

Minutes of the September 23, 2004  
Regular Meeting of the  
Marshall County Plan Commission  
112 West Jefferson Street, #307  
Plymouth, Indiana 46563

## MINUTES

President David Dinius called the meeting to order at 7:30 p.m. on Thursday, September 23, 2004, in Room #203 of the Marshall County Building. Present were: Commission Members Clifford Allen, David Dinius, Ronnie McCartney, Wayne Neidlinger, and Robert Yoder, Plan Director Troy Kiefer, Secretary, Leesa Kolter, Planning Assistant Dave Rockaway and interested parties. Absent were board members Larry Fisher, Fred Lintner, Harold Van Vactor and Max Watkins.

The first item of business was the review of the minutes from the August 26, 2004 meeting. Mr. Allen moved and Mr. Yoder seconded a motion to pass the minutes with corrections. The motion passed by acclamation.

The second item of business, case 04-PC-16, Swan Lake Holdings, LLC, A request for a Special Exception to permit a Sporting Clay Shooting Course on property located at 19600 6<sup>th</sup> Road, in an A-1, Agricultural District, Section 17 of Polk Township. Mr. Clifford Means, of Buena Vista Hospitality Group and Director of Operations at Swan Lake, and Mr. Bill Bixby, of Strang and Associates, were present to represent the request. Mr. Kiefer gave the details of the request and presented the Findings of Fact. He stated that within a quarter mile of the operation he estimated sixteen residences. Mr. Neidlinger asked how close the operation would be to the golf course. Mr. Kiefer stated that the course would be just to the East of the golf course.

Mr. Meads stated that he is employed by Buena Vista Hospitality and is working with Swan Lake. He stated that they are looking for ways to bring people to the hotel and extend their season. He stated that they are looking to expand the facilities to offer more entertainment. He introduced, Gary Blum, designer of the course and level 3 instructor for shooting clays; Don Bixby, of Strang and Associates; Rudy Adams, builder of Hoosier Traps. Mr. Means stated that they have kept local involvement. He stated that they are willing to work with the community for agreeable hours of operation.

Mr. Blum gave an explanation of sporting clays. He stated that it is a simulation sport. He stated that the participants never load more than 2 shells, must wear hearing protection and protective eye wear. He stated that people will go from station to station to shoot the clays. He stated that semi automatic guns are used for shooting. He stated only shot guns are used and the most shot would be an ounce and an eighth, biggest would be a size 7.

Mr. McCartney asked what the maximum distance for a shot? Mr. Blum stated that it would be 250 yards, which would be under ideal conditions with a 7 ½ shot.

Mr. Allen asked how many stations were planned. Mr. Blum stated that there would be twelve. Mr. Yoder asked who would monitor the shot that was used. Mr. Blum stated that the rules would be posted and there would be a course manager. Mr. Mean stated that Swan Lake would be responsible.

Mr. Allen asked where Swan Lake would like to head in the future. Mr. Mean stated that Swan Lake sought the service of Buena Vista to help them find ways to branch out and to bring people to the area.

Mr. Bixby explained the shooting diagram. He stated that they have mapped out an additional area as a safety buffer.

Mr. Neidlinger asked if there would be any water that would be shot over. Mr. Bixby stated that there was no water shot over. Mr. Neidlinger asked if there would be steel or lead shot? Mr. Blum stated that there would be lead shot. Mr. Neidlinger asked if the area would be wooded or open ground? He asked if any of the geese would eat any of the lead?

Mr. Allen asked if there were age limits? Mr. Blum stated that he gives lessons to children, it is a family activity. He stated that no one would be unsupervised.

Mr. McCartney moved and Mr. Neidlinger seconded a motion to open the public hearing. The motion passed by acclamation.

- Dave Jacobson, 19336 6B Road, spoke in opposition of the request. He stated that he was concerned more about noise than safety. He stated that

he can hear the people golfing, he will be sure to hear the gun fire. He stated that this operation would lower property values.

- Rod Sarber, 4954 Plymouth-LaPorte Trail, spoke in opposition of the request. He stated that they are expecting 10,000 to 15,000 shots, which would constitute as noise pollution. He stated that they would mean 623 to 937lbs of lead a day. He stated that the Stillwell Shooting Club was shut down at one time for lead contamination. He stated that they would be shooting too close to residences.
- Barbara Klinedinst, 5050 Plymouth-LaPorte Trail, spoke regarding the request. She asked if a building would need to be built back there and would there need to be a septic system installed?
- Dean Sarber, 18568 6<sup>th</sup> Road, spoke in opposition of the request. He stated that there is an open ditch that drains the acreage. He stated that if there was any lead contamination it would contaminate a large water supply.
- Vivian Brach-Beret, spoke regarding the request. She stated that they live right next door. She stated that there are several ditches that run parallel to the proposed operation. She stated that she is getting ready to retire and does not want to be home listening to gun shots all day.
- Larry Eldridge, 5530 Union Road, spoke regarding the request. He stated that he had a signed petition against the addition of the shooting range.
- Delbert Grossman, 19020 6<sup>th</sup> Road, spoke regarding the request.
- Dan Ecker, 7943 State Road 23, spoke regarding the request. He stated that he grew up in the area and is representing his parents at 5260 Union Road. He stated that the deed for the property is not in fact in Swan Lakes name.
- Roy Gregory, 19465 6<sup>th</sup> Road, spoke in opposition of the request. He stated that he does not like the idea of the sports shooting because of the noise and additional traffic.
- Richiard Ullery, 4795 Plymouth-LaPorte Trail, spoke in opposition of the request. He stated that he is concerned with the noise and wondered if there would be liquor served at the shooting range.
- Vivian Beret, spoke again and stated that the community has been treated badly by Swan Lake and they can not support anything that they might want to do at this point.
- Steve Langly, stated that his mother lives on 6<sup>th</sup> Road. He stated that you can not see to tell which shells are being used by sight.
- Chuck Kerry, 6238 Union Road, spoke regarding the request. He stated that he felt the Swan Lake was good for the community, but he could not support the shooting range. He stated that it would reduce property values.

There was no one else to speak either for or against the request. Mr. Neidlinger moved and Mr. Allen seconded a motion to close the public hearing. The motion passed by acclamation.

Mr. Kiefer read correspondence in opposition of the request from:  
Mr. & Mrs. Jacobson, 19336 6 B Road  
Michael Lang, 4549 Lora St, Racine, WI 53402  
Lucille Eldridge, 19790 6<sup>th</sup> Road.

Mr. Dinius asked if there would be plans for any additional stations. Mr. Mean stated that he did not feel that was possible. Mr. Dinius asked about liquor sales. Mr. Means stated that there would be no intention of liquor sales. Mr. Dinius raised the issue of lead contamination. Mr. Bixby stated that the EPA has guidelines. He stated that there would be a stewardship plan that would keep the lead from leaching, testing would be done to keep the ph levels and there is equipment that can pick up the lead, as well as fertilizers that equalize the lead. He stated that they could guarantee that there would not be a lead problem.

Mr. Blum stated that he wanted to address the area of noise. He stated that he conducted the testing and he stated that he wanted to assure that nothing was staged. He stated that he did not believe that the noise would be a problem. He stated that they took readings and while the noise could be heard the readings showed that there was no extra noise created.

Mr. Allen moved and Mr. Neidlinger seconded a motion to forward the request to the Board of Zoning Appeals with an unfavorable recommendation. The motion passed with a unanimous vote of approval

The third item of business was case, 04-PC-17, Marlin & Erma Mullet, A request for a Special Exception to permit a Home Workshop; Cabinet Doors on property located at 4463 Beech Road, in an A-1, Agricultural District, Section 8 of German Township. Mr. & Mrs. Mullet were present to represent the request. Mr. Kiefer stated that the applicant lives on the property. He stated that Mr. Mullet would like to expand the building to 60' x 100'. He stated that it would not be an expansion of business but would accommodate inside storage for wood. He stated that there would be no additional employees.

Mr. Mullet stated that there are no customers coming to the property. Mr. Kiefer asked how many employees? Mr. Mullet stated that there are two family members and two additional employees who are not family.

Mr. Neidlinger moved and Mr. Allen seconded a motion to open the public hearing. The motion passed by acclamation. There was no one to speak either for or against the request. Mr. Neidlinger moved and Mr. Yoder seconded a motion to close the public hearing. The motion passed by acclamation.

Mr. Allen moved and Mr. Neidlinger seconded a motion to forward the request to the Board of Zoning Appeals with a favorable recommendation. The motion passed with a unanimous vote of approval.

The fourth item was other business. Mr. McCartney presented the future plans for US  
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Mr. Kiefer gave a report regarding permits. He stated that the number of permits issued was down from last year. He stated that last year was the lowest in ten years.

There was no further business before the board. The meeting was adjourned.

Respectfully  
submitted,

Harold  
VanVactor  
Secretary