

MINUTES
ELKHART COUNTY PLAN COMMISSION MEETING
HELD ON THE 10TH DAY OF MARCH 2022 AT 9:30 A.M. IN THE
MEETING ROOM OF THE ADMINISTRATION BUILDING
117 N. 2ND ST., 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; Jason Auvil, Planning Manager; Mae Kratzer, Planner; Danny Dean, Planner; Laura Gilbert, Administrative Manager; and James W. Kolbus, Attorney for the Board.

Roll Call.

Present: Tom Stump, Lori Snyder, Steve Warner, Steve Edwards, Phil Barker, Roger Miller, Brian Dickerson, Frank Luchesse.

Absent: Jeff Burbrink.

2. A motion was made and seconded (*Edwards/Snyder*) that the minutes of the last regular meeting of the Elkhart County Plan Commission, held on the 10th day of February 2022, be approved as submitted. The motion was carried with a unanimous vote.

3. A motion was made and seconded (*Miller/Edwards*) 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 primary approval of a 6-lot major subdivision to be known as **ELKHART EAST AREA G-PHASE I**, for Finis Terra, Inc. & Seahawk Corporation represented by Jones Petrie Rafinski, on property located on the west side of CR 19 1,780 ft. south of CR 4, in Washington Township, zoned M-2, was presented at this time.

Mr. Auvil presented the Staff Report/Staff Analysis, which is attached for review as *Case #MA-0074-2022*.

Kenneth Jones Jr., Jones Petrie Rafinski, 325 S. Lafayette Blvd. South Bend, was present representing the petitioner. He explained that he concurred with the staff report.

Anna Rohrer, 51985 CR 19, Bristol, was present representing herself and her neighbors. Mrs. Rohrer questioned the purpose of this subdivision. She stated she has several concerns in regards to this project. She questioned the zone of the property. Mr. Miller stated it is an M-2 zone. Mr. Stump also stated they are just platting lots. Mrs. Rohrer then asked what the petitioner is planning on putting on this parcel. Mr. Stump replied that it could be anything that is allowed in an M-2 zone. Mrs. Rohrer asked what is allowed in an M-2 zone. Mr. Miller stated that the petitioner would be able to answer that question. Mr. Godlewski stated that she should finish her questions before Mr. Jones came back before the board. She went on to question the water quality and request testing that be done at the county's expense. Mr. Miller questioned when she would like the water tested. Mrs. Rohrer responded after the building had been built. Mrs. Rohrer also stated that Amazon has taken away from their little haven and has changed the wild life pattern. She went on to say this is where she lived, and she wasn't planning on changing her pattern. She continued to ask about barriers, traffic, what type of business that would take place and health concerns related to the changes in the area. She went on to say that during the April 8th, 2021 and meeting the M-2 rezoning was tabled, then

approved and the neighbors were not notified. She went on to say that all the mail concerning this matter goes to her mother that is blind.

Steve Bachman, 21090 CR 4, Bristol, came on and read meeting minutes from the prior meeting on April 8, 2021. He went on to say he had asked for a list of uses allowed for this land. He stated that he was told the petitioner had pulled his petition for this M-2 change. He went on to ask if that meant it would not go through. He went on to say that staff told him that was correct, that it would not be changed to M-2. Mr. Bachman then later found out on May 24, 2021, that it went through. He stated he would like the list of uses that was contingent on passing this petition to M-2. He continued to say that he was told on April 8, 2021 there would be a buffer area. It was stated to him that the developer would be in contact with him in the regards to the buffer.

Mr. Jones stated this request is for the parcels nearest CR 4 being constructed between CR 19 to CR 17. He noted development on this plat and screening will have to be addressed as buildings are constructed. He continued to say that the zoning was approved last year as both remonstrators mentioned. He went on to say there are development standards in the ordinance already that will need to be followed. Mr. Jones stated addition the developer plans to record additional restrictions and sight them on the plat. Mr. Jones went on to describe the layout of the plat and explained this area will probably be annexed into the City of Elkhart. He continued to say this project would not pull from the local aquifers. He stated there are a number of regulations that didn't exist years ago for processed waste water. Mr. Stump stated that he had a recollection of what Mr. Bachman read from the minutes in April of 2021. Mr. Stump went on to ask Mr. Miller if he remembered if staff was allowed to make the recommendations of what could go in here. Mr. Miller responded that his understanding was in order to have this zoned a particular way that staff would come up with a list of restrictions. Mr. Stump asked if staff was going to negotiate a list or provide a list of what could be done in M-2. Mr. Miller stated as he understood it, the petitioner and staff were going to put a list together. Mr. Auvil stated a list like that would be under a restriction covenant, and that would come during a secondary phase of this plat submittal. Mr. Stump stated that they were not to that process yet. Mr. Auvil concurred with Mr. Stump. Mr. Auvil went on to say the restrictions and covenants would be crossed referenced on this plat and recorded as a separate document once approved. He continued to state that way all future property owners/lot owners would be aware of the restrictions. Mrs. Snyder asked Mr. Jones to identify the spot on the map that was being discussed. Mr. Miller stated the next question was about if any barriers would be placed. Mr. Jones explained there are buffering standards in the Elkhart County Zoning Ordinance for whenever you have an M-2 zone directly adjacent to residential use. He continued to say that the buffering standards would be followed to the letter as development on these future lots occurs. Mr. Stump asked what buffers are required in this area. Mr. Auvil explained the options for the buffer requirements.

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

Mr. Miller asked at what point and time is it the proper time to start the restrictions on the property. Mr. Auvil stated that staff will need to see the restrictions and convents after the submittal of the secondary plat. Mr. Auvil continued that when the property was original rezoned to M-2 there were no immediate plans north of the Amazon property to develop this. He went on to say that this was the first stage of the development. Mr. Warner stated that a lot of these concerns will be addressed with the secondary plat. He continued to say that he was glad to see the potential plans for

the wetlands in this area to be recognized.

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

Motion: Action: Approve, **Moved by** Roger Miller, **Seconded by** Brian Dickerson that the Advisory Plan Commission recommend to the Board of County Commissioners that this request for primary approval of a 6-lot major subdivision to be known as **ELKHART EAST AREA G-PHASE 1** be approved in accordance with the Staff Analysis.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

Yes: Phil Barker, Steve Edwards, Steve Warner, Lori Snyder, Tom Stump, Roger Miller, Brian Dickerson, Frank Luchesse.

5. The application for a zone map change from B-1 to M-1, for Roger J. Garmendia on property located on the south side of CR 12, south end of CR 101, common address of 29748 CR 12 in Cleveland Township, zoned B-1, was presented at this time.

Mrs. Kratzer presented the Staff Report/Staff Analysis, which is attached for review as *Case #RZ-0053-2022*.

No petitioner was present.

Anne Williams, 29697 CR 12 Elkhart, was present in opposition to the zone map change. Mrs. Williams questioned the actual use of this property. Mrs. Kratzer clarified the proposed usage as storage of personal trailers. Mrs. Williams went on to say that she gets a large amount of trash on her property from Forest River. She indicated the reason why she purchased the property was the ascetics of the cemetery across the street from her home. She continued to explain worries of more trash on her property. She also stated the fencing for Forest River is not visual appealing.

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

Mr. Luchesse asked what type of trailers would be stored on the property. Mrs. Kratzer responded personal trailers, and she also stated he is not operating a business. Mrs. Snyder asked why the petitioner wasn't asking for a B-3. Mrs. Kratzer went on to explain the petitioner wanted the option for outdoor storage, and the M-1 gave him that option. Mr. Miller asked if M-1 would require a barrier. Mrs. Kratzer stated that the only barrier that would be required would be on the north side of the property. Mr. Stump stated that this property is surrounded by M-2, and that it would make sense to zone it as M-1.

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

Motion: Action: Approve, **Moved by** Roger Miller, **Seconded by** Tom Stump that the Advisory Plan Commission recommend to the Board of County Commissioners that this request for a zone map change from B-1 to M-1 be approved in accordance with the Staff Analysis.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

Yes: Phil Barker, Steve Edwards, Steve Warner, Lori Snyder, Tom Stump, Roger Miller, Brian

Dickerson, Frank Luchesse.

6. The application for a zone map change from B-3 to B-1, for Joe A. Miller on property located on the north side of the access easement, west of S. Benton St. (SR 13), 505 ft. south of CR 42, common address of 227 ½ S. Benton St. in Benton Township, zoned B-3, was presented at this time.

Mr. Dean presented the Staff Report/Staff Analysis, which is attached for review as *Case #RZ-0068-2022*.

Joseph Miller, 227 ½ S. Benton St., Millersburg. He stated he wanted to move the single wide trailer out and dig out a basement for a double wide to put in its place.

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: Approve, **Moved by** Lori Snyder, **Seconded by** Tom Stump that the Advisory Plan Commission recommend to the Board of County Commissioners that this request for a zone map change from B-3 to B-1 be approved in accordance with the Staff Analysis.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

Yes: Phil Barker, Steve Edwards, Steve Warner, Lori Snyder, Tom Stump, Roger Miller, Brian Dickerson, Frank Luchesse.

7. The application for a zone map change from M-1/A-1 to A-1, for Martin J. Meyer & Joann Meyer, Husband & Wife on property located on the south side of CR 2, 1, 070 ft. east of CR 39, common address of 11830 CR 2 in York Township, zoned M-1, was presented at this time.

Mrs. Kratzer presented the Staff Report/Staff Analysis, which is attached for review as *Case #GPUD-0072-2022*.

Jacob Meyer, 11830 CR 2, Millersburg, He stated he has lived on this property since 2005 and has never requested a zone map change for an M-1 zone. Mr. Warner asked staff to explain the reasoning behind the zone map change. Mrs. Kratzer stated in 2017 a portion of this property located near the black line was rezoned to M-1. She continued to say that the one portion of his land was rezoned in error and needs to be rezoned back to A-1. Mr. Warner questioned clarified this rezoning is correcting that error. Mrs. Kratzer concurred. Mr. Stump stated he remembered that meeting, somewhat, however doesn't remember the details. Mr. Godlewski stated that sometime during that petition this little piece of land was included on accident. He continued to say, the landowner filed a petition to zone it back to an A-1. Mr. Godlewski stated the land owner was not charged for this petition. Mr. Stump asked if Grand Design ever owned this piece of land. Mr. Meyer indicated they had never owned it.

There were no remonstrators present.

A motion was made and seconded (*Lucchese/Dickerson*) 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: Approve, **Moved by** Steve Edwards, **Seconded by** Brian Dickerson that the Advisory Plan Commission recommend to the Board of County Commissioners that this request for a zone map change from M-1/A-1 to A-1 be approved in accordance with the Staff Analysis.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

Yes: Phil Barker, Steve Edwards, Steve Warner, Lori Snyder, Tom Stump, Roger Miller, Brian Dickerson, Frank Luchesse.

8. The application for a zone map change from A-1 to M-2 , for Forest River Inc. represented by Jones Petrie Rafinski, on property located on the northeast corner of CR 14 (14th Ave.) and SR 13, in Middlebury Township, zoned A-1, was presented at this time.

Mr. Dean presented the Staff Report/Staff Analysis, which is attached for review as *Case #RZ-0073-2022*.

Matt Schuster, JPR, 300 Nibco Parkway Elkhart, was present representing the petitioner. He stated there is no building project currently planned, but the petitioner is here for the rezoning at this time.

Dan Flagger, 11433 CR 14, Middlebury, he stated the noise and light pollution from existing factories is very noticeable. He continued to express his concerns for the increased traffic and litter. He also stated his concerns for the Amish community due to the increased traffic. He continued to say that the traffic on SR 13 is terrible and a traffic light would be needed for safety at this intersection.

Mr. Schuster stated all concerns will be addressed when they knew what project will be purposed in this area. Mr. Stump asked if there was a traffic light at CR 14 or 14th St. Mr. Schuster stated there was not a traffic light at that intersection. Mr. Stump asked if there was one planned for this intersection. Mr. Luchesse stated he didn't recall one being talked about. He did state that the State of Indiana would control that intersection. Mr. Stump asked Mr. Godlewski what he knew about the intersection. Mr. Godlewski stated there had been talk with Mary with the town, and there are no plans for a street light there. Mr. Stump stated he can see that the intersection is a mess at certain times of the day. He went on to ask about the lights at the Winnebago plant. Mr. Godlewski stated Mr. Auvil had a number of discussions with them over the years. He went on to say it is complaint based. Mr. Warner stated looking at the traffic aspect of it, there are concerns for increase in that area. Mr. Dickerson asked if there were any active plans for development for this site. Mr. Schuster stated there were no active plans at this time. Mr. Dickerson asked what the ultimate goal is for the rezoning. Mr. Schuster stated to get the land rezoned and to possibly build in the future

A motion was made and seconded (*Stump/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: Approve, **Moved by** Tom Stump, **Seconded by** Roger Miller that the Advisory Plan Commission recommend to the Board of County Commissioners that this request for a zone map change from A-1 to M-2 be approved in accordance with the Staff Analysis.

Vote: Motion passed (**summary:** Yes = 6, No = 2, Abstain = 0).

Yes: Phil Barker, Steve Edwards, Steve Warner, Tom Stump, Roger Miller, Frank Luchesse.

No: Lori Snyder, Brian Dickerson.

9. The application for a zone map change from A-1 to M-2, for Champagne Metals represented by Jones Petrie Rafinski, on property located southeast of Greenfield Pkwy, 2,100 ft. south of CR 2 , in York Township, zoned A-1, was presented at this time.

Mr. Dean presented the Staff Report/Staff Analysis, which is attached for review as *Case #RZ-0075-2022*.

Matt Schuster, JPR, 300 Nibco Parkway, Elkhart, was present representing the petitioner. He stated the petitioner is seeking a zone map change to match the rest of their property. He continued to say the plan is for a building addition.

There were no remonstrators present.

A motion was made and seconded (*Miller/Stump*) 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: Approve, **Moved by** Steve Edwards, **Seconded by** Phil Barker that the Advisory Plan Commission recommend to the Board of County Commissioners that this request for a zone map change from A-1 to M-2 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, Roger Miller, Brain Dickerson, Frank Luchesse

10. The application for an amendment to an existing DPUD A-1 known as **PUMPKIN PATCH MARKET PUD** to be known as **PUMPKIN PATCH MARKET DPUD AMENDMENT** to allow for a revised site plan, for Specialty Holdings LLC represented by Abonmarche Consultants, on property located on the south side of US 20, 2,320 ft. east of CR 43, common address of 10532 US Highway 20 in Middlebury Township, zoned DPUD A-1, was presented at this time.

Mr. Auvil presented the Staff Report/Staff Analysis, which is attached for review as *Case #DPUD-0076-2022*.

Crystal Welsh, Abonmarche, 303 River Race Drive, Goshen, was present representing the petitioner. She stated the intent of this property is to continue business as it is currently. Mrs. Welsh went on to say the petitioner purchased the business from a prior owner, and when he contacted the Planning Department for a new sign staff stated this is a DPUD and would need a site plan amendment for the sign. She went on to say that this is a good time to get the site plan and everything updated the proper way and to get the sign.

There were no remonstrators present.

A motion was made and seconded (*Snyder/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: Approve, **Moved by** Roger Miller, **Seconded by** Lori Snyder, that the Advisory Plan Commission recommend to the Board of County Commissioners that this request for an amendment to an existing DPUD A-1 known as **PUMPKIN PATCH MARKET PUD** to be known as **PUMPKIN PATCH MARKET DPUD AMENDMENT** to allow for a revised site plan 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, Roger Miller, Brian Dickerson, Frank Luchesse.

11. The application for primary approval of a 2-lot minor subdivision to be known as **MARTIN'S COUNTRY ROAD 26 MINOR SUBDIVISION**, for Robert E. Martin represented by Lang, Feeny & Associates, Inc., on property located on the north side of CR 26, 875 ft. east of CR 21, in Jefferson Township, zoned A-1, was presented at this time.

Mrs. Kratzer presented the Staff Report/Staff Analysis, which is attached for review as *Case #MI-0977-2021*.

Mr. Stump asked if he could have a legal opinion on this subdivision, if this meets everything required. He went on to say there is no other option than approving this petition, if it meets the requirements. Attorney Kolbus stated that was correct. Mr. Kolbus explained under the Indiana law, if they meet the county's subdivision standards, it has to be granted. Mr. Stump went on to say there is no other choice but to approve what we have already approved and deny this appeal. Mr. Kolbus stated unless the appealants shows it does not meet one of the standards. Mr. Stump asked if this was the case. Mrs. Kratzer stated the petitioner has met all the standards.

Terry Lang, Lang, Feeny, Whiteman, 715 S. Michigan St., South Bend, was present to representing the petitioner. He stated what Mae indicated previously is correct. He went on to say Mr. Martin has been declared legally blind. He continued to say a family member would like to help take care of them and would like to build a home on the large parcel. Mr. Lang confirmed that they have complied with all the items of the Subdivision Ordinance. He also stated they are doing nothing more than adding a residence to a residential area and also indicated on the map where the house would be located.

Karen Martin, 19835 CR 26, Goshen, came on for this request. She stated they would like to split the property to allow them to remain there and have a child close by to care for them. She agreed with the statements previously mentioned by Mr. Lang.

There were no remonstrators present.

A motion was made and seconded (*Snyder/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: Approve **Moved by** Steve Edwards, **Seconded by** Phil Barker that the Advisory Plan Commission recommend to the Board of County Commissioners that this request for primary

approval of a 2-lot minor subdivision to be known as **MARTIN'S COUNTY ROAD 26 MINOR SUBDIVISION** 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, Roger Miller, Brian Dickerson, Frank Luchesse.

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

Jason Auvil reported on the February 17th Town Council of Bristol petition approvals and February 27th Elkhart County Commissioners petition approvals.

13. Solar Ordinance Discussion

Mr. Godlewski presented the Solar Ordinance discussion. He stated to the Board the purpose is to provide any further direction based on what staff has created and the previous hearings. He continued to say to keep some dates in mind for future public hearings. He stated the next meeting in April will be a more refined discussion, and the public meeting could be in late April or early May. Mr. Dickerson asked what has been mentioned in past discussions in regards to solar panels and how would affect the property that the solar panels are on and the neighboring properties. He went on to state his concerns about the protocol for fire and how fire departments would handle such a thing. He continued to ask if there has been any consideration in regards to set back requirements for ground water protection areas. He went on to further express concerns with aquifers. Mr. Godlewski stated in different meetings it has been touched on; this is the time that can be added. Mr. Dickerson stated the problems that would arise if there was a fire and the heavy metals possibly contaminated the site. He further explained fires in regards to solar panels are not tracked on a national level. He stated that we should implement a ground water protection plan. Mr. Stump and Mr. Warner concurred with ground water protection. Mr. Godlewski suggested implementing a set back from well head and environmental protection areas. He went on to say that the ground water protection, the setbacks from well heads and environmental protection areas would be added to the list for the solar ordinance. Mr. Dickerson asked if someone could reach out to a ground water protection group. Mr. Godlewski stated that would be the Environmental Health Department. Attorney Kolbus stated that information gained from them could be used to come up with standards to present to the Board. Mr. Miller asked if discussion about soil drainage needed to be had with Soil and Water or if Mr. Barker could handle that. Mr. Barker stated the metals get into the ground any time something is mixed with water; it will infiltrate with water into the soil. Mr. Dickers stated even when they mix foam for a fire there is still water. Mr. Miller stated the soil would be different per site. Mr. Barker concurred that soils would differ between sites. He continued to state that a plan would be needed for each specific piece of property. Mr. Dickerson stated that it wouldn't have to be so restrictive, if there were setbacks for wells and ground water protection areas. Mrs. Snyder asked Mr. Barker if it could be a requirement to check the aquifer. Mr. Barker responded the county soil maps give you a lot of information; depth to the seasonal high water, water table, and soil characteristics. Mr. Dickerson stated there should be some type of standards in regards to equipment and maintenance. Mr. Auvil explained in terms of

the land use perspective and the research that he has done; it appears there is a fire incident less than 1 in 10,000 installations. He continued to say there are approximately 120 fires, 60 that are commercial, 60 are residential, in a given year. Mr. Auvil stated in term of fire those items are best addressed outside of land use, they with decommissioning, replacement of faulty equipment, etc. she added they can design and have built in remediation plans that if there is fire on site, that area has to be tested for heavy metals. He continued to say that should not be a part of the Zoning Ordinance. Mr. Stump stated every farmer/land owner should have the right to use their land as they see fit with in regulations. Attorney Kolbus asked the minimum area that requires a rezoning. Mr. Godlewski responded anything over 10 acres in any zoning district. He added it will be an overlay zoning. Mr. Stump stated he sees no difference in faming corn vs. solar panels. Mr. Godlewski stated the Board has to decided, if 10 acres is the right number, should it be higher or lower. Mr. Warner stated solar companies have a history of going into bankruptcy, selling, morphing, and no longer being held to the standards the first company was. He commented that there should be a strong ordinance, not as strong as Kosciusko County, which more or less states not in our back yard. Mr. Warner presented the opportunity for each Board member to state their individual take on the solar ordinance. Mr. Miller stated this is a place to start. He continued to say if there is something out of line, it can be changed; it's not set. He added this is something the Board doesn't know a lot about. Mr. Dickerson stated there will be changes over time, and the ordinance should be revisited. He continued to state his major concerns would be fire and impact on our ground water. Mr. Luchesse stated he is not opposed to solar, but agrees with the ground water concerns. He continue to say that the concerns for fire is more with the battery storage. He added he doesn't want to be too restrictive, and this is the way of the future. He went on to say the 850 acre solar farm previously proposed was too big, too fast. Mr. Barker stated he doesn't see a lot of difference between something like this and a subdivision, because they could have the same issues to deal with, ground water and storm water. He went on to explain that putting all these panels up is just like putting a giant roof over the land, and it becomes a source of run-off and erosion. He added that needs to be taken into consideration. He continued saying a vegetation plan for plants that will hold the soil in place needs to be implemented but, how will that be maintained. Mr. Edwards concurred with all the other statements that have been presented. He added he is unsure that 10 acres is the correct number. Mrs. Snyder stated there is so much the Board doesn't know. She continued to say health and safety would be her main concern. She mentioned the county is running out of land, in terms of housing the land needs to be protected. She continued to say the state will mandate an ordinance if the county doesn't. Mr. Stump stated he is pro-farmer and, their property rights should be honored as much as possible. He went on to say that a solar farm is a lot less intense than the 75 acres just rezoned for Forest River. He stressed alternative energy sources are important. Mr. Dickerson asked if the proposed ordinance addresses storage devises. Mr. Godlewski responded the solar array would include accessory type items as part of it. He continued to say it will be specified as solar array and associated uses. He stated that drones are being used to clean large scale solar arrays. Mr. Warner went on to say to protect in Elkhart County, they need to be very mindful of the extremely strong growth in residential, industrial, RV, the Amish aspect of the county. He continued to say the Board needs to keep all of those things in mind when crafting this ordinance, because there are extremely strong competing uses for solar panel ground.

Brad Rogers, County Commissioner, stated he agrees with farmer rights. He continued to say he is against a solar array that may block people in on 3 sides of their property and devalue their

property rights and their land. He continued saying Savion should have mitigated it but, they failed to do that. Mr. Rogers went on to say he is not anti-solar, but the neighboring rights need to be considered. Mr. Godlewski suggested using the template created by staff and then add comments from this discussion. He went on to say it will be in an ordinance format for next month, but then have a public hearing the end of April or early May. Mr. Warner stated existing drainage in farm fields needs to be acknowledged because, it doesn't just impact that property but everything that flows through it. Mr. Godlewski confirmed the public meeting time for Tuesday, April 26th, 2022 at 6:00 p.m. He went on to say the Board will see the ordinance draft at the next Plan meeting.

A motion was made and seconded (*Edwards/Dickerson*) that the meeting be adjourned. The motion was carried with a unanimous vote, and the meeting was adjourned at 11:37 a.m.

Respectfully submitted,

Amber Weiss, Recording Secretary

Steve Warner, Vice Chairman