iavagnillo said yes. When the area to the north was questioned, Mr. Iavagnillo said he believes it is agricultural. He wishes the company a lot of success, but he feels that success is currently at the expense of the neighboring residential properties.

Craig Pawling, 53056 Cobus Oaks Drive, Elkhart, was also present in remonstrance to this request. Mr. Pawling explained he is a new resident of the area, but he is concerned about what will happen in the future. He didn't know for years what the company did as they always kept it well maintained, but he wonders where they are going with this. He received a letter in the mail from Agdia that said they intend to sell or move from this location in 2014. He questioned what will move onto the property next and how will affect the neighboring property owners. Mr. Pawling wondered what the purpose in this request was if they are going to be moving to a new location.

Talisa Companion, 30516 Cobus Oaks Drive, Elkhart, was also present in opposition to this request. Mrs. Companion is concerned that the current Special Use will not cease to exist upon the move of their business. Originally when it was granted, it was for their personal use and would cease when it was no longer needed. On June 26th of 2000, they were granted a quick claim deed to put this property into a limited liability company, which is known as the LLC. She asked if this means that the Special Use is going to go with the LLC if it is sold because we all know that companies can be sold and transferred.

They also discovered that on August 5th, 1995, the business entity was administratively dissolved, or the certificate of authority was revoked. On July 14th, 2000, they applied for reinstatement. She questioned what happened during those years. She would like to know why the corporation was dissolved, the certificate was revoked and what was the impact on the Special Use. She feels that the Sutulas are preparing to be a limited part or are ceasing to be an existing part of Agdia, which is understandable. In 2003, Chester ceased to be the president of Agdia Incorporated, however; he remained to be the registered agent. In 2011, he was no longer the registered agent for the business entity. They are continually seeing this progression of something happening. They are not applying that he is not a part of the company, but they are seeing changes being made. She doesn't feel the Sutulas currently have a vested interest in the neighborhood anymore. They have moved out of the neighborhood and are selling the house that they have not lived in for several years. They have owned the property directly to the south of the building, but they currently live in Granger. Mrs. Companion explained she bought her property with the intention not to move.

She also doesn't understand why they want to invest any further money into the property changes that will further create more of a business atmosphere to their property. They have a substantial entry and a driveway now, so she asked what the purpose is of widening it. She feels Agdia has already gone above and beyond what was originally granted by the Board. She is totally against anymore amendments being granted on this property as it will continually create a more business vibe to a residential area and will affect the neighboring properties.

Also present in opposition to this request was Sue Spahn, 30517 Cobus Oaks Drive, Elkhart, who had earlier submitted a petition in remonstrance to this request (Staff Exhibit #2). Ms. Spahn explained she also has another petition from people who could not be here today and some additional information for the Board, which she submitted at this time *[attached to file as Remonstrator Exhibit #2]*.

Ms. Spahn said she would like to go over the history of this property since May 22, 1986. Agdia approached the Board at that time and the Sutula's were buying a 6.9 acre parcel in an A-1 zone. At that time, they wanted to purchase two more acres from Bob Martin to include a residential home on it. She explained her father bought 40 acres in the area and plotted it out

into lots. Her father had written a letter stating his concerns regarding having a company such as Agdia in the area.

At the time when the original Special Use was granted, a Board member asked Mr. Sutula what the future would be like if the Special Use was granted. He stated that the lab would be dissolved and then maybe the building could be used as a community center. One of the Board members also asked how many employees will be working at this location and Mr. Sutula mentioned that there would be two full-time employees with two part-time employees. The Board then granted the permit, everything went well, the petitioner built a beautiful building and there were limitations that there would be no sign. They wanted their office to look like a home.

In June of 1997, they approached the Board again. A copy of the minutes from that hearing on 6/19/97 was submitted *[attached to file as Remonstrator Exhibit #3]*. Their business was so successful that they needed more employees. One of the concerns mentioned at that time was the bacteria they tested and whether that would affect the environment. The Sutula's indicated it would not affect the environment.

At that time, Mr. Inbody questioned them about the parking for 30 employees and Mr. Sutula stated he didn't know if he would have 30 employees or if he was planning to increase the parking lot.

Ms. Spahn said things started to change in 2006 when the petitioner approached the Board for the third time. She then submitted a copy of a petition in remonstrance to a request in 2006 to rezone the property from A-1 to DPUD-B-1 *[attached to file as Remonstrator Exhibit #4]*. They were requesting to rezone the business because they wanted to have 70+ employees at that time. They wanted to add more parking and she said the septic was a problem at that time. Her father-in-law wrote a letter to the Board stating his concerns of what would happen if the request were approved, and a copy of that letter dated January 9, 2006, was submitted to the Board *[attached to file as Remonstrator Exhibit #5]*. She went on to review the highlighted areas on the second page of the letter with the Board, which talks about the paved parking lot with noise, glare and lights, the increase in trucks along the west side of the property, no buffer, traffic and safety concerns. At that time she said they were trying to rezone the property to B-1. They were requesting additional parking, employees and expansion of the business, and copy of the Staff Report for the zone map change was submitted *[attached to file as Remonstrator Exhibit #6]*.

She explained the petitioners are here today due to them violating the restrictions. The Special Use permit was approved for 30 employees in 1997.

On September 16, 2011, she said mature trees on the fence line were removed. Photos of the trees were then submitted to the Board *[attached to file as Remonstrator Exhibit #7]*. She had a surveyor come out to the property to verify whether the fence was theirs or not, and she found out it did belong to her. She submitted pictures of the trees to the Board at this time.

On the September 17, she called the Sheriff's Department to come out and see what had been done to her property line. The policeman told her that they would have to file a civil suit regarding this issue. She has not followed through with that. She questioned why they would remove all of the trees that have been there since 1957. Ms. Spahn spoke to Chet and Jane and she was quite upset at that time. She has a big hole in her back field and can see all of the cars in the parking lot. Mr. Sutula told her at that time that there were only 50 employees.

When she asked Elkhart County Soil and Water if they had permission to move the soil around, she was told nothing was submitted. Ms. Spahn's concern is all of the wetlands in the area.

A complaint was filed with Code Enforcement on the 17th and a copy of the Complaint Action Report was submitted for the Board to review *[attached to file as Remonstrator Exhibit #8]*. Also submitted was a copy of the Indiana Code Violation of Zoning Statutes and Ordinances *[attached to file as Remonstrator Exhibit #9]*.

Mrs. Spahn questioned why the petitioners need to widen their driveway and why they need a sign because they have been very successful also these years without it. She is concerned that if the property gets sold to someone else, the neighboring property owners would have no say as to what happens there. They are concerned that their property values will decrease, and are also concerned about the high water table and septic problems. If the petitioners are moving in 18 months, she questioned what will go there and how the neighbors will be protected.

Mr. Hesser asked one of the remonstrators about noise and Mr. Hipshear said there is no business noise. Their objection is to 50 cars coming and going every day.

Mrs. Hipshear noted that she and her husband have approached the petitioner in past regarding their large security light shining onto their home and he did take care of it at that time.

Eileen Nixon, 30439 CR 6 W, Elkhart, was also present in opposition to this request. Ms. Nixon said the Sutula's have been good neighbors to her and she appreciates their success there. She is concerned as they are living on an underground lake. She explained it runs from US 20 on the south side into Michigan, into St. Joseph County and into part of Osolo Township. When she built in this location, she knew they couldn't have a basement. They had to build the land up to even have a crawlspace. She feels you have to be very careful about letting a B-1 business in this area. Overall, she is concerned about what will happen after the Sutula's expand and leave.

In rebuttal, Mr. Sutula pointed out Susan Spahn's property on the aerial photo. He noted there are no homes on that property. He also pointed out the wetland area and the homes in the subdivision to the southwest. Mr. Sutula explained those residents can only see the parking lot in the fall when the leaves have fallen off the trees. Some of the other remonstrators who commented today live even further to the west. No one to the east of their property was here today making any comments. He noted that Mrs. Nixon is northwest of his property and the rest of the people who spoke were in support.

Secondly, they have always had a very opening policy. He finds it personally irritating to find out that people are irritated by coming here instead of getting a phone call or having someone come in and talk to him.

He indicated they are not expanding the driveway or the building. They are only adding additional parking spots because they believe they are needed.

When the Special Use was originally granted, Mr. Sutula explained that he and his wife were not going to retire as they were in their late 40's and early 50's. They wanted something really fun to do and it has turned out that way. They have wonderful of customers all around the world. He indicated they were advised to separate their property so that it was under an actual limited liability company instead of personally owning it.

Mr. Hesser informed Mr. Sutula that he is not as concerned about the growth issue. The one thing he would like the petitioner to address is the cutting of trees that did not belong to him.

Mr. Sutula said at the time of the addition in 1998, they tripled the size of their building. At that time, the top soil was left from the parking lot and they were planting trees to the south. They did not realize that other people were depending on the trees as a buffer. They like to keep things neat and tidy, so they cut down the trees that were folding over and getting in the way. When you're on a property line, there is also the question of who owns that tree. They had a

surveyor come out who showed them their boundaries. Now that they have cleared the area, they are beginning to put landscaping back in. They would be happy to do that with the cooperation of their neighbors.

Mr. Hesser asked if they had cut some trees that weren't theirs and the petitioner said yes, but they are replacing the buffer.

When Mrs. Wolgamood asked if they have a time frame for that, Mr. Sutula said they will be starting that project in early spring and have it completed by summer.

He explained there is a three foot water table in the area and he has always respected it. They have two mounds along with a system that has been approved by the Elkhart County Health Department. He noted that their property does not have water run off onto any other property.

As part of their analysis process, Mr. Miller asked if they use any chemicals that would at any time get dumped in or allowed to migrate to the aquifer. Mr. Sutula said no, the material they put into their system is essentially cleaner than what you get out of a normal household. They are primarily using phosphate solutions and those approximate the composition of sea water, which is also the approximate composition of our blood. Those are the kind of things that go into their system and they are totally natural.

In addition, Mr. Sutula has brought copies of their special permits from the USDA and the federal government. He also has their protocols for the way they handle waste.

Mr. Homan questioned the change in ownership in a few years. The petitioner said they realize they need to consider how the company will be managed if they are not around. That is being handled by the fact that for the last few years, the President of the company has been their son. He also has a son in the business and he is very eligible for Agdia management. They have a definite succession set up, so it is very possible for the company to stay within the family.

While they get frequent offers for their company, they have always rejected them. They believe that there is something very special about their company and they like the fact that they are independent so they can serve everybody. It is clear from the way that they have been growing that they need to find an end to this site. They have engaged in that process and they believe that by the time 2014 comes around, they will probably have that all set up. This is a company that cannot just simply lift up their bags and go somewhere else because they have all of these permits. He indicated that the permits go with the location.

The public hearing was closed at this time.

Mrs. Wolgamood asked Mr. Kolbus to address the ownership issue. Mr. Kolbus said the original permit was granted for Chester and Emma Jane Sutula, petitioners and property owners. Since then, the courts have said you cannot name a person. The owner is entitled to have a Special Use permit at the property. If you look at the original minutes that were submitted by Ms. Spahn, it shows that even at that time, although the Sutulas were the property owners, they name Agdia, Inc. as the ones who will be operating the business. The fact that they now have it in an LLC, which they own, as long as the owner is there and is operating the business or is having this particular tenant as an agricultural diagnostic laboratory, it can continue. He doesn't feel that the fact that the Sutula's transfer their interest to an LLC and an LLC can transfer to another one, the owner is allowed to have an agricultural diagnostic laboratory operating on the property, either themselves or through a third party because that is how it was originally set up.

Mr. Hesser said there were a lot of concerns regarding another business going in, but this has not been approved for a different business. Mr. Kolbus indicated that is correct. Any other

type of business that would want to go in would have to come back to either this Board or the Plan Commission to request a rezoning. It is limited to an agricultural diagnostic laboratory.

Mrs. Wolgamood clarified to all of the neighbors that the surrounding land use is residential and the zoning is still agricultural.

Mrs. Wolgamood asked the staff how many parking spaces would be required for 50 employees. Mrs. Prough said the parking requirements are not based on the number of employees for a laboratory; they are based on the square footage of the lab. In calculating it out, they are short. They have to have one parking space for each 300 square feet. If you count both stories of the building, they would need 60 parking spaces. A condition of the previous Special Use permit stated that a final site plan had to be submitted showing adequate parking and drainage. At that time, it was for the addition and the 18,000 square feet and our staff did approve the site plan for parking and drainage in 1997.

Mr. Miller said they have heard a lot of concern from the neighbors that this business has outgrown the location.

Mr. Campanello said it appears that they will not be growing anymore and this Board would just be granting additional parking spaces.

Mr. Hesser said this is zoned agricultural and the business is clearly related to the agricultural industry. He noted it has grown beyond what they had originally thought, but apart from the buffer issues that have risen recently, it doesn't seem like it has had a negative impact on the area.

Mr. Campanello noted there is a sign for the Cleveland Little League.

Mrs. Wolgamood said that has been there for a long time. The other two or three small businesses on the north side of US 6, she's not sure if they are legal. She noted there signs are not that big. She feels that lighted signs in residential neighborhoods have created many problems. Mr. Sutula has already said that they will remove the sign if it is an issue.

The Board examined said request, and after due consideration and deliberation, a motion was made and seconded (*Miller /Campanello*) that the Board adopt the Staff Analysis (as amended by the Board) as the Findings of the Board, and based upon these Findings, this request for an amendment to a site plan and conditions of an existing Special Use for an agricultural diagnostic lab be approved by the Board with the following condition imposed:

1. The Elkhart County Advisory Board of Zoning Appeals approval shall not be effective until this Commitment form has been executed, recorded and returned to the Elkhart County Advisory Board of Zoning Appeals staff.

The motion further reflects that the following commitments be imposed:

1. Number of employees at this location limited to 50.
2. Any future expansion of the building or business to be heard before the Board of Zoning Appeals.
3. Approved in accordance with the site plan submitted and as represented in the petitioner's application and testimony.

A roll call vote was taken and the motion was carried unanimously

* (*It is noted that Mr. Campanello stepped down from the Board at this time due to a potential conflict of interest.*)

15. The application of **Randy Tinder & Mike Knepper (buyers) and ONB Realty I, LLC (sellers)** for a Use Variance to allow the continued use of an existing commercial driveway across a R-1 zoned parcel to access a M-1 zoned parcel on property located on the West side of CR 105, 100 ft. South of Charles Street in Concord Township, zoned M-1, came on to be heard.

Photos of the property were submitted to the Board by the staff *[attached to file as Staff Exhibit #1]*.

Mrs. Prough presented the Staff Report/Staff Analysis, which is attached for review as *Case #OCR 105-111024-1*.

There were 18 neighboring property owners notified of this request.

Ross Miller, FM Stone Commercial, 421 S. Second Street, Elkhart, was present representing Randy Tinder and Mike Knepper, owners of Naturescape, who are the proposed buyers of this. Mr. Ross Miller explained he has very little to add from what the staff has already presented. Naturescape has been in business for 20 years and this would be a relocation and a consolidation of two sites that they currently have. They are asking to continue the use of a driveway and an existing curb cut across 200 ft. of R-1 property to access the M-1 land that has been in existence for many years. The entire site accommodation of R-1/M-1 zone has been in existence since the early 90's.

Mr. Hesser asked if that was originally part of a bigger parcel and Mr. Ross said he was unsure. He said the current configuration has existed for over 20 years to his knowledge. He doesn't know when it was split up. At one point in time, there was probably 40 acres that got split off and then some of the properties were accessed by SR 19. The only access to this property is over the R-1 zone and that driveway has been in existing for some time. Nothing will be done on the R-1 portion of the land.

Mr. Hesser questioned if there has ever been a house on that property and Mr. Ross Miller said yes, the residential use will continue. There are also other out building on the property. There are no commercial operations being proposed for the R-1 land. It is simply a driveway to access the M-1 zoning.

The sign they are asking for will be a small monument sign or a boulder and would be unlighted.

Mr. Ross Miller explained that the traffic Naturescape generates is primarily pickup trucks and automobiles. They go out in the morning and they come back at night. There is not really any customer use for this as it is for employee use. They don't anticipate that it will have any effect on any of the neighbors.

Mrs. Wolgamood asked if there is a house on the property and the petitioner's representative said yes and pointed it out on the aerial photo at this time. There is an outbuilding on site that was part of the deer petting farm.

Mrs. Prough clarified that is not part of this petition as it is on a separate parcel. The legal description does not include the house and that was taken off of the petition.

Present in opposition to this request was Robert Ranta, 27435 Charles Street, Elkhart. Mr. Ranta pointed out his property on the aerial photo at this time, which is to the east of this property and slightly north of the proposed entrance. Mr. Ranta said the letter just indicated they are asking for a Variance, but it doesn't say what the reason is.

Mr. Hesser explained that the Board is not here to deal with the M-1 property. All they are asking for today is just that they have access to the property.

Mr. Ranta feels it is an unfair request if the property owners are not enlightened as to what the proposed use of the property will be. He said they are talking about an area that is

predominately residential. CR 105 runs north and south and it is all residential with one exception. There are three streets that intersect with CR 105 to the north of this site and in every case; all of the properties are residential. There are three streets to the south of this and everything is residential. They now have this situation where a piece of property is zoned manufacturing and he is opposed to the entrance on CR 105. He is also concerned about the safety issues of the school buses. Mr. Ranta feels there should be a buffer to protect the property values of all of the residential properties in the area.

Mr. Ross Miller said if access existed to highway 19, they would come in that way, but there is no access. The property doesn't go that far and there is no other access to the M-1 property except for across the M-1 land.

Mr. Hesser asked what the intended use is of the M-1 property. The petitioner's representative said they will have the Naturescape business back there.

Randy Tinder, 1445 Strong Avenue, Elkhart, was also present on behalf of this request. Mr. Tinder explained they do not stockpile plant material or anything of that nature. All of their trucks, currently as well as in the future, are all stored inside the building. That is the purpose of the building to keep the equipment out of the weather. They are a landscaping company and they do not currently stockpile plant material and they do not plan to in the future.

Mr. Homan asked about heavy truck traffic coming in to stockpile and Mr. Tinder said the top soil, stone, etc. from other sites and they do not stockpile it. They go pick it up and take it to the job site.

Mr. Homan asked if the Use Variance goes with the land and Mr. Kolbus said unless there is a time limit, it runs with the land.

Mrs. Prough said this would be tied to the petitioner's application and he's representing in his application that he's going to have a landscaping business. If he wanted to do something else, they would need to get an amendment.

Mr. Kolbus verified that if this request is approved, it will be for this type of business only.

The public hearing was closed at this time.

During discussion regarding the M-1 zoning and when the parcel was created, it was clarified that the M-1 is probably the original zoning. Mrs. Prough said it was most likely a larger parcel that was split sometime over the years, but without searching the Auditor's records, she doesn't know when it was actually created.

Mr. Homan pointed out that the Special Use previously approved for a corn maze and petting zoo was an extremely low impact use and almost a hobby, and this proposed use will be increasing the impact on the property. However, Mr. Hesser said the Board is only focused on the traffic across the R-1 property and not a permissible manufacturing use on that (M-1) property and Mr. Homan agreed.

The Board examined said request, and after due consideration and deliberation, a motion was made and seconded (*Miller/Wolgamood*) that the Board adopt the Staff Analysis (as amended by the Board) as the Findings of the Board, and based upon these Findings, this request for a Use Variance to allow the continued use of an existing commercial driveway across a R-1 zoned parcel to access a M-1 zoned parcel be approved with the following condition imposed:

1. The Elkhart County Advisory Board of Zoning Appeals approval shall not be effective until the Commitment form has been executed, recorded and returned to the Elkhart

County Advisory Board of Zoning Appeals staff within sixty (60) calendar days after BZA action on the petition for placement in the petition file.

The motion further reflects that the following commitments be imposed:

1. Approved in accordance with a revised site plan showing the location, size and type of the proposed sign.
2. Approved in accordance with the petitioner's application and testimony.

A roll call vote was taken and the motion carried unanimously.

16. There were no items transferred from the Hearing Officer.

17. There were no audience items.

18. See Page 5, items #9 and #10, and Page 8, item #13 for Staff/Board items.

19. The meeting was adjourned at 11:31 a.m.

Respectfully submitted,

Kate A. Keil, Transcriber

Jane M. Yoder, Recording Secretary

Randy Hesser, Chairman

Robert Homan, Secretary