

**PLAN MINUTES
ELKHART COUNTY PLAN COMMISSION MEETING
HELD ON THE 14TH DAY OF AUGUST 2025 AT 9:30 A.M. IN THE
MEETING ROOM OF THE PUBLIC SERVICE BUILDING 4320 ELKHART RD.,
GOSHEN, INDIANA**

1. The regular meeting of the Elkhart County Plan Commission was called to order by the Chairman, Lori Snyder. The following staff members were present: Mae Kratzer, Plan Director; Jason Auvil, Planning Manager; Danny Dean, Planner; Laura Gilbert, Administrative Manager; and Don Shuler, Attorney for the Board.

Roll Call.

Present: Philip Barker, Steve Warner, Lori Snyder, Steve Clark, Brad Rogers, Brian Dickerson, Dan Carlson.

Absent: Steven Edwards, Roger Miller.

2. A motion was made and seconded (*Barker/Clark*) that the minutes of the last regular meeting of the Elkhart County Plan Commission, held on the 10th day of July 2025, be approved as submitted. The motion was carried with a unanimous vote.

3. A motion was made and seconded (*Clark/Rogers*) 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.

****It should be noted Mr. Warner recused himself and stepped down.****

4. The application for primary approval of a 6-lot major subdivision to be known as ROCK POINTE SECOND, for Warner Farms represented by Innovative Communities, Inc., on property located on the east side of CR 29, 2,140 ft. north of CR 34, in Elkhart Township, zoned A-1, was presented at this time.

Danny Dean presented the Staff Report/Staff Analysis, which is attached for review as *Case #MA-0351-2025*.

Mr. Dean submitted a letter from Bill Hartsuff, Environmental Health, expressing his concerns about drainage issues nearby the proposed subdivision[*Attached to file as Staff Exhibit #1*].

Mr. Clark questioned the variance for no road frontage, since there is a road coming into the subdivision. Mr. Dean stated that the road does not count due to it being a private road. Mrs. Snyder asked if this subdivision has the same developer as the five surrounding lots. Mr. Dean explained that it is the same developer for all five lots. Mr. Rogers asked if the road will become a county road in the future. Mr. Dean further explained that currently the road is not being constructed to highway standards and significant investment would need to be made to convert it to be dedicated to the county. Mr. Rogers asked if the owners of the property know that the road will not be maintained by the county. Mr. Dean expressed that he would prefer the developer or the representative answer that question.

Tim Saylor, Innovative Communities, Inc., 697 Bungalow Dr., Nappanee, was present representing the petitioner. He described that they are proposing six large estate lots on a total of thirty-six-acre farm site. He further addressed the drainage issues, extending from CR 29 down to

Hoover Creek Ditch. Mr. Saylor mentioned that the issue raised by Mr. Hartsuff is off the subject property entirely. He indicated there is a natural drainage swale to the east of the property with effluent discharge. He explained Mr. Warner has agreed to extend the tile and is committed to help resolve the issues that exist off site. Mr. Saylor stated Mr. Warner did not create this effluent discharge drainage issue. He went on to explain details regarding the private drive. He indicated there have been many discussions with Katie Niblock with Highway on the subject private drive vs. a public road. He noted it will be explained to new owners that this property is served by a private drive and exist in an easement. Mr. Rogers expressed concerns due to issues with other private driveways in the county. He stated that years down the road, the Commissioners are then expected to fix the issues with the private drive, whether that be a drainage issue or a plowing. He explained the land owners won't be able to come to the county for help with the private driveway when there are issues. Lori Snyder asked if the private drive would be declared on all the title work. Mr. Saylor stated absolutely. She asked the average acreage per lot. Mr. Saylor stated the lots average 6 acres per lot.

Jaxon Beck, 130 N. Main St., Goshen, was present representing the petitioner. He stated the plan to address the easements is to have two separate maintenance agreements. He explained that the first maintenance agreement will be for the drainage structures that are currently in place. He went on to say there will be a separate maintenance agreement for the private driveway states that the county will not maintain it. Mr. Beck mentioned that those documents should be a part of the purchase agreement with the developer/landowner. Mr. Barker stated that the drainage easement agreement should not just include lots 1-3. Mr. Beck stated that all the lots are included for the maintenance of the structures for the drainage, as well as the private driveway. He mentioned in the tech review that there were questions about the origin of the drainage tile and the maintenance obligations. He stated he reviewed the title work, and it was addressed in the first subdivision plat for Rock Point with a county drainage maintenance dedication statement. He went on to say it stated all the owners in the subdivision are required to maintain the structures of the easement. He stated the tile that goes through Rock Point II is also in the plat for Rock Point I. He further explained that Rock Point I would also be proportionately responsible for the maintenance of those drainage structures. He stated that this may not apply to any new drainage structures that would be part of Rock Point II. Mr. Rogers mentioned one of the concerns is that there is sewage effluent. Mr. Beck stated that it is discharging from the north, and he is unsure where exactly it is coming from. Mr. Barker explained that there was an easement along the back of Rock Point I. He stated it was coming from one of those lots. He stated the southeast corner lot is a mess. He mentioned all this should be addressed and shared by all the lots equally. Mr. Barker explained that all the runoff is going into a county-regulated ditch. Mr. Rogers asked if we want effluent in the ditch. Mr. Barker stated no. Mr. Rogers stated he is not inclined to approve a subdivision when raw sewage is coming through this property. He went on to say that it may not be Mr. Warner's issue, but it is coming to the property, and a source needs to be identified. Mr. Barker stated he isn't familiar with the conditions on the ground or where the effluent is coming from. He stated there is only so much Warner Farms can do. He further stated that they own the property that is being approved today, and the other lots have been sold. He stated they can modify the existing tile and how it relocates and the location is off-site and it runs through the properties. Mr. Baker asked how the issue can be addressed when it is not on the piece of land being discussed today. Mr. Barker stated he talked with Bill, and he thinks it can be remedied. He stressed it will have to be a group effort to move forward. Mr. Clark asked how the Board can punish this homeowner for something that is caused off-site. Mr. Baker stated this property is all downhill, that

is why it needs to be identified where the discharge is coming from.

Chris Shetler, 62518 CR 29, Goshen, was present in remonstrance. He stated he purchased his house in 2023. He mentioned the Health Department has known about this problem for at least 15 years, and has done next to nothing about it. He stated there is still raw sewage that comes from Triple S Farms on to his property. He stated he has been trying to work with Bill from the Health Department for the last two years, and nothing has happened. Mr. Clark asked how this affects the new project. Mr. Shetler demonstrated on the map how the water flows through the property. Mr. Shetler stated there is no stopping the flow of the sewage to the ditch. Mr. Clark asked if development of the subject property would make it worse. Mr. Shetler stated he is uncertain; he simply stated there is an issue that isn't being taken care of. Mr. Clark state he does not want to punish someone, if it isn't their problem. Mr. Rogers indicated there was a residence to the north that could be the source. He asked where the effluent is coming from. Mr. Barker stated that this is something the Health Department should be dealing with, because this is an illicit discharge. Mr. Shetler stated there are houses to the north that are connected to septic tanks and to the drain tile, and that was done over 15 years ago.

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

Mr. Saylor stated for the sake of clarification there is an off-site septic issue not related to phase one of Rock Point. He explained it is with a different landowner, who was not involved with these land developments. He stated it is an old tile that is discharging septic effluent onto Mr. Shetler's property. Mr. Saylor explained that this is something the Health Department needs to resolve, which is upstream and independent of this project. He indicated where the drainage was coming from on the aerial. He mentioned Mr. Warner placed a tile on his property, and there is no drainage issue on the subject property. He stated again Mr. Warner has no power to deal with the septic issues that are further to the north. He further stated the land owner to the south is being held hostage due to the neighbor's issues to the north, that the Health Department has been unable to resolve. Mrs. Snyder stated that the Board is here for land use. Mr. Clark mentioned Mr. Shetler has a valid point, but they are two different issues. Mr. Barker stated the next step would be for the Health Department to determine where the illicit discharge is coming from.

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

Motion: Action: Approve, **Moved by** Steve Clark, **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 ROCK POINTE SECOND be approved in accordance with the Staff Analysis.

Vote: Motion passed (**summary:** Yes = 6, No = 0, Abstain = 1).

Yes: Phil Barker, Lori Snyder, Steve Clark, Brad Rogers, Brian Dickerson, Dan Carlson.

Abstain: Steve Warner.

5. The application for a zone map change from A-1 to B-2, for Cesar Manuel Valdez on property located on the east side of US 33, 1,260 ft. north of CR 40, common address of 65764 US 33 in Elkhart Township, zoned A-1, was presented at this time.

Danny Dean presented the Staff Report/Staff Analysis, which is attached for review as *Case*

#RZ-0444-2025.

There was no petitioner present.

Lori Snyder asked if the property still looked like the aerial. Mr. Dean stated it has been cleaned up. Mr. Rogers asked if there had been any code enforcement issues. Mr. Dean stated he was unsure of any code enforcement issues, on the subject property.

There were no remonstrators present.

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

Mr. Rogers stated he is hesitant to approve something that they could not question the owners about.

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

Motion: Action: Table, **Moved by** Brad Rogers, that this request for a zone map change from A-1 to B-2 be tabled until the September 11, 2025, Advisory Plan Commissioner Hearing due to the absence of the petitioner. **None seconded. Motion dies for lack of a second.**

Mr. Clark explained he was looking at the area, and there is a DPUD M-1, B-3, and residential. He further stated it looks like a good transition zone area. Mr. Rogers stated it backs up against residential, and that's what is concerning.

Motion: Action: Approve, **Moved by** Steve Clark, **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 A-1 to B-2 be approved in accordance with the Staff Analysis.

Vote: Motion failed (**summary:** Yes = 2, No = 4, Abstain = 1).

Yes: Steve Clark, Brian Dickerson.

No: Phil Barker, Snyder, Brad Rogers, Dan Carlson.

Abstain: Steve Warner.

Motion: Action: Table, **Moved by** Steve Clark, **Seconded by** Brian Dickerson that this request for a zone map change from A-1 to B-2 be tabled until the September 11, 2025 Advisory Plan Commission Hearing due to the absence of the petitioner.

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

Yes: Phil Barker, Steve Warner, Lori Snyder, Steve Clark, Brad Rogers, Brian Dickerson, Dan Carlson.

****It should be noted that Mr. Warner returned to the Board at this time****

6. The application for a zone map change from GPUD B-3 to DPUD B-3 and for primary approval of a 1-lot minor subdivision to be known as BROOKVIEW FARMS PHASE 1 DPUD B-3 AMENDMENT, for Conservative Business Concepts LLC, represented by Abonmarche Consultants, on property located on the northeast corner of Fernbrook Rd. & CR 142, west side of SR 15, common address of 67470 Fernbrook Rd. in Jackson Township, zoned DPUD B-3 & GPUD B-3, was presented at this time.

Jason Auvil presented the Staff Report/Staff Analysis, which is attached for review as *Case*

#DPUD-0445-2025.

Mr. Rogers asked if this request is associated with another petition to be presented today. Mr. Auvil stated it is adjacent to that property. He added they are two separate developments that just happened to be filed at the same time. Mr. Rogers asked if the dentist is expanding. Mr. Auvil stated that is correct.

Crystal Welsh, Abonmarche Consultants, 303 River Race Dr., Goshen, was present representing the petitioner. She stated this project is not related to the adjoining properties' development. She stated the dentist is doing well and wanted to expand to serve more clients. She further explained they are adding additional parking as well as buggy parking and a retention area.

Brad Hooley, explained he sold the land to Dr. Patterson and that the petitions coming to the same meeting were coincidental and unrelated.

There were no remonstrators present.

A motion was made and seconded (*Rogers/Clark*) 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** Brad Rogers, **Seconded by** Dan Carlson that the Advisory Plan Commission recommend to the Board of County Commissioners that this request for a zone map change from GPUD B-3 to DPUD B-3 and for primary approval of a 1-lot minor subdivision to be known as BROOKVIEW FARMS PHASE 1 DPUD B-3 AMENDMENT be approved in accordance with the Staff Analysis.

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

Yes: Phil Barker, Steve Warner, Lori Snyder, Steve Clark, Brad Rogers, Brian Dickerson, Dan Carlson.

7. The application for a zone map change from A-1 to DPUD A-1 and for primary approval of an 8-lot major subdivision to be known as DOROSHENKO A-1 DPUD, for Igor Doroshenko & Nina Mamalat Doroshenko, Husband & Wife & Andriy Doroshenko & Katya Doroshenko, Husband & Wife represented by B. Doriot & Associates, Inc., on property located on the south side of CR 118, 1,700 ft. west of Old CR 17, in Concord Township, zoned A-1, was presented at this time.

Jason Auvil presented the Staff Report/Staff Analysis, which is attached for review as *Case #DPUD-0441-2025*.

Blake Doriot, B. Doriot & Associates, Inc., P.O. Box 465, New Paris, was present representing the petitioner. He stated this development is planned to have six duplex lots that would be owned by the petitioner. He further stated they are willing to put title restrictions to identify the road as a private drive that does not meet Highway standards. Mr. Doriot stated he encouraged the Doroshenkos to talk with their neighbors about the development. He described the retention areas in detail, and the infiltration rate is up to 20 inches per hour. He stated that the law no longer requires a reserve area for septic systems, but each duplex will have a primary septic system and room for a reserved septic area. Mr. Hartsuff, with the Health Department, has asked for additional boring samples explained Mr. Doriot. He presented housing stats and information regarding housing in the State of Indiana and in Elkhart County [*Attached to file as Petitioner Exhibit #1*]. He further stated that we are in an affordable housing crisis. Mrs. Snyder asked if this was for a family commune.

Katya Doroshenko, an inaudible address was given, Goshen, was present representing the petitioner. She stated her and her family walked around informing the neighboring properties what their plans were with the land [Attached to file as Petitioner Exhibit #2]. She mentioned that she and her family will be living on one of the two lots in the back, along with her parents on the other lot to the rear of the proposed subdivision. She explained that the plan was to rent out the duplexes.

****It should be noted Steve Clark left at this time.****

Jason Auvil presented emails in remonstrance for this project. He stated included is a petition that was signed by forty-five of the neighbors in the area. He stated the general concerns are for the increased traffic, wildlife conservation, noise, light pollution, the safety of children and grandchildren, and run-off/drainage issues. He went on to summarize the water table is a concern with the increased density in the area. He went on to say it was mentioned that if this petition gets passed, there could be a buffer (privacy fence) around the existing parcels [Attached to file as Staff Exhibit #1].

Amanda Huber, 22512 CR 118, Elkhart, was present on behalf of Lola Gunderman, 22538 CR 118, Elkhart. She stated Mrs. Gunderman's family is the one that owned the property previously. She further stated they have paperwork that shows that the frontage of the property, instead of being 129.76 ft. is actually only 106 ft. She stated she would like this petition to be tabled until the measurements are resolved with the family trust and the County Surveyors. Lori Snyder mentioned perhaps Mr. Barker could answer that.

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

Mr. Dickerson stated in terms of traffic, there is a church directly to the east that has significant traffic flow on CR 115, along with Old CR 17. He also mentioned the conservation of wildlife would be more in the wooded parcels than in an open field. He explained this is a perfect fit for the area.

Mr. Doriot addressed Mrs. Gunderman's question regarding the road frontage. He stated he did a lot of research and that is the number he came up with. He went on to say that before the secondary is filed, he will find out if there are any differences. He expressed that if there was a difference, he would amend the plat to show that. Mr. Doriot repeated that if there was a mistake made on his part, he will gladly make sure it is corrected. He discussed that a privacy fence in an A-1 zone doesn't make much sense. He explained the owner would like to have trees planted for privacy. Mr. Doriot stated the traffic study has been approved, and they have to do a type six entrance. He went on to say it did not meet the requirements for a passing blister, and the site distance was good. He stated drainage has been discussed in the drainage plan. He mentioned there are local irrigation wells that are pumping a thousand gallons per minute, but these homes will come no where close to five minutes a day of that. Mr. Doriot stated in closing he believes Mrs. Doroshanko will be a good neighbor and the surrounding property owners will be surprised.

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

Motion: Action: Approve, **Moved by** Brad Rogers, **Seconded by** Steve Warner that the Advisory Plan Commission recommend to the Board of County Commissioners that this request for a zone map change from A-1 to DPUD A-1 and for primary approval of an 8-lot major subdivision to be known as DOROSHENKO A-1 DPUD be approved in accordance with the Staff Analysis.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 6).

Yes: Phil Barker, Steve Warner, Lori Snyder, Brad Rogers, Brian Dickerson, Dan Carlson.

Excused: Steve Clark.

8. The application for a zone map change from GPUD B-3 to DPUD B-3 and for primary approval of a 1-lot minor subdivision to be known as NIPSCO NEW PARIS LOCAL OPERATIONS CENTER, for Fernbrook LLC represented by DVG Team, Inc., on property located on the northwest corner of Fernbrook Rd. & CR 142, west of SR 15, in Jackson Township, zoned GPUD B-3, was presented at this time.

Jason Auvil presented the Staff Report/Staff Analysis, which is attached for review as *Case #DPUD-0352-2025*.

Tonya Stanley, Senior Director of Real Estate Services, NIPSCO, 801 E. 86th Ave., Merryville, was present representing the petitioner. She explained they are looking to relocate the operation center that is currently located in Goshen. She stated this is due to an aging facility, the need for growth, and the proximity of customers. She expressed that the project aims to develop a local operating area for NIPSCO to enhance all gas and electric utility services with a centrally located facility designed for operational efficiency and community consideration. She mentioned the Local Operating Area will support up to 200 employees, split evenly between office and field deployment. She described the 50 acres site will house a main office building, warehouse, vehicle storage, fleet garage, and material storage. She stated the site was chosen for its proximity to existing service territories. She explained the benefits to the community, which will bring 150 employees to the area, increase the tax base, two years of construction jobs with supporting local businesses, and potential workforce living in the area.

Jack Halls, DVG, was present representing the petitioner. He stated this site is 50 acres on SR 15 in New Paris. He explained that the point of access was talked about in depth with INDOT. He went on to say INDOT discouraged using SR 15 as an access point. He noted that in 2027 INDOT will be installing a signal light at the corner of SR 15 and CR 142. He explained the construction of the site and traffic signal will be completed around the same time in 2027. He mentioned that CR 142 will see an increase in traffic, and a traffic impact study was done. He stated the impact is fairly small. He explained that employees will come throughout the morning and evening. He further explained the service trucks will leave throughout the day. He explained how the site will navigate it's own traffic and how each building will be placed on the site.

Mr. Warner asked if there have been any studies done concerning the electricity generation disturbing cell phone signal or health concerns. Mr. Hall stated this site will not be a power generating site; this is a site strictly for dispatching service vehicles/line maintenance facility. He stated NIPSCO's need is increasing to serve the local customers well.

Mr. Dickerson asked if INDOT is going through the intersection and expressed any concerns regarding line pole length on the trailer. Mr. Hall stated that is why they discouraged the driveway on SR 15. Mr. Dickerson asked the maximum vehicle length. Mr. Hall stated it varies.

Brad Hooley, 14385 CR22, Goshen, in support of this petition. He stated he represents Fernbrooke LLC and Brooke View Farms. He mentioned the reason this land has been for sale for so long is that the Brooken family has been very selective with whom they sell the property. Mr. Hooley stated this is a perfect fit for this location.

Dennis Chupp, 67267 SR 15, New Paris, was present in remonstrance to this petition. He mentioned they own the property in the middle of this project. He explained their home is located

there, along with their piano business. He explained his concerns are with the value of his property going down. He went on to state his concerns about traffic. He mentioned they have talked with the petitioner about reluctantly relocating. However, he stated there is a price that cannot be agreed upon at this point. He went on to state different concerns he had about this project, such as noise pollution, light pollution, and traffic concerns. Mr. Chupp explained the berms are an eyesore, when they are not maintained. He stated he is unsure who enforces that.

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

Mrs. Snyder stated she believes this area has been zoned B-3 for around twenty years.

Mr. Rogers stated that the Chupp's are well known, establishment in the New Paris area with high-end pianos. He stated they are willing to relocate if NIPSCO is willing to buy their property. Mrs. Stanley stated that the 50 acres is suitable for what they need. She went on to state that there have been several conversations with him. She explained that NIPSCO is a regulated utility company and that every dollar counts. She stressed every dollar spent does affect their shareholders and our customers. She stated the Chupp's were offered the fair market value of their property, and currently, their amounts are far apart. She went on to say they are still willing to have more conversations with them. Mrs. Stanley stated there has to be a median, which is not in their budget, especially with the dollar amount he is requesting. Mr. Rogers stated he will be for denial of this petition if there can not be some type of agreement on the value of the property. Mr. Dickerson expressed his concerns about negatively affecting the neighboring property's value. He stated his concerns were for the properties to the south of this development. He went on to state that NIPSCO is a 24-hour operation, and the traffic going in and out of this facility will have an impact on the neighbors. He mentioned he was surprised there were not more remonstrators to the south of the property. Mr. Dickerson suggested tabling this petition due to the dynamics of affecting residential property.

Mr. Hall pointed out on the site plan how accommodations were made for the properties on the south with the property lay out and buffers. Mr. Dickerson stated they did a wonderful job on the site plan. Mr. Hall also presented diagrams of what the future landscaping/screening would look like for Mr. Chupp. [*Attached to file as Petitioner Exhibit # 1*] He described how a security fence is needed for homeland security. He noted that an 8 ft. tall berm, further screening, and landscaping were provided to help with noise control. Mr. Hall stated this plan was presented to Mr. Chupp, and he indicated to them that he would prefer to have a white 6-foot-tall fence in addition to the landscaping. He stated they went back and revisited another option with a 2 ft. berm with a 6 ft. fence on top of the berm, making it an 8 ft. screening. He explained that this is not an insignificant offer. He went on to say this goes to show the petitioners' willingness to hear and to accommodate the neighbors. He further stated that these accommodations have had an impact on this site with berms that are 16 ft. -20 ft. on the other side of the fence, which will help with noise and the lights. He explained that all the light fixtures are dark sky-compliant and are strategically located on the poles along the property, so there could be outside shields to keep all the outcasts inside the perimeter. Mr. Hall stated that this property is sufficient for the use that it is zoned. He mentioned they have exceeded any screening requirements. He indicated that Mr. Chupp's property in 2019 was rezoned A-1, because of the use he had on his property. He stated that the zoning requirements from an A-1 to a B-1 are none. He explained that is why they have exceeded the buffer that is required and are losing about an acre of land with just berming. Mr. Hall continued to state that they have made an offer to buy Mr. Chupp's property that exceeded the market value. He asked what the Plan Commission needed to come to terms on the

value of that property. Mr. Dickerson stated that it is not his place to state the valuation of a property. He explained from a Plan Commission perspective, will the neighboring property able to be resold at the same value as it does today. He further explained that he believes this will have a negative impact on their property's value. He expressed that, based on all the screening, it may be cheaper to buy the house. Mr. Hall stated it is not cheaper. Mrs. Snyder stated that the property is currently worth the most it is going to be worth. She explained to the sellers as well that there has to be a middle ground and she would advise getting three appraisals. Mr. Rogers explained that is not the entire issue; Mr. Chupp also has an active business selling high-end pianos all over the world. He went on to say he would have to relocate, rebuild, and possibly buy another property. Mr. Hall explained he was struggling because the Board is talking about the property as if it is residential for the screening, but commercial, for its value. Mr. Rogers stated it's both. Mr. Rogers expressed that the Board is here to protect rights and to look at this as a big picture of land use. Mr. Dickerson stated he realizes there are heated discussions on both sides and wants them to be successful, but both parties need to find a middle ground.

Mr. Hooley came on the stand and empathized with Mr. Chupp's position, but stated that this is State Road 15 with the railroad, existing businesses, and farms. He went on to say that's why Nipsco coming to this location fits in with what is currently there. He agrees Nipsco should try to buy it, but it does not mean the land owner gets to punch a lottery ticket. Mrs. Snyder asked if Chupp's property used to be a B-3 and was rezoned to an A-1. Mr. Hooley stated he was unsure. Mr. Chupp stated the original zoning was A-1.

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

Motion: Action: Table, **Moved by** Brian Dickerson, **Seconded by** Brad Rogers that this request for a zone map change from GPUD B-3 to DPUD B-3 and for primary approval of a 1-lot minor subdivision to be known as NIPSCO NEW PARIS LOCAL OPERATIONS CENTER be tabled until the September 11, 2025 Advisory Plan Commission Hearing.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 6).

Yes: Phil Barker, Steve Warner, Lori Snyder, Brad Rogers, Brian Dickerson, Dan Carlson.

9. Board of County Commissioners Approvals Following Plan Commission Recommendations

Jason Auvil reported on the July 21, 2025 Elkhart County Commissioners meeting petition approvals.

10. Mae Kratzer presented TIF expansions for Middlebury East TIF Expansion and South Benton TIF Expansion. She stated Baker Tilley has provided studies of the impact of what is collected with and without the TIF expansions. She stated it goes down to ten times the amount of funds that are collected through a TIF expansion, which allows the TIF to then provide those funds to the Highway Department. She stated the staff recommendation is to approve the TIF expansions that will go before the council for approval as well.

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

Motion: Action: Approve, **Moved by** Brian Dickerson, **Seconded by** Brad Rogers that the TIF expansions for Middlebury East TIF Expansion and South Benton TIF Expansion be approved.

11. A motion was made and seconded (*Dickerson/Rogers*) that the meeting be adjourned. The motion was carried with a unanimous vote, and the meeting was adjourned at 11:31 a.m.

Respectfully submitted,

Amber Weiss, Recording Secretary

Lori Snyder, Chairman