

PACKET OF PUBLIC COMMENT ADDENDUM

Advisory Plan Commission

June 1, 2015

PUBLIC COMMENT #20

Subject: Development of NE corner of 161st and Oak Rd -- Urgent Action Needed

Dear Westfield Planning Commission:

Re: Development of NE corner of 161st and Oak Rd (Tamarack PUD Docket No. 1506-PUD-09)

We are the original “homeowners” of lot 11 in Oak Park (dating to 1996). We have seen a lot of growth in Westfield over the years—and can say it has been mostly good in our “neck of the woods.”

However, this month, we learned M/I Homes of Indiana is rushing to push a rezoning request through the Westfield APC for a parcel just north of us—off 161st St and east of Oak Road in Westfield.

In summary, here are our concerns:

1. **Increased density, traffic & CONCERN FOR SAFETY**—Naturally, we expect smart development in Westfield—and wish to preserve the open green spaces and country-feel that brought us to Westfield and make our neighborhood special. Changing from SF-2 to SF4/PUD will increase traffic and safety hazards along 161st. With increased traffic and vehicle speeds of 40+ MPH--an “accident is waiting to happen.”
2. **Developer/Builder Reputation**--It has been reported that Westfield citizens have complained about M/I Homes backing away from their agreements with home owners. (Ref. 8/23/14 article in *Current In Westfield*, report by Navar Watson titled “*Westfield lots in danger of shrinking side yards*”—a controversy in Waters Edge subdivision in Westfield involving M/I Homes of Indiana and their “broken promises” regarding side yards). What other “broken promises” might be expected in the future from this company? And how might it impact our neighborhood property values? This production builder also has a history of questionable quality control. (See photograph of an M/I Home built in the Watson Farms subdivision in Indianapolis—just after the chimney chase fell over—all because of omitted construction materials/standards. Fortunately, no one was seriously injured).
3. **Impact on RESALE VALUE.** We fully support growth and development that is win/win for the all parties—enhancing ALL property values so that the sum total is optimized. This project, on the other hand, appears to set-up a sub-optimal “win-lose” scenario. Yes--the value of the developer/builder’s ROI is likely to be enhanced by virtue of the

project's proximity to adjacent SF-1 and SF-2 zoned developments—but at a potentially steep cost to resale value for the homes already in these areas. Surely, we can do better than this!!!

In light of these concerns and circumstances, we respectfully request that the Westfield Planning Commission reject this request for rezoning.

Sincerely,

Victor T. & Rhonda M. Isbell
2728 Oak Park Circle

PUBLIC COMMENT #21

Subject: Property Values & Traffic - Tamarack--proposed for the farm at the corner of Oak Road and 161st Street. It abuts Oak Manor

I will not be able to attend the meeting but my concerns are traffic and property values as I will actually be working. So I use my voice by e-mail - I was told by Langston when I built at 16422 Oak Manor Drive Westfield IN that land was planned for estates. These are not estates. Estates neither affect value or traffic. The proposed plan increases traffic leading decline in desirability and values of the property I purchased at 16422 Oak Manor drive.

I went through this very same thing at Village Farms on GREYHOUND Pass. That is why I moved to Oak Manor.

161st street is now backed up off of 31 at peak hours. Can you imagine what it will be if you change the venue from Estates to this current proposal. I Object. What about my rights and my say for what I want for my individual rights. I don't mind if the developer puts estates as originally planned by Langston but I object to the current Plan. The current plan will just force me to move from Westfield IN.

Regards,

Keith A. Kohlmann | Crop Protection Account manager | [GROWMARK, Inc.](https://www.growmark.com) | Ph:317-896-1616 |
Fx: 317-896-1818 | C:317-694-0042 kkohlmann@growmark.com

PUBLIC COMMENT #22

Subject: Tamarack

Hello, to whom it may concern:

As a home owner and a business owner in Westfield for 12 plus years and business owner since 1995. As owning a landscaping company and buying an estate home with over 3 plus acres I value the open property of Westfield. The landscapes of Oak Road are few and far between anything I have seen in any surrounding cities. As my home sits directly across oak road from this field I feel I should have a say as the city does and neighbors do on what I do at my property. As I own a business and operate it from a property off state road 32 as respect to our quiet neighborhood. I would hope you respect the homeowners that have paid top dollar to seek out and buy estate homes. To even consider a development that is lower grade than anything around would not be in the best interest of anything that Westfield is building to. With land as limited as it is I would hope that Westfield would really like to use it and or have it used in the best ways as possible. If I wanted to live by or see cookie cutter homes I would have bought in Fishers or Noblesville. If Westfield is moving in the direction of just letting anybody build anything then the standards that were set sure are not being followed. I would also like to see the buffer landscape design as I feel my property will be hurt by all the headlights by the entrance / exit proposed on Oak road. I would also like to have a response on the traffic issue that is becoming a major problem on oak road and 161 street. The light at Union and 161 has had an officer running the light as it has traffic backed up as far as eye can see most hours of the day. The streets around this area cannot handle more traffic as there are no turn lanes and no shoulders. Speed limits are 30 and rarely enforced unless multiple calls are made. I feel that it's more issues to this other than the quantity and style of homes. This should really be thought out as just up the road is another proposed development at 171 and oak plus the other 2 development going on oak road. With such limited space I sure hope this is really looked and not rushed with major regrets.

Regards,

Matt Fritch

PUBLIC COMMENT #23

Subject: Proposed Tamarack Subdivision at NE Corner of 161st and Oak Road

Hello Jeffrey,

My name is John Boyer, and I'm the President of a homeowners group named "Washington Township Neighborhood Trustee's, SE". I attended the meeting the MI Homes held at one of their model homes in a subdivision south of 169th St. and East of Grey Rd.(in which you were introduced).

WTNT-SE was established over 20 years ago by people living in our neighborhood LONG BEFORE Oak Manor and Oak Park were conceived and built and today has about 80 member families, mostly centered in this neighborhood.

Actually we rejoice today that Oak Manor and Oak Park are such FINE NEIGHBORHOODS, because the area where Oak Manor stands today was proposed to be a "ticky-tack" neighborhood of vinyl-sided houses that we helped rebuff years ago. That effort led to Westfield working on a "Comprehensive Plan" that helped planners like our APC develop CONTINUITY between neighborhoods rather than develop in a "Hit and Miss" strategy.

MI Homes are FAR FROM THE FIRST developer that has gone to a land owner and tried to put the smallest lots with "cookie-cutter" homes on them in nice neighborhoods. We're SO FORTUNATE that we were able to resist those kind of efforts in the past until Jim Langston (Oak Manor) and Paul Estridge (Oak Park) came forward with QUALITY CUSTOM HOMES and built our neighborhood into the fine area that it is today.

Now that there are fewer and fewer available 40 acre tracts available, WHY WOULD WESTFIELD WANT TO approve a development like "TAMARACK" to literally DROP between FINE neighborhoods like Oak Manor and Oak Park? (Have you ever heard the expression "There goes the neighborhood"?)

I believe that Westfield SHOULD be "more selective" and find another developer like Jim Langston or Paul Estridge, who would build CUSTOM HOMES on Larger Lots on that site

WHAT'S THE RUSH? THE LAND ISN'T GOING ANYWHERE.

WE STRONGLY URGE THAT THE TAMARACK DEVELOP BE REJECTED AS NOT BLENDING INTO THE CURRENT NEIGHBORHOOD.

John Boyer
WTNT President

PUBLIC COMMENT #24

Subject: MI Tamarack Development

Letter to APC:

As an adjoining property owner to the MI's Tamarack development proposed for the NE corner of 161st and Oak Roads, I wanted to share my concerns that this is not a good choice for the use of this land.

The homes proposed do not appear to be of the nature that would fit in well with the surrounding homes. This land would be better used for estate lots.

The density of the proposed development would increase traffic that is already far more than it was years ago when we moved into our custom built home. I would rather see the land continue to be used for agriculture than to have the homes on lot sizes that MI plans to develop there.

Thank you.

David Nickolich
2411 Oak Woods Lane
Westfield, Indiana

PUBLIC COMMENT #25

Subject: Tamarack PUD

My wife and I are some of the newer residents to the area surrounding the Tamarack PUD. We have lived on Oak Woods Lane since December of 2013. Much of what drew us to Westfield was the prestige of the community, the more established residents, and the lower home density in the area.

We come from a neighborhood in fishers which is very similar to the proposed Tamarack PUD. Homes were around 1300-1800sq ft. Initially these types of neighborhoods can be nice and appealing to the community. However, as time passes and the initial residents move away many of the homes become rentals and the overall quality of the home exteriors diminishes greatly. I watched this occur to my previous neighborhood and I was hoping to get away from this type of development in Westfield.

This community needs homes that match the existing developments, and add value to this community. Because of this my wife oppose the Tamarack PUD.

Thank you,

Jacob and Mallory Lauth

PUBLIC COMMENT #26

Subject: New Tamarack subdivision 161st and Oak Road

Dear Westfield Neighbors:

We are writing this email to you all to express our concern about the new development planned for the farmland located on the corner of 161st and Oak Road. We live in Oak Manor and believe there are problems with the planning of this subdivision. Our concerns are the following:

1. Buffer with the neighborhood of Oak Manor.
2. the lot sizes are too small for the plans
3. There are way too many homes plan for the size of the farm field.
4. Drainage in the new neighborhood should be studied and planned accordingly.
5. Increased traffic for Oak Road.

Please carefully consider the planning before you approve this new development.

Thank you.

Judy Pippin

PUBLIC COMMENT #27

Subject: Ordinance 15-14, proposal for rezoning land at 161st St and Oak Rd from SF2 to PUD, known as Tamarack PUD District

Michael Miller
15936 Oak Park Ct
Westfield, IN 46074
Lot # 3 Oak Park (since July 2007)
Oak Park HOA Board Member
Westfield Resident since October 2001

Re: Ordinance 15-14, proposal for rezoning land at 161st St and Oak Rd from SF2 to PUD, known as Tamarack PUD District

Dear Council Members and APC members,

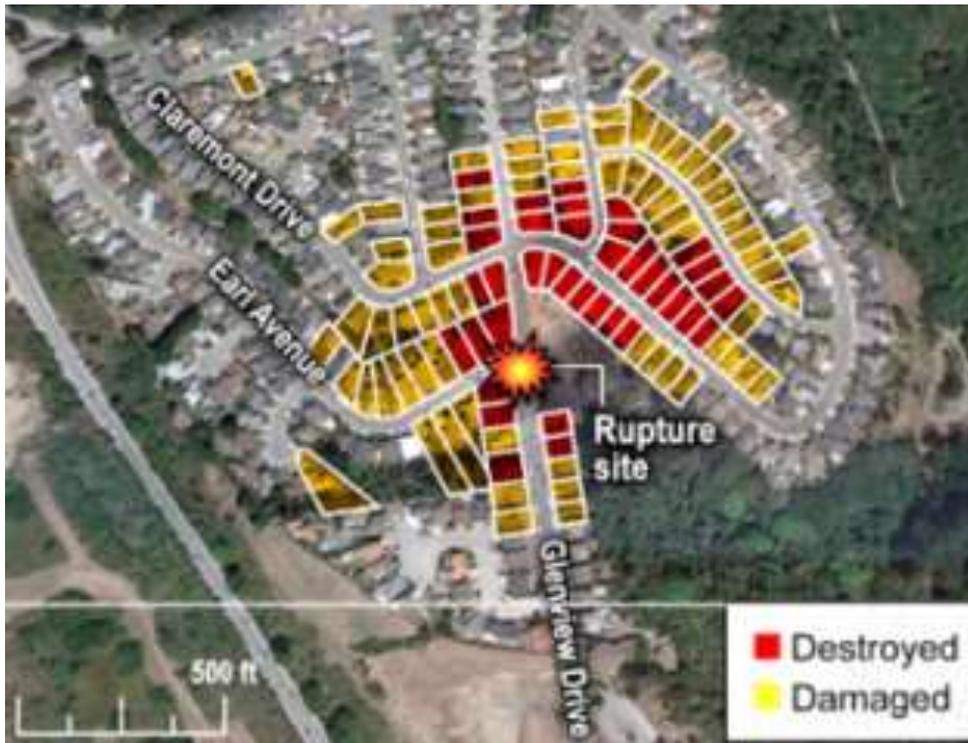
I thank you for your time, attention and service to our community. I am writing to voice my overwhelming opposition to the proposed PUD as described. In my work as an anesthesiologist, one of my primary duties is to assess a given patient, their condition, the requirements of the surgery, the positioning requirements as well as the needs of the OR setting. I then devise a unique plan for that patient to preempt and prevent likely and unlikely safety risks from occurring, ensuring a safe journey through the operative and recovery period. If I am unable to create a safe environment for the patient, the surgery is cancelled if it is not an emergency. You are presented with a request to approve rezoning the land in question from SF2 to a PUD. I request you apply this same approach to look at this land not only as it is now, but as it will be 10 to 20 years from now if this PUD and development is approved as proposed. I ask the APC to vote to oppose this proposal and the council members to vote against it. In my opinion, a vote to approve the proposal as presented would at best be extremely short sighted and at worst negligent.

I am aware of a significant number of letters you have received voicing concerns regarding aesthetics, impact on home values of surrounding properties, traffic congestion and safety, drainage, impact on tax base vs. demand generated for services and questioning the need for cramming such a dense housing addition in the heart of a community with large lots and open spaces. I share all of these very important concerns, but I believe many of them will be addressed if the current plan is rejected and a new plan specifically addressing the minimum setbacks requested is devised.

A large reason this property has not already been developed is the presence of 4 gas pipelines traversing the property. The developer's plan is quite creative in trying to make these spaces a benefit to the development as open greenspace, but in a move to maximize profits and pack as

many units as possible into the space, they are seeking to limit side yard setback requirements to a mere 5 feet (10 feet between buildings). In seeking these minimal commitments (less than the 8 feet minimum side yard setbacks required of SF4), the developer is placing the entire community at unnecessary and unwarranted risk. At the informational meeting held by MI homes on Thursday, May 21, 2015, the land developer repeatedly referred to what is “normal,” “usual,” and “customary” when asked why things such as entrances, traffic requirements and drainage requirements couldn’t be different than what is proposed. I believe it is incumbent upon both the APC and the Council Members to recognize the presence of these pipelines makes the property in question anything but “usual, customary and normal.” As such, any modification to the existing 12-foot building to side yard set-back requirements of the current SF-2 designation should only be considered if they **INCREASE** the required setback minimums, while any plan decreasing them should be rejected.

I would like to think that gas line leaks, fires and explosions are exceedingly rare events. A visit to the site “<http://www.naturalgaswatch.org/>” and review of their monthly reporting will unfortunately reveal as many as 1-3 gas line leaks, fires or explosions occurring per month across the United States. According to the Pipeline Hazardous Materials Safety Administration (PHMSA, a division of the Department of Transportation of the U.S Government), in 2012 alone there were more than 80 major distribution Natural Gas Pipeline fires and explosions (resulting in 7 injuries, 0 fatalities and \$44M in damages) and an additional 71 fires or explosions amongst the lower pressure, smaller distribution pipelines (causing 9 fatalities and 21 injuries). Most of these events are never reported on national news, as they occur in uninhabited areas or involve a single structure. Occasionally, however, such a disaster occurs in an area of dense housing similar to what MI is proposing for this site, with tragic results. On September 9, 2010 a 30-inch gas pipeline exploded in San Bruno, CA. Note the close proximity of the structures in the pre-explosion picture with approximately 5-foot side yard setbacks. According to published reports, the initial blast damaged/destroyed 12 homes, but the intense fire rapidly spread from structure to structure due to the close proximity of the dwellings. By the time the fire was contained the next day, which required the use of four air tankers, two air attack planes, and one helicopter dropping fire retardant (a resource much more readily available in a California community prepped to fight wildfires than in central Indiana), 38 homes were destroyed and 53 more were damaged. Although many survivors suffered significant burns and injuries, it is truly amazing that only 8 people perished in this disaster.



PUBLIC COMMENT #28

Subject: Proposed Tamarack Development-NE corner of 161st and Oak Road

My name is Lisa Hirschfeld, and I am representing my husband, Adam and me with these comments. We have lived in Westfield for over 10 years. We are raising our 5 children here, in Oak Park, across from the proposed Tamarack project. While we are not opposed to having new neighbors, we are opposed to this project for many reasons. The homes that the developer proposes to build, with density more closely resembling townhomes and related high-density infrastructure, are completely out of character with the surrounding neighborhoods, and are not in the best interest of Westfield taxpayers and other stakeholders.

Westfield is known to be one of the best cities in the United States in which to live and raise a family, precisely because of its current character as a community promoting lower density, higher quality developments. Most of the surrounding developments have homes built with 4,000-6,000 sq feet, with thoughtful consideration for green space, home quality, value preservation and safety. Westfield has thrived and will continue to thrive and grow by continuing to promote that character and making development decisions accordingly. Westfield does not need to, and should not, follow in the footsteps of so many other communities who have allowed the development of high density, lower quality homes at the expense of the hard-fought and well-deserved character of the city. Allowing the Tamarack development as proposed, with as many homes as possible crammed onto a tiny piece of property will bring many significant undesirable changes, including traffic problems, overflow in the school systems, drainage issues affecting adjacent developments, devaluation of investments made by taxpayers over decades, and other issues. It is simply a poor development decision that will profit a few at the expense of many, and we greatly oppose it.

Sincerely,

Lisa Hirschfeld

PUBLIC COMMENT #29

Subject: Tamarack PUD

As a neighborhood who resides on Oak Woods Lane, I would like to express my objection to this project. My wife and I understand that there will be continued growth in Westfield but the city needs to maintain a high standard and prevent these production-like lower quality homes from being built. We've lived in this home for over 20 years and have thoroughly enjoyed the area but we do ask that the city continue that environment and turn this project down.

Thank you for your service,

Dr. and Mrs. Kent W Erb

PUBLIC COMMENT #30

Subject: Tamarack proposed development

Cliff White, Area President of M/I Homes of Indiana,

Thank you for the email offering a meeting on Monday.

I had a chance to talk to Jon Dobosiewicz today. I tried to go to the second neighborhood meeting but was told that it was cancelled. Our neighborhood, Oak Park, just went through a long process to change the PedCor/Estridge Oak Park infill. Paul was a bully and tried to tell us what we wanted. For the most part we are happy with the outcome.

I oppose and many of my neighbors oppose the SF-4 Tamarack production homes being proposed. We are confused by changes that have occurred recently. I would like to see the various side and rear elevations that many of us will see daily rather than a façade front elevation. We don't want to see front loaded garage doors. Westfield is full of neighborhoods that leave their front garage door open to expose some very unpleasant sights.

Cliff, this development is directly behind my house. Our kitchen window looks out over that field. Imagine if you had this development in your back yard on Mule Barn Road? You came to Westfield to build a home that is sheltered from such bad density and unsafe traffic. I too came to Westfield twenty-one years ago to live in a home on a large lot without SF-4 production homes directly behind me. The land is intended for a SF-2 zoning. If M/I Homes of Indiana wants to place quality SF-2 homes behind me, I would be happy to sit down and discuss it.

Monday would be a good day to talk about this project. I have meetings from 10-2:30.

David Mueller

Oak Park Resident and President of Oak Park HOA

My name is Nancy Anderson and I live at
15941 Oak Park Court Westfield
My husband and I have lived here 19 years.
I am a Oak Park HOA board member.

My primary concern with this project is **SAFETY**.
First, I am in agreement with Mike Miller and want to voice my
grave concern with the risk of new construction around gas
pipelines.

Establishing this high density neighborhood with minimal
setbacks around gas pipelines makes me fearful of a gas
explosion that would directly impact my home and
neighborhood.

My second safety concern is the traffic entering and exiting
onto 161st street with the addition of 40 plus new homes. With
each passing day, it is becoming increasingly more difficult and
dangerous to exit from Oak Park Ct onto 161st street. The
addition of this new development's entrance and exit directly
across from Oak Park Ct. would **significantly increase traffic
causing a real safety risk for my family and neighbors.**

Lastly, I am concerned about the value of my home decreasing
due to this proposed development. **The proposed density
and quality of manufactured homes is inconsistent and not
compatible** with **all** of the surrounding, adjacent
neighborhoods to this project.

I ask you to please not approve this proposal of such **high
density manufactured homes** with **minimal gas pipe line
setbacks** to ensure the **safety** and home values of the
surrounding, existing neighbors.

Thank you very much for your time and consideration.