



# WINFIELD PLAN COMMISSION

## MEETING MINUTES

MARCH 12, 2020 @ 6:00PM

The Winfield Plan Commission held a meeting on Thursday, March 12, 2020 at the Winfield Town Hall at approximately 6:00 p.m. Those present: Tim Clayton, Dave Anderson, Alex Nickla, Gerald Stierer, Jim Hajek, Mark Nelson, and Joe Gacsy. Town Attorney, Ryan Deutmeyer was absent. Also present: Town Administrator Nick Bellar; and Mike Duffy, Town Engineer.

### MINUTES: February 13, 2020

Gerald Stierer made the motion to accept the minutes from February 13, 2020. Mark Nelson seconded the motion. The motion carried with all in favor 7-0.

### OLD BUSINESS:

#### **1. Recommendation to the Town Council: Performance Bond release and Maintenance Bond amount for Wyndance Phase 3.**

Nick Bellar stated Ken Thieneman will not be here tonight. He emailed Ken when he first posted the agenda and he did not hear anything back until this afternoon when Ken's assistant emailed him to let him know Ken would not be present tonight nor would he be sending any representation. Dave Anderson made the motion to remove the Performance Bond release and Maintenance Bond for Wyndance item from the agenda. Joe Gacsy seconded the motion. Mark Nelson asked if there was a certain time frame before he was allowed to be put back on the agenda. Nick Bellar stated Ken has to request to be put back on the agenda and he will be put back on the next available Plan Commission meeting. Gerald Stierer would like the record to reflect that they have been open to meeting with Ken Thieneman these past months to give him the opportunity to come to the meetings and he did not show up. After no further discussion the motion carried with all in favor 7-0.

### NEW BUSINESS:

#### **1. Discussion Item: New Business Development.**

Kenneth York with Project One Retrievers was present to discuss his plan for a dog kennel of up to 60 dogs located on Grand Boulevard south of 97<sup>th</sup> Avenue near the border of Merrillville. This facility will not be used for public business. He is also requesting a special approval for the use of the kennel. He stated they currently have support of the neighbors as they have been using this property for years for training purposes. The use of this facility will not negatively affect the surrounding areas in any way. They will not need any signage for this business. Jim Hajek asked if he has checked with the neighbors across the street. Kenneth said he does have a good relationship with those neighbors; they use their barn to train in. Dave Anderson requested that Kenneth bring in letters from the neighbors to confirm their support. Nick Bellar stated this development will require a few steps. It will require a zone change from AG to AG-B for the kennel which is a minimum of 5 acres. This also requires a special exception that Kenneth mentioned, that will be handled by the BZA with Town Council approval. A commercial development plan is required. Nick suggested he also subdivide the property. If he plans to put a house on the property at all, he will have to subdivide as a house cannot be placed on AG-B zoning. Gerald Stierer asked if he was purchasing the entire property. Kenneth stated he is in business with the property owner Andy James. The whole parcel is 109 acres. Nick Bellar explained Kenneth is here tonight to see if the Plan Commission would be in favor of the idea of this development before going through the expense to start the approval process. Jim Hajek asked about the dogs and the sort of training that would be taking place on the property. Kenneth said there are no puppies on the site and they would not be doing training at this facility. The dogs will be gone most of the day from 5am to 6pm for offsite training. The dogs will only be boarded at this kennel. He uses two trucks and a trailer to transport the dogs so there won't be much traffic going to and from the facility. There will be 22-60 dogs at the kennel. These are specialized search dogs for the military between the ages of 8 months to 2 years old. He works with area breeders and owns the dogs until they are turned over to various government agencies. Nick reminded the Commission they will have to approve what the building looks like because it is technically a commercial building. Nick said they will have to determine if this should still have to be held to the same standards as, for example, Dunkin Donuts; AG-B does allow for pole barn like construction for commercial buildings. The Commission did not think that was necessary given its location and use. Dave Anderson requested the next time he comes in to bring material samples and show exactly what the building will look like. Kenneth noted the building will be mostly enclosed by trees as well. Gerald Stierer said they could require a tree preservation to the development to ensure the trees will be there to block the view. Joe Gacsy asked Nick if the town ever plans to have an industrial neighborhood in town; with the industrial look of this building they might want to designate this area as that neighborhood in town but he does not know if the house on the property would be conflicting. Nick stated he considered that due to the nature and uniqueness of this development but he would not categorize it as industrial and it does not fall within the town's zoning for industrial use. Kenneth said the dogs would not be using outside kennel runs either and they also travel around a lot, they will mostly only be there at night to sleep. Joe asked if there would be any trainers or staff staying

overnight at the kennel. Kenneth answered there will be no housing, there will only be a bathroom within the facility. Nick reviewed the other steps of the approval process to subdivide and rezone the property along with other commercial standards that don't apply to this facility like signage and lighting. Mike Duffy informed Kenneth there will still be an engineering component that he will have to review and approve of. Storm water retention will be low impact on this site but he will still have to show the run off in the area. Nick wanted to clarify with the Commission that this development will not be held to the same standards as other commercial developments in town. Dave Anderson said no, but they do want to see all of the building materials and require the tree easement for approval. Gerald asked property owner Andy James if he is aware this development precludes him from being able to develop anything else on this property. Andy James stated he is aware. At one time it was platted to be a subdivision which fell through and he bought the parcel from the original developer. He explained it is a beautiful parcel and he has realized he would like it to remain largely undisturbed. He likes this low impact development and this is a quiet location for it. He said in the long term only a couple houses might be developed on it. Nick again reviewed if this development would be held to similar standards and be required to have an asphalt driveway. The Commission said no. Nick stated with that being said there's a Waiver consideration for compatibility with surrounding developed properties. Since this is more agricultural in nature this would be used as a way to waive design standards. The Commission was comfortable with the proposed designed and allowed the project to move forward for its approval process.

## **2. Discussion Item: Zoning Code Modifications.**

Nick Bellar stated he annually reviews the code to make adjustment for clarification based on feedback or situations that have occurred. He is proposing changes to the height restrictions and single-family design standards. Nick started with height restrictions and noted this will clarify and eliminate some contradictory sections present in the code on the use of communication facilities. The Commission was in agreement on those changes. Nick stated he has received a lot of comments on the quality of single-family homes that have been built in town recently. They implemented new rules for multi-family a few years ago that the new town homes are following now. They did have a provision in their code that stated any single-family home dwelling unit that is 1,500 square feet or less has to have a masonry component to the front of the house and what he has seen are developers making homes just over 1,500 to avoid that provision. Gerald Stierer explained they all have to go through the PDM to meet code and he would like to provide developers some guideline of what houses should look like. He would like to see at least 12 inch eaves on homes. There was a discussion on what size home should follow the restrictions for requiring masonry. Gerald stated they ultimately want to prevent homes from looking the same, some houses don't have masonry but have other materials that add characteristics to the home. Nick does not want to over complicate things for our building inspectors. Further discussion is had on setting façade standards and avoiding monotony. Nick also wants this to apply to houses built outside of subdivisions; the Commission does not get to review every home that is built on subdivided AG lots. Gerry suggested Nick reach out to other communities to see what they require; Cedar Lake is working on it now. Alex Nickla stated Muster has strict standards that could be used as an example. Mike Duffy suggested putting an anti-monotony clause in the standard code so builders know what to expect. Gerald would like to review side yard setback standards as well so there is at least 15 feet between homes. The Commission could not reach an agreement at this time and will revisit options at the next meeting

### **STAFF REPORT/ATTORNEY REPORT**

Nick Bellar did not have anything further to report.

With no further business before the Commission, Jim Hajek made a motion to adjourn, seconded by Mark Nelson, passed by voice vote 7-0.

**ADJOURNMENT:** 7:02 pm

Attest:

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Plan Commission President

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Plan Commission Secretary

Transcriber: Kim Wachowski  
Administrative Assistant