

**TENTATIVE AGENDA
LAKE COUNTY PLAN COMMISSION
WEDNESDAY, SEPTEMBER 16, 2026 - 5:30 P.M.**

MEETING CAN BE VIEWED BY GOING TO LAKECOUNTYIN.GOV

- I. Meeting called to order**
- II. Pledge of Allegiance**
- III. Emergency exit announcement:** In case of an emergency, exit the Commissioners' Courtroom/Council Chamber, proceed to the stairs, go to the second floor, and exit the building. Do not enter an elevator in an emergency. If you require assistance, a Plan Commission employee will escort or assist you. Please silence any cellular phones during this meeting. If you receive a call during this meeting, please excuse yourself with as little disruption as possible to these proceedings.
- IV. Record of those present**
- V. Communications**
- VI. Minutes**
- VII. Old Business**
- VIII. New Business**
 - 1. 26-FS-06 PC – Wille Bros., Co., Owners/Petitioners – Wille Brothers Subdivision**

Located approximately 2/10 of a mile east of Clay Street on the south side of E. 181st Avenue (State Road 2) in Eagle Creek Township.

Request: Final Approval

Purpose: Subdivision (1 lot)

approved_____ denied_____ deferred_____ vote_____
 - 2. 26-FS-07 PC – Michael and Amanda Stevens, Owners/Petitioners – Pasture Paradise**

Located approximately 2/10 of a mile west of County Line Road on the south side of E. 137th Avenue, a/k/a 9311 E. 137th Avenue in Winfield Township.

Request: Final Approval

Purpose: Subdivision (2 lots)

approved_____ denied_____ deferred_____ vote_____

3. **26-PS-09 PC – Jose Martinez and Kelly Martinez Revocable Living Trust, Owner and Jose Martinez and Kelly Martinez, Petitioners – ASC Subdivision Phase 2**
Located approximately 3/10 of a mile east of Sheffield Street on the north side of W. 101st Avenue, a/k/a 14702 W. 101st Avenue in St. John Township.

Request: Primary Approval

Purpose: Subdivision (2 lots)

approved_____denied_____deferred_____vote_____

4. **26-SE-06 BZA – Van Kalker Family Limited Partnership, Owner and Foundry Works Energy Storage, Petitioner**
Located approximately 2/10 of a mile north of E. 181st Avenue (State Road 2) on the east side of Clay Street in Eagle Creek Township.

Request: Special Exception from the Unincorporated Lake County Unified Development Ordinance, Title 154, Article 16, Additional Regulations of General Applicability; Chapter 110, Battery Energy Storage Systems (BESS) (B), Submittal requirements for battery energy storage facilities are permitted only in the following zoning district classifications: CD (Conditional Development District) by special exception

Purpose: To allow a Battery Energy System Storage Facility (BESS).

favorable_____unfavorable_____deferred_____vote_____

IX. Study Session

To provide an early opportunity for the Lake County Plan Commission to discuss the feasibility of the applicant's proposal and conduct a preliminary evaluation of possible land use impacts.

1. **26-SS-15 PC – Northern Indiana Public Service Company, LLC, Owner/Petitioners**
Located at the northwest quadrant at the intersection of E. 181st Avenue (State Road 2) and Clay Street, a/k/a 18096 Clay Street in Eagle Creek Township.

Request: Study Session pursuant to Title 154-17-100, Special Exceptions, Chapter E. Pre-Application Meetings and Study Sessions

Purpose: To allow a High-Voltage Electric Substation.

8/19/2026 Deferred by Plan Commission at the petitioner's request.

X. Site Development Plans Approved by Plan Commission

XI. Site Development Plans Approved by Staff

- 1. 26-SDP-12 PC – Mark Knapek – Verizon Wireless/American Tower, Owner/Petitioner**
Located at the northeast quadrant at the intersection of W. 157th Avenue and US 41 (Wicker/Indianapolis Blvd.), a/k/a 10409 W. 157th Avenue in West Creek Township.

Purpose: Modification at Existing Wireless Site 10409 W. 157th Avenue.

XII. Public Comment

STAFF REPORT

To: Lake County Plan Commission

Prepared by: Steve Nigro

Case number: 25-FS-06

Date: September 16, 2026

Parcel number: 45-21-30-100-012.000-012

GENERAL INFORMATION:

Owner:	Wille Brothers Company
Petitioner:	Wille Brothers Company
Request:	Secondary Approval
Purpose:	Subdivision (1 lot)
Location:	Located approximately 2/10 of a mile east of Clay Street on the south side of E. 181 st Avenue (State Road 2) in Eagle Creek Township
Size:	13.13 Acres
Existing Zoning and Land Use:	CDD (Conditional Development District)
Surrounding Zoning and Land Use:	North: A-1 (Agricultural) South: A-1 (Agricultural) East: M-1 (Light Industrial) West: A-1 (Agricultural)
Comprehensive Plan:	Agricultural

AGENCY COMMENTS:

Health:	Approved.
Soil and Water:	See attached Secondary Plat review dated 7/29/26
Highway:	See attached letters
Surveyor:	See attached letter dated July 29, 2026.

BACKGROUND INFORMATION:

The subject property is currently zoned CD, Conditional Development District. The parcel received Primary Plat approval along with an irregular shaped lot Waiver. The property to the east was recently approved for a zone change from Agricultural to Light Industrial for a proposed Data Center. Nothing has been submitted for the required Special Exception necessary for that project to move forward.

ANALYSIS:

Compliance with Comprehensive Plan:	Comprehensive plan states targeted land use is agricultural.
Compatibility with neighborhood:	Surrounding properties are primarily agricultural in use.
Environmentally Sensitive Areas:	None.
Traffic implications:	Commercial vehicles would be using Route 2 more frequently. Those working on concrete plant construction and in operations would also be using Route 2 more frequently.
Access and street design:	Access from the south of the property to Route 2
Stormwater management / Infrastructure Fees:	N/A

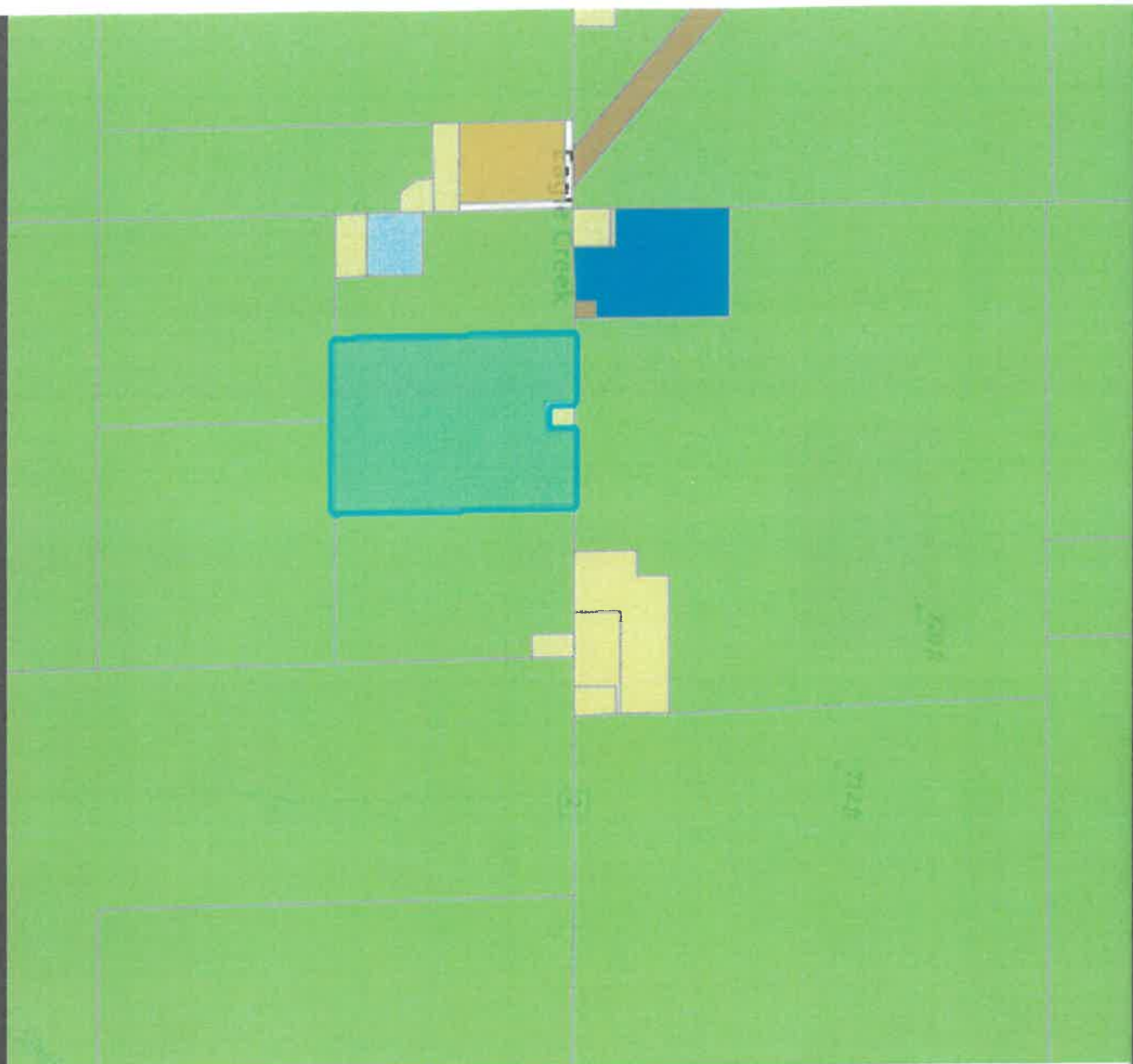
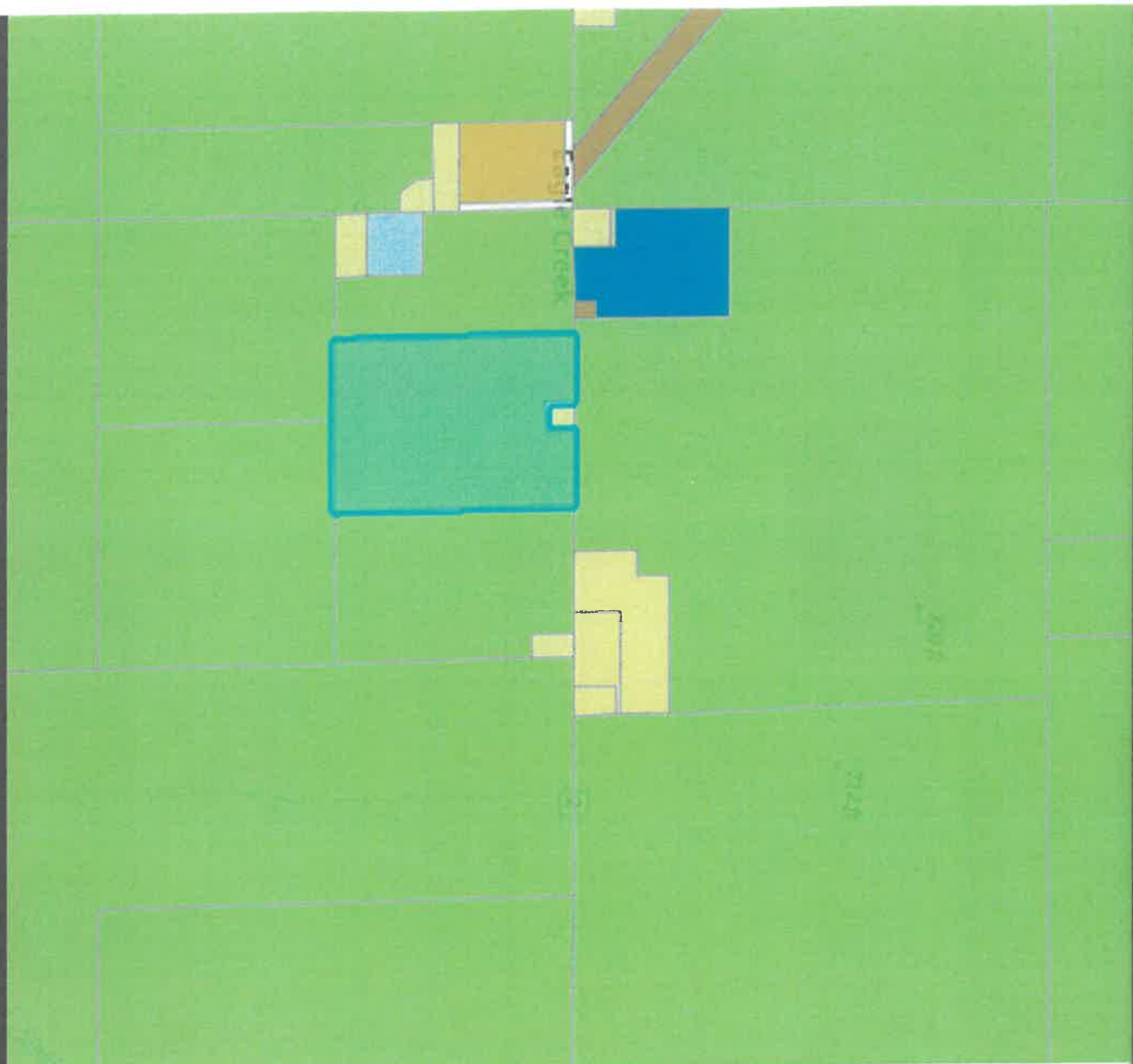
DEFICIENCIES AND DISCREPANCIES: N/A

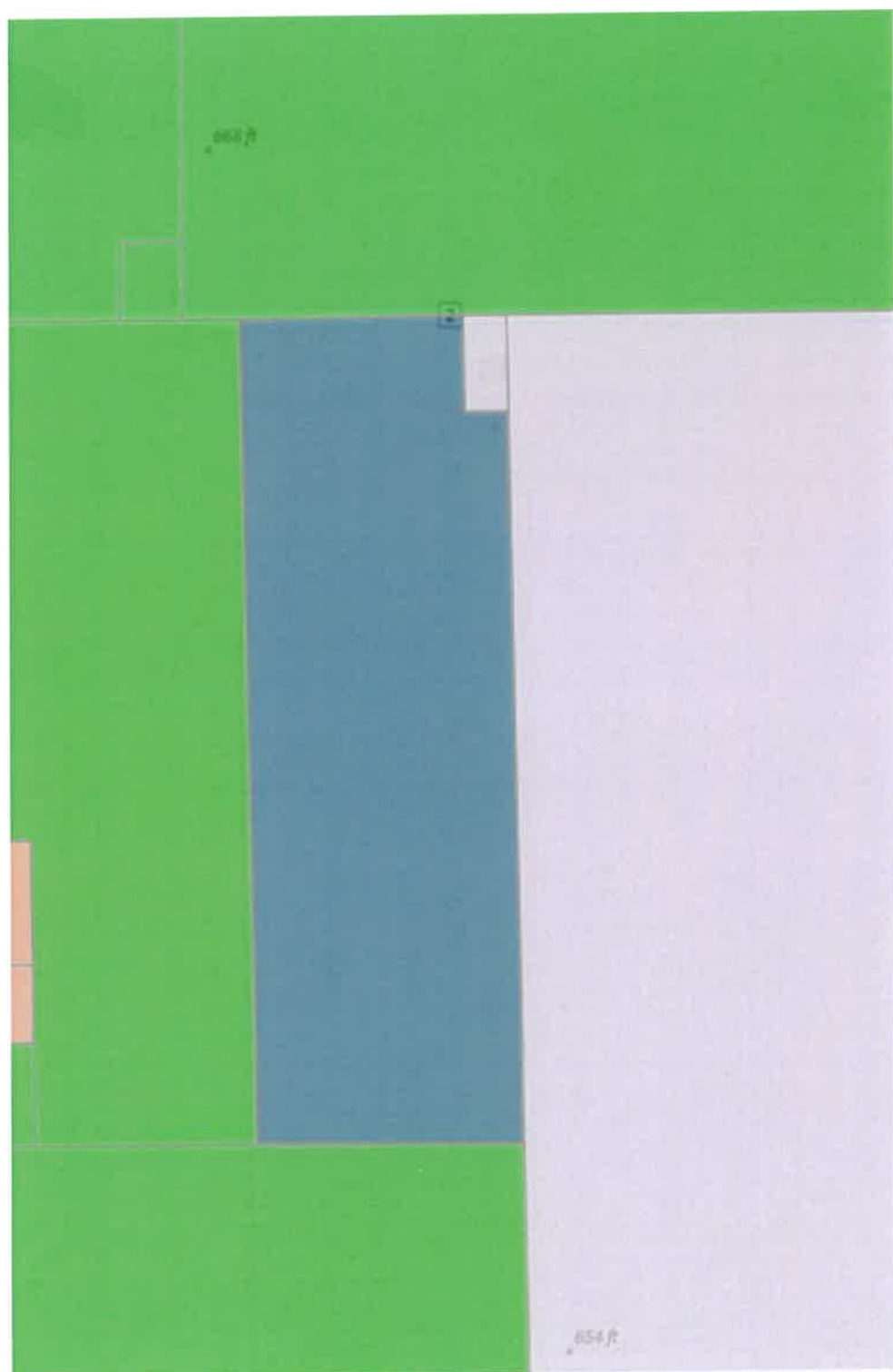
ATTACHMENTS:

1. Wille Brothers Sub. Secondary Plat
2. GIS Aerial
3. Proposed Land Use Map

4. Zoning Map
5. LC Surveyor's Department Letter (7/29/2026)
6. LC Soil and Water Review of Secondary Plat
7. Highway Department Letters









Office of the Lake County Surveyor

Lake County Government Center • 2293 North Main Street • Crown Point, Indiana 46307
Phone: (219) 755-3745 • Fax: (219) 755-3750

Bill Emerson, Jr., P.E.
County Surveyor

July 29, 2026

Ned Kovachevich
Director, Lake County Plan Commission
2293 North Main Street
Crown Point, IN 46307

Re: LCSO #25-004 Wille Bros-Secondary Plat
Recommendation for Consideration of Approval of Secondary Plat

Dear Ned:

The Lake County Surveyor's Office recommends consideration of approval of the above-captioned matter, based on the review by the Surveyor's Office consultant Frank Stewart, PE, of DLZ, whose review this Office adopts and incorporates as its own by reference.

Based upon that review, the above-captioned project complies with Lake County Ordinance 1500A and is recommended for approval. The recommendation for approval is based upon the initial plans, responses to comments (as applicable), and any revised plans for the above-captioned project (as applicable) at the direction of the Lake County Surveyor, and the review by the consultant to the Lake County Surveyor's Office, whose review this Office adopts as its own.

The final drawing(s) provided to the Lake County Surveyor's Office with respect to this project are consistent with the previously reviewed drawings and provide satisfactory easement language. The LCSO recommends consideration for approval.

Thank you for your attention and consideration. Should you have any questions, please contact me.

Respectfully,

/s/Clifford E Duggan, Jr

Clifford E Duggan, Jr, JD
MS4 Coordinator

Cc: Bill Emerson, Jr, PE, Lake County Surveyor
Dan Gossman, Senior Drainage Administrator
Chris Brown, Assistant Drainage Administrator
Frank Stewart, DLZ, Lake County Surveyor consultant



Lake County Soil and Water Conservation District

2291 North Main Street - Crown Point, IN 46307-4848 - 219-663-7042

Secondary Plan

TO: Lake County Plan Commission

DATE: 7/29/2026

RE: Plat Review of: **Willie Brothers Ready Mix**

Sketch Plat: 3/19/25

Primary Plat: 4/25/25

Revised Primary Plat: 5/9/25

Secondary Plat: 8/26/26

Civil Township : **Eagle**

Total Acres: **13.06 acres**

Acres Disturbed:

SOILS INFORMATION:

Lake County Soil Survey Sheet # **53**

Soils: **LyB, Pc, Rn**

Prime Farmland: Are there soils classified as prime farmland by the USDA Natural Resources Conservation Service?

☒ Yes Soils: **LyB, Pc, Rn**

☐ No

Sanitary Facilities: Are there soils that have limitations for conventional septic systems as described in the Lake County Soil Survey?

☒ Yes Wetness:

☐ No Wetness, Percs Slowly:

Wetness, Percs Slowly, Slope:

Wetness, Poor Filter:

Ponding: **Rn**

Ponding, Percs Slowly: **Pc**

Ponding, Poor Filter:

Poor Filter:

Slight: **LyB**

Slope, Poor Filter:

Building Sites: Are there soils that have limitations for conventional building sites as described in the Lake County Soil Survey?

☒ Yes Wetness:

☐ No Ponding: **Pc, Rn**

Shrink-swell: **LyB**

Wetness, Shrink-Swell:

Wetness, Shrink-Swell, Slope:

Ponding, Shrink-swell:

Ponding, Low Strength:

Slight:

Slope:

Roads & Streets: Are there soils that have limitations for roads and streets as described in the Lake County Soil Survey?

- ☒ Yes Ponding:
☐ No Ponding, Frost Action:
 Ponding, Frost Action, Low Strength: **Pc, Rn**
 Ponding, Shrink-swell, Low Strength:
 Frost Action, Low Strength:
 Frost Action, Slope:
 Frost Action, Shrink-swell:
 Wetness:
 Wetness, Frost Action:
 Wetness, Slope:
 Slope:
 Slope, Low Strength:
 Low Strength: **LyB**

WETLANDS:

Hydric Soils: Are there hydric (wet) soils on the site?

- ☒ Yes Soils: **Pc, Rn**
☐ No

Do the U.S. Fish and Wildlife Service National Wetlands Inventory Maps indicate wetlands on the site?

- ☐ Yes Quadrangle Map: **# 13 Leroy**
☒ No *(If yes, a permit may be needed from the U.S. Army Corps of Engineers Chicago Field Office 312.846.5530 and/or the Indiana Department of Environmental Management, Office of Water Quality, 317.233.8488. U.S. Fish and Wildlife Service National Wetland Inventory Maps are available at <https://www.fws.gov/wetlands/>.)*

EROSION CONTROL:

Is an Erosion and Sediment Control Plan required?

- ☒ Yes 327 IAC 15-5 Storm Water Run-off Associated with Construction Activity Permit
☐ No (commonly referred to as CSGP - Construction Stormwater General Permit, previously known as Rule 5)
 For more information or to obtain an Information Compliance Packet, contact the Lake County Soil and Water Conservation District Office at 219.663.7042; Indiana Department of Environmental Management Storm Water Permits Desk, 800.451.6027 or <https://www.in.gov/DEM/stormwater/>.

- ☒ Yes **Lake County Surveyor's Office**
☐ No For more information in regard to Lake County's Stormwater Management Ordinance or to obtain an Information Compliance Packet, contact the Lake County Stormwater Department located in the Lake County Surveyor's Office.



Lake County Highway Department

Duane A. Alverson, P.E.
Engineer

1100 E. Monitor Street
Crown Point, Indiana 46307
Phones: 219-663-0525
Fax: 219-662-0497
Email: alverda@lakecountyin.org

July 24, 2026

Lake County Plan Commission
Lake County Government Complex
2293 North Main Street
Crown Point, IN 46307

ATTN: Steve Nigro, Planning and Building Administrator

RE: Secondary Plan Subdivision
Parcel 45-21-30-100-003.000-012
5105 E 181st Avenue
Hebron, IN 46341

Owner: Indiana Land Trust Company TR#4928
Purpose: Operation of a Ready Mix Concrete Plant

The Lake County Highway Department has reviewed the Secondary Plan Subdivision for the property located at 5105 E 181st Avenue, Hebron, IN 46341 and offers the following comments;

Please refer to comments made on Primary Plan Application.

If you have any questions, please contact me.

Respectfully Submitted,

Duane A. Alverson

Duane A. Alverson
Engineer





Lake County Highway Department

Duane A. Alverson, P.E.
Engineer

1100 E. Monitor Street
Crown Point, Indiana 46307
Phones: 219-663-0525
Fax: 219-662-0497
Email: alverda@lakecountyin.org

July 20, 2026

Lake County Plan Commission
Lake County Government Complex
2293 North Main Street
Crown Point, IN 46307

ATTN: Steve Nigro, Planning and Building Administrator

RE: **REVISED (#3) Primary Plan Subdivision Extension**
Parcel 45-21-30-100-003.000-012
5105 E 181st Avenue
Hebron, IN 46341

Owner: Indiana Land Trust Company TR#4928
Purpose: Operation of a Ready Mix Concrete Plant

The Lake County Highway Department has reviewed the Revised Primary Plan Subdivision for the property located at 5105 E 181st Avenue, Hebron, IN 46341 and offers the following comments:

The Lake County Highway Department has no objections to Primary Plan Subdivision, contingent upon INDOT entrance approval being granted and made a part of Site Development Plan approval.

The Primary Subdivision Plan submitted calls for an INDOT Class VI Industrial Drive.

If you have any questions, please contact me.

Respectfully Submitted,

Duane A. Alverson

(JMA)

Duane A. Alverson
Engineer

Note from DVG:
INDOT Driveway
Permit is Approved &
Has Been Furnished to
Lake County Hwy
Dept & Planning Dept

THE LAKE COUNTY HIGHWAY
DEPARTMENT HAS NO
OBJECTIONS TO THE
WAIVER FOR IRREGULAR
SHAPE LOT.
[Signature]
7-22-2026



STAFF REPORT

To: Lake County Plan Commission

Prepared by: Steve Nigro

Case number: 26-FS-07

Date: September 16, 2026

Parcel number: 45-17-28-400-008.000-044

GENERAL INFORMATION:

Owner:

Michael & Amanda Stevens

Petitioner:

Michael & Amanda Stevens.

Request (2):

Secondary Approval

Purpose (2):

Subdivision (2 lots)

Location:

Located approximately 2/10 of a mile west of County Line Road on the south side of 137th Avenue, a/k/a 9311 East 137th Avenue in Winfield Township

Size:

14.83 acres, more or less

Existing Zoning and Land Use:

RR, Rural Residential

Surrounding Zoning and Land Use:

North: RR, Rural Residential & Farmland

East: A-1, Rural Residential & Farmland

South: RR, Rural Residential & Farmland

West: A-1, Rural Residential & Farmland

Comprehensive Plan:

This property is targeted for Agricultural Use

AGENCY COMMENTS:

Health:

Approved

Highway:

See attached letters from Highway

Surveyor:

Approved

L.C. Soils and Water:

- Property has soils classified as Prime Farmland
- Property has soils that have limitations for conventional septic systems
- Property has soils that have limitations for conventional building sites
- Property has soils that have limitations for roads and streets
- Property contains hydric (wet) soils on the site
- U.S. Fish and Wildlife Service National Wetlands Inventory Maps indicate wetland on the site

BACKGROUND INFORMATION:

The Petitioner previously received approval for an extension of their Primary Plat approval.

The subdivision is a two (2) lot residential subdivision with an existing residence located on Lot 2. The property is zoned RR, Rural Residential. Primary Plat approval was approved, along with a waiver for excessive lot depth to width ratio

ANALYSIS:

Compliance with Comprehensive Plan:

The parcel is targeted to be Residential. The zoning has been changed to accommodate rural residential development.

Compatibility with neighborhood:

Rural residential development fits in the area.

Environmentally Sensitive Areas:

N/A

Traffic implications:

None observed

Access and street design

Will use County Road 137th Avenue for access

Storm water management:

N/A

Infrastructure fees

N/A

DEFICIENCIES AND DISCREPANCIES:

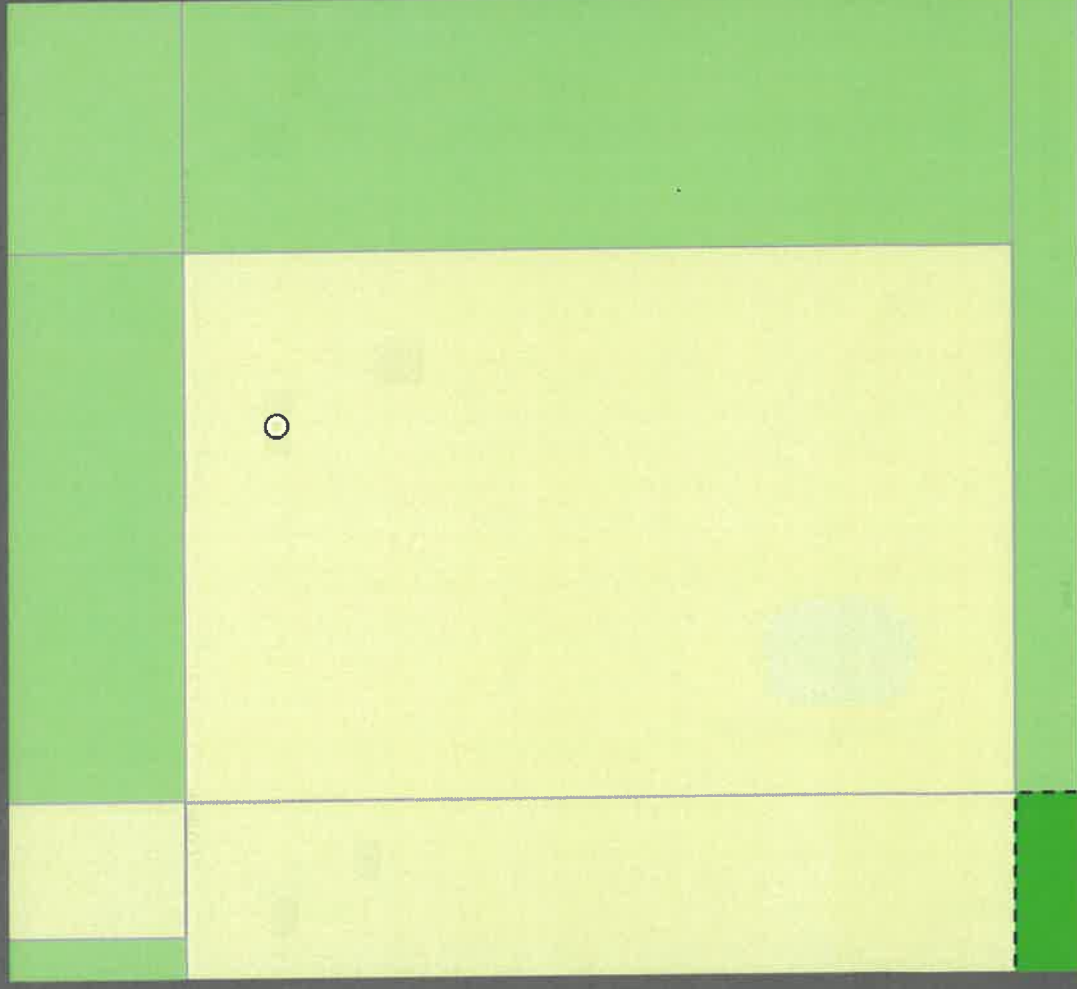
None

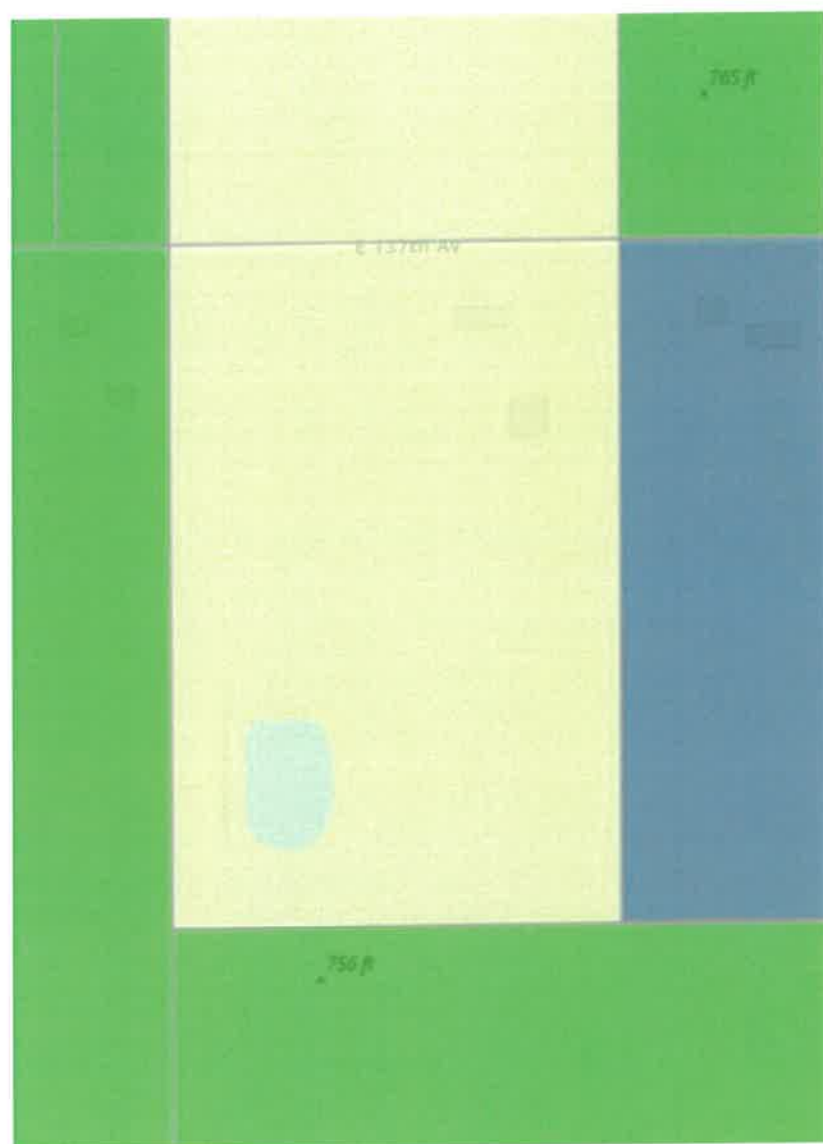
ATTACHMENTS:

1. Pasture Paradise Secondary Plat
2. GIS Aerial
3. Proposed Land Use Map
4. Zoning Map
5. LC Highway Department Letters



Pasture Paradise Land Use Target Area







Lake County Highway Department

Duane A. Alverson, P.E.
Engineer

1100 E. Monitor Street
Crown Point, Indiana 4630
Phones: 219-663-052
Fax: 219-662-049
Email: alverda@lakecountyin.or

July 28, 2026

Lake County Plan Commission
Lake County Government Center
2293 North Main Street
Crown Point, IN 46307

ATTN: Steve Nigro, Planning and Building Administrator

RE: Secondary Plat
Pasture Paradise
9311 E 137th Avenue

Dear Mr. Nigro,

The Lake County Highway Department has reviewed the Primary Plat for Pasture Paradise and offers the following:

Please refer to comments made on Primary Plan.

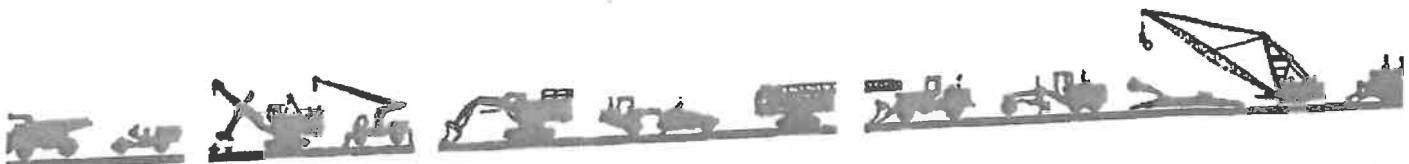
If you have any questions, please contact me.

Respectfully Submitted,

Duane A. Alverson

(JMA)

Duane A. Alverson
Engineer





Lake County Highway Department

Duane A. Alverson, P.E.
Engineer



1100 E. Monitor Street
Crown Point, Indiana 46307
Phone: 219-663-0525
Fax: 219-662-0497
Email: alverda@lakecountyin.org

March 13, 2025

Lake County Plan Commission
Lake County Government Center
2293 North Main Street
Crown Point, IN 46307

ATTN: Steve Nigro, Planning and Building Administrator

RE: **2nd Revised Primary Plat**
Pasture Paradise
9311 E 137th Avenue

Dear Mr. Nigro,

The Lake County Highway Department has reviewed the **2nd Revised Primary Plat for Pasture Paradise;**

9311 East 37th Avenue and offers the following comments:

1. Request Forty Foot (40') Right of Way Dedication by Plat from section line.
2. The tree and vegetation growth is cut back to provide maximum visibility along 137th Avenue
3. **The current roadside ditch is to be graded and seeded to maintain positive flow.**
4. All driveway culvert sizes to be determined by the Lake County Highway Department. 12" Diameter is the Minimum size and 1' cover is recommended, dependent upon culvert material properties.

If you have any questions, please contact me.

Respectfully Submitted,

Duane A. Alverson
Engineer



STAFF REPORT

To: Lake County Plan Commission

Prepared by: Steve Nigro &
Kenneth Wolfrum

Case number: 26-SE-06

Date: September 16, 2026

Parcel numbers: 45-21-19-300-013.000-012

GENERAL INFORMATION:

Owner: Van Kalker Family Limited Partnership

Petitioner: Foundry Works Energy Storage, LLC

Request: Special Exception from the Unincorporated Lake County Unified Development Ordinance, Title 154, Article 16, Additional Regulations of General Applicability; Chapter 110, Battery Energy Storage Systems (BESS) (B), Submittal requirements for battery energy storage facilities are permitted only in the following zoning district classifications: CD (Conditional Development District) by special exception

Purpose: To allow for a Battery Energy Storage System (BESS).

Location: Located approximately 2/10 of a mile north of E. 181st Avenue (State Road 2) on the east side of Clay Street in Eagle Creek Township.

Size: 40.3 Acres +/-

Existing Zoning and Land Use: A-1, Farmland

Surrounding Zoning and Land Use:
North: A-1, Farmland
East: A-1, Farmland
South: A-1; Church / Farmland
West: A-1, Farmland

Comprehensive Plan: This property is targeted for Agricultural

AGENCY COMMENTS:

Health:

No issues or concerns

Highway:

Requires 40' right of way dedication on east side of Clay, requires 8' shoulder and ditch improvements on frontage on Clay St., Road use agreement for project to be amended to accommodate BESS systems, MOT plan provided at site dev plan phase & number and weight of loadings to construct the site. Lake county must be reimbursed for all compliance monitoring for BESS and Foundry Works solar project.

Surveyor:

Site plan will not be approved until petitioner complies with the lake county stormwater management ordinance including but not limited to full engineer drawings, specifications, run-off and storage calculations, sufficient details on shut off of storm water system to contain 100 year rain event on site in the event of an emergency.

BACKGROUND INFORMATION:

The petitioner is requesting a special exception to allow a proposed Battery Energy Storage System (BESS). A BESS is permitted in a CD District Zone with the approval of a Special Exception for a BESS.

The parcel is a 40+ acres parcel carved out of the property approved for the Solar Farm petitioned by the same petitioner as the present re-zoning request.

Range Line Presbyterian Church, a place of worship for many in the community, lies immediately south of the site and concerns have been raised as to the proximity of the BESS to the church in regards to noise, unsightliness, and overall incompatibility with the character of the use being partaken there.

The idea of an 8-12 foot berm has been entertained to alleviate this issue. While landscape screening is proposed on the site to provide a greening buffer, no berm currently exists on the

southern boundary in the project's site plan.

Special exceptions receive recommendations from the Plan Commission to the Board of Zoning Appeals in the form of "favorable", "unfavorable", a deferral, or "no comment".

ANALYSIS:

Compliance with Comprehensive Plan:

Comprehensive plan targets the land use as Agricultural

Compatibility with neighborhood:

The parcel was approved for CD zoning, but is immediately adjacent to an active church. Otherwise, surrounded by agriculturally zoned land. The proposed solar project slated to take shape in this area was recently denied an extension to their special exception to allow a solar farm.

Environmentally Sensitive Areas:

To the parcel's west, many unmapped floodways and floodplains exist whose waters flow southward. Some of these may exist near or on the proposed site.

Traffic implications:

See highway comments.

Access and street design:

N/A

Stormwater management / Infrastructure Fees:

See surveyor's comments

DEFICIENCIES AND DISCREPANCIES:

N/A

ATTACHMENTS:

1. Plat of Survey
2. Petitioner's Findings of Fact
3. Proposed Land Use Map
4. Zoning Map
5. Development Plan

[illegible][illegible]

146716
ZUJIAN, JIANG AND ZHANG. 1993. The effect of the concentration of the solution on the adsorption of lead(II) ions by the modified activated carbon. *Journal of Environmental Science and Technology* 17:103-106.

1. Answer: *Chlorophyll* is the green pigment in plants that captures light energy and converts it into chemical energy through the process of photosynthesis. It is located in the chloroplasts of plant cells.

2. Answer: *Photosynthesis* is the process by which plants and other organisms use light energy to convert carbon dioxide and water into glucose and oxygen. It occurs in the chloroplasts of plant cells.

3. Answer: *Glucose* is a simple sugar that serves as a primary source of energy for plants and animals. It is produced during photosynthesis and can be used immediately or stored for later use.

4. Answer: *Oxygen* is a gas that is produced as a byproduct of photosynthesis. It is essential for the survival of most organisms, as it is used in the process of cellular respiration to produce energy.

5. Answer: *Cellular respiration* is the process by which cells convert glucose and oxygen into energy (ATP) and carbon dioxide. It occurs in the mitochondria of cells.

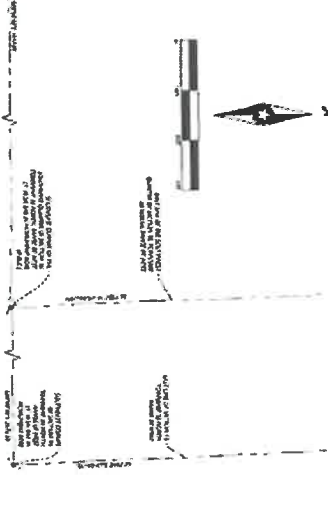
6. Answer: *ATP (Adenosine Triphosphate)* is a molecule that stores and transfers energy within cells. It is produced during cellular respiration and is used to power various cellular processes.

7. Answer: *Chloroplasts* are organelles found in plant cells that are responsible for photosynthesis. They contain chlorophyll and other pigments that capture light energy.

8. Answer: *Stomata* are small openings on the surface of plant leaves that allow for the exchange of gases (carbon dioxide and oxygen) and the release of water vapor (transpiration).

9. Answer: *Transpiration* is the process by which water evaporates from the surface of plant leaves. It is driven by the sun's energy and helps to cool the plant and transport water and nutrients from the roots.

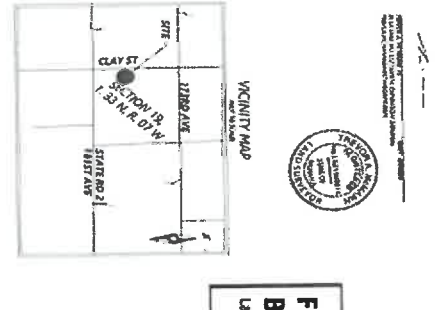
10. Answer: *Water* is a vital component of life and is essential for photosynthesis. It is used as a reactant in the light-dependent reactions of photosynthesis and is also involved in the transport of nutrients and the regulation of plant temperature.



7. **ATTORNEY'S FEES.** Plaintiff's attorney, Mr. [REDACTED], has requested that Plaintiff be awarded \$10,000 in attorney's fees. Plaintiff's attorney has submitted a bill for \$10,000, which Plaintiff has agreed to pay. Plaintiff's attorney has also submitted a bill for \$10,000, which Plaintiff has agreed to pay. Plaintiff's attorney has also submitted a bill for \$10,000, which Plaintiff has agreed to pay.

are provided by a CD-ROM and a printed manual. The manual describes how to use the program and provides a detailed description of the program's features. The manual also includes a glossary of terms and a list of references. The CD-ROM contains the program files and a copy of the manual. The program is designed to be used on a Windows 95 or Windows NT operating system. It requires a minimum of 16 MB of RAM and a hard disk with at least 10 MB of free space. The program is distributed by the National Center for Human Genome Research, which is part of the National Institutes of Health. The program is available for free download from the NCHGR website (<http://www.nchgr.nih.gov>).

I wonder whether there was some pre-arranged understanding between the two parties as to how they would deal with the situation and as to who would do what, or whether the two leaders happened to have been engaged in a conversation at the time the incident occurred.



Parcel Division

Inventory

One Team. Single Point. Single MRO.
Chicago. Miami. Dallas.

Inventory

One Team. Single Point. Single MRO.
Chicago. Miami. Dallas.

FOUNDRY WORKS ENERGY STORAGE LLC

SPECIAL EXCEPTION

FINDINGS OF FACT

- 1. Approval of the proposed special exception will not endanger the public health, safety, or general welfare of the community; because:**

The proposed Foundry Works Energy Storage LLC battery energy storage system (the “BESS” or “Project”) complies with and will operate in accordance with the requirements of the Lake County Unified Development Ordinance (“UDO”). The Project’s application for special exception demonstrates that the Project will utilize a state-of-the-art battery storage design that will comply with national industry standards established by the National Fire Protection Association (NFPA), including NFPA 855. The components of the BESS will be certified by Underwriters Laboratory (UL) standard 9540A. The Project will comply with all BESS safety standards under NFPA 855 and UL 9540A. The Project is safely setback from adjoining uses, residences and road rights-of-way.

The Project has been sited to avoid wetlands, is not located in a floodplain or environmentally sensitive areas. Erosion control and stormwater management measures will be implemented to maintain current drainage patterns and avoid any negative impacts on surrounding properties.

Land uses in the vicinity of the Project area are primarily agricultural, with industrial, commercial, and institutional uses also located throughout the area. The continued agricultural use of this area will not be negatively impacted by the Project. The Project will operate as a passive land use with minimal traffic and impact to the surrounding area. The Range Line Presbyterian Church’s property to the south of the Project will be screened by landscaping to minimize visual impacts of the Project. The special exception application demonstrates, through the report of a qualified acoustics consultant, that the Project will not produce any harmful or unreasonable noise impacts upon surrounding properties, including the church use. The noise model utilizes conservative assumptions and concludes that the Project will not emit noise to surrounding uses at levels that interfere with the use and enjoyment of such uses.

The application includes a decommissioning study which estimates the cost to decommission the Project in accordance with the UDO. The decommissioning study estimates the net decommissioning cost for the Project to be \$13,876,684. Decommissioning financial security equal to the estimated net decommissioning cost will be posted with Lake County as required by the UDO. The decommissioning cost estimate will be updated during the Project life as required by the UDO.

The Project will obtain construction approval from the Indiana Department of Homeland Security in accordance with IC 22-14-8-1. The special exception application includes a preliminary emergency services plan addressing site operations, monitoring systems, and coordination procedures with emergency responders. The Project will implement an emergency response plan and emergency response training as required by the UDO and State law. The Project will be continuously monitored for any safety issues.

Finally, the Project will provide an estimated 45 million dollar economic benefit to Lake County and other taxing districts. The Project will create around one hundred construction jobs in Lake County during construction, approximately 2-3 new permanent jobs during the Project's operation and provide significant stimulus to the local economy during the life of the Project. The Project will also increase the availability of electricity during peak usage times and that advantage is critical for future economic growth in the Lake County area. Accordingly, the Project satisfies this standard.

2. The special exception use will not be injurious to the use, value, or enjoyment of other property in the immediate vicinity because:

Use and enjoyment of other property in the vicinity of the Project will not be injured because the Project will not create any noise, odors, traffic or other impacts that could have a harmful impact upon surrounding properties. The BESS Project is setback at sufficient distances to avoid negative impacts on the few nearby residences in the area and the battery enclosures will be located over 1,700 feet from the nearest occupied building and more than 2,000 feet from the nearest non-participating residence. The Project will not produce noise levels that will interfere with the enjoyment of surrounding properties.

Use and enjoyment of the agricultural land and other uses in the immediate vicinity of the Project will not be harmed because the Project has appropriate setbacks, vegetative screening, fencing and security, and will not produce substantial vehicular traffic. The Project will operate as a passive land use with minimal traffic, while contributing to the local tax base that supports schools, public services, and other community resources. The Project is compatible with surrounding agricultural and other permitted land uses and will not interfere with the continued use and enjoyment of neighboring properties. Accordingly, this standard is satisfied by the Project.

3. The establishment of the special exception use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district because:

The Project will not impede the normal and orderly development and improvement of the surrounding properties for the uses permitted in the CD or Agricultural zoning districts. The Project will not impair any existing or future agricultural uses and such uses will continue. The Project is consistent with development occurring in the area, including energy and industrial uses such as another BESS facility, cold storage warehouse and other development occurring near the Interstate 65 and Indiana Route 2 interchange. The subject property is located adjacent to a NIPSCO switchyard under construction and overhead electric transmission line.

The Project has appropriate setbacks and will not produce harmful noise or emissions to surrounding properties. The Project will operate as a passive land use with minimal traffic, while contributing to the local tax base that supports schools, public services, and other community resources. This standard is satisfied by the application.

4. The use will be adequately served by utilities, streets, drainage, emergency services and other essential public facilities and services; because:

The Project will not require installation of any public improvements by Lake County or other units of local government. The Project will construct access roads to the site and will obtain the necessary permits for such construction. Per the requirements of the UDO, the Applicant shall enter into a road use agreement with Lake County to ensure that the existing roadways are sufficient for the development of the Project. The Applicant will make, at its expense, any road improvements necessary in coordination with the appropriate road authorities and repair or compensate for any damage done to roads during the construction process. The roads will be in equal or better shape upon the completion of construction as they were prior. The Project is designed to comply with applicable drainage requirements and will obtain a stormwater construction permit from the Indiana Department of Environmental Management. This standard is satisfied by the application.

5. Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion on public streets because:

The Project will have access via Clay Street. The Project will enter into a road use agreement with Lake County to provide for any necessary improvements to public roads for construction and operation of the Project and to ensure that the public roads will be safe for travel by the general public during and after construction of the Project. The Applicant will construct, at its expense, any road improvements required for the installation and maintenance of the Project. Once the Project is constructed, it will create minimal vehicular traffic for maintenance and operations and accordingly will not cause traffic congestion in the public streets. This standard is satisfied by the application.

6. **The development will be designed, constructed, operated, and maintained to be compatible with, and not significantly alter, the existing or intended character of the general vicinity, based upon the comprehensive plan because:**

The subject property was recently rezoned to the CD zoning district by the County Council. BESS facilities are allowed as a special exception in the CD zoning district. The special exception application demonstrates that the Project satisfies the standards of the UDO, including setbacks, design safety regulations, and other standards. The Project will utilize approximately 40 acres of crop land until the end of the Project life, when it will be decommissioned. The area surrounding the Project may continue to be utilized for agricultural and other purposes and the Project will not have any negative impact upon the character of the area. The Project is consistent with development occurring in the area, including energy and industrial uses such as another BESS facility, cold storage warehouse and other development occurring near the Interstate 65 and Indiana Route 2 interchange.

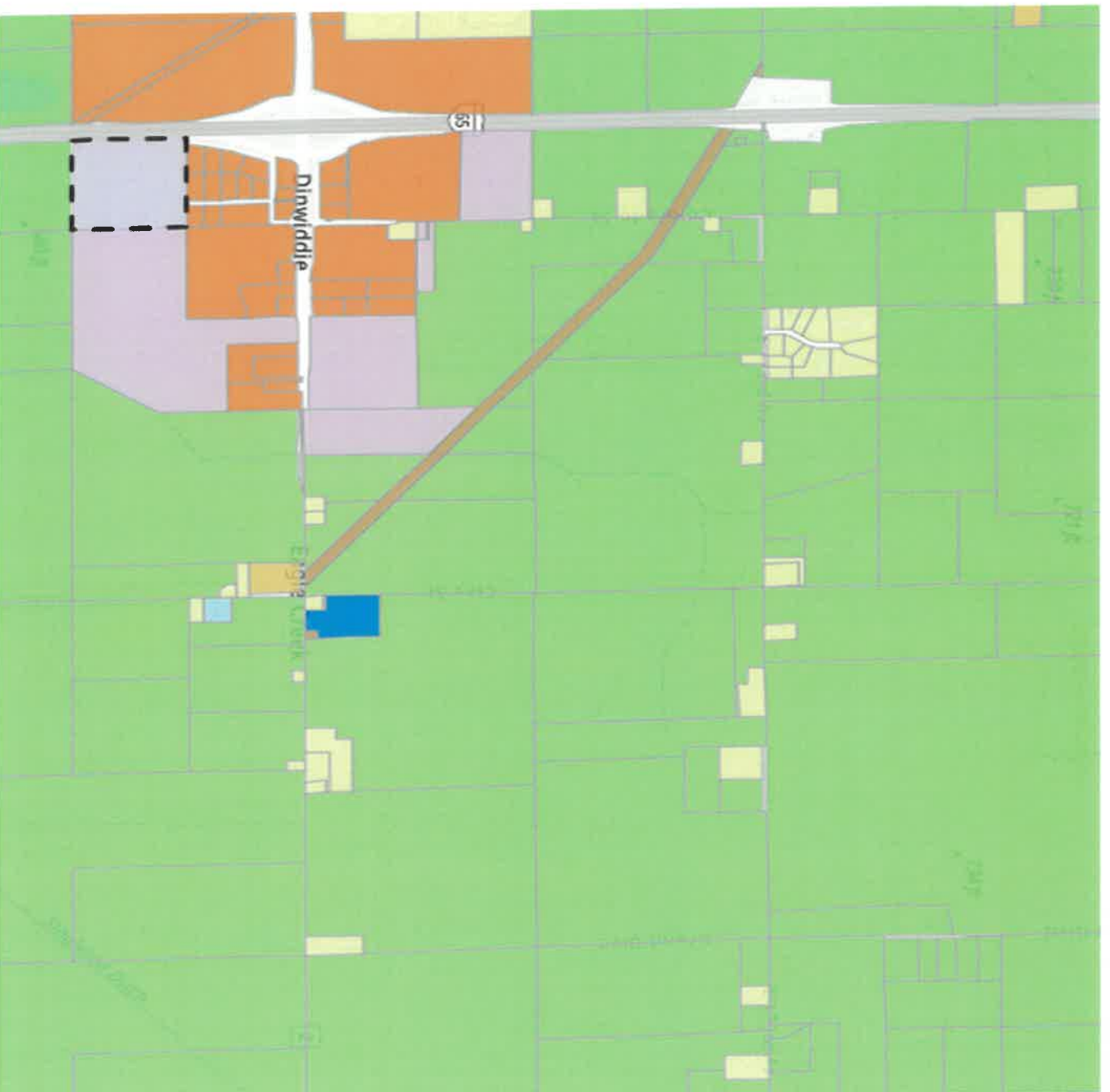
BESS is an emerging energy technology use that provides significant economic development benefits including construction and permanent jobs and new tax revenue. BESS facilities help stabilize the electrical grid and ensure that sufficient electricity is available, especially during peak electrical use, to serve electric utility customers. The special exception complies with the Lake County comprehensive plan, which provides that the "Land Use Plan will protect agricultural land while advancing new cutting-edge industries, provide the foundation for economic diversity, and drive new infrastructure investment in key growth areas." (Lake County comprehensive plan, page 54). The special exception meets the intent of these goals, as it will utilize only approximately 40 acres of agricultural land, will allow for the development of a new emerging energy technology and will promote economic diversity in Lake County. The Project is also located within the I-65 and SR 2 Interchange Economic Development Area (EDA) that is currently under consideration by Lake County for future economic development and infrastructure investment. The EDA has already received preliminary approval from the Lake County Redevelopment Commission, the Lake County Plan Commission, and the Lake County Council. The special exception will allow the installation of a new energy infrastructure investment in Lake County to serve the existing community and future growth. The application meets this standard.

New Land Use Zones - Overlays

-  Park
-  Business Park
-  Highway Commercial
-  Mixed Use Commercial

Proposed Land Use

-  Residential
-  County Neighborhood
-  Agriculture
-  Parks/Open Space
-  Government
-  Highway Commercial
-  Commercial/Office
-  Other
-  Institutional
-  Mixed Use Commercial





Zoning Breakdown



