

**PLAN MINUTES
ELKHART COUNTY PLAN COMMISSION MEETING
HELD ON THE 9TH DAY OF OCTOBER 2025 AT 9:30 A.M. IN THE
MEETING ROOM OF THE PUBLIC SERVICE BUILDING
4230 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; Danny Dean, Planner; Danielle Richards, Planner; Laura Gilbert, Administrative Coordinator; and Don Shuler, Attorney for the Board.

Roll Call.

Present: Philip Barker, Steve Warner, Lori Snyder, Steve Clark, Brad Rogers, Brian Dickerson, Roger Miller.

Absent: Steven Edwards, Dan Carlson.

2. A motion was made and seconded (*Miller/Warner*) that the minutes of the last regular meeting of the Elkhart County Plan Commission, held on the 14th day of August 2025, be approved as submitted. The motion was carried with a unanimous vote.

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

4. The application for primary approval of 72-lot major subdivision to be known as INDIAN CREEK, for Spartin Development LLC represented by Abonmarche Consultants, on property located on the northwest corner of CR 23 & CR 18, in Jefferson 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-0565-2025*.

Mr. Miller asked Mr. Dean to explain the process of the primary and secondary subdivision approvals. Mr. Dean explained the subdivision process in detail to the audience. He explained the Plan Commission will make a ruling at this meeting on the primary subdivision. He stated the secondary filing will then take place for the final platting of the lots. He went on to say that the Plat Committee will need to approve that, and the final step is the acceptance of the dedication of the streets, which goes to the Board of County Commissioners.

Brad Mosness, Abonmarche Consultants, 303 River Race Dr., Goshen, was present representing the petitioner. He explained that this request is a new subdivision associated with the Team Construction. He stated that Team Construction has been building homes across Elkhart County for the past thirty years. He clarified the subdivision will include single-family, one- and two-story homes, with prices ranging from \$400,000.00 to \$600,000.00. He mentioned that these homes will be comparable to the surrounding subdivisions. He described how the entrances will be located between two homes on CR 23 and built to Highway standards. He also stated that, according to the

County Highway, both CR 23 and CR 18 can accommodate the traffic increase without any road improvements.

Chris Erb, Team Construction, 1849 West Lincoln Ave, Goshen, was present. He stated he is also the owner of Spartin Development LLC, partial owner of Triple Enterprises, partial owner of Emerald Chase Land Development, and Team Construction. He stated he has developed over 375 home sites in Elkhart County, Goshen, and Nappanee, and Team Construction will have completed 1,461 homes. He went on to say the last subdivision that was developed in the area was back in 2005. He explained his process of what he does before he develops a property. He noted he checks if their proposed residences will be compatible with what exists in the area. He described the soils are great for basements and septic systems. He went on to say utilities will not be an issue. He further mentioned that the Northridge school system is in favor of this project. He lastly stated that the traffic will increase by under 1,300 vehicles a day. He further stated the questions he has been asked in the last 3 months by home buyers: Is there anywhere in Middlebury school district that I can get $\frac{3}{4}$ of an acre, Are there any lots between Goshen and Bristol that I can have a small shop building, Do you have any lots big enough that I can have a pickleball court, and Do you have any lots for a new home for \$450,000.00 or less. He expressed that this subdivision could answer most of those needs.

Danny Dean presented an email/letter in remonstrance to this project on behalf of Dennis Smith, 57918 CR 23, Goshen [*Attached to file as Staff Exhibit #1*]. Mr. Dean explained Mr. Smith wanted to urge the Plan Commission to deny this subdivision. He went on to discuss the increased demand and strain on electric and natural gas resources, which may lead to overruns and outages. He stated in his letter that the increase in septic systems was of concern. He added CR 23 and CR 18 are too narrow and not designed for high-volume traffic. He further stated that there is a higher risk of accidents at intersections during peak hours. He stated the traffic study sheet only contemplated traffic direction eastbound and westbound, and claims CR 23 is not contemplated. Mr. Dean noted that he believes the remonstrator states that because of the orientation of the plat drawing, the north arrow is pointing to the right not the top of the page. Mr. Smith went on in his letter to mention noise and light pollution during and after construction, which will disturb the neighbors and the wildlife. He also mentioned that the increase in property values will lead to steeper property taxes for current residents. He stated preserving rural aesthetics is essential to maintaining the County's identity.

John Battisti, 19437 CR 18, Goshen, was present in remonstrance for this project. He stated he is concerned about the aquifer, if it can handle more septic and the chemicals that people fertilize their lawns with. He expressed that he has lived in the area for over forty years. He explained he needed an osmosis system to drink the water, and even then, they don't drink the water; they just cook with it. He also mentioned that the traffic is a concern as well.

Rebecca Brewer, 20103 Turquoise Lane, Goshen, was present in remonstrance of this project. She stated she currently boards her animals on CR 23. She explained there are 6 working farms with livestock along this road, and the proposed development would put significant stress on both the land and the animals that depend on it. She went on to say the noise, traffic, and runoff will disrupt livestock, harm grazing areas, and pollute water sources that these farms rely on daily. She stated there is a subdivision behind her parents' farm on CR 23, which is directly across a large stretch of these homes. She mentioned the families in these existing subdivisions add stress to the horses and cows; and she stressed additional housing will have additional impact. She further stated CR 23 is

part of a living agriculture ecosystem and once the balance is disturbed, it cannot be undone. Lastly she request the Board deny this petition.

Linda Brewer, 57756 CR 23, Goshen, was present in remonstrance of this project. She asked how this project affects her taxes. She went on to say that the prices of these homes will affect her significantly. She stated the County has mentioned the traffic study is useless based on the orientation. She expressed that none of these homes is affordable housing. She went on to say the new subdivision residents will not be accepting of the way of life that already exists in the area. Mrs. Brewer expressed her concerns about the increase in students and bus stops. She went on to say that there will need to be a traffic light at US 20, and all the traffic can not go down CR 18 due to flooding. She expressed her concerns about the natural wildlife that needs to be protected.

Jacob Gongwer, 57024 CR 23, Goshen, was present in remonstrance of this project. He indicated he lives on the corner of US 20 & CR 23. He stated he can give a unique perspective in regards to the traffic. He stated that with the increase in traffic, it will be hard to pull out of his driveway. He continued to say that putting a light on US 20 would be a bad idea. He mentioned he grew up on an active dairy farm on CR 26 and SR 19. He indicated that it would have effects on the cattle and other livestock. He also mentioned that with added stress from the traffic, livestock can get out and that should be considered.

Barb Litch, 19560 Heritage Way, Goshen, was present in remonstrance of this project. She explained there is an extreme amount of hard surfaces in this new subdivision, which are roofs, driveways, and access roads. She stated that flooding is an issue in this area. She questioned when it snows, where will the snow go when it gets plowed. She wanted to amplify the point about the aquifer and the hard surfaces.

Dennis Smith, 57918 CR 23, Goshen, was present in remonstrance of this project. He was previously represented by staff with an email/letter provided [*Attached to file as Staff Exhibit #1*]. He added that he has lived in the area for 51 years, and the entire landscape was farmland with 20-30 houses within a mile radius. He stated that today there are nearly 1,000 homes within that mile radius; these developments have destroyed the neighborhoods and character. He mentioned he moved here to be in a rural area. He explained he had a previous conversation with Mrs. Hochstetler, the previous owner of the subject property expressing his concern that this land would be developed. He stated she had assured him there had been covenants placed on the property that would not allow it to be developed. He explained with a lawyer and some money all that was removed. He stated this project is being done for the need of housing but there are over 700 houses for sale in the county. He went on to say we need to preserve some character of the land.

Connie Zentz, 57939 Melissa Dr., Goshen, was present in remonstrance of this project. She expressed concern with the lack of notification of the proposed change by any kind of signage on the property that would inform nearby residents. She went on to say that in a time in our country when governmental trust by the people is at an all-time low, this lack of notification seems intentional.

Tom Zurich, 1955 Heritage Way, Goshen, was present in remonstrance of this project. He stated his concerns about the creek, which is already fragile condition. He asked how this development will affect the creek. He asked if there will be things set in place to protect the wildlife and to protect the creek. He mentioned he has contacted an environmental company and an animal activist company about what can be done to protect the local wildlife and natural habitats.

Adam Noffsinger, 19381 CR 18, Goshen, was present in remonstrance to this project. He indicated that he owns**** the farm in the middle of this proposed project. He presented a signed petition in opposition [*Attached to file as Remonstrator Exhibit #1*]. He stated there were 26 signatures on the petition. He stated he understood this is a property rights favored county. He went on to say he would not have a problem with this development if the lots were larger, 9-10 homes. He explained they moved out of the Emerald Chase subdivision, which Team Construction and Conway built. He further explained that the roads are deteriorating due to the subpar drainage underneath. He stated that it is washing away sediment, the roads are sinking, and houses are flooding. He mentioned they have 72 hours for retention ponds to be dry, but they are never dry. He stated he was a commercial contractor, and his concerns are with getting projects done fast and in a large quantity. He reiterated that he would like to see larger parcels with fewer homes; 72 homes is a bit excessive. He stated he would like some studies to be done on the environmental & water table.

Mrs. Snyder reminded the audience that this meeting was for land use and zoning, and it will go for other approvals, reviews, research, and other studies before construction begins.

Amy Heines, 57210 CR 23, Goshen, was present in remonstrance to this project. She stated she has lived in this area for 20 years. She mentioned the other subdivisions have used CR 23 as a pass-through, and drive above the speed limit.

Tyler Borkholder, 57718 CR 23, Goshen, was present in remonstrance to this project. He stated drainage is an issue on this road and has caused multiple accidents. He stated Jefferson Ridge Subdivision was not the most recent subdivision built in the area. He expressed his concerns about the wildlife in the area. He explained he has an Equine Farm and is concerned about the future noise pollution including, fireworks for his horses.

Chris Erb came back on and addressed stormwater concerns. He stated all stormwater will be retained on site. He addressed the aquifer, and he stated there was an 8-inch irrigation well on the property that used more water than a lot of houses. He explained the nitrogen that has been put on the property by farmers is creating a lot more nitrate problems than properly functioning septic systems. He stated some people want affordable housing, and some people want big, expensive housing, and this project will try to serve both sets of clients. He indicated that a farming covenant for the land was never brought to his attention during the purchase of the land. He also mentioned he was unfamiliar with the drainage on CR 23 and that the development on the west side of CR 23 will be improved with this development's drainage. Steve Warner asked about the creek.

Brad Mossness came back on to address Indian Creek, and stated there is a regulated drainage easement for the County Surveyor's Office/Drainage Board. He stated it will be maintained, and there is no work being proposed in the maintenance easement. He went on to say stormwater drainage will be maintained within the subdivision into the proposed retention basins. He explained that the creek is not being used as a stormwater release. He went on to say all the retention basins are held to the County standards, which include the roofs, driveways, streets, sidewalks, and any outbuildings. Mr. Mossness addressed the traffic concerns by stating that they met with County Highway and the entrance to the subdivision is laid out based on the Highway's requirements.

A motion was made and seconded (*Miller/Dickerson*) that the public hearing be closed, and

the motion was carried with a unanimous vote.

Mr. Dickerson asked if the parcels directly to the east are zoned agricultural or residential. Mr. Dean stated it is all zoned agricultural. Mr. Clark addressed the tax comment that was made earlier. He stated Indiana has an ad valorem levied-based system, and more houses will actually lower property taxes. He stated that typically, your tax rate will go down with more development. Mr. Dickerson expressed that CR 23 and CR 18 are precarious. Mr. Warner stated agriculture and residential conflict more and more every day. Mr. Dickerson asked if there should be any concerns related to homes adjacent to livestock. Mr. Warner stated he didn't have any concerns.

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

Motion: Action: Approve, **Moved by** Roger Miller, **Seconded by** Steve Clark that the Advisory Plan Commission recommend to the Board of County Commissioners that this request for primary approval of 72-lot major subdivision to be known as INDIAN CREEK be approved in accordance with the Staff Analysis.

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

Yes: Phil Barker, Steve Warner, Lori Snyder, Steve Clark, Brad Rogers, Roger Miller

No: Brian Dickerson.

5. The application for primary approval of 62-lot major subdivision to be known as LUXE GRANGER, for Emerald Chase Land Development represented by Abonmarche Consultants, on property located on the south side of CR 1, 2,445 ft. west of CR 5, in Cleveland Township, zoned A-1, was presented at this time.

Danielle Richards presented the Staff Report/Staff Analysis, which is attached for review as Case #MA-0566-2025.

Brad Mossness, Abonmarche Consultants, 303 River Race Dr., Goshen, was present representing the petitioner. He stated homes will start out at 1,800 sq. ft. to 3,000+ sq. ft. with home values ranging \$600,000.00 and up. He described that the lots to the south side of the development are larger and deeper lots. Mrs. Snyder asked how large the lots would be. Mr. Mossness stated that they will be an average of one acre.

Conway Hershberger, 1849 W. Lincoln Ave., Goshen, was present as the developer. He stated there is a large demand for estate-sized lots to allow for outdoor storage buildings. He described the soils were a big reason why they were attracted to this site.

Angell Carey, 51706 Westgate Dr., Granger, was present in remonstrance to this project. She stated her concerns are regarding the lot sizes. She mentioned she has a wall of native trees along her property, and she wants to make sure that those trees are preserved. She stated she understands development and would prefer the property to stay how it is. She added she would prefer to see bigger lot sizes. Mr. Clark asked how big of lots she would like to see. Mrs. Carey stated at least 2 acres. She went on to say traffic is a big concern with an existing subdivisions and now 62 additional homes. She expressed that this project needs to be reevaluated. Mr. Clark asked her what she meant by reevaluated. She stated she understands development, and she would like to see larger lots like her subdivision with fewer homes and less traffic. She expressed her concern about the existing wildlife. She expressed once again her concern about the wall of trees being preserved. Mr. Clark asked whose

property the trees are on. Mrs. Carey stated she believes that the tree line is the property line.

Ryan Gertney, 29734 CR 1, Granger, was present in remonstrance to this project. He stated his concern is the single entrance, in and out. He mentioned his property is located by the development's entrance. He stated he moved out to the country, so he could have a peaceful life and enjoy the wildlife. He stated CR 1 is a quiet road and wondered what the extra traffic will do to the wildlife. He stated Conway has been great to deal with. He stated he understands the need for progress.

Brad Mossness came back on to state they plan on keeping the tree line. He stated the Highway Department found that the traffic impact report would not require any road improvements. Mr. Dickerson asked about the intersection of CR 1 and CR 4. Mr. Mossness stated that a study of that intersection was not required by the Highway Department.

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

Mr. Miller stated the Board is not in a position to dictate the size of lots. Mr. Shuler stated that is correct, as long as it complies with the Development Ordinance a certain lot size can not be required by the Board.

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

Motion: Action: Approve, **Moved by** Steve Clark, **Seconded by** Steve Warner that the Advisory Plan Commission recommend to the Board of County Commissioners that this request for primary approval of 62-lot major subdivision to be known as LUXE GRANGER 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, Roger Miller.

6. The application for a zone map change from R-1 to B-2, for Michiana Home Rentals Inc., on property located on the east side of SR 15, 900 ft. north of SR 120, common address of 402 Motville Rd. in Washington Township, zoned R-1, was presented at this time.

Danielle Richards presented the Staff Report/Staff Analysis, which is attached for review as *Case #RZ-0514-2025*.

Sandeeh Kurian, 3031 Twin Pines Point, Elkhart, was present for this request. He explained they started this project a few years back and have been developing it. He explained they purchased the property and are working on improving it. He noted they plan to serve food and would like to have a drive thru. He added there is an existing sign. He noted other properties in the area are already zoned B-2.

There were no remonstrators present.

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

Mr. Miller stated he doesn't understand why they want to build in this location where it's

going to flood. Mrs. Snyder stated the front of the property does not flood. Mr. Miller stated where the building sits has been under 2 feet of water.

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

Motion: Action: Approve, **Moved by** Lori Snyder, **Seconded by** Steve Clark that the Advisory Plan Commission recommend to the Board of County Commissioners that this request for a zone map change from R-1 to B-2 be approved in accordance with the Staff Analysis.

Vote: Motion passed (**summary:** Yes = 5, No = 2, Abstain = 0).

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

No: Steve Warner, Roger Miller.

7. The application for a zone map change from A-1 to DPUD M-2 and for primary approval of a 1-lot minor subdivision to be known as D & M 1st AMENDMENT, for Devon R. & Mattie M. Miller represented by Wightman, on property located on the north side of CR 22, 2,380 ft. west of CR 37, common address of 13487 CR 22 in Middlebury Township, zoned A-1, M-2 DPUD, was presented at this time.

Danny Dean presented the Staff Report/Staff Analysis, which is attached for review as *Case #DPUD-0511-2025*.

Bernie Feeney, Wightman & Associates, Inc., 1405 N. Michigan St., Plymouth, was present representing the petitioner. He stated the addition is for warehousing. He mentioned D & M has expanded their business, and this is the third expansion at this location. He stated there no increase in the number of employees, the amount of truck traffic, or deliveries. He explained the Environmental Health Department has been aware of this development, and they are also aware that there is no planned increase in the number of employees. He added the existing septic and well systems are sufficient for the expansion. Mr. Feeney stated they have not completed their work at this time, and they are working with the County Surveyor's office, along with the erosion control.

Phil Barker, County Surveyor, recommended tabling this petition. He stated this is a DPUD that does not have enough detail. He went on to say it is incomplete, and does not have a complete drainage plan. He mentioned it would be foolish to approve something so incomplete. Mr. Rogers asked staff why approval was often recommended, if they don't have all the needed details. Mr. Dean stated the plan can be a moving target that isn't fully recognized until the final platting stage. He stated land use-wise, staff is generally in favor. Mr. Dean went on to say, however, a in this case technical matter came up after a staff report had been written and initial technical review, staff would also stand behind a decision to table the petition. Mr. Dickerson stated that the petitioner cannot continue construction until all the details are worked out. Mr. Dean stated there will be no building permits issued until final approval. Mr. Feeney stated there is a current stop-work order on this property, which was miscommunication between the contractor and the owner, indicating they could proceed when they could not. He stated there was no erosion control plan, and plans were not finalized or ready for the excavator to move in. Mrs. Snyder asked if tabled the petition would be out another month. Mr. Barker stated there are a few things that need to be resolved. He further mentioned the bigger issues are how this site will drain. Mr. Rogers stated that if land use is passed today, Mr. Barker's concerns would still be addressed before the petition gets to the Commissioners. Mr. Barker

stated he wants to see the final project before moving the petition forward.

There were no remonstrators present.

A motion was made and seconded (*Miller/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: Table, **Moved by** Philip Barker, **Seconded by** Steve Warner that this request for a zone map change from A-1 to DPUD M-2 and for primary approval of a 1-lot minor subdivision to be known as D & M SALES 1st AMENDMENT be tabled until the November 13, 2025 Plan Commission Hearing.

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

Yes: Phil Barker, Steve Warner, Lori Snyder, Steve Clark, Brad Rogers, Brian Dickerson, Roger Miller.

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

Danielle Richards reported on the September 15, 2025 Elkhart County Commissioners meeting petition approvals.

9. Danielle Richards presented the Minor Change-Clayridge Square DPUD (PC 1996 -03-) for a site plan amendment to allow for an addition to an existing building.

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

Motion: Action: Approved, **Moved by** Roger Miller, **Seconded by** Steve Clark that this request for a minor change for a site plan amendment to allow for an addition to an existing building be approved.

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

Yes: Phil Barker, Steve Warner, Lori Snyder, Steve Clark, Brad Rogers, Brian Dickerson, Roger Miller.

10. Mae Kratzer presented the 2026 Planning Calendar for approval.

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

Motion: Action: Approved, **Moved by** Steve Clark, **Seconded by** Brad Rogers the 2026 Planning Calendar be approved.

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

Yes: Phil Barker, Steve Warner, Lori Snyder, Steve Clark, Brad Rogers, Brian Dickerson, Roger Miller.

9. 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 11:03 a.m.

Respectfully submitted,

Amber Weiss, Recording Secretary

Lori Snyder, Chairman