

MINUTES
ELKHART COUNTY PLAN COMMISSION MEETING
HELD ON THE 9TH DAY OF SEPTEMBER 2021 AT 9:00 A.M. IN THE
MEETING ROOM OF THE DEPARTMENT OF PUBLIC SERVICES BUILDING
4230 ELKHART ROAD, GOSHEN, INDIANA

1. The regular meeting of the Elkhart County Plan Commission was called to order by the Chairman, Steve Warner. The following staff members were present: Chris Godlewski, Plan Director; Mae Kratzer, Planner; Laura Gilbert, Administrative Manager; and James W. Kolbus, Attorney for the Board.

Roll Call.

Present: Phil Barker, Steve Edwards, Steve Warner, Lori Snyder, Tom Stump, Frank Luchesse, Tony Campanello, Jeff Burbrink.

Absent: Roger Miller.

2. A motion was made and seconded (*Edwards /Burbrink*) that the minutes of the last regular meeting of the Elkhart County Plan Commission, held on the 12th day of August 2020, be approved as submitted. The motion was carried with a unanimous vote.

3. A motion was made and seconded (*Burbrink/Snyder*) that the Elkhart County Zoning Ordinance and Elkhart County Subdivision Control Ordinance be accepted as evidence for today's hearings. The motion was carried with a unanimous vote.

4. The application for the vacation of a portion of an east/west county right-of-way known as **PENNSYLVANIA**, for Larry D. Mote, Jr. & Michelle Mote, Husband & Wife (Land Contract Purchaser) & Darrell B. Duncan, Jr. (Land Contract Holder) on property located on the east side of 27th St., 645 ft. North of Old US 33, in Baugo Township, zoned R-2, was presented at this time.

Mrs. Kratzer presented the Staff Report/Staff Analysis, which is attached for review as *Case #VRW-0637-2021*.

Michelle Mote, P.O. Box 1177, Goshen was present for this request. Mrs. Mote stated she wants to put her parcels together so they can build a house. She explained they can't do that, because the parcels are not touching.

There were no remonstrators present.

A motion was made and seconded (*Lucchese/Edwards*) that the public hearing be closed, and the motion was carried with a unanimous vote.

The Board examined said request, and after due consideration and deliberation:

Motion: Action: Approved, **Moved by** Tom Stump, **Seconded by** Tony Campanello that the Advisory Plan Commission recommend to the Board of County Commissioners that this request for the vacation of a portion of an east/west county right-of-way known as **PENNSYLVANIA** be approved in accordance with the Staff Analysis.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 8).

Yes: Phil Barker, Steve Edwards, Steve Warner, Lori Snyder, Tom Stump, Frank Luchesse, Tony Campanello, Jeff Burbrink

5. The application for a zone map change from PUD A-1 to DPUD A-1 and for primary approval

of a 3-lot minor subdivision to be known as **CHRISTINA PINES DPUD**, for Michael R. Suski & Kimberly R. Suski, Husband & Wife represented by Lang, Feeney, & Associates, Inc., on property located on the east side of CR 7, 4,175 ft. north of CR 4, in Osolo Township, zoned PUD A-1, was presented at this time.

Mrs. Kratzer presented the Staff Report/Staff Analysis, which is attached for review as *Case #DPUD-0635-2021*.

Terry Lang, Lang, Feeney & Associates, Inc., 715 South Michigan Street, South Bend, was present to represent the petitioner. He stated how the land was divided originally. He explained the plan is to take a portion that has been described as 21 acres and split it to place 3 lots there. He noted one will be for the existing residence and the Suski's have had parties interested in purchasing the other two lots. He added they Mr. and Mrs. Suski are planning on keeping the private drive to the property the way it has always been used. He stated the large lots that the Suski's are looking at creating will be a very low impact to the area. He added they are figuring that property owners will disturb one acre at the most when they build a home and the rest will remain natural.

He explained the original plan years ago had over 100 home sites on the subject property. Mr. Lang stated that is not their plan at all. He stressed Mr. and Mrs. Suski love it back there and don't want to disturb it any more than the two lots that they are creating.

There were no remonstrators present.

A motion was made and seconded (*Burbrink /Edwards*) that the public hearing be closed, and the motion was carried with a unanimous vote.

The Board examined said request, and after due consideration and deliberation:

Motion: Action: Approved, **Moved by** Jeff Burbrink, **Seconded by** Steve Edwards that the Advisory Plan Commission recommend to the Board of County Commissioners that this request for a zone map change from PUD A-1 to DPUD A-1 and for primary approval of a 3-lot minor subdivision to be known as **CHRISTINA PINES DPUD** be approved in accordance with the Staff Analysis.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 8).

Yes: Phil Barker, Steve Edwards, Steve Warner, Lori Snyder, Tom Stump, Frank Luchesse, Tony Campanello, Jeff Burbrink

6. Mr. Godlewski presented the Bristol TIF item. He stated Mr. Yoder is present for the request.

Mike Yoder, Town Manager, Town of Bristol, 303 E. Vistula, Bristol, was present for this request. He stated that this is a fairly simple proposal that involves the annexation process. Mr. Yoder indicated on a map the location they would like, a new allocation area for the TIF for two businesses. He noted the town Redevelopment Commission has issued a bond. He continued to say the developer is buying the bond and will use the lease of the two parcels to repay the bond. Mr. Yoder stated this would be a \$7,000,000.00 bond. He added this is part of the plan to extend water and sewer in the area.

Mr. Campanello asked what it was like working with the railroad. Mr. Yoder stated the railroad charge permits for going underneath the railroad, and there are annual fees. Mr. Stump stated if you have a power line that go over the rail road you have to pay rent as well.

The Board examined said request, and after due consideration and deliberation:

Motion: Action: Approve, **Moved by** Frank Luchesse, **Seconded by** Steve Edwards, that the Advisory Plan Commission recommend to the Board of County Commissioners and Bristol Town Council that this resolution to extend the Bristol TIF District be approved.

Vote: Motion carried by unanimous roll call vote (summary: Yes = 8).

Yes: Phil Barker, Steve Edwards, Steve Warner, Lori Snyder, Tom Stump, Jeff Burbrink, Tony Campanello, Frank Luchesse.

8. *Board of County Commissioners Approvals Following Plan Commission Recommendations*

Mr. Godlewski reported on the August 2nd, and August 16th Elkhart County Commissioners petition approvals. He also reported on the August 19th Bristol Town Council petition approval.

9. Mr. Godlewski presented the 2022 budgets including code Enforcement, Planning, GIS, Weed Ordinance, and MS4, GIS. Mr. Godlewski explained how fees are collected. He also stated the revenue is up substantially. He added online permitting was recently approved as an appropriation request along with appropriations for legal fees and file scanning. He noted those will not be seen here because that's a one-time cost. He added it comes out of the general fund budget. He explained there are a number of line items that went up since the volume of activity we are doing is up. He continued saying more paper and advertising, and related costs are needed. He explains revenue is received from plan applications, permits, and violations. He went on to say at this point the department is collecting as much revenue as their expenditures, which is pretty rare and in the past the department recouped just less than what was spent. He added the salaries are based on human resources' guideline.

Mr. Warner asked if Mr. Godlewski anticipates any elevated costs related to continued to meeting, here in the Administrative Building versus in the Planning Office. Mr. Godlewski responded, not necessarily. However, he suggested they consider bumping all the meetings back a half hour to help timing with staff, but other than that the cost would be insignificant. He added in the general Planning Technicians say the office runs ok without staff there, but that is not saying emergencies can't happen. He reiterated the last 6 months have been ok with no anticipated overages.

Mr. Campanello asked what is the difference between commercial and residential fees coming in. Mr. Godlewski asked per permit or volume. Mr. Campanello stated volume wise. Mr. Godlewski said it was pretty consistent, as both commercial and residential are higher than last year pretty significantly. He added the revenue is up due to the quantity and size of the projects. He explained Project Winnie is still not final yet, but the permit fee for that project was \$160,000.

Mrs. Snyder asked approximately what percentages revenue is up from the year before. Mr. Godlewski responded at least 30%. Mrs. Snyder asked if the increase causes overtime for anyone. Mr. Godlewski responded maybe at times, but not regularly.

Mr. Stump asked in regards to Winnie DPUD is it public knowledge that they paid for their permits, and Mr. Godlewski responded yes. Mr. Stump also questioned if they get that money back, if they decide not to build. Mr. Godlewski replied, no. He noted they have invested a lot of time and energy as well as staff to get to this point, and there are still final decisions that have to be made and closing on the property that still has to happen. Mr. Godlewski further stated they know the risk they are taking. Mr. Stump stated that is a pretty big risk. Mr. Godlewski further said they have 6-10

professional people, for example engineers, continuing to work on this. Mr. Stump stated he doesn't know if their tax break will be approved. Moved forward despite not receiving the tax break.

Mr. Warner stated he heard although not verified that they are looking at a different location and they did not get the tax amendment legal to move forward anyway. Mr. Godlewski concurred.

The Board examined said request, and after due consideration and deliberation:

Motion: Action: Approve, **Moved by** Frank Luchesse, **Seconded by** Steve Edwards that the Plan Commission recommend approval of the 2022 budgets.

Vote: Motion carried by unanimous roll call vote (summary: Yes = 8).

Yes: Phil Barker, Steve Edwards, Steve Warner, Lori Snyder, Tom Stump, Jeff Burbrink, Tony Campanello, Frank Luchesse.

10. The board discussed adding a large scale solar section to the zoning ordinance.

11. A motion was made and seconded (*Stump/Luchesse*) that the meeting be adjourned. The motion was carried with a unanimous vote, and the meeting was adjourned at 9:34 a.m.

Respectfully submitted,

Amber Weiss, Recording Secretary

Steve Warner, Chairman

